



LOXAHATCHEE RIVER DISTRICT

2500 JUPITER PARK DRIVE, JUPITER, FLORIDA 33458

TEL: (561) 747-5700

FAX: (561) 747-9929

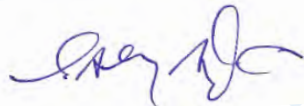
D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

AGENDA
REGULAR MEETING #01-2022
JANUARY 20, 2022 – 7:00 PM AT DISTRICT OFFICES
ALSO, THE MEETING WILL BE AVAILABLE TO THE PUBLIC ONLINE AT:
LOXAHATCHEERIVER.ORG/PUBLICMEETING

1. Call to Order & Pledge of Allegiance
2. Administrative Matters
 - A. Roll Call
 - B. Previous Meeting Minutes **Page 3**
 - C. Additions and Deletions to the Agenda
 - D. Election of Officers **Page 8**
3. Comments from the Public
4. Status Updates
 - A. Loxahatchee River Watershed **Page 9**
 - B. Loxahatchee River District Dashboard **Page 10**
5. Consent Agenda (see next page) **Page 11**
6. Regular Agenda
 - A. Consent Agenda Items Pulled for Discussion
 - B. Governing Board Appointments and Liaisons **Page 61**
 - C. Headworks Emergency Generator Installation Construction Contract **Page 63**
 - D. Renewal of Lift Station Rehabilitation General Construction Services **Page 67**
 - E. LRD Rule Chapter 31-3 Regulations for Sewer Systems **Page 71**
7. Reports (see next page) Pulled for Discussion
8. Future Business **Page 133**
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/she will need a record of the proceedings, and that, for such purpose, he/she 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: January 10, 2022

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
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. Authorization to Execute Reports (Res.2022-01) [Page 12](#)
- B. Employee Retirement Plan Trustee Designation – to designate Trustee [Page 14](#)
- C. LS160 and 296 Emergency Generator and ATS – to approve purchase [Page 15](#)
- D. Replacement of Unit 15 Vacuum Truck – to approve purchase [Page 17](#)
- E. Drug Free Workplace Policy – to approve updates [Page 22](#)
- F. DOT Drug Test Policy – to approve updates [Page 36](#)
- G. Fixed Asset Disposal – to approve disposal [Page 58](#)
- H. Change Orders to Current Contracts – to approve modifications [Page 59](#)

7. REPORTS

- A. Neighborhood Sewering [Page 80](#)
- B. Legal Counsel's Report [Page 82](#)
- C. Engineer's Report [Page 85](#)
- D. Busch Wildlife Sanctuary [Page 93](#)
- E. Director's Report [Page 94](#)



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D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

TO: Governing Board
FROM: Recording Secretary
DATE: January 20, 2022
RE: Approval of Meeting Minutes

Attached herewith are the minutes of the Regular Meeting of December 16, 2021. As such, the following motion is presented for your consideration:

“THAT THE GOVERNING BOARD approve the minutes of the December 16, 2021 Regular Meeting as submitted.”

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
REGULAR MEETING - MINUTES
DECEMBER 16, 2021

1. CALL TO ORDER

Chairman Boggie called the Regular Meeting of December 16, 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. Howard, Ms. Fraraccio, and Mr. Pugsley (via GotoWebinar).

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

B. PREVIOUS MEETING MINUTES

The minutes of the Public Hearing and Regular Meeting of November 18, 2021 were presented for approval and the following motion was made.

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

“THAT THE GOVERNING BOARD approve the minutes of the November 18, 2021 Public Hearing and Regular Meeting as submitted.”

C. ADDITIONS & DELETIONS TO THE AGENDA

Pull items 5A and 5C for discussion

3. COMMENTS FROM THE PUBLIC

No comments from the public were received.

4. STATUS UPDATES

A. LOXAHATCHEE WATERSHED STATUS

Mr. Howard summarized the Nano Bubble Ozone Treatment Project for Jones Creek

B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the District Dashboard.

5. CONSENT AGENDA

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

“THAT THE GOVERNING BOARD approve 5B of the Consent Agenda of December 16, 2021 as presented.”

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

B. Fixed Asset Disposal – to approve disposal

“THAT THE GOVERNING BOARD authorize the Executive Director to dispose of tangible personal property included in Schedule 1: Tangible Personal Property Disposals and the assets listed in Schedule 2: Renewal and Replacement Disposals in accordance with the District’s Disposal of Surplus Tangible Personal Property Policy.”

D. Change Orders to Current Contracts – to approve modifications

No Change Orders are presented for Board consideration this month.

6. REGULAR AGENDA

A. CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

5A. District Uniform Policy – to approve policy

Dr. Arrington reviewed his memo on the District Uniform Policy.

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

“THAT THE DISTRICT GOVERNING BOARD approves the attached Uniform Policy and Dress Code with an effective date of December 20, 2021.”

5C. District Holiday Policy – to approve policy

Dr. Arrington reviewed his memo on the District Holiday Party.

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

“THAT THE DISTRICT GOVERNING BOARD approves the attached Holiday Policy, as revised, with an effective date of January 1, 2022 and directs the Executive Director to remove Section 4.3 from the District’s Personnel Policies & Procedures manual.”

B. Rolling Hills Gravity Sewer System Construction Contract

Dr. Arrington reviewed Mr. Dean’s memo on Rolling Hills Subdivision Gravity Sewer System.

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

“THAT THE DISTRICT GOVERNING BOARD authorize award of Bid 22-002-00112 to Felix Associates of Florida Inc. for an amount not to exceed \$1,114,309.00 and a contingency amount of \$111,430.00.”

C. Executive Director’s Annual Review

Chairman Boggie distributed his review to other board members for their feedback.

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

“THAT THE DISTRICT GOVERNING BOARD receive the review of Dr. Albrey Arrington, Executive Director, and adjust his Employment Agreement as follows: effective December 25, 2021 a 3 % increase in his base salary and a net \$15,000 bonus.”

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 Mr. Snyder,
Passed Unanimously.

“That the regular meeting of December 16, 2021 adjourns at 8:16 PM.”

BOARD CHAIRMAN

BOARD SECRETARY

RECORDING SECRETARY



LOXAHATCHEE RIVER DISTRICT

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D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

TO: Governing Board
FROM: D. Albrey Arrington, Ph.D., Executive Director
DATE: January 12, 2022
SUBJECT: Election of Officers

The Governing Board annually conducts an election of officers to fill the five positions described below. Existing officers are shown in parentheses.

Chairman (Boggie): runs the meetings, executes contracts and documents, and sets meeting agendas.

Vice-Chairman (Snyder): fills in for the Chairman in his absence and conducts official business as may be delegated by the Chair.

Treasurer (Rostock): signs checks and monitors the budget through review of monthly statements and the audit.

Secretary (Rockoff): keeps the records of the District in proper order and attests formal documents.

Assistant Secretary/Treasurer (vacant): acts in the absence of the Secretary or Treasurer of the Board.

At our meeting this month, Chairman Rockoff will open the floor for nominations. If necessary, an election, by hand count or ballot, may be conducted. Once the new Chairman is elected, he will receive the gavel and conduct the remainder of the meeting.

Suggested motion format:

"THAT THE GOVERNING BOARD elect: Mr. Snyder to serve as Chairman, Dr. Rostock to serve as Vice Chairman, Mr. Rockoff to serve as Treasurer, and Mr. Boggie to serve as Secretary of the Governing Board of the Loxahatchee River Environmental Control District."

If you have any questions or concerns regarding this procedure, please give me a call.

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

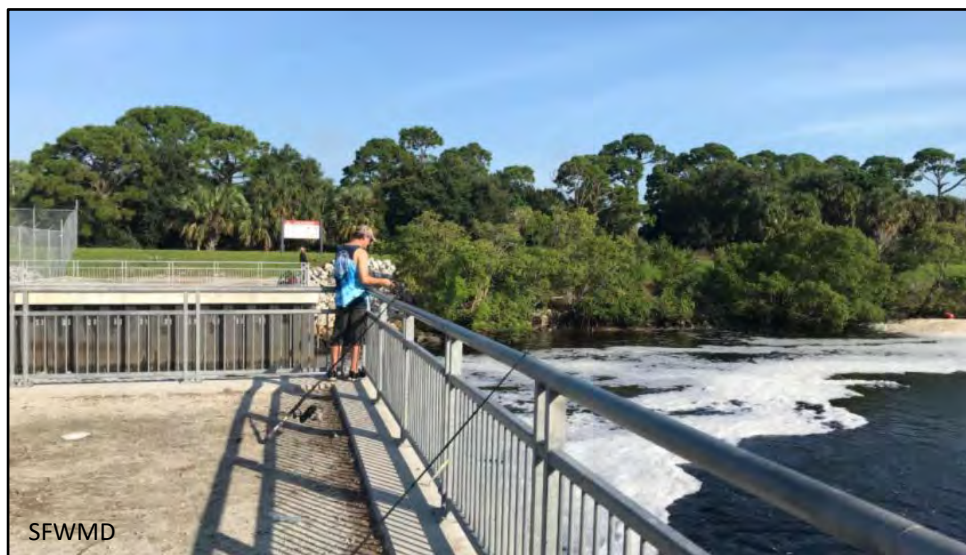
Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER



Loxahatchee River Watershed Status Wet Season Summary

This year's wet season had lower rainfall compared to the past 10 years, as well as some unusual river flows. At our meeting we will present a summary of the wet-season rainfall, river flows, and flood control releases to the Loxahatchee River estuary.



LOXAHATCHEE RIVER DISTRICT'S EXECUTIVE DASHBOARD



		Stewardship	Pre-Treatment	Collection & Transmission		Wastewater Treatment			Reclaimed Water	EHS	General Business					River Health		
		# People educated at RC	Grease Interceptor Inspections	Customer Service	Unauthorized Discharge of Sewage	Mean Daily Incoming Flow	Permit exceedance	NANO Blend to Reuse (@ 511)	Delivery of Reclaimed Water	Employee Safety	Cash Available	Revenue (excluding assessment & capital contrib.)	Operating Expenses	Capital Projects		Minimum Flow Compliance	Salinity @ NB seagrass beds	River Water Quality
Units		% of Target	% requiring pump out	# blockages with damage in home	Gallons; # impacting surface waters	million gallons/day	# occurrences	Max Specific Conductance (umhos/cm)	# days demand not met	# of OSHA recordable injuries	\$	% of Budget	% of Budget	% within budget	average # days ahead (behind) schedule	# Days MFL Violation	‰	Fecal Coliform Bacteria (cfu/100ml)
Green Level		≥ 90%	≤ 15	Zero	<704; 0	< 7.7	Zero	<1542	<2	Zero	≥ \$9,894,657	≥ 95%	≥ 85% but ≤ 105%	≥80%	≥ (30)	0	min ≥ 20 ‰	≤ 1 site > 200
Yellow		< 90%	≤ 25	1	≤1,500; 0	< 8.8	1	≤1875	≥ 2	-	< \$9,894,657	≥ 90%	≥ 80%	≥60%	< (30)	1	min ≥ 10 ‰	≤ 3 sites >200
Red		<75%	> 25	≥ 2	>1,500; ≥1	≥ 8.8	≥ 2	>1875	≥ 9	≥ 1	< \$5,557,057	< 90%	< 80% or > 105%	< 60%	< (60)	≥ 2	min < 10 ‰	≥ 4 sites > 200
2018 Baseline		112%	8	0	1,606	6.8	0	1,216	1	0.4	\$ 33,683,858	99%	85%	95%		42	23.1	1 > 200
2019 Baseline		100%	9	1	8,022	6.8	0	1,229	1	0.3	\$ 35,137,006	100%	89%	95%		2	22.9	1 > 200
2020 Baseline		34%	8	0	3,292	7.2	0	1,183	1	0.3	\$ 35,350,661	100%	90%	91%	-15	7	14.6	2 > 200
2020	Dec	44%	14	0	152; 0	7.3	0	1,051	0	0	\$ 37,259,395	102%	92%	100%	(19)	0	18.3	5 > 200
2021	Jan	50%	27	1*	642; 0	7.4	0	1,134	0	0	\$ 37,037,535	100%	88%	100%	(19)	0	21.7	0 > 200
	Feb	65%	30	0	5,457; 3	7.4	0	1,483	0	0	\$ 39,492,533	99%	84%	83%	(20)	0	31.7	3 > 200
	Mar	99%	14	1	40; 0	7.3	0	1,467	0	0	\$ 39,571,784	98%	83%	75%	(25)	0	32.6	0 > 200
	Apr	134%	27	0	1,000; 1	7.3	1	1,392	0	0	\$ 39,702,370	97%	87%	76%	(19)	5	32.2	1 > 200
	May	92%	12	0	612; 1	6.9	0	1,362	4	1	\$ 41,642,323	96%	86%	76%	(15)	0	32.1	1 > 200
	June	142%	9	0	8; 0	6.7	0	1,404	16	0	\$ 41,162,307	95%	88%	76%	(17)	0	32.0	3 > 200
	July	205%	10	0	266; 0	6.6	0	1,336	0	0	\$ 40,444,121	95%	94%	76%	(27)	0	27.2	2 > 200
	Aug	160%	14	1	2,060; 0	6.9	0	1,243	0	0	\$ 42,047,326	95%	89%	76%	(42)	0	16.9	5 > 200
	Sept	192%	11	0	357; 0	6.8	0	1,300	1	0	\$ 40,450,479	95%	86%	76%	(61)	0	17.2	6 > 200
	Oct	77%	18	0	1,050; 1	7.0	0	1,221	0	0	\$ 40,516,049	94%	100%	79%	(55)	0	19.3	6 > 200
	Nov	75%	12	0	565; 0	7.4	0	1,164	0	1	\$ 42,924,083	97%	91%	81%	(49)	0	9.9	3 > 200
	Dec	67%	12	0	1,500; 0	7.3	0	1,021	0	0	\$ 42,827,478	106%	98%	78%	(55)	0	18.6	0 > 200
Consecutive Months at Green		0	2	4	0	151	8	135	6	1	148	2	9	0	0	8	0	1
Metric Owner		O'Neill	Pugsley	Dean	Dean	Pugsley	Pugsley	Pugsley	Dean	Horchar	Fraraccio	Fraraccio	Fraraccio	Dean	Dean	Howard	Howard	Howard

Metric

Stewardship
Unauthorized Discharges
Capital Projects (\$)
Capital Projects (time)
Salinity

Explanation

Our targets are now 80% of pre-COVID levels, but with the onset of the Omicron variant in our community we have seen attendance and participation once again decline. In December we saw around 40% of school students relative to a "normal" month. Plus, Palm Beach County schools had a shorter winter break than normal, which translated into fewer visits from families. Major complications in our low pressure sewer system that serves Pebble Pl, Basin St, Coral Ln, and Cove Rd led to three unauthorized discharges totaling 1,500 gallons. The root cause of the complications appears to be discharge of a highly viscous substance into a residential low pressure pumping station. For more information, see Kris' Engineering Report.

The overall Capital Program schedule slipped through December. Staff are working to close out contracts for 181st St. Gravity Sewer System, Olympus Drive Force Main and Evaluation of the 24 inch Subaqueous Force Main. Work on these projects is complete, however closeout documents including release of liens, payment affidavits, maintenance bonds, balancing change orders and final pay applications have not been completed.

Our capital project schedule metric was degraded in December as we failed to make intended progress on a few outstanding projects. See Kris' report for a more complete description of the status of these projects.

The watershed received 2.99-inches of rainfall according to the NEXRAD rainfall tool, and flow over Lainhart Dam averaged 199 cfs (no flow over S-46). These conditions allowed salinity in downstream portions of the estuary to improve compared to last month, but they are not yet in the optimal range for seagrasses.



LOXAHATCHEE RIVER DISTRICT

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D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

TO: Governing Board
FROM: Administration Staff
DATE: January 20, 2022
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. Authorization to Execute Reports (Res.2022-01)
- B. Employee Retirement Plan Trustee Designation – to designate Trustee
- C. LS160 and 296 Emergency Generator and ATS – to approve purchase
- D. Replacement of Unit 15 Vacuum Truck – to approve purchase
- E. Drug Free Workplace Policy – to approve updates
- F. DOT Drug Test Policy – to approve updates
- G. Fixed Asset Disposal – to approve disposal
- H. Change Orders to Current Contracts – to approve modifications

Should you have any questions regarding 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 January 20, 2022 as presented.”

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

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER



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D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

TO: GOVERNING BOARD
FROM: KARA FRARACCIO
DATE: JANUARY 14, 2022
SUBJECT: AUTHORIZATION TO EXECUTE REPORTS – RESOLUTION 2022-01

Attached herewith is Resolution 2022-01, authorizing specific signatures for execution of all reports required under the Florida Statutes.

Therefore, I recommend the following motion:

“THAT THE GOVERNING BOARD approve Resolution 2022-01 authorizing specific signatures for execution of all reports required under the Florida Statutes.”

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER

RESOLUTION NO. LRECD 2022-01

A RESOLUTION OF THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT AUTHORIZING SPECIFIC SIGNATURES FOR EXECUTION OF ALL REPORTS REQUIRED UNDER THE FLORIDA STATUTES AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED by the Loxahatchee River District Board as follows:

1. The Executive Director (D. Albrey Arrington) and/or Deputy Executive Director (Kris Dean), or their designee, are hereby authorized on behalf of the Loxahatchee River District to execute all permits and reports required under the Florida Statutes and as required by any other rule, statute, law, ordinance, or regulation.
2. As relates to financial reports, the Director of Finance and Administration (Kara Fraraccio) is also authorized to sign.
3. As relates to permit-required Reports, sent to the Environmental Protection Agency and the Department of Environmental Protection, the Operations Plant Manager (Jason Pugsley), or his designee, is also authorized to sign.
4. This Resolution shall be effective as of the date of its adoption.

PASSED and ADOPTED at the regular Board Meeting by the Loxahatchee River District Board on January 20, 2022.

Loxahatchee River Environmental Control District

_____, Chairman

Attest:

_____, Vice Chairman



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loxahatcheeriver.org

MEMORANDUM

TO: Governing Board
FROM: D. Albrey Arrington, Ph.D., Executive Director
DATE: January 12, 2022
SUBJECT: Election of Trustee

Loxahatchee River Environmental Control District Money Purchase Plan and Trust, the official name of the District's defined contribution retirement plan, is managed by an Administrative Committee. The Administrative Committee is comprised of the Chairman of the Governing Board (to be determined), the Executive Director (Albrey Arrington), the Director of Finance and Administration (Kara Fraraccio), an Employee Representative (Thomas Ryan), and a Trustee. The Trustee is defined as "a member of the (District's) Governing Board who is elected annually from among the members of the Governing Board."

The Board needs to elect a Board Member to serve as Trustee for 2022. Dr. Rostock is willing to serve as Trustee.

Therefore, I recommend the following motion:

"THAT THE GOVERNING BOARD elects Dr. Matt Rostock to serve as Trustee for the Loxahatchee River Environmental Control District Money Purchase Plan and Trust."

J:\BOARD\TrusteeDesignation2022.docx

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER



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D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

TO: D. Albrey Arrington, Ph.D.

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

DATE: January 12, 2022

SUBJECT: Owner Furnished Equipment: Award of Contract for Lift Station 160 and Lift Station 296 Emergency Standby Generators and Automatic Transfer Switches (ATS)

Lift Stations 160 and 296 have been identified as priority stations for an emergency standby generator installation. District staff has coordinated with ACF Power Systems, Inc. to direct purchase the generators and ATSs for these projects and provide this equipment to the construction contractor for installation. This method allows the District to utilize its tax exempt status for savings on the purchase and allows the equipment to be ordered ahead of the construction contract award thereby shortening the construction contract period due to long lead times of this equipment.

The District will "piggy-back" on the existing Florida Sherriff Association, and the Florida Association of Counties (FSA&AC) FSA20-EQU18.0 contract with ACF Power Systems, Inc. for 125KW Generator Package Specification Item # 111 and 600A Automatic Transfer Switch Specification # 467 with contract upgrades as detailed in the attached quote. Below is a summary of the generators and automatic transfer switches to be purchased.

(1) Generac SD130 w/250A ATS \$_____ each

(2) Generac SD130 w/250A ATS \$_____ each

Staff recommend the following motion:

"THAT THE DISTRICT GOVERNING BOARD authorize the "piggy-back" of the (FSA&AC) contract FSA20-EQU18.0 with ACF Power Systems, Inc. as detailed in the attached quote dated _____ in the amount of \$_____."

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
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Proposal Forthcoming

Gordon M. Boggie
CHAIRMAN

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BOARD MEMBER

Dr. Matt H. Rostock
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James D. Snyder
BOARD MEMBER

Water Reclamation – Environmental Education – River Restoration



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loxahatcheeriver.org

MEMORANDUM

To: D. Albrey Arrington, Ph.D., Executive Director
From: Kris Dean, P.E., Deputy Executive Director, Director of Engineering
Date: January 12, 2022
Subject: Vacuum Truck Purchase: Unit 15 Replacement

In the performance of their duties field staff utilize line washing and vacuum trucks. These trucks are integral to our line cleaning, wetwell cleaning, system shutdown/bypass and excavation activities. Unit 15, currently assigned to construction was originally purchased in 2011. Over the last several years we have made numerous repairs to the unit and it has provided excellent service; however, the frequency of the repairs and the downtime associated with them have begun to impact our preventative maintenance and corrective work schedules.

Unit 15 is scheduled for replacement in FY22 at 11 years of service. The proposed replacement, a Vactor Model 2100, is available to us through Sourcewell Contract # 122017-FSC, a cooperative purchasing program, for \$423,151.30 as detailed in the attached quote.

Staff recommend the following motion:

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to issue a purchase order “piggy-backed” on Sourcewell Contract # 122017 with Environmental Products Group for a Vactor Model 2100 in the amount of \$423,151.30.”

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER



December 14th, 2021

Loxahatchee River Environmental Control District
Vactor quotation per Sourcewell contract
Attn: Mr. Vincent Beatrice

The following quote is based on the most current Sourcewell contract.
Sourcewell contract #122017-FSC
Loxahatchee River Environmental Control District contract member:
#19028

Price for Vactor as configured	\$433,101.56
Minus Freight at cost	\$ 2,700.00
Minus Chassis at cost	\$ 98,726.00
Subtotal	\$331,675.56
Less 3% contract discount	\$ 9,950.26
Total after discount applied	\$321,725.30
Add freight back in	\$ 2,700.00
Add chassis back in	\$ 98,726.00

Sourcewell price for a new 2022 Vactor model 2100 single engine, PD, 15 cubic yard combination sewer cleaning body with a 2023 Freightliner model 114SD tandem axle truck cab/chassis (Spec attached)	\$423,151.30
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Vactor warranty is standard 1 year parts and labor, excluding common wear items. The water pump is covered for 2 years parts and labor. The PD vacuum blower has a 1 year warranty. The water tanks carry a 10 year warranty and the debris tank carries a 5 year warranty.

Vactor warranty covers the PTO, hydraulic pumps and system, pneumatic system, water system, electrical system, switches, valves, transfer case, shafts, cylinders, etc.

MEMPHIS

2995 Sandbrook St.
Memphis, TN 38116
P: 901.630.5658
F: 901.630.5659

DEERFIELD BEACH

1907 SW 43rd Terrace
Suites G & H
Deerfield Bch, FL 33442
P: 954.518.9923
F: 954.518.9926

ATLANTA

4410 Wendell Dr SW
Atlanta, GA 30336
P: 404.693.9700
F: 404.693.9690

CORPORATE

2525 Clarcona Rd.
Apopka, FL 32703
P: 407.798.0004
F: 407.798.0013

www.MyEPG.com



PRODUCT DESCRIPTION

· 2100i with Roots 824-16" Hg. Blower, 15 Yard Debris body, 1500 Gallons of Fresh Water

STANDARD FEATURES

- 48" x 22" x 24" Curb Side Aluminum Toolbox
- Aluminum Fenders
- Mud Flaps
- Electric/Hydraulic Four Way Boom
- Color Coded Sealed Electrical System
- Remote Pendant Control w/35' Cord
- Intuitouch Electronic Package
- Double Acting Dump Hoist Cylinder
- Handgun Assembly
- 3" Y-Strainer at Water Pump Inlet
- Ex-Ten Steel Cylindrical Debris Tank
- Flexible Hose Guide
- 30 Deg. Sand Nozzle w/Carbide Inserts
- 30 Deg. Sanitary Nozzle w/Carbide Inserts
- 15 Deg. Penetrator Nozzle w/Carbide Inserts
- Nozzle Storage Rack
- Vacuum Tube Storage: Curbside (2) Pipe, Rear Door (2) Pipe
- 1" Nozzle
- 10' Leader Hose
- Flat Rear Door w/Hydraulic Locks and Door Power-up/Down, Open/Close Feature
- Dual 10" Stainless Steel Float Shut Off System/Rear Mounted
- Debris Body Vacuum Relief System
- Debris Deflector Plate
- 60" Dump Height
- Water Sight Gauge DS/PS
- Liquid Float Level Indicator
- Boom Transport Post Storage
- 3" Y-Strainer @ Water Pump w/3" Drain Valve
- Performance Package: (Hyd Variable Flow, Dual PTO's. Dual Hyd. Pumps)
- 1" Water Relief Valve for Vactor Water Pump
- Stainless Steel Microstrainer
- Blower Air Shift Controls
- Hydraulic Cooling Package
- Midship Handgun Coupling
- Side Mounted Water Pump
- Hose Wind Guide (Dual Roller)
- Hose Reel Manual Hyd. Extend/Retract
- Hose Reel Chain Cover (Full)
- Tachometer/Chassis Engine W/Hourmeter
- Circuit Breakers

MEMPHIS

2995 Sandbrook St.
Memphis, TN 38116
P: 901.630.5658
F: 901.630.5659

DEERFIELD BEACH

1907 SW 43rd Terrace
Suites G & H
Deerfield Bch, FL 33442
P: 954.518.9923
F: 954.518.9926

ATLANTA

4410 Wendell Dr SW
Atlanta, GA 30336
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- LED Lights. Clearance, Back-Up, Stop, Tail & Turn
- Tow Hooks, Front and Rear
- Electronic Back-Up Alarm
- Hydraulic Tank Shutoff Valves
- 8" Vacuum Pipe Package
- Emergency Flare Kit
- Fire Extinguisher 5 Lbs.
- Fixed Rear Door Pipe Rack, 8" Pipe
- Low Water Alarm with Water Pump Flow Indicator
- Front Joystick Boom Control
- Rodder System Accumulator- Jack Hammer on/off control w/ manual valve
- Digital Hose Footage Counter
- Water Pump Hour Meter
- PTO Hour Meter
- Hydraulic Oil Temp Alarm
- Digital Water Pressure Gauge
- Chassis Modifications

ADDITIONAL FEATURES

- Roots 824-16" Hg. Blower
- 180 Degree Rotation, 10 Ft. Telescoping Boom (23.5' total reach)
Nickel plated boom elbow
- 50 GPM Variable Flow Water System
- 3000 PSI Water Pressure
- 3/4" x 500' Piranha Sewer Hose, 3000 PSI
2nd accumulator set at 600psi
- Low water alarm
- Hydraulic Extending/Rotating 15" Hose Reel (1" x 800') Capacity
- Module Paint, Dupont Imron Elite - Sanded Primer Base
- Debris Body Flush Out System
- 6" Decant System w/Knife Valve, Curbside
- Centrifugal Separators
- Folding Pipe Rack, Curbside, 8" Pipe
- Folding Pipe Rack, Streetside, 8" Pipe
- Rear Door Splash Shield
- Lube Manifold
- Plastic Lube Chart
- Wireless Controls, including hose reel controls
- Rotatable Boom Inlet Hose
- Anti Splash Valve
- Hydro Excavation Kit - Includes Lances, Nozzles, Storage Tray, and Vacuum Tubes
Lateral cleaning kit with reel, 150'x1/2" hose and nozzle
- High Pressured Hose Reel
- Rodder Pump Drain Valves
- Rear Directional Control, LED Split Arrowboard
- Hand Light w/Bumper Plug



- Rear Mounted, LED Beacon Light
- Front Mounted, LED Beacon Light
- 6 Lighting Package, 6 Federal Signal Strobe Lights, LED
- Worklights (2), LED
- Worklights (2), LED, Rear Door
- Worklight, LED, Operators Station
- Worklight, LED, Curb Side
- Toolbox, Front Bumper Mounted, 16 x 12 x 18 w/(2) LED Side Markers
- Toolbox, Behind Cab
- Toolbox, Driver Side Chassis Frame, 24w x 24h x 24d
- Camera System, Front, Rear and Both Sides
- Safety Cone Storage Rack - Post Style
- Digital Water Level Indicator
- Digital Debris Body Level Indicator
- Blower High Temperature Safety Shutdown
- (2) 8" x 60" Vacuum Pipe Weldments (30' total)
2 hand operation for rear door open/close control
- Vactor Supplied Chassis, Tandem Axle, 2023 Freightliner 114SD SFA 6x4, 370 HP, Auto, 66,000 GVWR, GHG
- Vactor Standard Manual and USB Version – 1

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Please contact me with any questions.

Sincerely,

Paul A. Hart

Paul A. Hart
South Florida Sales Manager
Environmental Products Group
561-719-1395 Cell
phart@myepg.com



LOXAHATCHEE RIVER DISTRICT

2500 JUPITER PARK DRIVE, JUPITER, FLORIDA 33458

TEL: (561) 747-5700

FAX: (561) 747-9929

D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

TO: GOVERNING BOARD
FROM: D. ALBREY ARRINGTON, Ph.D.
DATE: JANUARY 10, 2022
SUBJECT: DRUG-FREE WORKPLACE POLICY

In our continuing effort to update our policies, Mike Navicky and I have worked with Lara Donlon of Torcivia, Donlon, Goddeau & Rubin, P.A. (our HR lawyer) to comprehensively revise the District's Drug-Free Workplace Policy. The revised policy is attached for your review and is compliant with current regulations.

The following motion is recommended for approval:


"THAT THE DISTRICT GOVERNING BOARD approves the attached, revised Drug-Free Workplace Policy with an effective date of January 21, 2022.

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER

	LOXAHATCHEE RIVER DISTRICT	Doc No:	LRD-POL-HR-06.00
		Effective Date	TBD
		Revision History:	NA
Author: Albrey Arrington, Lara Donlon, Mike Navicky		Revision No.	0
		Review Date:	1/16/2025
Issuing Department: Human Resources		Page:	Page 1 of 13

DRUG-FREE WORKPLACE POLICY

Recognizing that substance abuse (including alcohol) is a detrimental problem facing society, the District will do the best we can to actively fight this problem. One of the ways we are addressing this problem is by implementing and maintaining a substance abuse policy to ensure the District will be a drug-free workplace.

We understand employees and applicants under a physician's care may be required to use prescription drugs; however, improper use of prescribed medications is also substance abuse and will be dealt with in the same manner as the abuse of prohibited substances. The goal of this policy is to balance our respect for individual privacy with our need to keep a safe, productive, drug-free environment. We encourage those who abuse drugs and/or alcohol to voluntarily seek help. This policy includes an employee assistance program, which allows employees and their families to find help in dealing with alcohol or drug abuse. However, it is the employee's responsibility to seek help before substance abuse leads to disciplinary action.

The District's Standard of Conduct requires that employees of the District shall not violate this policy or possess, distribute, sell, transfer or use alcohol, controlled substances or illegal drugs in the workplace, while on duty, or while operating District owned vehicles or equipment. Any employee determined to be in violation of this policy is subject to disciplinary action, even for the first offense. To maintain this standard, the District shall establish and maintain the program and rules set forth below, under Florida statutes 440.101 and 440.102.

A. Post-Offer Job Applicant Screening

The District will conduct post-offer drug tests designed to prevent the hiring of individuals who use prohibited drugs or abuse prescription medications. If a job applicant refuses to submit to the required drug test, tampers with or adulterates a drug test specimen, or has a confirmed positive drug test result; he/she forfeits his/her eligibility for employment. Job applicants are individuals who have been conditionally offered employment in a Mandatory Testing Position. A Mandatory Testing Position is one that requires the employee to work with heavy or dangerous machinery, work as a safety inspector, work with children, or a job assignment in which a momentary lapse in attention could result in injury or death to another person.

B. Current Employee Screening

The District will conduct drug and/or alcohol screens, as outlined in this policy, to identify employees who use prohibited drugs or abuse alcohol in violation of this policy. It shall be a condition of continued employment that all employees submit to a drug and/or alcohol screen in accordance with the provisions listed below. The District may suspend employees

Authority: Florida statutes 440.101 and 440.102

Date Approved by Governing Board: TBD

without pay, under this policy, pending the results of a drug and/or alcohol test or investigation.

1. Reasonable Suspicion Testing

"Reasonable suspicion testing" means drug and/or alcohol testing based on an employer's belief that an employee is using or has used drugs in violation of this policy, drawn from specific visual or verbal facts that would lead a reasonable person, without any medical training but normal life experiences, to conclude the possibility of drug and/or alcohol use.

Whenever possible, the supervisor who is suspicious of an employee's behavior should have the suspicious behavior confirmed by another supervisor or manager before requiring the employee to be tested. Employees who refuse to be tested will be terminated.

If there is reasonable suspicion that an employee is under the influence of drugs and/or alcohol, the employee will be required to undergo drug and/or alcohol testing at a laboratory chosen by the District. The supervisor must promptly document the basis for the reasonable suspicion.

Occurrences that may be indicators of substance abuse and are considered grounds for reasonable suspicion are:

- a. Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.
- b. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
- c. A report of drug use, provided by a reliable and credible source.
- d. Evidence that an individual has tampered with a drug test during his employment with the current employer.
- e. Information that an employee has caused, contributed to, or been involved in an accident while at work.
- f. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.

If an employee is arrested for or convicted of a drug-related crime, the District will investigate the circumstances, and District officials may utilize the drug-testing procedure if cause is established by the investigation. An arrest for a drug-related crime constitutes reasonable suspicion of drug use under this policy. As a condition of employment, an employee must notify Human Resources or the Safety Compliance Officer of any criminal drug statute arrest or conviction within five (5) days of such arrest or conviction.

2. Accident and Injury Procedures

Any employee involved in a work-related accident, which requires medical treatment, above and beyond first aid, must first receive treatment. The employee must then submit to a post-accident drug screen. A post-accident alcohol test may apply. The employee will be transported to the designated collection site as soon as possible after the accident,

if the drug and/or alcohol collection is not performed following treatment. Failure by the employee to submit to a test within 8 hours will be considered a refusal to test, resulting in immediate termination.

3. Routine Fitness-for-duty

The District must require an employee to submit to a drug test IF the test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of the District's established policy OR that is scheduled routinely for all members of an employment classification or group. Employees subject to any routine fitness-for-duty testing will be notified in writing and given an initial 60-day notification of implementation and will be required to sign a routine fitness-for-duty consent form.

4. Return to work and Follow-up drug testing

If an employee in the course of employment voluntarily enters an employee assistance program for drug-related problems, or an alcohol/drug rehabilitation program, the District must require the employee to submit to a drug and/or alcohol test as a follow-up to such program. Follow-up testing must be conducted at least once a year for a two (2) year period after completion of the program. Advanced notice of a follow-up testing date must not be given to the employee to be tested.

5. Random Testing

The District may conduct random drug testing, as stated in Florida Statutes 440.102 for employees holding Mandatory Testing Positions. If the District decides to implement random testing, all employees will receive an initial 60-day notification of implementation. A third-party company designated by the District will generate a computerized random list of employees who would be required to submit to a random drug screen. When an employee holding a Mandatory Testing Position is chosen for a random drug screen, their name automatically returns to the pool for future random tests.

C. Basis for Discipline or Termination

1. Drug Use and Alcohol Abuse

Any employee using, selling, purchasing, possessing, soliciting, or distributing illegal drugs and/or unauthorized alcoholic beverages on District property or while conducting District business will be in violation of this policy, resulting in immediate termination of employment. Any employee who has a confirmed positive drug and/or alcohol test will be subject to immediate termination.

Any employee who has a confirmed positive drug and/or alcohol test may forfeit eligibility for medical and indemnity benefits under Florida's Workers' Compensation Law and may also forfeit unemployment benefits, under Florida law.

Table of Positive Drug Levels		
Drug to be tested for:		
Drug	Initial	Confirmation
Alcohol (blood)	0.04 g/dL	0.04 g/dL
Amphetamines	1,000 ng/ml	500 ng/ml
Cannabinoids	50 ng/ml	15 ng/ml
Barbiturates	300 ng/ml	150 ng/ml
Benzodiazepines	300 ng/ml	150 ng/ml
Cocaine	300 ng/ml	150 ng/ml
Methaqualone	300 ng/ml	150 ng/ml
Opiates	2000 ng/ml	2000 ng/ml
Phencylidine	25 ng/ml	25 ng/ml
Propoxyphene	300 ng/ml	150 ng/ml

2. Refusal to Test

Any employee who refuses to submit to a required drug and/or alcohol test will be subject to immediate termination of employment. A tampered with or an adulterated drug and/or alcohol specimen, will be considered a refusal to test, resulting in termination of employment. Any employee who refuses to test, tampers with or adulterates a drug and/or alcohol specimen, will automatically forfeit eligibility for medical and indemnity benefits under Florida's Worker's Compensation Law and will also forfeit unemployment benefits under Florida law.

D. Confidentiality

All information, interviews, reports, statement memoranda, and drug test results, written or otherwise, received by the employer through a drug testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings, except in accordance with Florida's Drug Free Workplace Act or, in determining compensability under the workers' compensation or unemployment benefit laws.

The District, testing laboratories, employee assistance programs, drug and alcohol rehabilitation programs, and their agents who receive or have access to information concerning drug test results shall keep all information confidential. Release of such information under any other circumstances shall be solely pursuant to a written consent form signed voluntarily by the person tested, unless such release is compelled by a hearing officer or a court of competent jurisdiction, in pursuant to an appeal taken under this section, or unless deemed appropriate by a professional licensing board in related disciplinary proceedings.

The consent form must contain, at the minimum, the following:

- a. The name of the person authorized to obtain the information.
- b. The signature of the person authorizing release.
- c. The purpose of the disclosure.
- d. The duration of the consent.
- e. The precise information to be disclosed.

Nothing herein shall be construed to prohibit the District, agent of the employer, or laboratory conducting a drug test from having access to employee drug test information when consulting with legal counsel in connection with actions brought under or related to this section or when the information is relevant to the District or its agent(s)'s defense in a civil or administrative matter.

E. Prescription and Non-Prescription Medications

The testing laboratory will provide a standard form for the employee to confidentially report the use of prescription or non-prescription medications to the Medical Review Officer both prior to and after the drug or alcohol test. No prescription drug shall be brought upon District premises by any person other than the person for whom the drug is prescribed by a licensed medical practitioner, and shall be used only in the manner so prescribed. Employees must keep all such prescription medicines in the original container which identifies the date of the prescription and the prescribing physician. Employees should report the use of any prescribed medication which may alter the employee's physical or mental ability, prior to commencing work. The District retains the right to change the employee's job assignment during any term of treatment.

F. Drugs To Be Tested For

Over the counter and prescription drugs that could alter or affect the outcome of a drug test:

ALCOHOL: (booze, drink, beer, liquor, wine, moonshine) All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick's Nyquil is 10% (20 proof) ethyl alcohol, Comtrex is 20% (40 proof) and Listerine is 26.9% (54 proof).

AMPHETAMINES: (bennies, black beauties, crystal, speed, uppers, crank) Obetrol, Biphphetamine, Desoxyn, Dexedrine, Direx.

CANNABINOIDS: (marijuana, hashish, maryjane, grass, reefer, pot, dope, etc.) Marinol (Dronabinol, TEC).

COCAINE: (coke, crack, blow, nose candy, toot, snow) Cocaine HCl topical solution (Roxanne)

PHENCYCLIDINE: (PCP, angel dust) Not legal by prescription.

METHAQUALONE: (ludes, qualude, optimil, parest) Not legal by prescription.

OPIATES: (heroin, horse, smack, powder) Paregoric, Prepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guituss AC, Novahistine DM, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine and sulfate), Percodan, Vicodin, etc.

BARBITURATES: (barbs, rainbows, downers, golfballs, reds, blues) Penobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butabital, Phrenilin, Triad, etc.

BENZODIAZEPINES: Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax.

METHADONE: Dolphine, Methadose

PROPOXYPHENE: Darvocet, Darvon N, Dolene, etc.

The District will test for the minimum of drugs which is described as a five (5) panel test (amphetamines, opiates, cocaine, pcg, cannabinoids), but is allowed to test up to all 10 drugs and alcohol, as listed above.

G. Challenge to Test Results

Within five working days after receiving notice of positive, confirmed test result, the employee or job applicant may submit information to the Medical Review Officer explaining or contesting the test results. If the employee's explanation or challenge of the positive test result is unsatisfactory to the employer, the employee must be notified within fifteen days, in writing, that the explanation is unsatisfactory and be given a copy of the positive test results along with the name and address of the laboratory. All documentation must be kept confidential by the employer and retained by the employer for at least one year.

An employee or job applicant may undertake a challenge to the test result pursuant to law or to rules adopted by the Agency for Health Care Administration.

H. Employee's Responsibility

When an employee undertakes a challenge, it shall be the employee's responsibility to notify the laboratory. Employees are solely responsible for all costs associated with any challenge.

I. Laboratory Assistance

The Medical Review Officer shall provide clinical/technical assistance to the employee for the purpose of interpreting positive, confirmed test results. Additionally, employees and job applicants have the right to consult the laboratory for technical information regarding prescription or non-prescription medication.

J. Employee Protection

The employer promptly shall detail in writing the circumstances leading to a determination of reasonable suspicion of drug and/or alcohol abuse to warrant the testing. A copy of this documentation shall be given to the employee upon request and the original documentation shall be kept and retained confidentially by the employer for at least one (1) year.

During the 180-day period after written notification of a positive test result, the employee or job applicant who has provided the specimen shall be permitted by the employer to have a portion of the specimen re-tested at the employee's expense. Such re-testing shall be done at another AHCA licensed or NIDA approved laboratory chosen by the employee or job applicant. The second laboratory must test for equal or greater sensitivity for the drug in question. The first laboratory is responsible for the transfer of the portion of the sample to be re-tested, and for the integrity of the chain-of-custody during the transfer.

The District may not discharge, discipline, or discriminate against an employee solely on the employee's voluntary seeking of treatment while employed by the District for a substance abuse related problem, if the employee has not previously tested positive for the drug, entered an employee assistance program for substance abuse related problems, or entered a substance abuse rehabilitation program. Seeking treatment after being directed to submit to a drug test is not “voluntary.”

K. Investigation

To ensure that prohibited drugs and alcohol do not enter or affect the workplace, the District reserves the right to search all vehicles, containers, lockers, or other items on District property in furtherance of this policy and in accordance with applicable law. Individuals may be requested to display personal property for visual inspection upon the District's request. Searches will be conducted only where the District has reason to believe that the employee has violated this policy. Failure to consent to a search or display personal property for visual inspection may be grounds for discharge or denial of access to the District's premises. Searches of an employee's personal property will take place only in the employee's presence. All searches under this policy will occur with the utmost discretion and consideration for the employee involved. Individuals may be required to empty their pockets, but under no circumstances will an employee be required to remove articles of clothing or be physically searched. The District reserves the right to cooperate with or enlist the services of proper law enforcement authorities during any investigation.

L. Interaction with DOT-Covered Employees

All District employees are subject to this policy. Additionally, those who qualify as Commercial Motor Vehicle Drivers, e.g., that utilize a CDL for District Purposes, are also and separately subject to the District's Drug & Alcohol Testing Policy For DOT-Covered Commercial Drivers.

M. AHCA (Agency for Health Care Administration) Certified Testing Laboratories and MRO

The District uses only AHCA certified testing laboratories and AAMRO Certified Medical Review Officers. For information concerning laboratories and medical review officer services please contact:

Total Compliance Network/South Atlantic Testing Services; address: 5440 NW 33rd Avenue, Suite 106, Ft. Lauderdale, FL 33309; telephone: (954) 677-1200.

N. Employer Protection

This policy supersedes any information provided to applicants and/or employees, either written or oral. The District reserves the right to change provisions of this policy and testing program at any time in the future.

O. Drug Referral Services and Support Groups Nationwide:

National Drug & Alcohol Treatment and Referral Hot-line: 1-800-662-4357, Confidential information on treatment, self-, and support programs for drug users.

State of Florida:

Operation Par (Par Outpatient Counseling) 10901-C Roosevelt Boulevard, Suite 1000 St. Petersburg, Florida 33716 (813) 577-5812	Sarasota Memorial Hospital 1700 S. Tamiami Trail Sarasota, Florida 34239-3555 (813) 953-1783	Southwest Fl. Addiction Services 2101 McGregor Blvd. Fort Myers, Florida 33901 (813) 337-4411
Tri-County Addictions Rehabilitation 1831 N. Crystal Lake Drive Lakeland, Florida 33803 (813) 667-0333	Tampa Metro Treatment Center 5202 East Busch Blvd. Tampa, Florida 33617 (813) 980-3260	Alcohol & Drug Abuse (S.D.A.P) 451 Riverside Drive Stuart, Florida 34994 (407) 286-8933
Central Fl. Substance Abuse 1048 A. Dixon Blvd. Cocoa, Florida 32922 (407) 631-4578	Columbia Lawnwood Pavillion 1870 North Lawnwood Circle Fort Pierce, Florida 34950 (561) 466-1500	Savannas Hospital 2550 S.E. Walton Road Port St. Lucie, Florida 34952 (561) 335-0400
Charter Counseling Center of Brooksville 12120 Cortez Blvd. Brooksville, Florida 34613 (352) 596-4420	Center for Life Enrichment 11820 Beach Blvd. Jacksonville, Florida (904) 642-6680	Charter Woods Counseling Center 700 W. 23 rd . Street, Suite 54 Panama City, Florida 32405 (904) 769-3252
Care Center for Mental Health 1205 4 th . Street Key West, Florida 33040 (305) 292-6843	Transitions 1928 N.E. 154 th . Street N. Miami Beach, Florida 33162 (800) 626-1980	Beachcomber 4493 N. Ocean Blvd. Delray Beach, Florida 33483 (561) 734-1818
Fort Lauderdale Hospital 1601 East Las Olas Blvd. Fort Lauderdale, Florida 33301 (954) 463-4321	Mental Health Assoc. of Central Fl. 608 Mariposta Street Orlando, Florida 32801 (407) 843-1563	Lake Wales Drug Awareness Council P.O. Box 7432 Lake Wales, Florida 33859-2432 (813) 676-1949
Life Stress Behavioral Center P.O. Box 491000 Leesburg, Florida 34719-1000 (352) 787-9178	Bowling Green Treatment Center 2727 Capital Medical Blvd. Tallahassee, Florida 32301 (800) 243-9007	Columbia Behavioral Health Center 3130 S.W. 27 th . Avenue Ocala, Florida 32674 (352) 237-7293

P. Educational Material On Substance Abuse**WHAT IS SUBSTANCE ABUSE?**

Substance abuse is the harmful and dangerous use of alcohol and/or other drugs. It affects all types of workers; male and female, young and old, production workers, executives, supervisors, clerical workers, and maintenance personnel. Anyone can have a substance

abuse problem. It can be prevented or treated by Substance Abuse Professionals. Alcohol and drugs may give the illusion of freeing you from the fears, responsibilities, and petty hassles of everyday life. It can destroy you physically and mentally. Most people abuse drugs and alcohol as an escape from other problems such as family problems, low self-esteem, financial worries, and/or feelings of inadequacy.

Many individuals enjoy an occasional social drink or take legal drugs under a doctor's supervision. That is okay as long as we don't overdo it and misuse the substances. Various people handle alcohol in different ways. It isn't necessarily how much you drink, it's what happens when you drink; how it affects your life and those around you. Besides harming your body and mind, most abused drugs are illegal. Buying and using them could result in arrest, fines, or even jail! Hiding behind drugs or alcohol could lead to the biggest mistake of your life. Everyone pays for substance abuse. Abusers often have legal or health problems, conflicts at home, accidents on and off the job. Substance abuse is a major factor in half of all divorces. It contributes to domestic violence, child abuse, and sexual abuse. Working with substance abusers can be unpleasant and dangerous. Substance abuse destroys work performance, resulting in reduced productivity, motivation, quality of work, and increased employee theft.

It is never too soon or too late to change a substance abuse problem. If you suspect that you have a problem, don't think that it will go away if you ignore it. It will only get worse. The first thing you must do is accept the fact that abusing drugs and/or alcohol is like playing with fire – it can and will destroy the lives of people just like you every day. Pushing yourself to the limit with drugs and/or alcohol may destroy all that you hope to be. Talk to a close friend about your problem, if your friends tell you that you have a problem, listen to them and take action to get help. Sometimes it's not easy to see ourselves clearly.

The District maintains an employee assistance programs (EAP) through which you may get professional help. Contact Human Resources for information about our employee assistance program. These programs are voluntary and confidential.

THE MOST ABUSED SUBSTANCES AND THEIR EFFECTS ARE:

ALCOHOL - Alcohol is legal and inexpensive to use. Because it is accepted part of many occasions, it's hard to recognize when you cross the invisible line from social drinking to abusive drinking. The following check list may help you determine if you have a drinking problem. Do you lose time from work due to drinking? Want to drink in the morning? Have trouble sleeping? Drink to feel more confident or outgoing? Feel easily frustrated? Find you are overanxious or oversensitive? Blame others for your problems? Drink alone? Let family or job responsibilities slide? Forget what happened when you're drinking? Find you have lost weight? Find your mind is not working quickly? Have violent mood swings? If you drink regularly, answering "yes" to any of these questions could indicate that you have a drinking problem. Admitting that you have a problem is the first step. The best place to start solving it is by contacting Alcoholics Anonymous. An AA group is as close as your phone book. Alcohol is a central nervous system depressant and is the most widely abused drug. About half of all auto accidents fatalities in this country are related to alcohol abuse.

A 12-ounce can of beer, a 5-ounce glass of wine and a 1-1/2 ounce shot of hard liquor all contain about the same amount of alcohol. Coffee, cold showers and exercise do not quicken sobriety. Each one-half ounce of alcohol takes the average body about one hour to process. Alcohol first acts on those parts of the brain that affect self-control and other learned behaviors. Low self-control often leads to the aggressive behavior associated with some people who drink. In large doses, alcohol can dull sensation and impair muscular coordination, memory and judgment. Taken in larger quantities over a long period of time alcohol damages the liver and heart and can cause permanent brain damage. On the average, heavy drinkers shorten their life span by about ten years.

Other Effects: greatly impaired driving ability; reduced coordination and reflex action; impaired vision and judgment; inability to divide attention; lowering inhibitions; overindulgence (hangover) can cause headaches, nausea, dehydration, unclear thinking, unsettled digestion and/or aching muscles.

MARIJUANA - Marijuana is also known as “grass”, “pot”, “weed”, “Mary Jane”, “herb”, “a joint” and “a roach”, among the other street names. While alcohol dissipates in a matter of hours, marijuana can stay in the body for 28 days. Marijuana alters sense of time and reduces the ability to perform tasks requiring concentration, swift reactions and coordination. The drug has a significant effect on judgment, caution, and sensory/motor abilities.

Other Effects: increased pulse rate and blood pressure; rapidly changing emotions and erratic behavior; altered sense of identity; impaired memory; dulling of attention; hallucinations, fantasies and paranoia; reduction or temporary loss of fertility.

COCAINE - is a stimulant drug, which increases heart rate and blood pressure. As a powder, Cocaine is inhaled (snorted), ingested, or injected. It is known as “coke”, “snow”, “nose candy” and “lady”. Cocaine is also used in a free- base form known as “crack” or “the rock” which is smoked. It acquired its name from the popping sound heard when it is heated. Fact: Many people think that because crack is smoked, it is “safer” than other forms of cocaine use. It is not. Crack cocaine is one of the most addictive substances known today. The crack “high” is reached in 4-6 seconds and last about 15 minutes. The most dangerous effects of crack is that it can cause vomiting, rapid heartbeat, tremors and convulsive movements. All of this muscle activity increases the demand for oxygen, which can result in a cocaine-included heart attack. Since the heart regulating center in the brain is also disrupted, dangerously high body temperatures can occur. With high doses, brain functioning, breathing and heartbeat are depressed- leading to death.

Other Effects: impaired driving ability; anxiety; reduced sense of humor; accelerated pulse, blood pressure and respiration mood swings; heightened, but momentary, feeling of confidence, strength and endurance; paranoia, which can trigger mental disorders in users prone to mental instability; repeated sniffing/snorting results in irritation of the nostrils and nasal membrane; compulsive behavior such as teeth grinding or repeated hand washing

AMPHETAMINES - are drugs that stimulate the central nervous system and promote a feeling of alertness and an increase in speech and general activity. Some common street names for amphetamines are “speed”, “uppers”, “black beauties”, “bennies”, “wake ups”, “football” and “dexies.” People with a history of sustained low dose use quite often become

dependent and believe they need the drug to get by. These users frequently keep taking amphetamines to avoid the down mood they experience when the high wears off. Even small, infrequent doses can produce toxic effects in some people. Restlessness, anxiety, mood swings, panic, heartbeat disturbances, paranoid thoughts, hallucinations, convulsions and coma have been reported.

Other Effects: loss of appetite; irritability, anxiety, apprehension; increased heart rate and blood pressure; difficulty in focusing eyes; exaggerated reflexes; distorted thinking; perspiration, headaches and dizziness; short term insomnia.

OPIATES - Opiates, including heroin, morphine, and codeine, are narcotics used to relieve pain and induce sleep. Common street names are “horse”, “hard stuff”, “M”, “brown sugar”, “Harry” and “Mr. H”. Heroin, also called “junk”, or “smack”, accounts for 90% of the narcotic abuse in this country. Sometimes narcotics found in medicines are abused. This includes pain relievers containing opium and cough syrups containing codeine. Heroin is illegal and cannot legally be obtained with a physician’s prescription. Most medical problems are caused by the uncertain dosage level, use of unsterile needles, contamination of the drug, or combination of a narcotic with other drugs. These dangers depend on the specific drug, its source and the way it is used.

Other Effects: reduced vision, impaired driving ability; change in sleeping habits, drowsiness followed by sleep; constipation, decreased physical ability; short-lived state of euphoria, possible death

PHENCYCLIDINE (PCP) - also called “angel dust”, “rocket fuel”, “super kools” and “killer weed” was developed as a surgical anesthetic in late 1950’s. Later due to its unusual side effects in humans, it was restricted to use as a veterinary anesthetic and tranquilizer. PCP is a very dangerous drug. It can produce violent and bizarre behavior even in people not otherwise prone to such behavior. More people die from accidents caused by erratic and unpredictable behavior produced by the drug than from the drug’s direct effect on the body. PCP scrambles the brain’s internal stimuli and alters how users see and deal with their environment. Routine activities like driving and walking become very difficult. Low doses of PCP produce a rush, sometimes associated with a feeling of numbness. Increased doses produce an excited, confused state including any of the following: muscle rigidity, loss of concentration and memory, visual disturbances, delirium, feelings of isolation and convulsions.

Other Effects: impaired driving ability; drowsiness; thick, slurred speech; blank stare; involuntary eye movement; perspiration; repetitive speech patterns; incomplete verbal responses.

COMBINATIONS OF DRUGS - The number of drug variations that can be made, mixed and distributed is almost unlimited. Combining drugs makes physical and mental effects unpredictable and often much more severe than if the same drugs were taken separately. Combining alcohol with depressants, cocaine, marijuana, and other drugs can be especially dangerous.

DRUGFREE WORKPLACE EMPLOYMENT ACKNOWLEDGMENT AGREEMENT

I hereby acknowledge that I have received the District's Drug Free Workplace policy, which includes employee assistance information, a listing of drugs being tested for, common over-the-counter medications which may alter a drug test and educational material on substance abuse.

I freely and voluntarily agree and realize that as part of my employment, I may be subjected to future drug and/or alcohol screens for post-accident, reasonable suspicion, routine fitness-for-duty, return to work, follow-up, and/or random testing at The District's discretion. I understand that a refusal to submit to a blood, urinalysis, hair and/or breath test will result in immediate termination from employment. I understand that a tampered or an adulterated drug and/or alcohol specimen will be considered a refusal to test, resulting in immediate termination. I understand that a confirmed positive drug and/or alcohol test will result in immediate termination of employment, but if I am able to successfully complete substance abuse treatment at my expense, and if a job is still available, I may be given one chance to be rehired, upon a negative return to work drug and/or alcohol test. I understand that I will be subject to the District's rehabilitation agreement, and I will undergo random follow-up drug and/or alcohol tests for a period of 2 years. I understand that a confirmed positive drug and/or alcohol follow-up test or any violation of the rehabilitation agreement will result in termination of employment. I understand that the District reserves the right not to offer employment to a former employee who was terminated in violation of this policy, even if a job is available.

I agree to voluntarily submit to a blood, urinalysis, hair and/or breath test for drug or alcohol use as part of my ongoing employment, and I release my employer from any liability resulting from my participation in such a screening. I understand that if I am injured during the course and scope of my employment and I test positive for the presence of alcohol and/or drugs, I may forfeit my eligibility for medical and indemnity benefits under Florida's workers' compensation law. I also understand that a refusal to test under this circumstance will automatically result in forfeiture of my eligibility for medical and indemnity benefits and immediate termination from employment. I understand that a confirmed positive drug and/or alcohol test, a tampered with or an adulterated specimen or a refusal to test may result in forfeiture of unemployment benefits under Florida law.

I hereby give my consent to release the results of my drug or alcohol test to the person(s) or department(s) or the specified agent of my employer, including my employer's Workers' Compensation Insurance Company, for the purpose of determining the presence of alcohol and/or other drugs in my body for the duration of my employment. By signing this form, I hereby release to the District and/or the District's Medical Review Officer the results of the test(s) to which I have consented. I further authorize the District to discuss the results with medical personnel physician collecting the specimen, the testing facility, its directors, officers, agents, and employees responsible for administering the aforementioned test(s) or evaluating the results thereof and any of them herein. I also authorize the District to discuss the results with its legal advisors and to use the test results as a defense to any legal action to which I am a party. I further release any testing facility or any physicians who have tested me from any liability arising from a release of any and all results, written reports, medical records, and data concerning my test(s) to the appropriate Employer officials. I agree to have the results released to the District and/or the District's Medical Review Officer.

I also understand that the Drug-Free Workplace Policy and related documents are not intended to constitute a contract between this employer and myself.

As an employee, I understand and agree to abide by the District's Drug-Free Workplace Policy, under Florida statute 440.101 and 440.102, and have received a written 60-day notification of this program, if applicable.

Applicant Signature

Print Name

Date

As a job applicant for a Mandatory Testing Position, I freely and voluntarily agree to a drug screen as part of my application for employment and I understand that a refusal to test, a positive confirmed drug test or a tampered with or an adulterated specimen will disqualify me from employment, even if I have started work pending the results of the drug test. I understand I am still completing the application process and will not officially be an employee until the District receives a negative pre-employment drug test result. If I am employed by the District, I understand and agree to abide by the Drug-Free Workplace Policy, under Florida statute 440.101 and 440.102, as stated above.

Applicant Signature

Print Name

Date



LOXAHATCHEE RIVER DISTRICT

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D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

TO: GOVERNING BOARD
FROM: D. ALBREY ARRINGTON, Ph.D.
DATE: JANUARY 13, 2022
SUBJECT: DOT DRUG TEST POLICY

In our continuing effort to update our policies, Mike Navicky and I have worked with Lara Donlon of Torcivia, Donlon, Goddeau & Rubin, P.A. (our HR lawyer) to completely revise the policy by which we manage LRD employees that drive commercial vehicles and/or have a CDL license. Previously, this policy was named the District Commercial Motor Vehicle Driver Controlled Substance and Alcohol Use and Testing Policy for Employees that Utilize a CDL for District Purposes. The revised policy has been renamed the "Drug & Alcohol Testing Policy for DOT-Covered Commercial Drivers".

The revised policy was drafted by Lara Donlon and is fully compliant with current regulations.

The following motion is recommended for approval:

"THAT THE DISTRICT GOVERNING BOARD approves the attached Drug & Alcohol Testing Policy for DOT-Covered Commercial Drivers with an effective date of January 21, 2022 and repeals the District Commercial Motor Vehicle Driver Controlled Substance and Alcohol Use and Testing Policy for Employees that Utilize a CDL for District Purposes effective January 21, 2022.

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER

Drug & Alcohol Testing Policy For DOT-Covered Commercial Drivers

Background and Purpose

The illegal use of drugs and the abuse of alcohol are problems that invade the workplace, endangering the health and safety of the abusers and those who work around them. Every employee and applicant should understand those dangers and be aware of the federal requirements and state guidelines concerning substance abuse and alcohol in the workplace.

The District's Drug & Alcohol Testing Policy For DOT-Covered Commercial Drivers ("the Policy") was developed in conformity with the Department of Transportation Regulations located in 49 C.F.R. Part 40 and 49 CFR Part 382, which are on file with the District's Designated Employer Representative (DER) [the District's Human Resources Officer and Executive Director] for review at any time during normal working hours.

Our policy formally and clearly states that the illegal use of drugs and abuse of alcohol or prescription drugs will not be tolerated. As a means of maintaining this policy, the District has implemented pre-employment and active employee drug testing as outlined in this Policy.

This Policy is designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles. Substance abuse, while at work or otherwise, seriously endangers the safety of employees, as well as the general public, and creates a variety of workplace problems including increased injuries on the job, increased absenteeism, increased health care and benefit costs, increased theft, decreased morale, decreased productivity, and a decline in the quality of products and services provided. This policy is designed to detect users and remove abusers of drugs and alcohol.

Commercial drivers are subject to Department of Transportation ("DOT") testing regulations, which includes placement in a *separate random testing pool* containing only DOT-covered employees for the purposes of DOT compliance. With regard to those employees covered by the DOT regulations, the federal regulations, as amended from time to time, shall govern any conflicts with this Policy. As employees of the District, DOT-covered commercial drivers are also separately subject to the District's Drug-Free Workplace Policy which covers all employees.

The District will terminate any employee whose conduct violates this Policy.

Applicability and Participation Required

This Policy applies to every employee who is required to maintain a commercial driver's license (CDL) whose position requires operation of a commercial motor vehicle owned or leased by the District. These employees are referred to as "commercial drivers" and include full time, regularly-employed drivers; casual, intermittent or occasional drivers; leased drivers and independent owner-operator contractors.

Participation in the DOT Workplace Drug and Alcohol Testing Programs as set forth in this Policy is a requirement for all commercial drivers and is a condition of employment. Failure to participate and comply with the requirements set forth in this Policy may result in disciplinary action up to and including termination of employment. For the District's purposes our DOT-covered commercial drivers required to participate in this program include the following positions:

- Collection & Distribution System Operators
- Construction Coordinator
- Construction Foreman
- Construction Inspectors
- Construction Manager
- Construction Operators
- Industrial Pretreatment Coordinator
- Inspectors
- Plant Electricians
- Plant Maintenance Foreman
- Plant Maintenance Technicians
- Plant Mechanics
- Reuse System Operators
- Utility Locate Technicians
- Utility Compliance Technicians
- Wastewater Treatment Plant Operators

While the District may require other positions to maintain a CDL license, the employees filling those positions are not subject to the Drug & Alcohol Testing Policy For DOT-Covered Commercial Drivers because it has been determined those positions never operate commercial motor vehicles.

Definitions

Commercial motor vehicle (CMV) means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle is a—

- (1) Combination Vehicle (Group A)—having a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds), whichever is greater; or
- (2) Heavy Straight Vehicle (Group B)—having a gross vehicle weight rating or gross vehicle weight of 11,794 or more kilograms (26,001 pounds or more), whichever is greater; or
- (3) Small Vehicle (Group C) that does not meet Group A or B requirements but that either—
 - (i) Is designed to transport 16 or more passengers, including the driver; or
 - (ii) Is of any size and is used in the transportation of hazardous materials as defined in this section.

Safety-sensitive function means all time from the time a commercial driver begins work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include:

- (1) All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the commercial driver has been relieved from duty by the employer;
- (2) All time inspecting, servicing, or conditioning any commercial motor vehicle at any time;
- (3) All time spent at the driving controls of a commercial motor vehicle in operation;

- (4) All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth (a berth conforming to the federal requirements);
- (5) All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
- (6) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Dual Testing Requirements

As noted above, commercial drivers subject to the testing requirements of this Policy are separately subject to the District's Drug-Free Workplace Policy covering all employees. The District Drug-Free Workplace Policy reflects requirements of the District and are not required by the DOT. Any personnel actions under the general Drug-Free Workplace Policy will be clearly indicated as being based on District authority under the Drug-Free Workplace Policy and not based upon the Drug & Alcohol Testing Policy for DOT-Covered Commercial Drivers. Any personnel actions under this Policy will be clearly indicated as such.

Required Hours Of Compliance

Alcohol prohibited:

- while on duty;
- 4 hours prior to on-duty time; and,
- 8 hours following an accident or until a post-accident test is complete, whichever occurs first.

Controlled Substances:

Commercial Drivers are prohibited from reporting to, or remaining on, duty when using any controlled substance, unless the use is at the direction of a physician who advised that the substance does not adversely affect the commercial driver's ability to safely operate a commercial motor vehicle.

Drug & Alcohol Testing Policy Dissemination

1. The District will give a general one-time notice to its commercial drivers that it is a condition of employment for employees to refrain from reporting to work or working with the presence of drugs or alcohol in his or her body and that a drug testing program is in place. To this end, each commercial driver shall be provided a copy of this Policy, and each employee is required to sign a statement certifying that he or she has received a copy of the Policy. The District will maintain the original of the signed certificate and will provide a copy of the certificate to the employee upon request.
2. Prior to each alcohol or controlled substance test performed under this Policy, each employee or job applicant for employment to be tested will be advised that the testing is being conducted pursuant to this Policy.
3. A notice of drug testing will be included with all vacancy announcements for those positions where drug testing is required (want ads, job postings, etc.). A notice of the Drug & Alcohol Testing Policy for DOT-Covered Commercial Drivers will also be posted in an

appropriate and conspicuous location on the District's intranet and copies of the policies will be made available for inspection during regular business hours by the employee or job applicant in the District's Human Resources office.

Designated Employer Representative

The District has designated certain individuals as Designated Employer Representatives (DER). These individuals are responsible for the administration of the DOT Drug & Alcohol Testing Policy for DOT-Covered Commercial Drivers, and are authorized by the District to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The DER is also authorized to receive test results and other communications for the District, consistent with the requirements of this Policy and with the applicable regulations. The DER is available to answer any questions by employees concerning this policy. The DERs for the District are the Human Resources Officer, Safety Officer, and the Executive Director.

Drug And Alcohol Testing Record (Clearinghouse Queries)

The District is required under DOT regulations to obtain information regarding the drug and alcohol testing record of commercial drivers from their previous DOT-regulated employers where the District intends to use such drivers to perform safety-sensitive duties. As a result of this requirement and in accordance with federal regulations (49 C.F.R. § 382.701), the District will query the FMCSA Drug and Alcohol Clearinghouse for any drug or alcohol information pertaining to DOT-covered CDL drivers and applicants, as follows:

- 1) *Full pre-employment queries* will be conducted on applicants for any position which requires a DOT-covered CDL license or on current employees who have not held a position requiring a DOT-covered CDL license with the District. As a condition of consideration for employment, applicants will be required to provide the Clearinghouse with consent to allow the District to conduct a full query.
- 2) *For current employees* who are employed in a position requiring a DOT-covered CDL, *a limited query* of the Clearinghouse will be conducted annually. As a condition of continued employment, employees are required to execute the required consent form permitting the limited query. If the limited query reveals that information about the CDL driver exists in the Clearinghouse, the District will conduct a full query within 24 hours. As a condition of continued employment, the DOT-covered CDL driver will be required to provide the Clearinghouse with consent allowing the District to conduct a full query.

In accordance with federal regulations (49 C.F.R. § 382.703), the District (or its Service Agent if the District uses a Third-Party Administrator to administer its DOT drug testing policy) will report the following drug and alcohol information regarding DOT-covered CDL drivers/applicants to the FMCSA:

Reporting entity	When information will be reported to clearinghouse
District	<ul style="list-style-type: none"> • A verified positive, adulterated or substituted drug test result. • An alcohol confirmation test with a concentration of 0.04 or higher. • Refusal to test (alcohol) as specified in 49 CFR 40.261.
	<ul style="list-style-type: none"> • Refusal to test (drug) not requiring a determination by the MRO as specified in 49 CFR 40.191.
	<ul style="list-style-type: none"> • Actual knowledge that a driver has used alcohol on duty, used alcohol within four hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance. “Actual knowledge” means the employer's direct observation of the employee, a traffic citation for driving a CMV while under the influence of alcohol or controlled substances, or an employee's admission of alcohol or controlled substance use. Direct observation means observation of alcohol or controlled substances use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing. “Traffic citation” means a ticket, complaint, or other document charging driving a CMV while under the influence of alcohol or controlled substances.
	<ul style="list-style-type: none"> • Negative return-to-duty test results (drug and alcohol testing, as applicable) • SAP’s report of successful completion of return-to-duty process
	<ul style="list-style-type: none"> • Completion of follow-up testing.
Service Agent acting on behalf of District (if the District uses a TPA)	<ul style="list-style-type: none"> • A verified positive, adulterated or substituted drug test result. • An alcohol confirmation test with a concentration of 0.04 or higher. • Refusal to test (alcohol) as specified in 49 CFR 40.261.
	<ul style="list-style-type: none"> • Refusal to test (drug) not requiring a determination by the MRO as specified in 49 CFR 40.191.
	<ul style="list-style-type: none"> • Actual knowledge that a driver has used alcohol on duty, used alcohol within four hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance. “Actual knowledge” means the employer's direct observation of the employee, a traffic citation for driving a CMV while under the influence of alcohol or controlled substances, or an employee's admission of alcohol or controlled substance use. Direct observation means observation of alcohol or controlled substances use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing. “Traffic citation” means a ticket, complaint, or other document charging driving a CMV while under the influence of alcohol or controlled substances.
	<ul style="list-style-type: none"> • Negative return-to-duty test results (drug and alcohol testing, as applicable) • SAP’s report of successful completion of return-to-duty process
	<ul style="list-style-type: none"> • Completion of follow-up testing.

If an employee or applicant refuses to provide the necessary consent, the District will not permit the employee to perform safety-sensitive functions and may subject the employee to disciplinary action, including immediate termination.

If the District obtains information that an employee or applicant has violated a DOT agency drug and alcohol regulation, the employee or applicant will not be permitted to perform safety-sensitive

functions unless the District obtains or is provided documented proof that the employee has subsequently complied with the return-to-duty requirements of 49 CFR Part 40.

Required Testing

Pre-employment testing

All job applicants for commercial driver positions, including internal transfers, are required to undergo testing for controlled substances as a condition of employment. Additionally, prior to the first time an employee performs safety-sensitive functions for the District as a commercial driver, either as a new hire or as a result of a transfer, the employee shall undergo testing for controlled substances. The District will not allow an employee to perform safety-sensitive functions unless the District has received a controlled substances test result from the MRO or C/TPA indicating a verified negative test result for that commercial driver.

The District reserves the right to invoke any and all exceptions to the pre-employment testing requirement as set forth in the DOT regulations (49 CFR § 382.301(b)).

Post-accident testing

Commercial drivers will be tested as soon as practicable following an occurrence involving a commercial motor vehicle on a public road in commerce as follows:

Type of Accident	Citation Issued* to CMV Driver	Test Must Be Performed
Human Fatality	Yes	Yes
Human Fatality	No	Yes
Bodily injury with immediate medical treatment away from scene	Yes	Yes
Bodily injury with immediate medical treatment away from scene	No	No
Disabling damage to any motor vehicle requiring tow away	Yes	Yes
Disabling damage to any motor vehicle requiring tow away	No	No

*In the above chart, “citation issued” refers to a citation received by the commercial vehicle driver under State or local law for a moving traffic violation arising from the accident. With respect to alcohol testing, the citation must be received within eight (8) hours of the occurrence. With respect to controlled substance testing, the citation must be received within thirty-two (32) hours of the occurrence.

If an alcohol test is required but not administered within two (2) hours following the accident, the District will prepare and maintain a record stating the reasons it was not promptly administered.

The District will not attempt to administer an alcohol test after eight (8) hours, or a controlled substance test after thirty-two (32) hours, following the accident.

Commercial drivers subject to post-accident testing shall remain readily available for testing or the District may designate such unavailability as a refusal to submit to testing and the commercial driver will be subject to immediate termination. However, nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care. The results of a breath or blood test for the use of alcohol, or the results of a urine test for the use of controlled substances, conducted by Federal, State, or local officials having independent authority for the test, meet the requirements of testing under this policy, provided the tests conform to the applicable Federal, State or local alcohol or controlled substance testing requirements, and that the results of the tests are obtained by the employer.

Post-accident testing under this Policy does not apply to:

- (a) An occurrence involving only boarding or alighting from a stationary motor vehicle;
- (b) An occurrence involving only the loading or unloading of cargo; or
- (c) An occurrence in the course of the operation of a passenger car by an employer unless the motor vehicle is transporting passengers for hire or hazardous materials that require DOT-mandated markings or placards.

Random testing

Every DOT covered commercial driver shall submit to unannounced random alcohol and controlled substance testing to be spread reasonably throughout the calendar year. However, a DOT covered employee will only be tested for alcohol while performing safety-sensitive functions, just prior to performing safety-sensitive functions, or just after performing such functions. The selection of employees for random alcohol and controlled substances testing shall be made by a scientifically valid method, and each employee selected for random alcohol and controlled substances testing under the selection process used, shall have an equal chance of being tested each time selections are made. Each employee selected for testing shall be tested during the selection period. Random testing for commercial drivers will be conducted according to the applicable rates mandated by the DOT and its applicable agencies (2020 DOT Rates: 50% Random Drug; 10% Random Alcohol), but may exceed those rates at the District's discretion.

After notification, it is the responsibility of the employee to provide a specimen within the allotted time. At the time of the notification, the donor will be instructed to go directly to the designated collection site. The employee will notify the collection site personnel that he/she has been selected for a random test and that he/she is ready to provide a specimen for the requested test.

Reasonable suspicion testing

Commercial drivers who, based on specific, contemporaneous, articulable observations of a qualified supervisor concerning the appearance, behavior, speech or body odor, may be reasonably suspected of using or being under the influence of alcohol or controlled substances or tampering with a drug screen test, shall undergo alcohol and controlled substance testing. In the case of

controlled substances, the observations may include indications of the chronic and withdrawal effect of controlled substances.

A “qualified supervisor” is a supervisor or District official who has received at least 60 minutes of training on alcohol misuse and receive at least an additional 60 minutes of training on controlled substances use. The training will be used by the supervisors to determine whether reasonable suspicion exists to require a commercial driver to undergo testing. The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. Recurrent training for supervisory personnel is not required.

Alcohol testing is only authorized for reasonable suspicion testing if the observations are made during, just preceding, or just after the period of the workday that the commercial driver is required to be in compliance. A commercial driver may only be directed to submit to this testing while he/she is performing safety-sensitive duties, just before or just after the driver performed such duties. An alcohol test pursuant to reasonable suspicion testing shall occur within eight (8) hours. If the alcohol testing is done after two (2) hours from the time the observations occurred, the District must document the reasons the test was not promptly administered.

Notwithstanding the absence of a reasonable suspicion alcohol test under this section, no commercial driver shall report for duty or remain on duty under the influence of or impaired by alcohol, as shown by the behavioral, speech, and performance indicators of alcohol misuse, nor shall the District permit the employee to perform or continue to perform his/her work duties, including any safety-sensitive functions, until:

- (i) An alcohol test is administered and the employee's alcohol concentration measures less than 0.02; or
- (ii) Twenty-four hours have elapsed following the determination that there is reasonable suspicion to believe that the employee has violated the prohibitions in this part concerning the use of alcohol.

A copy of documentation supporting a reasonable suspicion test will be completed and signed by the qualified supervisor within 24 hours of the observed behavior or before the results of the tests are released, whichever is earlier, and will be retained confidentially by the District.

On the basis of circumstances requiring a reasonable suspicion test, a commercial driver will immediately be removed from safety-sensitive functions and placed on paid administrative leave pending the outcome of the required drug and/or alcohol test.

Return to Duty and Follow-up testing

The District is not required to provide commercial drivers who violate this Policy with an evaluation by a Substance Abuse Professional (SAP) or any subsequent recommended education or treatment.

If the District, in its sole discretion, allows a driver to return to a DOT safety-sensitive function following a violation, prior to returning to duty the District will require the commercial driver to undergo an evaluation by a SAP and compliance with the SAP’s recommendations at the commercial driver’s sole cost and expense. In addition, following removal from a safety sensitive position after a positive, adulterated or substituted test and referral to a SAP, and successful compliance with the prescribed education and/or treatment, a commercial driver is required to undergo a return to duty test for controlled substances and/or alcohol before returning to

safety-sensitive duties. Follow-up tests are unannounced and at least 6 tests must be conducted in the first 12 months after an employee returns to duty as provided by the SAP's follow-up testing plan. Follow-up testing may extend for up to 60 months following return to duty.

Additional testing

Additional testing may also be conducted as required by applicable state or federal laws, rules, or regulations, in accordance with the District's Drug-Free Workplace Policy For All Employees or as otherwise deemed necessary by the District.

Substances To Be Tested And Detection Thresholds

The District tests for the following substances pursuant to the federal regulations:

	<u>Drug Screen Cut-off GC/MS</u>
Marijuana metabolites/THC	50 ng/mL - 15ng/mL
Cocaine metabolites	150 ng/mL - 100 ng/mL
Codeine/Morphine	2,000 ng/mL – 2,000 ng/mL
Hydrocodone/Hydromorphone	300 ng/mL – 100 ng/mL
Oxycodone/Oxymorphone	100 ng/mL – 100 ng/mL
6-Acetylmorphine	10 ng/mL – 10 ng/mL
Phencyclidine (PCP)	25 ng/mL - 25 ng/mL
Amphetamines, Methamphetamine	500 ng/mL - 250 ng/mL
Methylenedioxymethamphetamine (MDMA)	500 ng/mL - 250 ng/mL

Alcohol - removal from safety-sensitive position at 0.02 alcohol concentration or greater, violation of Policy at 0.04 alcohol concentration or greater.

Prescribed or Over-the-Counter Medications

The District recognizes that eventually most employees will need to take medications to combat various illnesses. Commercial drivers must realize, however, that the use of certain medications may constitute a violation of this Policy if not properly reported, and may potentially alter or affect the results of a drug or alcohol test. A commercial driver could potentially test positive for a drug when taking medications prescribed by a doctor or purchased over-the-counter. Some medications known to alter or affect a drug test are listed in the next section of this Policy.

Employees who want more comprehensive or technical information about the use of medications, and their potential effects on the drug test results, should consult the District's DER or a local testing laboratory. To avoid the potential problems created by a false test result, the District has implemented procedures to enable employees to confidentially report the use of medications. An employee may report the use of medications on the back of his/her copy of the chain of custody form after the specimen is collected and discuss the use only with the Medical Review Officer.

However, employees are required to report the use of prescribed drugs for which the District tests and provide written certification from their physician advising that the substance does not

adversely affect driver's ability to safely operate a commercial motor vehicle **prior to engaging in any safety sensitive functions.**

Note about Medical Marijuana and CBD Products: The DOT's Drug and Alcohol Testing Regulation – 49 CFR Part 40, at 40.151(e) – **does not authorize “medical marijuana” under a state law** to be a valid medical explanation for a commercial driver's positive drug test result. Therefore, a positive test result for marijuana or THC will result in the consequences set forth for a positive drug test. Furthermore, CBD use is not a legitimate medical explanation for a laboratory-confirmed marijuana positive result. Therefore, the MRO will verify a drug test confirmed at the appropriate cutoffs as positive, even if the commercial driver claims s/he only used a CBD product.

Substances Which Could Alter Or Affect The Outcome Of A Drug Test

The following substances, listed by brand name and common name, are among those that could affect the results of a drug test. This list is not comprehensive. All questions concerning substances which could result in a positive test should be directed to the District's DER.

1. AMPHETAMINES: Abetrol, Biphetamine, Desoxyn, Dexadrine, Didrex
2. CANNABINOIDS: Marinol (Dronabinol, THC), Marijuana, Hash, Pot
3. COCAINE: Cocaine HCl Topical Solution (Roxanne), Crack, Coke
4. PHENCYCLIDINE: PCP, Angel Dust
5. OPIATES: Paregoric, Parepectolin, Donnegan PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guaiatuss AC, Novahistine DH, Novahistine Expectorant, Diluadid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Opium, Heroin
6. ALCOHOL: Liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. For example, Vick's Nyquil is 25% (50 proof) ethyl alcohol; Comtrex is 20% (40 proof); Contac Severe Cold Formula Night Strength is 25% (50 proof); and Listerene is 26.9% (54 proof); Booze, Drink, wine, distilled spirits, malt beverages, beer, etc.
7. BARBITUATES: Phenobarbital, Tuinal, Amytal
8. BENZODIAZOPHINES: Ativan, Azene, Klonopin, Dalmone, Diazepam, Halcion, Librium, Poxipam, Restoril, Serax, Transene, Valium, Vertron, Xanax
9. METHADONE: Dolophine, Methadose
10. PROPOXYPHENE: Darvocet, Darvon N, Dolene

Testing Procedures

All alcohol or controlled substances testing under this Policy shall be conducted in conformity with the provisions and procedures set forth in the DOT Workplace Drug and Alcohol Testing Programs (49 C.F.R. Part 40 and 49 C.F.R. Part 382), which are on file with the District's DER for review at any time during normal working hours. In summary, the testing procedures adopted by this Policy are as follows:

Alcohol Testing

All alcohol testing will be conducted using one of two possible methods. Alcohol testing may be performed using evidential breath testing (EBT) devices or saliva alcohol screening devices (ASD) approved by the NHTSA. A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered a "negative" test. If the alcohol concentration is 0.02 or greater, a second confirmation test must be conducted. The employee and the individual conducting the test (called a breath alcohol technician (BAT)) complete the alcohol testing form to ensure that the results are properly recorded. The confirmation test, if required, must be conducted using an EBT that prints out the results, date and time, a sequential test number, and the name and serial number of the EBT to ensure the reliability of the results. The confirmation test results determine any actions taken. Under certain circumstances, post-accident tests conducted by law enforcement personnel will be acceptable.

Controlled Substance Testing

Controlled substance testing is conducted by analyzing an employee's urine specimen. The analysis is performed at laboratories certified and monitored by the Department of Health and Human Services (DHHS). The employee provides a urine specimen in a location that affords privacy and the "collector" seals and labels the specimen, completes a chain of custody document, and prepares the specimen and accompanying paperwork for shipment to a drug testing laboratory. The specimen collection procedures and chain of custody ensure that the specimen's security, proper identification and integrity are not compromised. The testing for DOT requirements will be performed using "split specimen procedures" that require each urine specimen to be subdivided into two bottles labeled as a "primary" and a "split" specimen. Both bottles are sent to a laboratory. Only the primary specimen is opened and used for the urinalysis. The split specimen bottle remains sealed and is stored at the laboratory. The testing is a two-stage process. First, a screening test is performed. If it is positive for one or more of the controlled substances, then a confirmation test is performed for each identified controlled substance using state-of-the-art gas chromatography/mass spectrometry (GC/MS) analysis.

GC/MS confirmation ensures that over-the-counter medications or preparations are not reported as positive results. If the analysis of the primary specimen confirms the presence of illegal, controlled substances, the commercial driver has 72 hours to request the split specimen be sent to another DHHS certified laboratory for analysis. This split specimen procedure essentially provides the driver with an opportunity for a "second opinion."

All drug test results are reviewed and interpreted by a physician (Medical Review Officer (MRO)) before they are reported to the District. If the laboratory reports a positive result to the MRO, the MRO contacts the employee (in person or by telephone) and conducts an interview to determine if there is an alternative medical explanation for the drugs found in the employee's urine specimen. If the employee provides appropriate documentation and the MRO determines that the positive

result was due to legitimate medical use of the prohibited drug, the drug test result is reported as negative to the District.

Note about Medical Marijuana and CBD Products: The MRO may not verify a drug test as negative based upon information that a physician recommended that the employee use “medical marijuana.” Furthermore, CBD use is not a legitimate medical explanation for a laboratory-confirmed marijuana positive result. Therefore, the MRO will verify a drug test confirmed at the appropriate cutoffs as positive, even if an employee claims they only used “medical marijuana” or a CBD product.

Prohibited Conduct Under DOT Regulations As Adopted By This Policy

The following is an overview of the terms and conditions of this Policy, and for violation of which a commercial driver is subject to discipline as outlined below.

1. It is a violation of DOT regulations, as adopted by this Policy, for any employee to report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. DOT regulations require that all covered employees in violation of this rule be immediately removed from safety-sensitive duties, including driving a commercial motor vehicle, and not be allowed to return to such duties until completion of the return to duty process set forth by DOT regulations in 49 CFR Part 40, Subpart O. All employees found in violation of this rule will also be subject to sanctions by the District, as set forth below, for violation of this Policy.
2. It is a violation of DOT regulations, as adopted by this Policy, for any employee to use alcohol while performing safety-sensitive functions. DOT regulations require that all covered employees in violation of this rule be immediately removed from safety-sensitive duties, including driving a commercial motor vehicle, and not be allowed to return to such duties until completion of the return to duty process set forth by DOT regulations in 49 CFR Part 40, Subpart O. All employees found in violation of this rule will also be subject to sanctions by the District, as set forth below, for violation of this Policy.
3. It is a violation of the DOT regulations, as adopted by this Policy, for any employee to perform safety-sensitive functions within four (4) hours after using alcohol. DOT regulations require that all covered employees in violation of this rule be immediately removed from safety-sensitive duties, including driving a commercial motor vehicle, and not be allowed to return to such duties until completion of the return to duty process set forth by DOT regulations in 49 CFR Part 40, Subpart O. All employees found in violation of this rule will also be subject to sanctions by the District, as set forth below, for violation of this Policy.
4. It is a violation of DOT regulations, as adopted by this Policy, for any employee required to take a post-accident alcohol test to use alcohol for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first. DOT regulations require that all covered employees in violation of this rule be immediately removed from safety-sensitive duties, including driving a commercial motor vehicle, and not be allowed to return to such duties until completion of the return to duty process set forth by DOT regulations in 49 CFR Part 40, Subpart O. All employees found in violation of this rule will also be subject to sanctions by the District, as set forth below, for violation of this Policy.

5. It is a violation of DOT regulations, as adopted by this Policy, for any employee to refuse to submit to a post-accident alcohol or controlled substances test, a random alcohol or controlled substances test, a reasonable suspicion alcohol or controlled substances test, or a follow-up alcohol or controlled substances test. DOT regulations require that all covered employees in violation of this rule be immediately removed from safety-sensitive duties, including driving a commercial motor vehicle, and not be allowed to return to such duties until completion of the return to duty process set forth by DOT regulations in 49 CFR Part 40, Subpart O. All employees found in violation of this rule will also be subject to sanctions by the District, as set forth below, for violation of this Policy.
6. It is a violation of DOT regulations, as adopted by this Policy, for any employee to report for duty or remain on duty requiring the performance of safety-sensitive functions after or during use of any controlled substance, except when the use is pursuant to the instructions of a licensed medical practitioner, who has advised the covered employee that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle. DOT regulations require that all covered employees in violation of this rule be immediately removed from safety-sensitive duties, including driving a commercial motor vehicle, and not be allowed to return to such duties until completion of the return to duty process set forth by DOT regulations in 49 CFR Part 40, Subpart O. All employees found in violation of this rule will also be subject to sanctions by the District, as set forth below, for violation of this Policy.
7. It is a violation of DOT regulations, as adopted by this Policy, for any employee to report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive or has adulterated or substituted a test specimen for controlled substances. DOT regulations require that all covered employees in violation of this rule be immediately removed from safety-sensitive duties, including driving a commercial motor vehicle, and not be allowed to return to such duties until completion of the return to duty process set forth by DOT regulations in 49 CFR Part 40, Subpart O. All employees found in violation of this rule will also be subject to sanctions by the District, as set forth below, for violation of this Policy.
8. It is a violation of DOT regulations, as adopted by this Policy, for any employee tested under the provisions of this Policy and who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 to perform or continue to perform safety-sensitive functions, including driving a commercial motor vehicle. The District will not permit such an employee to perform or continue to perform safety-sensitive functions, until the start of the next regularly scheduled duty period, but not less than 24 hours following administration of the test. All employees found in violation of this rule will also be subject to sanctions by the District, as set forth below, for violation of this Policy.
9. Employees must also fully comply with all prohibitions set forth in the District's general Drug-Free Workplace Policy, which is applicable to both DOT-covered commercial drivers and non-DOT covered drivers who may or may not hold a CDL. When safety-sensitive commercial drivers are being tested pursuant to this Policy (i.e., the DOT-mandated policy), the testing procedures set forth herein shall apply. When safety-sensitive commercial drivers are being tested pursuant to the general Drug-Free Workplace Policy, the procedures set forth in that policy shall apply.

Consequences Of Violations

In addition to the consequences set forth above for violation of DOT regulations, prohibited conduct by an employee will result in the following District actions:

1. Job Applicants will not be hired.
2. Any employee violating this policy within six months of the start of employment will be terminated.
3. Any employee violating this Policy will be terminated, regardless of length of service. He/she may reapply after substance abuse program has been completed.
4. An employee found to have an alcohol concentration of 0.02 or greater, but less than 0.04, shall not perform or continue to perform safety-sensitive functions until the start of the commercial driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test. No action will be taken under this Policy based solely on test results showing alcohol concentrations of less than 0.04, but the District may take action independent of this Policy in accordance with other applicable policies or laws.
5. In addition to the other consequences provided in this Policy, all employees who refuse to submit to an alcohol or drug test to be conducted under this Policy will be presumed to be positive for the presence of alcohol or a controlled substance for the purpose of all workers' compensation medical and indemnity benefits claims arising from the incidents or accidents leading to said testing. Refusals to test shall subject the commercial driver to immediate termination.

Refusal to submit (to an alcohol or controlled substances test) means that an employee:

- a. Failed to appear for any test (except a pre-employment test) within two hours of being directed to report by the District's DER or designee. This includes the failure of an employee to appear for a test when called by a consortium or third-party administrator;
- b. Failed to remain at the testing site until the testing process is complete. Provided, that an employee who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;
- c. Failed to provide a urine specimen for any drug test, or failed to attempt to provide a saliva or breath specimen for alcohol testing, required by this Policy or DOT agency regulations. Provided, that an employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences (see 49 CFR Sec. 40.63(c) of the DOT regulations) for a pre-employment test is not deemed to have refused to test;
- d. In the case of a directly observed or monitored collection in a drug test, failure to permit the observation or monitoring of the employee's provision of a specimen;
- e. Failed to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
- f. Failed or declined to take a second test the District, the District's DER, or collector has directed the employee to take;
- g. Failed to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER as part of the shy bladder or shy lung procedures set forth in 49 CFR Sec. 40.193(d) of the DOT regulations. In the case of a pre-employment drug test, a covered employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment;

- h. Refused to allow collection of specimens for drug and/or alcohol testing by a treating medical facility during the course of treatment following an "accident" requiring post-accident testing, or refused to allow the District access to medical records containing the results of such tests, or any attempt by an employee to block the release of such specimens or medical records;
- i. Failed to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process); or
- j. Is reported by the MRO as having a submitted or attempted to submit a verified adulterated, diluted, or otherwise altered or substituted specimen.

Any driver who has a verified positive controlled substances result, an alcohol concentration of 0.04 or greater, or refuses to submit to a test must also be evaluated by a Substance Abuse Professional at his/her own expense, even if the employee is terminated by the District, before obtaining a DOT-covered commercial driver position.

Drug & Alcohol Intervention

There are many good reasons why you should be concerned if any of your coworkers are using drugs or alcohol on the job including, but not limited to:

1. Your health and safety may be at risk.
2. Alcohol misuse and drug use costs you money.
3. Alcohol misuse and drug use creates a negative work environment.

If drinking or using drugs affects your work life, it could lead to job loss and all of the financial problems that could follow. Please contact Human Resources, or encourage a coworker to do so, if you suspect a problem.

Signs and Symptoms of Alcohol and/or Drug Abuse

Any one or more of the following signs may indicate a drinking or drug problem:

- Family or social problems caused by drinking or drug use.
- Job or financial difficulties related to drinking or drug use.
- Loss of consistent ability to control drinking or drug use.
- "Blackouts" or the inability to remember what happened while drinking or taking drugs.
- Distressing physical and/or psychological reactions if you try to stop drinking or taking drugs.
- A need to drink increasing amounts of alcohol to get the desired effect.
- Marked changes in behavior or personality when drinking or taking drugs.
- Getting drunk or high frequently.
- Injuring yourself - or someone else - while intoxicated or high.
- Breaking the law while intoxicated or high.
- Starting the day with a drink or drugs.

Available Resources for Resolving Problems Associated with Alcohol or Drug Abuse

Outpatient programs exist in a variety of settings:

1. Community mental health centers.
2. Family service agencies.
3. Private physicians and therapists' offices.
4. Occupational settings.
5. Specialized alcoholism/drug addiction treatment facilities.

Inpatient services, designed for those with more serious alcohol or drug addiction problems, can be found in hospitals, residential care facilities, community halfway houses, and some clinics.

An internet-based search will list helpful referral organizations such as (none of which are specifically recommended by the District; treatment decisions are highly personal and made by the employee and their family):

U.S. Dept. of Health & Human Services Substance Abuse and Mental Health Services Administration:	1-800-HELP (4357)
Alcoholics Anonymous	1-800-344-2666
M.A.D.D.	1-800-438-6233
AL-ANON Family Group Headquarters	1-800-356-9996

Additionally, an Internet search will identify the names and locations of treatment centers. Also, the United Way, offers many confidential services at no charge. Any costs of outside services are, however, the employee's responsibility.

Employee Assistance Program

The District maintains an Employee Assistance Program (EAP) that may offer services or referrals for employees and their family members who suffer from alcohol or drug abuse problems. Any questions concerning the EAP program can be directed to the District's DER.

Seeking Voluntary Assistance

Any employee who has not previously tested positive for drug and alcohol use and has not yet entered a drug and/or alcohol abuse rehabilitation program, may seek assistance for drug and/or alcohol problems before they lead to disciplinary actions, provided that:

1. The employee does not self-identify in order to avoid testing under the requirements of this Policy;
2. The employee makes the admission of alcohol misuse or controlled substances use prior to performing a safety sensitive function (i.e., prior to reporting for duty); and
3. The employee does not perform a safety sensitive function until the District is satisfied that the employee has been evaluated and has successfully completed education or treatment requirements in accordance with the requirements set forth below.

No employee will be discharged, disciplined, or discriminated against solely upon that employee's voluntarily seeking treatment for a drug and/or alcohol problem if the employee has not previously

tested positive for drug use, entered an employee assistance program for alcohol- or drug-related problems, or entered an alcohol and drug rehabilitation program.

Employees may not continue to work in safety sensitive positions or otherwise while seeking voluntary treatment, but may be granted leave without pay with a conditional return to work upon successful completion of an educational or treatment program, as determined by a drug and alcohol abuse evaluation expert, i.e., employee assistance professional, substance abuse professional, or qualified drug and alcohol counselor. An employee returning to work from voluntary treatment shall undergo a return to duty test with a result indicating an alcohol concentration of less than 0.02; and/or a verified negative test result for controlled substances use. For up to two years, a series of periodic non-DOT follow-up drug and/or alcohol tests will be administered after the employee returns to work under the District's general Drug Free Workplace policy.

Confidentiality

All written reports and related information received by the District, laboratories, employee leasing programs, drug and/or alcohol rehabilitation programs and their agents will be held in strict confidence and will not be disclosed except in accordance with the applicable federal, state, and/or local laws and regulations. Any other release of this information will be allowed only with the tested individual's consent. If an employee initiates a grievance, hearing, lawsuit or other action as a result of a violation of these rules, the District may release relevant information to its legal counsel and the decision maker in said action.

The employer or its Service Agent shall maintain the records for a period of up to five years in accordance with the requirements of the DOT regulations in 49 CFR §382.401(b), as well as the applicable retention period under Florida's public records laws, and these records will be provided to the following agencies and/or individuals under the following circumstances:

1. An employee is entitled, upon written request, to obtain copies of any records pertaining to the employee's use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substances tests. The District will also release information regarding an employee's records as directed by the specific written consent of the employee authorizing release of the information to an identified person. Release of such information by the person receiving the information is permitted only in accordance with the terms of the employee's specific written consent as outlined in the DOT regulations in 49 CFR § 40.321(b);
2. To the decision maker in a lawsuit, grievance, or administrative proceeding initiated by or on behalf of the employee, and arising from a positive drug or alcohol test or a refusal to test (including, but not limited to, adulterated or substituted test results) or this Policy (including, but not limited to, a worker's compensation, unemployment compensation, or other proceeding relating to a benefit sought by the commercial driver). Additionally, an employer may disclose information in criminal or civil actions in accordance with the DOT regulations in 49 CFR § 40.323(a)(2);
3. The National Transportation Safety Board as part of an accident investigation;
4. Secretary of Transportation, any DOT agency, or any State or local officials with regulatory authority over the District or its commercial drivers; or
5. A subsequent employer upon receipt of a written request from a covered employee.

Federal And State Laws And Regulations

Nothing in this Policy shall be presumed to override, amend, or change any requirements of state and/or Federal law. In the event any of the provisions of this Policy conflict with applicable laws and regulations, such laws and regulations will be deemed to control.

All employees will notify the District of any conviction of, plea of guilty or nolo contendere to, any violation of any controlled substance law of United States or any other state for a violation occurring in the workplace no later than five (5) days after such conviction. Failure to report any such conviction within five (5) days shall result in termination of employment.

Drug & Alcohol Testing Policy For DOT-Covered Commercial Drivers

Commercial Driver Certificate of Receipt and Acknowledgement of Policy

I _____, have received a copy of the District's DOT Drug & Alcohol Testing Policy for DOT-Covered Commercial Drivers. I understand and agree that it is a condition of my employment to abide by the Policy at all times and that violations may subject me to immediate termination.

I further understand and agree that this Acknowledgement is not a contract of employment for any specific duration of time and that I or the District may discontinue the employment relationship at any time without notice or cause.

Employee Signature

Date

Employee Printed Name

**DOCUMENTATION OF BASIS FOR REASONABLE SUSPICION TESTING
FOR DOT COVERED COMMERCIAL DRIVERS**

Prepare and sign within **24 hours** of the observed behavior or before the results are released, whichever is earlier. Keep confidential for at least one year.

DRIVER'S NAME		DATE OBSERVED:	
ADDRESS OF INCIDENT Street _____ City _____ State _____ Zip _____		TIME OBSERVED:	
		From _____ a.m. or p.m. To _____ a.m. or p.m.	

Record employee observed behavior for reasonable suspicion for the use of alcohol or controlled substances. Per DOT requirements for reasonable suspicion testing, the employer shall require the driver to submit to a controlled substance or alcohol test if a qualified supervisor or District official who is trained in accordance with §382.603 determines that reasonable suspicion exists.

Reasonable suspicion determined for: <input type="checkbox"/> Alcohol <input type="checkbox"/> Controlled Substances			
Mark items that apply and describe specifics			
APPEARANCE: Normal <input type="checkbox"/> Sleepy <input type="checkbox"/> Tremors <input type="checkbox"/> Clothing <input type="checkbox"/> Cleanliness <input type="checkbox"/> Description:			
BEHAVIOR: Normal <input type="checkbox"/> Erratic <input type="checkbox"/> Irritable <input type="checkbox"/> Inappropriate gaiety <input type="checkbox"/> Mood swings <input type="checkbox"/> Lethargic <input type="checkbox"/> Description:			
SPEECH: Normal <input type="checkbox"/> Slurred <input type="checkbox"/> Incoherent <input type="checkbox"/> Description:			
BODY ODORS: Description:			
INDICATIONS OF THE CHRONIC AND WITHDRAWAL EFFECTS OF CONTROLLED SUBSTANCES: <input type="checkbox"/> Yes <input type="checkbox"/> No Explain:			
OTHER OBSERVATIONS FOR REASONABLE SUSPICION: Explain:			
<u>WITNESSED BY:</u>			
			a.m./p.m.
Signature	Title	Preparation Date	Time
			a.m./p.m.
Signature	Title	Preparation Date	Time
The alcohol test must be administered within two (2) hours, but no more than eight (8) hours following a reasonable suspicion determination. <div style="text-align: center;"><u>EMPLOYEE'S ACKNOWLEDGMENT AND CONSENT:</u></div> I acknowledge that I have been informed of the District's reasons for requesting this drug and/or alcohol testing and consent to the testing.			
Employee Signature		Date	

IMPORTANT INFORMATION FOR DOT-COVERED COMMERCIAL DRIVERS

(It is required that this information be posted for all employees)

<p><u>Notice to Applicants and Employees</u></p> <p>PRE-EMPLOYMENT AND OTHER REQUIRED DRUG TESTING IS FOR THE FOLLOWING FIVE DRUGS:</p> <ul style="list-style-type: none">• Marijuana• Cocaine• Opioids• Amphetamines• Phencyclidine (PCP)• MDMA• 6-Acetylmorphine <p>Reasonable suspicion and post-accident testing:</p> <ul style="list-style-type: none">• Above Drugs• Breath Alcohol Testing (when suspected for reasonable suspicion) <p>Random testing — above Drugs and Alcohol</p>	<p>DISTRICT DESIGNATED EMPLOYER REPRESENTATIVE (DER) - ALL QUESTIONS REGARDING THE DRUG & ALCOHOL TESTING POLICY</p> <p><u>DER:</u> Human Resources Officer Executive Director</p>
<p>DRUG OR ALCOHOL HOTLINE #'S</p> <p>National Council on Alcoholism and Drug Dependence Hotline Phone: (800) 622-2255 www.ncadd.org</p> <p>Alcohol & Drug Referral Hot Line 1-800-252-6465</p> <p>SUBSTANCE ABUSE PROFESSIONAL (EMPLOYEE MUST BE REFERRED AFTER VIOLATION OF DOT DRUG & ALCOHOL POLICY)</p>	<p>IT IS THE POLICY OF THIS DISTRICT THAT THERE IS NO PLACE FOR THOSE WHO USE ILLEGAL DRUGS OR WHO ABUSE LEGITIMATE DRUGS OR WHO HAVE BECOME DEPENDENT UPON ANY CHEMICAL SUBSTANCE INCLUDING ALCOHOL.</p> <p>THIS DISTRICT INTENDS TO BE IN COMPLIANCE WITH THE DOT REGULATIONS CONCERNING DRUG ABUSE AND ALCOHOL MISUSE, WHICH INCLUDES A PROGRAM OF URINALYSIS TESTING FOR ILLICIT DRUG USE.</p> <p>EMPLOYEES WHO HAVE A CONFIRMED POSITIVE TEST FOR DRUGS OR ALCOHOL ARE SUBJECT TO TERMINATION.</p>



LOXAHATCHEE RIVER DISTRICT

2500 JUPITER PARK DRIVE, JUPITER, FLORIDA 33458

TEL: (561) 747-5700

FAX: (561) 747-9929

D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

To: Governing Board
From: Kara Fraraccio, Director of Finance and Administration
Date: January 14, 2022
Subject: Disposal of Surplus Property

Whenever the District disposes of tangible personal property of a non-consumable nature, Florida Statutes and our Disposal of Surplus Tangible Personal Property Policy require Governing Board approval before any Surplus Tangible Personal Property can be disposed of. Therefore, consistent with state statute and our policies and procedures, I request your authorization to dispose of the items listed below:

Tag #	F/A #	Description	Condition	Date Recorded	Acquired Value	Book Value	Estimated Value
2231	PE24	Jet Trailer	Needs Repair	09/30/05	\$ 31,378	\$ -	\$ 2,000
2372	PE42	Kawasaki Mule	Operational	09/30/09	9,358		500
Total Assets to be Disposed					\$ 40,736	\$ -	\$ 2,500

In addition, the following assets were aggregated with other assets or grouped as part of a project when purchased and we therefore do not have individualized asset information on each item. A description of the asset to be disposed is provided below:

<u>Description</u>	<u>Condition</u>	<u>Estimated Value</u>
4 Allen Bradley VFD with Cabinets	Unknown	\$800
12 Composite Water Samplers	Not Operational	\$100

The items listed in the schedules above are no longer of use to the District and are considered Surplus. The assets will be disposed of in accordance with the District's Disposal of Surplus Tangible Personal Property Policy.

Items slated for disposal that have remaining value will be sold on public auction or sold as scrap. Items slated for disposal that have no remaining value will be recycled or otherwise disposed of in an environmentally conscious manner.

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

I offer the following motion for your approval:

"THAT THE GOVERNING BOARD authorize the Executive Director to dispose of tangible personal property asset tag numbers 2231, 2372, and the items from aggregated assets listed in the schedule above in accordance with the District's Disposal of Surplus Tangible Personal Property Policy."



Change Orders

No Change Orders are presented
for Board consideration this month.



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LOXAHATCHEE RIVER DISTRICT

2500 JUPITER PARK DRIVE, JUPITER, FLORIDA 33458

TEL: (561) 747-5700

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D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

To: Governing Board
From: D. Albrey Arrington, Ph.D., Executive Director
Date: January 12, 2022
Subject: Board Appointments and Liaisons

The attached chart shows liaison positions held by Governing Board members. Blue and yellow blocks designate external organizations with which the District interacts, while purple blocks represent internal departments and activities of the District.

I encourage a discussion among Board Members regarding the appointments and liaisons shown in the attached chart. Following your discussion and any potential revisions you may implement; I suggest you enact the following motion:

“THAT THE GOVERNING BOARD adopt the attached chart of Governing Board appointments and liaisons for the 2022 calendar year.”

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

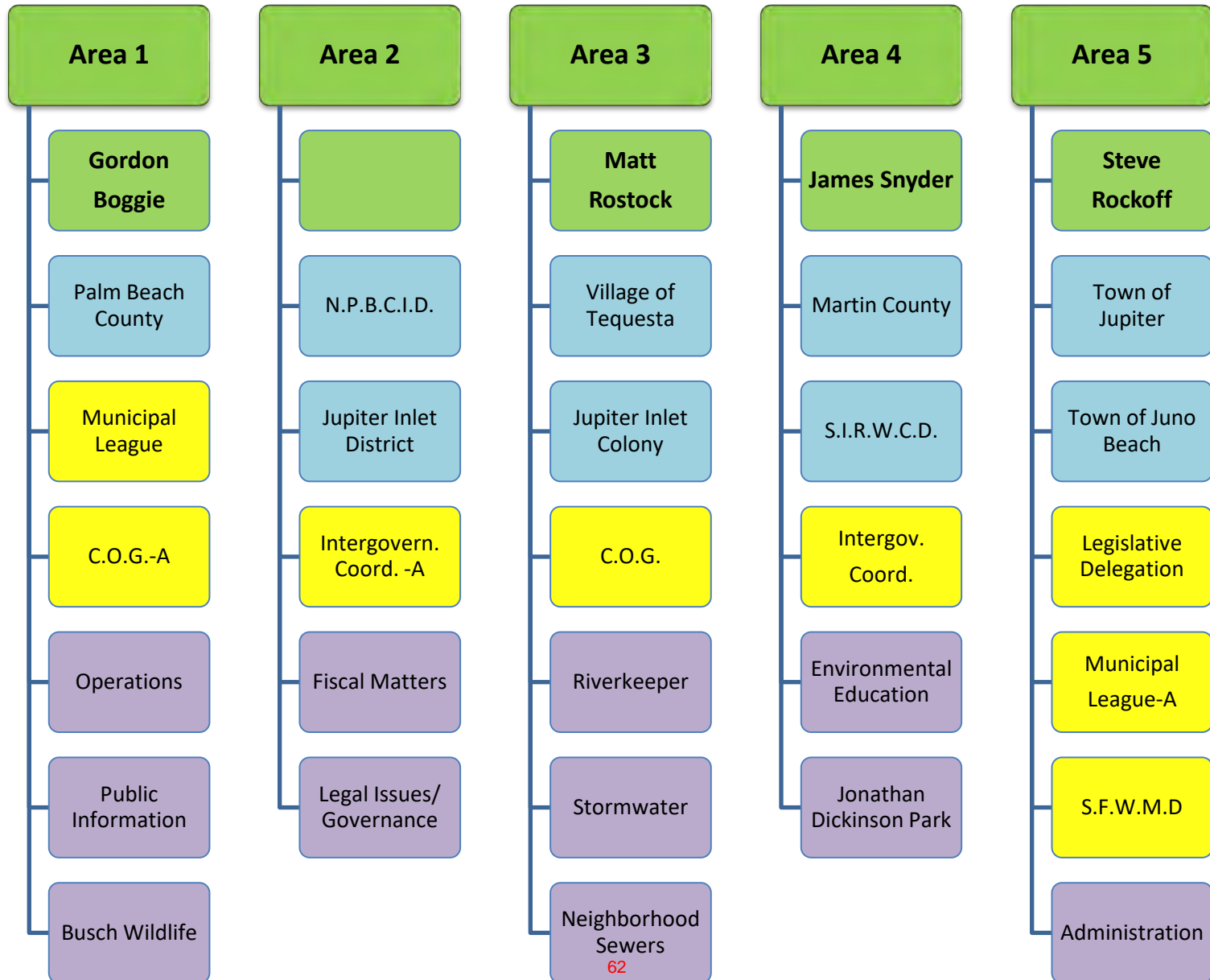
Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER

Water Reclamation – Environmental Education – River Restoration

GOVERNING BOARD

APPOINTMENTS & LIAISONS - 2022





LOXAHATCHEE RIVER DISTRICT

2500 JUPITER PARK DRIVE, JUPITER, FLORIDA 33458

TEL: (561) 747-5700

FAX: (561) 747-9929

D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

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

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

DATE: January 12, 2022

SUBJECT: ITB 22-003-00113: Headworks Generator Upgrades and Improvements - Award of Construction Contract

This project provides installation services for an owner furnished emergency generator and automatic transfer switch at the plant headworks. The plant headworks structure is critical to delivering flows from our collection/transmission system to downstream processes in the plant. This generator will provide redundant emergency generator power to the headworks structure should the main emergency power system fail.

Jason Pugsley's Engineer's Recommendation of Award and bid details are attached, recommending award to Zabatt, Inc.

As noted in Mr. Pugsley's Engineer's Recommendation of Award the apparent low, Hinterland Group, Inc. was determined non-responsive due to failure to submit the original bid bond by the required deadline. Subsequent to publishing the Engineer's Recommendation of Award, Hinterland Group, Inc. filed a Formal Bid Protest. Per the District's Purchasing Policies and Procedures staff met with Hinterland Group, Inc. and believe the protest to be resolved.

Staff recommend the following motion:

"THAT THE DISTRICT GOVERNING BOARD award ITB 22-003-00113 to Zabatt, Inc. in the amount of \$68,830.78 and a contingency in the amount of \$6,900.00."

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER



LOXAHATCHEE RIVER DISTRICT

Celebrating 50 Years, 1971-2021

MEMORANDUM

D. Albrey Arrington, Ph.D.
EXECUTIVE DIRECTOR

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER

TO: Kris Dean, P.E., Deputy Executive Director /Director of Engineering

FROM: Jason A. Pugsley, P.E., Operations – Plant Manager

DATE: December 21, 2021

SUBJECT: Headworks Generator Upgrades and Improvements – ITB #22-003-00113
Recommendation of Award – Zabatt Engine Services, Inc.

On December 10, 2021, at 2:00 pm, the District opened bids for the referenced project. There was a total of three (3) bids accepted for the project as follows:

Bidder	Total Bid Amount	Acknowledged Addenda?	Included Original Bid Security?
Hinterland Group, Inc.	\$67,300.00	Yes	No
Zabatt Engine Services, Inc.	\$68,830.78	Yes	Yes
Lawrence Lee Construction Services, Inc.	\$277,500.00	Yes	Yes

The bids were reviewed to evaluate whether the bids were responsive to the bid submittal requirements. The apparent low bidder was Hinterland Group, Inc. with a Total Bid Amount of \$67,300.00. Their bid was reviewed, and it did not include the bid bond required by the bidding documents, therefore the bid from Hinterland was determined to be non-responsive. District Staff then reviewed the bid submitted by Zabatt Engine Services, Inc. with a Total Bid Amount of \$68,830.78. The bid from Zabatt Engine Services, Inc. included the required bid bond in the amount of ten percent of their bid from an acceptable surety company according to the U.S. Department of Treasury. The other forms and

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Water Reclamation - Environmental Education - River Restoration

information required to be submitted with their bid also appear to be in order. As such, the bid submitted by Zabatt Engine Services, Inc. was determined to be responsive.

Based upon reference checks, Zabatt Engine Services, Inc. has successfully completed multiple electrical projects in Florida which included the supply and installation of diesel driven emergency standby generators and an associated automatic transfer switch. Zabatt Engine Services, Inc. is a corporation in good standing with the Florida Department of State Division of Corporations. Zabatt Engine Services, Inc. is considered to be a responsible bidder.

Based on the information above, it has been determined that Zabatt Engine Services, Inc. is the lowest responsive and responsible bidder, and it is recommended that they be awarded the contract for the Headworks Generator Upgrades and Improvement project in the Total Bid Amount of \$68,830.78.

Let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jason Pugsley', is positioned above the printed name.

Jason A. Pugsley, P.E.
Operations – Plant Manager

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
HEADWORKS STANDBY GENERATOR UPGRADES AND IMPROVEMENTS
ITB NO. 22-003-00113
BID TABULATION FORM

Bid Item No.	Description	Qty.	Hinterland Group, Inc.		Zabatt Engine Services, Inc.		Lawrence Lee Construction Services, Inc.	
			Unit Cost	Extended Total	Unit Cost	Extended Total	Unit Cost	Extended Total
1	Mobilization/Demobilization	1	\$5,000.00	\$5,000.00	\$4,019.78	\$4,019.78	\$27,500.00	\$27,500.00
2	Permits, Licenses, & Fees	1	\$2,500.00	\$2,500.00	\$1,500.00	\$1,500.00	\$15,000.00	\$15,000.00
3	Record Drawings	1	\$500.00	\$500.00	\$700.00	\$700.00	\$5,000.00	\$5,000.00
4	Preconstruction Video	1	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$5,000.00	\$5,000.00
5	Conduit	1	\$12,500.00	\$12,500.00	\$7,000.00	\$7,000.00	\$20,000.00	\$20,000.00
6	Conduit Bodies, HUBS and Connectors	1	\$2,500.00	\$2,500.00	\$2,900.00	\$2,900.00	\$20,000.00	\$20,000.00
7	Wire and Cables	1	\$10,700.00	\$10,700.00	\$11,000.00	\$11,000.00	\$20,000.00	\$20,000.00
8	Electrical Equipment	1	\$15,200.00	\$15,200.00	\$16,200.00	\$16,200.00	\$80,000.00	\$80,000.00
9	Demolition	1	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$20,000.00	\$20,000.00
10	Trenching	1	\$1,500.00	\$1,500.00	\$2,000.00	\$2,000.00	\$10,000.00	\$10,000.00
11	8" Concrete Pad	1	\$4,500.00	\$4,500.00	\$6,000.00	\$6,000.00	\$30,000.00	\$30,000.00
12	Grounding	1	\$2,400.00	\$2,400.00	\$500.00	\$500.00	\$10,000.00	\$10,000.00
13	Miscellaneous Materials and Restoration	1	\$5,000.00	\$5,000.00	\$13,000.00	\$13,000.00	\$10,000.00	\$10,000.00
14	Equipment Testing and Startup	1	\$2,500.00	\$2,500.00	\$1,511.00	\$1,511.00	\$5,000.00	\$5,000.00
			Total Bid Cost:	\$67,300.00	Total Bid Cost:	\$68,830.78	Total Bid Cost:	\$277,500.00



LOXAHATCHEE RIVER DISTRICT

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D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

TO: D. Albrey Arrington, Ph.D., Executive Director
FROM: Kris Dean, P.E., Deputy Executive Director/Director of Engineering Services
DATE: January 12, 2022
SUBJECT: ITB 18-005-LSGENCONSTR/Lift Station Rehabilitation General Construction Services: Contract Extension

This contract, originally awarded for 24 months in February 2019, provides unit prices to perform various aspects of lift station rehabilitations that can be selected a la carte to custom tailor a rehabilitation to a lift station's specific needs.

This contract has streamlined our lift station rehabilitation process by reducing time and effort previously expended bidding specific lift station rehabilitations each year and allowed us to address numerous deficiencies in our system.

The contract allows for three 12 month extensions beyond the initial 24 month term and allows for a CPI-U increase at each extension. The most current CPI-U, All Items, Not Seasonally Adjusted was reported in November 2021 and is 6.8%.

Based on the success of this contract over the previous 24 months and satisfactory performance of the contractor staff recommends the following motion:

“THAT THE DISTRICT GOVERNING BOARD authorize the second of three 12 month extensions to ITB 18-005-LSGENCONSTR and authorize a unit price adjustment of 6.8% and an amount not to exceed \$250,000.”

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER



Chase Rogers
Hinterland Group Inc.
2051 W Blue Heron Blvd
Riviera Beach, FL 33404
561-640-3503
Crogers@hinterlandgroup.com

1/6/2022

ATTN: Kris Dean, P.E.
Deputy Executive Director/Director of Engineering
Loxahatchee River Environmental Control District
2500 Jupiter Park Drive
Jupiter, FL 33458
Kris.Dean@lrecd.org

RE: Hinterland Group Inc. – ITB 18-005-LSGENCONSTR: Lift Station Rehabilitation General Construction Services – Renewal Request #2

Hinterland Group Inc. hereby submits this letter as a request to extend the above mentioned contract for an additional 12 month period and to approve the 6.8% contract price escalator per the CPI-U for 2021. Please see attached the unit price schedule with current contract rates and the escalated pricing

Feel free to reach out should you need anything further.

Thank you

Chase Rogers

Chase Rogers
Hinterland Group Inc.

BID RESPONSE – ADDENDUM 1
ITB # 18-005-LSGENCONSTR

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT LIFT STATION REHABILITATION GENERAL CONSTRUCTION SERVICES

The contractor agrees to execute an Agreement in strict accordance with the Contract Documents and to provide services at the Unit Prices as included in the following Lift Station Rehabilitation General Construction Services Unit Price Bid Sheet as follows:

NO.	ITEM	QUANTITY	UNIT	Original Contract Unit Price	2021 Escalated Unit Price (1.2% Increase)	2022 Escalated Unit Price (6.8% Increase)
1	Mobilization/Demobilization	10	LS	\$ 500.00	\$ 506.00	\$ 540.41
2	Isolation Valve					
	4"	5	EA	\$ 1,800.00	\$ 1,821.60	\$ 1,945.47
	6"	5	EA	\$ 2,100.00	\$ 2,125.20	\$ 2,269.71
3	Temporary Bypass Connection Assembly					\$ -
	4"	5	EA	\$ 1,000.00	\$ 1,012.00	\$ 1,080.82
	6"	5	EA	\$ 1,200.00	\$ 1,214.40	\$ 1,296.98
4	Wetwell Concrete Lid and Hatch (hatch dimensions vary, not to exceed					
	6' Diameter Wetwell	1	EA	\$ 6,500.00	\$ 6,578.00	\$ 7,025.30
	8' Diameter Wetwell	1	EA	\$ 7,500.00	\$ 7,590.00	\$ 8,106.12
	10' Diameter Wetwell	1	EA	\$ 9,000.00	\$ 9,108.00	\$ 9,727.34
5	Demolition of Wetwell Rectangular Chimney and Replacement with Cylindrical Wetwell Section (3' x up to 5' hatch with chimney not to exceed 6' in depth)					
	6' Diameter Wetwell	1	EA	\$ 12,800.00	\$ 12,953.60	\$ 13,834.44
	8' Diameter Wetwell	1	EA	\$ 13,500.00	\$ 13,662.00	\$ 14,591.02
	10' Diameter Wetwell	1	EA	\$ 15,000.00	\$ 15,180.00	\$ 16,212.24
6	Valve Vault					
	5' x 5', not to exceed 5' depth	3	EA	\$ 8,500.00	\$ 8,602.00	\$ 9,186.94
	5' x 7', not to exceed 5' depth	2	EA	\$ 10,000.00	\$ 10,120.00	\$ 10,808.16
7	Valve Vault Piping Assemble					
	4" Diameter Piping	3	EA	\$ 12,000.00	\$ 12,144.00	\$ 12,969.79
	6" Diameter Piping	2	EA	\$ 13,000.00	\$ 13,156.00	\$ 14,050.61
8	Above Grade Piping Assembly					
	4" Diameter Piping	3	EA	\$ 13,000.00	\$ 13,156.00	\$ 14,050.61
	6" Diameter Piping	2	EA	\$ 14,000.00	\$ 14,168.00	\$ 15,131.42
9	Discharge Piping Assembly					
	Up to 10' x 4" Diameter Piping	4	EA	\$ 3,200.00	\$ 3,238.40	\$ 3,458.61
	Up to 10' x 6" Diameter Piping	1	EA	\$ 3,600.00	\$ 3,643.20	\$ 3,890.94
	Up to 15' x 4" Diameter Piping	4	EA	\$ 3,800.00	\$ 3,845.60	\$ 4,107.10
	Up to 15' x 6" Diameter Piping	1	EA	\$ 4,200.00	\$ 4,250.40	\$ 4,539.43
	Up to 20' x 4" Diameter Piping	1	EA	\$ 4,200.00	\$ 4,250.40	\$ 4,539.43
	Up to 20' x 6" Diameter Piping	1	EA	\$ 4,800.00	\$ 4,857.60	\$ 5,187.92
10	Angle Pipe Support					
	6' Diameter Wetwell	12	EA	\$ 800.00	\$ 809.60	\$ 864.65
	8' Diameter Wetwell	4	EA	\$ 1,200.00	\$ 1,214.40	\$ 1,296.98
	10' Diameter Wetwell	2	EA	\$ 1,800.00	\$ 1,821.60	\$ 1,945.47
11	Alternate Angle Pipe Support					
	4' Diameter Wetwell	4	EA	\$ 600.00	\$ 607.20	\$ 648.49
12	Leveling Floor					
	6' Diameter Wetwell	1	EA	\$ 2,280.00	\$ 2,307.36	\$ 2,464.26
	8' Diameter Wetwell	1	EA	\$ 2,380.00	\$ 2,408.56	\$ 2,572.34
	10' Diameter Wetwell	1	EA	\$ 2,480.00	\$ 2,509.76	\$ 2,680.42
13	Base Plates					
	4" Bases	8	EA	\$ 600.00	\$ 607.20	\$ 648.49
	6"-8" Bases	2	EA	\$ 750.00	\$ 759.00	\$ 810.61
14	Pump Bases					
	4"x4"	8	EA	\$ 1,600.00	\$ 1,619.20	\$ 1,729.31
	6"x6"	2	EA	\$ 2,000.00	\$ 2,024.00	\$ 2,161.63
15	Drop Bowl Assembly (less than 10' drop)					

	8"	5	EA	\$ 400.00	\$ 404.80	\$ 432.33
	10"	3	EA	\$ 600.00	\$ 607.20	\$ 648.49
16	Abandon Outside Drop (less than 10' drop)					
	8"	4	EA	\$ 650.00	\$ 657.80	\$ 702.53
	10"	4	EA	\$ 850.00	\$ 860.20	\$ 918.69
	12"	2	EA	\$ 900.00	\$ 910.80	\$ 972.73
17	Guiderails Removal and Installation (per pump)					
	2" up to 10'	2	EA	\$ 300.00	\$ 303.60	\$ 324.24
	2" up to 15'	6	EA	\$ 350.00	\$ 354.20	\$ 378.29
	2" up to 20'	2	EA	\$ 400.00	\$ 404.80	\$ 432.33
18	Guiderails					
	2" up to 10'	2	EA	\$ 1,500.00	\$ 1,518.00	\$ 1,621.22
	2" up to 15'	6	EA	\$ 2,000.00	\$ 2,024.00	\$ 2,161.63
	2" up to 20'	2	EA	\$ 3,000.00	\$ 3,036.00	\$ 3,242.45
19	Panel Rack	2	EA	\$ 8,500.00	\$ 8,602.00	\$ 9,186.94
20	Panel Installation	2	EA	\$ 3,500.00	\$ 3,542.00	\$ 3,782.86
21	Concrete Demolition (>0.5 CY/Site)					
	Slabs up to 8" thick	8	EA	\$ 250.00	\$ 253.00	\$ 270.20
	Structures up to 12" thick	2	EA	\$ 500.00	\$ 506.00	\$ 540.41
22	Concrete No Reinforcing (>0.5 CY/Site)	10	CY	\$ 300.00	\$ 303.60	\$ 324.24
23	Concrete (6 x 6 - W1.4 x W1.4 Reinforcing) (>0.5CY/Site)	10	CY	\$ 320.00	\$ 323.84	\$ 345.86
24	Concrete (#5 @ 12" O.C.E.W., Top and Bottom (>0.5 CY/Site)	10	CY	\$ 350.00	\$ 354.20	\$ 378.29
25	Stabilized Grass Driveway Section (>20 SY/Site)	100	SY	\$ 35.00	\$ 35.42	\$ 37.83
26	Grass Paver Driveway Section (> 20 SY/Site)	100	SY	\$ 55.00	\$ 55.66	\$ 59.44
24	Adjust or Replace Manhole Frame and Cover	5	EA	\$ 900.00	\$ 910.80	\$ 972.73
27	Ductile Iron Fittings	1,000	LBS	\$ 5.00	\$ 5.06	\$ 5.40
28	Relocation of Radio Telemetry Unit	2	EA	\$ 3,500.00	\$ 3,542.00	\$ 3,782.86
26	Sod					
	Bahia	100	SY	\$ 5.00	\$ 5.06	\$ 5.40
	Floritam	100	SY	\$ 8.00	\$ 8.10	\$ 8.65
28	Dewatering w/Wellpoints		EA			
	First Day	1	EA	\$ 1,000.00	\$ 1,012.00	\$ 1,080.82
	Each Additional Day	1	EA	\$ 800.00	\$ 809.60	\$ 864.65
29	Maintenance of Traffic Thoroughfare Roads					
	First Day	1	EA	\$ 400.00	\$ 404.80	\$ 432.33
	Each Additional Day	1	EA	\$ 300.00	\$ 303.60	\$ 324.24
29	Maintenance of Traffic NON-Thoroughfare Roads					
	First Day	1	EA	\$ 300.00	\$ 303.60	\$ 324.24
	Each Additional Day	1	EA	\$ 200.00	\$ 202.40	\$ 216.16
30	Maintenance of Traffic - Flagger	1	EA	\$ 800.00	\$ 809.60	\$ 864.65
31	Maintenance of Traffic - Sign Board	1	EA	\$ 150.00	\$ 151.80	\$ 162.12
32	Line Stops					
	4"	1	EA	\$ 4,600.00	\$ 4,655.20	\$ 4,971.75
	6"	1	EA	\$ 5,500.00	\$ 5,566.00	\$ 5,944.49
	8"	1	EA	\$ 5,700.00	\$ 5,768.40	\$ 6,160.65
	10"	1	EA	\$ 6,500.00	\$ 6,578.00	\$ 7,025.30
33	Trench Safety Act	4	EA	\$ 100.00	\$ 101.20	\$ 108.08
34	J-Box Under Panel	1	EA		\$ 5,875.00	\$ 6,274.50
				TOTAL BASE BID AMOUNT \$		

Total Base Bid Amount in Words

_____ Dollars and
_____ Cents.

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.



LOXAHATCHEE RIVER DISTRICT

2500 JUPITER PARK DRIVE, JUPITER, FLORIDA 33458

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D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

TO: GOVERNING BOARD
FROM: D. ALBREY ARRINGTON, Ph.D.
DATE: JANUARY 13, 2022
SUBJECT: PROPOSED REVISIONS TO CHAPTER 31-3 REGULATIONS FOR SEWER SYSTEMS

In our ongoing effort to review and systematically improve our governance and governing documents, I engaged Laura Donaldson, the governmental lawyer that assisted with revision of our enabling act, to review and make suggested edits to our Rules (e.g., Chapter 31). This month, I have for your consideration suggested edits that Ms. Donaldson has put forth for LRD Rule Chapter 31-3 Regulations for Sewer Systems. The current version of the Rule was last approved by the LRD Governing Board in 2017.

Mr. Shenkman and I have carefully evaluated Ms. Donaldson's suggested revisions, and believe they represent improvements to this important document. This month my goal is to obtain feedback from the Board and the public regarding the proposed revisions to Chapter 31-3. Pending Board discussion and public comment, next month I anticipate bringing a final revised draft of Rule Chapter 31-3 for Board review and approval after a public hearing.

Proposed revisions to the rule are as follows:

1. All references to 2002-358, Special Acts of Florida are revised to 2021-249, Laws of Florida.
2. Minimized duplicitous information (e.g., 31-3.003(3)).
3. Expanded references to include additional regulatory constraints beyond our Construction Standards and Technical Specifications (e.g., 31-3.005(3), (4), and (7)).
4. Clarified penalties for Unlawful Construction (31-3.009)
5. Improved referenced legal authority for the Ellis Rule (31-3.021)
6. Revised the order of text to improve the logical flow of ideas and concepts (e.g., moved text from 31-10.011 to 31-3.022).

I look forward to your careful review of this important document and a productive discussion of our proposed revisions. Please let me know if you have any questions or concerns.

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER

CHAPTER 31-3

REGULATIONS FOR SEWER SYSTEMS

31-3.001	Purpose	
31-3.002	Definitions	
31-3.003	<u>Unlawful Discharges and Facilities</u>	Use of Public Sewer System Required
31-3.004	Private Wastewater Disposal	
31-3.005	Private Sewers and Connections	
31-3.006	Connections May Be Made by District	
31-3.007	Malicious Damage	
31-3.008	Unlawful Connection	
31-3.009	Unlawful Construction	
31-3.010	Connecting Old Plumbing	(Repealed)
31-3.011	Sanitary Requirements	(Repealed)
31-3.012	Disposal Requirements	(Repealed)
31-3.013	Septic Tank	(Repealed)
31-3.014	Maintenance of Plumbing System	(Repealed)
31-3.015	Payment of Fees and Bills Required	(Repealed)
31-3.016	Collection of Sewer Charges by Lien	(Repealed)
31-3.017	Failure to Maintain Private Sewer	
31-3.018	No Service Free	(Repealed)
31-3.019	Separate Connections for Each Separate Unit	(Repealed)
31-3.020	Penalties	
31-3.021	Collection Line Construction and Availability in Established Neighborhoods (aka Ellis Rule)	
31-3.022	<u>Connection to Public Sewer System Required</u>	

31-3.001 Purpose.

The purpose of these ~~this~~ rules is to promulgate requirements for connection, to set up maintenance requirements, ~~to prohibit free service~~ and to establish penalties for violation.

Specific Authority Chapter-~~2021-249~~~~2002-358~~, Laws of Florida. Law Implemented Chapter ~~2002-358~~~~2021-249~~, Laws of Florida, Section 6(8), Section (9), Section (10), Section (11), Section (13), and Section (19). History-New 11-12-75, Amended 6-15-2000, 08-17-2017,_____.

31-3.002 Definitions.

Capitalized terms used in this chapter are defined below. Other terms defined in the enabling legislation of the District, Chapter 2021-249, Laws of Florida, as amended, and in other Loxahatchee River Environmental Control District rule chapters shall apply to this chapter. ~~Except as discussed below, the general definitions set forth in the enabling legislation of the District,~~

~~Chapter 2002-358, Laws of Florida, as amended, and as set forth in Loxahatchee River Environmental Control District Chapter 31 Rules shall apply to this Rule. Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Rule, shall have the meanings hereinafter designated.~~

~~(1) "District" shall refer to the Loxahatchee River Environmental Control District.~~

(1) Available Sewer System of the District – For purposes of this rule, a District sewer system shall be considered "available" to an owner whenever a District sub-regional collection line or other point of District sewerage collection shall be one hundred (100') or less away from owner's property line as measured from said property line to the point of sewerage collection without crossing the private property of another than owner, and in accordance with Rule 31-3.022, formerly 31-3.003(3), and Section 381.0065(2)(a), Florida Statutes, when the Florida Department of Health releases the system for service, which is the date of actual "Availability".

(2) "Established Residential Neighborhood" shall be considered an area within the geographic boundaries of the District defined by natural geographic boundaries, common restrictions, or other common characteristics as reasonably determined by the District, in which fifty (50%) or more of the lots contained completed Residential Units as of May 22, 1971.

(3) "Private Sewer" includes any pipe, conduit, ditch, or other device used or devised to collect or transport sewage from a source that is not owned by the District. Private Sewer specifically includes plumbing, laterals, gravity mains, manholes, grease interceptor, intercepting sewers, pumping stations, lift stations, valves, force mains, pressure lines, and all associated appurtenances and equipment located on private property or for which the District has not accepted a Bill of Sale.

Specific Authority ~~120.53(1), Chapter~~2021-249~~2002-358, Laws of Florida. Law Implemented Chapter~~ 2021-249~~2002-358, Laws of Florida, Sections~~ 6(3), (6), (8), 6(9)(d), 6(10), 6(16), 6(17), 6(19) and 6(23). *History-New* 11-12-75, *Amended* 1-9-85, 6-15-2000, ~~08-17-2017,~~_____.

31-3.003 Unlawful Discharges and Facilities~~Use of Public Sewer System Required.~~

(1) It shall be unlawful to discharge to any natural outlet within the geographical area of District any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of these Rules.

(2) Except as otherwise permissible pursuant to the District's Rules, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the treatment or the disposal of wastewater.

~~(3) The owner of any houses, buildings, or properties used for human occupancy, business, employment, recreation, or other purpose situated within the geographical area of the District and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer system of the District is hereby required at the owner's expense to install toilet facilities therein, and to connect such facilities directly to the proper public sewer system in accordance with the provisions of these Rules, within one (1) year of the actual availability of the sewer system, provided that said public sewer system is declared available and is in a public easement or right-of-way that abuts the property.~~

~~(4) Maintenance of Private Sewer. The owner of the property shall be responsible for maintaining in a proper and operable manner the private sewer on their property. Maintenance of~~

~~Private Sewer specifically excludes work on a low pressure sewer system for which the District has agreed to provide maintenance via an executed License for Maintenance of Low Pressure Sewer System Pump Station. If any such owner of any property shall fail and refuse to maintain in a proper and operable manner the private sewer on their property, then the District is hereby authorized to conduct such maintenance, and enter on or upon any such property for the purpose of conducting such maintenance. The District shall thereupon be entitled to recover the cost of such maintenance, together with reasonable penalties and interest and attorney's fees, by suit in any court of competent jurisdiction. In addition and as an alternate means of collecting such costs of maintenance, the District shall have a lien on such property for such cost, which lien shall be of equal dignity with the lien of state and county and municipal taxes. Such lien may be foreclosed by the District in the same manner provided by the laws of Florida for the foreclosure of mortgages upon real estate.~~

Specific Authority Chapter ~~2021-249~~ ~~2002-358~~, Laws of Florida. Law Implemented Chapter ~~2021-249~~ ~~2002-358~~, Laws of Florida, Sections ~~2~~, ~~Section~~ ~~5~~, ~~Section~~ 6(2), ~~6(4)~~, ~~6(10)~~, ~~6(19)~~, ~~and 6~~ (22), ~~Section~~ 9, ~~Section~~ 10, ~~and Section~~ 12. History-New 5-5-85, 6-15-00, 10-20-2011, ~~08-17-2017~~, ~~;~~

31-3.004 Private Wastewater Disposal.

(1) Where a public sanitary sewer system is not available under the provisions of Rule 31-3.003(3), the private sewer shall be connected to a private wastewater disposal system complying with the rules of the provisions of District Rules, the District's Construction Standards and Technical Specifications, and the regulations of agencies of applicable jurisdiction for Palm Beach and Martin Counties and the State of Florida.

(2) The type, capacity, location, and layout of private wastewater disposal system shall comply with all regulations of the agencies of applicable jurisdiction for Palm Beach and Martin Counties and the State of Florida. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

(3) At such time as a property is connected to a public sewer system ~~becomes declared available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer system within one (1) year of the actual availability of the sewer system, and~~ any septic tanks, cesspools, and similar private wastewater disposal facilities shall be abandoned in accordance with ~~Florida Statutes Rule~~ 64E-6.011, Florida Administrative Code, Abandonment of Systems.

(4) The owner of the property shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times at no expense to the District. Maintenance of Private Sewer specifically excludes work on a low-pressure sewer system for which the District has agreed to provide maintenance via an executed License for Maintenance of Low-Pressure Sewer System Pump Station. If any such owner of any property shall fail and refuse to maintain in a proper and operable manner the private sewer on their property, then the District is hereby authorized to conduct such maintenance and enter on or upon any such property for the purpose of conducting such maintenance. The District shall thereupon be entitled to recover the cost of such maintenance, together with reasonable penalties and interest and attorney's fees, by suit in any court of competent jurisdiction. In addition, and as an alternate means of collecting such costs of maintenance, the District shall have a lien on such property for such cost, which lien shall be of equal dignity with

the lien of state and county and municipal taxes. Such lien may be foreclosed by the District in the same manner provided by the laws of Florida for the foreclosure of mortgages upon real estate.

(5) No statement contained in this Chapter shall be construed to circumvent or interfere with any additional requirements that may be imposed by the Florida Department of Environmental Protection or the applicable Health departments of Palm Beach or Martin Counties. *Specific Authority Chapter ~~2021-249~~2002-358, Laws of Florida, ~~Section 6(19)~~. Law Implemented Chapter ~~2021-249~~2002-358, Laws of Florida, Sections 6(2), (9), (10), and (19), and ~~&~~ Section 12. History-New 5-5-85, Amended 10-20-2011, 08-17-2017, _____.*

31-3.005 Private Sewers and Connections.

(1) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer system or appurtenance thereof without first obtaining written consent from the District.

(2) All costs and expenses incidental to the installation and connection of the private sewer to the District's sewer system shall be borne by the owner. The owner shall indemnify the District for any loss or damage to any District system that may directly or indirectly be occasioned by the installation or connection of the private sewer.

(3) Existing private sewer infrastructure may be used in connection with new buildings only when found, on examination and test by the District, to meet ~~all the rules of the District, requirements of this Rule and~~ the District's Construction Standards and Technical Specifications, and the regulations of agencies of applicable jurisdiction for Palm Beach and Martin Counties and the State of Florida. Any deviation from the District's Construction Standards and Technical Specifications must be reviewed and approved in writing by the District before installation.

(4) The size, slope, alignment, and materials of construction of a private sewer, and the methods to be used in excavating, placing of the pipe, jointing, connecting to the public sewer system, testing, and backfilling the trench shall conform to the requirements of applicable building and plumbing codes, the rules of the District, ~~and~~ the District's Construction Standards and Technical Specifications, and the regulations of agencies of applicable jurisdiction for Palm Beach and Martin Counties and the State of Florida. Any deviation from the District's Construction Standards and Technical Specifications must be reviewed and approved in writing by the District before installation.

(5) Whenever possible, the private sewer shall be brought to the building at an elevation below the ground, or if applicable, basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer system, sanitary sewage carried by such building drain shall be lifted by a District approved means and discharged to the building sewer.

(6) No person shall make connections of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a private sewer which is connected directly or indirectly to the District's sanitary sewer system.

(7) All connections to the District's sanitary sewer system shall be made in accordance with the rules of the District, the District's Construction Standards and Technical Specifications, the regulations of agencies of applicable jurisdiction for Palm Beach and Martin Counties and the State of Florida, watertight, verified by proper testing, and inspected and approved by the District. Any deviation from the District's Construction Standards and Technical Specifications must be reviewed and approved in writing by the District before installation.

(8) The applicant seeking to construct a private sewer or connect a private sewer to the District's sanitary sewer system shall notify the District when the private sewer is ready for inspection and connection to the public sewer system. The connection and testing shall be made under the supervision of the District's representatives.

(9) All excavations for private sewer installation shall be adequately guarded with barricades and lights ~~so as~~ to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored to the satisfaction of the local authority with jurisdiction over the public property.

Specific Authority Chapter ~~2021-249~~2002-358, Laws of Florida, ~~Section 6(19)~~. Law Implemented Chapter ~~2021-249~~2002-358, Laws of Florida, Sections ~~6(2), (10), and (19)~~, and Section 12. History-New 5-5-85, Amended 10-20-2011, ~~08-17-2017~~, _____.

31-3.006 Connection May Be Made by District.

If any such owner of any lot or parcel of land within the District shall fail and refuse to connect with and use the facilities of the District's sewer system after the same became available as defined herein and notification by the District as provided herein, then the District is hereby authorized to make such connections, entering on or upon any such lot or parcel of land for the purpose of making such connection. The District shall thereupon be entitled to recover the cost of making such connection, together with reasonable penalties and interest and attorney's fees, by suit in any court of competent jurisdiction. In addition, and as an alternate means of collecting such costs of making such connections, the District shall have a lien on such lot or parcel of land for such cost, which lien shall be of equal dignity with the lien of state and county and municipal taxes. Such lien may be foreclosed by the District in the same manner provided by the laws of Florida for the foreclosure of mortgages upon real estate.

Specific Authority Chapter ~~2021-249~~2002-358, Laws of Florida. Law Implemented Chapter ~~2021-249~~2002-358, Laws of Florida, Section 5, Section 6(4), ~~6(9)~~, 6(10), 6(17), 6(19), and 6(22), and Section 9. History-New 11-12-75, Amended ~~08-17-2017~~, _____.

31-3.007 Malicious Damage.

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person violating this provision shall be subject to any civil or criminal penalties available pursuant to law.

Specific Authority Chapter ~~2021-249~~2002-358, Laws of Florida. Law Implemented Chapter ~~2021-249~~2002-358, Laws of Florida, Sections ~~2, and Section~~ Section 6(2), 6(13), and 6(19). History-New 5-5-85, Amended 10-20-2011, _____.

31-3.008 Unlawful Connection.

No person, persons, firm, corporation, agency, or organization shall be allowed to connect into any sewer system owned by the District without the written consent of the District and then the connection with such system shall be made only under the direction and supervision of the District, or its authorized agent. Any person, persons, firm, corporation, agency, or organization who shall make any connection without such consent of the District shall be subject to all rates, fees, and

charges as provided for in Chapter 31-10, and be subject to the penalties provided in Chapter 31-13 sections 10 and 11, and any civil or criminal penalties available pursuant to law.

Specific Authority Chapter ~~2021-2492002-358~~, Laws of Florida. Law Implemented Chapter ~~2021-2492002-358~~, Laws of Florida, Section 6(8), (13), and (19), and Section 8. History-New 11-12-75, Amended ~~08-17-2017~~,_____.

31-3.009 Unlawful Construction.

No person, persons, firm, corporation, agency, or organization shall build or remodel or cause to be built or remodeled any structure used for human habitation or occupancy within the District unless it is provided with sewage connection and disposal facilities, approved by the District. Any person, persons, firm, corporation, agency, or organization who shall make any connection without such consent of the District shall be subject to all rates, fees, and charges as provided for in Chapter 31-10, and be subject to the penalties provided in Chapter 31-13 sections 10 and 11, and any civil or criminal penalties available pursuant to law.

Specific Authority Chapter ~~2021-2492002-358~~, Laws of Florida. Law Implemented Chapter ~~2021-2492002-358~~, Laws of Florida, Section 6(6), (8), (10), and (19), and Section 12. History-New 11-12-75,_____.

31-3.010 Connecting Old Plumbing. (Repealed) Repealed 6-15-2000.

31-3.011 Sanitary Requirements. (Repealed) Repealed 6-15-2000.

31-3.012 Disposal Requirements. (Repealed) Repealed 6-15-2000.

31-3.013 Septic Tank. (Repealed) Repealed 6-15-2000.

31-3.014 Maintenance of Plumbing System. (Repealed) Repealed 6-15-2000.

31-3.015 Payment of Fees and Bills Required. (Repealed) Repealed 6-15-2000.

31-3.016 Collection of Sewer Charges by Lien. (Repealed) Repealed 8-17-2017.

31-3.017 Failure to Maintain Private Sewer.

Failure to maintain a private sewer in a proper working manner will give the District the right to cut off the water and/or sewer connection, which shall not be reconnected until the private sewer is maintained properly. Private sewers and other appurtenances not owned by the District and discharging into the District sewerage system shall, if defective, be repaired, and all such facilities shall be operated and maintained ~~so as to~~ prevent the discharge of wastewater that violates General Sewer Use Requirements as specified in Chapter 31-13.

Specific Authority Chapter ~~2021-249~~~~2002-358~~, Laws of Florida. Law Implemented Chapter ~~2021-249~~~~2002-358~~, Laws of Florida, Section 6(14) ~~and~~, (19). History-New 11-12-75, Amended ~~08-17-2017~~, _____.

31-3.018 No Service Free. (Repealed) Repealed 8-17-2017.

31-3.019 Separate Connections for Each Separate Unit. (Repealed) Repealed 6-15-2000.

31-3.020 Penalties.

See Loxahatchee River Environmental Control District Rule Chapter 31-13 Sections 10 ~~and~~ & 11. *Specific Authority Chapter ~~2021-249~~~~2002-358~~, Laws of Florida. Law Implemented Chapter ~~2021-249~~~~2002-358~~, Laws of Florida, Section 6(9) ~~and~~, (19). History-New ~~08-17-2017~~, _____.*

31-3.021 Collection Line Construction and Availability in Established Neighborhoods. (aka Ellis Rule).

The Loxahatchee River Environmental Control District shall construct and declare ~~A~~available, sewerage collection lines and related appurtenances comprising a localized District sewer system in Established Residential Neighborhoods 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 served 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.

Cross References: See Rules 31-3.002(1) and (2) for definitions of Available and Established Residential Neighborhoods.

Specific Authority Chapter ~~2021-249~~, Laws of Florida. ~~F.S. 373.451, F.S. 381.0065, Chapter 71-822, Special Acts of Florida, 1971, as amended~~. Law Implemented Chapter ~~2021-249~~, Laws of Florida, Section 6 (9)(d) and (10), and Section 10. ~~71-822, Section 6(10), 6(16), 6(17) and 6(23); Section 6(9) (d) as amended by Chapter 76-429; and Section 6(3) and 6(19) as amended by Chapter 76-429; and Section 6(3) and 6(19) as amended by Chapter 78-559.~~ History-new 1-9-85, Formerly 31-3.21, Amended 2-2-94, 6-15-2000, _____.

Annotation: Village of Tequesta v. Loxahatchee River Environmental Control District, Case No. 97-4367AD, 15th Judicial ordered August 6, ~~1997~~~~1987~~, affirmed in Village of Tequesta v. Loxahatchee River Environmental Control District, 714 So. 2d 1100, (Fla 4th DCA 1998).

31-3.022 Connection to Public Sewer System Required.

No less than one (1) year prior to the date the sewerage system will become available, the District shall notify the affected owner of the onsite sewage treatment and disposal system: 1) of the anticipated availability of the sewerage system, and 2) that the owner will be required to connect to the sewerage system within one year of the actual availability. The owner of each lot or parcel of land that contains any building, trailer, or other structure requiring wastewater disposal situated in an area where the District system is “available” as defined in this Chapter, shall cause such buildings, trailers, or structures to be connected with and shall use the District sewerage facilities, within one (1) year following notification to do so by the District. All connections shall be made in accordance with the District’s rules and regulations.

LOXAHATCHEE RIVER DISTRICT

Neighborhood Sewering Schedule-Revised February 2020



Rank *	Area Description	# Lots	Activity	Original Target Date	Revised Target Start Date
16	181 st St N Gravity	12	Notified Owners – January 2013 Notice of Intent to Assess – October 2018 Award Construction Contract – January 2021	2018	2021
11	Jupiter Farms (East)	708		TBD	TBD
11	PB Country Estates	1547		TBD	TBD

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

TBD = To be determined

Remnant Areas

Rank*	Area Description	Lots	Activity	Original Target Date	Revised Target Start Date
H	Olympus Dr, Juno (LP)	2	Notified Owners – June 2013 Prelim. Design started – August 2017 Notice of Intent to Assess – July 2020	2016	2021
EE	Hobart St SE (Martin Co.) (LP)	13	Notified Owners – January 2013 Notice of Intent to Assess–September 2019 Preliminary Assess – October 2021 Final Assessment – November 2021	2016	2021
	605+607 Military Trl (LP)	2	Notified Owners – June 2020 Notice of Intent – Jan 2021	2022	

Private Road Areas – Page 2

Rank *	Area Description	# Lots	Activity	Original Target Date	Revised Target Start Date
AA	Peninsular Road	4	Private Road Notice of Intent – February 2010 Partial construction complete - June 2013 Soliciting easements for remainder of project	2010	AEO
BB	Rivers Edge Road (Martin Co.)	35	Notified Owners – August 2010 Private Road-Easements Solicited –May 2014 Notice of Intent – February 2014 Project Delayed	2013	AEO
CC	171 st Street (Martin Co.)	7	Private Road - In House Design Owners notified October 2012 Easement rec'd from Church – April 2017 Grant received	2014	AEO
CC	Jamaica Dr	11	Private Road Owners notified Oct 2012	2014	AEO
CC	66 th Terr+Way	19	Notified Owners – Aug 2010 *Private Roads Notice of Intent to Assess – February 2015 Statutory Way Provision – March 2021	2014	AEO
D	Loggerhead Park <i>(institutional)</i>	6 ECs	Need Easements from County-No database	2014	AEO
DD	Taylor Road	38	Notified Owners – September 2011 Private Roads	2015	AEO
FF	Rolling Hills	50	Notified Owners – Jan. 2013 - Private HOA Notice of Intent to Assess – October 2019 Award of Contract – December 2021	2017	2021
FF	North A1A	3	Postponed-Town activities in area No database	2012	AEO
GG	815 S US 1 (Yum Yum Tree)	9 ecs	Notified Owner – November 2014	2016	AEO
GG	Rockinghorse <i>(north of Roebuck Road)</i>	11	Notified Owners – January 2013	2018	AEO
GG	Castle Rd SE	5	Notified Owners – Jan 2013-private road	2018	AEO
GG	Jupiter Rd SE	4	Notified Owners – Jan 2013-private road	2018	AEO
HH	Harbor Rd. S. LPSS	6	Notified Owners – January 2014 Private Road	2017	AEO
HH	Indian Hills SE	12	Notified Owners – January 2016 Easement for Road & Utilities, No Dedication	2019	AEO
16	Limestone Creek Road West	49	Notified Owners – January 2013 Private Road	2018	TBD
19	US Coast Guard Station Offices <i>(institutional)</i> PX Commercial <i>(commercial)</i>	2 ECs 2 ECs	US Government - private roads-No database Contract for installation of sanitary sewers – September 2020	2019	2021
	109+111 Old Jupiter Beach Road (LP)	2	Notified Owners – September 2021	AEO	
	5331 Center Street	1	LRD procedures shared for connection to sewer services	N/A	2022
	18041 69 th Terrace	2	LRD procedures shared for connection to sewer services	N/A	2022

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

TBD = To be determined

AEO = As easements are obtained

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

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LEGAL ASSISTANTS
REAL ESTATE
JUDY D. MONTEIRO
DENISE B. PAOLUCCI
MELISSA KAJEEJIT

January 11, 2022

Loxahatchee River Environmental Control District
D. Albrey Arrington, Exec. Dir. and Board Members (sent by email to S. Patel)
2500 Jupiter Park Drive
Jupiter, FL 33458

RE: PENDING LITIGATION STATUS REPORT

Dear Dr. Arrington and Board Members:

We are enclosing herewith a brief status report relating to the litigation in which the Loxahatchee River Environmental Control District is involved with our law firm as the attorney of record. 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,

CURTIS L. SHENKMAN

CURTIS L. SHENKMAN

Attachments

OTHER LITIGATION

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT, IN AND
FOR PALM BEACH COUNTY, FLORIDA
CASE NO. 50-2019 CA 014447 XXXX MB AB

FRED BEMAN, Plaintiff,
vs.

LOXAHATCHEE RIVER DISTRICT, Defendant.

December 6, 2017. Auto Accident involving District vehicle and vehicle driven by Fred Beman.

April 15, 2020. Summons & Complaint served upon the District.

April 20, 2020. Attorney Lyman Reynolds, appointed be District's Insurance Carrier to Defend the District under the District's Insurance Policy.

May 4, 2020. District's Motion to Dismiss filed.

July 8, 2020. District's attorney reports Motion to Dismiss not yet set for a hearing.

August 19, 2020. Agreed Order permitting transfer of the case to Martin County

Sept 16, 2020. Amended Complaint filed in Martin County

November 16, 2021 Notice of Lack of Prosecution filed in Palm Beach County.

Dec 2, 2021 Summons served on the District; Attorney Reynolds will respond.

January 14, 2022. District's Responses to Plaintiff's Request for Production and Interrogatories to be filed.

Pre-Suit Notice of Claim under FS 768.28 (6)(a)

Dated August 3, 2020 from Attorney for Plaintiff

Donovan Mackey and Dee Mackey, Plaintiff

Vs.

LOXAHATCHEE RIVER DISTRICT, Defendant.

On or about October 2019 sewage back up into 141 Beacon Lane, Jupiter, FL 33469 (Jupiter Inlet Colony). Plaintiffs claim personal injury from the sewage back up.

August 3, 2020, District notified District's insurance carrier of the claim.

August 18, 2020, Insurance Adjuster for the District assigned the claim.

Plaintiff cannot file suit until claim is denied. 768.28 (6)(b).

Pre-Suit Notice of Claim under FS 768.28(6)(a)

Universal Property & Casualty Insurance Company a/s/o Betty

Cavanagh & Jules Formel, Plaintiff

Vs.

LOXAHATCHEE RIVER DISTRICT, Defendant.

On or about November 18, 2020 sewage back up into 18081 SE Country Club Drive, Apt 4-33, Tequesta, FL 33469. The Owners, Betty Cavanagh & Jules Formel made claim to their insurance company, University Property & Casualty Company.

On April 29, 2021, 2020, the Insurance Adjuster for University Property & Casualty Company notified the District's Insurance Company, PGCS Claims Services of the claim.

On July 13, 2021, University Property & Casualty Company, as subrogee of Betty Cavanagh & Jules Formel, notified the District in accordance with 768.28, the District has 6 months from receipt of the letter to investigate this claim and provide formal acceptance or denial. Plaintiffs claim property damage from the sewage back up in the amount of \$26,860.

Plaintiff cannot file suit until claim is denied. 768.28 (6)(b).

LIEN FORECLOSURES

NONE

MORTGAGE OR LIEN FORECLOSURES / LRD COUNTERCLAIMS/CROSSCLAIMS

NONE



***Loxahatchee River Environmental Control District
Monthly Status Report
January 5, 2022***

Submitted To: Kris Dean, P.E, Deputy Executive Director/Director of Engineering

The following is a summary of work performed by Baxter and Woodman, Inc. (B&W), on District projects for the monthly period ending January 5, 2022.

Olympus Drive Force Main and Low Pressure Sewer Replacement

The following items were ongoing or completed during the last monthly period:

- Installation of two air release valves at two high points on Celestial Way completed.
- Final tie-in of the sewer system completed and system has been put into service.
- Grouting and abandonment of existing force mains has been completed.
- Mill & overlay of roadways has been completed.
- Substantial Completion walkthrough tentatively scheduled for January 7, 2022.

Alternate A1A 24-Inch Force Main Cleaning & Inspection

The following items were ongoing or completed during the last monthly period:

- Final Change Order to reconcile accounts has been signed by the Contractor and sent to the District for execution.
- Once the final closeout documents are received the project can be closed out.

Irrigation Quality 511 (IQ-511) Pump Station Piping Improvements

The following items were ongoing or completed during the last monthly period:

- Project Re-Mobilization date, due to nesting bald eagles, is June 1, 2022.

Lift Station Fall Protection Improvements

The following items were ongoing or completed during the last monthly period:

- The Contractor has received delivery of fall protection grates up to Group 6.
- Installation of Group 2 fall protection grates is 80% complete and Groups 2, 3 & 4 are currently in progress.
- Approximately sixty-one (61) lift stations have been completed to date. Final Inspections of the work are being conducted as each lift station is completed.
- The grate supplier (Halliday) has sent the Contractor a letter stating that delivery of Group 11 grates will be delayed from February to April 2022.



Respectfully Submitted by:

BAXTER & WOODMAN, INC.

Rebecca Travis, P.E.
Executive Vice President / Florida Division Manager

January 6, 2022

Mr. Kris Dean, P.E.
Deputy Director/Director of Engineering
Loxahatchee River Environmental Control District
2500 Jupiter Park Drive
Jupiter, FL 33458

Subject: Monthly Progress Report

Dear Mr. Dean:

The following activities were conducted in the month of December 2021 for the MLS Bypass Study:

1. Calibration and troubleshooting activities were completed. Accuracy has improved as expected, as well as our understanding of system operational capabilities.
2. Started the development of model construction and calibration documentation.

Next month's activities include:


1. Task 4 – MLS Bypass Feasibility.
 - a. Development of model bypass scenario
 - b. Flow diversion and connectivity assessment
 - c. Right of Way analysis
 - d. Opinion of probable cost of bypass alternative

Project schedule continues to be managed to adjust to data collection timeframes and District needs.

Please let me know if you have any questions.

Sincerely,

CAROLLO ENGINEERS, INC.



Elizabeth Fujikawa, P.E., LEED AP
Vice President

**Loxahatchee River Environmental Control District
 CMA Project Status Update
 January 5, 2022**

CMA Project/Proposal #	Name	Status
PROPOSALS		
None		
PROJECTS		
494.001	BLM House Demolition and Reconstruction	<ul style="list-style-type: none"> • Conceptual Design Memorandum and building layout options approved by Board 10/21/21 • Coordination meeting held 11/12/21 • 90% drawings complete, specifications underway
494.002	2500 Jupiter Park Drive Conceptual Site Planning	<ul style="list-style-type: none"> • Conducted kick off meeting 11/12/21 • Environmental field work performed • Sustainability, resiliency and initial staff interview sheets in progress • Conceptual site base plans in process



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

MEMORANDUM

To: Kris Dean, PE, Deputy Director/Director of Engineering, Loxahatchee River Environmental Control District
From: Christine Miranda, PE, Holtz Consulting Engineers, Inc.
Date: January 12, 2022
Subject: **Loxahatchee River Environmental Control District Monthly Status Report**

The following is a summary of work performed by Holtz Consulting Engineers, Inc. (HCE) on Loxahatchee River District projects through January 12, 2022. **Note: Any information that is historical or repeated from previous months are shown in italics. Otherwise, all information as shown below is newly reported information.**

Lift Station No. 082 Improvements

- On December 12, 2021, a progress meeting was held with the District, HCE, and the Contractor. A meeting will be scheduled with the property manager of the shopping plaza in the beginning of 2022 to review and approve the staging and storing areas and the maintenance of traffic plan. The Contractor will be submitting a time extension request due to delays with material delays for the project and approval from the shopping center for the maintenance of traffic plan.

Country Club Drive Force Main Transmission System Preliminary Evaluation

- *The District will be installing a flow meter at Lift Station No. 070. Upon receipt of data from the District HCE will move forward with the modeling of the system.*

Lift Station #163 Emergency Generator Improvements

- HCE has reviewed the final documents for the project and provided comments to the Contractor. Once revised record drawings are submitted for the project, the final pay request will be processed, and the project will be closed out.

Jupiter Inlet Lighthouse Septic to Sewer

- The project is currently out to bid. Two addendums have been issued. The revised bid date is February 1, 2022. Upon receipt and review of the bids received, HCE will make a recommendation to the lowest responsive and responsible bidder for the project.



Lift Station Telemetry Improvements

- The 90% submittal was submitted to the District for review and comment on December 22, 2021. Final drawings and specifications will be submitted within two weeks after receipt of comments on the 90% submittal.

Rolling Hills Gravity Sewer System, Lift Station, & Force Main

- *Bids were opened on December 2, 2021, and three bids were received. HCE reviewed the bids and provided a recommendation of award to the lowest responsive and responsible bidder, Felix Associates of Florida, Inc. in the amount of \$1,114,309.00.*

Injection Well Pump Manual Transfer Switch Addition

- *Bids were opened on October 29, 2021, and two bids were received. HCE reviewed the bids and provided a recommendation of award to the lowest responsive and responsible bidder, Zabatt Engine Services, Inc. in the amount of \$186,160.56*

Operational Greenhouse Gas Emissions and Cost Assessment

- The draft technical memorandum and revised tool was submitted to the District on December 22, 2021. Based upon receiving District comments on the draft memorandum by January 21, 2022, the final tool and technical memorandum is scheduled to be completed and transmitted by February 11, 2022. A meeting is scheduled for January 27, 2022 to go over the revised tool and final comments.

Master Lift Station No. 1 Traveling Bridge Crane Solicitation

- *Bids were opened on November 4, 2021, and three bids were received. HCE reviewed the bids and provided a recommendation of award to the lowest responsive and responsible bidder, Boromei Construction, Inc. in the amount of \$188,184.00.*

Vac-Con Truck Off-Loading Area Preliminary Design Analysis

- *HCE is currently working on the preliminary design analysis and upon receipt of information from the vendor and requested information from the District the technical memorandum will be completed and transmitted to the District.*



**Loxahatchee River Environmental Control District
Master Plan 20-AC “Sierra Square” @ 9278 Indiantown Rd
LRECD PO# 21-0649 / KCI #482021095.01**

Progress Report

To: Mr. Kris Dean, P.E., Deputy Executive Director/Director of Engineering
From: Todd Mohler, RLA, KCI, Project Manager
Date: January 6, 2022

ACTIVITIES

KCI Technologies progress report updates for the current billing period are:

Activities and Support:

1. **Survey:** Complete.
2. **Environmental:** Complete.
3. **Geotechnical:** Complete.
4. **Civil Engineering:** Phase 1 services Complete.
5. **Landscape Architecture:** Review meeting with LRECD to review Phase 1 deliverables and kick off Phase 2 services was held in December.
6. **Architecture:** Review meeting with LRECD to review Phase 1 deliverables and kick off Phase 2 services was held in December.

Phase 2 Services will begin in January 2022.



MOCK•ROOS

CONSULTING ENGINEERS

January 6, 2022

Mr. Kris Dean, P.E.
Deputy Executive Director/Director of Engineering
Loxahatchee River Environmental Control District
2500 Jupiter Park Drive
Jupiter, FL 33458

Ref. No. C0089.00
Subject: Loxahatchee River Subaqueous Forcemain Replacement
PO No. 22-0286

Dear Mr. Dean:

Below is our Monthly update for December 2021:

- Notice to Proceed was issued on 12/6/21. Project is scheduled for completion 4/4/22.
- Kickoff meeting with LRD was held on 12/6 at the offices of LRD. The 4 proposed pipeline routes to be reviewed were confirmed with LRD at this meeting.
- Mock•Roos has called in Sunshine One Call Design Tickets and has initiated coordination with utility companies.
- Mock•Roos has initiated coordination with permitting agencies to discuss permitting requirements, fees, timeframes, etc.
- Mock•Roos' subconsultant, RADISE, is coordinating the locations for, and access to, the proposed geotechnical Standard Penetration Tests (SPTs). LRD provided contact information for Town of Jupiter. A Final Schedule has not yet been determined for completion of the field work. A virtual meeting was conducted on 12/15/21 to discuss locations and access
- Mock•Roos conducted a site visit to evaluate proposed routes on 12/21/21. An LRD representative was scheduled to attend, however, ultimately were unable to.

Upcoming Activities:

- Continued coordination with agencies to discuss requirements, fees, timeframes, etc.
- Completion of the SPTs and subsequent geotechnical engineering report.
- Refinement of 4 proposed routes based on information obtained above.
- Coordination with 2 local HDD contractors.

If you have any questions, please contact me at 683-3113, extension 293.

Sincerely,
MOCK, ROOS & ASSOCIATES, INC.

Garry G. Gruber, P.E.
Senior Vice President

GGG:cge
Copies: John Cairnes
Spencer Schroeder



Busch Wildlife Sanctuary At Loxahatchee River District Quarterly Dashboard - 4th Quarter 2021



	Education				Animal Care			Financial Operations			Gift Shop	Volunteers	Safety
	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	General Donation Income	Grants/Major Donor Income	BWS Net Income	Net Income	Hours Logged	OSHA Recorded Incidents
Benchmark	# of People	# of People	# of People		#	%						#	#
Green	> 25,000	> 3500	> 5500	> \$20,000	< 500	≥30%	≥ \$15.00/Animal	> \$25,000	> \$100,000	≥ \$100,000	> \$10,000	> 2000	0
Yellow	≥ 20,000	≥ 2500	≥ 4000	≥ \$10,000	≥ 500	≥25%	< \$15.00/Animal	≥ \$15,000	≥ \$50,000	> \$0.00	≥ \$5,000	≥ 1500	1
Red	< 20,000	< 2500	< 4000	< \$10,000	>1000	<25%	< \$10.00/Animal	< \$15,000	< \$50,000	≤ \$0.00	< \$5,000	< 1500	>2
2020 Qtr Results													
1st Qtr													
2nd Qtr													
3rd Qtr													
4th Qtr													
2021 Qtr Results													
1st Qtr													
2nd Qtr													
3rd Qtr													
4th Qtr													

4th Quarter Items:

Projects Completed: Landscape clean up & re-mulching throughout Sanctuary, raised garden beds on Pine Land Nature Trail, Repaired Education Bird Mews

Projects In Progress: Remulching Pineland Nature Trail, Pressure wash boardwalks

Future Projects: None scheduled at this time

4th Quarter Appearances, Notables, Trainings:

Trainings: Electrical Safety, Communicating with Individuals with Developmental Disabilities

Onsite Educational Activities Included: In addition to daily programming we provided 28 Tours, 7VIP Tours, 1 Virtual Tour, 6 Programs in Spanish, 2 Programs in ASL, 13 B-day parties, 2 Tours for Monthly Donors, 3 Nature Walks in Palm Beach Natural Areas, 2 Pollinator Garden Talks, 2 Evening Night Walk events, 1 special Sunday event for community partner, Halloween event

Offsite Educational Activities: 19 presentations, 3 Exhibits, 4 Third Party Events

Other Community Events: Wine in the Wild Fundraiser, Beach Cleanup with Junior Naturalist Program, Gophur Tortiose Sign Presentation with ERM, Kendra Scott Giveback event, and "Breakfast Banter" event at local country club, Firefest

COVID Related Update: BWS continuing enhanced safety protocols for guests, volunteers and staff



Director's Report

- | | |
|-------------------------------|------------|
| ➤ Admin. & Fiscal Report | attach. #1 |
| ➤ Engineering Report | attach. #2 |
| ➤ Operations Report | attach. #3 |
| ➤ Information Services Report | attach. #4 |
| ➤ Environmental Education | attach. #5 |
| ➤ Safety Report | attach. #6 |
| ➤ Other Matters (as needed) | attach. #7 |



J:\Board\Notebook\Directors Report



LOXAHATCHEE RIVER DISTRICT

2500 JUPITER PARK DRIVE, JUPITER, FLORIDA 33458

TEL: (561) 747-5700

FAX: (561) 747-9929

D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

To: Governing Board
From: Kara Fraraccio, Director of Finance and Administration
Date: January 14, 2020
Subject: Monthly Financial Report

Cash and Investments

Balances as of December 31, 2021

Certificates of Deposit:

Institution	Original Term	Maturity	Rate	Book Value	Monthly Interest Earned	Market Value
Bank United	12 Months	11/12/22	0.13%	\$ 1,054,256	\$ 196	\$ 1,054,453
Bank United	6 Months	02/20/22	0.10%	1,000,992	85	1,001,357
Bank United	6 Months	02/20/22	0.10%	1,000,992	85	1,001,357
Bank United	6 Months	02/20/22	0.10%	1,000,992	85	1,001,357
Bank United	6 Months	03/12/22	0.10%	1,571,460	134	1,573,619
US Century	12 Months	08/04/22	0.25%	2,500,000	531	2,502,552
US Century	12 Months	08/04/22	0.25%	2,500,000	531	2,502,552
Subtotal				\$ 10,628,692	\$ 1,647	\$ 10,637,247
Money Market Accounts:						
Synovus - Public Demand			0.05%		\$ 376	\$ 7,372,367
TD Bank - NOW			0.10%		702	8,261,652
Subtotal					\$ 1,078	\$ 15,634,019
Checking Account:						
SunTrust-Hybrid Business Account			0.02%		\$ 162	\$ 14,558,532
Subtotal					\$ 162	\$ 14,558,532
Brokerage Accounts:						
Vanguard GNMA ADM			0.08%	\$ 600,000	495	\$ 600,495
Vanguard Short-Term Treasury			-0.32%	1,200,000	(3,774)	1,196,226
Vanguard Short-Term Inflation			0.48%	200,000	959	200,959
Subtotal				\$ 2,000,000	\$ (2,320)	\$ 1,997,680
Total					\$ 567	\$ 42,827,478

Average weighted rate of return on investments is: .07%

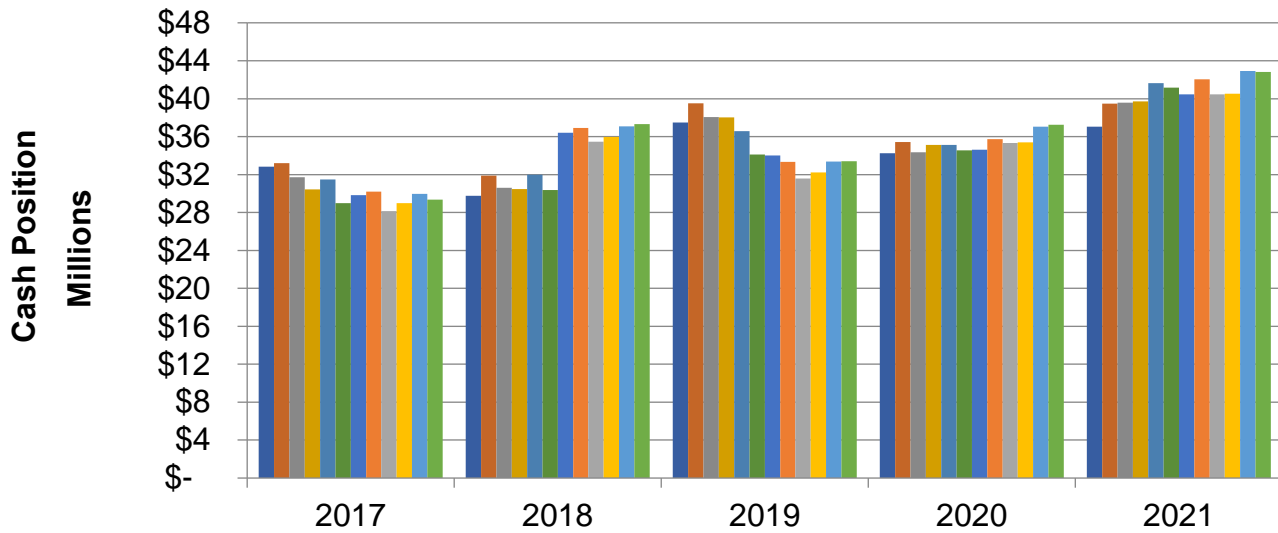
As of 12/31/21:

3 month Short Term Bond: .06%

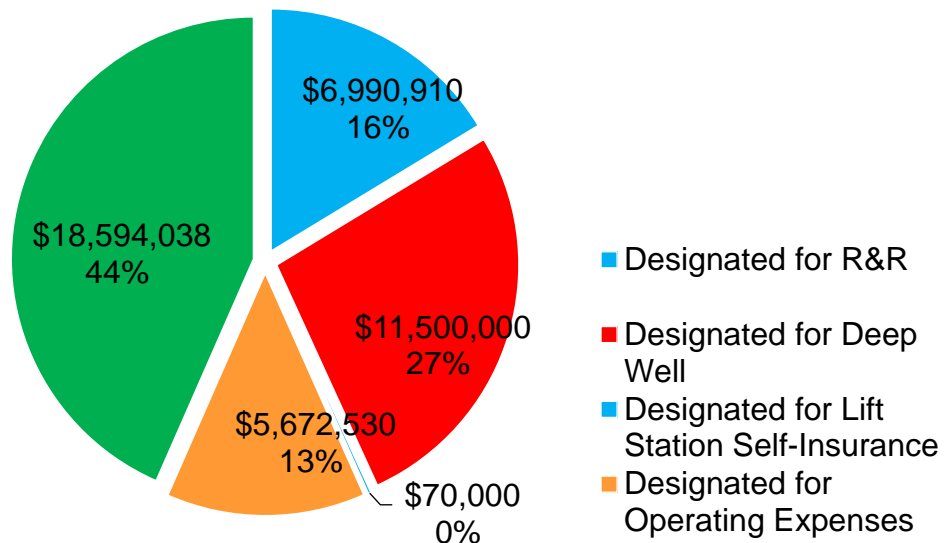
1 month Federal Fund Rate: .25%

Cash position for December 2020 was \$37,259,395. Current Cash position is up by \$5,568,083.

Cash On-Hand



Designated vs. Available Cash Balance



Financial Information

- Legal Fees billed in December were \$3,835. The fiscal year-to-date total is \$17,350.
- There was no Septage billing for the month of December.
- Developer's Agreement – There were three new Developer Agreements in December.
- I.Q. Water Agreements –Compass Self Storage and San Palermo are past due for November and December; Jupiter Town Park, and Town Center Ph I are past due for December.
- Estoppel fees collected in December totaled \$6,625. The fiscal year-to-date total is \$20,975.

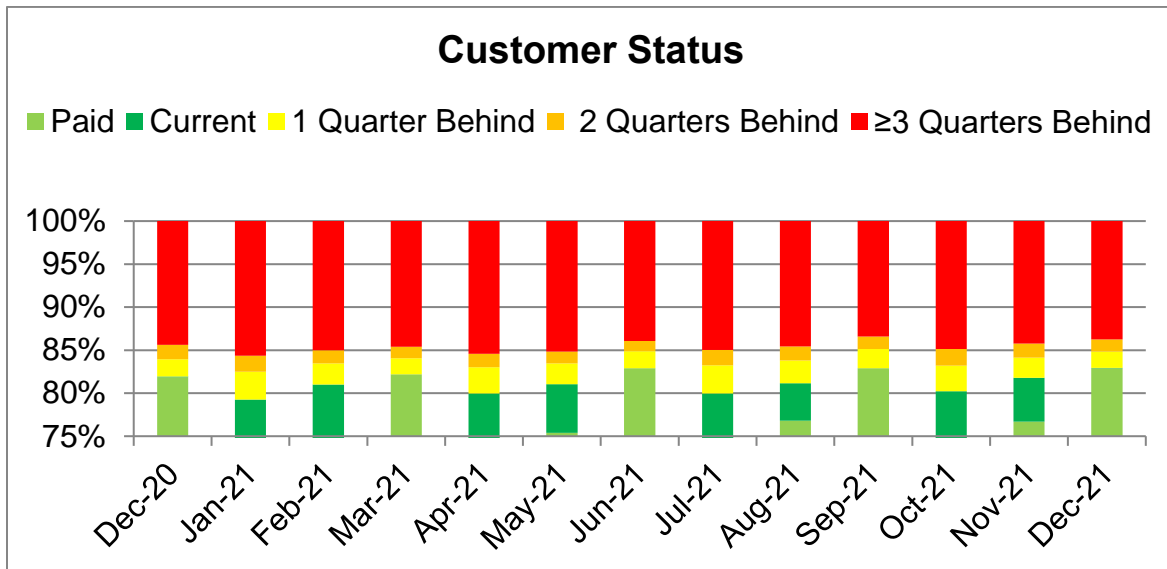
Summary of Budget vs. Actual

<i>Budget Benchmark</i> 25%	Dec-21 Actual	YTD Actual	FY 22 Budget	Favorable (Unfavorable)	Budget Expended	Dec-20 YTD
Revenues						
Operating Revenues						
Regional Sewer Service	\$ 1,410,158	\$ 4,226,024	\$17,100,000	\$ (12,873,976)	24.71%	\$ 4,191,915
Standby Sewer Service	10,859	29,849	73,000	(43,151)	40.89%	24,279
IQ Water Charges	190,645	572,217	2,326,000	(1,753,783)	24.60%	569,753
Admin. and Engineering Fees	14,153	16,792	38,000	(21,208)	44.19%	8,062
Other Revenue	19,511	80,039	424,490	(344,451)	18.86%	81,456
Subtotal Operating Revenues	1,645,326	4,924,921	19,961,490	(15,036,569)	24.67%	4,875,465
Capital Revenues						
Assessments	\$ 675,357	\$ 949,658	1,188,997	(239,339)	79.87%	\$ 856,867
Line Charges	67,327	79,883	287,000	(207,117)	27.83%	40,840
Plant Charges	172,618	245,493	898,000	(652,507)	27.34%	229,935
Capital Contributions			800,000	(800,000)	0.00%	
Subtotal Capital Revenues	915,302	1,275,034	3,173,997	(1,898,963)	40.17%	1,127,642
Other Revenues						
Grants						
Interest Income	351,370	506,576	613,000	(106,424)	82.64%	527,862
Subtotal Other Revenues	351,370	506,576	613,000	(106,424)	82.64%	527,862
Total Revenues	\$ 2,911,998	\$ 6,706,531	\$ 23,748,487	\$ (17,041,956)	28.24%	\$ 6,530,969
Expenses						
Salaries and Wages	\$ 765,686	\$ 1,498,668	\$6,522,000	\$ 5,023,332	22.98%	\$ 1,324,890
Payroll Taxes	52,596	104,786	470,200	365,414	22.29%	92,504
Retirement Contributions	102,795	202,826	946,800	743,974	21.42%	195,346
Employee Health Insurance	120,239	348,964	1,558,400	1,209,436	22.39%	312,435
Workers Compensation Insurance		28,502	73,700	45,198	38.67%	28,252
General Insurance	1,317	201,652	374,995	173,343	53.77%	215,768
Supplies and Expenses	70,316	266,170	1,036,285	770,115	25.69%	236,096
Utilities	89,758	297,173	1,407,908	1,110,735	21.11%	303,509
Chemicals	13,726	57,959	503,000	445,041	11.52%	78,995
Repairs and Maintenance	141,687	574,071	1,858,362	1,284,291	30.89%	519,953
Outside Services	211,828	567,515	2,040,930	1,473,415	27.81%	433,476
Contingency		0	225,000	225,000	0.00%	
Subtotal Operating Expenses	1,569,948	4,148,286	17,017,580	12,869,294	24.38%	3,741,224
Capital						
Capital Improvements	\$ 217,875	\$ 428,241	10,537,513	10,109,272	4.06%	\$ 1,915,228
Subtotal Capital	217,875	428,241	10,537,513	10,109,272	4.06%	1,915,228
Total Expenses	\$ 1,787,823	\$ 4,576,527	\$ 27,555,093	\$ 22,978,566	16.61%	\$ 5,656,452
Excess Revenues						
Over (Under) Expenses	\$ 1,124,175	\$ 2,130,004	\$ (3,806,606)	\$ 5,936,610		\$ 874,517

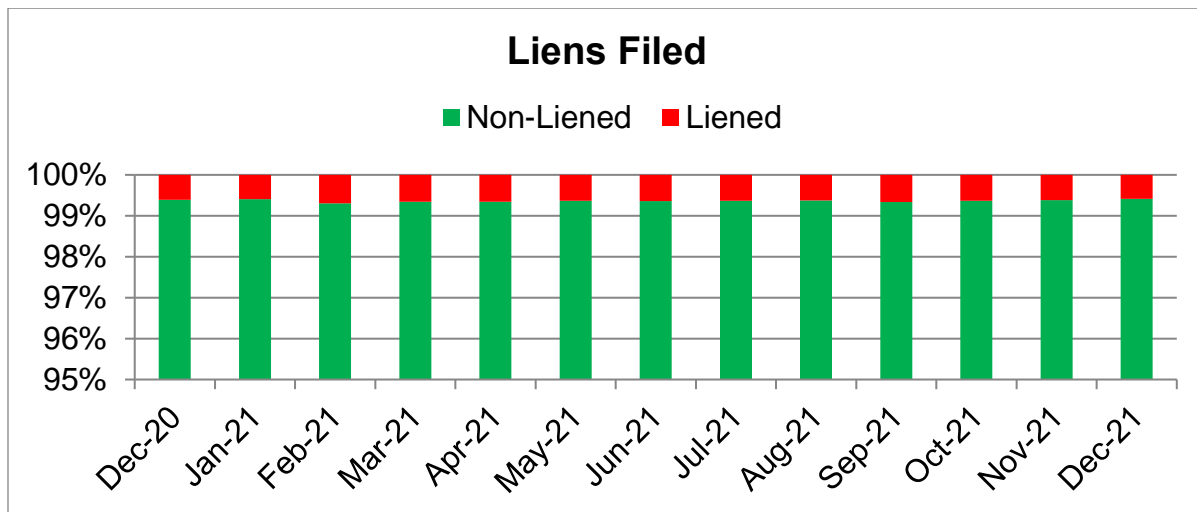
Total Capital expenses incurred and encumbered totalled \$4,481,423 or 43% of the capital budget. This includes funds encumbered in a prior fiscal year for projects that stretch across multiple fiscal years.

Accounts Receivable

The chart below illustrates customers' receivable status as a percentage of quarterly sewer billing. Paid or current balances represent approximately 83% billing.



The District serves approximately 33,100 customers. Currently, the District has 195 liens filed which represent approximately 1% of our customers.



Pending/Threatened Litigation

- Vehicle Accident – The District received a legal summons related to a vehicle accident involving a District vehicle. This claim is currently being handled through the District's General Liability Insurance provider, PRIA. PRIA has assigned the firm of Roberts, Reynolds, Bedard & Tuzzio, PLLC to represent the District.
- Beacon Lane – The District received a formal notice that a negligence claim is being made on behalf of a resident on Beacon Lane from injuries sustained as a result of septic and sewage over-flow at the property. We notified the District's legal counsel, the project engineers, the contractor, and the District's General Liability Insurance provider, PRIA.

Audit Update

The fiscal year ending September 30, 2021, audit is currently underway, and we expect to have a draft audit report distributed to the Governing Board next week for review. We anticipate that we will receive another “clean” audit with no recommendations to improve financial management. The audit firm will present the audit report at the February meeting. If no major concerns arise, a final report will be presented. If you have questions before the February board meeting, please feel free to call Mark Bymaster directly (561-659-3060) or you can contact me.

Retirement Plan Administrative Committee Update

On December 7, 2021, the Retirement Plan Administrative Committee met in the Governing Board room to discuss the Second Quarter Retirement Plan results. As of September 30, 2021, the Plan had 73 participants with participant assets totalling \$10,900,610. The majority of the Plan’s balance continues to be in the Self-directed Brokerage accounts (72.3%); however, that percentage is expected to decline with new contributions coming in and going to the funds in the Core Line-up. For the third quarter in a row one fund in the Core Line-up is on the “Watch List:” American Funds Washington Mutual R6, due to long-term performance being below the index and median of the peer group for the 3 and 5-year periods. All other funds are in compliance.

Awards and Recognition

I am proud to report that our FY2020 comprehensive annual financial report was awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association (GFOA)! This is the third consecutive year that the District has received this prestigious award. This award requires governments to go beyond the minimum requirements of generally accepted accounting principles and prepare a comprehensive annual financial report that evidences the spirit of transparency and full disclosure. This award is the highest form of recognition in governmental accounting and financial reporting.



LOXAHATCHEE RIVER DISTRICT

2500 JUPITER PARK DRIVE, JUPITER, FLORIDA 33458

TEL: (561) 747-5700

FAX: (561) 747-9929

D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

TO: D. Albrey Arrington, Ph.D., Executive Director
FROM: Kris Dean, P.E., Deputy Executive Director/Director of Engineering Services
DATE: January 13, 2022
SUBJECT: Capital Program and Engineering Services Report

Capital Projects

Schedule (FLOAT = -55 Days)

The overall Capital Program schedule slipped through December. Staff are working to close out contracts for 181st St. Gravity Sewer System, Olympus Drive Force Main and Evaluation of the 24-inch Subaqueous Force Main. Work on these projects is complete, however closeout documents including release of liens, payment affidavits, maintenance bonds, balancing change orders and final pay applications have not been completed. Additionally, the Headworks Generator is scheduled for award this month followed by Clarifier 3 Rehabilitation in March. With closeout of the three contracts and award of the two contracts the schedule should continue to improve and return to green.

Project highlight

Air Release Valves

During the 2021 fiscal year 33% of all Sanitary Sewer Overflows (SSOs) occurred from leaks in Air Release Valves (ARVs). Several of the SSOs occurred on ARVs that were installed on bridges that are not easily visible by the public. In the event of a leak from one of these ARVs, the impact on the waterways could be significant.

Throughout the year, the District has been focused on improving ARV reliability. Two efforts include trialling an alternate ARV manufacturer and a telemetry unit for ARVs.

Gordon M. Boggie
CHAIRMAN

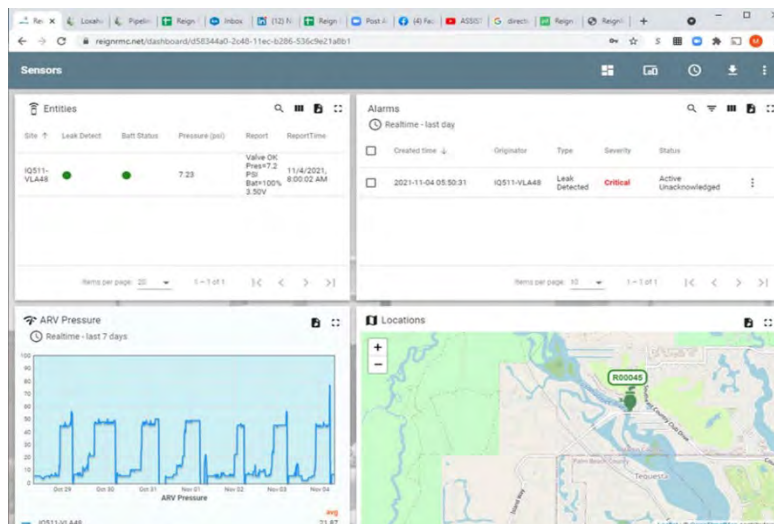
Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

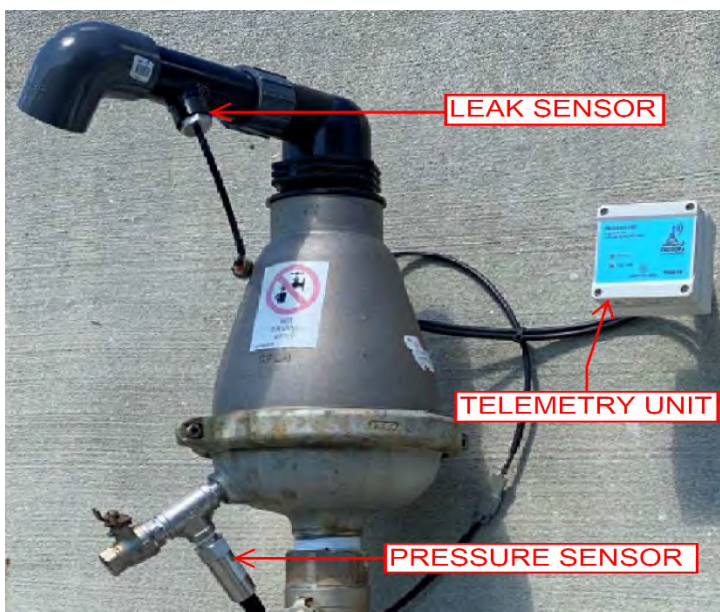
James D. Snyder
BOARD MEMBER



In November, a H-Tec model ARV was installed in one of the wastewater force mains in place of the current standard model. To date, the ARV has worked well with no adverse conditions. In February 2022, the operators will evaluate the hands-on ability to perform reliability maintenance on the ARV. The goal is to improve overall reliability of the ARV, reduce preventive maintenance time for the operator and reduce preventive maintenance intervals. In addition, the H-Tec model seats, and seals at zero psi, thus reducing the “spritzing” effect that some traditional ARVs operating on force mains with very low pressure have when air is released.



The ARV telemetry unit was installed in the IQ main on Island Way bridge (IQ511-VLA48) after the ARV failed causing minor leaks over the waterway. The unit was installed on a Crispin model ARV. A pressure transmitter attached to the unit sends force main pressure data to a dashboard every 4 minutes. The leak detection device is installed on the outlet of the ARV. In the event liquid escapes from the ARV, the system detects the liquid and sends a text message to predetermined phone numbers to notify on call persons, thus reducing the response time in the event of a leak.



After working with the vendor, we have determined that the signal from the device is reliable and that the leak detection system is viable for ARVs located directly over waterways. A project is being proposed for future install on four ARVs in the IQ system and six ARVs in the wastewater collection system.

Kyle Shepherd is seen here after installing the leak detection device on IQ main attached to the east Island Way bridge.



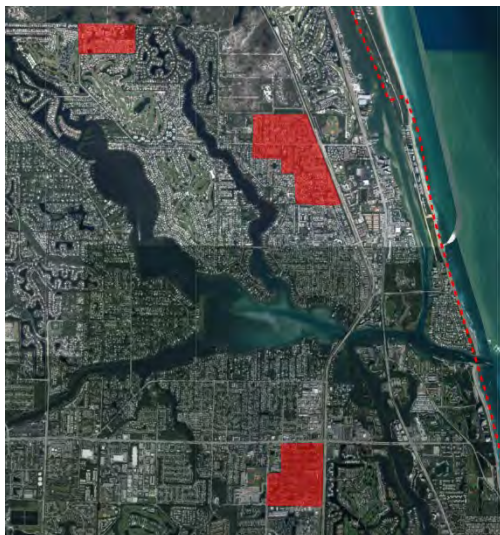
In-house Projects

Lift Station Rehabilitations General Construction Services: Site visits and design have commenced based on the prioritized inspection reports. Engineering is working on design and project set up in EAM to ensure the work moves into construction.

Staff have moved LS059 and LS112 into scheduling and LS266 into procurement while design is underway on LS089. The new work flow continues to work well with defined coordination between Collections, Inspections, Engineering and Construction.

181st Street Gravity Sewer System: All field work is complete and the project has been released for service by FDOH. Staff anticipate contract closeout this January and the preliminary assessment going to the Board in February.

Neighborhood Sewering/Remnant Properties: After the holidays staff will move forward with 605 and 607 Military Trail to close out the Remnant Areas on our Neighborhood Sewering Schedule and wrap back around with IT and customer service to re-evaluate our system to confirm remnant areas on public right of way or with easement access have all been served.



Fiscal Year 2021 Main and Lateral Lining Projects:

The contractor is complete with TV Inspections for LS018, LS041, LS050 and LS054. Staff in the field are working through the LS054 system verifying service lateral locations and will be moving into LS018, LS041 and LS050 when complete. Staff have begun preparations to identify lining contracts and anticipate lining to being in the spring.

Statutory Way of Necessity:

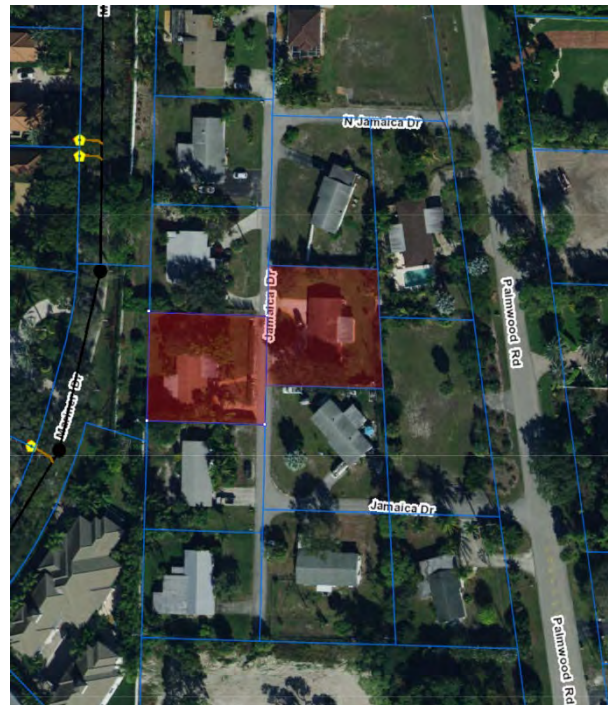
66th Terrace Low Pressure Sewer:

After engagement with the properties on 66th Terrace, 195th and 65th Terrace with permitted plans, construction costs and connection fees, only one of the five made application with the District and paid connection fees. Staff are moving ahead with the installation to the requesting property with a scheduled completion date by February 2022. The Board may expect to see a preliminary assessment for this property in March 2022 as well as revised Chapter 31-10 to define subregional line charges for properties that may connect to this installation in the future.



Jamaica Drive Low Pressure Sewer:

Over the last two years staff has been coordinating with two property owners for utility easements to install sewers to their properties on Jamaica Drive without success. At this time both property owners have determined Statutory Way of Necessity is the preferred option and entered into letter agreements for staff to proceed on their behalf. With 66th Terrace completing staff will be moving forward on Jamaica Drive.



COLLECTIONS AND CONSTRUCTION

Staff from Construction and Collections worked through a frustrating blockage in Waterway Village over the Christmas Holiday. The blockage began causing issues in the neighborhood on the Tuesday before Christmas. Collections staff were able to maintain service to the neighborhood using a combination of vacuum trucks and the wastewater hauling contract while they determined where and the extent of the blockage. On Wednesday before Christmas Construction mobilized and removed a significant amount of grout from the low pressure main and placed the system back in service. Over the course Thursday it was determined that there were still portions of the force main that were blocked but moving into Christmas Eve the decision was made to maintain service over the holiday using staff and the wastewater hauling contract as opposed to remobilizing Construction with potential significant disruption to the neighborhood. After the Christmas weekend Construction was able to finally clear the blockage and return the neighborhood to normal service.

An investigation of the incident found a residential low pressure pumping unit full of grout. It was determined that the resident had recently had pool work completed by a contractor and the contractor flushed the excess grout down the residents cleanout, into the residential low pressure wetwell where it was picked up by the pump and sent into the low pressure main where it set up, then broke apart and blocked the main in several locations.



Staff are working through work orders, booked labor, equipment and vendor invoices to determine the actual cost associated with the blockage. Once determined staff intend to seek reimbursement from the property owner.

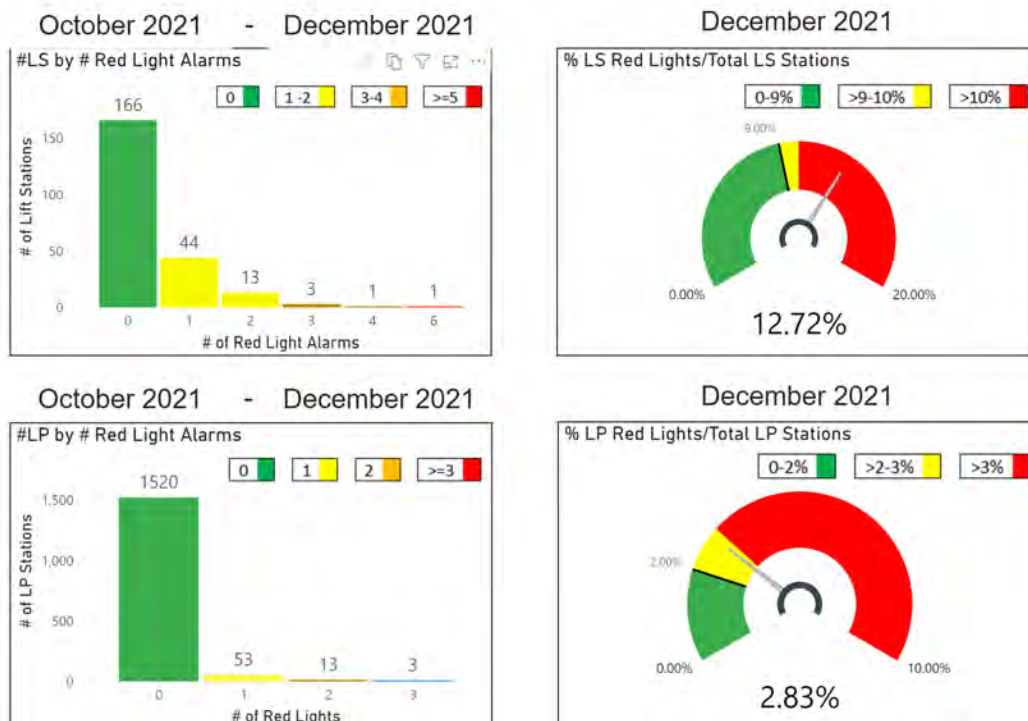
During the blockage we experienced three related unauthorized discharges described in the Unauthorized Discharge section and we responded to 17 red lights due to high wetwells.

On a positive note, staff were active in the neighborhood for several days and over the Christmas holiday, working in peoples yards, ensuring sewer service continued uninterrupted. The District's Customer Service Survey (<https://www.surveymonkey.com/r/LRD-CS>) found on our website, received numerous compliments over the holidays, two specific to District staff working diligently to resolve the issues in Waterway Village.

COLLECTIONS AND REUSE DASHBOARD

Lift Station Red Lights: For the month of November the system experienced 74 total red lights. 29 lift station red lights (with 18 stations experiencing multiple red light events) and 45 low pressure red lights (with 16 stations experiencing multiple red light events).

Emergency Call Work Orders Dashboard



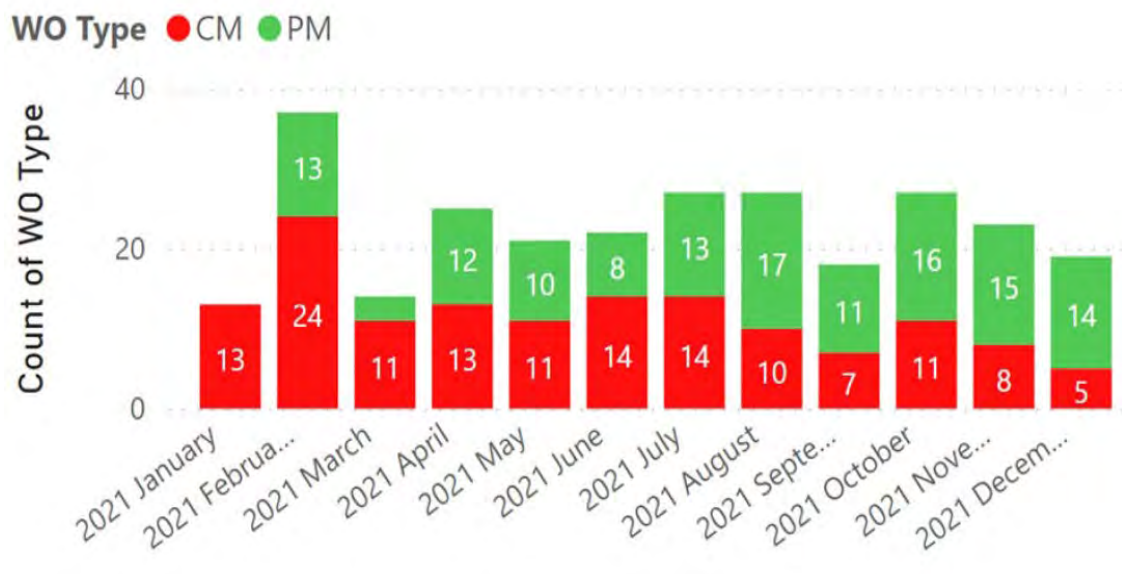
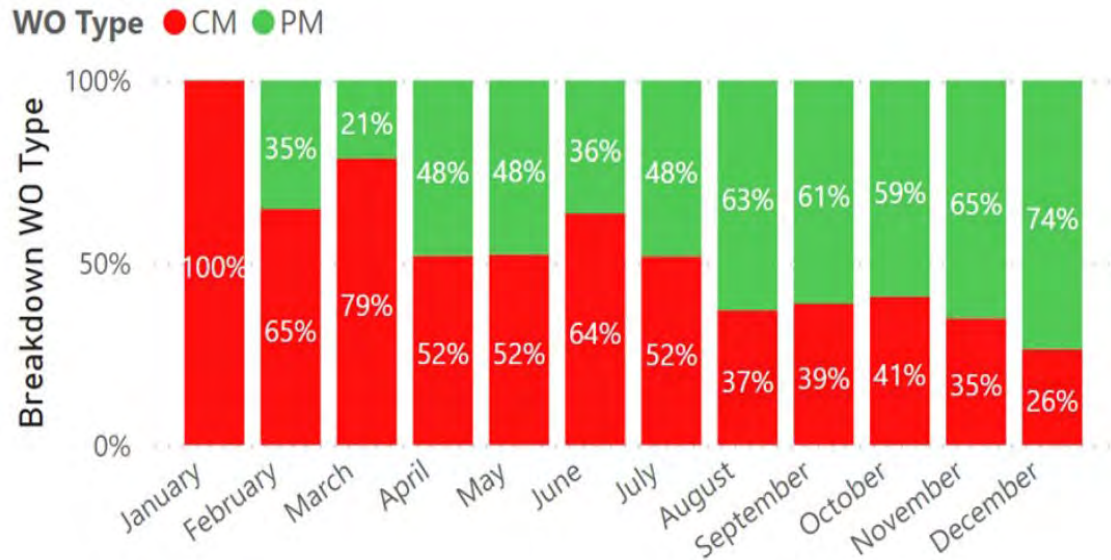
Air Release Valves: The ARV evaluation process has resulted in 291 ARVs inspected year to date. 13.4% of evaluated ARVs are out of service.

MONTHLY ARV INSPECTIONS

Visits

Year	January	February	March	April	May	June	July	August	September	October	November	December	Total
2020	25	35	63	39	23	33	14	24	56	17	15	13	285
2021	11	33	58	88	34	33	11	23	41	19	24	21	291

Wet Well Cleaning: Comparing this month's charts to last months you will find significant differences on the historical data. After a EAM update in November we found a number of inconsistencies in how personnel input data and descriptions when completing wetwell cleaning work orders. Staff updated the standard work order and activities to clarify data recording requirements in an effort to address these issues moving forward.



UNAUTHORIZED DISCHARGES (fka SANITARY SEWER OVERFLOWS)

There were 4 unauthorized discharges in the collection-transmission-distribution system this month.

On December 1, 2021, LRD had an unauthorized discharge of 0.25 gallons of sewage from a low pressure pumping unit at a private residence on West Riverside Drive in Jupiter, FL. The unauthorized discharge was caused by a crack in a 1.25 inch PVC fitting attached to the wet well feeding the service lateral. LRD crews stopped the unauthorized discharge by shutting off the service until repairs were made. The unauthorized discharge was absorbed into soil and the area disinfected with lime. No known storm drains or other bodies of water were affected.

The following 3 unauthorized discharges are all related to the Waterway Village blockage:

On December 21, 2021, LRD had an unauthorized discharge of 100 gallons of sewage from a low pressure pumping unit (LP649-VB2) at a private residence on Pebble Place Tequesta, FL. The unauthorized discharge was caused by a crack in a 1.25" PVC fitting feeding the service lateral. LRD crews stopped the unauthorized discharge by shutting off the service valve and isolating the failed fitting until repairs were made. The unauthorized discharge was absorbed into soil and the area disinfected with lime. No storm drains or other bodies of water were affected.

On December 22, 2021, LRD had an unauthorized discharge of 1350 gallons of sewage from a low pressure force main (LP067-LPM062) in Tequesta, FL. The unauthorized discharge was caused by a failed joint on 2.5 inch PVC low pressure force main. LRD crews were working to resolve a blockage in the same force main when the joint failed. LRD crews stopped the unauthorized discharge by shutting off all stations upstream of the leak and closing isolation valves until repairs were made. The unauthorized discharge flowed onto the road and into a nearby storm sewer. All standing water was picked up by District vacuum truck and the storm sewer was back pumped by vacuum truck. A total of 2400 gallons of liquid was recovered and discharged back into LRD collection system. The storm sewer does not empty into any surface waters, it only goes under the road with a catch basin on either side. The area was disinfected with lime.

On December 29, 2021 the Loxahatchee River District (LRD) had an unauthorized discharge of 50 gallons of sewage from a 2 inch low pressure system force main on Pebble Place in Tequesta, FL. The unauthorized discharge was caused by damage to the low-pressure force main piping while probing of the area to locate the low-pressure force main. The unauthorized discharge was stopped by cutting off individual low pressure pumping stations and closing valves to isolate the system until repairs were made. The unauthorized discharge was absorbed into soil and the area disinfected with lime. No storm drains or other bodies of water were affected



LOXAHATCHEE RIVER DISTRICT

2500 JUPITER PARK DRIVE, JUPITER, FLORIDA 33458

TEL: (561) 747-5700

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D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

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

FROM: Jason A. Pugsley, P.E., Operations – Plant Manager

DATE: January 12, 2022

SUBJECT: December 2021 Operations Department Monthly Report

Treatment Plant Division/Maintenance Department

Overall, the month of December was productive with all monthly reports prepared and submitted on time. There were no permit exceedances this month. The treatment plant operated efficiently and met all treatment objectives. Plant flows during the month of December were generally within the same order of magnitude as the flows recorded during the month of November. The Average Daily Flow (ADF) during December was 7.33 million gallons per day (MGD) vs. 7.36 MGD in November. The Maximum Daily Flow (MDF) during December was 7.65 MGD vs. 8.31 MGD in November. The Peak Hour Flow (PHF) during December was 6,646 gallons per minute (gpm) vs. 6,792 gpm in November. The total rainfall during the month of December was 1.81 inches which is significantly less than the total rainfall during the month of November when we received a total rainfall of 7.41 inches.

The plant experienced one (1) unauthorized discharge during the month of December. The discharge occurred when a drip leak was discovered on a 2-inch rotameter unit servicing the Clarifier No. 1 chlorine solution feed piping. A total of approximately 1-gallon of hyper-chlorinated reclaimed water was released onto the ground where it percolated into the soil. No bodies of water or storm drains were affected. The discharge was reported to the required regulatory agencies.

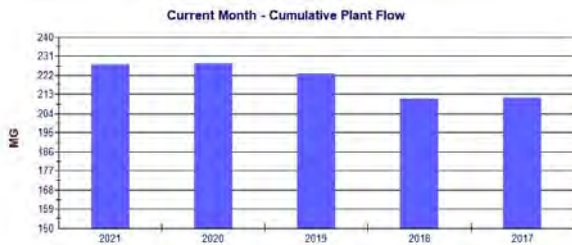
Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

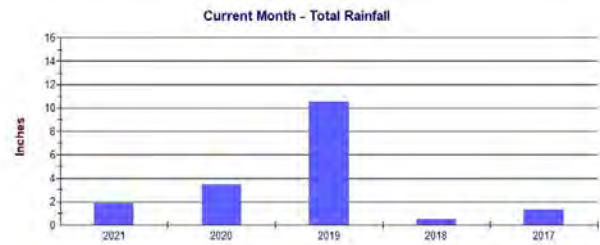
Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER

GRAPHICAL SUMMARIES OF PLANT FLOWS AND RAINFALL DATA



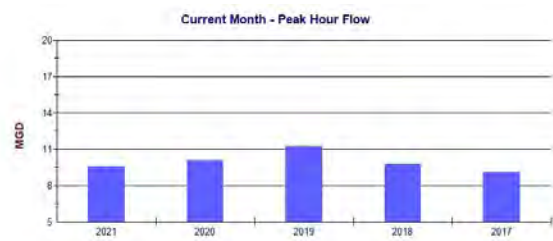
The Cumulative Influent Flow to the plant for the month of December was 227.20 million gallons.



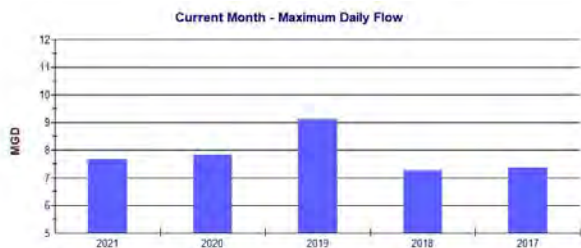
1.81 inches of total rainfall was recorded at the plant site during the month of December.



The Average Daily Flow (ADF) for the month of December was recorded at 7.33 MGD compared to 7.34 MGD one year ago, for the same month.

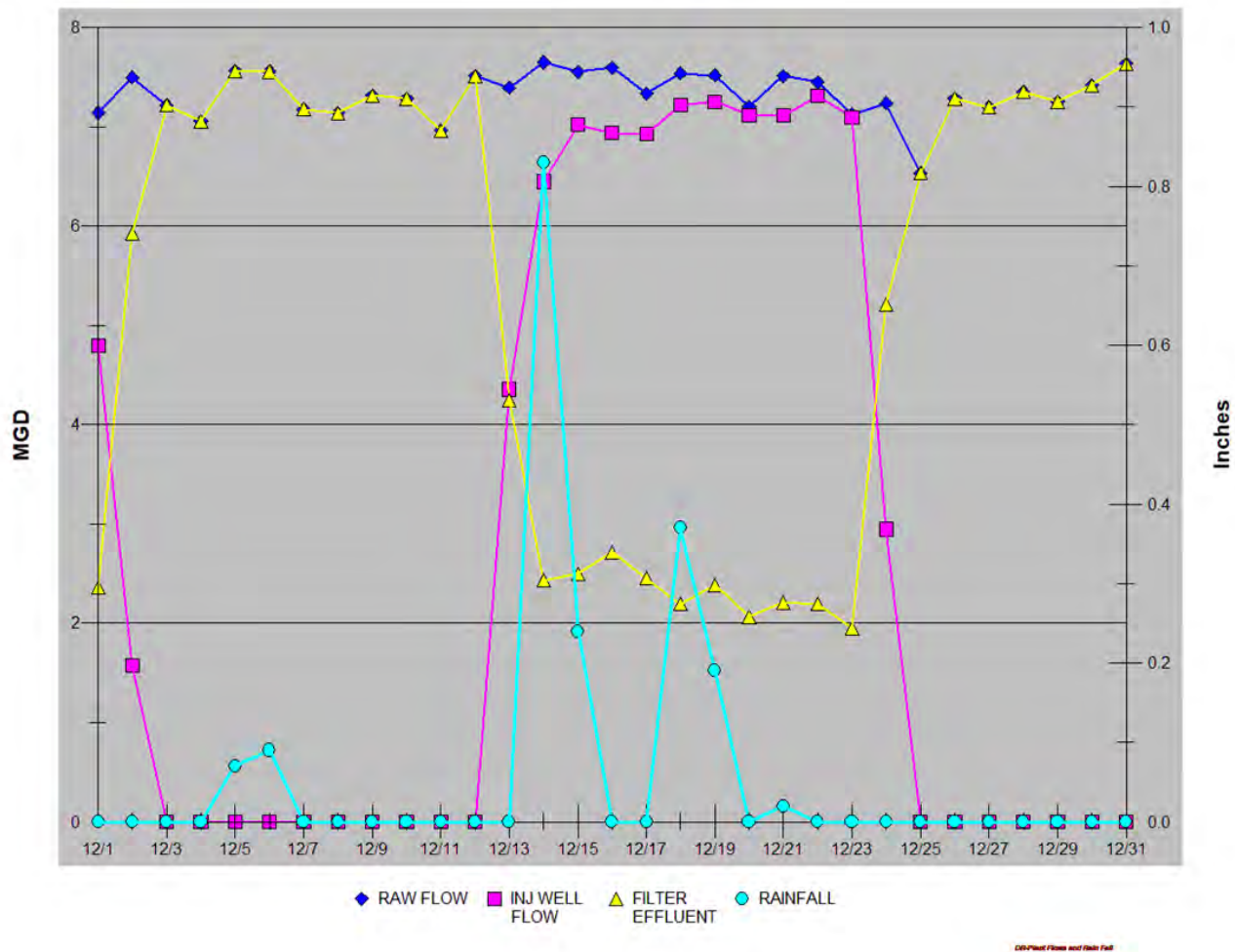


The Peak Hour Flow (PHF) for December was 6,646 GPM which equates to an equivalent daily rate of 9.57 MGD.



The Maximum Daily Flow (MDF) in December was 7.65 MGD.

For the month of December, the cumulative influent flow to the plant was 227.20 MG of which 164.29 MG was sent to the IQ storage system where it was distributed, as needed, to the various golf courses and the Abacoa development sites. A total of 1.81 inches of rainfall was recorded at the site during the month and a total of 84.11 MG of blended effluent was diverted to the Deep Injection Well. Overall, 72.31% of the plant influent flows were treated and available for reuse as IQ water. The plant delivered a total of approximately 140.27 million gallons of IQ water to the reuse customers during the month of December.



Year to date (i.e., Calendar Year 2021), approximately 84.51% of all influent flow to the plant was treated and available for reuse as IQ water. The total volume of IQ water distributed to reuse customers for the year stands at 2,393.25 million gallons.

All monthly reporting was submitted on time.

Treatment Plant:

Operations Staff continued to work diligently to perform routine monitoring, sampling and general maintenance of equipment and structures. Staff also completed special projects during the month including correcting a minor deviation in the headworks high level sensor alarm. Operators observed a noticeable increase in the frequency of high-level alarms at the headworks structure. Staff performed a detailed review of facility as-builts to thoroughly evaluate the appropriate alarm setpoint elevation. Based on the review it was determined that there was a discernible elevation discrepancy. Operations worked with the Maintenance Team to recalibrate/reset the sensor in-house and perform a manual test to confirm proper operation.

During the month of December, Operations also worked closely with an outside vendor to replace the existing chlorine detection system located within the Chlorine Building. The existing detection unit was original to the facility and was approaching the end of its anticipated useful life. Given the criticality of this system, advanced replacement was warranted to maintain adequate safeguards and alarm annunciation in the unlikely event of a chlorine leak. The chlorine detection system includes a total of four (4) chlorine sensors within the storage room and two (2) chlorine sensors within the chlorinator room. Each of the rooms also contains two (2) analyzers which provide redundancy in the event of the failure of one in each of the respective rooms.



Chlorine Leak Detector Analyzer



Chlorine Leak Sensor Unit

To optimize the performance of the biological odor control system at the headworks facility, Operations Staff worked with the leased system vendor, Evoqua Water Technologies, to perform intensive maintenance to the system during the month of December. The maintenance work included the installation of additional biological filter media within the main treatment bed of the system. The periodic supplementation of the biological filter media is required due to the degradation and loss of the organic media over time. As part of the maintenance work, the vendor also replaced the activated carbon media in the polishing section of the odor system. The polishing section is located downstream of the main filter bed and provides additional assurance against the release of foul air and odors. The maintenance of the system went smoothly and was completed in less than one (1) day, which minimized potential odor issues during the maintenance period.



Empty Polishing Media Bed



Replacement Carbon Media



Headworks Odor Control Maintenance

Lastly, Operations Staff worked with WildPine Laboratory Staff to complete their annual Demonstration of Capabilities (DOC) training for fecal coliform analyses. To ensure that our technicians are adequately trained and versed in these types of analyses it is critical that their understanding of the methods and procedures be regularly evaluated. All Staff were determined to be competent and capable.



**District Industrial Pretreatment
Coordinator, Daveyand Dave**

Maintenance Department:

The Maintenance Department continued to efficiently perform planned maintenance (PM) tasks over the last monthly period. In addition to the completion of standard PM tasks the Maintenance Department addressed non-routine maintenance items as well as “special projects”. A few examples of these types of projects are presented below.

The Maintenance Department worked closely with the Collections Department to repair a drain plug on a base containment tank for one of the District’s portable generator units. The threads on the existing drain plug were starting to rust. To correct this issue, the Maintenance Team removed the existing drain fitting and hub and installed a new stainless-steel fitting and plug. The repair worked out well and the Maintenance Team is planning to use this method on future similar repairs.



Existing Opening for Base Containment Plug



New Hub and Drain Plug for Base Containment

During the month of December, the Maintenance Team performed scheduled preventive maintenance on the District's two (2) belt filter press dewatering units. The maintenance work included the replacement of the existing belts on each unit. The replacement of the belts is critical since the belts stretch and become blinded (i.e., clogged) over time, thereby reducing the operating efficiency which decreases the percent solids of the resulting sludge cake. This maintenance activity is one which has historically been managed by Vir Manera. Vir has elected to retire after 21 years of service at the District and his last day was January 11, 2022. As part of the recent belt change-out Vir provided training and oversight to ensure his knowledge of the work was passed on prior to his departure.



Belt Filter Press Unit – Belt Replacement



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D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

TO: Albrey Arrington, Ph.D., Executive Director
FROM: Bud Howard, Director of Information Services
DATE: January 12, 2022
SUBJECT: Information Services Monthly Governing Board Update for December 2021

WildPine Ecological Laboratory Riverkeeper Project

In December, the lab staff and our partners collected water quality samples from 17 monitoring stations throughout the watershed. In addition, a total of 75 bacteria samples were tested for fecal indicator bacteria in support of additional testing for the weekly bacteria monitoring program and the monthly testing in Jones and Sims Creeks.

The overall water quality score for December 2021 was “Good” with 87% of all samples meeting the EPA/DEP water quality criteria. This was very similar to last month’s score of 86% and last year’s score of 87% (see score card below). In general, the water quality scores are typically better through the winter and spring months, corresponding with the dry season. Another factor for the improvement in scores is the reduced sampling effort in the impaired Jones and Sims Creeks associated with the now complete NBOT monitoring project.

Total Nitrogen scored “Good” during December with 100% of sites meeting the water quality criteria, better than last month’s 92%, and identical to December 2020’s score. Total Phosphorus scored “Good” with 94% of sites meeting the criteria, slightly better than last month’s 92%, but not quite as good as last year’s 100%. Chlorophyll, which frequently struggles to meet the stringent water quality criteria, bumped back down to the “Fair” category this month at 76%, a slight decrease from last month’s score of 81%, and down from last year’s score of 100%. For the combined Fecal Indicator Bacteria (fecal coliforms in all waters, enterococci in marine and brackish waters and *E. coli* in fresh waters), December scores were “Good” at 84%; near last month’s 82%, and slightly better than last year’s 78%.

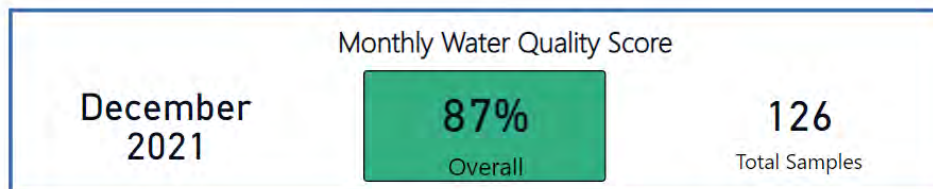
As noted, many of these observations are similar to historical values for this time of year when we see reduced rainfall and cooler water temperatures that result in decreased nutrients, bacteria, and productivity.

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER



TN: Total Nitrogen, TP: Total Phosphorus, CLA: Chlorophyll a, BAC: Enterococci and E. coli bacteria

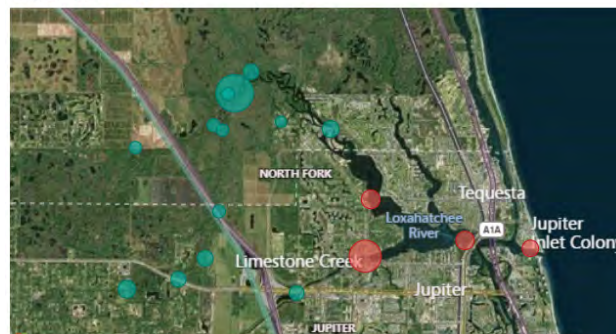
Year	Month	# Samples	Overall Score	# TN Samples	Total Nitrogen Percent Good	# TP Samples	Total Phosphorus Percent Good	# CLA Samples	Chlorophyll Percent Good	# BAC Samples	Bacteria Percent Good
2021	December	126	87%	17	100%	17	94%	17	76%	75	84%
2021	November	129	86%	26	92%	26	92%	26	81%	51	82%
2021	October	164	70%	28	100%	28	75%	28	50%	80	64%
2021	September	164	67%	24	96%	24	83%	24	50%	92	60%
2021	August	184	66%	26	77%	26	73%	26	65%	106	62%
2021	July	243	57%	55	98%	55	62%	55	18%	78	51%
2021	June	117	82%	16	100%	16	88%	16	69%	69	80%
2021	May	136	88%	22	95%	22	91%	22	64%	70	91%
2021	April	148	78%	27	93%	27	81%	27	56%	67	81%
2021	March	122	90%	16	100%	16	100%	16	69%	74	91%
2021	February	133	86%	23	91%	23	96%	23	74%	64	84%
2021	January	147	84%	27	93%	27	85%	27	78%	66	83%
2020	December	128	87%	17	100%	17	100%	17	100%	77	78%
Total		1941	77%	324	95%	324	83%	324	60%	969	75%

Spatial Distribution of Water Quality Results

Chlorophyll scores showed a handful of high values in the lower estuary. Station 72 (Lox River Road Bridge) had the highest result at 13.2 µg/L, over the strict water quality criteria of 5.5 µg/L for the Southwest Fork. The other three lower sites (Stations 10, 40, 60) had relatively low chlorophyll values between 4 and 5 µg/L, but this was higher than the strict water quality criteria (1.8 µg/L) for this segment of the river. There were no samples collected for chlorophyll from Jones and Sims Creeks this month because we have switched back to our quarterly sampling schedule for nutrients and chlorophyll.

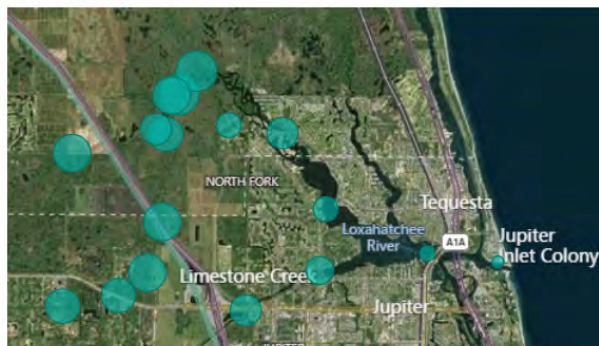
Chlorophyll a (µg/L)

CHL_Score ● GOOD ● POOR



Total Nitrogen (mg/L)

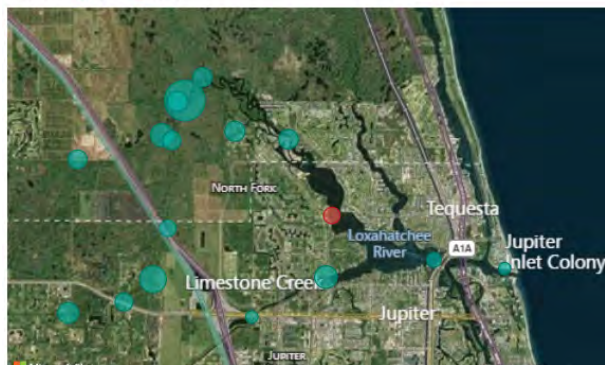
TN_Score ● GOOD



Nitrogen scored “Good” for all sites across the watershed. The sites with the highest concentrations were up in the wild and scenic portion at the mouths of Kitching Creek and Hobe Grove Ditch. Both results tested at 1.1 mg/L which is under the water quality standard of 1.5 mg/L,

Total Phosphorus (mg/L)

TP_Score ● GOOD ● POOR

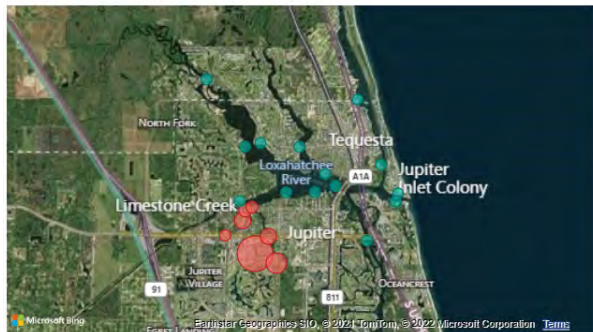


Phosphorus scored “Good” at all sites except Station 60 in the lower estuary. It tested just over the water quality standard (0.030 mg/L) at 0.032 mg/L. The mouth of Hobe Grove Ditch had the highest phosphorus value of 0.118 mg/L, but it was just under the freshwater quality standard of 0.120 mg/L.

Bacteria results again showed the spatial patterns that we often see. The majority of the high fecal indicator bacteria were located around urban Jupiter sites, which include Jones and Sims Creek, where we monitor enterococci (left panel in figure below). Caloosahatchee Rd culvert site (CALC) in Jones Creek had the highest average enteric concentrations this month at 9,208 MPN/100 mL water, three times higher than last month. The footbridge site in Jones Creek (TPJ) had the next highest average enteric concentration at 3,654 MPN/100 mL water. Like the enteric bacteria, the fecal coliform bacteria concentrations were highest also at the CALC and TPJ sites with concentrations of 3,873 and 2,909 MPN/100 mL (right panel in figure below).

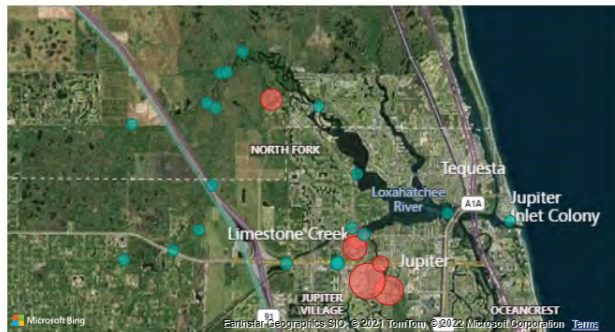
Enterococci Bacteria - Criteria: 130 MPN/100mL

ENT_Score ● GOOD ● POOR



Fecal Coliform Bacteria - Criteria: 800 MPN/100mL

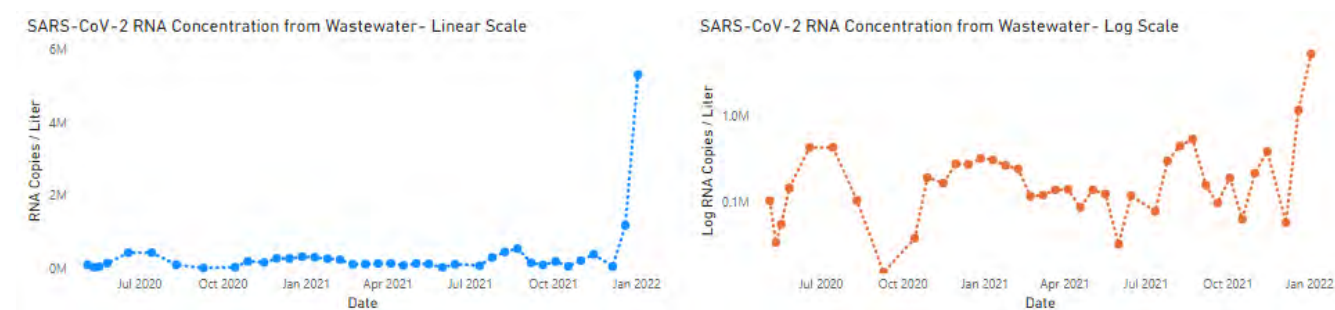
FC_Score ● GOOD ● POOR



Wastewater Surveillance of COVID-19

In December and early January, the wastewater surveillance testing for SARS/COVID-19 showed a remarkable increase in virus concentrations. On January 3rd, the virus concentration passed 5 million RNA copies per liter - nearly ten times higher than the concentration measured on December 6th. These results correspond with the virus modeling work by researchers at USF and UF that indicates the omicron variant spike will peak in mid-January.

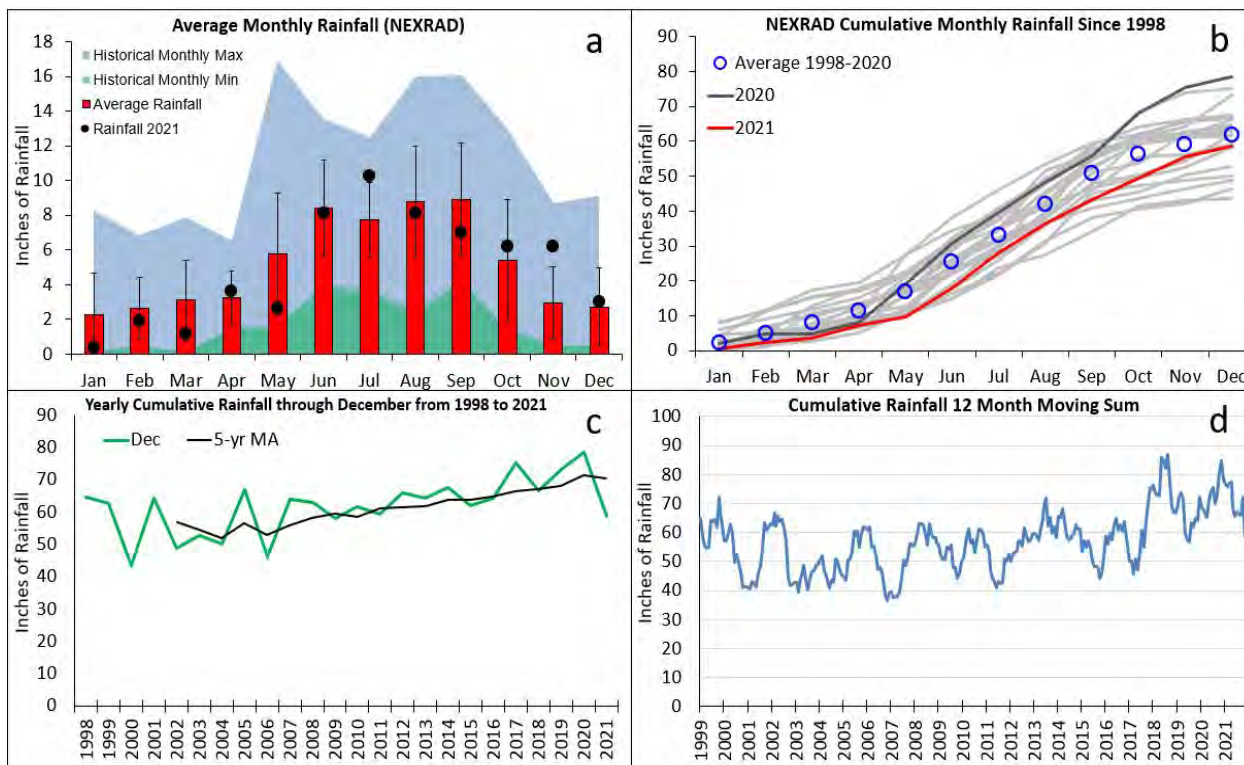
Our wastewater surveillance work continues to attract media attention, particularly from Channel 25 WPBF that ran stories on December 23 ([LINK](#)), January 6 ([LINK](#)) and January 11 ([LINK](#)).



Hydrologic Monitoring

Total rainfall during December, measured as an average across the watershed, was 3.0". This was just above the historical average of 2.7" for the month (panel 'a' in figure below) and nearly identical to the 2.9" rainfall measured during same month last year (2020). Rainfall was detected across the watershed on 11 days in December with the highest single-day total of 0.7" recorded on December 15.

The cumulative rainfall for the year was 58.7", which was 5% lower than the historical average of 61.9" (panel 'b' in figure below), but the lowest measured since 2009 (58.2") and 25% lower than last year's rainfall total of 78.4" (panel 'c' in figure below). The 12-month moving sum of 58.7" (panel 'd' in figure below) also suggests a general decreasing trend in recent rainfall compared to 78.4" seen this time last year.



Figures above display various measures of rainfall. Panel (a) shows average monthly rainfall from 1998 to 2020 (red bars; error bars indicate ± 1 sd). Black dots indicate monthly rainfall for 2021. The blue and green shaded areas show the maximum and minimum rainfall ever recorded for each month. Panel (b) shows monthly cumulative rainfall for each year since 1998. Red line indicates cumulative rainfall during 2021; dark gray line indicates rainfall during 2020. Blue circles are monthly cumulative average rainfall measured between 1998-2020. Panel (c) shows cumulative annual rainfall using NEXRAD radar-based data. Green line indicates cumulative rainfall through December for each year since 1998, when the radar-based rainfall measurements began. Black line is the 5-year moving average across all years. Panel (d) shows cumulative 12-month moving sum of monthly rainfall.

With below average rainfall and no significant rainfall events in December, river flows were moderate. Flow measured at Lainhart Dam during the month ranged from 147 cfs to 279 cfs with an average flow of 199 cfs. This is similar to last year's December range of 107 to 236 cfs with daily average of 184 cfs. No flow was detected through the S-46 flood control structure during December. There were no flow or salinity exceedances throughout December.

For the calendar year, there were 35 days of flow less than the Minimum Flow and Level (MFL) of 35 cfs through the Lainhart Dam and occurred primarily from late May through late June with an overall all average of 123 cfs for the year. Interestingly, the S-46 structure remained mostly closed with no significant flood control releases this year as water managers from the South Florida Water Management District (SFWMD) were able to store water throughout the watershed.

Oyster Spat Monitoring

Oyster spat settlement evaluation for period ending December 9 is complete and indicates a return to lower late-season oyster spawning activity. In the Northwest Fork, average spat density was 482 spat m² (figure below) with the overwhelming majority, or 97%, of the settlement activity occurring at the downstream site. This density is in line with the historic period average of 627 spat m² and only slightly less than the 581 spat m² during same period last year (2020).

Similarly, oyster spat settlement in the Southwest Fork experienced a return to near average settlement density at 432 spat m², with about half, or 51%, of settlement activity occurring at the downstream site. This density is slightly higher than the period average of 253 spat m² and higher than the 144 spat m² during the same period last year.

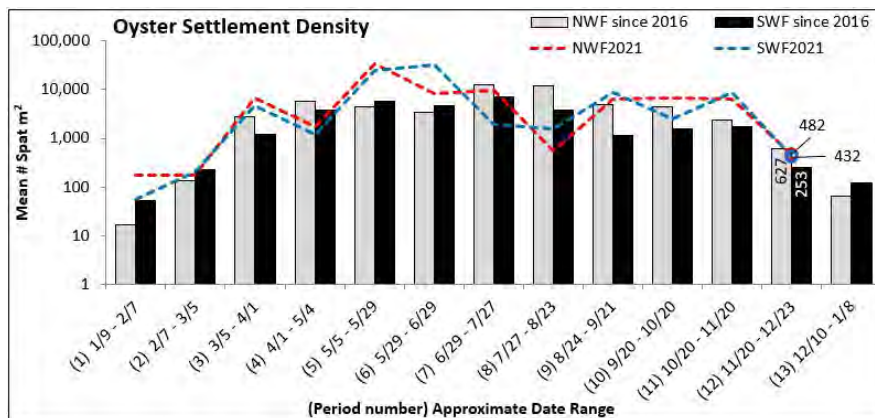
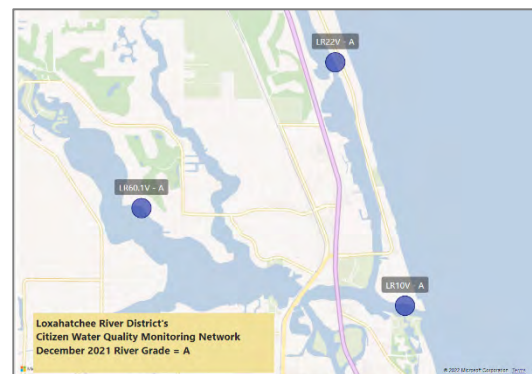


Figure shows mean oyster spat settlement for the Northwest Fork (gray bars) and the Southwest Fork (black bars) since 2016. Dashed lines show oyster spat settlement so far for 2021 in the NWF (red) and SWF (blue). Note logarithmic scale of vertical axis.

Volunteer Water Quality

The weekly Volunteer Water Quality grades for December scored an “A” with excellent water quality throughout the month.



Site	Temp (F)	Secchi	Salinity	pH	DO	DO%	Color	Vis	Salt	pH	DO	DO%	Color	Score	Grade
LR10V	24.0	3.90	33.2	8.2	6.7	95.6	1.0	A	A	A	A	A	A	100.0	A
LR22V	23.0	1.05	35.5	8.3	6.0	85.9	1.0	A	A	A	A	A	A	100.0	A
LR60.1V	23.0	1.10	25.0	8.2	5.8	78.1	1.0	A	A	A	A	A	A	100.0	A
Average	23.3													100.0	A

VAB (Visible at Bottom)
DO (Dissolved Oxygen)
ND (No Data)

Customer Service

Payment Processing

In December the Customer Service Team closed out the 4th quarter billing by processing nearly 2,500 payments totalling approximately \$250k. More than 95% of our customers have satisfied their accounts, which is right in line with historical trends.

For the quarter, the proportion of paper checks and cash fell below the benchmark of 25% of total payments for the first time. This slow but steady transition to digital payment methods through the customer's online bill pay, eCheck, or credit/debit card facilitate efficiencies that help us provide a very high level of service with fewer staff than most other utilities.

Staff have also been preparing for the Q1-2022 billing that we will begin distributing on January 19.

New Customer Information & Billing System

The submittal period for our Request for Proposals (RFP) closed December 17 and we received a mix of providers for the customer information and billing software systems, payment processing services, and printing & mailing services. We continue to evaluate the proposals and various solutions with the intent of bringing recommendations to the Board at the February meeting.

Information Technology (IT)

System Updates

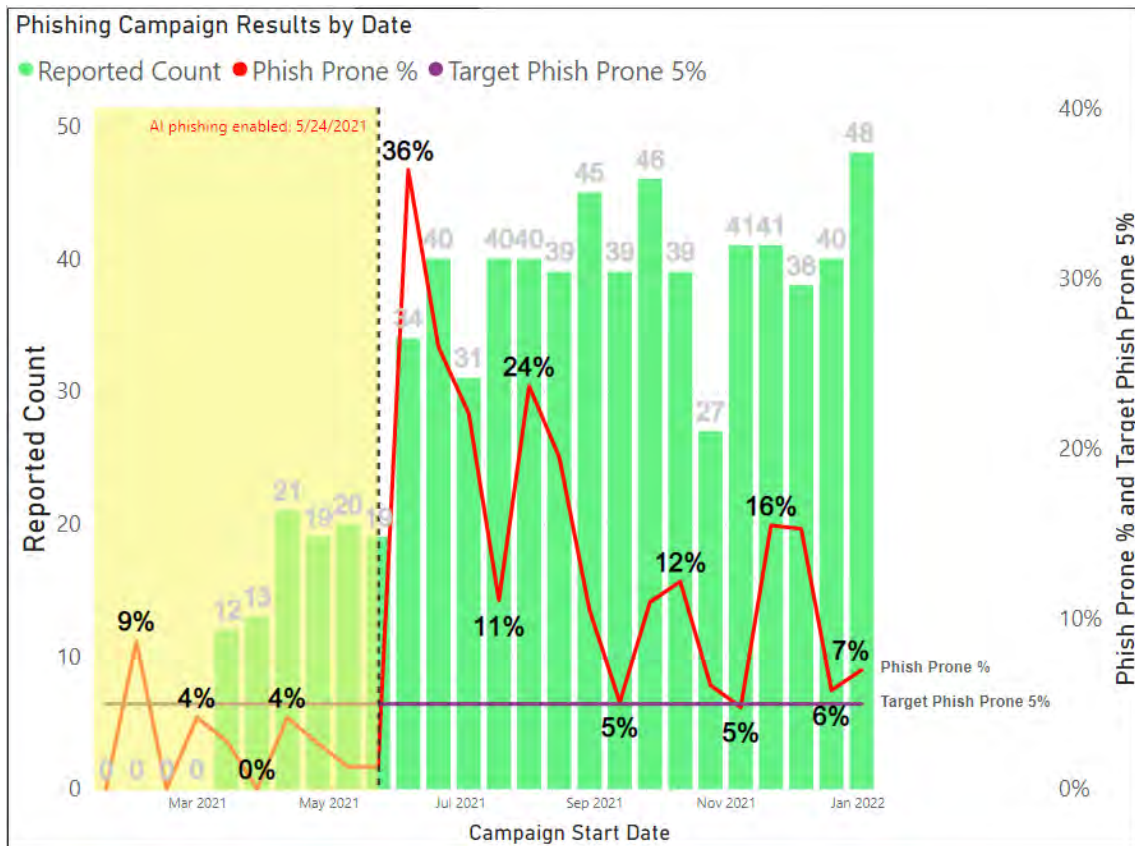
Normally December is a lighter month for IT due the holidays and many District staff taking time off. This year was different as we were able to complete two important software update projects for CMMS (computerized maintenance management system) and GIS (geographic information system).

These updates not only allow us to take advantage of new features, but also fix security flaws and bugs that have been identified by security researchers. This type of project takes a significant coordination with vendors, consultants, and staff to ensure a smooth upgrade and success. Thanks to everyone that supported this effort!

Security – AI Powered Phishing Campaigns

In May 2021, we enabled Artificial Intelligence (AI) powered phishing testing, which is taking our proactive cyber security program to a whole new level. We knew our training and evaluation program was helping our staff be more attentive, but the AI-powered testing made us realize there are opportunities for improvement.

Over the past 8-month period, we have increased our efforts with training, user engagement, and this advanced testing with encouraging results. The figure below summarizes our Phishing campaign analytics. Our work is certainly not finished, as we will continue to try to get, and keep, our scores below the target.



Summary of results from our Phishing Campaign Testing over the past year. The bars indicate the number of phishing emails (tests or real) that District staff reported before and after we implemented the very challenging AI-based testing. The red line represents the Phish Prone Percentage which is the likelihood of the user falling victim to a phishing attack before and after the tests sent by the AI-powered platform. **These data show how the AI-powered email testing really challenged our staff, but it has helped us all become extra vigilant as reflected in the more recent scores under the new, very difficult AI-powered testing.**

We reiterate the importance of our Board Members participating in all assigned computer-based training. Board Members have access to District email and could jeopardize the District's computer systems.

Loxahatchee River Environmental Center

January 2022

River Center Summary Statistics



LRD'S ENVIRONMENTAL STEWARDSHIP DASHBOARD



	Environmental Stewardship Impact [%ES Impact = (Total Visitors x ES Index)/Monthly Target]	Environmental Stewardship Index	Total Visitors (incl. Visitors, Field Trips, Onsite Programs)	Average Program Participation [Actual participants/Capacity of Program]	Volunteer Engagement	1st Time Visitors	Visitor Satisfaction	Staff Overall Program Assessment	Expenses	Program Revenue
Benchmark / Customer Expectation	% of Target	Monthly Average [Max Rating is 9]	% of Target	% of Capacity	% of Target	% of Target	Rating Average [Max Rating is 5]	Rating Average [Max Rating is 9]	% within budget	% of Target
Blue Level	≥ 110%	≥8	≥ 110%	≥ 95%						
Green Level	≥ 90%	≥7	≥ 90%	≥ 75%	≥ 90%	≥ 90%	≥4	≥7	≥ 85% but ≤ 105%	≥ 90%
Yellow	≥ 75%	≥5	≥ 75%	≥ 50%	≥ 75%	≥ 75%	≥3	≥5	≥ 80%	≥ 75%
Red	<75%	<5	<75%	<50%	<75%	<75%	<3	<5	< 80% or > 105%	<75%
2018 Baseline	130%	7.3	76%	90%	152%	88%	4.8	7.3	90%	194%
2019 Baseline	134%	7.3	44%	83%	121%	124%	4.7	7.8	97%	128%
2020 Baseline	62%	7.6	28%	50%	70%	65%	4.6	7.8	81%	103%
2020 Dec	95%	8.1	44%	51%	84%	105%	4.7	7.9	74%	81%
2021 Jan	89%	8.1	50%	65%	80%	92%	4.6	7.9	88%	92%
Feb	130%	8.1	65%	84%	67%	89%	4.6	7.5	74%	101%
Mar	304%	8.4	99%	86%	68%	275%	4.6	7.9	78%	85%
Apr	166%	8.6	134%	83%	123%	320%	4.8	7.7	84%	89%
May	135%	8.0	92%	84%	112%	270%	4.4	7.9	89%	72%
June	312%	8.1	142%	106%	115%	328%	4.6	8.0	96%	51%
July	371%	8.1	205%	87%	154%	579%	4.5	8.1	115%	49%
Aug	355%	8.1	160%	85%	175%	330%	4.7	8.0	107%	86%
Sept	237%	7.6	192%	85%	66%	519%	4.6	7.8	91%	83%
Oct	63%	7.8	77%	81%	92%	155%	5.0	7.8	104%	90%
Nov	76%	8.0	75%	87%	112%	156%	4.9	7.9	89%	101%
Dec	72%	7.9	67%	86%	63%	193%	5.0	7.6	95%	120%
Consecutive Months at Green	0	13	0	11	0	10	13	13	4	3
Metric Owner	O'Neill	O'Neill	O'Neill	Harris / Duggan	O'Neill	O'Neill	O'Neill	O'Neill	O'Neill	O'Neill

Metric	Explanation
Environmental Stewardship Impact	With the new fiscal year, targets were reassessed and raised to 80% capacity of our pre-COVID numbers. Palm Beach County schools have been slow to come back to field trips. As a result, we are seeing fewer field trips and the field trips that are scheduling are private schools or homeschool coops that typically have 25 students or less in their group. We are seeing only 30-50% of our normal average of school students.
Total Visitors	This number also reflects the reduced amount of field trip participants.
Volunteer Hours	Palm Beach County had a shorter winter break and we had lower than normal volunteer participation during that break. We only had 2 volunteers after the Christmas Holiday.



River Center General

Eagle Scout: Jason Rivera

Jason Rivera is a long-time volunteer for the River Center working in guest services, fishing clinics and as a summer camp counselor. He is also an Eagle Scout and completed his project here at the River Center. The trail borders in our garden had fallen into disrepair after almost 10 years since the last border was placed. Jason and his Boy Scout crew spent two days removing the old trail border and placing the new border. They worked very hard, and the trail looks beautiful! Our garden is a more inviting place now.



Holiday Party

This year's holiday party was at Out of the Blue Restaurant in Jonathan's landing. We had 69 people attend the event. The venue was beautiful and being out by the water was relaxing as some played games and took time to catch up with each other. The food was great as well. Guests enjoyed a photo booth and video that commemorated this past year and our accomplishments. Finally, awards were given out to staff that truly made a difference. This year's planning committee included the River Center staff, Carrie Russell, and Mike Navicky.



Special Programs

FAU Pine Jog Climate READY Program [Saturday, December 11th]

On Saturday, December 11th the River Center welcomed 20 students from six different high schools around Palm Beach County and 4 staff from FAU Pine Jog Environmental Education Center. These students were apart of the Climate Resilience Education & Action for Dedicated Youth (Climate READY) program, which is an innovative, 3-semester dual-enrollment program that empowers high school students to become knowledgeable and effective voices for climate resilience in their communities. The program prepares Climate Ready Ambassadors to educate younger students, teachers, and local residents about how our communities can become more resilient to environmental challenges and work together toward equitable climate solutions. These students were finishing up part 2 in their program by presenting their projects and sharing their proposals for the final semester. In the afternoon the River Center provided a tour of the center and an immersive outdoor experience. We provided a kayak tour focusing on connections between coastal ecosystems and climate resilience.

Nature Hike- Loxahatchee Slough Natural Area [Friday, December 17th]

The River Center team facilitated a nature hike as part of our Naturalist Series. Thirteen visitors and two staff took a trip through the Loxahatchee Slough Natural Area, west of Palm Beach Gardens. The Loxahatchee Slough Natural Area is the largest and most biologically diverse natural area managed by Palm Beach County. It contains the historic headwaters of the Loxahatchee Wild and Scenic River and has nine native Florida ecosystems. Participants walked along wet prairie trails viewing Spatterdock, Pickerel weed, Cypress trees, Florida Slash Pines, Chimney Swifts, Alligators, Red-shouldered Hawks, Sulphur and Peacock butterflies.

LRD Connections:

- **Water Supply** – The Loxahatchee Slough was the historic headwaters for the Loxahatchee River.

Blooming in the Garden [Saturday, December 18th]

On December 18th the River Center hosted a Blooming in the Garden program for families with early learners. The theme this month was “Wiggly Worms” and included a story and craft activity all about worms. Families got the opportunity to explore the River Center’s pollinator garden to find worms and other crawling critters. An exciting part was that each table had containers with nightcrawlers in to observe and play with before relocating them to the garden. We had 7 children and 7 adults enjoy exploring nature and getting their hands dirty.

LRD Connections:

- **Water Supply** – *Students learned about water conservation efforts including planting native plants, right plants/right place, and proper watering practices.*

Winter Holiday Family Activities: Fishing Clinic , Garden Scavenger Hunt, & Craft-a-Palooza



Over the Winter Holiday break we provided some fun activities for families to enjoy while kids were off from school. On December 29th, the River Center hosted a fishing clinic where families learned how to tie knots, dehook a fish, measure a fish, use a fishing regulation book, cast, and wait for a fish. Seven adults and 15 children spent some time hanging out on the dock at Burt Reynolds Park fishing and enjoying the morning outside. They managed to reel in jack crevasses, snappers, irish pompanos, and even blue crabs! On December 30th we set up a scavenger hunt through our migratory bird and butterfly garden, featuring iconic holiday figures like Santa Claus, the Grinch,

and Frosty the Snowman. We also included a plant scavenger hunt, where guests learned to identify our various native plants. On December 31st the River Center classroom was turned into Craft-A-Palooza. Families enjoyed spending time together making a variety of arts and crafts to take home. Kids made beaded snowflakes, melted snowmen, and reindeer frames. Families could also enjoy reading books and playing with puzzles.

Science with Sam [Wednesday, December 8th & 15th]

In December Science with Sam taught two classes, one about rocks and the other about pollution. The rocks lesson took place at BLM utilizing the JILONA trails and the front yard of the River Center houses. In the rocks lesson students learned what the rock cycle is, how it functions on Earth and how it can affect living organisms. Students took a brief walk on the JILONA trails observing any rocks along the way. After the hike students partook in a rock cycle game, designed by the River Center. During the game students acted as rocks moving through the rock cycle via various environmental means. Students ended the game with a full understanding of how rocks can move and change through the rock cycle. The Connection was made between the rock cycle and the nitrogen cycle which the wastewater treatment plant relies upon to continually clean and recycle wastewater for the Town of Jupiter.



In the pollution lesson students learned ways that trash items can end up outside or in the ocean, how these trash items can negatively affect wildlife and humans, and things we can do to deal with pollution problems. Students brainstormed and drew inventions to help remove trash pollution from beaches and waterways. The connection was made between the importance of reducing and recycling our trash and the importance of recycling wastewater, which is done by the LRD, for the health and wellbeing of our community.

Volunteer of the Month

The River Center volunteer of the month for December 2021 is Kelly Paulus. Kelly is a long-standing River Center volunteer who has recently returned to active River Center duties. Kelly has been an integral part of the animal care team, handling our reptile and fish care. From cleaning out cages and handling our wily snakes, to feeding all the fish in the aquariums. She always brings a warm attitude to the River Center and strives to complete her responsibilities with quality. We are so grateful for the huge help she has been fulfilling so many different roles. Thanks, Kelly, for all you do!



Upcoming River Center Events

RSVP at www.lrdrivercenter.org/events-calendar
rivercenter@lrecd.org or 561-743-7123

Every Thursday, 9:30 a.m. – 10 a.m. – Story time: Join the River Center outside in the Chiki hut for Story Time. Families are welcome as we read stories and have an animal encounter.

January 19 & 26th: 4 p.m. – 5 p.m.: Science with Sam: On select Wednesdays from 4:00 pm – 5:00 pm, join our Scientist Sam for different science activities for our K-5th grade aged children. Activities will include garden exploration and hands-on opportunities with wildlife. Each month has a different theme! Upcoming themes are: 12/8 – Rocks Rock @ BLM (Bureau of Land Management) & 12/15 – Powerful Pollution

January 22, 8:30 a.m. – 12:30 p.m.: Girl Scouts Wilderness Explorers: Daisy and Brownie Girl Scouts are going on an outdoor adventure as wilderness explorers. At this workshop, girls will earn their Daisy Eco Learner and Brownie Outdoor Adventure badges. Participants will learn some ways to protect nature while enjoying new outdoor activities. Girls will play outside, explore nature, and learn how to protect it along the way. Girls will also learn how to be kind to others, respect nature, and be responsible while being a wildlife explorer.

January 28, 2 – 4 p.m.: Nature Hike at Frenchman's Forest Natural Area: Come explore with us! Tie up your hiking boots and join the River Center on Friday, Jan. 28th for our nature walk through Frenchman's Forest. Walk along the guided paths and immerse yourself in this local natural area. We will explore a path inside this natural area with uneven terrain. Interested participants should wear closed toed shoes, long pants (recommended), a walking stick, comfortable clothing and bring plenty of water. Bug spray is highly recommended. Please RSVP to attend. Space is limited.

January 29, 10 a.m. – 11:30 a.m.: Blooming in the Garden: Join the River Center for our Blooming in the Garden program, designed for children ages 3-6. The program will start at 10:00am at the River Center Fire Pit with a story time and a garden themed craft. We will then move to our garden for a garden themed hands-on activity. When it is time to go home, children will receive seeds to take home to start their own garden! So do not miss this exciting opportunity for your little ones to enjoy nature!

February 9, 16, 23rd: 4 p.m. – 5 p.m.: Science with Sam: On select Wednesdays from 4:00 pm – 5:00 pm, join our Scientist Sam for different science activities for our K-5th grade aged children. Activities will include garden exploration and hands-on opportunities with wildlife. Each month has a different theme! Upcoming themes are: 12/8 – Rocks Rock @ BLM (Bureau of Land Management) & 12/15 – Powerful Pollution

February 16, 9-11 a.m.: Nature Hike at Cypress Creek North Natural Area: Come explore with us! Tie up your hiking boots and join the River Center on Wednesday, Feb. 16th for our Nature Walk through Cypress Creek North. Walk along the guided paths and immerse yourself in this local natural area. We will explore a rugged path inside Cypress Creek filled with high grasses, mud, standing water, and thick bushes. Interested participants should wear closed toed shoes, long pants, a walking stick, comfortable clothing and bring plenty of water. Make sure to RSVP to this event! Space is limited. Experience Level: This trail is wild and rustic, large overgrown plants and uneven terrain are common. Please be advised, this is not recommended for children or participants with limited mobility.

February 19, 8 a.m. – 4 p.m.: Boating Safely Class: The River Center continues to collaborate with the US Coast Guard Auxiliary “Flotilla 52” to provide a series of 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 dedicated to raising awareness and promoting educational programs to improve boater safety. Recommended for children 12 years and up.

February 19, 10 a.m. – 11:30 a.m.: Blooming in the Garden: Join the River Center for our Blooming in the Garden program, designed for children ages 3-6. The program will start at 10:00am at the River Center Fire Pit with a story time and a garden themed craft. We will then move to our garden for a garden themed hands-on activity. When it is time to go home, children will receive seeds to take home to start their own garden! So do not miss this exciting opportunity for your little ones to enjoy nature!

February 25, 2 – 4 p.m.: Sweet Bay Natural Area: Come explore with us! Tie up your hiking boots and join the River Center on Friday, Feb. 25th for our Nature Walk through Sweet Bay Natural Area. Walk along the guided paths and immerse yourself in this local natural area. We will explore a path inside this natural area with uneven terrain. Interested participants should wear closed toed shoes, long pants(recommended), a walking stick, comfortable clothing and bring plenty of water. Please RSVP to attend. Space is limited.

March 5, 10am – 12pm: Atala Festival: Flutter on over to the River Center’s second Atala Butterfly Festival and Family Day! On Saturday, March 5th we are celebrating the Atala butterfly! Once thought to be extinct, this beautiful butterfly is local and thriving right in our own backyards. Join us for our exciting event which will include butterfly arts and crafts, native plant seed harvesting, native plant sale, and tours of the River Center migratory bird and butterfly garden.

March 9, 16, 23, 30th: 4 p.m. – 5 p.m.: Science with Sam: On select Wednesdays from 4:00 pm – 5:00 pm, join our Scientist Sam for different science activities for our K-5th grade aged children. Activities will include garden exploration and hands-on opportunities with wildlife. Each month has a different theme! Upcoming themes are: 12/8 – Rocks Rock @ BLM (Bureau of Land Management) & 12/15 – Powerful Pollution

March 15, 9am – 11am: Nature Hike – North Jupiter Flatwoods: Come explore with us! Tie up your hiking boots and join the River Center on Tuesday, March 15th for our Nature Walk through North Jupiter Flatwoods. Walk along the guided paths and immerse yourself in this local natural area. We will explore a path inside this natural area with uneven terrain. Interested participants should wear closed toed shoes, long pants (recommended), a walking stick, comfortable clothing, and bring plenty of water. Bug spray is highly recommended. Make sure to RSVP to this event! Space is limited.

March 16, 9am – 12pm: Fishing Clinic: Fishing clinics are a fantastic way for kids to learn the basics of fishing methods and tactics! Make sure to join us for an engaging overview that includes knot tying, fish identification, and of course fishing! The cost is \$10 per child. Interested participants should bring water, sunscreen, a hat, and sunglasses.

March 17, 10am – 1 pm: Craft-a-Palooza: LET’S GET CRAFTY! Join us in the River Center classroom for some FREE arts and crafts, games, activities, music, and fun. This is a free event, and no RSVP is

required to attend or participate. Our crafts are designed for children ages 3-10. Make sure you do not miss out on this exciting event! No registration required.

March 18, 10am – 12 pm: Kayak Tour: Cypress Creek South Natural Area: Join us for our public kayak tour on Friday, March 18th from 10:00 am – 12:00 pm. Launching from Cypress Creek South, guests will paddle along through a beautiful cypress swamp. Keep your eyes sharp, as this is a great area for birding. Don't miss out on this awesome excursion! All equipment is provided. Interested participants should bring water, water shoes and anything that will make them comfortable in nature. Our kayaks are tandem kayaks, or double seated, if you do not register with a partner, you will be assigned one. Registration is required. Space is limited.

March 19, 10 a.m. – 11:30 a.m.: Blooming in the Garden: Join the River Center for our Blooming in the Garden program, designed for children ages 3-6. The program will start at 10:00am at the River Center Fire Pit with a story time and a garden themed craft. We will then move to our garden for a garden themed hands-on activity. When it is time to go home, children will receive seeds to take home to start their own garden! So do not miss this exciting opportunity for your little ones to enjoy nature!

March 26, 8 a.m. – 4 p.m.: Boating Safely Class: *Classes are planned to resume IN PERSON!* The River Center continues to collaborate with the US Coast Guard Auxiliary "Flotilla 52" to provide a series of 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 dedicated to raising awareness and promoting educational programs to improve boater safety. Recommended for children 12 years and up.

March 31, 5 – 7pm: Nature Hike – Pine Glades Natural Area: Come explore with us! Tie up your hiking boots and join the River Center on Thursday, March 31st for our sunset nature walk through Pine Glades Natural Area. Walk along the guided paths and immerse yourself in this local natural area. We will explore a path inside this natural area with uneven terrain. Interested participants should wear closed toed shoes, long pants(recommended), a walking stick, comfortable clothing and bring plenty of water. Bug spray and a flashlight are highly recommended. Please RSVP to attend. Space is limited.



LOXAHATCHEE RIVER DISTRICT

2500 JUPITER PARK DRIVE, JUPITER, FLORIDA 33458

TEL: (561) 747-5700

FAX: (561) 747-9929

D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

To: D. Albrey Arrington, Ph.D., Executive Director
From: Ed Horchar Safety Officer
Date: January 13, 2022
Subject: District Safety Report for December 2021

Safety Metrics: December 2021

OSHA recordable injuries: One

Lost time injuries: None

Actual TRIR: 2.6 [Goal < 2.3]

TRIR = Total Recordable Incident Rate

Safety is a Core Value at LRD – Our

conduct is shaped by a personal commitment to protect the health and safety of ourselves and our colleagues. Safety is driven through education, training, planning, protective equipment, and individual accountability.

OSHA Recordable Incidents/MVA's:

The LRD experienced zero OSHA Recordable Injuries and zero Motor Vehicle Accidents (MVA) in the month of December. This is encouraging news considering that every year holiday distractions lead to an increase in workplace accidents. With two recordable injuries in CY 2021, we currently have sustained a Total Recordable Incident Rate (TRIR) of 2.6, above our goal of 2.3.

With a total of three MVAs in CY 2021, the MVA incident rate is at 3.4. This too, is above the LRD MVA goal of 2.2. A special shout out to the LRD drivers on the road throughout the holiday period. Your awareness and focus on safe driving during the busy holiday season are greatly appreciated.

2021 Reflection:

Safety performance improvement was realized during 2021 in contrast to 2020 performance. One measure is indicated in the reduction of the year-to-year Total Recordable Incident Rate. December 2020 TRIR was 4.0 compared to a 2.6 TRIR in December 2021. This is good, but TRIR does not tell us how we reduced injuries. What then is the reason for improvement? What are we doing to ultimately improve TRIR? Leading-edge indicators are initiatives that prevent accidents and incidents. Let's look at some of the LRD's more successful leading-edge initiatives; Job Hazard Assessment (JHA's), and near-miss reporting.

JHA performance has been the LRD's leading-edge indicator providing the best improvement in 2021. LRD employees created an average of 318 JHA's per month in 2021 compared to an average of 16 JHA's per month and 2020. It's hard to ignore the significant increase and the potential positive impact this has had on injury reduction. Again, the volume of JHA activity continued at a high level in December 2021. More District employees engaged in the JHA process than ever before, with staff

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER

from Collections, Construction, Reuse, Maintenance, and Operations all participating in JHAs in December. Along with Collections consistent participation, it is encouraging that Construction, Reuse, Maintenance and Operations all showed an increase in activity. Maintenance realized a 10% increase in activity. Nice job, Maintenance!! Inspection is on-board, as hands on training is occurring in the field. Moving forward, the need for all District teams to continue to participate in this activity is essential to reduce the number of workplace injuries. A considerable effort has taken place to integrate JHA's in the EAM Work Order system. The vision is to have the capability to complete JHAs in EAM. The intent is to improve efficiency and participation in the JHA process. Implementation in EAM is expected in April. With the 2021 improvement in this leading- edge indicator, maybe it should be no surprise for the reduction in the 2021 injury rate.

Near miss reporting is far from the level of improvement that the JHA program has experienced, but it has gained some steam in the last two months of 2021. Near Miss reporting improved from .33 submittals per month in 2020 to 1.33 submittals per month in 2021. November and December 2021 realized 6 per month, but we can do much better. Let's continue this upward trend. The near miss reporting form is currently under renovation. The new electronic, fillable form is being designed to be easier and less burdensome to complete. Also, the new form will include process improvements that will facilitate data analysis and tracking corrective actions. Near miss identification is key to identifying risks before they become more significant, and reporting must increase. To help LRD employees better understand the near miss process and use the new form, Near Miss training will be performed by myself for all LRD staff starting no later than February. I look forward to engaging our team and integrating their feedback.

Other LRD leading edge indicators being monitored are safety training and workplace inspections. Expect the safety training activity to increase in January and February. Upcoming training will include site-wide Evacuation Drills and associated Risk Management Plan chemical release response. CPR/AED and Bloodborne Pathogen training will begin in February. Upgraded AED's will be distributed prior to training. Also, utility truck hoist operation training is being scheduled along with the hoist annual inspections. Maintenance of Traffic training is scheduled for February 1st and 2nd and will be conducted on site. Training for fork trucks, scissors lift, articulating boom lift, and respirator fit tests are on the docket to begin in February.

Workplace safety audits and inspections will pick up speed in January to observe activity and monitor safety concerns. The Safety Officer will be randomly performing task inspections to ensure JHA's have been conducted and are being followed.

The injuries and MVAs we experienced in 2021 were all preventable. We all need to work together to improve our safety culture in 2022. Focusing and improving these leading-edge indicators will help us improve our safety performance and most importantly eliminate injuries. All of us should want to decrease employee injuries.

I will be working with all LRD team members, including leadership, to promote safety and achieve success of these safety-based initiatives in 2022. Together we can make a difference in 2022.

"Safety has to be everyone's responsibility... everyone needs to know that they are empowered to speak up if there's an issue." – Captain Scott Kelly



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D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

MEMORANDUM

TO: Governing Board
FROM: Administration Staff
DATE: January 14, 2022
SUBJECT: Consultant Payments

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

Consultant	Prior Month	Fiscal YTD
Shenkman	\$ 16,985.00	\$ 24,985.00
Baxter & Woodman	\$ 4,467.28	\$ 32,041.55
Carollo	\$ 7,252.99	\$ 35,719.18
Chen Moore	\$ 15,833.40	\$ 21,651.40
Holtz	\$ 20,939.25	\$ 100,555.50
KCI	\$ 1,829.60	\$ 3,011.20

Should you have any questions in regard to these items, please contact Kara Fraraccio concerning the attorney's invoice, and Kris Dean concerning the engineers' invoices.

Gordon M. Boggie
CHAIRMAN

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BOARD MEMBER

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Future Business

General:

- Customer Information and Billing System
- Merchant Services
- Printing and Mailing Services
- Rate Study
- Liability Insurance
- Fiscal Year September 30, 2021 Audit Report

Neighborhood Sewering:

Future Contracts:

- Clarifier #3 Rehabilitation – Construction Contract
- JILONA Septic to Sewer– Construction Contract
- LS160 & LS 296 Emergency Generator Installation – Construction Contract
- Lift Station Telemetry– Construction Contract

Potential Workshops:

- Discussion of 20 Acres Site Plan
- Discussion of 2500 Jupiter Park Dr Site Plan

