

Ref: #03-2023

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
REGULAR MEETING - MINUTES  
FEBRUARY 16, 2023

1. CALL TO ORDER

Chairman Rostock called the Regular Meeting of February 16, 2023 to order at 7:00 PM.

2. ADMINISTRATIVE MATTERS

A. ROLL CALL

The following Board Members were in attendance:

Dr. Rostock  
Mr. Boggie  
Mr. Baker  
Mr. Rockoff arrived at 7:08

Staff Members in attendance were Dr. Arrington, Mr. Dean, Mr. Chung, Ms. Fraraccio, Mr. Pugsley, Ms. Jones, and Ms. O'Neill.

Consultants in attendance were Mr. Curtis Shenkman and Mr. Hunter Shenkman, Mark Bymaster, Nowlen, Holt & Miner, P.A., Todd Mohler, Natalia Barranco, Bruce Reed, Lei Hua, and Nick Leone from KCI Technologies, Inc.

B. PREVIOUS MEETING MINUTES

The minutes of the Regular Meeting of January 19, 2023 were presented for approval and the following motion was made:

“THAT THE GOVERNING BOARD approve the minutes of the Regular Meeting January 19, 2023 of as submitted.”

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

C. ADDITIONS & DELETIONS TO THE AGENDA

3. COMMENTS FROM THE PUBLIC

No comments from the public were received.

#### 4. STATUS UPDATES

##### A. LOXAHATCHEE WATERSHED STATUS

Mr. DeWitt presented the Shoreline Stabilization Project that is proposed for the Jupiter Inlet Lighthouse Outstanding Natural Area. Mr. DeWitt also explained how members of the public can provide project-related comments to the Bureau of Land Management.

##### B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the District Dashboard.

#### 5. CONSENT AGENDA

“THAT THE GOVERNING BOARD approve the Consent Agenda of February 16, 2023 as presented.”

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

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

##### A. Final Assessment Olympus Drive – to approve final assessment

“THAT THE GOVERNING BOARD approve Resolution 2023-03 adopting the Olympus Drive Final Assessment Roll and Exhibits”.

##### B. Lift Station 054 Cleanout Installation – to reject all bids

“THAT THE GOVERNING BOARD reject all bids for ITB 23-003-00125”.

##### C. Waste Disposal Contract (Waste Pro) – to approve contract extension

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute a contract extension with Waste Pro of Florida for Bid Item No’s. 2 through 8 as outlined in ITB No. 19-001 and in accordance with the contract specifications and the rates specified within their Bid dated February 6, 2019 including a 5.0% increase per the June 2022 Consumer Price Index.”

##### D. Fixed Asset Disposal – to approve disposal

“THAT THE GOVERNING BOARD authorize the Executive Director to dispose of the items from aggregated assets listed in the schedule above in accordance with the District’s Disposal of Surplus Tangible Personal Property Policy.”

- E. Change Order - Lift Station Rehabilitation General Construction Services/18-005-LSGENCONSTR – to authorize additional funds for FY23

“THAT THE DISTRICT GOVERNING BOARD reauthorize the lift station rehabilitation general construction services contract with Hinterland Group, Inc. in the amount not to exceed \$ 850,000.00.”

## 6. REGULAR AGENDA

### A. CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

#### B. Annual Audit for Fiscal Years 2022 & 2021.

Mark Bymaster, Nowlen, Holt & Miner, P.A. reviewed key findings from the recently completed annual audit of fiscal years 2022 and 2021. The Governing Board acknowledged the good work by Kara Fraraccio, Sue Bruce, and Cheryl Cripe in achieving a clean audit and for being awarded a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for the fourth year in a row.

"THAT THE GOVERNING BOARD receive the Annual Financial Report for the fiscal years ended September 30, 2022 and 2021 as prepared and submitted by Nowlen, Holt & Miner, P.A.."

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

#### C. 20 Acre Conceptual Site Plan – Final Presentation

Todd Mohler from KCI Technologies, Inc. presented the Conceptual Site Plan for the District's 20 acres located adjacent to Riverbend Park. The presentation began with a video that simulated flyover of the completed project. The video was followed by a PowerPoint presentation of key aspects and elements of the conceptual site plan. Lengthy Board discussion occurred. Some salient aspects of Board comments include the following (in no specific order):

Mr. Baker expressed his desire to optimize the project to enhance nesting opportunities for herons (i.e., through isolated islands) and to enhance photographic opportunities (i.e., minimize trees near the boardwalk). Mr. Baker also expressed his desire to see this project move forward and suggested the \$2 million in the rate study for the BLM project could be reallocated to the 20 acres to get it to a point where it could be opened to the public.

Mr. Rockoff applauded the conceptual plan because it would create a marquee facility for conducting environmental education. Mr. Rockoff also stated that the Board would need to balance costs and benefits and potentially seek alternative funding opportunities to support the project. Dr. Rostock also stated his desire not to abandon the environmental education programming we have anticipated conducting at the BLM.



Dr. Rostock expressed that there is a need for this type of facility and service in northern Palm Beach County, and he expressed a desire to ensure strong coordination with Palm Beach County, especially PBC Parks Department.

Mr. Boggie stated that the conceptual site plan produced a beautiful campus and facilities, but that he remains confused by what the District is trying to achieve. Mr. Boggie further explained that he believes District staff need to clearly document (a) what are we trying to accomplish? (b) what outcomes are we trying to achieve? (c) what metrics should be used to measure success? (d) where are we now? (e) what are the gaps between where we are and where we want to be? (f) how can we close the identified gaps? (g) how should the District prioritize various opportunities (e.g., River Center, BLM, 20 acres, LRD plant site)? and (h) what are we willing to invest? Systematically addressing these questions will allow us to work in a logical manner to advance our environmental education efforts, which we have explicit authority to do.

D. LRD Rule Chapter 31-10 Schedule of Rates, Fees and Charges (Rate Study)

Dr. Arrington reviewed the Rate Study memorandum and expressed uncertainty regarding the magnitude and duration of inflation that is impacting our economy. Mr. Boggie requested Dr. Arrington distribute the “Cash Projections” chart so the Board could more easily assess the effectiveness of the proposed rate structure.

Dr. Rostock requested money be added to the rate study to allow a scientific, data driven assessment of the potential effects of septic system effluent in the remaining unsewered areas west of I-95. Mr. Baker indicated that South Indian River Water Control District (SIRWCD) was already doing such monitoring. Dr. Arrington committed to communicating with Mike Dillon to understand the nature of monitoring being conducted by SIRWCD. Mr. Boggie added that the LRD’s neighborhood sewerage efforts have been based on science and data and we should consider doing so.

No action was required

E. LRD Rule Chapter 31-13 Regulation of Sewer Use

Mr. Pugsley reviewed the proposed revisions to Chapter 31-13 and answered Board questions. No action was required

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

Staff notified the District Governing Board that a change order had been executed on the contract with the Bureau of Land Management (Contract # 140L0621C0014) to incorporate pass through costs for permitting and utilities in the amount of \$100,290.71 and extend the period of performance to November 30, 2023.

Dr. Rostock reiterated his compliment to Kara Fraraccio, Sue Bruce, and Cheryl Cripe for outstanding work on the District's annual audit and receipt of a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for the fourth year in a row.

10. ADJOURNMENT

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

"That the regular meeting of February 16, 2023 adjourns at 9:03 PM."

  
BOARD CHAIRMAN

  
BOARD SECRETARY

  
RECORDING SECRETARY