

Ref: #02-2024

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
REGULAR MEETING - MINUTES
FEBRUARY 15, 2024

1. CALL TO ORDER

Chairman Rockoff called the Regular Meeting of February 15, 2024 to order at 7:00 PM.

2. ADMINISTRATIVE MATTERS

A. ROLL CALL

The following Board Members were in attendance:

Mr. Baker
Mr. Boggie
Mr. Rockoff
Dr. Rostock
Mr. Yerkes

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

B. PREVIOUS MEETING MINUTES

The minutes of the Regular Meeting of January 18, 2024 were presented for approval and the following motion was made:

“THAT THE GOVERNING BOARD approve the minutes of the Regular Meeting of January 18, 2024 as corrected.”

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

C. ADDITIONS & DELETIONS TO THE AGENDA

Delete Item 5C and Item 5F

3. COMMENTS FROM THE PUBLIC

Barbara Boutros 7128 181st St N asked from the Governing Board a final answer on if the District would forgive the \$838.16 of interest accumulated on her special assessment. The Governing Board informed her that they will not forgive the interest, as the District followed the special assessment process.

4. STATUS UPDATES

A. LOXAHATCHEE WATERSHED STATUS

Ms. Melissa Tolbert, Environmental Program Supervisor, with Palm Beach County Department of Environmental Resources Management provided an informative update about their ongoing efforts to expand ownership, improve habitat quality, and document the occurrence of rare and endangered plants and animals within Palm Beach County Natural Areas. Ms. Deb Drum, Director, Palm Beach County Environmental Resources Management participated in the question-and-answer session that followed the presentation.

B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

The District Dashboard stood as presented.

5. CONSENT AGENDA

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

“THAT THE GOVERNING BOARD approve the Consent Agenda of February 15, 2024 as presented with the removal of 5C and 5F”

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

A. ITB 24-003-00133 Lift Station General Construction Services - recommendation of award

“THAT THE DISTRICT GOVERNING BOARD authorize award of an initial 1-year term contract for ITB #24-003-00133 Lift Station General Construction Services to Hinterland Group, Inc. in amount not to exceed \$500,000.”

B. RFQ 24-002-00132: CCNA - Professional Services by Professional Engineers, Architects, Landscape Architects, and Planning Firms - recommendation of award

“THAT THE DISTRICT GOVERNING BOARD approve RFQ 24-002-00132 Final Qualification as follows:

A. Wastewater Collection & Transmission System

1. Carollo
2. Chen-Moore
3. Kimely-Horn

B. Reuse Distribution System

1. Carollo
2. Chen-Moore
3. Hazen and Sawyer
4. Kimley-Horn

C. Wastewater Treatment Facility

1. Carollo
2. Hazen and Sawyer
3. Kimley-Horn”

D. E-Verify Policy – to approve updates

“THAT THE GOVERNING BOARD ratify and approve the attached E-Verify Policy, effective February 16, 2024, and authorize the Executive Director to update the E-Verify Policy from time to time, and periodically present it to the Governing Board for ratification and approval.”

E. Easement Abandonment – Water Pointe – to approve easement

“THAT THE DISTRICT GOVERNING BOARD approved the Termination / Abandonment of Easement for Water Pointe.”

G. Change Order to Current Contract – Lift Station 050 Emergency Generator and ATS:
Revised Site Plan

“THAT THE DISTRICT GOVERNING BOARD approved the professional engineering services agreement for Lift Station 050 Emergency Generator Project with Holtz Consulting Engineers under the continuing contract dated February 20, 2020 inclusive of Change Order 001 for the total amount of \$71,445.00 AND a contingency of \$7,145.00.”

6. REGULAR AGENDA

A. CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

B. Busch Wildlife Sanctuary license agreement & escrow agreement– release of escrow funds

“THAT THE DISTRICT GOVERNING BOARD authorizes Chairman Rockoff to notify the Law offices of Cohen, Norris, Wolmer, Ray, Telepman & Cohen (“Escrow Agent”) that Busch Wildlife Sanctuary has met the terms of paragraph 39 of the License Agreement and the Escrow Agent is authorized to release the sum of \$400,000 from the Escrow Funds to Busch Wildlife Sanctuary.”

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

C. Personnel Policies and Procedures Update

“THAT THE DISTRICT GOVERNING BOARD ratify and approve the Loxahatchee River Environmental Control District’s Personnel Policies Sections
1.2 Equal Employment Opportunity Policy Statement;
1.4 Non-Discrimination and Anti-Harassment Policy;
4.7.I. Military Leave, as further discussed; and

4.8. Workers' Compensation
as revised with an effective date of February 16, 2024, and authorize the District's Executive Director to update the Personnel Policies & Procedures from time to time, and periodically present it to the Governing Board for ratification and approval."

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

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

Dr. Arrington reviewed the assumptions in the 2024 Rate Study, which now clearly assumes a new deep injection well, onsite solar, and sodium hypochlorite conversion will not be implemented within the next 5 years. The Rate Study does include significant capital investments, including onsite and offsite investments necessary to continue our participation in the Solid Waste Authority Biosolids Processing Facility as well as other significant investments, which were outlined in the Rate Study memo. Staff recommended leaving rate increases as stated in Chapter 31-10, i.e., 3% annual increase for the next four years, plus a 3% rate increase in year 5. Board Members discussed cash projections and cash reserves, and questioned if an alternate rate structure could be appropriate if our goal is to reduce our cash on hand. No action was required, and Dr. Arrington encouraged Board Members to contact him, if they had specific scenarios they would like to see incorporated in the Rate Study projections for next month. This item will be brought back for Board action next month.

7. REPORTS

The remaining 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

Future Business stood as written.

9. COMMENTS FROM THE BOARD

Dr. Arrington informed the Board that the Town of Jupiter had paid \$42,125.74 to the District to reimburse improperly billed taxes that the Town had previously collected from the District. The Board thanked Mr. Boggie for his part in the efforts to recover these funds.

Dr. Arrington then informed the Board that the Town of Jupiter is interested in locating one of their new fire stations on LRD property at the corner of Central Blvd and Jupiter Park Drive. The Town is under a defined time constraint to get their new fire stations built in a timely manner, so they need to understand if the District is willing to consider leasing approximately 2 to 3 acres to the Town for a period of 25-50 years for a fire station. Additionally, the Town explained their requirement that the fire station site be annexed into the Town, to allow the Town to manage the site plan approval process.

The District Governing Board did not take any official action, but a majority of the Governing Board indicated an interest in continuing discussions with the Town regarding a long-term lease of our property at the corner of Central Blvd and Jupiter Park Drive for the siting of a Town Fire Station.

The District Governing Board expressed significant concern about annexing the existing District property into the Town, but there appears to be a willingness to annex the Fire Station footprint if the license agreement stipulates the property would be unannexed at the conclusion of the lease. Also, the Governing Board discussed that any such lease needs to be fair to both the Town and District, which seems to indicate the need for an appraisal (or two) to ensure a fair value was established as the basis of anticipated annual lease payments.

District Governing Board Members also discussed the concept of public site access and passive nature trails as a component of the fire station, but there did not appear to be a clear consensus on this concept.

10. ADJOURNMENT

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

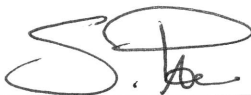
“That the regular meeting of February 15, 2024 adjourns at 9:18 PM.”



BOARD CHAIRMAN



BOARD SECRETARY



RECORDING SECRETARY