

Ref: #05-2024

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
REGULAR MEETING - MINUTES
MAY 16, 2024

1. CALL TO ORDER

Chairman Rockoff called the Regular Meeting of May 16, 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, Ms. Jones, and Mr. Pugsley. Consultants in attendance were Mr. Curtis Shenkman and Mr. Hunter Shenkman.

B. PREVIOUS MEETING MINUTES

The minutes of the Regular Meeting of March 21, 2024 were presented for approval and the following motion was made:

“THAT THE GOVERNING BOARD approve the minutes of the Regular Meeting of March 21, 2024 as submitted.”

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

C. ADDITIONS & DELETIONS TO THE AGENDA

Delete Items 5G, L.C3 and pull for discussion to 6A Regular Agenda Item L.C2

3. COMMENTS FROM THE PUBLIC

None

4. STATUS UPDATES

A. LOXAHATCHEE WATERSHED STATUS

Stephanie Thoburn, Assistant Director of Planning and Zoning at the Town of Jupiter presented the ongoing work to enhance & restore marine habitats, including seagrasses, within Sawfish Bay.

B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the District Dashboard.

5. CONSENT AGENDA

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

“THAT THE GOVERNING BOARD approve the Consent Agenda of May 16, 2024 as presented with the removal 5G, L.C2, & L.C3”

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

A. Notice Of Intent – 19485 Harbor Road S (Resolution 2024-02)

“THAT THE GOVERNING BOARD approve Resolution 2023-02 the NOTICE OF INTENT to Assess, the Pending Lien Notice, and the Exhibits for the 19485 Harbor Road S Assessment Area.”

B. Notice Of Intent – 6604 N. 195th Place (Resolution 2024-03)

“THAT THE GOVERNING BOARD approve Resolution 2023-03 the NOTICE OF INTENT to Assess, the Pending Lien Notice, and the Exhibits for the 6604 N. 195th PLACE Assessment Area.”

C. Lift Station 050 Rehabilitation – Lateral Lining Phase 2

“THAT THE DISTRICT GOVERNING BOARD re-authorize the “piggyback” of the City of Plantation Agreement No. 070-21 with BLD Services, LLC for a total not to exceed amount of \$2,025,000.”

D. Indian Hills Low Pressure Sewer System – Low Pressure Pump Station Purchase

“THAT THE DISTRICT GOVERNING BOARD authorized the purchase of 12 low pressure pumping stations under ITB # 24-04-00134 in the amount of \$89,368.20.”

E. Evoqua Water Technologies – to approve contract amendment

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to amend the amount of P.O. No. 24-013, which was previously issued to Evoqua Water Technologies, Inc., for the continued supply of odor and corrosion control chemicals and services, in accordance with a “piggy-back” of Lee County contract for the period from September 30, 2023, through May 13, 2024, to a revised amount Not-to-Exceed \$260,000.00”.

F. Evoqua Water Technologies – to approve annual contract extension

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute a purchase order to Evoqua Water Technologies, Inc. for the continued supply of odor and corrosion control chemicals and services, in accordance with a “piggy-back” of Lee County contract for the period from May 14, 2024 through September 30, 2024, in an amount Not-to-Exceed \$175,000”.

H. Approval of Credit for Overpayment – to approve credit

“THAT THE DISTRICT GOVERNING BOARD approves the credit of \$11,484.99 to account 1318200-0, for the 3rd Quarter 2021 payment that was erroneously applied to account (#1334500-0); and a debit of \$11,484.99 to account 1334500-0”.

I. Safety Shoe Reimbursement Policy – to approve revision

“THAT THE DISTRICT GOVERNING BOARD ratify and approve the Loxahatchee River Environmental Control District’s Personnel Policies Sections 6.11.G.1 Safety Shoe Reimbursement Policy as revised with an effective date of May 17, 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.”

J. WW/IQ General Services Contracts – reauthorization of additional funds

“THAT THE DISTRICT GOVERNING BOARD re-authorization of PO #24-0191 for Hinterland Group, Inc. for a total not to exceed amount of \$400,000.00 and PO #24-0192 for Felix Civil Construction, LLC for a total not to exceed amount of \$400,000.00.”

K. Fixed Asset Disposal – to approve disposal

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

Description	Serial Number	Condition	Estimated Value
2 HP Barnes Pump	C1530670-0611	Beyond Repair	\$50
2 HP Barnes Pump	C1835184-0817	Beyond Repair	\$50
2 HP Barnes Pump	C1427406-0509	Beyond Repair	\$50
2 HP Barnes Pump	G89355	Beyond Repair	\$50

6. REGULAR AGENDA

A. CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

L.C2 Change Orders to Current Contracts – Professional Engineering Services for 9278 Indiantown Road/20 Acres-Site Remediation: Change Order 003. No Board action was required on this item because it was approved under the contingency amount already approved by the Board. Mr. Boggie expressed his concern that this was “new” work and should not have been approved under the available contingency funds. Mr. Dean and Mr. Shenkman explained their point of view and why this was approved using contingent funds.

B. 2500 Jupiter Park Drive – Site Planning – DRAFT Final Memorandum

Mr. Dean reviewed the draft site plan for 2500 Jupiter Park Drive. He covered security and access, resiliency, reservation of space, construction planned in phases 1 & 2, siting of a new Administration Building (when the existing building reaches the end of its useful life), and other aspects of the overall site plan. No formal Board action was requested, but Board input on the plan and key elements was sought.

Mr. Baker expressed strong preference to safeguard the cypress wetland to the extent practical. Expansion plans presented show the cypress wetland not impacted through 24 MGD plant capacity, and Mr. Baker requested the site plan include the following language: “It is the Governing Board’s intent that the cypress wetland located at 26.9254 N, 80.1406 W be preserved until development of this wetland area is deemed necessary to meet the District’s utility obligations for permitted wastewater processing in excess of 24 MGD.”

Mr. Baker also expressed his desire that this property, to the extent possible, be open to the public. Mr. Dean explained that the site plan identifies gross zones that could be managed under differing security regimes, but the planned, upcoming Vulnerability Assessment will be required to nail down particular elements necessary to manage site security in each of the zones. Until the Vulnerability Assessment is conducted public access will be limited to the administrative facilities, Wildpine Lab, and surrounding parking.

Mr. Yerkes noted that the resiliency study did not critically assess adjacent or nearby stormwater systems, which would likely impact onsite flooding. He believes that additional work needs to be conducted to evaluate how these stormwater systems might impact onsite flooding. Mr. Dean explained that the NOAA Intermediate and Extreme High Curves are produced by NOAA, to understand, plan for, and mitigate anticipated impacts of long-term sea level rise, which is particularly important when looking out 50 years.

Mr. Yerkes has concern with putting the Administration Building in the middle of the lakes due to the amount of roadway that would need to be raised, public safety of a long winding road on the plant site. He proposed siting the future Administration Building at the corner of Central Blvd. and Jupiter Park Drive or just inside the Central Blvd. gate (east of the lakes).

Dr. Rostock raised the consideration of adding signage at the corner of Central Blvd. and Jupiter Park Drive. Mr. Dean and Mr. Shenkman noted an existing easement that allows for the Jupiter Park of Commerce sign, and committed to looking into our ability to expand upon the existing sign or co-locate a sign in the area.

C. Town Of Jupiter License Agreement

Dr. Arrington reviewed his memorandum characterizing where we are with the Town of Jupiter regarding a potential land lease or license agreement allowing the Town to site a new fire station on 2-acres of our property at the corner of Central Blvd. and Jupiter Park Drive. The results of our site planning for 2500 Jupiter Park Drive, which was just discussed, show that the northeast corner of 2500 Jupiter Park Drive will not be needed to serve critical utility functions for 30 to 50 years. Therefore, I believe we have the reasonable capacity to consider the Town's request to lease 2-acres for their new fire station. Dr. Arrington indicated that the District has engaged Callaway & Price, Inc. to obtain an independent appraisal of our property, which should be available in one month.

Mr. Shenkman encouraged the Board to focus on the threshold issue, i.e., consideration of a long-term land lease or license agreement, before getting into the granular issues that would be required in a legal agreement.

The Board had a healthy discussion around the factors that influence their consideration of a long-term land lease or license agreement. Mr. Rockoff expressed his desire to maximize revenue to yield the greatest benefit to our rate payers. Mr. Boggie asked what amount of revenue or other benefit would "move the needle"? He stated any land lease or license agreement would include their share of challenges, and the defined benefit would need to be sufficient to justify the effort and challenges.

Mr. Baker stated that he would be fine to end the discussion and leave the property as it is. He explained that preserving our property today will look intelligent after the entire area has been built out.

Mr. Rockoff explained his desire to go forward with the appraisal that is in progress and to understand what other options might be available on the property. Mr. Yerkes expressed his opinion that a current appraisal, using existing zoning, will not get the highest value.

MOTION: Made by Dr. Rostock, Seconded by Mr. Baker
Passed 3-2.

"That the Governing Board is reserving its plant site at this time for the District's use."

Dr. Arrington stated that he would inform the Town of Jupiter staff with whom he had been working and that he would notify Callaway & Price to cease work on the appraisal.

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

No comments from the Board

10. ADJOURNMENT

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

"That the regular meeting of May 16, 2024 adjourns at 10:00 PM."



BOARD CHAIRMAN



BOARD SECRETARY



RECORDING SECRETARY