

Ref: #01-2011

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
REGULAR MEETING - MINUTES  
JANUARY 20, 2011

1. CALL TO ORDER

Vice Chairman Boggie called the Regular Meeting of January 20, 2011 to order at 7:05 P.M.

2. ADMINISTRATIVE MATTERS

A. ROLL CALL

Roll was called and the following Board Members were in attendance:

Mr. Ellis  
Mr. Boggie  
Mr. Silverman

Also in attendance were:

Newly elected Board Member, Dr. Matt Rostock (Area 3) and  
Newly appointed Board Member, Mr. Stephen Rockoff (Area 5)

Staff Members in attendance were Dr. Arrington, Mr. Howard, Ms. Williams, Mr. DiCarlo, and Mr. Vaughn.

Consultants in attendance were Mr. Muniz from Hazen and Sawyer, Mr. Shenkman from DeSantis, Gaskill, Ms. Mathews and Ms. Travis from Mathews Consulting, Mr. Lardieri from Aecom, Mr. Brobst with WGI and Ms. Krasker.

Mr. Hitzig and Mr. O'Neill from BWS were also in attendance.

B. PREVIOUS MEETING MINUTES

The Minutes of the Regular Meeting of December 9, 2010 were presented for approval and the following motion was made.

MOTION: Made by Mr. Silverman, Seconded by Mr. Ellis,  
Passed Unanimously.

“THAT THE GOVERNING BOARD approve the minutes of the December 9, 2010 Regular Meeting as submitted. “

### C. ADDITIONS & DELETIONS TO THE AGENDA

Dr. Arrington requested the Oath of Office be added prior to the Election of Officers and suggested Item 6B, Authorization to Execute Reports, be moved to the Consent Agenda.

#### OATH OF OFFICE

Dr. Arrington administered the Oath of Office to Mr. Stephen Rockoff and Dr. Matt Rostock and asked the existing Board Members to reaffirm their commitment to the Loxahatchee River District.

### D. ELECTION OF GOVERNING BOARD OFFICERS

Dr. Arrington opened the floor for nominations of the Governing Board Officers.

MOTION: Made by Mr. Silverman, Seconded by Mr. Ellis,  
Passed Unanimously.

“THAT THE GOVERNING BOARD elect Mr. Boggie to serve as Chairman, Mr. Silverman to serve as Vice Chairman, Dr. Rostock to serve as Treasurer, Mr. Rockoff to serve as Secretary, and Mr. Ellis to serve as Assistant Secretary/Treasurer of the Governing Board of the Loxahatchee River Environmental Control District.”

Mr. Boggie continued the meeting as Chairman.

### 3. COMMENTS FROM THE PUBLIC

No comments were received.

### 4. STATUS UPDATES

#### A. LOXAHATCHEE WATERSHED STATUS

Mr. Howard reviewed the Loxahatchee River Watershed Status Water Quality Analysis 2009-2010 report and the scoring of the District's water quality relative to the Environmental Protection Agency's (EPA's) new Water Quality Standards for nitrogen and phosphorus.

#### B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the LRD operational, engineering, river health and administrative dashboard figures and discussed the impact of school bus budget cuts and student testing schedules on school groups visiting the River Center and Mr. Howard's efforts to increase educational opportunities to the schools. Dr. Arrington also discussed the low flow levels at Lainhart Dam and the negative effects to the River and stated that the District had not received a response to Mr. Whalen's letter to SFWMD.

5. CONSENT AGENDA

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

"THAT THE GOVERNING BOARD approve the Consent Agenda of January 20, 2011 including Item 6B."

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

Regular Agenda Item 6B-Authorization to Execute Reports (Resolution 2011-01)

"THAT Resolution 2011-01 authorizing the execution of all forms and documents that are required by the State of Florida and local governments is Passed and Adopted."

A. Notice of Intent to Assess-180<sup>th</sup> St. N Gravity (Resolution 2011-02)

"THAT THE GOVERNING BOARD approve Resolution 2011-02 and 2011-03, the Notice of Intent to Assess, the Pending Lien Notice, and the Exhibits for the 180<sup>th</sup> St. North Gravity and LPSS Assessment Areas."

B. Notice of Intent to Assess-180<sup>th</sup> St. N LPSS (Resolution 2011-03)

"THAT THE GOVERNING BOARD approve Resolution 2011-02 and 2011-03, the Notice of Intent to Assess, the Pending Lien Notice, and the Exhibits for the 180<sup>th</sup> St. North Gravity and LPSS Assessment Areas."

C. Polymer Annual Contract

"THAT THE GOVERNING BOARD authorize Purchase Order #10-1263 for the Annual Contract to purchase Bulk Polymer from SNF Polydyne, Inc. in an amount not to exceed \$107,000.00."

D. Lift Station #26 Rehab

"THAT THE GOVERNING BOARD authorize award of contract to TLC Diversified, Inc. for the Lift Station #26 Rehabilitation project in an amount not to exceed \$30,862.00, in accordance with their January 12, 2011 bid."

E. Lift Station #86 Rehab

"THAT THE GOVERNING BOARD authorize award of contract to TLC Diversified, Inc. for the Lift Station #86 Rehabilitation project in an amount not to exceed \$28,660.00, in accordance with their January 12, 2011 bid."

F. Dover Road Sewering

"THAT THE GOVERNING BOARD authorize award of contract to Blazer Construction for the Dover Road Neighborhood Sewer project in an amount not to exceed \$27,969.20, in accordance with their January 12, 2011 bid."

G. W. Indiantown Rd. Engineering Contract for Construction Services

"THAT THE GOVERNING BOARD authorize award of contract to Mock-Roos & Associates for the West Indiantown Road Force Main in an amount not to exceed \$79,500.00 in accordance with their revised proposal of January 11, 2011."

H. Change Orders to Current Contracts – to approve modifications

"THAT THE DISTRICT GOVERNING BOARD authorize the execution of Change Order #2 to the Expanded Lab contract with Bayview Construction, Inc., reducing the contract by \$309.00."

"THAT THE DISTRICT GOVERNING BOARD authorize the execution of Change Order #2 (P.B.C. C.O. #28) for the relocation of three low point drains in an amount not to exceed \$18,856.00."

"THAT THE DISTRICT GOVERNING BOARD authorize a Change Order to increase the purchase order amount by \$50,000.00 with Global Mapping, Inc., in accordance with the contract agreement dated March 9, 2010."

6. REGULAR AGENDA

A. No Consent Items were pulled for discussion.

C. Governing Board Appointments and Liaisons

Dr. Arrington reviewed the board appointments and liaisons. Jupiter Inlet Colony (JIC) was removed from Area 1, Governments, Organizations and Committees (GOC) and Intergovernmental Coordination-Alternate were moved to Area 3 and South Florida Water Management District (SFWMD) was moved to Area 5.

D. Employee Retirement Plan Trustee Designation

Dr. Arrington reviewed Mrs. William's memo and the following motion was made:

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

"THAT THE GOVERNING BOARD appoint Dr. Rostock to serve as Trustee to the

Administrative Committee and Mrs. Williams as an alternate.”

E. Sludge Building Preliminary Design Report

Dr. Arrington reviewed Mr. Yerkes memo and the following motion was made:

MOTION: Made by Mr. Silverman, Seconded by Mr. Ellis,  
Passed unanimously.

“THAT THE DISTRICT GOVERNING BOARD authorize the amendment to the continuing contract with Hazen & Sawyer for Task Order #5 Sludge Building Preliminary Design Report in accordance with their January 6, 2011 proposal and not to exceed \$45,900.00.”

7. REPORTS

Chairman Boggie requested that Items 7F and 7H be pulled for discussion.

F. BUSCH WILDLIFE SANCTUARY

Chairman Boggie asked Mr. Shenkman to review Mr. O’Neill’s letter regarding the applicability of the Florida Sunshine Law to BWS. Mr. Shenkman stated his concurrence with Mr. O’Neill’s opinion that BWS is not subject to the Florida Sunshine Law.

Chairman Boggie stated that he would begin working with Mr. Hitzig on a dashboard for Busch.

Mr. Silverman inquired as to the status of the BWS audit. Mr. Hitzig stated the audit completion was very close and should be available within a few weeks.

H. DIRECTOR’S REPORT

Dr. Arrington reviewed the upcoming District goals for 2011 and corresponding objectives, programs and opportunities to achieve the goals and the addition of a goal to increase energy efficiency and the goal of investigating changes to our contract and bid documents to include past performance ratings in the decision making process when awarding contracts.

Chairman Boggie stated the need for determining the criteria to be used when rating past performance.

The following reports stood as written:

A. SWA BIOSOLIDS PELLETIZATION FACILITY

B. NEIGHBORHOOD SEWERING

- C. LEGAL COUNSEL'S REPORT
- D. ENGINEER'S REPORTS
- E. PUBLIC INFORMATION REPORT
- G. FRIENDS OF THE LOXAHATCHEE RIVER

8. FUTURE BUSINESS

Dr. Arrington reviewed the District's future business including the status of the District's audit and the upcoming preliminary review of the District's rates, fees and charges and stated that various rate scenarios would be available to the Board Members next month.

9. COMMENTS FROM THE BOARD

Chairman Boggie welcomed back Mr. Ellis and Mr. Silverman and welcomed Mr. Rockoff and Dr. Rostock to the Board.

Dr. Arrington discussed the article from the Florida Specifier regarding the EPA's numeric nutrient criteria (NNC) and accompanying lawsuits and the impact of the NNC on the State, Nation and District.

Dr. Arrington stated that the new LRD stationary would commemorate the 40<sup>th</sup> anniversary of the District and asked for the Board's input on the design of the stationary.

10. ADJOURNMENT

MOTION: Made by Mr. Silverman, Seconded by Mr. Ellis,  
Passed Unanimously.

"That the Regular Meeting of January 20, 2011 adjourn at 8:08 P.M."

  
BOARD CHAIRMAN

  
BOARD SECRETARY

  
RECORDING SECRETARY