

Ref: #10-2011

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
REGULAR MEETING - MINUTES
MAY 19, 2011

1. CALL TO ORDER

Chairman Boggie called the Regular Meeting of May 19, 2011 to order at 7:00 P.M.

2. ADMINISTRATIVE MATTERS

A. ROLL CALL

Chairman Boggie stated the Roll Call and the following Board Members were in attendance:

Mr. Ellis
Mr. Boggie
Mr. Silverman

Dr. Rostock arrived at 7:05 P.M.

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

Consultants in attendance were Mr. Muniz from Hazen and Sawyer, Mr. Shenkman from DeSantis, Gaskill, Mr. Lardieri from Aecom and Ms. Krasker.

Mr. Hitzig from BWS was also in attendance.

B. PREVIOUS MEETING MINUTES

The Minutes of the Public Hearing and Regular Meeting of April 21, 2011 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 April 21, 2011 Public Hearing and Regular Meeting as submitted. “

C. ADDITIONS & DELETIONS TO THE AGENDA

Item 6D was placed after Item 6A.

3. COMMENTS FROM THE PUBLIC

Representative Pat Rooney presented the 2011 David W. York Award for 5/15 MGD Reuse System of the Year and commended the Board, Mr. Vaughn and Mr. Primus.

Mr. Silverman recognized the dedication and commitment to operational excellence by the District's Operations Division under the supervision of Mr. Vaughn and introduced the following Motion:

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

“THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT GOVERNING BOARD commends Mr. Tom Vaughn, Director of Operations and his entire Staff for their diligence, commitment to customer service, professionalism and dedication upon being recognized with the David W. York Award as the 5/15 MGD Reuse System of the Year for the State of Florida.

Ms. Atkinson and Mr. Morel from Cake and Candy Design by Mary Lou reviewed the District standards and again requested an exception to the grease trap requirement for their business.

Mr. Shenkman stated that he had received a letter from Cake and Candy Design's attorney and suggested Board and staff comments be withheld pending the completion of the attorneys' dialogue.

4. STATUS UPDATES

A. LOXAHATCHEE WATERSHED STATUS

Mr. Howard reviewed Jupiter Inlet District's upcoming dredging projects within the Central Embayment of the Loxahatchee River.

B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the District dashboard.

5. CONSENT AGENDA

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

"THAT THE GOVERNING BOARD approve the Consent Agenda of May 19, 2011 as presented."

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

A. Final Assessment Roll-1020 Lands End Way (Resolution #2011-12)

"THAT THE GOVERNING BOARD approve Resolution 2011-12 adopting the 1020 Lands End Way Final Assessment Roll."

B. Notice of Intent to Assess-5782 Senegal Drive (Resolution #2011-13)

"THAT THE GOVERNING BOARD approve Resolution 2011-13 adopting the 5782 Senegal Drive Notice of Intent to Assess."

C. Preliminary Assessment Roll-Dover Road (Resolution #2011-14)

"THAT THE GOVERNING BOARD approve Resolution 2011-14 adopting the Dover Road Preliminary Assessment Roll."

D. Aquarium Maintenance – to extend contract

"THAT THE GOVERNING BOARD authorize a one-year renewal of the contract with Living Color Enterprises in the amount not to exceed \$48,000, in accordance with their service agreement dated May 11, 2011."

E. Sludge Hauling – to extend contract

"THAT THE GOVERNING BOARD authorized the Executive Director to enter into a one-year renewal of the sludge hauling contract with H&H Liquid Sludge Disposal, Inc. in the amount of \$13.61 per ton in an annual amount not to exceed \$150,000."

F. GIS Consultant – to extend contract

"THAT THE DISTRICT GOVERNING BOARD authorize a change order to increase the total purchase order amount to \$100,000 with Global Mapping Inc., in accordance with the contract agreement dated March 9, 2010."

G. Change Orders to Current Contracts-to approve modifications

No change orders were presented.

6. REGULAR AGENDA

A. No Consent Items were pulled for discussion.

D. Sierra Square Utility Easement

Mr. Breton, attorney for Mr. Vani and S&S Rentals, LLC, who own the Sierra Square

Shopping Plaza, requested a 12 foot utility easement on the eastern north-south boundary and a 10' utility easement on the southern east-west boundary of the District property adjacent to Sierra Square. Mr. Vani and Mr. Breton discussed with the Board the general conditions for granting the easement.

The Board postponed action on the utility easement request until conditions on the existing easement with S&S Rentals, LLC are met.

B. Contract to Construct W. Indiantown Road Force Main

Mr. Yerkes reviewed his memo on the award of contract for the W. Indiantown Road Force Main as well as the past performance of B&B Underground Contractors, Inc.

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

“THAT THE DISTRICT GOVERNING BOARD authorize award of contract to B&B Underground Contractors, Inc. for the Force Main Extension along West Indiantown Road in accordance with their bid dated May 10, 2011, and the expenditure of up to \$433,895.00.”

A break was taken between 8:05 and 8:11 P.M.

C. Developer Agreement – Institute for Healthy Living

Mr. Hearing, of Cotleur & Hearing, Inc., gave a presentation and requested a reduction of equivalent connections (“EC’s”) on the Developer Agreement for the Institute for Healthy Living in consideration of “convenience” toilets. The Board discussed the potential savings to the Developer for the reduction of EC’s versus the savings that were available to the Developer had the fees been paid prior to the April 1, 2011 price increase.

Mr. Shenkman reviewed the District’s authority to set fees and charges.

The Board stated that the Developer cannot control all future users of the facility and further stated that the Developer was not compelled by the District to plan and build the quantities of “convenience” toilets, but rather the Developers chose to do so.

MOTION: Made by Mr. Ellis, Seconded by Mr. Silverman,
Passed 3 – 1 with Dr. Rostock voting against.

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute the Institute for Healthy Living Developer Agreement consistent with Chapter 31-10.”

7. REPORTS

Chairman Boggie requested that Item 7F, BUSCH WILDLIFE SANCTUARY be pulled.

Mr. Hitzig reviewed the current status of the design and financial status for the Welcome Center as well as on-going renovations to the Eco Center building.

The Board discussed the time line for the completion of the new LRD Lab Building and the move of BWS into the old Lab Building as well as the liability insurance requirements of the District for the buildings.

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
- H. DIRECTOR'S REPORT

8. FUTURE BUSINESS

The future business report stood as written. Dr. Arrington stated that a luncheon would be held on May 20, 2011 to celebrate the District's receipt of the David York award.

9. COMMENTS FROM THE BOARD

No comments were received from the Board.

10. ADJOURNMENT

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

"That the Regular Meeting of May 19, 2011 adjourn at 9:28 P.M."


BOARD CHAIRMAN


BOARD SECRETARY


RECORDING SECRETARY