

Ref: #29-2015

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
REGULAR MEETING - MINUTES
NOVEMBER 19, 2015

1. CALL TO ORDER

Vice Chairman Boggie called the Regular Meeting of November 19, 2015 to order at 7:00 P.M.

2. ADMINISTRATIVE MATTERS

A. ROLL CALL

The following Board Members were in attendance.

Dr. Rostock
Mr. Boggie
Mr. Silverman

Mr. Snyder arrived at 7:02

Staff Members in attendance were Dr. Arrington, Mr. Dean, Mr. Yerkes, Mr. Vaughn, Ms. Peterson and Mr. Howard.

Consultants in attendance were Mr. Muniz and Mr. Koroshek from Hazen and Sawyer, Ms. Miranda from Holtz Mr. Pugsley from Mathews, Mr. Jensen from Kimley Horn, and Mr. Shenkman with DeSantis, Gaskill.

B. PREVIOUS MEETING MINUTES

The minutes of the Public Hearings and Regular Meeting of October 15, 2015 were presented for approval and the following motion was made.

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

"THAT THE GOVERNING BOARD approve the minutes of the October 15, 2015 Public Hearings and Regular Meeting as submitted."

C. ADDITIONS & DELETIONS TO THE AGENDA

Item 5D was pulled for discussion and Item 4A was moved to after the Regular Agenda.

3. COMMENTS FROM THE PUBLIC

No comments were received.

4. STATUS UPDATES

B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the District Dashboard.

5. CONSENT AGENDA

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

"THAT THE GOVERNING BOARD approve the Consent Agenda of November 19, 2015 with Item 5D pulled for discussion."

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

A. DuBois Road Preliminary Assessment (Resolution 2015-38)

"THAT THE GOVERNING BOARD approve Resolution 2015-38 adopting the DuBois Road 19075(1) & 18045 and DuBois Road-18105 Preliminary Assessment Roll and Exhibits."

B. Clark Lane Ph I Final Assessment (Resolution 2015-39)

"THAT THE GOVERNING BOARD approve Resolution 2015-39 adopting the Clark Lane Final Assessment Roll and Exhibits."

C. River Center Exhibit Renovations (Living Color) – to authorize purchase order

"THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute PO #15-1422 to Living Color Aquariums in an amount not to exceed \$37,867.96, which includes \$1,000 in contingency funds."

E. Equipment Purchase (Manlift) to authorize purchase

"THAT THE DISTRICT GOVERNING BOARD authorize the purchase of the JLG Industries Contract, Articulating Boom Lift, in accordance with the U.S. GSA Advantage contract, and in an amount not to exceed \$54,869.23."

F. Joint Project Agreement-Town of Jupiter A1A Improvements – to approve agreement

"THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute the agreement for the Joint Project Participation in the Reconstruction of A1A from Jupiter Beach Road to US 1, in an amount not to exceed \$50,000.00."

G. Turtle Creek – to approve engineering services contract

"THAT THE DISTRICT GOVERNING BOARD authorize award of an Engineering Services contract to Holtz Consultant Engineers, Inc. for the Turtle Creek Phase 1 project in an amount not to exceed \$119,223.00."

and

"THAT THE DISTRICT GOVERNING BOARD authorize a contingency amount of \$2,000.00."

H. Change Orders to Current Contracts – to approve modifications

No changes orders were submitted.

6. REGULAR AGENDA

A. Consent Agenda Items Pulled for Discussion.

5D. Legal Representation (Mathison Whittles) – to authorize purchase order

Mr. Shenkman requested scheduling an Executive Attorney/Client Session along with special litigation counsel John Whittles to discuss pending litigation with RSUI.

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

"THAT THE GOVERNING BOARD accept the request of Loxahatchee River Environmental Control District Counsel to schedule an Executive Session to discuss pending litigation with RSUI."

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

"THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to increase PO #47794 to Mathison Whittles, LLP to an amount not to exceed \$75,000."

B. Budget Amendment

Dr. Arrington reviewed the Fiscal Year 2015 budget amendment.

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

"THAT THE GOVERNING BOARD approve Resolution 2015-41 amending the Loxahatchee River Environmental Control District's annual budget for the 2015 Fiscal Year."

C. Jupiter Inlet Colony Neighborhood Rehabilitation

i. Agreement Reapportioning Bid Costs

Dr. Arrington reviewed his memo outlining the revised agreement and the Board discussed the proposed reapportionment.

MOTION: Made by Mr. Silverman, Seconded by Dr. Rostock,
Passed 3 – 1 with Mr. Boggie opposing.

"THAT THE GOVERNING BOARD authorize the Board Vice Chairman to execute the attached Revised Agreement Reapportioning Bid Costs for the Jupiter Inlet Colony Neighborhood Rehabilitation."

ii. Second Amendment to Interlocal Agreement

Dr. Arrington reviewed his memo outlining the revised second amendment.

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

"THAT THE GOVERNING BOARD authorize the Board Vice Chairman to execute the Second Amended and Restated Interlocal Agreement between Jupiter Inlet Colony, Florida; and the Loxahatchee River Environmental Control District; and the Village of Tequesta, Florida, for the Joint Participation and Project Funding of the Town of Jupiter Inlet Colony Neighborhood Rehabilitation Project."

iii. Award of Construction Contract

Dr. Arrington reviewed Mr. Yerkes' memo regarding the contract award.

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

"THAT THE DISTRICT GOVERNING BOARD authorize the award of contract for the Jupiter Inlet Colony Neighborhood Rehabilitation to Gianetti Contracting Corp., for a total base bid amount of \$9,351,325.00."

and

"THAT THE DISTRICT GOVERNING BOARD authorize an additional amount of \$94,000.00 as contingency to the contract."

iv. Engineering Contract First Amendment

Dr. Arrington reviewed Mr. Yerkes' memo regarding the first amendment to the engineering contract.

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

"THAT THE DISTRICT GOVERNING BOARD authorize execution of the First Amendment to the Professional Engineering Services Contract for the Jupiter Inlet Colony Neighborhood Rehabilitation project between the District and ARCADIS US, INC."

D. Deep Bed Filters Contract Award

Dr. Arrington reviewed Mr. Yerkes' memo regarding the award of contract.

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

"THAT THE DISTRICT GOVERNING BOARD authorize the award of contract for the Wastewater Treatment Facility Deep Bed Filters to Kirlin Florida LLC, for a total contract amount of \$8,450,000.00."

and

"THAT THE DISTRICT GOVERNING BOARD authorize an additional amount of \$84,000.00 as contingency to the contract."

4A. LOXAHATCHEE WATERSHED STATUS

Dr. Arrington discussed nutrients throughout the District's reuse distribution system, and presented data that shows our I.Q. water provides approximately 20% of nitrogen required by turf grass.

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. FRIENDS OF THE LOXAHATCHEE RIVER

F. DIRECTOR'S REPORT

8. FUTURE BUSINESS

The Future Business Report stood as written.

9. COMMENTS FROM THE BOARD

No comments were received.

10. ADJOURNMENT

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

"That the Regular Meeting of November 19, 2015 adjourn at 8:21 P.M."



BOARD CHAIRMAN



RECORDING SECRETARY



BOARD SECRETARY