



Town of Loxahatchee Groves & Loxahatchee Groves Water Control District

Intergovernmental Coordination Meeting
Wednesday, January 4, 2012 at 11:00 a.m.

Loxahatchee Groves Water Control District, 101 West "D" Road

Council Member Tom Goltzené, Town Council
David DeMarois, LGWCD Board
Moderator Clete Saunier, LGWCD Administrator

Town Manager Mark Kutney
Town Clerk Janice M. Moore

PUBLIC NOTICE/AGENDA

1. OPENING

- a. Call to Order & Roll Call
- b. Pledge of Allegiance
- c. Invocation
- d. Approval of Agenda

2. CONSENT AGENDA

- a. Approval of Minutes: December 7, 2011

3. PRESENTATIONS - None

4. OLD BUSINESS:

- a. Status of RFP for Bridge/Culvert at 148th Terrace North
- b. Town-District Joint Workshop Meeting January 14th
 1. Third-Party Facilitator Update
 2. Website Information & Consultant's Report Regarding a Town-District Merger
- c. Citizen Action Center Web-Based Program – Update

d. Discussion of Speed Tables on OGEM Road Projects

5. NEW BUSINESS:

a. Setting of Next Meeting Time & Date

6. DISCUSSION – *None*

7. ADJOURNMENT

Any person who decides to appeal any decision of the committee with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which record includes testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate should contact the Lynnette Ballard, LGWCD Administrative Assistant at (561-793-0143), at least 48 hours in advance to request such accommodation. There may be two or more Town of Loxahatchee Groves Councilpersons present at this meeting.

**LOXAHATCHEE GROVES WATER CONTROL DISTRICT /
TOWN OF LOXAHATCHEE GROVES
INTERGOVERNMENTAL COORDINATION (IGC) COMMITTEE MEETING
WEDNESDAY, DECEMBER 7, 2011 / 11:00 A.M.**

Call to Order at 11:10 A.M. / Roll Call

Present: Mark A. Kutney -- Town Manager, Town of Loxahatchee Groves
Tom Goltzene – Town Council Member, Town of Loxahatchee Groves
Clete J. Saunier, P.E. – District Administrator, LGWCD (Meeting Moderator)
Frank Schiola – Board Member, LGWCD

Also Present: Lynnette R. Ballard -- Administrative Secretary, LGWCD

Pledge of Allegiance / Invocation led by Mr. Saunier.

SUBJECT: AGENDA APPROVAL. Mr. Saunier asked if there were any additions, deletions, or substitutions to the Agenda.

Mr. Saunier requested the addition of the following agenda items under Old Business Item #4B, Town-District Joint Workshop Meeting:

- 4B3. Agenda Items to be Discussed
- 4B4. Attorneys' Opinion and Fact-Finding on the Merger Process
- 4B5. Request for Attendance by Town and District Legal Counsel at Joint Workshop Meeting

Mr. Saunier also requested the addition of the following agenda items under New Business Item #5:

- 5A. Town Road Vegetation Clearing Process
- 5B. Speed Tables on OGEM Road Projects
- 5C. Material on "B" Road from Collecting Canal Road to Southern Boulevard

MOTION: Mr. Kutney made a motion to approve the agenda as amended. Mr. Schiola seconded the motion.

ACTION: **MOTION PASSED 4 TO 0.**

SUBJECT: APPROVAL OF MINUTES FROM OCTOBER 21, 2011 IGC COMMITTEE MEETING. Mr. Saunier asked if there were any additions, deletions, or

comments to the minutes from the October 21, 2011 IGC Committee meeting. There were none.

MOTION: Mr. Schiola made a motion to approve the minutes from the October 21, 2011 IGC Committee meeting. Mr. Kutney seconded the motion.

ACTION: **MOTION PASSED 4 TO 0.**

SUBJECT: STATUS OF RFP FOR BRIDGE / CULVERT AT 148TH TERRACE NORTH.
Mr. Saunier reported that construction is underway on the bridge culvert at 148th Terrace North, and is progressing well. The contractor has indicated he should be ready for final inspection on Monday, December 12, 2011.

There was no further discussion by the IGC Committee on this item.

MOTION: No motion was necessary.

ACTION: **NO ACTION WAS TAKEN.**

SUBJECT: TOWN-DISTRICT JOINT WORKSHOP MEETING.

1. THIRD PARTY FACILITATOR.

Mr. Saunier stated the Town Council, at its December 6, 2011 regular meeting, agreed to pursue a third-party facilitator for the Town-District Joint Workshop Meeting.

Mr. Saunier requested a copy of the cost estimate prior to the Board of Supervisors meeting on December 12, 2011 so it could be presented to the Board of Supervisors for review and consideration.

Mr. Saunier requested confirmation that the meeting date has not changed, and remains January 14, 2012. Mr. Kutney replied in the affirmative.

2. WEBSITE INFORMATION AND CONSULTANT'S REPORT REGARDING TOWN-DISTRICT MERGER.

Mr. Saunier distributed photocopies of the Cost Benefit Analysis (Town Consolidation Study) dated October 21, 2008 to the IGC Committee Members. Mr. Kutney requested a .pdf file of the Cost Benefit Analysis.

Mr. Goltzene asked whether Mr. Saunier would propose to make the Cost Benefit Analysis available on the Town and District websites. Mr. Schiola stated he would like to have it posted on both websites.

Mr. Goltzene suggested there be a caveat stating this was a previous study, and is not necessarily the opinion of anyone currently serving on the Town Council or the Board of Supervisors.

Mr. Saunier suggested the agenda for the Joint Workshop Meeting be posted on the Town and District websites.

Mr. Goltzene stated it is important to maintain structure for the Joint Workshop Meeting. He stated if the Cost Benefit Analysis/Town Consolidation Study is fairly objective, it might be a good tool to use to create the agenda to discuss various alternatives at the Joint Workshop Meeting.

3. AGENDA ITEMS TO BE DISCUSSED.

Mr. Saunier stated the agenda topics for the Joint Workshop Meeting that were discussed at previous Town Council meetings involved more than just a Town-District merger. He stated the Cost Benefit Analysis/Town Consolidation Study includes alternatives such as:

- (1) To merge the Town and District, and whether or not that process is economically and functionally effective for the Loxahatchee Groves community
- (2) Functional and economic cooperation between the Town and District involving road improvements and maintenance
- (3) Town and District cooperation and the implementation and maintenance of a community-wide equestrian trail system
- (4) Discussion of implementing a one-stop permitting process for all Town and District permitting

Mr. Schiola stated, with regard to Item #1, it should state whether the merger would involve all aspects of merging or just certain parts. One item for discussion is whether or not the Town is ready to take over the District at this time. Another item for discussion is what would be done with the employees, and whether the Town would need to change its Charter.

Mr. Saunier stated he briefly discussed the issue of Staff with the Town Attorney, Mike Cirullo. He stated Chapter 189, Florida Statutes, explains the merger process. Mr. Saunier stated Mr. Cirullo indicated the Town Council would like him to research the current Town Charter issues, District legislation issues, and the issues that need to be addressed, such as employee versus contract management.

Mr. Goltzene stated another important issue to be discussed is the issue of the differing tax bases, and how the Town and District assess the landowners. He stated much of the money received by the District comes from agricultural properties, and that would no longer exist.

Mr. Goltzene stated placing the merger first on the agenda may not be in the best interest of the conversation because that would consume most of the discussion. He stated the Town and District need to deal immediately with coordination issues, road maintenance issues, etc.

Mr. Kutney stated the third-party facilitator would assess the issues and place them into a format that would be in the best interest of the meeting.

Mr. Schiola stated it is a good idea to have the Town and District attorneys in attendance at the joint workshop meeting in order to obtain both attorneys' opinions and to address any issues that may arise regarding the Town's Charter, District's legislation, Florida Statutes, etc.

Mr. Schiola stated, at the next regular Board meeting on December 12, 2011, the Board should request the District Attorney's attendance at the joint workshop meeting.

Mr. Schiola inquired about the time of the meeting. Mr. Kutney replied that original direction from the Town Council was 9:00 a.m. to 12:00 p.m.

Mr. Goltzene stated three hours will not be enough time to discuss all the issues. Mr. Kutney stated he could contact the school to inquire whether the meeting times could be extended. Mr. Goltzene stated when this issue was originally brought up, there was supposed to be a series of meetings, not just one meeting. He suggested the agenda be organized to discuss the major issues, with subsequent workshop meetings to discuss those issues in greater detail.

Mr. Saunier asked the Committee for its consensus regarding the initial Joint Workshop Meeting (9:00 a.m. to 12:00 p.m.) agenda topics: (1) Functional and economic cooperation between the Town and District for road improvements, permitting, and maintenance; (2) Town and District cooperation, implementation, and maintenance of a community-wide equestrian trail system including construction, permitting, and maintenance; and (3) Discussion of process to merge the Town and District and whether or not that process is economically and functionally effective for the Loxahatchee Groves community. The IGC Committee Members concurred.

Mr. Goltzene stated he would prefer to have the public comment on the issues at the end of each issue. The other IGC Committee Members concurred.

Mr. Goltzene stated some issues he would like to discuss are: (1) Condition of Town roads, (2) Permit process, and (3) Interoffice communication between the Town and District.

Mr. Schiola stated he would like the Town and District Attorneys to explain the merger process.

There was no further discussion by the IGC Committee on this item.

MOTION: No motion was necessary.

ACTION: **NO ACTION WAS TAKEN.**

SUBJECT: CITIZEN ACTION CENTER WEB-BASED PROGRAM - UPDATE. Mr. Saunier stated there was nothing new to report on this item.

MOTION: No motion was necessary.

ACTION: **NO ACTION WAS TAKEN.**

SUBJECT: TOWN ROAD VEGETATION CLEARING PROCESS. Mr. Goltzene stated the Town Council, at its meeting on December 6, 2011, agreed that an assessment of current vegetation clearing issues should be done. Those issues should be prioritized with regard to health and safety issues. A plan should then be established for vegetation control along Town roads. A specification should be developed.

Mr. Goltzene stated, regarding Ian Trail, there is a power line easement on the eastern side of the road. Within that power line easement there are several cabbage palms, pine trees, and Brazilian Pepper. The Brazilian Pepper is the biggest problem as it is growing into the road. Mr. Goltzene stated this could either be a simple job where someone cuts back the vegetation hanging over the road which would take a few hours or a more complex job where all Brazilian Pepper is removed, which would take a few days. He did not think the vegetation should be totally cleared from both sides of the road.

Mr. Schiola stated the roads need to accommodate waste management vehicles, emergency management vehicles, etc. Currently, Ian Trail is not able to accommodate these types of vehicles. He stated roads that are not able to accommodate these vehicles need to be addressed and overgrown vegetation should be cleared immediately.

Mr. Saunier stated there is a clearance requirement included in the District's Interlocal Agreement with the Town with regard to grading Town roads. The roads have to be cleared 15 feet wide by 20 feet high so that District equipment does not get damaged. He stated, with regard to Ian Trail, District equipment will not fit on the road, so vegetation must be cleared before grading can occur.

Mr. Schiola stated each road should be addressed as an individual project with regard to vegetation clearing, and the affected landowners should be notified in writing of any work that will be done on their respective roads.

Mr. Saunier stated he will coordinate with District Field Staff, at least on the roads being graded regularly by the District, to note on the service request that hedging is required. The District Field Superintendent will then inspect the area and determine whether District equipment can be used or whether the vegetation is so extensive that the Town would need to consider another alternative.

There was no further discussion by the IGC Committee on this item.

MOTION: No motion was necessary.
ACTION: **NO ACTION WAS TAKEN.**

SUBJECT: DISCUSSION OF SPEED TABLES ON OGEM ROAD PROJECTS. Mr. Saunier stated he has heard some concern about the spacing of the speed tables on the OGEM road projects. The District's engineering consultant is aware of this concern, and they will provide a memorandum to the Board at its next regular meeting on December 12, 2011.

There was no further discussion by the IGC Committee on this item.

MOTION: No motion was necessary.
ACTION: **NO ACTION WAS TAKEN.**

SUBJECT: MATERIAL ON "B" ROAD BETWEEN STATE ROAD 80 AND COLLECTING CANAL ROAD. Mr. Schiola asked whether the District has received any complaints, other than at the recent Town Council meeting, about the material on "B" Road. Mr. Saunier replied in the negative. Mr. Saunier stated the District could place additional road rock on this section, however, due to the high volume of traffic, he is not certain how much this would help.

Mr. Goltzene stated his concern is that if the College is going to pave "B" Road, he does not want to pay for additional road rock to lessen the burden

of paving the road. He suggested Mr. Saunier coordinate with the College prior to the next IGC Committee Meeting.

Mr. Schiola stated this particular complaint was received at a Town Council meeting, and the District has not received any additional complaints on this section of "B" Road. Mr. Schiola stated this complaint should have been reported to the District and not to the Town Council.

There was no further discussion by the IGC Committee on this item.

MOTION: No motion was necessary.
ACTION: **NO ACTION WAS TAKEN.**

Mr. Goltzene stated, regarding South "C" Road near Southern Boulevard, there is a large volume of traffic that does not realize the road does not go through. He suggested the District install a sign that states "Bridge Out" or "No Bridge". Mr. Saunier stated he will coordinate this effort with the District's Field Superintendent.

Mr. Schiola stated, regarding the northeast corner of "E" Road and Okeechobee Boulevard, there is a low spot. Mr. Saunier stated this is actually Okeechobee Boulevard right-of-way, and the low spot is caused by traffic cutting the corner.

Mr. Goltzene stated perhaps the District and Town could look into creating aprons off of Okeechobee Boulevard on each of the lettered roads. Mr. Saunier stated that is included in the design for the new roads. The County was supposed to create aprons on both sides of the road when they installed the water main and wastewater pipe; however, due to budget restraints the County was not able to accomplish this.

Mr. Saunier stated the District could place road rock in the low spot. Mr. Goltzene stated if the Town and District could place aprons on the roads that are not being improved with OGEM, the Town Council would like to know the costs involved.

There was no further discussion by the IGC Committee on this item.

MOTION: No motion was necessary.
ACTION: **NO ACTION WAS TAKEN.**

SUBJECT: SETTING OF NEXT MEETING DATE AND TIME. The IGC Committee agreed to schedule its next meeting for Wednesday, January 4, 2012 at 11:00 a.m. at the District office.

The next designated Board of Supervisors representative is David DeMarois (January 2012 through February 2012). Mr. Schiola indicated his willingness to attend the next meeting in the event Mr. DeMarois is not able to attend.

The next designated Town Council representative is Tom Goltzene (October 2011 through January 2012).

MOTION: No motion was necessary.
ACTION: **NO ACTION WAS TAKEN.**

MEMBER COMMENTS

There were no comments from the IGC Committee Members.

PUBLIC COMMENTS

There were no public comments.

The meeting was adjourned by the Committee at 12:20 p.m.

Frank Schiola, LGWCD Board Member

Tom Goltzene, Town Council Member, TOLG

Clete J. Saunier, LGWCD Administrator

Mark A. Kutney, Town Manager, TOLG