

**LOXAHATCHEE GROVES WATER CONTROL DISTRICT /
TOWN OF LOXAHATCHEE GROVES
INTERGOVERNMENTAL COORDINATION COMMITTEE MEETING
FRIDAY, NOVEMBER 13, 2009 / 2:00 P.M.**

Call to Order at 2:00 P.M.

Present: Frank R. Spence – Town Manager
David Browning – Mayor, Town of Loxahatchee Groves
Clete J. Saunier, P.E. – LGWCD Administrator (Meeting Facilitator)
John Ryan – LGWCD Deputy Secretary-Treasurer

Also Present: Lynnette R. Ballard – LGWCD Administrative Secretary

Pledge of Allegiance / Invocation led by Mr. Saunier.

SUBJECT: AGENDA APPROVAL. Clete Saunier requested the addition of three agenda items: Item #13, Animal Care and Control - removal of animal carcasses, Item #14, Discussion regarding District road improvement policy for side roads, and Item #15, Update report regarding the Water Resources Task Force Pilot Study. There were no other additions, deletions, or substitutions to the Agenda.

MOTION: Mayor Browning made a motion to approve the Agenda, including the addition of the three items requested by Mr. Saunier. John Ryan seconded the motion.

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

SUBJECT: APPROVAL OF MINUTES FROM OCTOBER 2, 2009 IGC COMMITTEE MEETING. Mr. Saunier asked for approval of the minutes from the October 2, 2009 Intergovernmental Coordination Committee meeting.

MOTION: Frank Spence made a motion to approve the minutes from the October 2, 2009 Intergovernmental Coordination Committee meeting. Mayor Browning seconded the motion.

ACTION: **MOTION PASSED 3 TO 1 (JOHN RYAN ABSTAINED).**

SUBJECT: PALM BEACH COUNTY WATER UTILITIES DEPARTMENT WESTERN SECTION RECLAIMED 36-INCH WATER PIPELINE. Frank Spence reported that he has been trying to schedule a joint meeting between Bevin Beaudet, Director of Palm Beach County Water Utilities Department, Clete Saunier, and Councilman Bill Louda to discuss the ongoing proposal of attempting to utilize the water line to install a looped system for fire protection

throughout the Town. Mr. Spence stated he is still in the process of coordinating this meeting; however, Mr. Beaudet is not available until after November 23, 2009. Mr. Spence stated he would like to schedule the meeting for the first week in December 2009.

John Ryan asked for clarification that taps are being installed along Okeechobee Boulevard at the intersection of each one of the lettered roads, and the IGC Committee is talking about working with the County to energize that tap and bring it down with some hydrants along the lettered roads.

Mr. Saunier explained that during the progress meeting he attended in September 2009, he brought up that point during discussions with Mr. Beaudet, Brian Shields (Deputy Director of Palm Beach County Water Utilities Department) and the design group. Mr. Saunier stated they were all in favor of this idea. However, when he attended the next progress meeting, they were nebulous to the idea, and indicated they would discuss this with the design engineer and Mr. Beaudet. They pointed out that since the time Mr. Saunier spoke with Mr. Beaudet, and when he talked to the others at the progress meeting, the design had changed because of the contractor's requested shop drawing change. Rather than have a pipe deflection underneath the District's canals, the contractor offered a less expensive option of a directional drill of the pipe underneath the canals; this is a different process that causes the pipe to be approximately 20 feet below ground. Mr. Saunier stated the Palm Beach County Water Utilities Department could install taps \pm 100'-150' away from the intersections where the pipe is higher in elevation.

Mr. Saunier noted the FP&L power plant has to be up and running by September 2010.

Mayor Browning asked where the reclaimed water would be coming from. Mr. Saunier replied it would come from the regional wastewater facility that serves several different areas including Riviera Beach, West Palm Beach, Palm Beach County Water Utilities Department, etc.

Mr. Saunier stated Bevin Beaudet and Brian Shields both acknowledged to him and Town Council Member Bill Louda that they would accommodate anything the Town would like to do, and expressed their willingness to assist in the grant application process.

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

SUBJECT: 40TH STREET NORTH / NORTH ROAD CANAL. Mr. Saunier stated the District mailed letters to all affected landowners regarding this issue, notifying

them that the access road will be blocked off effective April 30, 2010. He stated he has received phone calls from some landowners about this issue. He advised those landowners to submit the necessary information to their respective title companies, and suggested they ask their title companies to contact the District for additional information.

Mr. Saunier stated most likely, the title insurance companies will have to be approached by the Town Attorney as a residential citizen issue; because the District cannot spend assessment funds on private property issues.

Mr. Saunier stated the Town should declare 40th Street North as a non-existent road. There is no recorded easement. It is a canal access road. There is no 40th Street North from "A" Road to 140th Avenue North.

Mr. Ryan stated the affected landowners would then be required to change their addresses, deposit their trash in different locations, and have their mailboxes relocated.

A lengthy discussion ensued.

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

SUBJECT: FUNDING OPPORTUNITIES. Mr. Spence stated he has obtained access to FEMA's downloadable application for funding opportunities. He stated he has been working with Mr. Saunier in filling out the application, and will continue to pursue funding opportunities.

Mayor Browning stated he would like the Town and District to create a prioritized list of projects that would require grant funding; then review the list of available FEMA grants to determine which projects might qualify for grant funding.

Mr. Spence agreed with Mayor Browning that the Town and District should create a prioritized list of projects.

Mr. Spence stated some ideas to consider would be (1) available funds through the State, (2) matching grants, and (3) low-interest loans; another area to consider is available funds through FEMA and Homeland Security.

Mr. Spence stated the projects that are considered "shovel-ready" most likely would be approved for grant funding before all other projects.

Mayor Browning stated a representative of the Knight Foundation (formerly Knight-Ridder Publishing) contacted him regarding future grants to

municipalities. Mayor Browning indicated he would call the representative back and determine what grants, if any, might be available.

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

SUBJECT: PORTABLE EMERGENCY OPERATIONS SHELTERS. Mr. Spence stated he has met with Pat and Ken Johnson, of the Town's CERT team, to discuss training and future table-top exercises with regard to the Town's emergency operations planning. Mr. Saunier asked whether the table-top exercises would involve Calvin-Giordano, and Mr. Spence replied in the affirmative.

Mr. Saunier stated Helene Wetherington, the Emergency Management Director of Calvin-Giordano, used to be the planning coordinator for Palm Beach County EOC for several years, and is very knowledgeable in the FEMA process.

Mr. Spence stated all Town Council Members will be invited to participate in the table-top exercise, and they should have completed the 100 and 700 series of NIMS training.

Mr. Ryan asked for an explanation of the NIMS acronym. Mr. Spence replied it stands for National Incident Management System.

Mr. Saunier stated both of those series of the NIMS training can be completed online, and Mr. Spence agreed.

Mayor Browning asked Mr. Spence to find out the name of the website for the NIMS training. Mr. Saunier requested Mr. Spence forward the website information to him, and Mr. Spence agreed.

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

SUBJECT: TOWN-LGWCD FUNDING ILAs. Mr. Spence stated he toured the Town of Loxahatchee Groves with Town Council Member Ron Jarriel today.

Mr. Spence stated he observed survey stakes along "A" Road with regard to the "A" Road Right-of-Way Land Survey, and inquired about the progress of the survey work. Mr. Saunier stated the deadline for the survey firm (A & B Engineering) to complete the work is December 31, 2009. He further stated the survey firm will need to produce requisite documents prior to this deadline.

Mr. Spence asked whether this project would utilize the entire \$240,000.00 allocated by the Town in a funding ILA with the District. Mr. Saunier replied in the negative, and explained the quote from A & B Engineering for this project was approximately \$50,000.00.

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

SUBJECT: TOWN MANAGEMENT / ADMINISTRATIVE STAFF TRANSITION / TOWN'S EMERGENCY OPERATIONS PLAN. Mr. Spence announced that Town Clerk Michelle Kantor resigned and is no longer working for Mr. Spence as an independent contractor. He stated the Town is currently advertising for the Town Clerk's position. In the interim, Cindy Corum, a landowner on "C" Road, is acting as Town Clerk. Mr. Spence stated he will provide an update at the next IGC Committee meeting.

Mr. Saunier asked about the Town's Emergency Operations Plan. Mr. Spence replied that he is working with Pat and Ken Johnson on the Town's Emergency Operations Plan. He stated he signed up for a Web EOC training session. Mr. Saunier stated he has taken this training course online. Mr. Saunier suggested he and Mr. Spence coordinate on this issue after Mr. Spence has completed the training session. Mr. Spence agreed.

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

SUBJECT: TOWN'S DEBRIS REMOVAL PLAN AND CONTRACTOR. Mr. Spence stated the Town Council approved a one-year extension of the Town's existing debris removal contract with Ashbritt, extending it to November 30, 2010, with the caveat that Ashbritt will hire local subcontractors and will provide a list of those contractors to the Town.

Mr. Saunier asked whether Ashbritt would be able to participate in the table-top exercise, and Mr. Spence replied in the affirmative. Mr. Saunier stated the table-top exercise would have to be a public meeting since the Town Council would be in attendance, and Mr. Spence agreed.

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

SUBJECT: ANIMAL CARE AND CONTROL - REMOVAL OF ANIMAL CARCASSES. Mr. Saunier stated he would like the Town to consider some type of ordinance or amendment to its agreement with Waste Pro for the removal of animal carcasses from the District's canals. This would enable District field

staff to remove the animal carcass from a canal, and then contact the appropriate entity to dispose of the carcass. Mr. Saunier stated that in the past, Palm Beach County Animal Care and Control has not responded to the District's phone calls regarding animal carcasses.

Mr. Spence stated he will contact Waste Pro regarding this issue and will obtain a price quote for removal of animal carcasses.

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

SUBJECT: DISTRICT ROAD IMPROVEMENT POLICY - SIDE ROADS. Regarding the side roads that are not owned and/or maintained by the District, Mr. Saunier recommended the Town (if it is interested in pursuing this issue) obtain a listing of the District's courtesy graded roads; then send a letter to those landowners stating the Town would be interested in continuing regular maintenance of their road instead of just on a courtesy grading basis through the District. Mr. Saunier explained that, per statutory obligation, the District is required to maintain the District-owned roads on a priority basis.

Mr. Saunier explained that if the District had an interlocal agreement with the Town to perform maintenance on the side roads, the District could help out many landowners; and would also accomplish the goal of getting those "road reservations" recorded as easements, where they do not exist.

Mr. Saunier stated, when road improvements were made to Compton Road and Marcella Boulevard, the grants of easement signed by the affected landowners dedicated the road to the public for public purposes.

Mr. Ryan clarified that one reason for the public easement is to relieve the landowners of liability. Mr. Saunier agreed.

Mayor Browning stated in the past, there was a lot of confusion over District roads and non-District roads. He stated, although the public has access to some roads, they are public roads, but happen to be non-District roads. Mr. Spence stated the confusion needs to be resolved.

Mr. Saunier asked when the road improvement policy issue might be placed on the Town Council meeting agenda. Mayor Browning stated it would be placed on the December 1, 2009 Town Council agenda.

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

SUBJECT: UPDATE REGARDING PALM BEACH COUNTY WATER RESOURCES TASK FORCE PILOT STUDY. Mr. Saunier noted the Palm Beach County Water Resources Task Force (WRTF) is headed by Commissioner Jeff Koons; and the Working Group is the subcommittee/technical group, which is facilitated by Ken Todd, of Palm Beach County. Mr. Saunier stated the WRTF currently includes members from Northern Palm Beach County Improvement District, Lake Worth Drainage District, various other drainage districts and municipalities.

Mr. Saunier stated the WRTF wanted to consider pilot studies on how to move forward with a proposal by Jay Foy of Stormwaterj Engineering. The proposal would be to try to level out the frequency of an entity's water elevations by allowing many of the existing drainage basins on the C-51 Basin to store more water at the tail end of the wet season, and to maintain a higher than normal control water elevation in their canal systems. The entity would then share that water during the dry season with an adjacent entity that might need it, directly or indirectly, through that conduit. The WRTF wanted to conduct a small pilot study to look at that process.

Mr. Saunier read into the record an e-mail he submitted to the Working Group, which stated as follows:

Based upon our discussions yesterday, we propose to offer this district (LGWCD) as a pilot study candidate with the assistance of the Indian Trail Improvement District (ITID). The ultimate goal would be to encourage cross-jurisdictional agreements via ILAs to balance the peaks and valleys we (e.g., drainage districts and municipalities) all experience during the typical dry-wet season period. I propose that the LGWCD be used to determine whether it is economically and logistically feasible to raise its maintained canal water elevation 0.5 feet higher, commencing late wet season, and then attempting to maintain the same through the succeeding dry season period. This additional water would be stored for later use as necessary, either by LGWCD or by underground seepage over time back into ITID's adjacent lake drainage system, which is along Folsom Road Canal and north of Okeechobee Boulevard, or theoretically to another adjacent stakeholder downstream along the C-51. Note that our respective drainage basins are immediately adjacent to one another...

Mr. Saunier noted one item of concern would be Health Department issues related to "lower than normal" septic tank lateral line systems because those systems are based on a certain number of inches above the average wet season water table.

Another section of Mr. Saunier's email states:

...I am only aware of one incident when a landowner could not flush their toilets without fear they would back up that occurred immediately after a 25-year plus storm event which had previously saturated soil conditions...

Mr. Saunier stated they discussed two sub-options of this overall premise. Option A is that ITID would have to be temporarily granted an increase in discharge to the C-51 Canal via their existing MOU (memorandum of understanding) relationship with South Florida Water Management District. Regarding their Unit 1 Basin (north of the Village of Royal Palm Beach) which drains through the M-1 Canal to the Village of Royal Palm Beach to the C-51 Canal, they are extremely restricted on how much water can come into the C-51 Canal because of its potential flooding effect to all other stakeholders. They recently applied, and were denied, the right to discharge 100 cubic feet per second during certain times of the year through the M-1 Canal and out into the C-51 Canal. Mr. Saunier suggested that, if South Florida Water Management District would be agreeable to it, they should allow the Indian Trail Improvement District to discharge the additional water they want to get rid of because it is a wet area, and whatever they discharge into the C-51 Canal, the LGWCD would be able to take back into the District on an equal water balance.

Mr. Saunier continued reading his e-mail:

...The LGWCD would then balance the water equation by back pumping the discharge from the C-51 into our drainage basin until the half-foot elevation is achieved, and then continue to maintain that elevation accordingly...

Mr. Saunier stated the necessary infrastructure is already in place for this to occur. The main hurdle would be convincing South Florida Water Management District to allow this to happen on a temporary basis, including increasing the LGWCD's maximum monthly allocation by almost 100% during the pilot study (i.e., October through April-May). He stated the District is currently allowed to pump up 335 million gallons per month, and this allocation would allow a maximum of 650 million gallons.

A lengthy discussion ensued.

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

SUBJECT: NEXT MEETING DATE AND TIME. The Committee agreed that the next IGC Committee meeting will be held on Friday, December 18, 2009 at 2:00 p.m. at the District office.

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

The meeting was adjourned by the Committee at 3:50 p.m.



John Ryan, LGWCD-Deputy Sec-Treasurer



Mayor David Browning, Town Council



Cléte J. Saunier, LGWCD Administrator



Frank R. Spence, Town Manager