



**THOUSAND OAKS
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
REGULAR BOARD MEETING
SEPTEMBER 14, 2020
4:15 P.M.**

Special District Services, Inc.
The Oaks Center
2501A Burns Road
Palm Beach Gardens, FL 33410

www.thousandoakscedd.org
561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
THOUSAND OAKS COMMUNITY DEVELOPMENT DISTRICT

Join by URL for VIDEO ACCESS at:
<https://us02web.zoom.us/j/82787024485>

Meeting ID: 827 8702 4485

Dial In At: 1 929 436 2866

REGULAR BOARD MEETING

September 14, 2020

4:15 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. August 10, 2020 Regular Board Meeting Minutes.....Page 2
- G. Old Business
- H. New Business
 - 1. Discussion Regarding Preserve Treatment
 - 2. Update Regarding Erosion Proposals.....Page 4
- I. Administrative Matters
- J. Board Members Comments
- K. Adjourn

**NOTICE OF THOUSAND OAKS COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING**

NOTICE IS HEREBY GIVEN that the Thousand Oaks Community Development District (the “District”) will hold a Regular Board Meeting (the “Meeting”) of its Board of Supervisors (the “Board”) on September 14, 2020, at 4:15 p.m. to be conducted by telephonic and video conferencing communications media technology pursuant to Executive Orders 20-52, 20-69, 20-112, 20-150, 20-179 and 20-193, issued by Governor DeSantis on March 9, 2020, March 20, 2020, April 29, 2020, June 23, 2020, July 29, 2020, and August 7, 2020, respectively, and pursuant to Section 120.54(5)(b)2., *Florida Statutes*. The purpose of the Meeting is for the necessary public purpose of considering any agenda items related to the District. At such time the Board is so authorized and may consider any business that may properly come before it.

While it is necessary to hold the Meeting utilizing communications media technology due to the current COVID-19 public health emergency, the District fully encourages public participation in a safe and efficient manner. Participants may attend the Meeting by accessing the District’s website, www.thousandoakscdd.org and clicking on the meeting link you will find on the homepage, or utilizing the following login information:

Join by URL for VIDEO ACCESS at: <https://us02web.zoom.us/j/82787024485>

OR

Call In at: 1-929-436-2866

Meeting ID: 827 8702 4485

A copy of the agenda for the Meeting may be obtained at the offices of the District Manager, c/o Special District Services, Inc., at (561) 630-4922 or akarmeris@sdsinc.org (the “District Manager’s Office”) during normal business hours. The Meeting is open to the public and will be conducted in accordance with the provisions of Florida law for special districts. The Meeting may be continued to a date, time, and place to be specified on the record at the Meeting.

Any person requiring special accommodations in order to access and participate in the Meeting because of a disability or physical impairment should contact the District Manager’s Office at least forty-eight (48) hours prior to the Meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager’s Office.

As indicated above, this Meeting will be conducted by media communications technology. Anyone requiring assistance in order to obtain access to the telephonic, video conferencing, or other communications media technology being utilized to conduct this Meeting should contact the District Manager’s Office at least forty-eight (48) hours prior to the Meeting. Similarly, any person requiring or that otherwise may need assistance accessing or participating in this Meeting because of a disability or physical impairment is strongly encouraged to contact the District Manager’s Office at least forty-eight (48) hours in advance so that arrangements may be made.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the Meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

Meetings may be cancelled from time to time without advertised notice.

District Manager

THOUSAND OAKS COMMUNITY DEVELOPMENT DISTRICT
www.thousandoakscdd.org

PUBLISH: PALM BEACH DAILY BUSINESS REVIEW 09/04/20

**THOUSAND OAKS COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING**

Held via Zoom at:

<https://us02web.zoom.us/j/82372132723>

Meeting ID: 823 7213 2723

Dial In At: 1 929 436 2866

AUGUST 10, 2020

A. CALL TO ORDER

The August 10, 2020, Regular Board Meeting of the Thousand Oaks Community Development District was called to order at 4:16 p.m. via Zoom.

B. PROOF OF PUBLICATION

Proof of publication was presented that notice of the Regular Board Meeting had been published in *The Palm Beach Post* on July 31, 2020, as legally required.

C. ESTABLISH A QUORUM

A quorum was established by the video/audio presence of Chairman Jeffrey Jackson, Vice Chairman Randy Hicks and Supervisors Kimberly Jackson, Rance Gaede and Corey Smith.

Staff present via video/audio were: District Manager Andrew Karmeris of Special District Services, Inc; and General Counsel Frank Palen of Caldwell Pacetti Edwards Schoech & Viator LLP.

D. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the public for items not on the agenda.

F. APPROVAL OF MINUTES

1. July 13, 2020, Public Hearing & Regular Board Meeting

The minutes of the July 13, 2020, Public Hearing & Regular Board Meeting were presented for approval.

Ms. Jackson **moved** approval, seconded by Mr. Hicks, approving the July 13, 2020, Public Hearing & Regular Board Meeting minutes, as presented. That **motion** carried unanimously.

G. OLD BUSINESS

There were no Old Business items to come before the Board.

H. NEW BUSINESS

1. Discussion Regarding Preserve Treatment

Mr. Karmeris gave an update on the information gathered regarding switching from glyphosate to alternatives. The Board discussed the possibility of switching. Mr. Jackson directed staff to prepare a bullet point comparison between glyphosate and alternative chemicals. After a lengthy discussion, the Board requested that an analysis be brought back to the next meeting.

2. Update Regarding Erosion Proposals

Mr. Karmeris gave an update on the erosion proposals.

I. ADMINISTRATIVE MATTERS

There were no Administrative Matters to come before the Board.

J. BOARD MEMBER COMMENTS

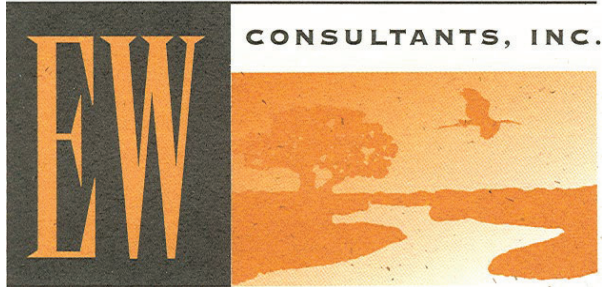
Ms. Jackson hopes the Governor will continue to allow Zoom meetings. She also asked about e-signing.

K. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Jackson, seconded by Mr. Gaede to adjourn the meeting at 4:33 p.m. That **motion** carried unanimously.

Secretary/Assistant Secretary

Chair/Vice Chair



MEMORANDUM

TO: Andrew Karmeris, District Manager - Thousand Oaks CDD

FROM: Ed Weinberg  Edward R.
Weinberg
Digitally signed by Edward R. Weinberg
Date: 2020.08.21 11:28:24 -0400

DATE: August 21, 2020

RE: Wetland Preserve Bank Stabilization and Grading

In response to your request on behalf of the Thousand Oaks CDD Board, this memo has been prepared to provide an evaluation of and recommendations for proposed grading work around the existing wetland preserve and associated upland buffer in Thousand Oaks. From the information you have provided as well as our discussions regarding the project, we understand that there are concerns regarding soil erosion and/or subsidence around the wetland preserve. The concerns arise from potential effects on residential buildings and associated structures including patios and air conditioning pads.

Background -

From the information you provided and our site reconnaissance review, the areas of concern include the back yards of properties along the west side of Center Stone Lane and the east side of Oakhurst Way where they are abutting the wetland preserve. The wetland preserve includes an upland buffer, and both the wetland and upland buffer are included in a conservation easement. The outer boundary of the upland buffer is coincident with the property lines of the aforementioned properties.

As part of our evaluation, we reviewed the applicable permit (Permit No. 50-06031-P) from South Florida Water Management District (SFWMD). Among other things, this permit requires that the upland buffer be planted and maintained with a variety of native vegetation for protection of the wetland preserve.

EW Consultants, Inc.

Natural Resource Management, Wetland, and Environmental Permitting Services

As a result of reported erosion issues in these areas of the upland buffer, a minor modification of the SFWMD permit was sought, and issued in November 2016, to allow for selective pruning of the limbs of native trees located within the upland buffer. The purpose of this trimming was to reduce shading and promote the growth of ground cover species to help stabilize and retain soil within the upland buffer. In addition, roof drains from adjacent homes were routed underground to discharge directly into the wetland to help reduce surface water flow down the slopes and resultant erosion.

In 2016, an engineering evaluation of the wetland preserve slopes was conducted by Higgins Engineering. The purpose of this engineering evaluation was to determine the variance between “as-built” existing slope conditions and the slopes as approved in the project construction plans. The existing slope conditions documented in this evaluation also established a benchmark for future assessments.

The evaluation conducted by Higgins Engineering concluded that, although there were minor differences between the construction plan cross sections and the as-built conditions, no significant soil subsidence had occurred. The cross sections of the slopes provided in the Higgins Engineering report show that, in general, more soil was present in the 2016 existing condition than was specified in the construction plans. The Higgins Engineering report included several recommendations to prevent future soil subsidence or erosion which included construction of bulkheads along the property lines behind the buildings.

Site Evaluation -

In July 2020, our firm conducted a site reconnaissance review of the existing conditions in and around the wetland preserve, upland buffer, and surrounding area. The purpose of this review was to evaluate the existing conditions in relation to the upland preserve slopes, vegetation conditions, and develop potential recommendations regarding the slope conditions and wetland preserve area.

In addition, we reviewed two bids that the CDD received from contractors to address the potential erosion issues. Although there was considerable variance between the bids and the exact work proposed, they generally included importing fill and re-grading the slope of the upland buffer to achieve a 4:1 slope. Once the filling and grading was completed, the new slopes would be sodded with turf grass for stabilization.

Based on our site observations, the existing upland buffer area contains mature native live oak trees and other native species of vegetation as required by the SFWMD permit. The applicable permit also includes a conservation easement covering these areas. As such, any work proposed to occur within the conservation easement will require applying for and processing a modification to the SFWMD permit prior to beginning work.

The filling and grading work as proposed would clearly result in impacts to native vegetation within the upland buffer. In addition to clearing impacts, fill material and grading activity within the drip line of existing oak trees will likely result in future tree mortality. At a minimum, any such work would require replanting of native vegetation to re-establish a native upland vegetation association within the upland buffer area. The cost of this re-vegetation was not included in the bids provided. Sodding the slopes with bahia grass or other non-native turf grasses as per the bids will likely not be permitted under the conditions of the SFWMD permit and conservation easement.

Recommendations -

Given the findings of the Higgins Engineering report as well as our site evaluation, the current slopes are generally consistent with the construction plans as approved in the SFWMD permit. As such, justification for a permit modification that entails impacts (clearing, filling, and grading) within a conservation easement is questionable. Under these circumstances, we would recommend against proceeding with this effort.

As suggested in the Higgins Engineering report, installing a bulkhead or retaining wall outside the limits of the conservation easement could provide adequate prevention of future soil erosion from the back yards. Providing a retaining wall or bulkhead just outside the conservation easement limits would allow for flattening of the slopes of the back yard areas thereby reducing future erosion potential.