



South Indian River Water Control District™

Established 1923

A Florida Special District

15600 Jupiter Farms Road • Jupiter, Florida 33478-9399 • (561) 747-0550 • Fax (561) 747-9182

www.sirwcd.org

sirwcd@sirwcd.org

BOARD OF SUPERVISORS MEETING AGENDA

December 8, 2022 – 6:00 pm

District Work Center

15600 Jupiter Farms Rd., Jupiter, FL 33478

Meeting and Zoom Video Conference

- 1) Pledge of Allegiance
- 2) Ratification of Election Results
 - A) Swearing in of Elected Board Members
- 3) Election of Officers
- 4) Appointments
- 5) Consent Agenda
 - A) Approval of Minutes of Previous Meeting
 - B) Approval of Warrant List
- 6) Landowner Items
- 7) Public Information Report
 - A) Drainage Fact Sheet
 - B) Policy and Procedures Manual
 - C) Family Day
- 8) Treasurer's Report
- 9) Manager of Operations Report
- 10) Engineer's Report
 - A) Widening Weir at Canal D
 - B) Section 7 Project
 - C) Canal C Project
 - D) Road Paving Petitions
 - E) Water Quality Monitoring
- 11) Attorney's Report
 - A) Draft of Procurement Policy
- 12) Old Business
- 13) New Business
- 14) Adjourn

Public Information Monthly Report Nov./Dec. 2022

**TO: Board of Supervisors
South Indian River Water Control District**

**FROM: Dick Gruenwald Associates
District Public Information Specialists**

News releases/Notices were sent out to local newspapers and community publications:

- 1) Tropical Storm Nicole (Nov. 7) release
- 2) Monthly Board of Supervisors Meeting (Dec. 8) release

The following items were updated or added to the website:

- 1) Multiple copy changes on numerous pages
 - Statistics, Board Meetings, Budget, Meetings, Elections
- 2) Monthly Meeting (Aug. 18, Sept. 15) minutes
- 3) Tropical Storm Nicole information updates
- 4) Archives and Board meeting schedule fiscal year 2022-2023
- 5) Board of Supervisors Monthly Meeting (*Dec. 8*) information and Zoom registration invitation
 - Agenda, staff reports and slide presentation

Attended Monthly Meetings (Oct. 20, Dec. 8) at District Office with set up and monitor Zoom meeting.

We are currently working on the winter newsletter that includes the Manager of Operations and Engineer's Reports, an updated employee photo (which will be taken shortly), roadway paving update, elections results, project updates, 100th anniversary, and Family Day.

We are currently working on Family Day. While we believe continuing with our traditional barbeque is probably the best option, we are open to discussion. As we have done in the past, we will invite local community officials that the District works with and publicize the event in local community publications, as well as social media with custom invites. A commemorative poster and 100th anniversary logo will be created. We would like the Board's input on items such as a 100th anniversary banner, a cake, cookies, or cupcakes for celebrating the anniversary, and giveaways, as well as the fun events for the kids. Tom Jackson has expressed interest in performing. Discussion at the Board Meeting.

Donna DeNinno originally secured four initial proposals for accessibility-compliant website development and hosting and did extensive research and prepared outlines to work with legal, Michael Howard, John Meyer, and Holly Rigsby on content and changes for the District's website. Consideration for keeping costs within budget was a primary consideration, as well as meeting the accessibility guidance. We do have the accessibility statement suggested by legal on the existing website regarding creating a new compliant site and that the District will provide content upon request to those currently unable to access any information. Covid-delayed Florida Senate and House bills sponsored by Florida Association of Special Districts to change requirements for special district websites were signed into law on July 1, 2020.

Ms. DeNinno and legal reviewed changes and reported on options at the July 16, 2020, Board Meeting. The Board approved creating the new site based on the latest information required by the State.

We are continuing to update pages within the existing website that will be included in the creation of the new site, once reviewed by the committee and Board. Nine Portable Document Files (PDFs) that are required to be on the website have been remediated through a third-party accessibility company. As requested by the Board, we are now including Staff Reports and Presentations in addition to the Agenda for meetings. We are currently updating these files dating back to October of 2020. New PDF remediation checkers have been released and we are using these to check our remediated files for compliance. We have sent staff information with tips for preparing more accessible documents that will be used as PDF files on the website so remediation will be easier. Municode is now a wholly owned subsidiary of CivicsPlus (these are companies we quoted with for the creation of an accessible website). Both companies use the same software, have the same features and similar costs. We will be able to work with the representative from Municode who has been very helpful. An updated quote was received for \$3600 per year, which incorporates design of the site, hosting, maintenance, and security. We continue to edit and revise the existing website, remediate PDF files, and prepare for moving the website to a new host.

The District office and staff met on April 23, 2021, to review and discuss updates by Legal of the District's Policy & Procedures Manual. These revisions to Chapters 1-6 and associated Appendices have been incorporated into the manual. Mike Dillon, Donna DeNinno, and Mike Howard met on June 16, 2021, for additional discussion. A Policy Committee Meeting was held on October 5, 2021, at the District Office with John Meyer, John Jones, Mike Dillon, Donna DeNinno, Bill Capko and Seth Behn in attendance and Amy Eason attending via Zoom. Three landowners also attended. The Policy & Procedures Manual Update was discussed, and additional revisions were made. John Meyers and Donna DeNinno made additional updates and changes to Chapters 1-6 and the Table of Contents in December and January, and the latest revision was submitted to Michael Howard, Mike Dillon, Legal, and Engineering, with comments due back by January 20, 2022. Michael Howard and John Meyers made a few additional changes after the January 20 meeting. Mr. Meyer asked at the February 17, 2022, meeting if Chapters 7-9 and Chapter 10 could be completed by the end of the year. Comments have been received from legal, Laura Bender, and Mrs. Rigsby for additional updates to Chapters 1-6 and Appendix C, which includes election information, and a draft was sent to the Board and Staff for review. Chapters 7 and 8 were received from engineering **Chapters 7 and 8 were reviewed by Mr. Meyer, Mr. Howard, and the staff and after comments, Chapters 7 and 8 have been combined and revisions made. The former Chapter 9 has been received from engineering. Mr. Behn sent a draft of the procurement policy to staff and the Board for comments and changes. This will be the new Chapter 9. Chapters 7-9 are currently being incorporated into the draft manual and will be sent to the committee for review prior to the December 8 meeting.**

Susan Kennedy, Karen Brandon, and Donna DeNinno held a January Zoom meeting to discuss options for public education materials, with an initial focus on information for the wet season - District drainage and flooding management. The consensus was to consider a series of options such as animations, infographics, videos, and fact sheets on a number of subjects of interest to the landowners and of importance to the District. The Board was updated on this approach at the January Board meeting. Ms. DeNinno has provided research information to Ms. Kennedy and Mrs. Brandon for consideration of topics to include in our projects. Ms. DeNinno secured original art files from South Florida Water Management District, and they have given us permission to utilize their materials in our projects. The first project will be on drainage and flooding with print fact sheets/infographics. Ms. Kennedy, Mrs. Brandon, and Ms. DeNinno have had three Zoom meetings and an initial draft was sent to Board members for comments at the May Meeting.

Ms. Kennedy asked Ms. DeNinno to send her the file so she could make edits, and Ms. DeNinno sent her the information on May 20th. **Ms. Kennedy is currently working on the file.**

At the March 17, 2022, meeting, Ms. Kennedy suggested a contract with a video company. Ms. Kennedy worked with Matthew Gitkin's Nine Finger Productions in Jupiter Farms on the project. Donna met with Mrs. Rigsby at the District Office to set up a You Tube account and she set up the channel, settings, and uploaded the video and closed captioning. We remediated a text version of the video script provided by Mr. Gitkin and uploaded that to the South Indian River Water Control District website, along with the video on a new Videos page.

The premier of the Drainage in the District Video was shown at the Annual Landowners' Meeting and links to the video on YouTube were provided to community social media. **The video has received 312 views and nine likes as of December 5.**

We are currently remediating the Adopted Budget file that was received from the Treasurer for the website.

We continue to work with Mr. Meyer, Ms. Kennedy, and the Manager of Operations on a regular basis. We review and monitor print and online media for all District-related stories articles on roads, drainage, and other issues of interest in Palm Beach County and Florida, as well as nationally, then prepare and distribute material to supervisors and members of the staff via e-mail.



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15600 Jupiter Farms Road, Jupiter, Florida • (561) 747-0550 • Fax (561) 747-9182

To: Board of Supervisors

From: Charles F. Haas, Treasurer

RE: Treasurer's Report for the month of December 2022

CC: Staff

Date: December 8, 2022

Routine Business

- 1) The District has not yet received this year's assessment receipts from the Palm Beach County Tax Collector's Office for Fiscal Year 2022-23.
- 2) We will soon begin year end close in preparation for audit commencement.
- 3) We have completed and filed on-line a Survey of Local Government Finances as part of the 2022 Census of Governments conducted by the US Census Bureau.
- 4) Following the Board's direction, we will be sending our report to the District's Public Information Officer for uploading to the website.

Board Consideration

- 1) The Board will be asked to approve the list of disbursements. (Sent under separate cover).



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MEMORANDUM

TO: Board of Supervisors
FROM: Manager of Operations
SUBJECT: Manager's Report for October 14, 2022 to December 1, 2022
DATE: December 1, 2022

ADMINISTRATIVE

- 1) Reviewed District canals with Aquatic Weed Spray Contractor.
- 2) On-site meetings and phone conversations with Landowners related to maintenance activities throughout the District.
- 3) Conference calls with South Florida Water Management District regarding Hurricane Nicole. Crews conducted pre-storm procedures.
- 4) John Deere delivers new 6105 Boom.
- 5) Received \$3,041.75 for Verizon Tower Lease..
- 6) Meeting with District Engineer and Busch Wildlife contractors to review drainage plans affecting District canals.
- 7) Attended Loxahatchee River Preservation Initiative meeting at Town of Jupiter Emergency Center.
- 8) Conference calls with District Attorney and Office Administrator to review Policy and Procedures manual.
- 9) Arie Raz attends Safety Council of Palm Beach County meeting.
- 10) Hired John Carlson as Level 1 operator.
- 11) Received \$11,209.09 from the Palm Beach Country School Board for road and drainage assessments for 2022-2023.
- 12) Received \$3,000.46 from Egis Insurance Safety grant program.
- 13) Conducted employee safety meeting. Employees watched training video on Illicit Discharge Inspections. This video is part of the 2022-23 National Pollutant Discharge Elimination System report.

WATER CONTROL

- 1) Received 7.73 inches of rain this reporting period.
- 2) Crews installed 22 driveway culverts and four temporary culverts. Crews also prepared swales for three new construction culvert installs. Four driveway culverts were inspected.
- 3) Terra Tech continues canal spraying for aquatic weed control.
- 4) Crews continue to inspect driveway culverts for replacement and swales continue to be re-contoured for drainage.
- 5) Crews continue to inspect and replace drainage culverts throughout the District.
- 6) Crews removed downed trees due to Hurricane Nicole from various canals.
- 7) Crews performed pre- and post-storm inspections of canals, canal structures and the secondary drainage system.

ROAD MAINTENANCE

- 1) Roads are being recontoured for stormwater runoff.
- 2) Received quote from Ranger Construction for asphalt overlay on Haynie Lane between 167th and Jupiter Farms Elementary School. **(Board Discussion)**

Michael Dillon

Michael Dillon
Manager of Operations



AECOM
2090 Palm Beach Lakes Blvd
Suite 600
West Palm Beach, FL 33409
www.aecom.com

561 684 3375

Memorandum

To South Indian River Water Control District
Board of Supervisors

CC

Subject Engineer's Report for October

From Karen D. Brandon, PE, District Engineer

Board Meeting

Date December 8, 2022

The following is a summary of activities and communications that were of significance during the past month. Updated information is presented in **bold**:

I. CURRENT CAPITAL IMPROVEMENTS AND OTHER DISTRICT PROJECTS

- A. Staff has executed a contract for the surveying of Canal C. Survey has been obtained. Staff prepared design cross sections and preliminary plans for the permit applications to expand and relocate Canal C to allow for maintenance on both sides of the canal. Staff also investigated the ownership of Canal C and has attended a meeting with South Florida Water Management District to discuss permitting. Per Board direction, staff submitted a Loxahatchee River Preservation Initiative grant application for this project and was ranked on August 9, 2021. Staff submitted the House of Representatives forms for submission to the Florida Legislation for consideration. In addition, staff has reached out to the Florida Department of Environmental Protection to discuss permitting. Notification was received March 9, 2022, that Legislative funding was approved for the Canal C project in the amount of \$312,500 for Fiscal Year 2023. Staff is also researching the U.S. Army Corps 404 Permitting and the delegation to Florida Department of Environmental Protection. It is anticipated that the project will qualify for an exemption for stormwater maintenance. Florida Department of Environmental Protection has confirmed that as long as there are no wetland impacts that are in Waters of the United States then a 404/Federal authorization will not be required. Staff submitted a letter to Florida Department of Environmental Protection requesting confirmation of qualification as an exemption or "No Permit Required". The Florida Department of Environmental Protection has requested completion of a Waters of the United States form followed by a site inspection for verification. **Staff was notified by Florida Department of Environmental Protection this week that we have been assigned a new permit reviewer. The next step will be to schedule a site inspection with the new reviewer.**

The Florida Department of Environmental Protection Grants office forwarded Agreement Forms and Insurance Requirements which are necessary for Florida Department of Environmental Protection to draft the grant agreement. These forms and the Certificate of Insurance will be submitted to Florida Department of Environmental Protection this week.

- B. On June 23, 2021, staff received notice from the Florida Department of Environmental Protection that South Indian River Water Control District received a cost reimbursement grant of \$353,650 for the Section 7 Drainage Improvement Project. Staff prepared the information for the agreement and submitted it to Florida Department of Environmental Protection on August 31, 2021. Florida Department of Environmental Protection executed the agreement on October 22, 2021, and the operation manager ordered three (3) risers. Staff has been finalizing calculations and preparing contract documents for various components of the project to obtain costs from various contractors in accordance with South Indian River Water Control District policy and procedures. A site inspection to verify field conditions was conducted on January 27, 2022, with staff. As a result of the site meeting, some revisions and adjustments were made to the plans. A quarterly Progress Report was sent to Florida Department of Environmental Protection on January 14, 2022. A teleconference was held between staff and the Florida Department of Environmental Protection Grant Project Manager on February 3, 2022. The plans, once finalized, will be sent to Florida Department of Environmental Protection, prior to construction. The plans are scheduled to be submitted to the District Manager for review by March 17, 2022, prior to submittal to Florida Department of Environmental Protection. A meeting was held with staff on March 23, 2022, for a final review of the plans. Minor edits have been made to the plans and the calculations of additional storage volume to be provided by the project are being finalized. The quarterly Progress Report is being submitted to Florida Department of Environmental Protection this week. The final construction plans were submitted to the Florida Department of Environmental Protection Grant Manager on April 29, 2022, for his files. The District Manager is in the process of requesting bids from contractors for the riser/culvert installations and land clearing activities.

On May 2, 2022, South Indian River Water Control District received a request for information from the Public Integrity & Elections Committee by email for the Section 7 project. The notification includes a list of records to be produced related to invoice documentation, communications with Florida Department of Environmental Protection, contracts, and status of the project. Staff reached out to the Committee Staff Director on May 6, 2022 and discussed the current status of the project. The requested information was submitted on June 3, 2022.

As a result of the Manager of Operations receiving only one bid for the installation of the riser/culverts after reaching out to several contractors, staff decided to advertise for bids in the Palm Beach Post. The advertisement ran on July 10, 2022, with a bid due date of August 9, 2022.

A quarterly Progress Report was submitted to Florida Department of Environmental Protection on July 17, 2022.

Unfortunately, only one bid was received for the riser/culvert installations and the bid was very high. Staff is reaching out to the contractor to clarify his assumptions, with the intent of negotiating a more reasonable price. Meanwhile, the clearing of vegetation from the easements has been completed.

The Section 7 contract was re-bid in September with a due date of October 11, 2022. Two bids were received and are currently under review for responsiveness. It is anticipated staff will make a recommendation for the award at the October meeting.

A quarterly Progress Report was submitted to FDEP on October 13, 2022.

The construction contract was awarded to Johnson-Davis, Inc. at the October Board meeting. The Contract has been fully executed and a pre-construction meeting was held on November 30, 2022. The Notice to Proceed date was set for December 12, 2022, with a completion date of February 28, 2023.

II. OPERATION AND MAINTENANCE

- A. The last National Pollutant Discharge Elimination System Steering Committee meeting was held on **November 9, 2022. Items discussed include a Year 5 Audit Summary, the Year 6 Annual Reports, the Public Education Program, and an update on the Cycle 5 Permit. The next Steering Committee Meeting is scheduled for January 18, 2023.**
- B. Staff continues to monitor and participate in the activities of the Loxahatchee River Ecosystem Management Committee, the Loxahatchee River Initiative, and the Loxahatchee River Management Coordinating Council. The Loxahatchee River Management Coordinating Council met on June 27, 2022. The meeting included an update on the Loxahatchee River Watershed Restoration Project Rulemaking Revisions.
- C. Staff had a conference call with South Florida Water Management District staff members Beth Kacvinsky and Jeff Buck on February 10, 2022, to discuss the G-92 Agreement between South Indian River Water Control District and South Florida Water Management District for operation of the structure. Beth will discuss with South Florida Water Management District operations staff and others to initiate the process of developing an updated agreement. Staff received an email with flow graphs for G-92 on March 9, 2022, for review. An update on the status of internal discussions at South Florida Water Management District regarding a new G-92 agreement was requested on March 11, 2022.

Staff attended the Palm Beach County Water Resources Task Force Meeting on March 31, 2022, and had the opportunity to speak with Jennifer Reynolds, who is the Director of Ecosystem Restoration and Capital Projects for South Florida Water Management District. The South Florida Water Management District is proposing to amend consumptive use permitting criteria to protect water made available by the Loxahatchee River Watershed Restoration Project. This water resource protection is a prerequisite for the South Florida Water Management District signing a Project Partnership Agreement with the US Army Corps of Engineers for the Loxahatchee River Watershed Restoration Project by September 2022. Ms. Reynolds is not authorized to begin drafting agreements, such as the new G-92 Agreement, until after the rule is final. **Staff reached out to Jeff Buck on December 2, 2022 to request an update as to when South Florida Water Management District will be ready to start discussing a new G-92 Agreement.**

- D. In response to the Board's requests last month regarding water quality sampling, staff obtained a quote from Pace Analytical Services, LLC for Sucralose. The additional monthly fee would be \$450/sample or \$3600 for all eight sample locations, which would double South Indian River Water Control District's sampling cost. Additionally, trend graphs have been created for the metals currently sampled. **Staff's recommendations for modifications to the Water Quality Monitoring Program were presented at the October Board meeting. At the Board's request, water quality trend graphs were prepared for all the sample parameters at all District monitoring locations and distributed to the Board for a more thorough review. A follow-up discussion will be held at the December Board meeting.**
- E. **Final Edits incorporating Board member comments on Chapters 7 and 8 and the first draft of revisions to Chapter 9 of the Policy and Procedures Manual were forwarded to the Public Information Officer for incorporation into the draft Manual.**

- F. We continue to provide engineering assistance to the Manager of Operations, as needed, on operation and maintenance items, as well as landowner requests, utility requests, and inquiries from other governmental entities on issues that involve engineering support.

- G. Staff's recommendations for modifications to the Water Quality Monitoring Program were presented at the October Board meeting. At the Board's request, water quality trend graphs were prepared for all the sample parameters at all District monitoring locations and distributed to the Board for a more thorough review. A follow-up discussion will be held at the December Board meeting.

Should you have any questions or comments, please feel free to contact me for more detailed information on any of the above subjects.