



Over 85 Years of Service

BOARD OF SUPERVISORS MEETING

October 10, 2013 – 6:00 p.m.
District's Work Center
15600 Jupiter Farms Rd., Jupiter, FL 33478

A G E N D A

1. Invocation and Pledge of Allegiance
2. Ratification of election results
 - Swearing in of elected Board members
3. Election of officers
4. Appointments
5. Approval of minutes of previous meeting
6. Public Information report
7. Treasurer's report
8. Manager of Operations' report
9. Engineer's report
10. Attorney's report
11. Landowners items
12. Old business
13. New business
14. Adjourn



Over 85 Years of Service

MEMORANDUM

TO: Board of Supervisors
FROM: Manager of Operations
SUBJECT: Manager's Report for the period September 14, 2013 through October 4, 2013
DATE: October 4, 2013

ADMINISTRATIVE:

1. Receiving bids to repair the 165th / 122nd outfall drainage canal.
2. Conducted monthly review of District canals with aquatic weed spraying contractor.
3. Attended the Safety Council of Palm Beach County workshop on OSHA Policy and Procedures.
4. Phone conversations with North Florida Emulsions to discuss upcoming road maintenance.
5. Received \$2,300.00 from Verizon for monthly lease.
6. Meetings with Section 33 P.O.A. President to review drainage and culvert replacement.
7. Meetings with Homeowners to discuss drainage issues and road conditions.
8. Attended Staff meeting.

WATER CONTROL:

1. Mowers and backhoes continue routine maintenance services on roadside swales and berms throughout the District.
2. Received 3.56 inches of rain at the District Work Center this reporting period.

MEMORANDUM

To: Board of Supervisors

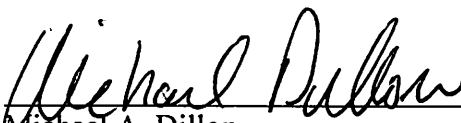
Date: October 4, 2013

Page 2

3. Prepared swales for four driveway culverts followed by inspections.
4. Terra Tech continues canal spraying for aquatic weed control.

ROAD MAINTENANCE:

1. Roads continue to be re-contoured to provide maximum run-off during rain storm events.
2. D.S. Eakins hauled 440 yards of road stabilizer to the District Work Center.
3. The 670 CH Motor Grader axle housing was repaired and is back in service.



Michael A. Dillon
Manager of Operations



**DICK GRUENWALD
ASSOCIATES, LLC**

Oct. 4, 2013

**TO: Board of Supervisors
SOUTH INDIAN RIVER WATER CONTROL DISTRICT**

**FROM: Dick Gruenwald Associates
DISTRICT PUBLIC INFORMATION SPECIALISTS**

SUBJECT: Monthly Report October 2013

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

- ❖ Monthly (Oct. 10) Meeting release
- ❖ Annual Budget Meeting (Aug. 15) results release

The following items were uploaded to the website:

- ❖ Monthly (Oct. 10) meeting
- ❖ 2012-2013 Reports - Manager of Operations, District Treasurer, District Engineer
- ❖ Annual Landowners Meeting minutes (9-20-12)
- ❖ 2013-2014 Fiscal Year Calendar
- ❖ October Staff monthly reports–
Manager of Operations, Engineer, Treasurer, Public Information

We assisted the Manager of Operations with the plaque for David Duckett.

The next newsletter has been started and will include the Manager of Operations' and the District Engineer's annual reports.

Consulted on various projects with Staff, Supervisors and Manager of Operations.

We continue to work with Mr. Rice and the Manager of Operations on a regular basis. We review and monitor print and online media for all SIRWCD 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 PDF in e-mail.



To: Board of Supervisors
FROM: Charles F. Haas, Treasurer
RE: Treasurer's Report for the month of October, 2013
CC: Staff
Date: October 10, 2013

Routine Business

1. The total assessment received through September 30th, 2013 was \$5,149,269. No additional assessments are due for 2012/13 Fiscal Year. The 2012/13 Budget called for assessments totaling \$5,136,000.
2. The District is scheduled to receive the first distribution of the 2013/2014 assessment receipts from the Palm Beach County Tax Collector in November, 2013.
3. The District's year end was September 30, 2013. Since we are in the process of closing the books, a financial report has not been prepared.
4. We have been working with Regions Bank to secure financing for the 17th POI. From our conversations we expect that the proposed terms will fall within the parameters used for the referendums and that we will have a proposal for the Board to consider before the meeting. As soon as we receive it, I will forward it to the Board.
5. Following the Board's direction we will be sending our report to the District's Public Information Officer for uploading to the web-site.

Board Consideration

As noted earlier we expect to have a proposal for Board consideration from Regions Bank for the financing of the 17th POI.

To South Indian River Water Control District
Board of Supervisors Pages 5

CC

Subject Engineer's Report for October 2013

From Amy E. Eason, PE, District Engineer

Board Meeting
Date October 10, 2013

The following is a summary of activities and communications that were of significance during the month of September and October 2013:

I. CURRENT CAPITAL IMPROVEMENTS AND OTHER DISTRICT PROJECTS

- A. The District has received petitions from landowners to apply both OGEM and Asphalt on certain roadways within the District. The roads met the requirements to distribute a referendum to all benefited landowners. Pursuant to Board direction, staff prepared a referendum for the landowner proposed projects that was mailed August 3, 2012 with the request that the landowners submit their response to the District by September 5, 2012. On September 11, 2012, staff received the certification from the Supervisor of Elections on the results of the referendum. The majority of the landowners who voted on the following roadways were "in favor" of the proposed project for OGEM in Jupiter Farms (approximately 0.4 miles):

- 127th Drive N. between 187th Place N. and Old Indiantown Grade
- 90th Trail N. between 165th Place N. and 166th Way N.

In addition, the majority of the landowners who voted on the following roadways were "in favor" of the proposed project for asphalt in Palm Beach Country Estates (approximately 1.5 miles):

- 73rd Terrace N. between 155th Place N. and 159th Court N.
- 79th Terrace N. between 155th Place N. and 162nd Court N.
- 75th Way N between 163rd Court N. and 165th Street N.
- 77th Trail N. between 165th Street N. and 167th Court N.

A resolution to amend the Water Control Plan was presented to the Board of Supervisors on October 18, 2012. As part of this resolution, staff has determined the cost estimate and the benefitted area for the project.

On January 10, 2013, a workshop was held to discuss the landowner initiated roadway program and other items. Many topics were discussed at this meeting, and some topics required further evaluation by the Board and staff.

On February 7, 2013, a continuation of the January workshop was held. The Board directed staff to prepare a letter of explanation to the landowners included within the benefitted area of the OGEM project along with an updated referendum showing the updated cost estimates. A referendum with a letter of explanation was sent to the affected landowners on March 27, 2013 with the request that the landowners submit their response to the District by April 27, 2013. The results of the referendum were certified by the Supervisor of Elections on May 7, 2013 and both OGEM roadway segments were "in favor" of the project.

The Board directed staff to proceed with the preparation of the Plan of Improvement. The Plan of Improvement was submitted to the District office on March 22, 2013 for public review and a public hearing was held on April 18, 2013.

After the public hearing, the Board directed staff to proceed with the preparation of the Engineer's Report. The Engineer's Report was submitted to the District office on May 23, 2013. On August 15, 2013, a public hearing was conducted on the Engineer's Report, and the Plan of Improvement and the Engineer's Report was approved by the Board.

A contractor has been selected for the OGEM project and is expected to begin this month or early next month. For the Asphalt project, survey information is being obtained and design shall occur this month with construction expected to begin in December. Staff is prepared to update the Board at this month's meeting.

- B. Staff has received requests for petitions from landowners for roadway improvement projects. Per the February 2013 workshop, staff has developed an updated petition to distribute to landowners as they request it. In addition, staff has been reviewing the limits of the roadway improvement requests before distributing the updated petition for circulation. For notification, signs are being installed stating that a petition is being circulated in the area. Currently, the District has received petitions from landowners to apply OGEM and asphalt on certain roadways within the District. The landowners on the following roadways are petitioning to distribute a referendum for OGEM (approximately 0.5 miles):

- 164th Court N between Mellen Lane and Alexander Run

The landowners on the following roadways are petitioning to distribute a referendum for asphalt in Palm Beach Country Estates (approximately 0.75 miles):

- 74th Avenue N. between 155th Place N. and 159th Court N.
- 88th Trail N. between 155th Place N. and 159th Court N.

Staff is prepared to update the Board at this month's meeting.

II. OPERATION AND MAINTENANCE

- A. There was a meeting on September 18, 2013 for the National Pollutant Discharge Elimination System (NPDES) Steering Committee. At the meeting, the Florida Department of Environmental Protection (FDEP) presented the audit information for the joint permit. Some of the topics discussed were nutrient loading reductions, best management practices (BMP) inspection schedule, and upcoming requirements for the audit. The next meeting date has is scheduled for November 13, 2013. This will be an update on the total maximum daily loads (TMDL) in Palm Beach County.
- B. SFWMD continues to operate the G-160 structure to maintain flood protection and is committed to coordinating with, and monitoring water levels at the perimeter of some of the communities adjacent to and east of the Loxahatchee Slough to determine if there are impacts to the communities resulting from the increased water levels. The monitoring wells installed in April 2010 in SIRWCD's perimeter levee for Palm Beach Country Estates measured surface and groundwater water levels in conjunction with the operation of the G-160 structure. Well data has been collected through March 2013 and a report for the period from April 2010 – March 2013 is under preparation. The last stakeholder meeting was held on October 16, 2012. SFWMD has requested stakeholder input with respect to the scope of work for analysis of the data for a final report, as well as quality assurance and quality control of the data for inclusion into the DBHydro database.
- C. SFWMD's "Everglades Restoration Strategies" is a program that has been developed in order to address water quality-based effluent limits for Stormwater Treatment Areas (STAs) to meet NPDES permitting requirements by EPA. As part of the program's Technical Plan, both STA expansions and Flow Equalization Basins (FEB) upstream of STAs are proposed. The plan includes designation of the L-8 Reservoir as a 45,000 ac-ft FEB for STAs 1W and 1E. As a "replacement feature", the plan proposes to acquire and construct replacement storage to capture flows from the western C-18 Basin in the Mecca vicinity and discharge those flows via "Flow-way 2" (C-18 West Canal through C-18 and Loxahatchee Slough) to the Northwest Fork of the Loxahatchee River to meet Minimum Flows and Levels. Staff will continue to monitor these developments.
- D. On November 14, 2010, Environmental Protection Agency (EPA) approved the numeric nutrient criteria for fresh water and lakes. On September 29, 2011, FDEP published a draft Florida Administrative Code (F.A.C.) Chapter 62-302 regarding nutrient standards. The date for promulgation of numeric nutrient criteria (NNC, total nitrogen and total phosphorus) for lakes and flowing waters (fresh waters) was October 15, 2011; however, the date for South Florida waters, including canals, has been extended to coincide with the revised date for promulgation of numeric nutrient criteria for estuaries and coastal waters. The draft F.A.C. appeared before the Florida Environmental Regulation Commission (ERC). On December 8, 2011, the Florida ERC passed Florida's numeric nutrient criteria, which include the following:
- an amendment to provide that narrative criteria will continue to apply to ditches, canals and urban storm water conveyances
 - an amendment intended to limit the ability of EPA to pick and choose which provisions of the Florida rules to accept or reject.

An administrative challenge to the proposed rules was filed by Earthjustice prior to their adoption on December 8, 2011. On June 7, 2012, an administrative law judge upheld the state's proposed new water quality rules. The rules required ratification by the Florida Legislature; however, Governor Rick Scott signed HB 7051 waiving legislative ratification of the proposed rules. After FDEP notified the EPA of the judge's decision, EPA had 60 days to approve the state rules and then had to withdraw the Federal rule for the state rules to take effect.

A notice was filed in the Federal Register stating that the EPA was finalizing an extension of the July 6, 2012, effective date of the EPA NNC for six months to January 6, 2013. This allowed the EPA to review the Florida ERC approved numeric nutrient criteria.

On November 30, 2012, EPA announced its approval of FDEP's NNC. However, EPA also proposed additional regulations that would apply EPA's criteria to those waters not covered by FDEP's NNC, such as urban storm water conveyances, open ocean waters, and many estuaries where FDEP Total Maximum Daily Loads (TMDLs) have already been adopted. Since EPA developed NNC on waters not covered by FDEP's NNC, EPA and FDEP entered into an agreement on March 15, 2013, known as "Path Forward", to develop a plan for FDEP to develop NNC for the remaining waterbodies before EPA's consent decree deadline of September 30, 2013.

Since the agreement, FDEP adopted a NNC Implementation Document on April 23, 2013; adopted criteria for additional estuaries such as the Loxahatchee River Estuary on June 20, 2013; and have developed a report titled, "Status of Efforts to Establish Numeric Interpretations of the Narrative Nutrient Criterion for Florida Estuaries and Current Nutrient Conditions of Unimpaired Waters" to the Governor as required by the "Path Forward" agreement with EPA and Chapter 2013-71, Laws of Florida on August 1, 2013.

Neither EPA nor FDEP have NNC for South Florida waterbodies, especially the canals. FDEP drafted the "South Florida Canal Aquatic Life Study" and presented the study to stakeholders on November 1, 2012. This study proposes to perform a comprehensive assessment of South Florida canals and the aquatic life associated with those canals. The objectives of the study are:

1. Assess aquatic life in South Florida canals;
2. Determine interrelationships between aquatic life in canals and other variables that affect aquatic life;
3. Evaluate the differences in conditions for South Florida canals; and
4. Collect information that can be used to guide management decisions.

Eventually, this study will be used to determine if NNC are necessary for these waterbodies. Staff will continue to monitor these developments.

- E. On June 29, 2012, the EPA published a public notice of availability on the proposed Total Maximum Daily Loads (TMDLs) for waters and pollutants in the State of Florida. This notice included the proposed TMDL on the Southwest Fork of the Loxahatchee River and the C-18 Canal. The TMDL is for nutrients and dissolved oxygen and effects Palm Beach Country Estates, Jupiter Park of Commerce, and

Egret Landing. In addition, on July 6, 2012, FDEP announced a draft statewide TMDL for mercury. Staff will continue to monitor these developments.

- F. At the March Board meeting, staff was directed by the Board to investigate Palm Beach County's practices for determining the need for traffic calming devices within their rights-of-way within the District's boundaries. In May, staff received information on the speed hump work on Brian's Way. Staff has submitted a request to Palm Beach County to discuss their policies on traffic calming devices.
- G. 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.
- H. We continue to receive, review, and comment on various permit applications for projects to be constructed within the District.
- I. We continue to provide engineering assistance to the General Manager, 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.

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



Over 85 Years of Service

MEMORANDUM

TO: Board of Supervisors
FROM: Manager of Operations
SUBJECT: Manager's Report for the period October 7, 2013 through November 15, 2013
DATE: November 15, 2013

ADMINISTRATIVE:

1. Meeting with Palm Beach County Environmental Resources Management and District Engineer to discuss Pine Glades Natural Area and its effect on the District's drainage.
2. Conducted monthly review of District canals with aquatic weed spraying contractor.
3. Attended Safety Council of Palm Beach County Board meeting.
4. Meetings with North Florida Emulsions to discuss scheduled road maintenance on existing O.G.E.M. roads.
5. Received \$2,300.00 from Verizon for monthly lease.
6. Attended the North County Land Managers Meeting in Jupiter Farms.
7. On-site meetings and phone conversations with Homeowners to discuss drainage issues and road conditions.
8. Attended pre-construction meeting at the District work center for the 17th Plan of Improvements asphalt project.
9. Conducted employee safety meeting at District work center.

MEMORANDUM

To: Board of Supervisors

Date: November 15, 2013

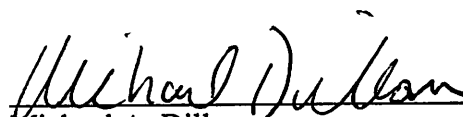
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WATER CONTROL:

1. Mowers and backhoes continue routine maintenance services on roadside swales and berms throughout the District.
2. Received 2.46 inches of rain this reporting period.
3. Prepared swales for ten driveway culverts followed by inspections.
4. Terra Tech continues canal spraying for aquatic weed control.
5. Purchased mower assembly for Kobelco excavator.
6. Swales are being re-contoured in numerous sections of the District.

ROAD MAINTENANCE:

1. Lake Pointe Restoration hauled 537 tons of shell mix and stabilizer to District yard.
2. Roads continue to be re-contoured to provide maximum storm water runoff.



Michael A. Dillon
Manager of Operations



**DICK GRUENWALD
ASSOCIATES, LLC**

Nov. 15, 2013

**TO: Board of Supervisors
SOUTH INDIAN RIVER WATER CONTROL DISTRICT**

**FROM: Dick Gruenwald Associates
DISTRICT PUBLIC INFORMATION SPECIALISTS**

SUBJECT: Monthly Report November 2013

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

- ❖ Monthly (Nov. 21) Meeting release
- ❖ David Duckett retirement release

The following items were uploaded to the website:

- ❖ Monthly (Nov. 21) meeting
- ❖ Monthly Meeting minutes (9/20/13, 8/15/13, 9/19/13)
- ❖ November Staff monthly reports–
Manager of Operations, Engineer, Treasurer, Public Information

We continue to work on the next newsletter and will include the Manager of Operations' and the District Engineer's annual reports, updates on roadway improvement projects, election results and NPDES information.

We continue to work with Mr. Rice and the Manager of Operations on a regular basis. We review and monitor print and online media for all SIRWCD 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 PDF in e-mail.



To: Board of Supervisors
FROM: Charles F. Haas, Treasurer
RE: Treasurer's Report for the month of November 2013
CC: Staff
Date: November 21, 2013

Routine Business

1. We continue to work on the year-end close of the financial system as well as loading the budget in to the General ledger for the 2013-14 year. Consequently, a financial report is being deferred until the budget is loaded.
2. A final budget amendment for the prior year is being prepared and will be sent to the Board under separate cover.
3. The District received the first distribution of the 2013/2014 assessment receipts from the Palm Beach County Tax Collector in during the month.
4. We received a commitment from Regions Bank for the financing of the 17th POI on November 14, 2013. The interest rate is 3.75% with a term of 12 years, which is within the parameters stated in the referendum. The District's attorney will be preparing the necessary loan documents. A copy of the proposal is attached to this report.
5. The Manager of Operations received an offer from UNISON to purchase the lease with Verizon for the cell phone tower for \$330,000 if accepted prior to November 26, 2013. I have prepared an analysis (attached) scheduling the expected revenue stream of the current lease.
6. Following the Board's direction we will be sending our report to the District's Public Information Officer for uploading to the web-site.

Board Consideration

1. Consideration of the proposal from Regions Bank for the financing of the 17th POI.

Board Consideration (cont)

2. Consideration of the lease purchase proposal from Unicom.
3. Consideration of budget amendments for the prior fiscal year.

Regions Loan Proposal

Subject: Fw: South Indian River WCD - Terms and Conditions

From: Oscar.Herrera@Regions.com

Date: 11/14/2013 10:38 AM

To: haas@sirwcd.org, Charles Haas <chaas@bellsouth.net>, Charles Haas <chaas@haasnet.us>

CC: Lyle.Hunter@regions.com

Chuck

Below find the basic terms of the approval. Regards



Oscar Herrera, CTP | Vice President

Regions Bank | 2800 Ponce de Leon Boulevard, Floor 9th | Coral Gables, FL 33134

(305-774-5152 | 7305-774-5189 | 3305-244-4842 | *oscar.herrera@regions.com

Do what is right**b**Put people first**b**Reach higher**b**Focus on your customer**b**Enjoy life

----- Forwarded by Oscar Herrera/CorpBanking/MGM/RFC on 11/14/2013 10:32 AM -----

From: Lyle L. Hunter/Human Resources/REGIONS

To: Oscar Herrera/CorpBanking/MGM/RFC@RFCNOTES

Date: 11/14/2013 10:28 AM

Subject: South Indian River Terms

Oscar,

The terms are outlined below:

- Amount: **\$680,000**
-
- Pricing: The loan is priced at a fixed tax exempt non bank-qualified rate of **3.75%**. An opinion from bond counsel will be required to confirm the tax status of the facility.
- Repayment and : The District will make principal payments annually, commencing on **October 1, 2014** and through the final maturity date of the loan. Interest payments shall be made semi-annually, commencing on **April 1, 2014**.
- Rate Adjustment: If the District is determined to be a taxable entity by the IRS following the subject request, the interest rate will automatically be grossed up/adjusted to a taxable rate.
- Security Interest: The payment of the principal and interest on the Bond shall be secured solely by a pledge of the special assessment revenues levied specifically for the Bonds against 68 parcels within the District that will benefit from the 17th Plan of Improvements.
- Financial Covenants: The District will not have any additional financial covenants with Regions for this

transac on.

- Cross Default: The bond will not be cross defaulted with other debt as the primary source for repayment for the bonds is independent of the exist ng facilities.
- Prepayment: This transac on will not have a prepayment penalty.
- District shall comply with all County, State, and Federal regulations regarding all meframes for reporting of all budgetary, compliance and financial matters.

Thanks,

Lyle L. Hunter
Governmental & Institutional Banking Underwriter
Regions Financial Corporation
2800 Ponce de Leon Blvd. 9th FL
Coral Gables, Florida 33134
Mail Code: FLMI66245T
Phone: (305) 774-5244
Fax: (305) 774-5189



Enjoy Life!

Verizon Lease Buyout Proposal



November 13, 2013

South Indian River Water Control Dist.
Mike Dillon
15600 Jupiter Farms Rd
Jupiter, FL 33478

Site #: 398181

The offer is subject to due diligence and is based on the assumptions listed below:

- Verizon Wireless tower
- Verizon Wireless as tenant
- \$2,300.00 current monthly rent
- \$2,300.00 purchased monthly rent
- 15.0% 5 year term (Verizon Wireless) escalation

Dear Mike:

Thank you for your interest in our cell site lease conversion program. After analyzing the information you provided, Unison is prepared to offer you a lump sum of **\$300,000** if the offer is accepted by November 26, 2013. In addition thereto, if a Term Sheet is executed by November 26, 2013, you will receive a signing bonus in the amount of **\$30,000 for a total value of \$330,000**.

Our offer is to purchase a defined easement for the cell site. Easement area will include an additional 500 square feet adjacent to the existing ground space ("Additional Space"). Unison will receive the currently scheduled rent stream (including escalators) for the term of the easement, and agrees that for all rent over and above this amount received on the cell site, Site Owner will collect 50% and Unison will collect 50%. The final amount of our offer is subject to due diligence and confirmation of your monthly rent escalators and site tenants.

The appeal of the Unison deal:

- **Convert your lease into cash:** Unison Site Management, L.L.C. is rapidly building a nationwide portfolio of cell site leases. Our program allows you to convert your lease into hard cash on a potentially tax efficient basis. The telecom industry is changing rapidly, with three major mergers taking place in the last year alone, and we encourage you to understand and consider your options now.
- **Secure your asset:** With our lump sum cash offer, the value of your lease asset will no longer be dependent on future rent payments. This payment is yours regardless of what happens to your site in the future—even if you sell the property. You can invest your capital payment in real estate, stocks, bonds, or your own business.
- **Receive substantial tax savings:** For the typical site owner, Unison's lump sum program is taxed at lower capital gains rates as opposed to ordinary income rates on rent income. This can reduce taxes by up to 50%. A Starker 1031 Exchange election may allow you to defer taxes altogether while investing the Unison proceeds in another real estate asset. Please consult your financial advisor to determine your specific tax situation.

If you have any questions, please contact me directly at (786) 457-2131. I look forward to discussing our offer with you at your earliest convenience.

Sincerely,

Catalina Garcia
Unison Site Management, LLC



November 13, 2013

Terms of Agreement

* Our signatures below acknowledge that these are the business terms upon which this transaction will be completed. However, the terms of this agreement are subject to due diligence and final Underwriting commitment by Unison, and receipt by Unison of all required documentation, including but not limited to the complete Carrier lease(s), proof of scheduled monthly rent(s), escalator(s), and Carrier(s). By signing and dating below, Unison will endeavor to close this transaction within 90 days of the date of your acceptance of these business terms. The terms of this agreement will expire in six (6) months unless extended by mutual consent.

* When used herein, the terms Unison and Site Owner shall refer to Unison and the Site Owner and their respective successors and/or assigns.

Site #: 398181

Site Address: 15600 Jupiter Farms Road, Jupiter, FL 33478

Purchaser: Unison Site Management ("Unison")

Seller ("Site Owner"): South Indian River Water Control Dist. - Mike Dillon

Tenant/Carrier(s): Verizon Wireless tower with Verizon Wireless as tenants

Current Rent: \$2,300.00

Purchased Rent: \$2,300.00

Escalator: 15.0% 5 year term (Verizon Wireless)

Term of Easement Purchased: 40 years

Easement Area: Ground space around the tower described by existing wireless service provider leases including equipment footprints and access and utility easements.

Other Transactional Terms: Easement area will include an additional 500 square feet adjacent to the existing ground space ("Additional Space"). Unison will receive the currently scheduled rent stream (including escalators) for the term of the easement, and agrees that for all rent over and above this amount received on the cell site, Site Owner will collect 50% and Unison will collect 50%.

Purchase Price: \$300,000

The purchase price shall be the gross purchase price from which will be netted:

- *Pro-rated rent for the remainder of the month of closing plus the next two months (Site Owner shall be entitled to cash and retain the rent check(s) for the pro-rated periods);*
- *Title company escrow, search and premium fees for the Owner's form policy to be provided to Unison; and*
- *Transfer taxes (if any).*

Offer Expiration Date: November 26, 2013

Signing Bonus: Site Owner will receive an additional **\$30,000 for a total value of \$330,000** if this Term Sheet is executed by November 26, 2013.

* Site Owner agrees to provide Unison with all due diligence items listed under the Document Checklist on the following page at the point of execution of this agreement by the Site Owner. Site Owner also agrees to provide comments (if any) to the Easement and Assignment agreement within 14 days of the execution of this agreement. The terms of this offer will expire if such comments are not provided within 14 days of the execution of this agreement by the Site Owner. As noted on page 2 hereto, if there is a mortgage on the property, Site Owner agrees to obtain a Non-Disturbance Agreement ("NDA") from the lender. If the NDA is impossible to obtain, site owner may request a risk assessment to determine whether Unison will close without the NDA. If the NDA requirement is waived, the purchase price will automatically be reduced by at least 10 times the monthly rent at closing.

Catalina Garcia-Herzog
Site Development Officer
for Unison Site Management

Site Owner
Date: _____



Document Checklist

1. LANDLORD ENTITY TAX ID # or SSN: _____

2. I agree to provide my Unison representative with the following information required for closing:

- Full copy of each Telecommunications Tenant Agreement, including any addenda, amendments, assignments, notice or exercise letter
- Commencement date verification of each Telecommunications Tenant Agreement and copies of at least the last three months' rent checks
- All available correspondence from Telecommunications Tenants
- Proof of Site Owner's existence and authority, as applicable: (Entity Documents – Corporate filing receipt, Certificate of Good Standing, Articles of Incorporation, Articles of Formation, By-laws, Operating Agreement; Partnership Agreement; Trust Agreement; Probate documents, Death Certificate; Divorce Decree; Property Management Agreement)
- Deed
- Survey of property
- If there is a mortgage on the property, Site Owner agrees to obtain a Non-Disturbance Agreement from the lender

3. The following documents will substantially expedite closing:

- Construction Drawings/Site Plans for the Telecommunication Tenants' installations
- Title Report or Title Insurance Policy
- Existing Environmental Reports, if applicable (Phase 1 or 2 or comparable)
- Current Tax Bill for property
- Appraisal or Fair Market Valuation (particularly if Lender may not easily provide Non-Disturbance and Attornment Agreement)
- Site Plan

Site Owner Signature
Date signed:

Site Owner Contact information

Name: _____
Phone: _____
Fax: _____
Email: _____

Attorney Contact Information

Name: _____
Phone: _____
Fax: _____
Email: _____

Mortgage (if none, please indicate below)

Lender Name: _____
Phone: _____ Mortgage Amount: _____
Fax: _____ Lender Contact: _____
Email: _____

Verizon Lease Purchase Analysis

				Lease revenue over remaining term	Proposed Term		Lease Revenue with term extended
9/1/2006	8/31/2011	24,000					
9/1/2011	8/31/2016	27,600	3	82,800	3		82,800
9/1/2016	8/31/2021	31,740	5	158,700	5		158,700
9/1/2021	8/31/2026	36,501	5	182,505	5		182,505
9/1/2026	8/31/2031	41,976	5	209,880	5		209,880
9/1/2031	8/31/2054	41,976			22		923,472
			18	633,885	40	1,557,357	

Original Verizon Lease

LAND LEASE AGREEMENT

This Agreement, made this 20th day of July, 2006 between SOUTH INDIAN RIVER WATER CONTROL DISTRICT with its mailing address located at 15,600 Jupiter Farms Road, Jupiter, Florida 33478, Tax ID #59-1270454, hereinafter designated LESSOR, and VERIZON WIRELESS PERSONAL COMMUNICATIONS LP d/b/a Verizon Wireless, with its principal office located at 180 Washington Valley Road, Bedminster, New Jersey 07921, hereinafter designated LESSEE. The LESSOR and LESSEE are at times collectively referred to hereinafter as the "Parties" or individually as the "Party".

1. PREMISES. LESSOR hereby leases to LESSEE a portion of that certain parcel of property (the entirety of LESSOR's property is referred to hereinafter as the Property), located at 15,600 Jupiter Farms Road, Jupiter, Florida 33478, which leased parcel contains approximately 1,459 square feet, as shown on the site plan attached hereto as Exhibit "A" and made a part hereof, together with the non-exclusive right for ingress and egress, seven (7) days a week twenty-four (24) hours a day, on foot or motor vehicle, including trucks, and for the installation and maintenance of utility wires, poles, cables, conduits, and pipes over, under, or along a fifteen (15) foot wide right-of-way extending from the nearest public right-of-way, Jupiter Farms Road, to said leased parcel (said leased parcel and utility and access right-of-way are hereinafter collectively referred to as the "Premises"). The Premises and the Property are as legally described in Exhibit "B" attached hereto and made a part hereof.

In the event any public utility is unable to use the aforementioned utility right of way, the LESSOR hereby agrees to grant an additional utility right of way either to the LESSEE or to the public utility at no cost to the LESSEE.

2. INTENTIONALLY OMITTED.

3. TERM. This Agreement shall be effective as of the date of execution by both parties, provided, however, the initial term shall be for five (5) years and shall commence on the Commencement Date (as hereinafter defined) at which time rental payments will be due at an annual rental of Twenty-Four Thousand and 00/100 Dollars (\$24,000.00) to be paid in equal monthly installments on the first day of the month, in advance, to LESSOR or to such other person, firm or place as the LESSOR may, from time to time, designate in writing at least thirty (30) days in advance of any rental payment date. The Commencement Date is defined as the earlier of: (i) first (1st) day of the month following LESSEE's commencement of construction of the New Tower (as hereinafter defined) or (ii) September 1, 2006.

4. EXTENSIONS. This Agreement shall automatically be extended for four (4) additional five (5) year terms unless the LESSEE terminates it at the end of the then current term by giving the LESSOR written notice of the intent to terminate at least six (6) months prior to the end of the then current term.

5. EXTENSION RENTALS. The annual rental due during the first (1st) five (5) year extension term shall be Twenty-Seven Thousand Six Hundred and 00/100 Dollars (\$27,600.00); during the second (2nd) five (5) year extension term shall be Thirty-One Thousand Seven Hundred Forty and 00/100 Dollars (\$31,740.00); during the third (3rd) five (5) year extension term shall be Thirty-Six Thousand Five Hundred One and 00/100 Dollars (\$36,501.00); and during the fourth (4th) five (5) year extension shall be Forty-One Thousand Nine Hundred Seventy-Six and 15/100 Dollars (\$41,976.15).

6. TOWER REPLACEMENT.

a. LESSEE, at its sole cost and expense, shall replace LESSOR's existing communications tower (the "Old Tower") located at the Property with a 105-foot stealth flagpole communications tower (the "New Tower") to be located within the Premises as generally shown on the site plan attached hereto as Exhibit "A". LESSEE, at its sole cost and expense, agrees to relocate LESSOR's existing equipment ("LESSOR's Equipment") on the Old Tower to the New Tower at a height of 105 feet (hereinafter, the "LESSOR's Tower Space"). Said relocation of LESSOR's Equipment shall be performed by LESSEE in accordance with any manufacturer's specifications (if available), which specifications shall be provided by LESSOR to LESSEE within thirty (30) days of the Commencement Date. Upon completion of construction of the New Tower, and receipt of all final approvals and certificates by any Federal, State or Local government entity, LESSEE shall:

(i) Provide written notice to LESSOR of such completion and within thirty (30) days of delivery of such notice, LESSEE shall commence relocation of LESSOR's Equipment from the Old Tower to the New Tower; and

(ii) Dismantle, remove and dispose of the Old Tower from the Property within sixty (60) days of receipt of written notification by LESSOR that the Old Tower can be removed therefrom by LESSEE, provided LESSOR has delivered to LESSEE a bill of sale transferring ownership of the Old Tower to LESSEE.

b. The New Tower shall remain the property of LESSEE, and LESSEE will be responsible for maintaining the New Tower in compliance with all applicable Federal, State or Local laws.

c. During the term of this Lease, LESSEE agrees that LESSOR shall have the right to use the LESSOR Tower Space for operation of LESSOR's Equipment (or comparable like-kind replacement equipment). LESSOR will be responsible for maintaining LESSOR's Equipment including any related ground communications equipment in compliance with all applicable Federal, State or Local laws. LESSOR agrees that any related ground communications facilities shall be located outside of the Premises; however, LESSEE hereby grants LESSOR a non-exclusive easement, within areas of the Premises acceptable to LESSEE, to run necessary cables and wires from LESSOR's ground communications equipment to its antennas located within the LESSOR Tower Space. LESSOR agrees that it must operate its communications facility in a manner that does not cause measurable interference with the then-existing facilities of LESSEE as more fully set forth in Section 10 of this Agreement, and in the event of such interference,

LESSOR shall immediately take all steps necessary to cure such interference. If such interference cannot be cured within 48 hours, then LESSOR agrees to shut down operation of its equipment until such time as the interference can be cured. LESSOR is not authorized to access the New Tower for any reason without first scheduling such access with LESSEE, and under no circumstances can LESSOR make any repairs to its equipment on the New Tower without first obtaining LESSEE's prior approval.

7. USE; GOVERNMENTAL APPROVALS. LESSEE shall use the Premises for the purpose of constructing, maintaining and operating a stealth flag pole communications tower, related communications facilities and uses incidental thereto and all necessary appurtenances. With the written approval of LESSOR (which approval will not be unreasonably withheld, delayed or conditioned), a security fence consisting of chain link construction or similar but comparable construction may be placed around the perimeter of the Premises at the discretion of LESSEE (not including the utility and access right of way). All improvements shall be at LESSEE's expense and the installation of all improvements shall be at the discretion and option of the LESSEE. LESSEE shall have the right during the term of this Agreement to replace, repair, add or otherwise modify its equipment or any portion thereof, whether the equipment is specified or not on any exhibit attached hereto, provided said equipment is consistent with the permitted use. LESSEE will maintain the Premises in a good condition, reasonable wear and tear excepted. LESSOR will maintain the Property, excluding the Premises, in good condition, reasonable wear and tear excepted. It is understood and agreed that LESSEE's ability to use the Premises is contingent upon its obtaining after the execution date of this Agreement all of the certificates, permits and other approvals (collectively the "Governmental Approvals") that may be required by any Federal, State or Local authorities as well as satisfactory soil boring tests which will permit LESSEE to construct the New Tower, dismantle and dispose of the Old Tower and otherwise use of the Premises as permitted hereunder. LESSOR shall cooperate with LESSEE, at no cost to LESSOR, in its effort to obtain such Governmental Approvals and shall take no action which would adversely affect the status of the Property with respect to the permitted use by LESSEE. In the event that any of such applications for such Governmental Approvals should be finally rejected or any Governmental Approval issued to LESSEE is canceled, expires, lapses, or is otherwise withdrawn or terminated by governmental authority and cannot be renewed by LESSEE, in LESSEE's reasonable judgment, or soil boring tests are found to be unsatisfactory so that LESSEE will be unable to use the Premises for its intended purposes or the LESSEE determines that the Premises is no longer technically compatible for its intended use, LESSEE shall have the right to terminate this Agreement. Notice of the LESSEE's exercise of its right to terminate shall be given to LESSOR in writing by certified mail, return receipt requested, and shall be effective upon receipt by LESSOR. All rentals paid to said termination date shall be retained by the LESSOR. Upon such termination, this Agreement shall become null and void and all the Parties shall have no further obligations including the payment of money, to each other.

8. INDEMNIFICATION. To the extent permitted by law, each Party shall indemnify and hold the other harmless against any claim of liability or loss from personal injury or property damage resulting from or arising out of the use and occupancy of the Premises or the Property by the Party, its servants or agents, excepting, however, such claims or damages as may be due to or caused by the negligence or willful misconduct of the other Party, or its servants or agents. Whether the cause of any damage, loss, or liability is insurable, insured or not insured,

foreseen or unforeseen, neither Party nor its representatives, agents contractors, subcontractors, invitees or licensees shall in any event be liable to the other Party or its representatives, agents, contractors, subcontractors, invitees or licensees for claims for anticipatory profits, consequential, incidental, exemplary, punitive, or any indirect damages of any nature arising at any time, from any cause whatsoever, whether arising in tort, contract, warranty, strict liability, by operation of law, or otherwise, even if by such Party's, its representatives', agents', contractors', subcontractors', invitees' or licensees' negligence or fault, connected with or resulting from performance or non-performance under this Agreement or as a result of the construction, maintenance, operation or use of the Property, the Premises, the tower, the site, or the easement(s) by either Party.

9. INSURANCE. The Parties hereby waive any and all rights of action for negligence against the other which may hereafter arise on account of damage to the Premises or to the Property, resulting from any fire, or other casualty of the kind covered by standard fire insurance policies with extended coverage, regardless of whether or not, or in what amounts, such insurance is now or hereafter carried by the Parties, or either of them. LESSOR and LESSEE each agree that at its own cost and expense, each will maintain comprehensive general liability and property liability insurance with liability limits of not less than \$2,000,000 combined single limit for injury to or death of one or more persons in any one occurrence and for damage or destruction to property in any one occurrence.

10. INTERFERENCE. LESSOR agrees that LESSOR and/or any other tenants of the Property who currently have or in the future take possession of the Property will be permitted to install only such radio equipment that is of the type and frequency which will not measurably interfere with the then-existing equipment of LESSEE installed and operating pursuant to this Agreement. The Parties acknowledge that there will not be an adequate remedy at law for non-compliance with the provisions of this paragraph and therefore, LESSEE shall have the right to specifically enforce the provisions of this paragraph in a court of competent jurisdiction.

11. INTENTIONALLY OMITTED.

12. REMOVAL UPON TERMINATION. LESSEE, upon termination of the Agreement, shall, within ninety (90) days, remove its building(s), antenna structure(s) (except footings), fixtures and all personal property and otherwise restore the Premises to its original condition, reasonable wear and tear and casualty excepted. LESSOR agrees and acknowledges that all of the equipment, fixtures and personal property of the LESSEE shall remain the personal property of the LESSEE and the LESSEE shall have the right to remove the same, whether or not said items are considered fixtures and attachments to real property under applicable law. If such time for removal causes LESSEE to remain on the Premises after termination of this Agreement, LESSEE shall pay rent at the then existing monthly rate or on the existing monthly pro-rata basis if based upon a longer payment term, until such time as the removal of the building, antenna structure, fixtures and all personal property are completed. LESSOR expressly waives all rights of levy, distraint or execution with respect to LESSEE's property, including without limitation any statutory or common law security interest or landlord's lien for rent.

13. RIGHT OF FIRST REFUSAL. If the LESSOR during the lease term or any extension of the lease term elects to sell all or any portion of the Property, whether separately or as part of the larger parcel of which the Property are a part, the LESSEE shall have the right of first refusal to meet any bona fide offer of sale on the same terms and conditions of such offer. If LESSEE fails to meet such bona fide offer within thirty (30) days after the notice thereof from LESSOR, LESSOR may sell the Property or portion thereof to such third person in accordance with the terms and conditions of his offer.

14. RIGHTS UPON SALE. Should the LESSOR, at any time during the term of this Agreement, decide to sell all or any part of the Property to a purchaser other than LESSEE, such sale shall be under and subject to this Agreement and LESSEE's rights hereunder, and any sale by the LESSOR of the portion of this Property underlying the right-of-way herein granted shall be under and subject to the right of the LESSEE in and to such right-of-way.

15. QUIET ENJOYMENT. LESSOR covenants that LESSEE, on paying the rent and performing the covenants shall peaceably and quietly have, hold and enjoy the Premises.

16. TITLE. LESSOR covenants that LESSOR is seized of good and sufficient title and interest to the Property and has full authority to enter into and execute this Agreement. LESSOR further covenants that there are no other liens, judgments or impediments of title on the Property or affecting LESSOR's title to the same that would be inconsistent with this Agreement and that there are no covenants, easements, restrictions or agreements binding on LESSOR or the Property which prevent the use of the Premises by the LESSEE as set forth above.

17. INTEGRATION. It is agreed and understood that this Agreement contains all agreements, promises and understandings between the LESSOR and LESSEE and that no verbal or oral agreements, promises or understandings shall be binding upon either the LESSOR or LESSEE in any dispute, controversy or proceeding at law, and any addition, variation or modification to this Agreement shall be void and ineffective unless made in writing and signed by the Parties. In the event any provision of the Agreement is found to be invalid or unenforceable, such finding shall not effect the validity and enforceability of the remaining provisions of this Agreement. The failure of either Party to insist upon strict performance of any of the terms or conditions of this Agreement or to exercise any of its rights under the Agreement shall not waive such rights and such Party shall have the right to enforce such rights at any time and take such action as may be lawful and authorized under this Agreement, either in law or in equity.

18. GOVERNING LAW. This Agreement and the performance thereof shall be governed, interpreted, construed, and regulated by the laws of the State in which the Property is located.

19. ASSIGNMENT. This Agreement may be sold, assigned or transferred by the LESSEE without any approval or consent of the LESSOR to the LESSEE's principal(s), affiliates, or any subsidiary of LESSEE, its principal(s) or affiliates; to any entity which acquires all or substantially all of LESSEE's assets in the market defined by the Federal Communications Commission in which the Property is located by reason of a merger, acquisition or other business reorganization; or to any entity which acquires or receives an interest in the majority of

communication towers of the LESSEE in the market defined by the Federal Communications Commission in which the Property is located. As to other parties, this Agreement may not be sold, assigned or transferred without the written consent of the LESSOR, which such consent will not be unreasonably withheld, delayed or conditioned. LESSEE may sublet or license space on the New Tower within its sole discretion, upon notice to LESSOR; however, if any such subtenant or licensee needs ground space to locate any communications equipment, then said subtenant or licensee shall be required to lease or license such ground space from LESSOR on property located outside of the Premises. Any sublease or license that is entered into by LESSEE shall be subject to the provisions of this Agreement and shall be binding upon the successors, assigns, heirs and legal representatives of the respective parties hereto. In the event LESSEE elects to sublet or license space on the New Tower it shall remain fully liable to LESSOR under this Agreement.

20. NOTICES. All notices hereunder must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested or by commercial courier, provided the courier's regular business is delivery service and provided further that it guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender, addressed as follows (or any other address that the Party to be notified may have designated to the sender by like notice):

LESSOR: Indian River Water Control District
15,600 Jupiter Farms Road
Jupiter, Florida 33478
Attention: General Manager

LESSEE: Verizon Wireless Personal Communications LP
d/b/a Verizon Wireless
180 Washington Valley Road
Bedminster, New Jersey 07921
Attention: Network Real Estate

Notice shall be effective upon mailing or delivering the same to a commercial courier, as permitted above.

21. SUCCESSORS. This Agreement shall extend to and bind the heirs, personal representatives, successors and assigns of the Parties hereto.

22. SUBORDINATION AND NON-DISTURBANCE. At LESSOR's option, this Agreement shall be subordinate to any mortgage or other security interest by LESSOR which from time to time may encumber all or part of the Property or right-of-way; provided, however, every such mortgage or other security interest shall recognize the validity of this Agreement in the event of a foreclosure of LESSOR's interest and also LESSEE's right to remain in occupancy of and have access to the Premises as long as LESSEE is not in default of this Agreement. LESSEE shall execute whatever instruments may reasonably be required to evidence this subordination clause. In the event the Property is encumbered by a mortgage or other security interest, the LESSOR immediately after this Agreement is executed, will obtain and furnish to LESSEE, a

non-disturbance agreement for each such mortgage or other security interest in recordable form. In the event the LESSOR defaults in the payment and/or other performance of any mortgage or other security interest encumbering the Property, LESSEE, may, at its sole option and without obligation, cure or correct LESSOR's default and upon doing so, LESSEE shall be subrogated to any and all rights, titles, liens and equities of the holders of such mortgage or security interest and the LESSEE shall be entitled to deduct and setoff against all rents that may otherwise become due under this Agreement the sums paid by LESSEE to cure or correct such defaults.

23. RECORDING. LESSOR agrees to execute a Memorandum of this Agreement which LESSEE may record with the appropriate Recording Officer. The date set forth in the Memorandum of Lease is for recording purposes only and bears no reference to commencement of either term or rent payments.

24. DEFAULT. In the event of a default by the LESSEE with respect to any of the provisions of this Agreement or its obligations under it, including the payment of rent, the LESSOR shall give LESSEE written notice of such default. After receipt of such written notice, the LESSEE shall have fifteen (15) days in which to cure any monetary default and thirty (30) days in which to cure any non-monetary default, provided the LESSEE shall have such extended period as may be required beyond the thirty (30) days if the nature of the cure is such that it reasonably requires more than thirty (30) days and the LESSEE commences the cure within said thirty (30) day period and thereafter continuously and diligently pursues the cure to completion. Provided, however, that in no event shall LESSEE's opportunity to cure exceed 120 days. The LESSOR may not maintain any action or effect any remedies for default against the LESSEE unless and until the LESSEE has failed to cure the same within the time periods provided in this Paragraph. Following the expiration of any curative period above, LESSOR, without demand or notice, may take all action or affect any remedy available hereunder and or allowable under Florida law.

25. ENVIRONMENTAL.

a. LESSOR will be responsible for all obligations of compliance with any and all environmental and industrial hygiene laws, including any regulations, guidelines, standards, or policies of any governmental authorities regulating or imposing standards of liability or standards of conduct with regard to any environmental or industrial hygiene conditions or concerns as may now or at any time hereafter be in effect, that are or were in any way related to activity now conducted in, on, or in any way related to the Property, unless such conditions or concerns are caused by the activities of the LESSEE.

b. To the extent permitted by law, LESSOR shall hold LESSEE harmless and indemnify the LESSEE from and assume all duties, responsibility and liability at LESSOR's sole cost and expense, for all duties, responsibilities, and liability (for payment of penalties, sanctions, forfeitures, losses, costs, or damages) and for responding to any action, notice, claim, order, summons, citation, directive, litigation, investigation or proceeding which is in any way related to: a) failure to comply with any environmental or industrial hygiene law, including without limitation any regulations, guidelines, standards, or policies of any governmental authorities regulating or imposing standards of liability or standards of conduct with regard to any

environmental or industrial hygiene concerns or conditions as may now or at any time hereafter be in effect, unless such compliance results from conditions caused by the LESSEE; and b) any environmental or industrial hygiene conditions arising out of or in any way related to the condition of the Property or activities conducted thereon, unless such environmental conditions are caused by the LESSEE.

c. LESSEE will be responsible for all obligations of compliance with any and all environmental and industrial hygiene laws, including any regulations, guidelines, standards, or policies of any governmental authorities regulating or imposing standards of liability or standards of conduct with regard to any environmental or industrial hygiene conditions or concerns as may now or at any time hereafter be in effect, that are or were in any way related to LESSEE's use of the Premises, unless such conditions or concerns are caused by the activities of the LESSOR or some other third party.

d. LESSEE shall hold LESSOR harmless and indemnify the LESSOR from and assume all duties, responsibility and liability at LESSEE's sole cost and expense, for all duties, responsibilities, and liability (for payment of penalties, sanctions, forfeitures, losses, costs, or damages) and for responding to any action, notice, claim, order, summons, citation, directive, litigation, investigation or proceeding which is in any way related to: a) LESSEE's failure to comply with any environmental or industrial hygiene law, including without limitation any regulations, guidelines, standards, or policies of any governmental authorities regulating or imposing standards of liability or standards of conduct with regard to any environmental or industrial hygiene concerns or conditions that arise as a result of LESSEE's use of the Premises, unless such compliance results from conditions caused by the LESSOR or some other third party; and b) any environmental or industrial hygiene conditions arising out of or in any way related to LESSEE's use of the Premises, unless such environmental or industrial hygiene conditions are caused by the LESSOR or some other third party.

26. CASUALTY.

a. If the whole or any part of the Premises shall be damaged or destroyed by fire or other casualty after the execution of this Agreement and before the termination hereof, then in every case the rent reserved herein and other charges, if any, shall be abated or adjusted, as the case may be, in full if LESSEE, in its reasonable discretion, determines that it cannot operate its facilities at normal capacity on account of such damage or destruction and the work of repair, restoration, rebuilding, or replacement or any combination thereof, of the improvements so damaged or destroyed, shall in no way be construed by any person to effect any reduction of sums or proceeds payable under any rent insurance policy.

b. LESSOR agrees that in the event of the damage or destruction of the Premises, LESSOR forthwith shall proceed to repair, restore, replace or rebuild the Premises to substantially the condition in which the same were immediately prior to such damage or destruction. The LESSOR thereafter shall diligently prosecute said work to completion without delay or interruption except for events beyond the reasonable control of LESSOR. Notwithstanding the foregoing, if LESSOR does not complete restoration within One Hundred Eighty (180) days of the

date of such damage or destruction, then LESSEE may cancel and terminate this Agreement by sending fifteen (15) days written notice thereof.

27. CONDEMNATION. In the event of any condemnation of the Property affecting Premises, LESSEE may terminate this Agreement upon fifteen (15) days written notice to LESSOR if such condemnation may reasonably be expected to disrupt LESSEE's operations at the Premises for more than forty-five (45) days. LESSEE may on its own behalf make a claim in any condemnation proceeding involving the Premises for losses related to the antennas, equipment, its relocation costs and its damages and losses (but not for the loss of its leasehold interest). Any such notice of termination shall cause this Agreement to expire with the same force and effect as though the date set forth in such notice were the date originally set as the expiration date of this Agreement and the parties shall make an appropriate adjustment as of such termination date with respect to payments due to the other under this Agreement.

28. SUBMISSION OF LEASE. The submission of this Agreement for examination does not constitute an offer to lease the Premises and this Agreement becomes effective only upon the full execution of this Agreement by the Parties. If any provision herein is invalid, it shall be considered deleted from this Agreement and shall not invalidate the remaining provisions of this Agreement. Each of the Parties hereto warrants to the other that the person or persons executing this Agreement on behalf of such Party has the full right, power and authority to enter into and execute this Agreement on such Party's behalf and that no consent from any other person or entity is necessary as a condition precedent to the legal effect of this Agreement.

29. APPLICABLE LAWS. LESSEE shall use the Premises as may be required or as permitted by applicable laws, rules and regulations. LESSOR agrees to keep the Property in conformance with all applicable, laws, rules and regulations and agrees to reasonably cooperate with the LESSEE, at no cost to LESSOR, regarding any compliance required by the LESSEE in respect to its use of the Premises.

30. SURVIVAL. The provisions of the Agreement relating to indemnification from one Party to the other Party shall survive any termination or expiration of this Agreement. Additionally, any provisions of this Agreement which require performance subsequent to the termination or expiration of this Agreement shall also survive such termination or expiration.

31. CAPTIONS. The captions contained in this Agreement are inserted for convenience only and are not intended to be part of the Agreement. They shall not affect or be utilized in the construction or interpretation of the Agreement.

[Remainder of Page Left Blank, Signature Page to Follow]

IN WITNESS WHEREOF, the Parties hereto have set their hands and affixed their respective seals (if any) the day and year first above written.

WITNESS

Jane Woodard
Name: JANE WOODARD
Amy M. Dukes
Name: AMY M. DUKES

WITNESS

Michele Gibbs
Name: Michele Gibbs
Susan E. Long
Name: SUSAN E. LONG
2044970_v1

LESSOR:

South Indian River Water Control District

BY: Thomas H. Powell
Name: Thomas H. Powell
Title: President

LESSEE:

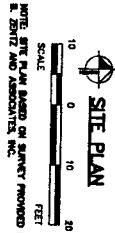
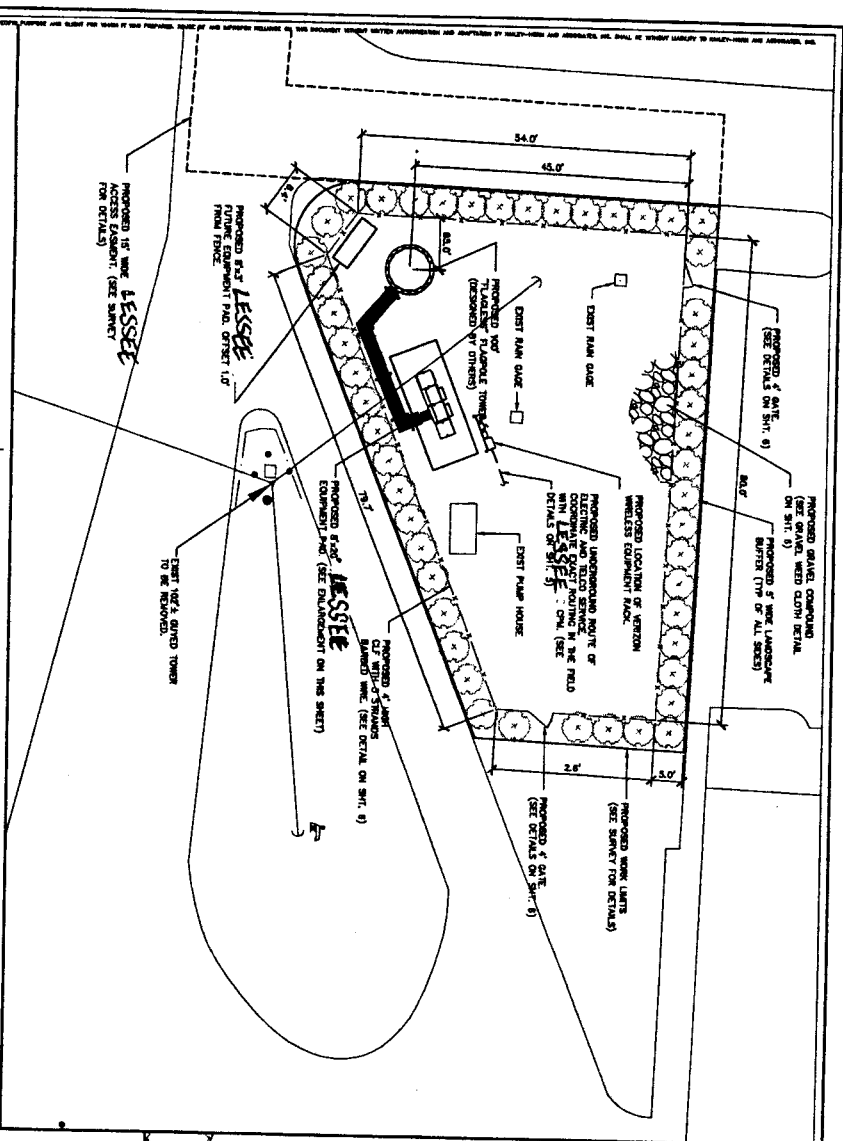
Verizon Wireless Personal Communications LP
d/b/a Verizon Wireless

BY: Hans F. Leutenegger
Name: Hans F. Leutenegger
Area Vice President - Network
South Area

Exhibit "A"

(Site Plan of Property)

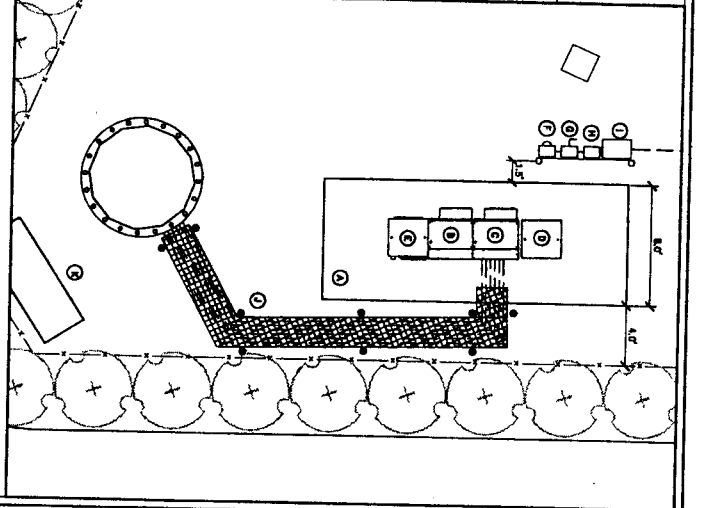
See attached two (2) pages.



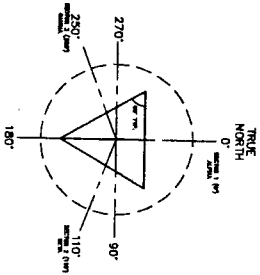
LEGEND

- 1 PROPOSED 8'0" CONIC S.M. TOP OF S.M. IS 1.0'S A.S. (SEE P&ID SHEET SHT. 5)
- 2 PROPOSED 10'0" S.M. TOP OF S.M. IS 1.0'S A.S. (SEE P&ID SHEET SHT. 5)
- 3 PROPOSED 10'0" S.M. TOP OF S.M. IS 1.0'S A.S. (SEE P&ID SHEET SHT. 5)
- 4 PROPOSED 10'0" S.M. TOP OF S.M. IS 1.0'S A.S. (SEE P&ID SHEET SHT. 5)
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- 7 PROPOSED 10'0" S.M. TOP OF S.M. IS 1.0'S A.S. (SEE P&ID SHEET SHT. 5)
- 8 PROPOSED 10'0" S.M. TOP OF S.M. IS 1.0'S A.S. (SEE P&ID SHEET SHT. 5)
- 9 PROPOSED 10'0" S.M. TOP OF S.M. IS 1.0'S A.S. (SEE P&ID SHEET SHT. 5)
- 10 PROPOSED 10'0" S.M. TOP OF S.M. IS 1.0'S A.S. (SEE P&ID SHEET SHT. 5)
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- 20 PROPOSED 10'0" S.M. TOP OF S.M. IS 1.0'S A.S. (SEE P&ID SHEET SHT. 5)

CALL 48 HOURS BEFORE YOU DIG
IT'S THE LAW
1-800-432-4770
STANDARD STATE INC. CALL OF TAMPA, FL.



ENLARGED SITE PLAN
N.T.S.



ANTENNA ORIENTATION DIAGRAM
NOT TO SCALE

SECTION	ANTENNA TYPE	SIZE	HEIGHT	AC	TT/DIA
ALPHA 1	SHALIBHO 12/2	12"	12'	NO	NO
ALPHA 2	SHALIBHO 12/2	12"	12'	NO	NO
ALPHA 3	SHALIBHO 12/2	12"	12'	NO	NO

PROJECT INFORMATION:	SOUTH IRWCD SITE No 68659 15600 AIRPORT PARKS ROAD JUPITER, FL 33478 PALM BEACH COUNTY	ISSUED FOR:	CONSTRUCTION DRAWINGS	REV. DATE:	MAY 2006
CURRENT ISSUE DATE:		REV. DATE:		DESCRIPTION:	
PLANS PREPARED BY:	Kinley-Horn and Associates, Inc. 2000 West Palm Beach Blvd., Suite 100 West Palm Beach, Florida 33407 (561) 845-0845 Fax: 561-845-0845				
PROJECT DATA:	SHEET NO. 044047486				
DRAWN BY:	GMA				
CHECKED BY:	GMA				
DATE:	MAY 2006				
SCALE:	AS SHOWN				
REVISIONS:	NO REVISIONS				
SHEET NUMBER:	3 OF 6				
SHEET TITLE:	SITE PLAN				
PROJECT NUMBER:	044047486				

Exhibit "B"

(Legal Descriptions)

See attached one (1) page.

DESCRIPTION OF LESSOR'S PROPERTY

NORTH PARCEL (O.R. Book 1888, Page 442):

A parcel of land in Section 18, Township 41 South, Range 42 East, Palm Beach County, Florida, more particularly described as follows:

The North half of the North 1/2 of the South 1/2 of the North 3/4 of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 18, less, however that part West of the East line of State Road No. 7 right-of-way as recorded in the Public Records of Palm Beach County, Florida, in Plat Book 24, Page 7.

Containing 1.55 acres, more or less.

Subject to a road easement for ingress and egress over the Easterly 30 feet thereof.

SOUTH PARCEL (O.R. Book 1945, Page 1442):

A parcel of land in Section 18, Township 41 South, Range 42 East, Palm Beach County, Florida, more particularly described as follows:

The South half of the North 1/2 of the South 1/2 of the North 3/4 of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 18, less, however that part West of the East line of State Road No. 7 right-of-way as recorded in the Public Records of Palm Beach County, Florida, in Plat Book 24, Page 7.

Containing 1.55 acres, more or less.

Subject to a road easement for ingress and egress over the Easterly 30 feet thereof.

DESCRIPTION OF LESSEE'S PREMISES

A parcel of land lying in the North 1/2 of the South 1/2 of the North 3/4 of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 18, Township 41 South, Range 42 East, Pam Beach County, Florida, lying East of the East of State Road No. 7, said parcel being more particularly described as follows:

Commencing at the Southwest corner of said Section 18, proceed North 03° 01' 03" East along the West line of said Section 18, a distance of 3297.01 feet to a p.k. nail & disk at the Southwest corner of said North 1/2 of the South 1/2 of the North 3/4 of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 18; thence continue North 03° 01' 03" East along said West line of Section 18, a distance of 118.75 feet; thence departing said Section line, South 87° 18' 57" East a distance of 179.58 feet to the POINT OF BEGINNING; thence continue South 87° 18' 57" East a distance of 50.00 feet; thence South 02° 29' 02" West a distance of 19.11 feet; thence South 68° 36' 13" West a distance of 39.32 feet to the point of curvature of a curve concave Northeasterly, having a radius of 10.00 feet; thence Southwesterly and clockwise along the arc of said curve, through a central angle of 113° 52' 49", a distance of 19.88 feet to the point of tangency, said curve being subtended by a chord bearing North 54° 27' 23" West, 16.76 feet; thence North 02° 29' 02" East a distance of 26.06 feet to the POINT OF BEGINNING.

Containing an area of 1459 square feet.

DESCRIPTION OF ACCESS AND UTILITY EASEMENT

A parcel of land lying in the North 1/2 of the South 1/2 of the North 3/4 of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 18, Township 41 South, Range 42 East, Palm Beach County, Florida, lying East of the East of State Road No. 7, said parcel being more particularly described as follows:


Commencing at the Southwest corner of said Section 18, proceed North 03° 01' 03" East along the West line of said Section 18, a distance of 3297.01 feet to a p.k. nail & disk at the Southwest corner of said North 1/2 of the South 1/2 of the North 3/4 of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 18; thence continue North 03° 01' 03" East along said West line of Section 18, a distance of 118.75 feet; thence departing said Section line, South 87° 18' 57" East a distance of 179.58 feet to the POINT OF BEGINNING; thence South 02° 29' 02" West a distance of 54.16 feet; thence North 86° 08' 12" West a distance of 55.44 feet to a point on the East right-of-way (r/w) line of State Road No. 7 (200' wide r/w width); thence North 02° 39' 49" East along said East r/w line, a distance of 15.00 feet; thence departing said r/w line, South 86° 08' 12" East a distance of 40.39 feet; thence North 02° 29' 02" East a distance of 38.84 feet; thence South 87° 18' 57" East a distance of 15.00 feet to the POINT OF BEGINNING.

Containing an area of 1416 square feet.

To South Indian River Water Control District
Board of Supervisors Pages 5

CC

Subject Engineer's Report for November 2013

From Amy E. Eason, PE, District Engineer 

Board Meeting
Date November 21, 2013

The following is a summary of activities and communications that were of significance during the month of November 2013:

I. CURRENT CAPITAL IMPROVEMENTS AND OTHER DISTRICT PROJECTS

- A. The District has received petitions from landowners to apply both OGEM and Asphalt on certain roadways within the District. The roads met the requirements to distribute a referendum to all benefited landowners. Pursuant to Board direction, staff prepared a referendum for the landowner proposed projects that was mailed August 3, 2012 with the request that the landowners submit their response to the District by September 5, 2012. On September 11, 2012, staff received the certification from the Supervisor of Elections on the results of the referendum. The majority of the landowners who voted on the following roadways were "in favor" of the proposed project for OGEM in Jupiter Farms (approximately 0.4 miles):

- 127th Drive N. between 187th Place N. and Old Indiantown Grade
- 90th Trail N. between 165th Place N. and 166th Way N.

In addition, the majority of the landowners who voted on the following roadways were "in favor" of the proposed project for asphalt in Palm Beach Country Estates (approximately 1.5 miles):

- 73rd Terrace N. between 155th Place N. and 159th Court N.
- 79th Terrace N. between 155th Place N. and 162nd Court N.
- 75th Way N between 163rd Court N. and 165th Street N.
- 77th Trail N. between 165th Street N. and 167th Court N.

A resolution to amend the Water Control Plan was presented to the Board of Supervisors on October 18, 2012. As part of this resolution, staff has determined the cost estimate and the benefitted area for the project.

On January 10, 2013, a workshop was held to discuss the landowner initiated roadway program and other items. Many topics were discussed at this meeting, and some topics required further evaluation by the Board and staff.

On February 7, 2013, a continuation of the January workshop was held. The Board directed staff to prepare a letter of explanation to the landowners included within the benefitted area of the OGEM project along with an updated referendum showing the updated cost estimates. A referendum with a letter of explanation was sent to the affected landowners on March 27, 2013 with the request that the landowners submit their response to the District by April 27, 2013. The results of the referendum were certified by the Supervisor of Elections on May 7, 2013 and both OGEM roadway segments were "in favor" of the project.

The Board directed staff to proceed with the preparation of the Plan of Improvement. The Plan of Improvement was submitted to the District office on March 22, 2013 for public review and a public hearing was held on April 18, 2013.

After the public hearing, the Board directed staff to proceed with the preparation of the Engineer's Report. The Engineer's Report was submitted to the District office on May 23, 2013. On August 15, 2013, a public hearing was conducted on the Engineer's Report, and the Plan of Improvement and the Engineer's Report was approved by the Board.

A contractor has been selected for the OGEM project and has mobilized their equipment to begin construction. For the Asphalt project, engineering design has been completed, and the project was advertised to bid on October 27, 2013. Bid proposals are to be submitted by November 20, 2013. Staff is prepared to update the Board at this month's meeting.

- B. Staff has received requests for petitions from landowners for roadway improvement projects. Per the February 2013 workshop, staff has developed an updated petition to distribute to landowners as they request it. In addition, staff has been reviewing the limits of the roadway improvement requests before distributing the updated petition for circulation. For notification, signs are being installed stating that a petition is being circulated in the area. Currently, the District has received petitions from landowners to apply OGEM and asphalt on certain roadways within the District. The landowners on the following roadways are petitioning to distribute a referendum for OGEM (approximately 0.5 miles):

- 164th Court N between Mellen Lane and Alexander Run

The landowners on the following roadways are petitioning to distribute a referendum for asphalt in Palm Beach Country Estates (approximately 1.0 miles):

- 67th Trail N. between 146th Road N. and 149th Place N.
- 74th Avenue N. between 155th Place N. and 159th Court N.
- 88th Trail N. between 155th Place N. and 159th Court N.

Staff is prepared to update the Board at this month's meeting.

II. OPERATION AND MAINTENANCE

- A. There was a meeting on November 13, 2013 for the National Pollutant Discharge Elimination System (NPDES) Steering Committee. A brief presentation was given on the NPDES website and where to find resources for completion of the Annual Report. The 3rd Year Annual Report is due by December 13, 2013. The next meeting date is scheduled for January 15, 2014. This will be an update on the 2014 program and budget.
- B. SFWMD continues to operate the G-160 structure to maintain flood protection and is committed to coordinating with, and monitoring water levels at the perimeter of some of the communities adjacent to and east of the Loxahatchee Slough to determine if there are impacts to the communities resulting from the increased water levels. The monitoring wells installed in April 2010 in SIRWCD's perimeter levee for Palm Beach Country Estates measured surface and groundwater water levels in conjunction with the operation of the G-160 structure. Well data has been collected through March 2013 and a report for the period from April 2010 – March 2013 is under preparation. The last stakeholder meeting was held on October 16, 2012. SFWMD has requested stakeholder input with respect to the scope of work for analysis of the data for a final report, as well as quality assurance and quality control of the data for inclusion into the DBHydro database.
- C. SFWMD's "Everglades Restoration Strategies" is a program that has been developed in order to address water quality-based effluent limits for Stormwater Treatment Areas (STAs) to meet NPDES permitting requirements by EPA. As part of the program's Technical Plan, both STA expansions and Flow Equalization Basins (FEB) upstream of STAs are proposed. The plan includes designation of the L-8 Reservoir as a 45,000 ac-ft FEB for STAs 1W and 1E. As a "replacement feature", the plan proposes to acquire and construct replacement storage to capture flows from the western C-18 Basin in the Mecca vicinity and discharge those flows via "Flow-way 2" (C-18 West Canal through C-18 and Loxahatchee Slough) to the Northwest Fork of the Loxahatchee River to meet Minimum Flows and Levels. Staff will continue to monitor these developments.
- D. On November 14, 2010, Environmental Protection Agency (EPA) approved the numeric nutrient criteria for fresh water and lakes. On September 29, 2011, FDEP published a draft Florida Administrative Code (F.A.C.) Chapter 62-302 regarding nutrient standards. The date for promulgation of numeric nutrient criteria (NNC, total nitrogen and total phosphorus) for lakes and flowing waters (fresh waters) was October 15, 2011; however, the date for South Florida waters, including canals, has been extended to coincide with the revised date for promulgation of numeric nutrient criteria for estuaries and coastal waters. The draft F.A.C. appeared before the Florida Environmental Regulation Commission (ERC). On December 8, 2011, the Florida ERC passed Florida's numeric nutrient criteria, which include the following:
- an amendment to provide that narrative criteria will continue to apply to ditches, canals and urban storm water conveyances
 - an amendment intended to limit the ability of EPA to pick and choose which provisions of the Florida rules to accept or reject.

An administrative challenge to the proposed rules was filed by Earthjustice prior to their adoption on December 8, 2011. On June 7, 2012, an administrative law judge upheld the state's proposed new water quality rules. The rules required ratification by the Florida Legislature; however, Governor Rick Scott signed HB 7051 waiving legislative ratification of the proposed rules. After FDEP notified the EPA of the judge's decision, EPA had 60 days to approve the state rules and then had to withdraw the Federal rule for the state rules to take effect.

A notice was filed in the Federal Register stating that the EPA was finalizing an extension of the July 6, 2012, effective date of the EPA NNC for six months to January 6, 2013. This allowed the EPA to review the Florida ERC approved numeric nutrient criteria.

On November 30, 2012, EPA announced its approval of FDEP's NNC. However, EPA also proposed additional regulations that would apply EPA's criteria to those waters not covered by FDEP's NNC, such as urban storm water conveyances, open ocean waters, and many estuaries where FDEP Total Maximum Daily Loads (TMDLs) have already been adopted. Since EPA developed NNC on waters not covered by FDEP's NNC, EPA and FDEP entered into an agreement on March 15, 2013, known as "Path Forward", to develop a plan for FDEP to develop NNC for the remaining waterbodies before EPA's consent decree deadline of September 30, 2013.

Since the agreement, FDEP adopted a NNC Implementation Document on April 23, 2013; adopted criteria for additional estuaries such as the Loxahatchee River Estuary on June 20, 2013; and have developed a report titled, "Status of Efforts to Establish Numeric Interpretations of the Narrative Nutrient Criterion for Florida Estuaries and Current Nutrient Conditions of Unimpaired Waters" to the Governor as required by the "Path Forward" agreement with EPA and Chapter 2013-71, Laws of Florida on August 1, 2013.

On September 24th, a hearing was held in court on EPA's motion to approve the Florida regulations. However, since that time the federal government shut down for 17 days, delaying the work of most agencies including the courts and therefore no ruling has been determined from the US District Court.

Neither EPA nor FDEP have NNC for South Florida waterbodies, especially the canals. FDEP drafted the "South Florida Canal Aquatic Life Study" and presented the study to stakeholders on November 1, 2012. This study proposes to perform a comprehensive assessment of South Florida canals and the aquatic life associated with those canals. The objectives of the study are:

1. Assess aquatic life in South Florida canals;
2. Determine interrelationships between aquatic life in canals and other variables that affect aquatic life;
3. Evaluate the differences in conditions for South Florida canals; and
4. Collect information that can be used to guide management decisions.

Eventually, this study will be used to determine if NNC are necessary for these waterbodies. Staff will continue to monitor these developments.



- E. On June 29, 2012, the EPA published a public notice of availability on the proposed Total Maximum Daily Loads (TMDLs) for waters and pollutants in the State of Florida. This notice included the proposed TMDL on the Southwest Fork of the Loxahatchee River and the C-18 Canal. The TMDL is for nutrients and dissolved oxygen and effects Palm Beach Country Estates, Jupiter Park of Commerce, and Egret Landing. In addition, on July 6, 2012, FDEP announced a draft statewide TMDL for mercury. Staff will continue to monitor these developments.
- F. 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.
- G. We continue to receive, review, and comment on various permit applications for projects to be constructed within the District.
- H. We continue to provide engineering assistance to the General Manager, 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.

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

A Florida 298
Special District

State of Florida
Jupiter, Florida



Over 85 Years of Service

MEMORANDUM

TO: Board of Supervisors

FROM: Manager of Operations

SUBJECT: Manager's Report for the period November 16, 2013 through December 16, 2013

DATE: December 16, 2013

ADMINISTRATIVE:

1. Attended Safety Council of Palm Beach County Annual Board Meeting.
2. Conducted monthly review of District canals with aquatic weed spraying contractor.
3. Reviewed O.G.E.M. and asphalt roads for 17th Plan of Improvements with District Engineer.
4. Meetings with Jeff King (North Florida Emulsions) to review repair work on existing O.G.E.M. roads.
5. Received \$2,300.00 from Verizon for monthly lease.
6. East Coast Fire Equipment serviced all District fire extinguishers.
7. On-site meetings and phone conversations with Homeowners to discuss drainage issues and road conditions.
8. District crews begin clearing Canal 3 at Riverbend Park.
9. District wins First Place in their category at the Annual Jupiter Farms Christmas Parade.

MEMORANDUM

To: Board of Supervisors

Date: December 16, 2013

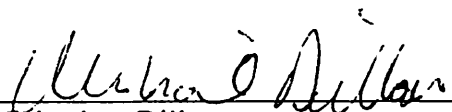
Page 2

WATER CONTROL:

1. Mowers and backhoes continue routine maintenance services on roadside swales and berms throughout the District.
2. Received 6.79 inches of rain this reporting period.
3. Prepared swales for four driveway culverts followed by inspections.
4. Terra Tech continues canal spraying for aquatic weed control.
5. District crews continue vegetation removal along Canal 6.
6. Swales are being re-contoured in numerous sections of the District.

ROAD MAINTENANCE:

1. Roads continue to be re-contoured to provide maximum storm water runoff.



Michael A. Dillon
Manager of Operations



**DICK GRUENWALD
ASSOCIATES, LLC**

Dec. 18, 2013

**TO: Board of Supervisors
SOUTH INDIAN RIVER WATER CONTROL DISTRICT**

**FROM: Dick Gruenwald Associates
DISTRICT PUBLIC INFORMATION SPECIALISTS**

SUBJECT: Monthly Report December 2013

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

- ❖ Monthly (Nov. 21) Meeting results release

The following items were uploaded to the website:

- ❖ Monthly Meeting minutes (10/10/13)
- ❖ Monthly (Nov. 21) Meeting results release
- ❖ December Staff monthly reports–
Manager of Operations, Engineer, Public Information
- ❖ Monthly (Nov. 21) Meeting results release

The Annual newsletter has been completed, printed and will be mailed shortly. It will include the Manager of Operations' and the District Engineer's annual reports, updates on roadway improvement projects, election results and NPDES information.

We are working on the 23rd Annual Landowners Family Day which is scheduled for March 15 from 11:30 am – 2:30 pm. We have secured the Tom Jackson Band for entertainment. The following community organizations have submitted applications to attend: C.O.P. (Citizens on Patrol), Drowning Prevention Coalition of Palm Beach County and Solid Waste Authority.

We continue to work with Mr. Rice and the Manager of Operations on a regular basis. We review and monitor print and online media for all SIRWCD 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 PDF in e-mail.

To South Indian River Water Control District
Board of Supervisors Pages 5

CC

Subject Engineer's Report for December 2013

From Amy E. Eason, PE, District Engineer

Board Meeting
Date December 19, 2013 (Cancelled)

The following is a summary of activities and communications that were of significance during the month of December 2013:

I. CURRENT CAPITAL IMPROVEMENTS AND OTHER DISTRICT PROJECTS

- A. The District has received petitions from landowners to apply both OGEM and Asphalt on certain roadways within the District. The roads met the requirements to distribute a referendum to all benefited landowners. Pursuant to Board direction, staff prepared a referendum for the landowner proposed projects that was mailed August 3, 2012 with the request that the landowners submit their response to the District by September 5, 2012. On September 11, 2012, staff received the certification from the Supervisor of Elections on the results of the referendum. The majority of the landowners who voted on the following roadways were "in favor" of the proposed project for OGEM in Jupiter Farms (approximately 0.4 miles):

- 127th Drive N. between 187th Place N. and Old Indiantown Grade
- 90th Trail N. between 165th Place N. and 166th Way N.

In addition, the majority of the landowners who voted on the following roadways were "in favor" of the proposed project for asphalt in Palm Beach Country Estates (approximately 1.5 miles):

- 73rd Terrace N. between 155th Place N. and 159th Court N.
- 79th Terrace N. between 155th Place N. and 162nd Court N.
- 75th Way N between 163rd Court N. and 165th Street N.
- 77th Trail N. between 165th Street N. and 167th Court N.

A resolution to amend the Water Control Plan was presented to the Board of Supervisors on October 18, 2012. As part of this resolution, staff has determined the cost estimate and the benefitted area for the project.

On January 10, 2013, a workshop was held to discuss the landowner initiated roadway program and other items. Many topics were discussed at this meeting, and some topics required further evaluation by the Board and staff.

On February 7, 2013, a continuation of the January workshop was held. The Board directed staff to prepare a letter of explanation to the landowners included within the benefitted area of the OGEM project along with an updated referendum showing the updated cost estimates. A referendum with a letter of explanation was sent to the affected landowners on March 27, 2013 with the request that the landowners submit their response to the District by April 27, 2013. The results of the referendum were certified by the Supervisor of Elections on May 7, 2013 and both OGEM roadway segments were "in favor" of the project.

The Board directed staff to proceed with the preparation of the Plan of Improvement. The Plan of Improvement was submitted to the District office on March 22, 2013 for public review and a public hearing was held on April 18, 2013.

After the public hearing, the Board directed staff to proceed with the preparation of the Engineer's Report. The Engineer's Report was submitted to the District office on May 23, 2013. On August 15, 2013, a public hearing was conducted on the Engineer's Report, and the Plan of Improvement and the Engineer's Report was approved by the Board.

A contractor has been selected for the OGEM project and has finished the construction of the project on December 16, 2013. For the Asphalt project, a contractor has been selected at the November meeting. The contract was awarded to Lynch Paving and Construction. A pre-construction meeting has been held and construction is anticipated to begin January 6, 2014.

- B. Staff has received requests for petitions from landowners for roadway improvement projects. Per the February 2013 workshop, staff has developed an updated petition to distribute to landowners as they request it. In addition, staff has been reviewing the limits of the roadway improvement requests before distributing the updated petition for circulation. For notification, signs are being installed stating that a petition is being circulated in the area. Currently, the District has received petitions from landowners to apply OGEM and asphalt on certain roadways within the District. The landowners on the following roadways are petitioning to distribute a referendum for OGEM (approximately 0.5 miles):

- 164th Court N between Mellen Lane and Alexander Run

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- 67th Trail N. between 146th Road N. and 149th Place N.
- 74th Avenue N. between 155th Place N. and 159th Court N.
- 88th Trail N. between 155th Place N. and 159th Court N.

II. OPERATION AND MAINTENANCE

- A. There was a no meeting in December for the National Pollutant Discharge Elimination System (NPDES) Steering Committee. The next meeting is scheduled for January 15, 2014. The subject will be the 2014 program, budget report, an 5th year budget.
- B. SFWMD continues to operate the G-160 structure to maintain flood protection and is committed to coordinating with, and monitoring water levels at the perimeter of some of the communities adjacent to and east of the Loxahatchee Slough to determine if there are impacts to the communities resulting from the increased water levels. The monitoring wells installed in April 2010 in SIRWCD's perimeter levee for Palm Beach Country Estates measured surface and groundwater water levels in conjunction with the operation of the G-160 structure. Well data has been collected through March 2013 and a report for the period from April 2010 – March 2013 is under preparation. The last stakeholder meeting was held on October 16, 2012. SFWMD has requested stakeholder input with respect to the scope of work for analysis of the data for a final report, as well as quality assurance and quality control of the data for inclusion into the DBHydro database.
- C. SFWMD's "Everglades Restoration Strategies" is a program that has been developed in order to address water quality-based effluent limits for Stormwater Treatment Areas (STAs) to meet NPDES permitting requirements by EPA. As part of the program's Technical Plan, both STA expansions and Flow Equalization Basins (FEB) upstream of STAs are proposed. The plan includes designation of the L-8 Reservoir as a 45,000 ac-ft FEB for STAs 1W and 1E. As a "replacement feature", the plan proposes to acquire and construct replacement storage to capture flows from the western C-18 Basin in the Mecca vicinity and discharge those flows via "Flow-way 2" (C-18 West Canal through C-18 and Loxahatchee Slough) to the Northwest Fork of the Loxahatchee River to meet Minimum Flows and Levels. Staff will continue to monitor these developments.
- D. On November 14, 2010, Environmental Protection Agency (EPA) approved the numeric nutrient criteria for fresh water and lakes. On September 29, 2011, FDEP published a draft Florida Administrative Code (F.A.C.) Chapter 62-302 regarding nutrient standards. The date for promulgation of numeric nutrient criteria (NNC, total nitrogen and total phosphorus) for lakes and flowing waters (fresh waters) was October 15, 2011; however, the date for South Florida waters, including canals, has been extended to coincide with the revised date for promulgation of numeric nutrient criteria for estuaries and coastal waters. The draft F.A.C. appeared before the Florida Environmental Regulation Commission (ERC). On December 8, 2011, the Florida ERC passed Florida's numeric nutrient criteria, which include the following:
- an amendment to provide that narrative criteria will continue to apply to ditches, canals and urban storm water conveyances
 - an amendment intended to limit the ability of EPA to pick and choose which provisions of the Florida rules to accept or reject.

An administrative challenge to the proposed rules was filed by Earthjustice prior to their adoption on December 8, 2011. On June 7, 2012, an administrative law judge upheld the state's proposed new water quality rules. The rules required ratification

by the Florida Legislature; however, Governor Rick Scott signed HB 7051 waiving legislative ratification of the proposed rules. After FDEP notified the EPA of the judge's decision, EPA had 60 days to approve the state rules and then had to withdraw the Federal rule for the state rules to take effect.

A notice was filed in the Federal Register stating that the EPA was finalizing an extension of the July 6, 2012, effective date of the EPA NNC for six months to January 6, 2013. This allowed the EPA to review the Florida ERC approved numeric nutrient criteria.

On November 30, 2012, EPA announced its approval of FDEP's NNC. However, EPA also proposed additional regulations that would apply EPA's criteria to those waters not covered by FDEP's NNC, such as urban storm water conveyances, open ocean waters, and many estuaries where FDEP Total Maximum Daily Loads (TMDLs) have already been adopted. Since EPA developed NNC on waters not covered by FDEP's NNC, EPA and FDEP entered into an agreement on March 15, 2013, known as "Path Forward", to develop a plan for FDEP to develop NNC for the remaining waterbodies before EPA's consent decree deadline of September 30, 2013.

Since the agreement, FDEP adopted a NNC Implementation Document on April 23, 2013; adopted criteria for additional estuaries such as the Loxahatchee River Estuary on June 20, 2013; and have developed a report titled, "Status of Efforts to Establish Numeric Interpretations of the Narrative Nutrient Criterion for Florida Estuaries and Current Nutrient Conditions of Unimpaired Waters" to the Governor as required by the "Path Forward" agreement with EPA and Chapter 2013-71, Laws of Florida on August 1, 2013.

On September 24th, a hearing was held in court on EPA's motion to approve the Florida regulations. However, since that time the federal government shut down for 17 days, delaying the work of most agencies including the courts and therefore no ruling has been determined from the US District Court.

Neither EPA nor FDEP have NNC for South Florida waterbodies, especially the canals. FDEP drafted the "South Florida Canal Aquatic Life Study" and presented the study to stakeholders on November 1, 2012. This study proposes to perform a comprehensive assessment of South Florida canals and the aquatic life associated with those canals. The objectives of the study are:

1. Assess aquatic life in South Florida canals;
2. Determine interrelationships between aquatic life in canals and other variables that affect aquatic life;
3. Evaluate the differences in conditions for South Florida canals; and
4. Collect information that can be used to guide management decisions.

Eventually, this study will be used to determine if NNC are necessary for these waterbodies. Staff will continue to monitor these developments.

- E. On June 29, 2012, the EPA published a public notice of availability on the proposed Total Maximum Daily Loads (TMDLs) for waters and pollutants in the State of Florida. This notice included the proposed TMDL on the Southwest Fork of the Loxahatchee River and the C-18 Canal. The TMDL is for nutrients and dissolved



oxygen and effects Palm Beach Country Estates, Jupiter Park of Commerce, and Egret Landing. In addition, on July 6, 2012, FDEP announced a draft statewide TMDL for mercury. Staff will continue to monitor these developments.

- F. 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.
- G. We continue to receive, review, and comment on various permit applications for projects to be constructed within the District.
- H. We continue to provide engineering assistance to the General Manager, 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.

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



Over 85 Years of Service

BOARD OF SUPERVISORS MEETING

January 16, 2014 – 7:30 p.m.
Jupiter High School Guidance Suite
500 N. Military Trail, Jupiter, FL 33458

AGENDA

1. Invocation and Pledge of Allegiance
2. Consent Agenda
 - Approval of Minutes (November 2013)
 - Approval of Warrant List
3. Public Information report
4. Treasurer's report
5. Manager of Operations' report
6. Engineer's report
7. Attorney's Report
8. Old business
9. New business
10. Landowners' items
11. Adjourn



Over 85 Years of Service

MEMORANDUM

TO: Board of Supervisors

FROM: Manager of Operations

SUBJECT: Manager's Report for the period December 17, 2013 through January 10, 2014

DATE: January 10, 2014

ADMINISTRATIVE:

1. Renewed maintenance agreement for mowing and grading with Palm Beach County.
2. Conducted monthly review of District canals with aquatic weed spraying contractor.
3. North Florida Emulsions completed the 17th Plan of Improvement for OGEM roads.
4. Attended Safety Council of Palm Beach County Board meeting.
5. Received \$2,300.00 from Verizon for the monthly lease.
6. Meetings with Palm Beach County Parks and Recreation to discuss debris staging on Canal 3 and Riverbend Park.
7. On-site meetings and phone conversations with Homeowners to discuss drainage issues and road conditions.
8. Attended meeting with District Engineer and Palm Beach County Environmental Resources Management regarding the Hatcher Project.
9. Numerous meetings with Palm Beach County Road and Bridge to discuss various issues within the District.
10. Attended Staff meeting.

MEMORANDUM

To: Board of Supervisors

Date: January 10, 2014

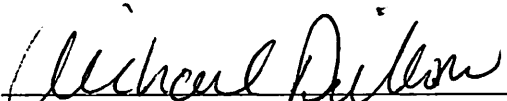
Page 2

WATER CONTROL:

1. Mowers and backhoes continue routine maintenance services on roadside swales and berms throughout the District.
2. Received 8.22 inches of rain this reporting period.
3. Prepared swales for seven driveway culverts followed by inspections.
4. Terra Tech continues canal spraying for aquatic weed control.
5. District crews continue vegetation cut-backs along Canal 6.
6. Swales are being re-contoured in numerous sections of the District.

ROAD MAINTENANCE:

1. Roads continue to be re-contoured to provide maximum storm water runoff.
2. North Florida Emulsions completes road maintenance program for 2014.
3. D.S. Eakins hauled 360 cubic yards of road stabilizer to District yard.


Michael A. Dillon
Manager of Operations



**DICK GRUENWALD
ASSOCIATES, LLC**

Jan. 13, 2014

**TO: Board of Supervisors
SOUTH INDIAN RIVER WATER CONTROL DISTRICT**

**FROM: Dick Gruenwald Associates
DISTRICT PUBLIC INFORMATION SPECIALISTS**

SUBJECT: Monthly Report January 2014

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

- ❖ Monthly (Jan. 16) Meeting release

The following items were uploaded to the website:

- ❖ Annual Reports Newsletter
- ❖ Monthly (Jan. 16) Meeting release
- ❖ January Agenda and Staff monthly reports–
Manager of Operations, Engineer, Treasurer, Public Information

The Annual newsletter has been mailed to all landowners. It included the Manager of Operations' and the District Engineer's annual reports, updates on roadway improvement projects, election results and NPDES information.

We continue to work on the 23rd Annual Landowners Family Day, scheduled for March 15 from 11:30 am – 2:30 pm, with the Manager of Operations and Mrs. Rigsby. The event offers the opportunity for the landowners to see what SIRWCD is all about and enjoy visiting community organizations, good food and music and socialize with their neighbors.

We continue to work with Mr. Rice and the Manager of Operations on a regular basis. We review and monitor print and online media for all SIRWCD 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 PDF in e-mail.



To: Board of Supervisors
FROM: Charles F. Haas, Treasurer
RE: Treasurer's Report for the month of January 2014
CC: Staff
Date: January 10, 2014

Routine Business

1. The District has received a total of \$4,158,247 in Assessment Receipts through December 31, 2013 of the expected receipts for the 2013/14 Fiscal Year.
2. We are continuing to work with the District's auditors, Grau & Company, on the audit for the fiscal year ending September 30, 2013 and we are in the process of closing the books and beginning the preparation of the financial statements.
3. The financing for the 17th POI was completed on December 18, 2013
4. Following the Board's direction we will be sending our report to the District's Public Information Officer for uploading to the web-site.

Board Consideration

1. The Board will be asked to approve the list of disbursements. (Sent under separate cover).
2. We have various debt payments due on February 1st (schedule attached). The board will be asked to approve the payments and the transfer of funds.

South Indian River Water Control District

Debt Service due February 1, 2014

Bank	Loan Obligor #	Loan Nbr	Name	Interest	Principal	Total
Items paid by check						
Wells Fargo Bank	264056887	34	2002 Section 9 Phase IIA Note	623.99		
Wells Fargo Bank	264056887	18	2002 Section 9 Phase IIB Note	1,840.57		
Items paid by direct debit authorization						
Regions Bank	2560001162	0000009001	2007 OGEM Road	51,919.66		51,919.66
Regions Bank	2560001162	0001109073	2009 Hookup Financing Program	39,216.53		39,216.53
Regions Bank	2560001162	0001354968	2011 Road Improvement	34,287.92		34,287.92
Regions Bank	2560001162	0001380260	2011 Egret Landing Refunding	31,554.52		31,554.52
Items paid by funds transfer to the trustee						
Regions Trust Services	South Indian River WCD Special Assessment Revenue Bonds				Series A	\$ 328,575.00
Regions Trust Services	South Indian River WCD Special Assessment Revenue Bonds				Series B	19,541.63
Regions Trust Services	Additional funding of the trust account					51,883.37
						400,000.00

Note all debt payments agreed to SIRWCD's schedule.

South Indian River Water Control District
Statement of Revenues and Expenditures
From 10/1/2013 Through 11/30/2013

AGF - All Governmental Funds
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Assesments-Net	351,947	1,081,273	729,326
Other Income	12,719	9,381	(3,338)
Total Revenue:	364,666	-	725,988
Expenditures:			
Contracted Services	10,650	37,443	(26,793)
Operating Expense	402,225	160,191	242,034
Capital Outlay	86,650	29,624	57,026
Other Debt Service	11,230	2,583	8,647
Total Expenditures:	412,875	197,634	215,241
Transfers	69,750	178,141	(108,391)
Excess (Deficit) Revenues over (under) Expenditures	(48,209)	(197,634)	(149,425)
Beginning Fund Balance	3,695,033	3,695,033	
Ending Fund Balance	3,646,824	3,497,399	

South Indian River Water Control District
Statement of Revenues and Expenditures
From 10/1/2013 Through 11/30/2013

100 - Special Revenue Funds
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Assesments-Net	148,918	469,386	320,468
Other Income	12,350	9,381	(2,969)
Total Revenue:	161,268	-	317,499
Expenditures:			
Contracted Services	10,650	37,443	(26,793)
Operating Expense	402,225	160,191	242,034
Total Expenditures:	412,875	197,634	215,241
Excess (Deficit) Revenues over (under) Expenditures	(251,607)	(197,634)	53,973
Beginning Fund Balance	1,387,378	1,387,378	
Ending Fund Balance	1,135,771	1,189,744	

South Indian River Water Control District
Statement of Revenues and Expenditures
From 10/1/2013 Through 11/30/2013

200 - Debt Service Funds
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Assesments-Net	203,029	611,887	408,858
Other Income		-	-
Total Revenue:	203,029	611,887	408,858
Expenditures:			
Other Debt Service	11,230	2,583	(8,647)
Total Expenditures:	11,230	2,583	(8,647)
Excess (Deficit) Revenues over (under) Expenditures	191,799	609,304	417,505
Beginning Fund Balance	832,283	832,283	

South Indian River Water Control District
Statement of Revenues and Expenditures
From 10/1/2013 Through 11/30/2013

300 - Capital Projects Funds
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Other Income	369		(369)
Total Revenue:	369	-	(369)
Expenditures:			
Capital Outly	86,650	29,624	57,026
Total Expenditures:	86,650	29,624	57,026
Transfers	69,750	178,141	(108,391)
Excess (Deficit) Revenues over (under) Expenditures	(156,031)	(207,765)	(51,734)
Beginning Fund Balance	1,475,372	1,475,372	-
Ending Fund Balance	1,319,341	1,267,607	(51,734)

South Indian River Water Control District
Statement of Revenues and Expenditures
From 10/1/2013 Through 11/30/2013

500 - Internal Service Fund
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Charges for Services	280,550	160,167	(120,383)
Rents & Contracted Service Income	13,500	12,100	(1,400)
Other Income		972	972
Total Revenue:	294,050	173,239	(120,811)
Expenditures:			
Personal Services	116,250	133,890	(17,640)
Contracted Services	10,050	6,701	3,349
Operating Expense	134,700	26,883	107,817
Office & Landowner Expense		3,943	(3,943)
Insurance	7,550	6,725	825
Total Expenditures:	268,550	178,142	90,408
Transfers, Financing & Capital Outlays			
Capital Outlay	133,000	27,346	105,654
Total Transfers, Financing & Capital Outlays	133,000	27,346	105,654
Excess (Deficit) Revenues over (under) Expenditures	(107,500)	(32,249)	75,251
Beginning Fund Balance	497,001	497,001	
Ending Fund Balance	389,501	464,752	

To South Indian River Water Control District
Board of Supervisors Pages 5

CC

Subject Engineer's Report for January 2014

From Amy E. Eason, PE, District Engineer

Board Meeting
Date January 16, 2014

The following is a summary of activities and communications that were of significance during the month of January 2014:

I. CURRENT CAPITAL IMPROVEMENTS AND OTHER DISTRICT PROJECTS

- A. The District has received petitions from landowners to apply both OGEM and Asphalt on certain roadways within the District. The roads met the requirements to distribute a referendum to all benefited landowners. Pursuant to Board direction, staff prepared a referendum for the landowner proposed projects that was mailed August 3, 2012 with the request that the landowners submit their response to the District by September 5, 2012. On September 11, 2012, staff received the certification from the Supervisor of Elections on the results of the referendum. The majority of the landowners who voted on the following roadways were "in favor" of the proposed project for OGEM in Jupiter Farms (approximately 0.4 miles):

- 127th Drive N. between 187th Place N. and Old Indiantown Grade
- 90th Trail N. between 165th Place N. and 166th Way N.

In addition, the majority of the landowners who voted on the following roadways were "in favor" of the proposed project for asphalt in Palm Beach Country Estates (approximately 1.5 miles):

- 73rd Terrace N. between 155th Place N. and 159th Court N.
- 79th Terrace N. between 155th Place N. and 162nd Court N.
- 75th Way N between 163rd Court N. and 165th Street N.
- 77th Trail N. between 165th Street N. and 167th Court N.

A resolution to amend the Water Control Plan was presented to the Board of Supervisors on October 18, 2012. As part of this resolution, staff has determined the cost estimate and the benefitted area for the project.

On January 10, 2013, a workshop was held to discuss the landowner initiated roadway program and other items. Many topics were discussed at this meeting, and some topics required further evaluation by the Board and staff.

On February 7, 2013, a continuation of the January workshop was held. The Board directed staff to prepare a letter of explanation to the landowners included within the benefitted area of the OGEM project along with an updated referendum showing the updated cost estimates. A referendum with a letter of explanation was sent to the affected landowners on March 27, 2013 with the request that the landowners submit their response to the District by April 27, 2013. The results of the referendum were certified by the Supervisor of Elections on May 7, 2013 and both OGEM roadway segments were "in favor" of the project.

The Board directed staff to proceed with the preparation of the Plan of Improvement. The Plan of Improvement was submitted to the District office on March 22, 2013 for public review and a public hearing was held on April 18, 2013.

After the public hearing, the Board directed staff to proceed with the preparation of the Engineer's Report. The Engineer's Report was submitted to the District office on May 23, 2013. On August 15, 2013, a public hearing was conducted on the Engineer's Report, and the Plan of Improvement and the Engineer's Report was approved by the Board.

Construction for the OGEM project began in November and was completed on December 16, 2013.

For the Asphalt project, a contractor was selected at the November meeting. The contract was awarded to Lynch Paving and Construction. A pre-construction meeting was held and construction has begun January 6, 2014 beginning with the construction staking layout. Staff is prepared to update the board at this month's meeting.

- B. Staff has received requests for petitions from landowners for roadway improvement projects. Per the February 2013 workshop, staff has developed an updated petition to distribute to landowners as they request it. In addition, staff has been reviewing the limits of the roadway improvement requests before distributing the updated petition for circulation. For notification, signs are being installed stating that a petition is being circulated in the area. Currently, the District has received petitions from landowners to apply OGEM and asphalt on certain roadways within the District. The landowners on the following roadways are petitioning to distribute a referendum for OGEM (approximately 0.5 miles):

- 164th Court N between Mellen Lane and Alexander Run

The landowners on the following roadways are petitioning to distribute a referendum for asphalt in Palm Beach Country Estates (approximately 1.4 miles):

- 67th Trail N. between 146th Road N. and 149th Place N.
- 74th Avenue N. between 155th Place N. and 159th Court N.
- 77th Trail N. between 150th Court N. and 154th Court N.
- 88th Trail N. between 155th Place N. and 159th Court N.

II. OPERATION AND MAINTENANCE

- A. The next meeting for the National Pollutant Discharge Elimination System (NPDES) Steering Committee is scheduled for January 15, 2014. The subject of the meeting is the 2014 program, budget report, and 5th year budget.
- B. SFWMD continues to operate the G-160 structure to maintain flood protection and is committed to coordinating with, and monitoring water levels at the perimeter of some of the communities adjacent to and east of the Loxahatchee Slough to determine if there are impacts to the communities resulting from the increased water levels. The monitoring wells installed in April 2010 in SIRWCD's perimeter levee for Palm Beach Country Estates measured surface and groundwater water levels in conjunction with the operation of the G-160 structure. Well data has been collected through March 2013 and a report for the period from April 2010 – March 2013 is under preparation. The last stakeholder meeting was held on October 16, 2012. SFWMD has requested stakeholder input with respect to the scope of work for analysis of the data for a final report, as well as quality assurance and quality control of the data for inclusion into the DBHydro database. There is no update on this item for this month.
- C. SFWMD's "Everglades Restoration Strategies" is a program that has been developed in order to address water quality-based effluent limits for Stormwater Treatment Areas (STAs) to meet NPDES permitting requirements by EPA. As part of the program's Technical Plan, both STA expansions and Flow Equalization Basins (FEB) upstream of STAs are proposed. The plan includes designation of the L-8 Reservoir as a 45,000 ac-ft FEB for STAs 1W and 1E. As a "replacement feature", the plan proposes to acquire and construct replacement storage to capture flows from the western C-18 Basin in the Mecca vicinity and discharge those flows via "Flow-way 2" (C-18 West Canal through C-18 and Loxahatchee Slough) to the Northwest Fork of the Loxahatchee River to meet Minimum Flows and Levels. Staff will continue to monitor these developments.
- D. On November 14, 2010, Environmental Protection Agency (EPA) approved the numeric nutrient criteria for fresh water and lakes. On September 29, 2011, FDEP published a draft Florida Administrative Code (F.A.C.) Chapter 62-302 regarding nutrient standards. The date for promulgation of numeric nutrient criteria (NNC, total nitrogen and total phosphorus) for lakes and flowing waters (fresh waters) was October 15, 2011; however, the date for South Florida waters, including canals, has been extended to coincide with the revised date for promulgation of numeric nutrient criteria for estuaries and coastal waters. The draft F.A.C. appeared before the Florida Environmental Regulation Commission (ERC). On December 8, 2011, the Florida ERC passed Florida's numeric nutrient criteria, which include the following:
- an amendment to provide that narrative criteria will continue to apply to ditches, canals and urban storm water conveyances
 - an amendment intended to limit the ability of EPA to pick and choose which provisions of the Florida rules to accept or reject.

An administrative challenge to the proposed rules was filed by Earthjustice prior to their adoption on December 8, 2011. On June 7, 2012, an administrative law judge upheld the state's proposed new water quality rules. The rules required ratification by the Florida Legislature; however, Governor Rick Scott signed HB 7051 waiving legislative ratification of the proposed rules. After FDEP notified the EPA of the judge's decision, EPA had 60 days to approve the state rules and then had to withdraw the Federal rule for the state rules to take effect.

A notice was filed in the Federal Register stating that the EPA was finalizing an extension of the July 6, 2012, effective date of the EPA NNC for six months to January 6, 2013. This allowed the EPA to review the Florida ERC approved numeric nutrient criteria.

On November 30, 2012, EPA announced its approval of FDEP's NNC. However, EPA also proposed additional regulations that would apply EPA's criteria to those waters not covered by FDEP's NNC, such as urban storm water conveyances, open ocean waters, and many estuaries where FDEP Total Maximum Daily Loads (TMDLs) have already been adopted. Since EPA developed NNC on waters not covered by FDEP's NNC, EPA and FDEP entered into an agreement on March 15, 2013, known as "Path Forward", to develop a plan for FDEP to develop NNC for the remaining waterbodies before EPA's consent decree deadline of September 30, 2013.

Since the agreement, FDEP adopted a NNC Implementation Document on April 23, 2013; adopted criteria for additional estuaries such as the Loxahatchee River Estuary on June 20, 2013; and have developed a report titled, "Status of Efforts to Establish Numeric Interpretations of the Narrative Nutrient Criterion for Florida Estuaries and Current Nutrient Conditions of Unimpaired Waters" to the Governor as required by the "Path Forward" agreement with EPA and Chapter 2013-71, Laws of Florida on August 1, 2013.

On September 24th, a hearing was held in court on EPA's motion to approve the Florida regulations. On January 7, 2014, the US District Court granted EPA's motion to modify the Consent Decree between EPA and various environmental organizations. The action allows EPA's approval of FDEP's plan for NNC regulations in Florida to move ahead, and denies the environmental parties' motion to enforce the original Consent Decree.

Neither EPA nor FDEP have NNC for South Florida waterbodies, especially the canals. FDEP drafted the "South Florida Canal Aquatic Life Study" and presented the study to stakeholders on November 1, 2012. This study proposes to perform a comprehensive assessment of South Florida canals and the aquatic life associated with those canals. The objectives of the study are:

1. Assess aquatic life in South Florida canals;
2. Determine interrelationships between aquatic life in canals and other variables that affect aquatic life;
3. Evaluate the differences in conditions for South Florida canals; and
4. Collect information that can be used to guide management decisions.

Eventually, this study will be used to determine if NNC are necessary for these waterbodies. Staff will continue to monitor these developments.

- E. On June 29, 2012, the EPA published a public notice of availability on the proposed Total Maximum Daily Loads (TMDLs) for waters and pollutants in the State of Florida. This notice included the proposed TMDL on the Southwest Fork of the Loxahatchee River and the C-18 Canal. The TMDL is for nutrients and dissolved oxygen and effects Palm Beach Country Estates, Jupiter Park of Commerce, and Egret Landing. In addition, on July 6, 2012, FDEP announced a draft statewide TMDL for mercury. Staff will continue to monitor these developments.
- F. 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.
- G. We continue to receive, review, and comment on various permit applications for projects to be constructed within the District.
- H. We continue to provide engineering assistance to the General Manager, 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.

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



Over 85 Years of Service

MEMORANDUM

TO: Board of Supervisors
FROM: Manager of Operations
SUBJECT: Manager's Report for the period January 13, 2014 through February 18, 2014
DATE: February 18, 2014

ADMINISTRATIVE:

1. Attended Loxahatchee River Management Coordinating Council meeting in Jupiter.
2. Conducted monthly review of District canals with aquatic weed spray contractor.
3. Lynch Paving begins the 17th Plan of Improvements asphalt project.
4. Attended Safety Council of Palm Beach County Board meeting.
5. Received \$2,300.00 from Verizon for monthly lease.
6. Meeting with South Florida Water Management District to review the District's surface water management system and how it interacts with south Florida's G-92 structure at the C-18.
7. On-site meetings and phone conversations with Homeowners to discuss drainage issues and road conditions.
8. Conducted District safety meeting at Work Center.
9. Meetings with District Engineer to review request by South Florida Water Management District for right-of-entry on easements for the Canal 18 tree removal project.
10. Attended Loxahatchee River Preservation Initiative meeting at Town of Jupiter E.O.C.
11. Equipment operator, Arie Raz, celebrates 15 years with the District.

MEMORANDUM

To: Board of Supervisors

Date: February 18, 2014

Page 2

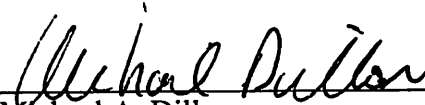
12. District crews and staff begin preparation for Annual Landowners' Family Day scheduled for March 15.

WATER CONTROL:

1. Mowers and backhoes continue routine maintenance services on roadside swales and berms throughout the District.
2. Received 4.77 inches of rain this reporting period.
3. Prepared swales for ten driveway culverts followed by inspections.
4. Terra Tech continues canal spraying for aquatic weed control.
5. The Canal 3 right-of-way from Riverbend Park west has been cleared and restored for District maintenance.
6. Swales are being re-contoured in numerous sections of the District.

ROAD MAINTENANCE:

1. Roads continue to be re-contoured to provide maximum storm water runoff.
2. Excavated material from the 17th Plan of Improvement asphalt project was used on various roads in Palm Beach Country Estates.



Michael A. Dillon
Manager of Operations



**DICK GRUENWALD
ASSOCIATES, LLC**

Feb. 14, 2014

**TO: Board of Supervisors
SOUTH INDIAN RIVER WATER CONTROL DISTRICT**

**FROM: Dick Gruenwald Associates
DISTRICT PUBLIC INFORMATION SPECIALISTS**

SUBJECT: Monthly Report February 2014

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

- ❖ Monthly (Feb. 20) Meeting cancellation notice release

The following items were uploaded to the website:

- ❖ Monthly Meeting Minutes (Nov. 21, 2013)
- ❖ Monthly (Feb. 20) Meeting cancellation notice release
- ❖ February Staff monthly reports–
Manager of Operations, Engineer, Treasurer, Public Information

Ms. DeNinno attended the presentation of the 15th anniversary certificate to Ari Raz and took pictures of the staff and workers for the newsletter. We are currently working on the spring newsletter which will include updates on roadway improvement projects, Landowner's Family Day, and NPDES information.

We continue to work on the 23rd Annual Landowners Family Day, scheduled for March 15 from 11:30 am – 2:30 pm, with the Manager of Operations and Mrs. Rigsby. We have secured Tom Jackson and Cock-A-Doodle Doo for the entertainment and are working on the BBQ bids. The following community organizations have sent in their applications to attend: Drowning Prevention Coalition of Palm Beach County, Northeast Everglades Trails Association, Florida Forest Service, Jupiter Farms-PBCE COP Unit 103, Jupiter Farmer, Palm Beach County Fire Rescue, OneBlood, Safety Council of Palm Beach County and Solid Waste Authority of Palm Beach County.

We continue to work with Mr. Rice and the Manager of Operations on a regular basis. We review and monitor print and online media for all SIRWCD 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 PDF in e-mail.

To South Indian River Water Control District
Board of Supervisors Pages 5

CC

Subject Engineer's Report for February 2014

From Amy E. Eason, PE, District Engineer

Board Meeting
Date February 20, 2014 (Cancelled)

The following is a summary of activities and communications that were of significance during the month of February 2014:

I. CURRENT CAPITAL IMPROVEMENTS AND OTHER DISTRICT PROJECTS

- A. The District has received petitions from landowners to apply both OGEM and Asphalt on certain roadways within the District. The roads met the requirements to distribute a referendum to all benefited landowners. Pursuant to Board direction, staff prepared a referendum for the landowner proposed projects that was mailed August 3, 2012 with the request that the landowners submit their response to the District by September 5, 2012. On September 11, 2012, staff received the certification from the Supervisor of Elections on the results of the referendum. The majority of the landowners who voted on the following roadways were "in favor" of the proposed project for OGEM in Jupiter Farms (approximately 0.4 miles):

- 127th Drive N. between 187th Place N. and Old Indiantown Grade
- 90th Trail N. between 165th Place N. and 166th Way N.

In addition, the majority of the landowners who voted on the following roadways were "in favor" of the proposed project for asphalt in Palm Beach Country Estates (approximately 1.5 miles):

- 73rd Terrace N. between 155th Place N. and 159th Court N.
- 79th Terrace N. between 155th Place N. and 162nd Court N.
- 75th Way N between 163rd Court N. and 165th Street N.
- 77th Trail N. between 165th Street N. and 167th Court N.

A resolution to amend the Water Control Plan was presented to the Board of Supervisors on October 18, 2012. As part of this resolution, staff has determined the cost estimate and the benefitted area for the project.

On January 10, 2013, a workshop was held to discuss the landowner initiated roadway program and other items. Many topics were discussed at this meeting, and some topics required further evaluation by the Board and staff.

On February 7, 2013, a continuation of the January workshop was held. The Board directed staff to prepare a letter of explanation to the landowners included within the benefitted area of the OGEM project along with an updated referendum showing the updated cost estimates. A referendum with a letter of explanation was sent to the affected landowners on March 27, 2013 with the request that the landowners submit their response to the District by April 27, 2013. The results of the referendum were certified by the Supervisor of Elections on May 7, 2013 and both OGEM roadway segments were "in favor" of the project.

The Board directed staff to proceed with the preparation of the Plan of Improvement. The Plan of Improvement was submitted to the District office on March 22, 2013 for public review and a public hearing was held on April 18, 2013.

After the public hearing, the Board directed staff to proceed with the preparation of the Engineer's Report. The Engineer's Report was submitted to the District office on May 23, 2013. On August 15, 2013, a public hearing was conducted on the Engineer's Report, and the Plan of Improvement and the Engineer's Report was approved by the Board.

Construction for the OGEM project began in November and was completed on December 16, 2013.

For the Asphalt project, a contractor was selected at the November meeting. The contract was awarded to Lynch Paving and Construction. A pre-construction meeting was held and construction has begun January 6, 2014 beginning with the construction staking layout. This month, the contractor has graded the roads and has begun installing the base rock. Staff is prepared to update the board at next month's meeting.

- B. Staff has received requests for petitions from landowners for roadway improvement projects. Per the February 2013 workshop, staff has developed an updated petition to distribute to landowners as they request it. In addition, staff has been reviewing the limits of the roadway improvement requests before distributing the updated petition for circulation. For notification, signs are being installed stating that a petition is being circulated in the area. Currently, the District has received petitions from landowners to apply OGEM and asphalt on certain roadways within the District. The landowners on the following roadways are petitioning to distribute a referendum for OGEM (approximately 0.5 miles):

- 164th Court N between Mellen Lane and Alexander Run

The landowners on the following roadways are petitioning to distribute a referendum for asphalt in Palm Beach Country Estates (approximately 1.9 miles):

- 67th Trail N. between 146th Road N. and 149th Place N.
- 74th Avenue N. between 155th Place N. and 159th Court N.
- 77th Trail N. between 150th Court N. and 154th Court N.

- 88th Trail N. between 155th Place N. and 159th Court N.
- 163rd Court N. between 75th Avenue N. and 79th Terrace N.

II. OPERATION AND MAINTENANCE

- A. The next meeting for the National Pollutant Discharge Elimination System (NPDES) Steering Committee is scheduled for February 19, 2014. The subject of the meeting is public education activities.
- B. SFWMD continues to operate the G-160 structure to maintain flood protection and is committed to coordinating with, and monitoring water levels at the perimeter of some of the communities adjacent to and east of the Loxahatchee Slough to determine if there are impacts to the communities resulting from the increased water levels. The monitoring wells installed in April 2010 in SIRWCD's perimeter levee for Palm Beach Country Estates measured surface and groundwater water levels in conjunction with the operation of the G-160 structure. Well data has been collected through March 2013 and a report for the period from April 2010 – March 2013 is under preparation. The last stakeholder meeting was held on October 16, 2012. SFWMD has requested stakeholder input with respect to the scope of work for analysis of the data for a final report, as well as quality assurance and quality control of the data for inclusion into the DBHydro database. There is no update on this item for this month.
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- D. On November 14, 2010, Environmental Protection Agency (EPA) approved the numeric nutrient criteria for fresh water and lakes. On September 29, 2011, FDEP published a draft Florida Administrative Code (F.A.C.) Chapter 62-302 regarding nutrient standards. The date for promulgation of numeric nutrient criteria (NNC, total nitrogen and total phosphorus) for lakes and flowing waters (fresh waters) was October 15, 2011; however, the date for South Florida waters, including canals, has been extended to coincide with the revised date for promulgation of numeric nutrient criteria for estuaries and coastal waters. The draft F.A.C. appeared before the Florida Environmental Regulation Commission (ERC). On December 8, 2011, the Florida ERC passed Florida's numeric nutrient criteria, which include the following:
- an amendment to provide that narrative criteria will continue to apply to ditches, canals and urban storm water conveyances
 - an amendment intended to limit the ability of EPA to pick and choose which provisions of the Florida rules to accept or reject.

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upheld the state's proposed new water quality rules. The rules required ratification by the Florida Legislature; however, Governor Rick Scott signed HB 7051 waiving legislative ratification of the proposed rules. After FDEP notified the EPA of the judge's decision, EPA had 60 days to approve the state rules and then had to withdraw the Federal rule for the state rules to take effect.

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Since the agreement, FDEP adopted a NNC Implementation Document on April 23, 2013; adopted criteria for additional estuaries such as the Loxahatchee River Estuary on June 20, 2013; and have developed a report titled, "Status of Efforts to Establish Numeric Interpretations of the Narrative Nutrient Criterion for Florida Estuaries and Current Nutrient Conditions of Unimpaired Waters" to the Governor as required by the "Path Forward" agreement with EPA and Chapter 2013-71, Laws of Florida on August 1, 2013.

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Neither EPA nor FDEP have NNC for South Florida waterbodies, especially the canals. FDEP drafted the "South Florida Canal Aquatic Life Study" and presented the study to stakeholders on November 1, 2012. This study proposes to perform a comprehensive assessment of South Florida canals and the aquatic life associated with those canals. The objectives of the study are:

1. Assess aquatic life in South Florida canals;
2. Determine interrelationships between aquatic life in canals and other variables that affect aquatic life;
3. Evaluate the differences in conditions for South Florida canals; and
4. Collect information that can be used to guide management decisions.

Eventually, this study will be used to determine if NNC are necessary for these waterbodies. Staff will continue to monitor these developments.



- E. On June 29, 2012, the EPA published a public notice of availability on the proposed Total Maximum Daily Loads (TMDLs) for waters and pollutants in the State of Florida. This notice included the proposed TMDL on the Southwest Fork of the Loxahatchee River and the C-18 Canal. The TMDL is for nutrients and dissolved oxygen and effects Palm Beach Country Estates, Jupiter Park of Commerce, and Egret Landing. In addition, on July 6, 2012, FDEP announced a draft statewide TMDL for mercury. Staff will continue to monitor these developments.
- F. 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.
- G. We continue to receive, review, and comment on various permit applications for projects to be constructed within the District.
- H. We continue to provide engineering assistance to the General Manager, 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.

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



Over 85 Years of Service

BOARD OF SUPERVISORS MEETING

March 27, 2014 – 7:30 p.m.
Jupiter High School Guidance Suite
500 N. Military Trail, Jupiter, FL 33458

A G E N D A

1. Invocation and Pledge of Allegiance
2. Consent Agenda
 - Approval of Minutes (January 16th meeting)
 - Approval of Warrant List
3. Public Information report
4. Treasurer's report
5. Manager of Operations' report
6. Engineer's report
7. Attorney's Report
8. Old business
9. New business
 - Paving at Intersection of 79th & 159th
 - Proposals to run sewer and or water lines through Canal 1 to Palm Beach Motorcoach Resort.
 - Permit Application for PBCE Park
10. Landowners' items
11. Adjourn



Over 85 Years of Service

MEMORANDUM

TO: Board of Supervisors
FROM: Manager of Operations
SUBJECT: Manager's Report for the period February 15, 2014 through March 21, 2014
DATE: March 21, 2014

ADMINISTRATIVE:

1. Received award for worker safety at the Annual Safety Council of Palm Beach County Awards Luncheon.
2. Conducted monthly review of District canals with aquatic spray contractor.
3. Meeting with District Engineer and AEC Inc. to discuss utility lines along the District's Canal 1 right-of-way.
4. Attended Safety Council of Palm Beach County Board meeting.
5. Received \$2,300.00 from Verizon for monthly lease.
6. Meeting with David Logan (Murray Logan Construction, Inc.) to review Hatcher's bridge for repair and maintenance. The bridge crosses Canal 2 and is the main ingress/egress to the District's flood control structure.
7. On-site meetings and phone conversations with Homeowners to discuss drainage issues and road conditions.
8. Thanks to all who helped in making this year's annual landowners day a great success!
9. Attended Staff meeting.

MEMORANDUM

To: Board of Supervisors

Date: March 21, 2014

Page 2

10. Meetings with South Florida Water Management District to discuss right-of-way issues and swale cleaning in regards to the Canal 18 tree removal project.
11. The Liebherr 912 wheeled excavator has been sold!

WATER CONTROL:

1. Mowers and backhoes continue routine maintenance services on roadside swales and berms throughout the District.
2. Received 4.82 inches of rain this reporting period.
3. Prepared swales for nine driveway culverts followed by inspections.
4. Terra Tech continues canal spraying for aquatic weed control.
5. Swales are being re-contoured in numerous sections of the District.

ROAD MAINTENANCE:

1. Roads continue to be re-contoured to provide maximum storm water runoff.
2. Excess material from the 17th Plan of Improvements was used to improve several dirt roads in Palm Beach Country Estates.
3. Meetings with District Engineer and Lynch Paving to review the 17th Plan of Improvements asphalt roads in Palm Beach Country Estates.



Michael A. Dillon
Manager of Operations



**DICK GRUENWALD
ASSOCIATES, LLC**

Mar. 21, 2014

**TO: Board of Supervisors
SOUTH INDIAN RIVER WATER CONTROL DISTRICT**

**FROM: Dick Gruenwald Associates
DISTRICT PUBLIC INFORMATION SPECIALISTS**

SUBJECT: Monthly Report March 2014

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

- ❖ Monthly (Mar. 27) Meeting release
- ❖ Landowners Family information

The following items were uploaded to the website:

- ❖ Monthly (March 27) Meeting notice
- ❖ 23rd Annual Landowners Family Day information
- ❖ Spring Newsletter
- ❖ March Staff monthly reports—
Manager of Operations, Engineer, Treasurer, Public Information

The 23rd Annual Landowners Family Day took place on Sat., March 15 from 11:30 am – 2:30 pm. 740 people enjoyed a beautiful day. Tom Jackson and his band played for the entertainment and Sonny's Real Pit Bar-B-Q served lunch to everyone. Each family that came in received a bag with the SIRWCD logo on it. Cock-A-Doodle Doo provided the petting zoo, bounce house and very popular face painter. The following community organizations attended: American Cancer Society / Relay for Life, Drowning Prevention Coalition of Palm Beach County, Florida Dept. of Health, Florida Forest Service, Gated Trail Riders, Jupiter Farms-PBCE COP Unit 103, Jupiter Farmer, Jupiter Horsemen's Association, Jupiter Residents, Loxahatchee River Center, Palm Beach County Fire Rescue / Community Services, Rescue Trucks and Engines, Palm Beach Parks & Recreation, Palm Beach Sheriff's Office / Volunteer Services, On-Duty Deputies, Wild Land Use and Crime Prevention Divisions, Pet Connection, Rising Star Rottweiler Rescue, Safety Council of Palm Beach County and Solid Waste Authority of Palm Beach County.

The spring newsletter was mailed out to all landowners and included updates on roadway improvement projects, Landowners Family Day, and NPDES information.

Attended Staff Meeting (Mar. 20)

We continue to work with Mr. Rice and the Manager of Operations on a regular basis. We review and monitor print and online media for all SIRWCD 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 PDF in e-mail.



To: Board of Supervisors
 FROM: Charles F. Haas, Treasurer
 RE: Treasurer's Report for Board Meeting on March 27, 2014
 CC: Staff
 Date: March, 21, 2014

Routine Business

1. The District has received a total of \$4,652,096 in assessment receipts through March 10, 2014 or 89.5% of the expected receipts for the 2013/14 Fiscal Year. This is in-line with historical patterns.
2. We are beginning work on next year's budget. Suggestions from landowners or from Supervisors for new programs or changes in the scope of services of current programs should be communicated to the staff so they can be incorporated in the budget review process.
3. Following the Board's direction we will be sending our report to the District's Public Information Officer for uploading to the web-site.

Board Consideration

1. We have various debt payments due to Wells Fargo Bank on April 1st. The Board will be asked to approve the payments by direct debit as detailed below.

Bank: Wells Fargo Bank		Loan Obligor #: 0264056887		
Loan Nbr	Name	Interest-Actual	Principal	Total
# 42	2004 Series A Road Note	30,588.39	198,956.10	229,544.49
# 59	2004 Series B Road Note	5,803.67	36,274.92	42,078.59
# 67	2004 Series C Road Note	8,539.65	27,336.24	35,875.89
				-

We also have a note payment due to Regions bank on Loan # 2560001162 in the amount of \$7,336.67 that will be paid by direct debit.

2. The audited Annual Financial report was electronically forwarded to Board on January 31, 2014. The following is an extract of the transmittal message accompanying this report: "Attached are SIRWCD's audited financial statements for the fiscal year ending September 30, 2013. "Working closely with the auditors we were able to complete the audit much earlier than in the past. As in the past the auditors issued a "clean" opinion. I'm also pleased to report that there were no management letter comments this year and the sole comment of last year was removed since we changed our budget adoption procedures."

We will be asking the board to acknowledge they received a copy of this report.

3. Our current contract with our auditors, Grau & Associates covered audits through this past year. The proposal process conducted in 2010 whereby they were competitively selected, gave the option to the District for a continuance of the relationship for an additional three years subject to an agreement of the fee schedule.

I am requesting direction from the Board whether to enter negotiations with the current audit firm or begin a RFP process.

South Indian River Water Control District
Statement of Revenues and Expenditures
From 10/01/2013 to 02/28/2014

South Indian River Water Control District
Statement of Revenues and Expenditures
From 10/01/2013 to 02/28/2014

*AGF - All Governmental Funds
(In Whole Numbers)*

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Assessments - Net	4,389,450	4,333,931	(55,519)
Rents & Contracted Service	-	9,381	9,381
Investment Income	2,698	593	(2,105)
Other Income	12,000	19,556	7,556
Total Revenue:	4,404,148	4,363,461	(40,687)
Expenditures:			
Contracted Services	269,475	160,416	109,059
Operating Expense	763,700	472,969	290,731
Office & Landowner Expense	-	79	(79)
Capital Outlay	86,650	155,265	(68,615)
Principal Paid	-	-	-
Interest Paid	520,514	507,484	13,030
Other Debt Service	32,395	28,535	3,860
Total Expenditures:	1,672,734	1,324,748	347,986
Transfers, Financing & Capital Outlays			
Transfers-net	139,500	-	(139,500)
Debt Proceeds		680,000	680,000
Total Transfers, Financing & Capital Outlays	139,500	680,000	540,500
Excess (Deficit) Revenues over (under) Expenditures	2,870,914	3,718,713	847,799
Beginning Fund Balance		3,844,682	
Ending Fund Balance		7,563,395	

South Indian River Water Control District

Statement of Revenues and Expenditures

From 10/01/2013 to 02/28/2014

*100 - Special Revenue Funds
(In Whole Numbers)*

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Assessments - Net	1,857,904	1,827,500	(30,404)
Rents & Contracted Service	-	9,381	9,381
Investment Income	875	214	(661)
Other Income	12,000	-	(12,000)
Total Revenue:	1,870,779	1,837,095	(33,684)
Expenditures:			
Contracted Services	269,475	160,416	109,059
Operating Expense	763,700	472,969	290,731
Office & Landowner Expense	-	79	(79)
Total Expenditures:	1,033,175	633,464	399,711
Excess (Deficit) Revenues over (under) Expenditures	837,604	1,203,631	366,027
Beginning Fund Balance		1,387,379	
Ending Fund Balance		2,591,010	

South Indian River Water Control District
Statement of Revenues and Expenditures

From 10/01/2013 to 02/28/2014

200 - Debt Service Funds
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Assessments - Net	2,531,546	2,506,431	(25,115)
Investment Income	904	201	(703)
Other Income	-	19,556	19,556
Total Revenue:	<u>2,532,450</u>	<u>2,526,188</u>	<u>(6,262)</u>
Expenditures:			
Contracted Services	-	-	-
Principal Paid	-	-	-
Interest Paid	520,514	507,484	13,030
Other Debt Service	32,395	28,535	3,860
Total Expenditures:	<u>552,909</u>	<u>536,019</u>	<u>16,890</u>
Excess (Deficit) Revenues over (under) Expenditures	<u>1,979,541</u>	<u>1,990,169</u>	<u>10,628</u>
Beginning Fund Balance		<u>832,281</u>	
Ending Fund Balance		<u>2,822,450</u>	

South Indian River Water Control District
Statement of Revenues and Expenditures

From 10/01/2013 to 02/28/2014

300 - Capital Projects Funds
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Investment Income	919	178	(741)
Total Revenue:	919	178	(741)
Expenditures:			
Contracted Services	-		-
Capital Outlay	86,650	155,265	(68,615)
Total Expenditures:	86,650	155,265	(68,615)
Transfers, Financing & Capital Outlays			
Transfers in	139,500	-	(139,500)
Debt Proceeds		680,000	680,000
Total Transfers, Financing & Capital	139,500	680,000	540,500
Excess (Deficit) Revenues over (under) Expenditures	53,769	524,913	471,144
Beginning Fund Balance		1,625,022	
Ending Fund Balance		2,149,935	

South Indian River Water Control District
Statement of Revenues and Expenditures

From 10/01/2013 to 02/28/2014

500 - Internal Service Fund
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Charges for Services	699,075	435,714	(263,361)
Rents & Contracted Service	27,000	26,500	(500)
Investment Income	-	(13)	(13)
Other Income	-	2,047	2,047
Total Revenue:	726,075	464,248	(261,827)
Expenditures:			
Personal Services	333,800	330,101	3,699
Contracted Services	92,450	54,545	37,905
Operating Expense	148,500	92,988	55,512
Office & Landowner Expense	9,650	6,822	2,828
Insurance	18,850	16,523	2,327
Total Expenditures:	603,250	500,979	102,271
Transfers, Financing & Capital Outlays			
Transfers out	183,000	27,346	155,654
Total Transfers, Financing & Capital	183,000	27,346	155,654
Excess (Deficit) Revenues over (under) Expenditures	(60,175)	(64,077)	(315,210)
Beginning Fund Balance		592,051	
Ending Fund Balance		527,974	

To South Indian River Water Control District
Board of Supervisors Pages 5

CC

Subject Engineer's Report for March 2014

From Amy E. Eason, PE, District Engineer

Board Meeting
Date March 27, 2014

The following is a summary of activities and communications that were of significance during the month of March 2014. Updated information is presented in **bold**:

I. CURRENT CAPITAL IMPROVEMENTS AND OTHER DISTRICT PROJECTS

A. The District has received petitions from landowners to apply both OGEM and Asphalt on certain roadways within the District. The roads met the requirements to distribute a referendum to all benefited landowners. Pursuant to Board direction, staff prepared a referendum for the landowner proposed projects that was mailed August 3, 2012 with the request that the landowners submit their response to the District by September 5, 2012. On September 11, 2012, staff received the certification from the Supervisor of Elections on the results of the referendum. The majority of the landowners who voted on the following roadways were "in favor" of the proposed project for OGEM in Jupiter Farms (approximately 0.4 miles):

- 127th Drive N. between 187th Place N. and Old Indiantown Grade
- 90th Trail N. between 165th Place N. and 166th Way N.

In addition, the majority of the landowners who voted on the following roadways were "in favor" of the proposed project for asphalt in Palm Beach Country Estates (approximately 1.5 miles):

- 73rd Terrace N. between 155th Place N. and 159th Court N.
- 79th Terrace N. between 155th Place N. and 162nd Court N.
- 75th Way N between 163rd Court N. and 165th Street N.
- 77th Trail N. between 165th Street N. and 167th Court N.

A resolution to amend the Water Control Plan was presented to the Board of Supervisors on October 18, 2012. As part of this resolution, staff has determined the cost estimate and the benefitted area for the project.

On January 10, 2013, a workshop was held to discuss the landowner initiated roadway program and other items. Many topics were discussed at this meeting, and some topics required further evaluation by the Board and staff.

On February 7, 2013, a continuation of the January workshop was held. The Board directed staff to prepare a letter of explanation to the landowners included within the benefitted area of the OGEM project along with an updated referendum showing the updated cost estimates. A referendum with a letter of explanation was sent to the affected landowners on March 27, 2013 with the request that the landowners submit their response to the District by April 27, 2013. The results of the referendum were certified by the Supervisor of Elections on May 7, 2013 and both OGEM roadway segments were "in favor" of the project.

The Board directed staff to proceed with the preparation of the Plan of Improvement. The Plan of Improvement was submitted to the District office on March 22, 2013 for public review and a public hearing was held on April 18, 2013.

After the public hearing, the Board directed staff to proceed with the preparation of the Engineer's Report. The Engineer's Report was submitted to the District office on May 23, 2013. On August 15, 2013, a public hearing was conducted on the Engineer's Report, and the Plan of Improvement and the Engineer's Report was approved by the Board.

Construction for the OGEM project began in November and was completed on December 16, 2013.

For the Asphalt project, a contractor was selected at the November meeting. The contract was awarded to Lynch Paving and Construction. A pre-construction meeting was held and construction has begun January 6, 2014 beginning with the construction staking layout. **This month, the contractor installed the asphalt and graded and stabilized the shoulders. The substantial completion date is anticipated for April 6, 2014. Staff is prepared to update the board at this month's meeting.**

- B. Staff has received requests for petitions from landowners for roadway improvement projects. Per the February 2013 workshop, staff has developed an updated petition to distribute to landowners as they request it. In addition, staff has been reviewing the limits of the roadway improvement requests before distributing the updated petition for circulation. For notification, signs are being installed stating that a petition is being circulated in the area. Currently, the District has received petitions from landowners to apply OGEM and asphalt on certain roadways within the District. The landowners on the following roadways are petitioning to distribute a referendum for OGEM (approximately 0.5 miles):

- 164th Court N between Mellen Lane and Alexander Run

The landowners on the following roadways are petitioning to distribute a referendum for asphalt in Palm Beach Country Estates (approximately 1.9 miles):

- 67th Trail N. between 146th Road N. and 149th Place N.
- 74th Avenue N. between 155th Place N. and 159th Court N.
- 77th Trail N. between 150th Court N. and 154th Court N.
- 88th Trail N. between 155th Place N. and 159th Court N.
- 163rd Court N. between 75th Avenue N. and 79th Terrace N.

The District continues to receive requests for petitions. Staff is prepared to update the board at this month's meeting.

II. OPERATION AND MAINTENANCE

- A. **On March 19, 2014, staff attended the National Pollutant Discharge Elimination System (NPDES) Steering Committee. At this meeting co-permittees viewed two education videos to obtain credit under the joint permit for education. The next meeting is scheduled for May 21, 2014. The subject of the meeting is an annual presentation by the Florida Department of Environmental Protection (FDEP) and items for the next audit.**
- B. SFWMD continues to operate the G-160 structure to maintain flood protection and is committed to coordinating with, and monitoring water levels at the perimeter of some of the communities adjacent to and east of the Loxahatchee Slough to determine if there are impacts to the communities resulting from the increased water levels. The monitoring wells installed in April 2010 in SIRWCD's perimeter levee for Palm Beach Country Estates measured surface and groundwater water levels in conjunction with the operation of the G-160 structure. Well data has been collected through March 2013 and a report for the period from April 2010 – March 2013 is under preparation. The last stakeholder meeting was held on October 16, 2012. SFWMD has requested stakeholder input with respect to the scope of work for analysis of the data for a final report, as well as quality assurance and quality control of the data for inclusion into the DBHydro database. **There is no update on this item for this month.**
- C. SFWMD's "Everglades Restoration Strategies" is a program that has been developed in order to address water quality-based effluent limits for Stormwater Treatment Areas (STAs) to meet NPDES permitting requirements by EPA. As part of the program's Technical Plan, both STA expansions and Flow Equalization Basins (FEB) upstream of STAs are proposed. The plan includes designation of the L-8 Reservoir as a 45,000 ac-ft FEB for STAs 1W and 1E. As a "replacement feature", the plan proposes to acquire and construct replacement storage to capture flows from the western C-18 Basin in the Mecca vicinity and discharge those flows via "Flow-way 2" (C-18 West Canal through C-18 and Loxahatchee Slough) to the Northwest Fork of the Loxahatchee River to meet Minimum Flows and Levels. Staff will continue to monitor these developments. **There is no update on this item this month.**
- D. On November 14, 2010, Environmental Protection Agency (EPA) approved the numeric nutrient criteria for fresh water and lakes. On September 29, 2011, FDEP published a draft Florida Administrative Code (F.A.C.) Chapter 62-302 regarding nutrient standards. The date for promulgation of numeric nutrient criteria (NNC, total nitrogen and total phosphorus) for lakes and flowing waters (fresh waters) was October 15, 2011; however, the date for South Florida waters, including canals, has been extended to coincide with the revised date for promulgation of numeric nutrient criteria for estuaries and coastal waters. The draft F.A.C. appeared before the Florida Environmental Regulation Commission (ERC). On December 8, 2011, the Florida ERC passed Florida's numeric nutrient criteria, which include the following:
- an amendment to provide that narrative criteria will continue to apply to ditches, canals and urban storm water conveyances

- an amendment intended to limit the ability of EPA to pick and choose which provisions of the Florida rules to accept or reject.

An administrative challenge to the proposed rules was filed by Earthjustice prior to their adoption on December 8, 2011. On June 7, 2012, an administrative law judge upheld the state's proposed new water quality rules. The rules required ratification by the Florida Legislature; however, Governor Rick Scott signed HB 7051 waiving legislative ratification of the proposed rules. After FDEP notified the EPA of the judge's decision, EPA had 60 days to approve the state rules and then had to withdraw the Federal rule for the state rules to take effect.

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Since the agreement, FDEP adopted a NNC Implementation Document on April 23, 2013; adopted criteria for additional estuaries such as the Loxahatchee River Estuary on June 20, 2013; and have developed a report titled, "Status of Efforts to Establish Numeric Interpretations of the Narrative Nutrient Criterion for Florida Estuaries and Current Nutrient Conditions of Unimpaired Waters" to the Governor as required by the "Path Forward" agreement with EPA and Chapter 2013-71, Laws of Florida on August 1, 2013.

On September 24th, a hearing was held in court on EPA's motion to approve the Florida regulations. On January 7, 2014, the US District Court granted EPA's motion to modify the Consent Decree between EPA and various environmental organizations. The action allows EPA's approval of FDEP's plan for NNC regulations in Florida to move ahead, and denies the environmental parties' motion to enforce the original Consent Decree. **Since January, Earthjustice filed a motion on March 6, 2014 to appeal Judge Hinkles' order for allowing EPA to modify the consent decree to conform it to the "Path Forward" agreement between the FDEP and EPA.**

Neither EPA nor FDEP have NNC for South Florida waterbodies, especially the canals. FDEP drafted the "South Florida Canal Aquatic Life Study" and presented the study to stakeholders on November 1, 2012. This study proposes to perform a comprehensive assessment of South Florida canals and the aquatic life associated with those canals. The objectives of the study are:

1. Assess aquatic life in South Florida canals;

2. Determine interrelationships between aquatic life in canals and other variables that affect aquatic life;
3. Evaluate the differences in conditions for South Florida canals; and
4. Collect information that can be used to guide management decisions.

Eventually, this study will be used to determine if NNC are necessary for these waterbodies. Staff will continue to monitor these developments.

- E. **Due to some erosion on the canal banks in two areas, Canal 1 at the corner of Canal 12 and the bridge at the Hatcher property, staff proposes to stabilize the canal banks with rock rubble rip rap. Staff has obtained bids from contractors and Murray Logan Construction, Inc. is the apparent low bidder. Staff is prepared to update the board and is requesting board approval at this month's meeting.**
- F. **On March 18, 2014, staff met with American Engineers & Contractors to discuss the Jupiter/Palm Beach Motor Coach Resort. The contractor wanted to discuss a proposal to install a sewer force main and a water main within the District's canal right-of-way. At this time, the contractor would like to withdrawl the request until further investigation is completed. Staff is prepared to update the Board at this month's meeting.**
- G. **Staff continues to assist with landowner requests for property research on District easements and rights-of-way. Staff conducts research with available information and if the information is not clear, title searches may be conducted. Staff is prepared to update the Board at this month's meeting to discuss the extent of the property research requested by the landowners.**
- H. **At the March Board meeting, staff was directed by the Board to investigate Palm Beach County's practices for determining the need for traffic calming devices within their rights-of-way within the District's boundaries. In May, staff received information on the speed hump work on Brian's Way. Staff has submitted a request to Palm Beach County to discuss their policies on traffic calming devices. Since this request, staff has discovered that a petition is being circulated for speed humps on 69th Drive in Palm Beach Country Estates. Staff is prepared to update the Board at this month's meeting.**
- I. 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.
- J. We continue to receive, review, and comment on various permit applications for projects to be constructed within the District.
- K. We continue to provide engineering assistance to the General Manager, 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.

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



Over 85 Years of Service

BOARD OF SUPERVISORS MEETING

May 8, 2014 – 7:30 p.m.
Jupiter High School Guidance Suite
500 N. Military Trail, Jupiter, FL 33458

A G E N D A

1. Invocation and Pledge of Allegiance
2. Consent Agenda
 - Approval of Minutes (March 27th meeting)
 - Approval of Warrant List
3. Public Information report
4. Treasurer's report
5. Manager of Operations' report
6. Engineer's report
7. Attorney's Report
8. Old business
9. New business
10. Landowners' items
11. Adjourn



Over 85 Years of Service
MEMORANDUM

TO: Board of Supervisors
FROM: Manager of Operations
SUBJECT: Manager's Report for the period March 22, 2014 through May 2, 2014
DATE: May 2, 2014

ADMINISTRATIVE:

1. Meeting with District engineer and Lynch Paving to review the 17th Plan of Improvements asphalt roads and finalize punch list.
2. Conducted monthly review of District canals with aquatic weed spray contractor.
3. Discovery Tank Testing Inc. inspected the District's fuel storage tank liners for leakage and reported a passing grade. Results are logged for Palm Beach County DEP.
4. Attended Safety Council of Palm Beach County Board Meeting.
5. Received \$2,300.00 from Verizon for monthly lease.
6. Audibel conducted hearing tests on District employees.
7. On-site meetings and phone conversations with Homeowners to discuss drainage issues and road conditions.
8. Operator, Matt Wood, receives certificate for completing "Conflict Without Controversy". This course is sponsored by The Florida Institute of Government.
9. Operator, Joseph Simon, leaves the District after two and a half years to attend The University of North Carolina.
10. David Duckett is re-hired as a level two operator.

MEMORANDUM

To: Board of Supervisors

Date: May 2, 2014

Page 2

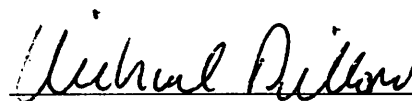
11. Preferred Governmental Insurance Trust representative conducts workshop on "Chainsaw Safety" for employees at the District Work Center.
12. Meeting with District Engineer and Palm Beach County Environmental Resources Management to discuss location of trails along Canal 2 at Hatcher Property.

WATER CONTROL:

1. Mowers and backhoes continue routine maintenance services on roadside swales and berms throughout the District.
2. Received 1.62 inches of rain this reporting period.
3. Prepared swales for nine driveway culverts followed by inspections.
4. Terra Tech continues canal spraying for aquatic weed control.
5. Swales are being re-contoured in numerous sections of the District.

ROAD MAINTENANCE:

1. Roads continue to be re-contoured to provide maximum storm water runoff.
2. D.S. Eakins hauled 450 yards of road stabilizer to District yard.
3. Hauled 3,723 yards of road material from Hatcher Project to District yard.



Michael A. Dillon
Manager of Operations



**DICK GRUENWALD
ASSOCIATES, LLC**

May 2, 2014

**TO: Board of Supervisors
SOUTH INDIAN RIVER WATER CONTROL DISTRICT**

**FROM: Dick Gruenwald Associates
DISTRICT PUBLIC INFORMATION SPECIALISTS**

SUBJECT: Monthly Report April/May 2014

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

- ❖ Monthly (*May 8*) Meeting release

The following items were uploaded to the website:

- ❖ Monthly (*May 8*) Meeting notice
- ❖ Monthly Meeting Minutes (*Jan. 16, 2014*)
- ❖ April Staff monthly reports–
Manager of Operations, Engineer, Treasurer, Public Information

Attended Staff Meeting (*May 1*)

We continue to work with Mr. Rice and the Manager of Operations on a regular basis. We review and monitor print and online media for all SIRWCD 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 PDF in e-mail.



To: Board of Supervisors
FROM: Charles F. Haas, Treasurer
RE: Treasurer's Report for the month of March 2014
CC: Staff
Date: May 8, 2014

Routine Business

1. The District has received a total of \$4,957,006.90 in assessment receipts through April 30, 2014 95% of the expected receipts for 2013/2014.
2. We have completed the required filings: The annual audit report with the Auditor General's office, the Annual Financial Report with the Department of Financial Services and with the Municipal Securities Rulemaking Board; the annual audited report and the continuing disclosures required by SEC rule 15c2-12.
3. We have prepared the Preliminary Budget for the next fiscal year beginning October 1, 2014. A separate PDF file for the budget, the budget highlights and the budget worksheets will be sent to you under separate cover. The intent of this document is to solicit comments and recommendations from the Board. A proposed budget will be prepared for the next meeting, then a public hearing must be scheduled.
4. Following the Board's direction we will be sending our report to the District's Public Information Officer for uploading to the web-site.

Board Consideration

1. As a follow-up to the last meeting, I received a proposal from Grau & Associates to perform the audits for the next three years. Their fee for the last years audit was \$25,425. Their proposed fees are: \$25,925, \$26,525, and \$26,925 for the fiscal years ending September 30, 2014, 2015 and 2016, respectively, or a total increase of \$1,500 over the three year period. I recommend that we accept their proposal. A copy of their proposal is attached to this report.
2. The Board will be asked to approve the list of disbursements. (sent under separate cover)

South Indian River Water Control District
Statement of Revenues and Expenditures
From 10/01/2013 to 04/30/2014

*AGF - All Governmental Funds
(In Whole Numbers)*

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Assessments - Net	4,758,218	4,753,717	(4,501)
Rents & Contracted Service	-	9,381	9,381
Investment Income	3,770	2,025	(1,745)
Other Income	12,000	19,556	7,556
Total Revenue:	4,773,988	4,784,679	10,691
Expenditures:			
Contracted Services	376,950	305,318	71,632
Operating Expense	1,043,125	817,184	225,941
Office & Landowner Expense	-	100	(100)
Capital Outlay	86,650	305,733	(219,083)
Principal Paid	262,567	198,956	63,611
Interest Paid	565,446	538,072	27,374
Other Debt Service	32,395	31,402	993
Total Expenditures:	2,367,133	2,196,765	170,368
Transfers, Financing & Capital Outlays			
Transfers-net	209,250	116,667	(92,583)
Debt Proceeds		680,000	680,000
Total Transfers, Financing & Capital Outlays	209,250	796,667	587,417
Excess (Deficit) Revenues over (under) Expenditures	2,616,105	3,384,581	768,476
Beginning Fund Balance		3,844,682	
Ending Fund Balance		7,229,263	

South Indian River Water Control District

Statement of Revenues and Expenditures

From 10/01/2013 to 04/30/2014

*100 - Special Revenue Funds
(In Whole Numbers)*

	<u>YTD Budget</u>	<u>Year to Date Actual</u>	<u>Budget Variance</u>
Revenue:			
Assessments - Net	2,013,900	2,009,334	(4,566)
Rents & Contracted Service	-	9,381	9,381
Investment Income	1,225	982	(243)
Other Income	12,000	-	(12,000)
Total Revenue:	<u>2,027,125</u>	<u>2,019,697</u>	<u>(7,428)</u>
Expenditures:			
Contracted Services	376,950	250,054	126,896
Operating Expense	1,043,125	817,184	225,941
Office & Landowner Expense	-	100	(100)
Total Expenditures:	<u>1,420,075</u>	<u>1,067,338</u>	<u>352,737</u>
Transfers, Financing & Capital Outlays			
Transfers	36,613		(36,613)
Excess (Deficit) Revenues over (under) Expenditures	<u>643,663</u>	<u>952,359</u>	<u>308,696</u>
Beginning Fund Balance		1,387,379	
Ending Fund Balance		<u>2,339,738</u>	

South Indian River Water Control District
Statement of Revenues and Expenditures

From 10/01/2013 to 04/30/2014

200 - Debt Service Funds
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Assessments - Net	2,744,318	2,744,383	65
Investment Income	1,260	602	(658)
Other Income	-	19,556	19,556
Total Revenue:	2,745,578	2,764,541	18,963
Expenditures:			
Contracted Services	-	1,898	(1,898)
Principal Paid	262,567	198,956	63,611
Interest Paid	565,446	538,072	27,374
Other Debt Service	32,395	31,402	993
Total Expenditures:	860,408	770,328	90,080
Excess (Deficit) Revenues over (under) Expenditures	1,885,170	1,994,213	109,043
Beginning Fund Balance		832,281	
Ending Fund Balance		2,826,494	

South Indian River Water Control District
Statement of Revenues and Expenditures

From 10/01/2013 to 04/30/2014

300 - Capital Projects Funds
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Investment Income	1,285	441	(844)
Total Revenue:	1,285	441	(844)
Expenditures:			
Contracted Services	-	55,264	(55,264)
Capital Outlay	86,650	303,835	(217,185)
Total Expenditures:	86,650	359,099	(272,449)
Transfers, Financing & Capital Outlays			
Transfers in	209,250	116,667	(92,583)
Debt Proceeds		680,000	680,000
Total Transfers, Financing & Capital	209,250	796,667	587,417
Excess (Deficit) Revenues over (under) Expenditures	123,885	438,009	314,124
Beginning Fund Balance		1,625,022	
Ending Fund Balance		2,063,031	

South Indian River Water Control District
Statement of Revenues and Expenditures

From 10/01/2013 to 04/30/2014

500 - Internal Service Fund
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Charges for Services	978,125	525,933	(452,192)
Rents & Contracted Service	40,500	28,800	(11,700)
Investment Income	-	(43)	(43)
Other Income	-	20,085	20,085
Total Revenue:	1,018,625	574,775	(443,850)
Expenditures:			
Personal Services	456,450	459,125	(2,675)
Contracted Services	122,250	74,633	47,617
Operating Expense	209,200	125,305	83,895
Office & Landowner Expense	13,500	10,160	3,340
Insurance	26,400	23,541	2,859
Total Expenditures:	827,800	692,764	135,036
Transfers, Financing & Capital Outlays			
Transfers out/Capital Outlay	183,000	167,170	132,497
Total Transfers, Financing & Capital	183,000	167,170	132,497
Excess (Deficit) Revenues over (under) Expenditures	7,825	(285,159)	(441,311)
Beginning Fund Balance		592,051	
Ending Fund Balance		306,892	



Grau & Associates
CERTIFIED PUBLIC ACCOUNTANTS

2700 North Military Trail • Suite 350
Boca Raton, Florida 33431
(561) 994-9299 • (800) 299-4728
Fax (561) 994-5823
www.graucpa.com

April 2, 2014

Board of Supervisors
South Indian River Water Control District
9003 Gardens Glen Circle
Palm Beach Gardens, FL 33418

We are pleased to confirm our understanding of the services we are to provide South Indian River Water Control District, Jupiter, Florida ("the District") for the fiscal years ended September 30, 2014, 2015 and 2016. We will audit the financial statements of governmental activities, the business type activities, each major fund, and the aggregate remaining fund information which collectively comprise the basic financial statements of South Indian River Water Control District as of and for fiscal years ended September 30, 2014, 2015 and 2016. This letter serves to renew our agreement and establish the terms and fee for the 2014, 2015 and 2016 audits.

Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the District's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the District's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's discussion and analysis
2. Budgetary comparison schedule for the general fund

We have also been engaged to report on supplementary information other than RSI that accompanies the District's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

1. Schedule of expenditures of federal awards, if applicable
2. Combining nonmajor fund financial statements

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the basic financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of the accounting records of the District and other procedures we consider necessary to enable us to express such opinions. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and compliance will include a paragraph that states that the purpose of the report is solely to describe the scope of testing of internal control over financial reporting and compliance, and the result of that testing, and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance, and that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering internal control over financial reporting and compliance. The paragraph will also state that the report is not suitable for any other purpose. If during our audit we become aware that the District is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein.

Management is responsible for establishing and maintaining effective internal controls, including evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; for the selection and application of accounting principles; and for the preparation and fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for ensuring that management is reliable and financial information is reliable and properly recorded. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements, and grants for taking timely and appropriate steps to remedy any fraud, violations of contracts or grant agreements, or abuse that we may report.

You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) that you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings,

conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. Our responsibility as auditors is limited to the period covered by our audit and does not extend to later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

Audit Procedures—Internal Controls

Our audit will include obtaining an understanding of the District and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the District's compliance with the provisions of applicable laws and regulations, contracts, agreements, and grants, if applicable. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Audit Administration, Fees, and Other

We understand that your employees will prepare all confirmations we request and will locate any documents selected by us for testing.

The audit documentation for this engagement is the property of Grau & Associates and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to a cognizant or oversight agency for audit or its designee, a federal agency

providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Grau & Associates personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies. Notwithstanding the foregoing, the parties acknowledge that various documents reviewed or produced during the conduct of the audit may be public records under Florida law. The District agrees to notify Grau & Associates of any public record request it receives that involves audit documentation.

Our fee for these services will not exceed \$25,925 for the September 30, 2014 audit. The fees for fiscal year 2015 and 2016 will not exceed \$26,425 and \$26,925, respectively, unless there is a change in activity by the District which results in additional audit work or Bonds are issued.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. Invoices will be submitted in sufficient detail to demonstrate compliance with the terms of this agreement. In accordance with our firm policies, work may be suspended if your account becomes 60 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate.

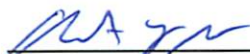
This agreement may be renewed each year thereafter subject to the mutual agreement by both parties to all terms and fees.

Government Auditing Standards require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2013 peer review report accompanies this letter.

We appreciate the opportunity to be of service to South Indian River Water Control District and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

Grau & Associates



Antonio J. Grau

RESPONSE:

This letter correctly sets forth the understanding of South Indian River Water Control District.

By: _____

Title: _____

Date: _____



PEER REVIEW PROGRAM

is proud to present this

Certificate of Recognition

to

GRAU & ASSOCIATES

For having a system of quality control for its accounting and auditing practice in effect for the year ended

June 30, 2013 which has been designed to meet the requirements of the quality control standards for an accounting and auditing practice established by the AICPA, and which was complied with during the year then ended to provide the firm with reasonable assurance of conforming with professional standards.

A handwritten signature in cursive script, reading "Rick Reeder", written over a horizontal line.

Rick Reeder, Chair
AICPA Peer Review Board
2013

To South Indian River Water Control District
Board of Supervisors Pages 5

CC

Subject Engineer's Report for April/May 2014

From Amy E. Eason, PE, District Engineer

Board Meeting
Date May 8, 2014

The following is a summary of activities and communications that were of significance during the months of April and May 2014. Updated information is presented in **bold**:

I. CURRENT CAPITAL IMPROVEMENTS AND OTHER DISTRICT PROJECTS

A. The District has received petitions from landowners to apply both OGEM and Asphalt on certain roadways within the District. The roads met the requirements to distribute a referendum to all benefited landowners. Pursuant to Board direction, staff prepared a referendum for the landowner proposed projects that was mailed August 3, 2012 with the request that the landowners submit their response to the District by September 5, 2012. On September 11, 2012, staff received the certification from the Supervisor of Elections on the results of the referendum. The majority of the landowners who voted on the following roadways were "in favor" of the proposed project for OGEM in Jupiter Farms (approximately 0.4 miles):

- 127th Drive N. between 187th Place N. and Old Indiantown Grade
- 90th Trail N. between 165th Place N. and 166th Way N.

In addition, the majority of the landowners who voted on the following roadways were "in favor" of the proposed project for asphalt in Palm Beach Country Estates (approximately 1.5 miles):

- 73rd Terrace N. between 155th Place N. and 159th Court N.
- 79th Terrace N. between 155th Place N. and 162nd Court N.
- 75th Way N between 163rd Court N. and 165th Street N.
- 77th Trail N. between 165th Street N. and 167th Court N.

A resolution to amend the Water Control Plan was presented to the Board of Supervisors on October 18, 2012. As part of this resolution, staff has determined the cost estimate and the benefitted area for the project.

On January 10, 2013, a workshop was held to discuss the landowner initiated roadway program and other items. Many topics were discussed at this meeting, and some topics required further evaluation by the Board and staff.

On February 7, 2013, a continuation of the January workshop was held. The Board directed staff to prepare a letter of explanation to the landowners included within the benefitted area of the OGEM project along with an updated referendum showing the updated cost estimates. A referendum with a letter of explanation was sent to the affected landowners on March 27, 2013 with the request that the landowners submit their response to the District by April 27, 2013. The results of the referendum were certified by the Supervisor of Elections on May 7, 2013 and both OGEM roadway segments were "in favor" of the project.

The Board directed staff to proceed with the preparation of the Plan of Improvement. The Plan of Improvement was submitted to the District office on March 22, 2013 for public review and a public hearing was held on April 18, 2013.

After the public hearing, the Board directed staff to proceed with the preparation of the Engineer's Report. The Engineer's Report was submitted to the District office on May 23, 2013. On August 15, 2013, a public hearing was conducted on the Engineer's Report, and the Plan of Improvement and the Engineer's Report was approved by the Board.

Construction for the OGEM project began in November and was completed on December 16, 2013.

For the Asphalt project, a contractor was selected at the November meeting. The contract was awarded to Lynch Paving and Construction. A pre-construction meeting was held and construction has begun January 6, 2014 beginning with the construction staking layout. **On April 6, 2014, the contractor obtained substantial completion. Construction is complete and staff is awaiting the final pay request from the contractor. Staff is prepared to update the board at this month's meeting.**

- B. Staff has received requests for petitions from landowners for roadway improvement projects. Per the February 2013 workshop, staff has developed an updated petition to distribute to landowners as they request it. In addition, staff has been reviewing the limits of the roadway improvement requests before distributing the updated petition for circulation. For notification, signs are being installed stating that a petition is being circulated in the area. Currently, the District has received petitions from landowners to apply OGEM and asphalt on certain roadways within the District. The landowners on the following roadways are petitioning to distribute a referendum for OGEM (approximately 0.5 miles):

- 164th Court N between Mellen Lane and Alexander Run

The landowners on the following roadways are petitioning to distribute a referendum for asphalt in Palm Beach Country Estates (approximately 2.3 miles):

- 67th Trail N. between 146th Road N. and 149th Place N.
- 74th Avenue N. between 155th Place N. and 159th Court N.
- 77th Trail N. between 150th Court N. and 154th Court N.
- **78th Drive N. between 150th Court N. and 154th Court N.**
- 88th Trail N. between 155th Place N. and 159th Court N.
- 163rd Court N. between 75th Avenue N. and 79th Terrace N.

The District continues to receive requests for petitions. Staff is prepared to update the board at this month's meeting.

II. OPERATION AND MAINTENANCE

A. **There was no National Pollutant Discharge Elimination System (NPDES) Steering Committee meeting last month. The next meeting is scheduled for May 21, 2014 where the subject of the meeting is an annual presentation by the Florida Department of Environmental Protection (FDEP) and items for the next audit.**

B. On November 14, 2010, Environmental Protection Agency (EPA) approved the numeric nutrient criteria for fresh water and lakes. On September 29, 2011, FDEP published a draft Florida Administrative Code (F.A.C.) Chapter 62-302 regarding nutrient standards. The date for promulgation of numeric nutrient criteria (NNC, total nitrogen and total phosphorus) for lakes and flowing waters (fresh waters) was October 15, 2011; however, the date for South Florida waters, including canals, has been extended to coincide with the revised date for promulgation of numeric nutrient criteria for estuaries and coastal waters. The draft F.A.C. appeared before the Florida Environmental Regulation Commission (ERC). On December 8, 2011, the Florida ERC passed Florida's numeric nutrient criteria, which include the following:

- an amendment to provide that narrative criteria will continue to apply to ditches, canals and urban storm water conveyances
- an amendment intended to limit the ability of EPA to pick and choose which provisions of the Florida rules to accept or reject.

An administrative challenge to the proposed rules was filed by Earthjustice prior to their adoption on December 8, 2011. On June 7, 2012, an administrative law judge upheld the state's proposed new water quality rules. The rules required ratification by the Florida Legislature; however, Governor Rick Scott signed HB 7051 waiving legislative ratification of the proposed rules. After FDEP notified the EPA of the judge's decision, EPA had 60 days to approve the state rules and then had to withdraw the Federal rule for the state rules to take effect.

A notice was filed in the Federal Register stating that the EPA was finalizing an extension of the July 6, 2012, effective date of the EPA NNC for six months to January 6, 2013. This allowed the EPA to review the Florida ERC approved numeric nutrient criteria.

On November 30, 2012, EPA announced its approval of FDEP's NNC. However, EPA also proposed additional regulations that would apply EPA's criteria to those waters not covered by FDEP's NNC, such as urban storm water conveyances, open ocean waters, and many estuaries where FDEP Total Maximum Daily Loads (TMDLs) have already been adopted. Since EPA developed NNC on waters not covered by FDEP's NNC, EPA and FDEP entered into an agreement on March 15, 2013, known as "Path Forward", to develop a plan for FDEP to develop NNC for the remaining waterbodies before EPA's consent decree deadline of September 30, 2013.

Since the agreement, FDEP adopted a NNC Implementation Document on April 23, 2013; adopted criteria for additional estuaries such as the Loxahatchee River Estuary on June 20, 2013; and have developed a report titled, "Status of Efforts to Establish Numeric Interpretations of the Narrative Nutrient Criterion for Florida Estuaries and Current Nutrient Conditions of Unimpaired Waters" to the Governor as required by the "Path Forward" agreement with EPA and Chapter 2013-71, Laws of Florida on August 1, 2013.

On September 24th, a hearing was held in court on EPA's motion to approve the Florida regulations. On January 7, 2014, the US District Court granted EPA's motion to modify the Consent Decree between EPA and various environmental organizations. The action allows EPA's approval of FDEP's plan for NNC regulations in Florida to move ahead, and denies the environmental parties' motion to enforce the original Consent Decree. Since January, Earthjustice filed a motion on March 6, 2014 to appeal Judge Hinkles' order for allowing EPA to modify the consent decree to conform it to the "Path Forward" agreement between the FDEP and EPA.

Neither EPA nor FDEP have NNC for South Florida waterbodies, especially the canals. FDEP drafted the "South Florida Canal Aquatic Life Study" and presented the study to stakeholders on November 1, 2012. This study proposes to perform a comprehensive assessment of South Florida canals and the aquatic life associated with those canals. The objectives of the study are:

1. Assess aquatic life in South Florida canals;
2. Determine interrelationships between aquatic life in canals and other variables that affect aquatic life;
3. Evaluate the differences in conditions for South Florida canals; and
4. Collect information that can be used to guide management decisions.

Eventually, this study will be used to determine if NNC are necessary for these waterbodies. Staff will continue to monitor these developments.

- C. Due to some erosion on the canal banks in two areas, Canal 1 at the corner of Canal 12 and the bridge at the Hatcher property, staff proposes to stabilize the canal banks with rock rubble rip rap. Staff has obtained bids from contractors and Murray Logan Construction, Inc. is the apparent low bidder. **The contractor has completed the project. Staff is prepared to update the Board at this month's meeting.**
- D. On March 18, 2014, staff met with American Engineers & Contractors to discuss the Jupiter/Palm Beach Motor Coach Resort. The contractor wanted to discuss a proposal to install a sewer force main and a water main within the District's canal right-of-way. **At the March 19, 2014 board meeting, the landowner presented to their proposal. The board had several questions and the landowner stated that they would further investigate further their request. Since the board meeting, staff has met with the applicants on April 11 and May 5, 2014 to discuss their pre-application for a permit. Staff is prepared to update the Board at this month's meeting.**
- E. **Palm Beach County has requested information concerning the District's facilities and operation and maintenance practices for the purpose of forwarding the information to the Federal Emergency Management Agency's National Flood Insurance Program (NFIP) Community Rating System (CRS).**



This system is a voluntary incentive program that recognized and encourages community floodplain management activities that exceed the minimum NFIP requirements.

As a result, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community actions meeting the three goals of the CRS:

- 1. Reduce flood damage to insurable property;**
- 2. Strengthen and support the insurance aspects of the NFIP, and**
- 3. Encourage a comprehensive approach to floodplain management.**

FEMA contacted Palm Beach County to update their information.

- F. 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.
- G. We continue to receive, review, and comment on various permit applications for projects to be constructed within the District.
- H. We continue to provide engineering assistance to the General Manager, 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.

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



Over 85 Years of Service

BOARD OF SUPERVISORS MEETING

July 10, 2014 – 7:30 p.m.
District Work Center
15600 Jupiter Farms Rd, Jupiter, FL 33478

A G E N D A

1. Invocation and Pledge of Allegiance
2. Consent Agenda
 - Approval of Minutes (May 8th meeting)
 - Approval of Warrant List
3. Public Information report
4. Treasurer's report
5. Manager of Operations' report
6. Engineer's report
7. Attorney's Report
8. Old business
9. New business
 - Dedicated Dirt Road Petitions
10. Landowners' items
11. Adjourn



Over 85 Years of Service
MEMORANDUM

TO: Board of Supervisors
FROM: Manager of Operations
SUBJECT: Manager's Report for the period May 3, 2014 through July 3, 2014
DATE: July 3, 2014

ADMINISTRATIVE:

1. Attended Safety Council of Palm Beach County Traffic Safety Awards.
2. Conducted monthly review of District canals with Aquatic Weed Spraying Contractor.
3. Meetings with Murray Logan and Construction Technology to review and bid on canal crossings at various locations within the District.
4. Attended Safety Council of Palm Beach County Board Meeting.
5. Received \$2,300.00 from Verizon for monthly lease.
6. Received bids for construction of pavilions for Margaret Berman Park in Palm Beach Country Estates.
7. On-site meetings and phone conversations with Homeowners to discuss drainage issues and road conditions.
8. Attended NPDES Steering Committee Meetings.
9. Attended Staff meeting.
10. Conference call with South Florida Water Management District to discuss pre and post storm procedures.

MEMORANDUM

To: Board of Supervisors

Date: July 3, 2014

Page 2

11. Attended Florida Association of Special Districts conference in Sanibel.
12. Meeting with Palm Beach County to discuss maintenance improvements to Canal 2 at 175th Rd.
13. Attended Loxahatchee River Preservation Initiative meeting at the Town of Jupiter EOC.

WATER CONTROL:

1. Mowers and backhoes continue routine maintenance services on roadside swales and berms throughout the District.
2. Received 11.8 inches of rain this reporting period.
3. Prepared swales for nine driveway culverts followed by inspections.
4. Terra Tech continues canal spraying for aquatic weed control.
5. Swales are being re-contoured in numerous sections of the District.

ROAD MAINTENANCE:

1. Roads continue to be re-contoured to provide maximum storm water runoff.
2. Hauled 3,329 yards of road material from Hatcher Project to District yard.
3. Hauled 420 yards of road material to various roads within the District.



Michael A. Dillon
Manager of Operations



**DICK GRUENWALD
ASSOCIATES, LLC**

July 7, 2014

**TO: Board of Supervisors
SOUTH INDIAN RIVER WATER CONTROL DISTRICT**

**FROM: Dick Gruenwald Associates
DISTRICT PUBLIC INFORMATION SPECIALISTS**

SUBJECT: Monthly Report June/July 2014

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

- ❖ Monthly (*July 10*) Meeting release
- ❖ Landowner-Initiated Roadway Improvements Petitions to Go To Referendum release

The following items were uploaded to the website:

- ❖ Monthly (*July 10*) Meeting notice
- ❖ Monthly Meeting Minutes (*Mar. 27, 2014*)
- ❖ Landowner-Initiated Roadway Improvements Petitions to Go To Referendum release
- ❖ June/July Staff monthly reports–
Manager of Operations, Engineer, Treasurer, Public Information

We worked with the District Engineer and Manager of Operations to draft a letter for the RV development to be emailed and mailed to government agencies involved.

We have started work on the Summer newsletter which will include updated information on the roadway improvement petitions, annual budget meeting, annual landowners meeting, Palm Beach Country Estates water hookups update and Board of Supervisor elections.

Attended Staff Meeting (*June 26*)

We continue to work with Mr. Rice and the Manager of Operations on a regular basis. We review and monitor print and online media for all SIRWCD 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 PDF in e-mail.



To: Board of Supervisors
FROM: Charles F. Haas, Treasurer
RE: Treasurer's Report for the month of July 2014
CC: Staff
Date: July 10, 2014

Routine Business

1. The District has received a total of \$5,025,160.58 in Assessment receipts through May 31, 2014 97% of the expected receipts for 2013/2014.
2. Following the Board's direction we will be sending our report to the District's Public Information Officer for uploading to the web-site.
3. With the receipt of assessments through the tax sale we were able to update our estimates of the District's financial position on September 30, 2013. The proposed budget (sent under separate cover) was updated to reflect these new estimates.
4. Working with the other staff members we prepared an analysis of the construction projects proposed at the May meeting.

Board Consideration

1. The Board will be asked to approve the list of disbursements. (sent under separate cover)
2. The Board will be asked to consider the inclusion of six construction projects proposed at the May meeting.

South Indian River Water Control District
Statement of Revenues and Expenditures
From 10/01/2013 to 05/31/2014

*AGF - All Governmental Funds
(In Whole Numbers)*

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Assessments - Net	4,897,118	4,824,194	(72,924)
Rents & Contracted Service	-	9,381	9,381
Investment Income	4,307	2,963	(1,344)
Other Income	12,000	42,668	30,668
Total Revenue:	4,913,425	4,879,206	(34,219)
Expenditures:			
Contracted Services	441,475	278,080	163,395
Operating Expense	1,182,600	802,662	379,938
Office & Landowner Expense	-	121	(121)
Capital Outlay	86,650	606,332	(519,682)
Principal Paid	262,567	262,567	-
Interest Paid	565,446	559,712	5,734
Other Debt Service	52,738	146,702	(93,964)
Total Expenditures:	2,591,476	2,656,176	(64,700)
Transfers, Financing & Capital Outlays			
Transfers-net	209,250	-	(209,250)
Debt Proceeds		680,000	680,000
Total Transfers, Financing & Capital Outlays	209,250	680,000	470,750
Excess (Deficit) Revenues over (under) Expenditures	2,531,199	2,903,030	371,831
Beginning Fund Balance		3,844,682	
Ending Fund Balance		6,747,712	

South Indian River Water Control District

Statement of Revenues and Expenditures

From 10/01/2013 to 05/31/2014

*100 - Special Revenue Funds
(In Whole Numbers)*

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Assessments - Net	2,072,650	2,043,914	(28,736)
Rents & Contracted Service	-	9,381	9,381
Investment Income	1,400	1,510	110
Other Income	12,000	-	(12,000)
Total Revenue:	2,086,050	2,054,805	(31,245)
Expenditures:			
Contracted Services	441,475	278,080	163,395
Operating Expense	1,182,600	802,662	379,938
Office & Landowner Expense	-	121	(121)
Total Expenditures:	1,624,075	1,080,863	543,212
Transfers, Financing & Capital Outlays			
Transfers	36,613	-	36,613
Excess (Deficit) Revenues over (under) Expenditures & Transfers	425,362	973,942	(611,070)
Beginning Fund Balance		1,387,379	
Ending Fund Balance		2,361,321	

South Indian River Water Control District
Statement of Revenues and Expenditures

From 10/01/2013 to 05/31/2014

200 - Debt Service Funds
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Assessments - Net	2,824,468	2,780,280	(44,188)
Investment Income	1,438	1,012	(426)
Other Income	-	42,668	42,668
Total Revenue:	2,825,906	2,823,960	(1,946)
Expenditures:			
Contracted Services	-	-	-
Principal Paid	262,567	262,567	-
Interest Paid	565,446	559,712	5,734
Other Debt Service	52,738	146,702	(93,964)
Total Expenditures:	880,751	968,981	(88,230)
Excess (Deficit) Revenues over (under) Expenditures	1,945,155	1,854,979	(90,176)
Beginning Fund Balance		832,281	
Ending Fund Balance		2,687,260	

South Indian River Water Control District
Statement of Revenues and Expenditures

From 10/01/2013 to 05/31/2014

300 - Capital Projects Funds
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Investment Income	1,469	441	(1,028)
Total Revenue:	1,469	441	(1,028)
Expenditures:			
Contracted Services	-		-
Capital Outlay	86,650	606,332	(519,682)
Total Expenditures:	86,650	606,332	(519,682)
Transfers, Financing & Capital Outlays			
Transfers in	209,250	-	(209,250)
Debt Proceeds		680,000	680,000
Total Transfers, Financing & Capital	209,250	680,000	470,750
Excess (Deficit) Revenues over (under) Expenditures	124,069	74,109	(49,960)
Beginning Fund Balance		1,625,022	
Ending Fund Balance		1,699,131	

South Indian River Water Control District
Statement of Revenues and Expenditures

From 10/01/2013 to 05/31/2014

500 - Internal Service Fund
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Charges for Services	1,117,600	704,864	(412,736)
Rents & Contracted Service	40,500	33,400	(7,100)
Investment Income	-	(43)	(43)
Other Income	-	20,549	20,549
Total Revenue:	1,158,100	758,770	(399,330)
Expenditures:			
Personal Services	517,550	516,973	577
Contracted Services	134,100	87,384	46,716
Operating Expense	230,440	154,523	75,917
Office & Landowner Expense	15,400	11,120	4,280
Insurance	30,150	26,609	3,541
Total Expenditures:	927,640	796,609	131,031
Transfers, Financing & Capital Outlays			
Transfers out	231,000	50,503	180,497
Total Transfers, Financing & Capital	231,000	50,503	180,497
Excess (Deficit) Revenues over (under) Expenditures & Transfers	(540)	(88,342)	(448,796)
Beginning Fund Balance		592,051	
Ending Fund Balance		503,709	

To South Indian River Water Control District
Board of Supervisors Pages 4

CC

Subject Engineer's Report for June/July 2014

From Amy E. Eason, PE, District Engineer

Board Meeting
Date July 10, 2014

The following is a summary of activities and communications that were of significance during the months of June and July 2014. Updated information is presented in **bold**:

I. CURRENT CAPITAL IMPROVEMENTS AND OTHER DISTRICT PROJECTS

A. The District has received petitions from landowners to apply both OGEM and Asphalt on certain roadways within the District. The roads met the requirements to distribute a referendum to all benefited landowners. Pursuant to Board direction, staff prepared a referendum for the landowner proposed projects that was mailed August 3, 2012 with the request that the landowners submit their response to the District by September 5, 2012. On September 11, 2012, staff received the certification from the Supervisor of Elections on the results of the referendum. The majority of the landowners who voted on the following roadways were "in favor" of the proposed project for OGEM in Jupiter Farms (approximately 0.4 miles):

- 127th Drive N. between 187th Place N. and Old Indiantown Grade
- 90th Trail N. between 165th Place N. and 166th Way N.

In addition, the majority of the landowners who voted on the following roadways were "in favor" of the proposed project for asphalt in Palm Beach Country Estates (approximately 1.5 miles):

- 73rd Terrace N. between 155th Place N. and 159th Court N.
- 79th Terrace N. between 155th Place N. and 162nd Court N.
- 75th Way N between 163rd Court N. and 165th Street N.
- 77th Trail N. between 165th Street N. and 167th Court N.

A resolution to amend the Water Control Plan was presented to the Board of Supervisors on October 18, 2012. As part of this resolution, staff has determined the cost estimate and the benefitted area for the project.

On January 10, 2013, a workshop was held to discuss the landowner initiated roadway program and other items. Many topics were discussed at this meeting, and some topics required further evaluation by the Board and staff.

On February 7, 2013, a continuation of the January workshop was held. The Board directed staff to prepare a letter of explanation to the landowners included within the benefitted area of the OGEM project along with an updated referendum showing the updated cost estimates. A referendum with a letter of explanation was sent to the affected landowners on March 27, 2013 with the request that the landowners submit their response to the District by April 27, 2013. The results of the referendum were certified by the Supervisor of Elections on May 7, 2013 and both OGEM roadway segments were "in favor" of the project.

The Board directed staff to proceed with the preparation of the Plan of Improvement. The Plan of Improvement was submitted to the District office on March 22, 2013 for public review and a public hearing was held on April 18, 2013.

After the public hearing, the Board directed staff to proceed with the preparation of the Engineer's Report. The Engineer's Report was submitted to the District office on May 23, 2013. On August 15, 2013, a public hearing was conducted on the Engineer's Report, and the Plan of Improvement and the Engineer's Report was approved by the Board.

Construction for the OGEM project began in November and was completed on December 16, 2013.

For the Asphalt project, a contractor was selected at the November meeting. The contract was awarded to Lynch Paving and Construction. A pre-construction meeting was held and construction has begun January 6, 2014 beginning with the construction staking layout. **On May 6, 2014, the contractor obtained final completion. Construction is completed and staff is prepared to update the board at this month's meeting.**

- B. Staff has received requests for petitions from landowners for roadway improvement projects. Per the February 2013 workshop, staff has developed an updated petition to distribute to landowners as they request it. In addition, staff has been reviewing the limits of the roadway improvement requests before distributing the updated petition for circulation. For notification, signs are being installed stating that a petition is being circulated in the area. Currently, the District has received petitions from landowners to apply OGEM and asphalt on certain roadways within the District. The landowners on the following roadways are petitioning to distribute a referendum for OGEM (approximately 0.5 miles):

- 164th Court N between Mellen Lane and Alexander Run

The landowners on the following roadways are petitioning to distribute a referendum for asphalt in Palm Beach Country Estates (approximately 6.4 miles):

- 67th Trail N. between 146th Road N. and 149th Place N.
- **68th Drive N. between 146th Road N. and 149th Place N.**
- **71st Drive N. between 160th Street N. and 155th Place N.**
- 74th Avenue N. between 155th Place N. and 159th Court N.
- **76th Trail N. between 155th Place N. and 159th Court N.**
- 77th Trail N. between 150th Court N. and 154th Court N.
- 78th Drive N. between 150th Court N. and 154th Court N.

- **81st Terrace N. between 150th Court N. and 154th Road N.**
- **85th Way N. between 155th Place N. and 159th Court N.**
- **88th Trail N. between 155th Place N. and 159th Court N.**
- **154th Court N. between 75th Avenue N. to C-18 Canal**
- **159th between 75th Avenue to East End**
- **163rd Court N. between 75th Avenue N. and 79th Terrace N.**
- **163rd Court N. between 75th Avenue N. to East End**

The District has received additional petitions since the last board meeting. Per the May Board Meeting, staff was directed to prepare the referendum. Staff is prepared to update the board at this month's meeting.

II. OPERATION AND MAINTENANCE

- A. The National Pollutant Discharge Elimination System (NPDES) Steering Committee meeting was June 16, 2014. The Florida Department of Environmental Protection (FDEP) gave a presentation providing guidance for implementation of the Stormwater Management Program elements and assistance with the Annual Report. The information included upcoming Year 4 requirements, audit changes to focus on issues and highlights, Total Maximum Daily Loading (TMDL) reporting, and typical annual report problem areas. The next meeting is scheduled for September 17, 2014.**
- B. At the May 8, 2014 Board Meeting, staff was directed to estimate the construction costs to finish the planned improvements at the Margaret Berman Park in Palm Beach Country Estates. These improvements would include the construction of three pavilions, a half basketball court, and a racquetball court. Staff is prepared to update the board at this month's meeting.**
- C. At the May 8, 2014 Board Meeting, staff was directed to estimate the following projects:**
- **Culvert pipe on Canal 7 and Alexander Run**
 - **Culvert pipe on Canal 12 and Randolph Siding**
 - **Culvert or canal widening at 175th and Jupiter Farms Road**
 - **Culvert or Bridge crossing at Canal C and 85th**

Staff is prepared to update the board at this month's meeting.

- D. On March 18, 2014, staff met with American Engineers & Contractors to discuss the Jupiter/Palm Beach Motor Coach Resort. The contractor wanted to discuss a proposal to install a sewer force main and a water main within the District's canal right-of-way. At the March 19, 2014 board meeting, the landowner presented their proposal. The board had several questions and the landowner stated that he would further investigate. Since the board meeting, staff has met with the applicants on April 11 and May 5, 2014 to discuss their pre-application for a permit.**

On June 12, 2014, the applicant submitted to the District an Application for Connection to or Use of District Facilities. The application is requesting two uses. The first use is for a drainage connection and the second is for utilities paralleling canals or rights-of-way. Staff sent a letter to the applicant



requesting additional information. Staff is prepared to update the Board at this month's meeting.

- E. **On June 26, 2014, the Federal Emergency Management Agency (FEMA) held a discovery meeting for the Southeast Florida Coastal Study. FEMA is meeting with several stakeholders along the southeast coast of Florida to gather information before they conduct their modeling efforts which define the new FEMA maps along the coast. Depending on the limits of the model, the model could effect the eastside system: Palm Beach Country Estates, Egret Landing, and Jupiter Park of Commerce. Staff will continue to monitor these efforts.**
- F. 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.
- G. We continue to receive, review, and comment on various permit applications for projects to be constructed within the District.
- H. We continue to provide engineering assistance to the General Manager, 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.

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



Over 85 Years of Service

BOARD OF SUPERVISORS MEETING

August 21, 2014 – 7:30 p.m.
Jupiter High School – Guidance Suite
500 N. Military Trail, Jupiter, FL 33458

A G E N D A

1. Invocation and Pledge of Allegiance
2. Consent Agenda
 - Approval of Minutes (July 10th meeting)
 - Approval of Warrant List
3. Public Information report
4. Public Hearing on the Budget
5. Treasurer's report
 - Consideration of budget
 - Consideration of Intention to Elect the Uniform Method of Collection of Non Ad Valorem assessments for the fiscal year 2014-2015.
6. Manager of Operations' report
7. Engineer's report
8. Attorney's Report
9. Old business
10. New business
11. Landowners' items
12. Adjourn



Over 85 Years of Service

MEMORANDUM

TO: Board of Supervisors

FROM: Manager of Operations

SUBJECT: Manager's Report for the period July 7, 2014 through August 15, 2014

DATE: August 15, 2014

ADMINISTRATIVE:

1. Pre-construction meeting with District Engineer and West Construction regarding pavilions and courts at Margaret Berman Memorial Park.
2. Conducted monthly review of District canals with aquatic weed spraying contractor.
3. Meetings with Murray Logan Construction and Construction Technology to review the Canal 2 and 175th Rd right-of-way extension, and the Canal 7 and Alexander Run canal crossing.
4. Attended Safety Council of Palm Beach County Board meeting.
5. Received \$2,300.00 from Verizon for monthly lease.
6. Conducted employee safety meeting at District Work Center.
7. On-site meetings and phone conversations with Homeowners to discuss drainage issues and road conditions.
8. Attended "Meet the Candidates" night at the Jupiter Farms Community Center.
9. Attended Staff meeting.
10. Meeting with Board President, District Engineer, and representatives from the Loxahatchee River District to discuss location of utility lines in Jupiter Farms.

MEMORANDUM

To: Board of Supervisors

Date: August 15, 2014

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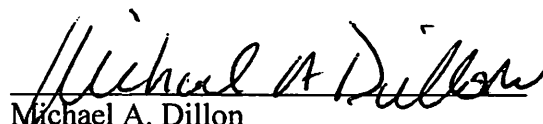
11. Phone conversations with Terra-Tech and Aquagenix regarding contract extensions for aquatic weed spraying and park maintenance.
12. Meeting with Laura Bender of Dick Gruenwald Associates to review new District logo.
13. Attended the opening of the Pantano Trail at Riverbend Park.

WATER CONTROL:

1. Mowers and backhoes continue routine maintenance services on roadside swales and berms throughout the District.
2. Received 11.59 inches of rain this reporting period.
3. Prepared swales for ten driveway culverts followed by inspections.
4. Terra Tech continues canal spraying for aquatic weed control.
5. Swales are being re-contoured in numerous sections of the District.
6. Meeting with District Engineer to discuss drainage easements west of 128th to Canal 11.

ROAD MAINTENANCE:

1. Roads continue to be re-contoured on both the east and west sides of the District to provide maximum storm water runoff.
2. D.S. Eakins hauled 990 yards of road stabilizer to the District yard.


Michael A. Dillon
Manager of Operations



**DICK GRUENWALD
ASSOCIATES, LLC**

Aug. 15, 2014

**TO: Board of Supervisors
SOUTH INDIAN RIVER WATER CONTROL DISTRICT**

**FROM: Dick Gruenwald Associates
DISTRICT PUBLIC INFORMATION SPECIALISTS**

SUBJECT: Monthly Report August 2014

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

- ❖ Monthly (*Aug. 21*) Meeting and Budget hearing release
- ❖ Election of Supervisor and ballot information release

The following items were uploaded to the website:

- ❖ Monthly (*Aug. 21*) Meeting and Budget hearing notice
- ❖ Monthly Meeting Minutes (*May 8, 2014*)
- ❖ Election of Supervisor and ballot information release and bios
- ❖ August Staff monthly reports–
Manager of Operations, Engineer, Treasurer, Public Information

The Summer newsletter is complete and being mailed to all landowners. It includes updated information on the roadway improvement petitions, annual budget meeting, annual landowners meeting, Palm Beach Country Estates water hookups update, Board of Supervisor elections and NPDES information.

We are in the process of getting samples and prices for polo shirts for supervisors and staff. The shirts will have the new logo that has been designed as directed by the supervisors. We will incorporate the logo into all District communications and print items as they come up for reorder.

The 24th Annual Landowners Family Day is scheduled for March 14, 2015.

Attended Staff Meeting (*Aug. 14*)

We continue to work with Mr. Rice and the Manager of Operations on a regular basis. We review and monitor print and online media for all SIRWCD 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 PDF in e-mail.



To: Board of Supervisors
 FROM: Charles F Haas, Treasurer
 RE: Treasurer's Report for the month of August 2014
 CC: Staff
 Date August 21, 2014

Routine Business

- 1 The District has received a total of \$5,078,447 in Assessment receipts through June 30, 2014 98% of the expected receipts for 2013/2014
2. Following the Board's direction we will be sending our report to the District's Public Information Officer for uploading to the web-site
- 3 We have been corresponding with both Regions and Wells Fargo underwriters who are conducting their annual review In the past few years more emphasis has been placed on understanding the dynamics of the District's assessment collections (a result of the Dodd-Frank Act) Recognizing this situation I had requested in 2011 that the Tax Collector's office produce a report, at least annually, which would provide us data on the parcels whose assessments were paid timely, those that were paid by the sale of tax certificates and those that were unpaid. Last week we got the beta version of the report. After testing it against our assessment roll I became confident that we could use it to provide the underwriters with the information they needed While they got things in greater detail and loan specific, the District totals were as follows.

	Parcels	%
Total parcels assessed	7,299	100.0%
Assessments paid timely	7,104	97.3%
Assesments paid by tax certificate sale	178	2.4%
Unpaid assessments	17	0.2%

Note this is a parcel accounting while Item 1 Is a dollar accounting so the percentages vary slightly

Board Consideration

- 1 The Board will be asked to approve the list of disbursements. (sent under separate cover)
- 2 The Board will be asked to consider adoption of the 2014-2015 Budget

South Indian River Water Control District

Statement of Revenues and Expenditures

From 10/01/2013 to 06/30/2014

*AGF All Governmental Funds
(In Whole Numbers)*

	YTD Budget	Year to Date Actual	Budget Variance
Revenue			
Assessments Net	4,938,217	4,876,898	(61,319)
Rents & Contracted Service		9,381	9,381
Investment Income	4,841	4,912	71
Other Income	12,000	42,968	30,968
Total Revenue	4,955,058	4,934,159	(20,899)
Expenditures.			
Contracted Services	506,075	304,110	201,965
Operating Expense	1,322,075	1,688,377	(366,302)
Office & Landowner Expense	-	142	(142)
Capital Outlay	86,650	632,592	(545,942)
Principal Paid	262,567	262,567	
Interest Paid	565,446	559,712	5,734
Other Debt Service	167,980	141,616	26,364
Total Expenditures:	2,910,793	3,589,116	(678,323)
Transfers, Financing & Capital Outlays			
Transfers-net	209,250		(209,250)
Debt Proceeds		680,000	680,000
Total Transfers, Financing & Capital Outlays	209,250	680,000	470,750
Excess (Deficit) Revenues over (under) Expenditures	2,253,515	2,025,043	(228,472)
Beginning Fund Balance		3,844,682	
Ending Fund Balance		5,869,725	

South Indian River Water Control District

Statement of Revenues and Expenditures

From 10/01/2013 to 06/30/2014

100 - Special Revenue Funds
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Assessments Net	2,090,000	2,062,450	(27,550)
Rents & Contracted Service		9,381	9,381
Investment Income	1,575	2,296	721
Other Income	12,000	300	(11,700)
Total Revenue:	<u>2,103,575</u>	<u>2,074,427</u>	<u>(29,148)</u>
Expenditures:			
Contracted Services	506,075	304,110	201,965
Operating Expense	1,322,075	1,688,377	(366,302)
Office & Landowner Expense		142	(142)
Total Expenditures:	<u>1,828,150</u>	<u>1,992,629</u>	<u>(164,479)</u>
Transfers, Financing & Capital Outlays			
Transfers	<u>36,613</u>		<u>36,613</u>
Excess (Deficit) Revenues over (under) Expenditures & Transfers	<u>238,812</u>	<u>81,798</u>	<u>98,718</u>
Beginning Fund Balance		1,387,379	
Ending Fund Balance		<u>1,469,177</u>	

South Indian River Water Control District
Statement of Revenues and Expenditures

From 10/01/2013 to 06/30/2014

200 - Debt Service Funds
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Assessments - Net	2,848,217	2,814,448	(33,769)
Investment Income	1,616	2,121	505
Other Income		42,668	42,668
Total Revenue	<u>2,849,833</u>	<u>2,859,237</u>	<u>9,404</u>
Expenditures:			
Contracted Services			-
Principal Paid	262,567	262,567	
Interest Paid	565,446	559,712	5,734
Other Debt Service	167,980	141,616	26,364
Total Expenditures	<u>995,993</u>	<u>963,895</u>	<u>32,098</u>
Excess (Deficit) Revenues over (under) Expenditures	<u>1,853,840</u>	<u>1,895,342</u>	<u>41,502</u>
Beginning Fund Balance		<u>832,281</u>	
Ending Fund Balance		<u>2,727,623</u>	

South Indian River Water Control District
Statement of Revenues and Expenditures

From 10/01/2013 to 06/30/2014

300 - Capital Projects Funds
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue:			
Investment Income	1,650	495	(1,155)
Total Revenue:	<u>1,650</u>	<u>495</u>	<u>(1,155)</u>
Expenditures:			
Contracted Services			
Capital Outlay	86,650	632,592	(545,942)
Total Expenditures:	<u>86,650</u>	<u>632,592</u>	<u>(545,942)</u>
Transfers, Financing & Capital Outlays			
Transfers in	209,250		(209,250)
Debt Proceeds		680,000	680,000
Total Transfers, Financing & Capital	<u>209,250</u>	<u>680,000</u>	<u>470,750</u>
Excess (Deficit) Revenues over (under) Expenditures	<u>124,250</u>	<u>47,903</u>	<u>(76,347)</u>
Beginning Fund Balance		<u>1,625,022</u>	
Ending Fund Balance		<u>1,672,925</u>	

South Indian River Water Control District
Statement of Revenues and Expenditures

From 10/01/2013 to 06/30/2014

500 Internal Service Fund
(In Whole Numbers)

	YTD Budget	Year to Date Actual	Budget Variance
Revenue			
Charges for Services	1,257,075	876,730	(457,094)
Rents & Contracted Service	40,500	43,700	3,200
Investment Income		329	329
Other Income		20,549	20,549
Total Revenue	1,297,575	941,308	(433,016)
Expenditures:			
Personal Services	578,700	581,582	(2,882)
Contracted Services	145,950	91,901	54,049
Operating Expense	251,680	174,923	76,757
Office & Landowner Expense	17,250	12,587	4,663
Insurance	33,900	29,812	4,088
Total Expenditures:	1,027,480	890,805	136,675
Transfers, Financing & Capital Outlays			
Transfers out	231,000	50,503	180,497
Total Transfers, Financing & Capital	231,000	50,503	180,497
Excess (Deficit) Revenues over (under) Expenditures & Transfers	39,095		(476,838)
Beginning Fund Balance		592,051	
Ending Fund Balance		592,051	

To South Indian River Water Control District
Board of Supervisors Pages 3

CC

Subject Engineer's Report for August 2014

From Amy E. Eason, PE, District Engineer

Board Meeting
Date August 21, 2014

The following is a summary of activities and communications that were of significance during the month of August 2014. Updated information is presented in **bold**:

I. CURRENT CAPITAL IMPROVEMENTS AND OTHER DISTRICT PROJECTS

- A. Staff has received requests for petitions from landowners for roadway improvement projects. Per the February 2013 workshop, staff has developed an updated petition to distribute to landowners as they request it. In addition, staff has been reviewing the limits of the roadway improvement requests before distributing the updated petition for circulation. For notification, signs are being installed stating that a petition is being circulated in the area. Currently, the District has received petitions from landowners to apply OGEM and asphalt on certain roadways within the District. The landowners on the following roadways are petitioning to distribute a referendum for OGEM (approximately 0.5 miles):

- 164th Court N between Mellen Lane and Alexander Run

The landowners on the following roadways are petitioning to distribute a referendum for asphalt in Palm Beach Country Estates (approximately 6.4 miles):

- 67th Trail N. between 146th Road N. and 149th Place N.
- 68th Drive N. between 146th Road N. and 149th Place N.
- 71st Drive N. between 160th Street N. and 155th Place N.
- 74th Avenue N. between 155th Place N. and 159th Court N.
- 76th Trail N. between 155th Place N. and 159th Court N.
- 77th Trail N. between 150th Court N. and 154th Court N.
- 78th Drive N. between 150th Court N. and 154th Court N.
- 81st Terrace N. between 150th Court N. and 154th Road N.
- 85th Way N. between 155th Place N. and 159th Court N.
- 88th Trail N. between 155th Place N. and 159th Court N.
- 154th Court N. between 75th Avenue N. to C-18 Canal
- 159th between 75th Avenue to East End
- 163rd Court N. between 75th Avenue N. and 79th Terrace N.
- 163rd Court N. between 75th Avenue N. to East End

The District has received no additional petitions since the last board meeting. Per the May Board Meeting, staff was directed to prepare the referendum. Staff is prepared to update the board at this month's meeting.

II. OPERATION AND MAINTENANCE

A. **There was no National Pollutant Discharge Elimination System (NPDES) Steering Committee meeting this month. The next meeting is scheduled for September 17, 2014.**

B. At the May 8, 2014 Board Meeting, staff was directed to estimate the construction costs to finish the planned improvements at the Margaret Berman Park in Palm Beach Country Estates. These improvements would include the construction of three pavilions, a half basketball court, and a racquetball court.

Staff met with the contractor on the specifics of the upcoming contract on July 25, 2014. Staff is awaiting information from the contractor in order to finalize the contract. Staff is prepared to update the board at this month's meeting.

C. At the May 8, 2014 Board Meeting, staff was directed to estimate the following projects:

- Culvert pipe on Canal 7 and Alexander Run
- Culvert pipe on Canal 12 and Randolph Siding
- Culvert or canal widening at 175th and Jupiter Farms Road
- Culvert or Bridge crossing at Canal C and 85th

Per the July 10, 2014 board meeting, staff has prepared a contract for the culvert pipe on Canal 7 and Alexander Run and the Canal widening at 175th and Jupiter Farms Road. Staff is prepared to update the board at this month's meeting.

D. On March 18, 2014, staff met with American Engineers & Contractors to discuss the Jupiter/Palm Beach Motor Coach Resort. The contractor wanted to discuss a proposal to install a sewer force main and a water main within the District's canal right-of-way. At the March 19, 2014 board meeting, the landowner presented their proposal. The board had several questions and the landowner stated that he would further investigate. Since the board meeting, staff has met with the applicants on April 11 and May 5, 2014 to discuss their pre-application for a permit.

On June 12, 2014, the applicant submitted to the District an Application for Connection to or Use of District Facilities. The application is requesting two uses. The first use is for a drainage connection and the second is for utilities paralleling canals or rights-of-way. Staff sent a letter to the applicant requesting additional information.

Per the July 10, 2014 meeting, staff has met with the Loxahatchee River District (LRD) and has investigated further in the applicant's request. Staff is prepared to update the Board at this month's meeting.

E. **On August 18, 2014, the Loxahatchee River Preservation Initiative is requesting applications for the Fiscal Year 2016 Funding. Staff submitted the 128th Trail**



North Drainage Improvement project. This project consists of ditch clearing and construction of roadside swales in the 128th Trail North area. Staff is prepared to update the Board at this month's meeting.

- F. 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.
- G. We continue to receive, review, and comment on various permit applications for projects to be constructed within the District.
- H. We continue to provide engineering assistance to the General Manager, 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.

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



Over 85 Years of Service

BOARD OF SUPERVISORS AND ANNUAL LANDOWNERS MEETING

September 18, 2014 - 7:30 p.m.

JUPITER HIGH SCHOOL CAFETERIA

A G E N D A

BOARD OF SUPERVISORS MONTHLY MEETING

1. Call to order
2. Invocation and Pledge of Allegiance
3. Consent Agenda
 - Approval of Warrant List
4. Adjourn

ANNUAL LANDOWNERS MEETING

1. Call to order
2. Election of officers for the meeting
 - a) Chairman
 - b) Secretary
3. Approval of minutes of 2013 annual meeting
4. Election of supervisors
 - a) Nominations
 - b) Motion to close nominations
 - c) Voting for candidates and closing of balloting
5. Annual Reports
 - a) Treasurer's Report
 - b) Engineer's Report
 - c) Manager of Operations Report
6. Compensation of Supervisors
7. General discussion
8. Adjourn



Over 85 Years of Service
MEMORANDUM

TO: Board of Supervisors
FROM: Manager of Operations
SUBJECT: Manager's Report for the period August 16, 2014 through September 12, 2014
DATE: September 12, 2014

ADMINISTRATIVE:

1. Meeting with South Florida Water Management District to discuss road maintenance on the Blue Gill Trail along the C-18 Canal.
2. Conducted monthly review of District canals with aquatic weed spraying contractor.
3. Attended safety seminar with operator, David Duckett, sponsored by Safety Council of Palm Beach County.
4. Attended Safety Council of Palm Beach County Board meeting.
5. Received \$2,300.00 from Verizon for monthly lease.
6. Attended Loxahatchee River Preservation Initiative Board meeting.
7. On-site meetings and phone conversations with Homeowners to discuss drainage issues and road conditions.
8. District purchased a new copier machine for office.
9. Attended Staff meeting.
10. Meetings with Palm Beach County and residents of Section 6 to discuss drainage issues.
11. Operator Maxx Tweedale has been reassigned to part-time due to school.

MEMORANDUM

To: Board of Supervisors

Date: September 12, 2014

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12. Working with District Engineer to apply for funding from the Loxahatchee River Preservation Initiative to clear drainage outfall systems in Jupiter Farms.
13. Tropical low moves over area with minimal impacts.

WATER CONTROL:

1. Mowers and backhoes continue routine maintenance services on roadside swales and berms throughout the District.
2. Received 2.25 inches of rain this reporting period.
3. Prepared swales for six driveway culverts followed by inspections.
4. Terra Tech continues canal spraying for aquatic weed control.
5. Swales are being re-contoured in numerous sections of the District.
6. Murray Logan Construction begins restoration work on Canal 2 and 175th Rd.

ROAD MAINTENANCE:

1. Roads continue to be re-contoured to provide maximum storm water runoff.



Michael A. Dillon
Manager of Operations



**DICK GRUENWALD
ASSOCIATES, LLC**

Sept. 12, 2014

**TO: Board of Supervisors
SOUTH INDIAN RIVER WATER CONTROL DISTRICT**

**FROM: Dick Gruenwald Associates
DISTRICT PUBLIC INFORMATION SPECIALISTS**

SUBJECT: Monthly Report September 2014

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

- ❖ Annual Landowners Meeting (*Sept. 18*) release

The following items were uploaded to the website:

- ❖ Annual Landowners Meeting (*Sept. 18*) release
- ❖ Summer Newsletter
- ❖ September Staff monthly and annual reports–
Manager of Operations, Engineer, Treasurer, Public Information

Attended Staff Meeting (*Sept. 11*)

We have begun work on a District overview and project update brochure as requested by the Board of Supervisors.

We continue to work with Mr. Rice and the Manager of Operations on a regular basis. We review and monitor print and online media for all SIRWCD 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 PDF in e-mail.