



South Indian River Water Control District™

Established 1923

A Florida Special District

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

www.sirwcd.org

sirwcd@sirwcd.org

BOARD OF SUPERVISORS MEETING AGENDA

February 16, 2023 – 6:00 pm

District Work Center

15600 Jupiter Farms Rd., Jupiter, FL 33478

Meeting and Zoom Video Conference

- 1) Pledge of Allegiance
- 2) Consent Agenda
 - A) Approval of Minutes of Previous Meeting
 - B) Approval of Warrant List
- 3) Landowner Items
- 4) Public Information Report
 - A) Drainage Fact Sheet
 - B) Policy and Procedures Manual
 - C) Family Day
 - D) ADA Accessible Website
- 5) Treasurer's Report
- 6) Manager of Operations Report
- 7) Engineer's Report
 - A) Section 7
 - 1) Contractors Application No. 2 for Payment
 - 2) Installation of Four Reinforced Concrete Pipe Culverts
 - B) Canal C Project
 - C) Water Quality Monitoring
- 8) Attorney's Report
- 9) Old Business
 - A) Review/Update Paving Petition Fee
- 10) New Business
- 11) Adjourn

Public Information Monthly Report Feb. 2023

TO: Board of Supervisors
South Indian River Water Control District

FROM: Dick Gruenwald Associates
District Public Information Specialists

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

- 1) Monthly Board of Supervisors Meeting (Feb. 16) release
- 2) First 29th Annual Family Day Invite to local social media

The following items were updated or added to the website:

- 1) Multiple copy changes on numerous pages
 - Statistics, Board Meetings, Budget, Meetings
- 2) Monthly Meeting (Dec. 8) minutes
- 3) Landowners Family Day information updates
- 4) Board of Supervisors Monthly Meeting (Feb. 16) information and Zoom registration invitation
 - Agenda, staff reports and slide presentation

We are completing the winter newsletter that will include the Annual Manager of Operations and Engineer's Reports, an updated employee photo, roadway paving update, elections results, project updates, 100th anniversary, and Family Day.

We continue to work on the 29th Annual Landowners Family Day scheduled for March 18, 2023, from 11:30 am to 2:30 pm. McCray's Backyard B-B-Q will return this year along with The Tom Jackson Band, Cock-a-Doodle-Do and Jupiter Bounce. New this year is Mister Softee Ice Cream Truck as a special treat for the 100th Anniversary. The following exhibitors have sent in their forms to attend – Busch Wildlife Sanctuary, Drowning Prevention Coalition of Palm Beach County, Jupiter Farms Community Emergency Response Team (CERT), Jupiter Farms Residents, Jupiter Lighthouse Daughters of the American Revolution Chapter, Palm Beach County Department of Environmental Resources Management, Palm Beach County Sheriff's Office, and Palm Beach County Fire Rescue. Additional details will be presented at the Board Meeting.

We prepared and set up an email invitation on Mrs. Rigsby's computer to send out to local community officials that the District works with and sent out the first customized email invitation of the event to local social media.

A 100th Anniversary logo has been designed for use on printed materials, a commemorative poster, social media, website, and give-a-ways at Family Day.

Donna DeNinno originally secured four initial proposals for accessibility-compliant website development and hosting and did extensive research and prepared outlines to work with legal, Michael Howard, John Meyer, and Holly Rigsby on content and changes for the District's website. Consideration for keeping costs within budget was a primary consideration, as well as meeting the accessibility guidance. We do

have the accessibility statement suggested by legal on the existing website regarding creating a new compliant site and that the District will provide content upon request to those currently unable to access any information. Covid-delayed Florida Senate and House bills sponsored by Florida Association of Special Districts to change requirements for special district websites were signed into law on July 1, 2020. Ms. DeNinno and legal reviewed changes and reported on options at the July 16, 2020, Board Meeting. The Board approved creating the new site based on the latest information required by the State.

We are continuing to update pages within the existing website that will be included in the creation of the new site, once reviewed by the committee and Board. Nine Portable Document Files (PDFs) that are required to be on the website have been remediated through a third-party accessibility company. As requested by the Board, we are now including Staff Reports and Presentations in addition to the Agenda for meetings. We are currently updating these files dating back to October of 2020. New PDF remediation checkers have been released and we are using these to check our remediated files for compliance. We have sent staff information with tips for preparing more accessible documents that will be used as PDF files on the website so remediation will be easier. Municode is now a wholly owned subsidiary of CivicsPlus (these are companies we quoted with for the creation of an accessible website). Both companies use the same software, have the same features and similar costs. An updated quote was received for \$4,050 per year, which incorporates design of the site, hosting, maintenance. We continue to edit and revise the existing website, remediate PDF files, and prepare for moving the website to a new host.

We are concerned with the rapidly increasing cost of website hosting with CivicsPlus/Municode. The latest quote has gone up to \$4,050 per year, an increase of almost \$1,000 from January of 2022. This could mean hefty increases each year. While this quote is still less than other government-oriented hosting companies, it may be much more beneficial to create an accessible WordPress site and use accessibility checking software/company to ensure ADA compliance. **This will be discussed at the upcoming Board Meeting.**

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

Susan Kennedy, Karen Brandon, and Donna DeNinno held a January Zoom meeting to discuss options for public education materials, with an initial focus on information for the wet season - District drainage and flooding management. The consensus was to consider a series of options such as animations, infographics, videos, and fact sheets on a number of subjects of interest to the landowners and of importance to the District. The Board was updated on this approach at the January Board meeting. Ms. DeNinno has provided research information to Ms. Kennedy and Mrs. Brandon for consideration of topics to include in our projects. Ms. DeNinno secured original art files from South Florida Water Management District, and they have given us permission to utilize their materials in our projects. The first project will be on drainage and flooding with print fact sheets/infographics. Ms. Kennedy, Mrs. Brandon, and Ms. DeNinno have had three Zoom meetings and an initial draft was sent to Board members for comments at the May Meeting. Ms. Kennedy asked Ms. DeNinno to send her the file so she could make edits, and Ms. DeNinno sent her the information on May 20, 2022. **Ms. Kennedy is currently working on the file.**

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

The premier of the Drainage in the District Video was shown at the Annual Landowners' Meeting and links to the video on YouTube were provided to community social media. **The video has received 361 views and 10 likes as of February 10, 2023.**

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

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



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

To: Board of Supervisors

From: Charles F. Haas, Treasurer

RE: Treasurer's Report for the month of February 2023

CC: Staff

Date: February 16, 2023

Routine Business

- 1) The district received a total of \$ \$4,969,636.69 in current assessments receipts from the Palm Beach County Tax Collector through January 2023.
- 2) We continue to work on the year-end close in preparation of the Audit commencement.
- 3) Following the Board's direction, we will be sending our report to the District's Public Information Officer for uploading to the website.

Board Consideration

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



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MEMORANDUM

TO: Board of Supervisors
FROM: Manager of Operations
SUBJECT: Manager's Report for January 13, 2023 to February 9, 2023
DATE: February 9, 2023

ADMINISTRATIVE

- 1) Reviewed District canals with Aquatic Weed Spray Contractor.
- 2) On-site meetings and phone conversations with Landowners related to maintenance activities throughout the District.
- 3) Attended Loxahatchee River Management Coordinating Council Workshop via Zoom.
- 4) Fire extinguishers were serviced or replaced during annual inspection.
- 5) Received \$3,041.75 for Verizon cell tower lease.
- 6) Attended Loxahatchee River Preservation Initiative Meeting.
- 7) Johnson-Davis Inc. completes Section 7 drainage project.
- 8) Received \$9,250.00 from Palm Beach County for quarterly mowing & grading contract.
- 9) Reviewed Section 7 outfalls with District Engineer.
- 10) Phone conversations with South Florida Water Management District to discuss the inspection and removal of mission grass along the canals.

WATER CONTROL

- 1) Received 1.2 inches of rain this reporting period.
- 2) Crews installed five driveway culverts and two temporary culverts. Crews also prepared swales for one new construction culvert installation. Three driveway culverts were inspected.
- 3) Terra Tech continues canal spraying for aquatic weed control.
- 4) Crews continue to inspect driveway culverts for replacement and swales continue to be re-contoured for drainage.
- 5) Crews continue to inspect and replace drainage culverts throughout the District.

ROAD MAINTENANCE

- 1) Dry conditions have altered road grading procedures.
- 2) Ranger Construction completes asphalt overlay on Haynie Lane.
- 3) North Florida Emulsion begins micro-resurfacing various intersections throughout the District.

Michael Dillon

Michael Dillon
Manager of Operations

Memorandum

To South Indian River Water Control District
Board of Supervisors

CC

Subject Engineer's Report for December

From Karen D. Brandon, PE, District Engineer

Board Meeting
Date February 16, 2023

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

I. CURRENT CAPITAL IMPROVEMENTS AND OTHER DISTRICT PROJECTS

- A. Staff has executed a contract for the surveying of Canal C. Survey has been obtained. Staff prepared design cross sections and preliminary plans for the permit applications to expand and relocate Canal C to allow for maintenance on both sides of the canal. Staff also investigated the ownership of Canal C and has attended a meeting with South Florida Water Management District to discuss permitting. Per Board direction, staff submitted a Loxahatchee River Preservation Initiative grant application for this project and was ranked on August 9, 2021. Staff submitted the House of Representatives forms for submission to the Florida Legislation for consideration. In addition, staff has reached out to the Florida Department of Environmental Protection (FDEP) to discuss permitting. Notification was received March 9, 2022, that Legislative funding was approved for the Canal C project in the amount of \$312,500 for Fiscal Year 2023. Staff is also researching the U.S. Army Corps 404 Permitting and the delegation to FDEP. It is anticipated that the project will qualify for an exemption for stormwater maintenance. FDEP has confirmed that as long as there are no wetland impacts that are in Waters of the United States then a 404/Federal authorization will not be required. Staff submitted a letter to FDEP requesting confirmation of qualification as an exemption or "No Permit Required". FDEP has requested completion of a Waters of the United States form followed by a site inspection for verification. Staff was notified by FDEP this week that we have been assigned a new permit reviewer. A site inspection with the new reviewer has been requested. **After requesting a site inspection with the FDEP reviewer, we were informed on January 26, 2023, that our application has been assigned to yet another new reviewer (our third). We have requested a site inspection with the new reviewer.**

The Florida Department of Environmental Protection (FDEP) Grants office forwarded Agreement Forms and Insurance Requirements which are necessary for FDEP to draft the grant agreement. These forms and the Certificate of Insurance were submitted to FDEP in early December 2022.

A site inspection with the new reviewer has been requested.

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

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

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

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

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

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

A quarterly Progress Report was submitted to the Florida Department of Environmental Protection on October 13, 2022.

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



Johnson-Davis is making good progress on the installation of the riser/culvert structures. They have one structure remaining and are expected to be substantially complete by the end of next week. A site inspection is scheduled for January 13, 2023 to verify work completed for approval of Johnson-Davis' first Pay Application and to review the progress to date.

A quarterly Progress Report will be submitted to the Florida Department of Environmental Protection on January 13, 2023. In addition, a Change Order to the Agreement was executed, extending the construction completion date to March 31, 2023.

A second Pay Application for the balance of the contract less retainage for work through January 31, 2023 has been received and is recommended for approval.

Pricing from three (3) contractors has been received for installation of four (4) culverts. Upon initial review, Johnson-Davis appears to be the low bidder therefore, it is proposed that a Change Order to their contract be executed for the additional work.

II. OPERATION AND MAINTENANCE

- A. The next National Pollutant Discharge Elimination System Steering Committee meeting is scheduled for February 15, 2023. Items on the agenda include the Joint Annual Report status, 2023 Training, and the Cycle 5 Draft Permit. The Annual Report for permit year 21-22 for South Indian River Water Control District is in the process of being finalized. Refresher training is scheduled for March 10, 2023.**
- B. Staff continues to monitor and participate in the activities of the Loxahatchee River Ecosystem Management Committee, the Loxahatchee River Initiative, and the Loxahatchee River Management Coordinating Council. The Council met on June 27, 2022. The meeting included an update on the Loxahatchee River Watershed Restoration Project Rulemaking Revisions.
- C. Staff had a conference call with South Florida Water Management District staff members Beth Kacvinsky and Jeff Buck on February 10, 2022, to discuss the G-92 Agreement between South Indian River Water Control District and South Florida Water Management District for operation of the structure. Beth will discuss with South Florida Water Management District operations staff and others to initiate the process of developing an updated agreement. Staff received an email with flow graphs for G-92 on March 9, 2022, for review. An update on the status of internal discussions at South Florida Water Management District regarding a new G-92 agreement was requested on March 11, 2022.

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



request on an update as to when South Florida Water Management District will be ready to start discussing a new G-92 Agreement.

Staff had a conference call with Jeff Buck, Adnan Mirza (Operations), and Matt Alexander (Lead Engineer for Flow-way 2) of South Florida Water Management District on January 6, 2023. South Florida Water Management District is currently working on the C-18 West Impoundment design, and it is scheduled to take 2-3 years. No discharge through the G-92 structure is proposed during rainfall events. However, there may be the need for emergency releases from the reservoir. Staff explained that keeping the stages in the 13-13.5 ft NGVD range in the C-14 Canal works best for South Indian River Water Control District. The C-14, C-4, C-5 and C-6 Canals are the most impacted when South Florida Water Management District discharges through the G-92 structure. The stages in the SIRWCD canals come up very quickly, especially when the ground is saturated. For now, South Florida Water Management District recommended that South Indian River Water Control District continue to work with Operations. More detailed modeling information will become available during the C-18 W Impoundment design process. South Indian River Water Control District can coordinate with Jeff Buck and Matt Alexander.

- D. In response to the Board's requests last month regarding water quality sampling, staff obtained a quote from Pace Analytical Services, LLC for Sucralose. The additional monthly fee would be \$450/sample or \$3600 for all eight sample locations, which would double South Indian River Water Control District's sampling cost. Additionally, trend graphs have been created for the metals currently sampled. Staff's recommendations for modifications to the Water Quality Monitoring Program were presented at the October Board meeting. At the Board's request, water quality trend graphs were prepared for all the sample parameters at all District monitoring locations and distributed to the Board for a more thorough review. A follow-up discussion was held at the December Board meeting. **The water quality parameter summaries to include with the water quality trend graphs are currently under review by staff. Once finalized, a copy will be kept at South Indian River Water Control District's office for review by the public.**
- E. Final Edits incorporating Board member comments on Chapters 7 and 8 and the first draft of revisions to Chapter 9 of the Policy and Procedures Manual were forwarded to the Public Information Officer for incorporation into the draft Manual. **Staff is making revisions and responding to comments from Board Members.**
- F. We continue to provide engineering assistance to the Manager of Operations, as needed, on operation and maintenance items, as well as landowner requests, utility requests, and inquiries from other governmental entities on issues that involve engineering support.
- G. Staff's recommendations for modifications to the Water Quality Monitoring Program were presented at the October Board meeting. At the Board's request, water quality trend graphs were prepared for all the sample parameters at all District monitoring locations and distributed to the Board for a more thorough review. A follow-up discussion will be held at the December Board meeting.

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