



South Indian River Water Control District™

Established 1923

November 17, 2016 – 7:00 p.m.
Jupiter High School – Media Room
500 N. Military Trail, Jupiter, FL 33458

BOARD OF SUPERVISORS MEETING AGENDA

1. Pledge of Allegiance
2. Ratification of Election Results
 - A. Swearing in of Elected Board Members
3. Election of Officers
4. Appointments
5. Consent Agenda
 - A. Approval of Minutes of Previous Meeting
 - B. Approval of Warrant List
6. Landowners' Items Not on the Agenda
7. Public Information Report
8. Treasurer's Report
9. Manager of Operations' Report
10. Engineer's Report
 - A. Jupiter Farms Shopping Center Equestrian Bridge
11. Attorney's Report
12. Old Business
13. New Business
 - A. Proposed Policy for Paved Roads
14. Adjourn



**DICK GRUENWALD
ASSOCIATES, LLC**

Nov. 17, 2016

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

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

SUBJECT: Monthly Report November 2016

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

- ❖ Annual Landowners meeting (*Sept. 15*) release
- ❖ Monthly meeting (*Nov. 17*) release

The following items were updated on the website:

- ❖ Update Election information with results
- ❖ Landowner Voting Proxy
- ❖ Revised SIRWCD and PBC culvert information page and PDF forms
- ❖ 2016-17 Approved Budget
- ❖ Archive 2015-16 Fiscal Year Annual Reports/Agendas – Manager of Operations, Engineer, Treasurer
- ❖ Archive 2015-16 Fiscal Year Meeting Minutes
- ❖ Monthly Meeting (*June 30*) minutes
- ❖ Hurricane Matthew storm information
- ❖ Fiscal 2016-17 Board meeting date information
- ❖ Andy Billy 15 year award presentation
- ❖ Insurance Rebate check story and photo
- ❖ Nov. 17 Meeting Agenda and Staff Reports including proposed Policy for Paved Roads information

Attended Annual Landowners Meeting (*Sept. 15*) and Staff Meetings (*Oct. 10, Nov. 7*).

Attended and photographed Andy Billy's 15th year award presentation.

The "Welcome to the District" letter for new landowners will be forwarded for the Board to review and approve.

We have begun work on the Annual newsletter to include the MOP and Engineers Annual Reports, Budget information, Policy updates, Election results, Andy Billy award, new equipment and more.

The District office and staff are reviewing the District's Policy & Procedures Manual with a target date of Dec. 15 to get back initial review comments. Met with Mr. Meyer to discuss and advise on progress.

We have worked with staff on state statute-required changes for the website for implementation that went into effect Oct. 1, 2016.

We continue to work with Mr. Meyer 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 2016
CC: Staff
Date: November 17, 2016

Routine Business

1. The District received its first assessment distribution from the Palm Beach County Tax Collector on November 7, 2016, totaling \$154,831.83.
2. We continue to work on the year end close in preparation of the audits commencement in January.
3. One of the requirements under our financing agreements is to provide the lender with certain continuing disclosures. In September we complied with a Regions Bank requirement by sending them a report (in Excel) on the assessment collection and land use profile of the District for the past fiscal year. That report is attached. Of note is that there were 7,299 parcels assessed with 7,093 (97.18%) collected within the legal time period. There were 180 (2.47%) parcels which were collected subsequently mostly through the sale of tax certificates and there were 26 (.36%) that were uncollected. While the uncollected parcels were higher than historical, it is still not alarming. When we drill down on the uncollected parcels, 7 of them are water management and other infrastructure tracts within the Jupiter Farms Community Shopping Center.
4. Please see the attached memo concerning establishing a Board policy accepting prepayments of debt assessments.
5. Continuing our practice of prior years we are not including budget to actual statements in this report. Since the October transactions are largely items accrued in our prior year report, the budget reflects only minor expenditures. We will provide the Board with these statements through November at the next meeting.

Board Consideration

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



To: Board of Supervisors
FROM: Charles F. Haas, Treasurer
RE: Policy on accepting debt assessment prepayments.
CC: Staff
Date: November 17, 2016

Chapter 298 provides that a landowner may prepay a new capital assessment prior to the financing of the improvements.

For many years the District's practice was to not accept prepayment of these assessments once the initial period had been passed and the financing secured. This changed with the original financing of the PBCE Water Distribution System in 2006 because a special series of bonds was created (the Series B bonds) for the financing of the Town Of Jupiter's (TOJ) requirement that 50% of the reserved connection fees be paid in advance. That agreement also provided that SIRWCD would be reimbursed by the TOJ for each connection made. The Series B bonds allowed for their prepayment with no penalty so that the reimbursements could be aggregated and used to pay down this debt. Because of this feature it made sense that should a landowner wish to prepay the assessment, we could accept it and add it to those funds received from the TOJ. This would increase the amount of bonds that could be called thereby benefiting all of the parcels in the in PBCE. The amount of the prepayment required would be the prorated unpaid principal on the parcel.

The other financings of the District also have a provision for allowing prepayment of a portion of the debt. However, the amount required for the prepayment is the total debt service (i.e. the unpaid principal plus the annual interest required to maturity). Thus a prepayment of this type is not a good financial choice, and was a rare occurrence.

In recent years, when there was a buyers' market in Real Estate, many buyers began requiring the seller to pay off all debt assessments. Since we had been accepting prepayments for the Series B bonds we began accepting prepayments of other debt on a parcel.

The incidence of these transactions has been increasing requiring office staff and Treasurer's time (frequently on an expedited basis). Once the prepayment is accepted new codes have to be added to the assessment roll and revisions must be made to the underlying fund budget.

Since these transactions are essentially between the buyer and the seller these they can be handled by making an adjustment on the closing statement without the District's involvement.

If the Board were to establish a policy whereby the District would not be accepting prepayments (after the initial period required by Chapter 298), we would continue to provide the relevant information as requested. That information would be on a per parcel basis: the outstanding principal, the remaining debt service, the remaining term and the estimated annual assessment for the remaining term. Most of this information is already prepared annually for the office staff.

Should this policy be adopted, we could inform the landowners of the change via the newsletter and the District's website.



South Indian River Water Control District™

Established 1923

MEMORANDUM

TO: Board of Supervisors
FROM: Manager of Operations
SUBJECT: Manager's Report for August 11, 2016 to November 9, 2016
DATE: November 9, 2016

ADMINISTRATIVE:

1. Attended Safety Council Board meeting.
2. Conducted monthly review of District canals with aquatic weed spray contractor.
3. Attended Loxahatchee River Management Coordinating Council meetings.
4. Attended Loxahatchee River Preservation Board meeting at Town of Jupiter EOC.
5. Received \$2,645.00 from Verizon for monthly cell tower lease.
6. Murray Logan completes culvert crossings at Canals 6 and 13, and at Canals 8 & 10.
7. On-site meetings and phone conversations with Landowners regarding drainage, road conditions and driveway culvert installations.
8. Attended Staff meetings.
9. Hired Jim Powell as Head Mechanic and Alan Watson as Level 2 Operator.
10. Operators, Matt Wood and Arie Raz, receive DOT medical certificates for CDL.
11. Numerous conference calls with South Florida Water Management District regarding Hurricane Matthew.
12. Meeting with Aquagenix to review Palm Beach Country Estates roads.
13. Received passing grade for Work Center storage tank inspections from Palm Beach County Environmental Resource.
14. DCR Engineering Services performed maintenance on District's water control structures.
15. Attended "Meet the Candidates" night at Jupiter Farms Community Center.
16. Meeting with contractors to receive quotes for pressure cleaning services at Berman Park.

A Florida Special District

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MEMORANDUM

To: Board of Supervisors
Date: November 9, 2016
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17. Discussions with District Engineer regarding multiple landowner culverts in District swales.
18. Attended Florida Association of Special Districts membership meeting in Jupiter.
19. Received reimbursement check for \$1,100 from PGIT's Matching Incentive Safety Program.
20. Meetings with contractors to discuss security cameras at Berman Park.
21. Meeting with Sixberry Locksmith to discuss installation of security code locks for District office.
22. Selected to the Safety Council Annual Awards Committee Board of Supervisors.

WATER CONTROL

1. Mowers continue routine maintenance throughout the District.
2. Received 14.29 inches of rain this reporting period.
3. Prepped swales for five culvert installations, inspected eleven culverts and District crews installed 44 driveway culverts.
4. Terra Tech continues canal spraying for aquatic weed control.
5. Crews continue to replace District drainage culverts at various locations.
6. Drainage swales continue to be re-contoured throughout the District.
7. Submitted two projects for 2018 Loxahatchee River Preservation Initiative funding.
8. Crews are clearing drainage outfalls in Palm Beach Country Estates.

ROAD MAINTENANCE

1. Road easements continue to be re-contoured and resurfaced with shell rock.
2. Lake Pointe Restoration hauled 472 tons of shell mix to the District Work Center and 408 tons to Palm Beach Country Estates.
3. Meeting with North Florida Emulsions to review existing OGEM roads for 2017 maintenance.
4. Pre-construction meeting with District Engineer and Hardrives, Inc. to review the 18th Plan of Improvements.
5. Notice of ballot signs were posted for the 19th Plan Referendum.
6. Hardrives, Inc begins construction of the 18th Plan of Improvements paving project.



Michael A. Dillon
Manager of Operations

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Board of Supervisors Pages 3

CC

Subject Engineer's Report for October/November 2016

From Amy E. Eason, PE, District Engineer

Board Meeting
Date November 17, 2016

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

I. CURRENT CAPITAL IMPROVEMENTS AND OTHER DISTRICT PROJECTS

- A. Pursuant to Board direction after petitioners met the minimum requirements, staff prepared a referendum for the landowner proposed project that was mailed February 6, 2015 with the request that the landowners submit their response to the District by March 12, 2015. On March 26, 2015, 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 asphalt in Palm Beach Country Estates (approximately 3.8 miles):

- 64th Way N. between 146th Road N. and 149th Place N.
- 67th Trail N. between 146th Road N. and 149th Place N.
- 68th Drive N. between 146th Road N. and 149th Place N.
- 74th Avenue N. between 155th Place N. and 159th Court N.
- 75th Way N. between 150th Court N. and 154th Court N.
- 77th Trail N. between 150th Court N. and 154th Court N.
- 78th Drive N. between 155th Place N. and 159th Court N.
- 81st Terrace N. between 150th Court N. and 154th Court N.
- 149th Place between 69th Drive N. and 64th Way N.
- 163rd Court N. between 75th Avenue N. and 79th Terrace N.
- 163rd Court N. between 75th Avenue N. to East End

At the May 2015 meeting, staff was directed to prepare the 18th Plan of Improvement. The public hearing for the Plan of Improvement was held on August 20, 2015. Staff was then directed to prepare the Engineer's Report. The public hearing for the Engineer's Report was held at the October 15, 2015 meeting. At the October 15, 2015 meeting, staff was directed to begin survey and design services for the approved 18th Plan of Improvement.

On May 20, 2016, an advertisement for bid on the project was published in the Palm Beach Post. Potential bidders picked up bid documents on May 27, 2016 with bids due on June 27, 2016.

After negotiating with the lower bidder, Hardrives, Inc, contract documents were executed and a notice to proceed was issued for October 1, 2016. Construction has started 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. Currently, the District has received petitions that have met the current policy of obtaining signatures from the majority (50% plus 1) of the landowners within the project area to apply asphalt on certain roadways within the District.

Pursuant to Board direction, staff is preparing a referendum for the landowner proposed project. The landowners on the following roadways petitioned to distribute a referendum for asphalt (approximately 3.6 miles):

- 70th Trail N. between 155th Place N. and 159th Court N.
- 76th Trail N. between 160th Lane N. and 162nd Court N.
- 76th Trail N. between 163rd Court N. and 165th Street N.
- 78th Drive N. between 165th Street N. and 167th Court N.
- 93rd Lane N. between 155th Road N. and 159th Court N.
- 154th Court N. between 75th Avenue N. and 81st Terrace N.
- 159th Court N. between 79th Terrace N. and 84th Avenue N.
- 159th Court N. between 78th Drive N. and 79th Terrace N.
- 160th Street N. between 72nd Drive N. and 75th Avenue N. and 72nd Drive N. from 160th Street N. to 160th Lane N.
- 175th Road N. between Jupiter Farms Road and West End
- 179th Court N. between Mellen Lane N. and Alexander Run

Pursuant to Board direction after petitioners met the minimum requirements, staff prepared a referendum for the landowner proposed project which was mailed October 17, 2016 with the request that the landowners submit their response to the District by December 9, 2016. Staff is prepared to discuss at this board's meeting.

II. OPERATION AND MAINTENANCE

- A. **The National Pollutant Discharge Elimination System (NPDES) Steering Committee met on September 21, 2016 and October 19, 2016 to discuss the budget report, the sixth (6th) year annual reports of the program, the Reasonable Assurance Plan (RAP) for the Loxahatchee River, storm events sampling cost, and the Federal Emergency Management Agency (FEMA) Map Implementation Schedule. The next meeting is scheduled for November 16, 2016.**
- B. Staff has been actively involved in a sub team for modeling for the Loxahatchee River Water Restoration Plan. Staff has been meeting with the Army Corp of Engineers and South Florida Water Management District to clarify the operational protocols of South Indian River Water Management District. Efforts on the sub team include confirming assumptions in the model and aiding in the planning effort.

In addition, a meeting was held March 30, 2016 of the Project Delivery Team. At this meeting the group reviewed 13 project alternatives and ranked the projects to reduce the number of projects that will undergo further analysis. A subsequent meeting was

held on April 5, 2016 to reduce the number of alternatives to 5 alternatives. The alternatives include a variety of projects to help the Loxahatchee River to meet its goals for minimum flow and restoration.

Staff has been attending the Engineering and Modeling Task subcommittee meetings to ensure that the operational protocols are being implemented for the District.

- C. Staff attended the Loxahatchee River Management Coordinating Council meeting on March 28, 2016. The Florida Department of Environmental Protection (FDEP) presented possible TMDLs within certain water body identification (WBID) areas and the process of a Reasonable Assurance plan in lieu of a TMDL and Basin Area Management Plan (BMAP) for the impaired WBIDs. As a result of this meeting, at the June 27, 2016 meeting, the council discussed plans to move forward with a Reasonable Assurance (RA) plan with the assistance of FDEP. **Meetings have been held monthly to discuss the RA plan. The last meetings were September 26, 2016 and October 24, 2016 to discuss the basin delineations, water quality, and a draft RA plan.**
- D. **Staff attended a meeting on October 19, 2016 with the Jupiter Farms Shopping Center Property Owner's Association (POA) and a representative of the Calvary Chapel Church of Jupiter. The meeting was held due to an item shown on their site plan concerning an equestrian access across Canal 1. The POA requested guidance from SIRWCD on this item. Staff will be prepared to update the board on this item at this month's meeting.**
- E. 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.
- F. We continue to receive, review, and comment on various permit applications for projects to be constructed within the District.
- G. 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.

Preamble to Road Paving Policy

After completing the 18th Plan of Improvement and working on the 19th Plan of Improvement, I have come to the conclusion that these Plans of Improvements are taking too much Staff time and Board Meeting time. Our District needs to refocus on water control especially our secondary water control system. As time progresses, we need to ensure our quality of surface water runoff remains in the acceptable levels as it has in the past. We need to stop spending so much energy and time concerning whether a dirt road gets paved or it remains a dirt road.

Under the proposed policy, all funds to cover the costs will be required prior to paving and landowners not wanting the improvement are not required nor can be forced to pay for the improvement. There are other Special Districts that use this policy for paving.

Steve Hinkle

SIRWCD - Enhanced Stabilization (Paving) Policy

I. PURPOSE

To create a systematic procedure for South Indian River Water Control District's Landowners to apply for road surface upgrades on "District Roads" (no more than ½ mile in length).

II. PROCEDURE

The South Indian River Water Control District Board of Supervisors hereby establishes the following:

1. A simple majority or more of the property owners must agree to have the road paved.
2. No roadway will be considered for paving unless the drainage swales and road base are considered suitable for paving by the District's Operations Manager and Engineer.
3. Paving shall be in accordance with the design and specifications approved by the District Engineer.
4. Should a roadway need additional work, the owners may:
 - a. Pay the additional costs of these improvements in addition to the paving.
 - b. Wait until the roadway has been completed as part of the District's road operations and maintenance program approved by the Board of Supervisors.
5. The Board of Supervisors approves the Petition after Staff review.
6. The District shall receive 100% of the cost of paving (grading, asphalt, spreading, rolling, etc.) in advance of the work being undertaken.

III. ADDITIONAL CONSIDERATIONS

1. The District shall consider no more than five (5) petitions for paving within a Fiscal Year. This limitation is imposed based on current Staffing and workload considerations. Additionally, petitions may not be considered until the following Fiscal Year due to work schedules.
2. There will be no financing from the District.
3. Petitions are only for one road.
4. The funds will be held in escrow in a noninterest bearing account until all costs are collected. If all funds are not collected within a year of approval, funds will be returned less administrative/staff fees incurred by the District.
5. Those landowners who do not want the improvement are not required nor can be forced to provide funds.
6. District Roads do not qualify for traffic calming devices after paving.
7. Paving a road does not abandon or reduce the annual road maintenance assessment on landowner's Non Ad Valorem taxes.