



# 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](http://www.sirwcd.org)  
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## Board of Supervisors Meeting & Zoom Video Conference

May 16, 2024 – 6:00 pm  
District Work Center  
15600 Jupiter Farms Rd., Jupiter, FL 33478

### Board Meeting Agenda

- 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
- 5) Treasurer's Report
- 6) Manager of Operations Report
- 7) Engineer's Report
  - A) Palm Beach Country Estates Paving/No Paving Petitions
  - B) Canal C Project
  - C) 20th Plan of Improvements
  - D) Modeling Palm Beach Country Estates Drainage Study
  - E) Asphalt Overlay of Haynie Lane and Palm Beach Country Estates (Pink Roads)
  - F) Storm Debris Removal Contract
- 8) Attorney's Report
- 9) Old Business
  - A) Appointment of Executive Director
- 10) New Business
- 11) Adjourn

## Public Information Monthly Report May 2024

**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 Supervisor Meeting (May 16) release

The following items were updated or added to the website:

- 1) Multiple copy changes on numerous pages
  - Statistics, Board Meetings, Latest News
- 2) Monthly Meeting (Mar. 21) minutes
- 3) Board of Supervisors Monthly Meeting (May 16) information and Zoom registration invitation
  - Agenda, staff reports and slide presentation

Attended Monthly Meeting (April 18) at District Office.

**We are beginning work on a newsletter that will introduce the new Executive Director to landowners. It will also include information on Jennifer Hammond and Dustin Fazio, as well as pictures from the 30th Annual Landowners 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. 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 last quote received in September of 2022 had increased almost \$1,000 from January. 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 Americans with Disabilities Act compliance. As per Ms. Kennedy's request, we spoke with Todd Wodraska at Special District Solutions to ask whether they offered website creation and hosting for special districts. As a company that creates, manages, and provides administrative and financial services, they do provide website hosting through GoDaddy and use a stock WordPress template for the companies they manage. They said that it hasn't been done before but they could provide a quote to allow us to use their template and host on their server, however this is something the District can do on its own. **We will be discussing website options with the committee.**

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. 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. The board approved the Procurement Policy section separately in January.

Changes to Chapters 7 and 8 were made by Engineering and were forwarded to the committee for review in April 2023. We received responses in May 2023, and these were incorporated into the manual. The manual was updated with an interactive Table of Contents and formatted to prepare for accessibility.

We prepared and sent out an overview of all the items/comments that still need to be addressed by staff on November 1, 2023. In addition, we have been working with the committee on a list of additional definitions for possible inclusion in the manual. Revisions and additions to the manual regarding the Executive Director and Supervisor of Operations job descriptions were made and the Manager of Operations title has been replaced throughout the rest of the manual with the Executive Director title. Staff held a Zoom meeting on January 10, 2024, to discuss all outstanding questions and comments in the

manual, revisions were made, and the revised draft was sent to the committee for final review prior to being sent to the rest of the Board. The Board received the updated draft, which now exceeds 100 pages on January 16, 2024, and to allow time for a thorough review, a date of February 15, 2024, was set for approval by the Board. After receiving no comments or revisions from the Board, the final updated version of the Policies and Procedures Manual was adopted. We worked on the remediation of the PDF version of the Manual for posting on the website and created a Policies and Procedures webpage. We also updated the Culverts and Permits webpage to reference the Manual per request by Robert Eustice at AECOM. **We continue working on recreating the engineering drawings in the Appendix in a format that can be remediated. We are adding the “No-Pave” petition with the April 18, 2024, Board-approved correction to the Manual.**

Susan Kennedy, Karen Brandon, and Donna DeNinno held a January 2022 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.**

The premier of the Drainage in the District Video was shown at the Annual Landowners' Meeting in September 2022, and links to the video on YouTube were provided to community social media. **The YouTube video has received 491 views and 13 likes as of May 8, 2024.** The video was also run on the Jupiter Farms Resident's website with 389 Post Reach, 428 Post Impressions and 25 Post Engagement with 7 likes. Reach describes the number of unique users who have seen the content, Impressions describe the total number of times your content has been served by the platform, and Engagement is the action that people take on the Facebook Page. The most common are likes, comments and shares.

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 May 2024  
CC: Staff  
Date: May 16, 2024

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### **Routine Business**

- 1) The district received a total of \$5,726,326 in current assessments receipts from the Palm Beach County Tax Collector through April 2024.
- 2) We Have fulfilled all of the requests for documents of District Auditors in preparation of the 2023 Audit.
- 3) We met with the chairman and Mr. Kennedy to discuss his compensation package. We worked with the District's Attorney to draft a proposed agreement to be presented to the Board at their meeting. A copy of the agreement is included with this memo.
- 4) The Interim Budget Report through March 31, 2024, will soon be completed. Upon completion, work on the 2024-25 budget will be started.
- 5) 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.)
- 2) The compensation package for the Executive Director will be presented for the Board's consideration.



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## Memorandum

TO: Board of Supervisors  
FROM: Manager of Operations  
SUBJECT: Manager's Report for April 12, 2024 to May 9, 2024  
DATE: May 9, 2024

### 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) Reviewed Mechanic's maintenance log for April.
- 4) Murray Logan began repairs on C-2 and C-14 control structures.
- 5) On Grade Excavating mulched approximately two miles of invasives on the West Borrow Canal.
- 6) Phone conversations with North Florida Emulsions related to Rocky Pines micro-overlay. (**Board Update**)
- 7) Meeting with Board President and Palm Beach County Road and Bridge to discuss commercial vehicle parking within the District.
- 8) Email conversations with Egret Landing property managers concerning the lakes' low water levels and maintenance responsibilities.
- 9) Began training and enrollment of three employees into Commercial Drivers License school (Class A).
- 10) Met with Engineers for structural inspection of Canals A, C, D, and E weir structures.

### Water Control

- 1) Received 1.24 inches of rain in this reporting period.
- 2) Crews installed 11 driveway culverts, prepped swales for two new construction culvert installations, inspected one driveway culvert, and installed two temporary construction culverts.
- 3) Terra Tech continues canal spraying for aquatic weed control.
- 4) Crews continue to inspect landowner driveway culverts for replacement and drainage swales for recontouring.
- 5) Crews continue to inspect and replace inoperable drainage culverts throughout the District.

## **ROAD MAINTENANCE**

- 1) Roads continue to be box bladed every other week or as needed with the dry and dusty conditions.
- 2) Road recontouring has ceased due to dry conditions.

*Dustin Fazio*

Michael Dillon  
Manager of Operations

## Memorandum

To South Indian River Water Control District  
Board of Supervisors

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CC

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Subject Engineer's Report for April

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From Karen D. Brandon, PE, District Engineer

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Board Meeting  
Date May 16, 2024

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

### I. Current Capital Improvements And Other District Projects

- A. Staff has executed a contract for the surveying of Canal C. Survey has been obtained. Staff prepared design cross sections and preliminary plans for the permit applications to expand and relocate Canal C to allow for maintenance on both sides of the canal. Staff also investigated the ownership of Canal C and has attended a meeting with South Florida Water Management District to discuss permitting. Per Board direction, staff submitted a Loxahatchee River Preservation Initiative grant application for this project and was ranked on August 9, 2021. Staff submitted the House of Representatives forms for submission to the Florida Legislation for consideration. In addition, staff has reached out to the Florida Department of Environmental Protection to discuss permitting. Notification was received March 9, 2022, that Legislative funding was approved for the Canal C project in the amount of \$312,500 for Fiscal Year 2023. Staff is also researching the U.S. Army Corps 404 Permitting and the delegation to Florida Department of Environmental Protection. It is anticipated that the project will qualify for an exemption for stormwater maintenance. 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 them requesting confirmation of qualification as an exemption or "No Permit Required". The Florida Department of Environmental Protection has requested completion of a Waters of the United States form followed by a site inspection for verification. Staff was notified by the Florida Department of Environmental Protection 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 Florida Department of Environmental Protection 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.

A site inspection was held with the Florida Department of Environmental Protection permit reviewer on April 4, 2023. The reviewer, David White, was still unsure as to which permit route – No Permit Required, Exemption, or General Permit will be required. He will review historic aerials and discuss with his manager. He also requested the fill quantity up to the top of bank. He now has a much better understanding of the project.



Staff has followed up with the Florida Department of Environmental Protection reviewer via email to request a decision on the required permit. On June 21, 2023, staff received an email from the reviewer stating that he has reviewed the Waters of the United States information and the additional historic aerials provided and will be drafting a No Permit Required letter for review and signature by his management.

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

The Florida Department of Environmental Protection Grants office is currently working to finalize the Grant Agreement. Arlene Acevedo has been assigned as the Project Manager for this Agreement.

South Indian River Water Control District received the Grant Funding Agreement from the Florida Department of Environmental Protection for execution on May 2, 2023.

The Grant Funding Agreement was fully executed on May 18, 2023, and the first quarterly Progress Report was submitted to the Florida Department of Environmental Protection on July 17, 2023. The Bid Documents are being prepared to advertise the project for bidding.

The construction contract was advertised for bids on November 19, 2023, with bids due on December 21, 2023. We have contacted four contractors and emailed bid documents. We will follow-up with phone calls as well.

Two bids were received on December 21, 2023. The bids came in very high. Staff has discussed options with the Florida Department of Environmental Protection Grant Manager. A meeting is scheduled with the low bidder on January 16<sup>th</sup> to discuss reducing the scope of work.

A meeting was held with the low bidder on January 16<sup>th</sup> to discuss reducing the scope of work. They were interested in doing a portion of the work to allow the District to utilize the grant funding. At this time, we are awaiting their response.

The low bidder, Rio-bak, is interested in performing one-third of the work. Staff is working with the Manager to decide which segment gives the District the best value. The canal water levels remain abnormally high for this time of year. The contractor will need to wait until conditions dry out.

Staff has reviewed the canal sections and cut/fill quantities and determined the one third segment to move forward with. Rio-bak is pricing out their cost based on the original bid unit costs for District review by April 19, 2024.

**Rio-bak submitted their revised bid. Staff has adjusted the scope slightly and reduced the contingency from 10% to 5%. The revised documents have been sent to Rio-bak. Once they are signed, staff will proceed with issuance of a Notice of Award.**

- B. The funding for the 20th Plan of Improvements has been received from the landowners. The next step is for the Engineer to prepare the Amendment for the 20th Plan of Improvements.



The draft 20th Plan of Improvements is being reviewed by legal, the Treasurer and staff. The draft Plan of Improvement will be submitted for Board consideration at the May Board meeting. The 20th Plan of Improvements was approved by the Board at the June meeting.

Legacy Survey, who proposed the lower price for the survey work, has been delayed in uploading their documentation required to get approved by our Procurement Dept as a subcontractor. We spoke with Legacy most recently on August 8, and they were working on the submittal. As soon as they are approved in our system, a purchase order will be issued to Legacy so that the survey work can proceed.

Legacy Survey has been approved in AECOM's Procurement system, the survey Task Order has been sent to Legacy for execution and the survey work is tentatively scheduled for October 18, 2023, weather permitting.

Legacy Survey provided the survey data on October 31, 2023. The construction plan sheets are in the process of being set up for the engineer to prepare the design.

The bid documents have been drafted and the engineer is in the process of finalizing the design. As the contract documents are finalized, a permit application will be submitted to Palm Beach County.

The project was advertised for bids on February 4th. Bids were due on March 7, 2024.

The bid opening was held on March 7, 2024. Only one bid was received for the project and it was considerably higher than the original estimate. Staff is in discussions with the contractor to see if they are willing to negotiate a lower cost.

Since only one bid was received, the project was advertised for bid again on March 31, 2024, with bids due on May 1, 2024.

**The bid opening was held on May 1, 2024. Two bids were received, which are higher than the bid received on March 7. Staff has been in discussions with the landowner who filed the petition and the District Attorney.**

- C. The Drainage Study for Palm Beach Country Estates was approved at the June Board meeting. The first task is to complete the survey work, which has been delayed in getting started.

Legacy Survey has been approved in AECOM's Procurement system, the survey Task Order has been sent to Legacy for execution and Legacy is in the process of scheduling the work. Once started, the work should take two months to complete.

Legacy Survey began the survey field work on November 20, 2023, and the final survey data is expected to be delivered by the middle of February.

Legacy Survey is working to complete the survey deliverables, including the canal cross sections. They are expected to be done next week.

Legacy Survey has submitted the topographic survey and AECOM has begun delineation of the subbasins. The next step will be to develop the other basin input data.

**AECOM has begun developing the model input from the survey data.**

## II. Operation And Maintenance

- A. Bid documents were prepared and an Advertisement for Bids was published on February 4, 2024, for the asphalt overlay of approximately 2.45 miles of roads including: Haynie Lane from south of 167th Place North to Randolph siding Road, 145th Place North, 64th Way, 65th Way, 66th Trail North, 67th Trail North and 68th Drive North. The bids are due by March 7, 2024.

The bid opening was held on March 7, 2024. Four bids were received for the Asphalt Overlay project. The bid submittals are under review for responsiveness.

The final contract documents are being reviewed by the District Attorney.

**The final contract documents were sent to JW Cheatham for their execution and submittal of the bonds and Certificate of Insurance (COI). With one modification to the COI, the Contract will be ready for execution by South Indian River Water Control District.**

- B. The Storm Debris Removal Contract was advertised for bids on March 10, 2024. The bid due date was extended to April 22, 2024, in response to one of the current contract holders. We anticipate awarding contracts at the May Board meeting.

Four bids were received on April 22, 2024. Staff recommends awarding contracts to the lowest three (3) bidders.

- C. **South Indian River Water Control District received an email notification that our 2023-2024 Annual Report is considered complete and has been accepted by Florida Department of Environmental Protection. The next meeting is scheduled for May 15 and 16, 2024, and will be the Florida Stormwater Erosion and Sediment Control Inspector Training Certification Course.**

- D. 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.

- E. Staff had a conference call with South Florida Water Management District staff members Beth Kacvinsky and Jeff Buck on February 10, 2022, to discuss the G-92 Agreement between South Indian River Water Control District and South Florida Water Management District for operation of the structure. Beth will discuss with South Florida Water Management District operations staff and others to initiate the process of developing an updated agreement. Staff received an email with flow graphs for G-92 on March 9, 2022, for review. An update on the status of internal discussions at South Florida Water Management District regarding a new G-92 agreement was requested on March 11, 2022.

Staff attended the Palm Beach County Water Resources Task Force Meeting on March 31, 2022, and had the opportunity to speak with Jennifer Reynolds, who is the Director of Ecosystem Restoration and Capital Projects for South Florida Water Management District. The South Florida Water Management District is proposing to amend consumptive use permitting criteria to protect water made available by the Loxahatchee River Watershed Restoration Project. This water resource protection is a prerequisite for the South Florida Water Management District signing a Project Partnership Agreement with the US Army

Corps of Engineers for the Loxahatchee River Watershed Restoration Project by September 2022. Ms. Reynolds is not authorized to begin drafting agreements, such as the new G-92 Agreement, until after the rule is final. Staff reached out to Jeff Buck on December 2, 2022, to request an update as to when South Florida Water Management District will be ready to start discussing a new G-92 Agreement.

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 District 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.

Staff requested an update from Jeff Buck on August 10, 2023. A detailed update was received from Jeff Buck and included in the Annual Report of the Engineer.

- F. 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 has made revisions in response to the comments received from Board Members and resubmitted to the Public Information Officer.

Staff is reviewing edits to address comments regarding inclusion of the standard Driveway Culvert details. The Driveway Culvert detail and some potential policy inconsistencies are still being researched and discussed with staff.

Final edits and responses to comments were submitted to Public Information and Legal and a call to discuss finalization of the Policy and Procedures Manual was scheduled for January 10, 2024. The Board adopted the final version of the Manual at their February 15, 2024, meeting.

- G. Staff was contacted by the Palm Beach County Building Dept regarding the Policy and Procedure Memorandum for Regulation of Lot Filling and Grading Activity. As a result of comments from both homeowners and contractors, they are considering making some changes. The Engineer for Indian Trail Improvement District is going to suggest some edits based on the Village of Wellington's policy and send them to South Indian River Water Control District to review.

The Engineer for Indian Trail Improvement District forwarded some suggested edits based on the Village of Wellington's policy to South Indian River Water Control District, and the revisions are under review.

- H. We continue to receive, review, and comment on various permit applications for projects to be constructed within the District. Additionally, we attend site meetings and inspections related to permit applications and landowner requests.



- I. 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.

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