



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 Monthly Meeting & Zoom Video Conference

March 20, 2025 – 6:00 p.m.
District Work Center
15600 Jupiter Farms Rd., Jupiter, FL 33478

Board Meeting Agenda

- 1) Call to Order
- 2) Consent Agenda
 - A) Approval of Minutes of Previous Meeting
 - B) Approval of Warrant List
- 3) Landowner Items
- 4) Public Information Report
 - A) Policies and Procedures Manual
 - B) Landowners' Family Day
 - C) Website Update
- 5) Treasurer's Report
- 6) Executive Director's Report
 - A) Trailwood Update
 - B) Solid Waste Authority Update
 - C) Driveway Culvert Replacement Fee
- 7) Supervisor of Operations Report
- 8) Engineer's Report
 - A) Canal C Construction Update
 - B) 20th Plan of Improvement Update
 - C) Palm Beach Country Estates Modeling Update
 - D) Busch Wildlife Update
 - E) Water Quality Update
- 9) Attorney's Report
- 10) Old Business
- 11) New Business
- 12) Adjourn

Public Information Monthly Report March 2025

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 (Mar. 20, 2025) release
- 2) Social Media invitation to Family Day

The following items were updated or added to the website:

- 1) Multiple copy changes on several pages
 - Statistics, Board Meetings, District News, Latest News, Road Construction, Culverts and Permits
- 2) Monthly Meeting (Jan. 16, 2025) minutes
- 3) Landowners Family Day
- 4) Board of Supervisors Monthly Meeting (Mar. 20) information and Zoom registration invitation
 - Agenda, Staff Reports and Slide Presentation

Attended monthly Board meeting on Feb. 20, 2025, at District office.

Ms. DeNinno attended a Teams meeting on March 13, 2025, with the Executive Director, Mr. Fazio, and Mr. Eustice.

The winter newsletter was mailed to the landowners. It included the Executive Director's and Engineer's Annual Reports, election results and appointment of an interim Board Supervisor, referendum results, Mr. Kennedy's and Ms. Hammond's professional certification, a hurricane overview, and the 31st Annual Landowners Family Day invitation.

We continue to work on the 31st Annual Landowners Family Day scheduled for March 15, 2025, from 11:30 am to 2:30 pm. McCray's Backyard BBQ will provide lunch this year. The Tom Jackson Band will provide music and for the kids, we have secured Cock-a-Doodle-Do and Jupiter Bounce. The following exhibitors have sent in their forms to attend – Florida Forest Service, Furry Friends, Jupiter Farms Residents, OneBlood, Palm Beach County Department of Environmental Resources Management, Palm Beach County Fire Rescue, Palm Beach County Library, Palm Beach County Fire Rescue, Palm Beach County Sheriff's Office Citizens on Patrol Volunteers, Riverbend Park, Safety Council of Palm Beach County, and Solid Waste Authority of Palm Beach County. As we have done in the past, we publicized the event in local community publications, as well as social media with custom invites.

After discussion at an earlier Teams meeting, we completed a comprehensive review of the existing District website in preparation for the development of a new ADA accessible website. An overview was then prepared for committee and staff review of any needed updates and revisions to current content, potential new content, and compliance with statutory requirements. A navigation outline

and current content on all pages of the website was prepared and disseminated to the team. We updated some content and verified/updated all external links on the site from an accessibility standpoint. Staff, the Executive Director, Mr. Howard, and Mr. Meyer are currently reviewing the overview.

On March 13, 2025, we attended a Teams meeting where a Standard Operating Procedure was discussed for handling permit-related emails. This will provide data for potential new forms for the website such as permits, work orders, inspection requests, etc. In addition, we have already discussed, and it has been approved by the board, to do the necessary surveys and work to create a GIS mapping account and eventually provide a link from the website.

We have been in ongoing discussions with two potential service providers – CivicsPlus and Streamline. Both companies offer the creation and hosting of government ADA-accessible websites. We are awaiting updated prices from both, but it appears that both have lowered their pricing over previous estimates. This information will then be provided to Mr. Kennedy and the committee for consideration.

We also plan to take new photographs throughout the District for use on the new site. We hope to have the new site up and running within the next 3 to 4 months.

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 added the “No-Pave” petition with the April 18, 2024, Board-approved correction to the Manual. The Manual has been temporarily uploaded to the website while we continue to remediate the PDF file. We have completed the remediation of the engineering exhibits, which are currently under review by the District Engineer for the accuracy of alternative text for the illustrations (required for accessibility). We are also currently recreating the forms included in the manual to be ADA accessible. The road paving petition that was approved at the January 16, 2025, meeting has been added to the manual. The Executive Director and Policies and Procedures committee have reviewed additions/revisions to the manual, as well as an updated proxy form, and they were sent to the Board for review and approval at the February meeting. **We implemented the approved revisions in the master document and copies were sent to all Board members and Staff for their files. In addition, we have put a temporary copy on the website while remediation of the document is being done.**

The premier of the Drainage in the District Video was shown at the Annual Landowners’ Meeting in September 2022, and links to the You-Tube video were provided to community social media. **The video has received 671 views, 12 likes, and 4 subscribers as of March 12, 2025.** The video has also been run on Jupiter Farms Resident’s social media a number of times, which has increased views.

We continue to work with Mr. Howard, Ms. Kennedy, the Executive Director, and Supervisor 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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Treasurer Monthly Report – March 2025

To: Board of Supervisors

From: Charles F. Haas, Treasurer

RE: Treasurer's Report for the March 20, 2025 Board Meeting

CC: Staff

Date: March 20, 2025

Routine Business

- 1) The District has received eight distributions of an expected twelve from the Palm Beach County Tax Collector's Office for Fiscal Year 2024-25. We received \$5,211,220 from these distributions. This represents 91% of the expected receipts, which is slightly better than the previous year.
- 2) We continue with the year-end close in preparation for 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: Executive Director
SUBJECT: Report for February 12, 2025, through March 12, 2025
DATE: March 12, 2025

Policies and Procedures

The Executive Director requests that the Board of Supervisors consider increasing the District's Driveway Culvert Replacement program fee to cover the cost of material. The updated attached form reflects current costs in strikethrough text and the proposed cost increase changes. The cost increases are based on actual material purchase prices. District staff and equipment time is not charged to the culvert replacement landowner.

NOTE: Driveway culvert replacement work done by an independent contractor in the District has a cost of roughly \$3,700.00 and up. Despite the cost increase, the District is continuing to provide a significant financial incentive for landowners to replace driveway culverts that constrain the District's stormwater flow.

Storm Recovery

The U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) funds for the damage to the South Indian River Water Control District's Emergency Watershed Protection (EWP) related to Hurricane Milton have been "frozen" by Presidential Executive Order.

In late March and early April, District Staff will conduct the "in-house" removal of vegetative obstructions in the canals of Jupiter Farms based on risk priority.

Administrative

A) Creation of Cell Tower Fund

Staff seeks Board approval to establish the "Cell Tower Fund" to be used for the purpose of supporting the South Indian River Water Control District Board of Supervisors sanctioned activities with the understanding that the District Treasurer and Executive Director will manage the fund according to its established guidelines and distribute funds as needed to obtain grants that act as a financial force multiplier to conduct activities that are aligned with this District's purpose. It is important to document that the source of this money was from the Cell Phone Tower sale and was not generated from assessments.

Establishing and managing the Cell Tower Fund is a crucial aspect of financial planning that can offer significant benefits for the District and its landowners. The Cell Tower Fund will provide a structured way to manage this financial asset as it is distributed according to specific needs of the District and as determined by the Board of Supervisors. The Cell Tower Fund can be instrumental in providing for future infrastructure improvements while reducing the need for landowner assessments.

Fund Guidelines

The fund will be restricted to endeavors that result in the funds being matched, reimbursed, or increased by 15% or more when used within the District's authority to benefit the landowners of the District. The Cell Tower Fund monies are intended to be used as a financial force multiplier, for example Cost Share. Cost Share or "match" and "non-federal share," or? "non-State share" is the portion of the costs of a federal or state assisted project or program not borne by the State or federal government. Cost sharing augments use State or federal funding to increase the project's impact. It also ensures that recipients, like the District, have a financial stake in the project's success. The assets in the fund will be separately accounted.

Cost share contributions must be specified in the project budget, verifiable from the District's records, and necessary and reasonable for proper and efficient execution of the project. Every cost share contribution must be reviewed and approved by the District Treasurer and Executive Director in advance and by the Board of Supervisors, prior to being incorporated into the project budget and before any fund expenditures are incurred.

B) District Annual Audit

The District is currently in the process of the Fiscal year 2024-25 audit conducted by Grau & Associates.

C) District Treasurer

The District Treasurer uses generally accepted accounting principles to track, document and submit the District's annual financial report for the previous fiscal year in a prescribed format. Last year the Treasurer participated in several unique actions beyond the normal District Treasurer scope of work. Attached is a memo from the Treasurer dated January 13, 2025, to document the "non repetitive services" which resulted in increased costs to the District.

Outreach

- A) The Supervisor of Operations participated in the March 11th Jupiter Farms Residence Meeting.
- B) The Office Administrator and Executive Director will meet with the Safety Council of Palm Beach County on Wednesday March 19th, to discuss risk reduction and insurance cost savings initiatives.

Human Resource Management

The Executive Director, the Supervisor of Operations, and the Office Administrator are continuing to draft comprehensive updates to the Employee handbook. The draft document will be shared with the Policy Committee prior to going to the Board of Supervisors.

Infrastructure and Equipment

- A) On March 2, 2025, The Board of Supervisor's President Mike Howard, Palm Beach Country Estates Landowners Association, Inc. representative Bob Berman, the District Engineer, Supervisor of Operations, and the Executive Director conducted an inspection of the stormwater conveyance and drainage system for Palm Beach Country Estates, Egret Landing, and Jupiter and the Park of Commerce. As a result of the inspection, the District reached out to the Florida Department of Transportation via email on March 12th, requesting maintenance, erosion excavation, and downed tree removal, within the I-95 and Turnpike stormwater systems.
- B) On Friday, March 7, an inspection of the South Indian River Water Control District Section 7 Drainage Improvement Project, a Florida Department of Environmental Protection grant project, was conducted. The project inspection was initiated by the Executive Director in response to concerns raised by a Section 7 area landowner during the February Board of Supervisors meeting during the public comment portion of the agenda. The Executive Director had several discussions with the landowner regarding his concerns. As a result of the landowner comments being taken very seriously by the Executive Director, who is a Florida Certified Contract Manager, the grant language, contractual agreements, financial documents, written records, and email correspondence were reviewed in detail. Because the project work was concluded prior to the Executive Director being hired, interviews were conducted specifically to the project with District staff that worked on the project, professional engineering staff, and the Florida Department of Environmental

Protection's grant management supervisor. The result of that investigation is that no irregularities or deficiencies were identified by the District's Executive Director for the activities conducted by the District for the Section 7 grant.

The landowner also expressed his concerns to the Florida Department of Environmental Protection who initiated an investigation conducted by Florida's Inspector General. The Inspector General investigated the landowner concerns and did provide recommendations to the Florida Department of Environmental Protection to reach out to the District to obtain the Section 7 project's "As-Built" drawings to complete the DEP file. As-built drawings are illustrations that show all the minor and major modifications made by the contractor to the original drawing to provide an exact rendering of the project. The District complied with the DEP request within 48 hours and submitted the drawings. With that additional information submitted, the Inspector General closed the investigation. Please see the attached letter dated January 13, 2025.

- C) The Trailwood Community Homeowners Association and the District have continued discussions about their stormwater discharge into Canal 2. The gravity discharge pipe from Trailwood into District Canal 2 is heavily corroded and has been deemed a threat to the stability of the levy. The conversations between the Trailwood Homeowners Association, and the District professional staff have resulted in a mutual understanding on a path forward, which includes District replacement of the corrugated metal pipe and installation of a "flap valve" valve or flap gate on the Canal 2 end of the culvert to prevent water back flowing into the Trailwood community. A flap valve is a one-way valve installed at the open end of a culvert. It allows water to flow out while preventing backflow from entering the system. The valve automatically opens when water is flowing and remains closed when no water is present. The Trailwood Homeowners Association will provide funding to install a replacement riser structure on their side of the levy to ensure discharges are consistent with their permit. The Trailwood Homeowners Association will be providing the District with a temporary construction easement to do the work on their portion of the site. It is important to know that this work is a maintenance activity and will not provide additional flood protection for that community. Review of the historic records indicate that the Trailwood site was constructed at elevations below what the District Engineer suggested prior to it being constructed. The Trailwood area requires a stormwater pump station to provide flood protection for storm events that do not allow gravity flow discharge.
- D) The vegetation clam shell damage caused by Solid Waste Authority contractors at over 1,200 locations along roadsides within South Indian River Water Control District is still in negotiation. The damage destabilizes roads, creates erosion, and has an adverse impact on water quality.

On March 11th the District received an email from the SWA offering:

"...to deliver a load of fill to a location of your choosing, which your team can then use to repair the swales. Due to the extended period these damages went unreported, Waste Pro is denying responsibility for the damage. Their position is that, without a timely report, there is no way to confirm their truck caused the damage, as other factors, such as private clam truck services, could have contributed.

That said, they are willing to provide the fill material as a goodwill effort. As we discussed in our previous meeting, we need to establish a long-term solution moving forward. Continuing to attribute swale damage to the hauler without timely reporting is not a sustainable approach. If residents notice damage, they must report it promptly so that we can address repairs accordingly. If they do not report it, they are inherently accepting some level of responsibility for the issue. Moving forward, retroactively assessing swale damage and assuming the hauler is responsible will no longer be a viable option. Please review the findings and let me know how you would like to proceed."

- E) The District Vegetation Management contract is designed to reduce the amount of chemicals used within District canals while maintaining maximum stormwater conveyance. To economically encourage an overall reduction in the use of herbicides (pesticides) the existing contract is based on maintaining a designated percentage of submerged and emerged vegetation in District canals and the treatment compensation is based on that performance. This method of vegetation management provides an economic incentive for the licensed

herbicide contractor to minimize the use of herbicide by keeping the treatment area in a “maintenance” condition. Decades of experience and technical research have taught the Florida plant management agencies that maintaining aquatic weed species at low levels is the most environmentally sensitive method for managing these serious flow obstruction problems. Maintenance control is the coordinated and consistent management of aquatic plants to maintain the plant population at low levels. This level is determined by the District, in conjunction with consultation with South Florida Water Management District, and decisions are influenced by factors including funding, available technology, and current conditions.

- F) The Supervisor of Operations and Executive Director have been working closely with the District Engineer to acquire Geographical Information Systems instrumentation to enhance the field staff ability to identify easement lines, elevations, and generate data to help with identifying and prioritizing the required maintenance within the District. Focus areas where Geographical Information Systems technology will be used include restoring road crest elevations, documenting culvert condition and elevations, and realigning and recontouring canals. The Geographical Information Systems hardware has been obtained, and the District is currently waiting for the software. The Executive Director is encouraging the District Engineer to provide an informational briefing about the use of Geographical Information Systems to the Board of Supervisors during the April meeting.

William C. Kennedy

William Chad Kennedy
Executive Director



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District Roads Driveway Culvert Installation Agreement

Installation Date: _____

1. Name (Please print): _____ Date: _____
2. Address: _____
3. Phone: _____ Email: _____
4. Select the number of culverts to be replaced: _____ (1) _____ (2)
5. Indicate what type of surface exists over existing culvert: _____ Concrete or Asphalt (**see below) _____ Pavers _____ Shellrock/Gravel
6. Indicate how many culverts you currently have _____ and *initial below* if the following apply:
_____ **There is a fee of **\$100.00** to cut, remove, and haul away the concrete or asphalt over the surface of the culvert.
_____ **There is a fee of **\$100.00** to cut or miter a 40' pipe into a smaller size.
7. Will a permanent surface (asphalt or concrete) be poured over the new culvert? _____ Yes _____ No (If yes, see *Limited Installation* below.)

A *Basic Installation* includes an 18" x 20' (up to 40' allowed) steel culvert pipe, rip rap headwall and sod where needed around the culvert. **Fill dirt needed to cover the pipe must be supplied by the landowner and on-site at the time of the installation.**

_____ \$1000.00 for each basic 20' culvert installation _____ \$2000.00 for each basic 40' culvert installation

A *Limited Installation* includes an 18" x 20' (up to 40' allowed) steel culvert pipe. **Poured surface, concrete headwall, and sod are the responsibility of landowner. Prior to pouring the driveway, landowner must schedule an inspection and show proof of County permit.**

_____ \$900.00 for each limited 20' culvert installation _____ \$1900.00 for each limited 40' culvert installation

Please read and initial each statement below:

- _____ I understand that this driveway culvert installation should not be used to allow access to my property by construction vehicles. In the event I need to allow access, I will contact the District office for a temporary culvert pipe.
- _____ I understand that I need to contact **Palm Beach County** to apply for a permit if I decide to cover my driveway with a permanent surface such as Concrete, Asphalt, Pavers, etc.
- _____ I understand that I am responsible for any additional material needed to cover the purchase of a **larger** culvert pipe. I will have the material delivered no earlier than the day before my scheduled installation and placed directly in the swale where the location is marked. Failure to do so could result in my installation being rescheduled to the next available date.
- _____ I understand that I am responsible for marking the requested location of the culvert installation within my existing swale (e.g. flags, spray paint, landscape stakes, etc.) and that failure to do so could result in my installation being rescheduled to the next available date. Culverts must be 5' or more away from the property line and a minimum of 35' from the edge of the travel lane at a residential intersection.
- _____ I also understand that maintenance of the culvert is my responsibility, and I have received maintenance instructions. (*See back of form.*)

I agree to the terms and conditions set forth by South Indian River Water Control District.

Agreed (Landowner Signature): _____ Check#: _____ Amount Paid: _____

For office use only:

Rip-Rap Used _____

Sod Used _____

Employee Initials _____



Maintenance of Your Driveway Culvert

Driveway culverts, when fully functional, provide proper stormwater runoff not only for you, but for your neighbors as well. They also aid in draining stormwater from the internal swales to the main canal system.

Maintenance of the driveway culvert is the responsibility of the landowner. That is why regular inspections are important. Landowners must watch for erosion and sediment buildup and clean out the culvert when necessary.

If you're not sure about the condition of your culvert, here is a checklist of things you should look for:

- Signs of erosion around the culvert ends
- Excessive rust build-up of metal culverts
- Cracks or areas that might have settled, leaving a gap between your concrete or asphalt driveway and the culvert
- Sink holes or depressions in dirt driveway at the top of the culvert
- Sediment buildup in the culvert (particularly after a heavy rainfall)

If you notice any of these issues, call the District office at 561-747-0550 to schedule an inspection.

Don't wait until it's too late; check your culverts regularly and report any issues that might require a replacement.

Please contact Palm Beach County at 561-233-5000 to apply for a permit if you decide to cover the driveway culvert with a permanent surface such as concrete, asphalt, pavers etc.



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Memorandum

TO: Board of Supervisors
FROM: Charles F. Haas, Treasurer
SUBJECT: RE: Berman Letter on Treasurer's Compensation
DATE: January 13, 2025

Mr. Berman has made some allegations about my services that I believe require my response.

His letter states: "You could hire a fully qualified, full-time staff person to handle the job for probably less than \$100,000 PER YEAR including benefits." This statement fails to recognize that the services are provided by a three-person team requiring different skill sets, some of which require very specialized knowledge, not only of accounting, but also public finance and special assessment methodology. An individual at the level suggested would have to outsource all of the areas noted as well as the preparation of the annual financial statements.

When the 2023-24 fiscal year budget was being developed in March of 2023, it did not anticipate that there would be some non-repetitive services required. They were as follows:

1. We were tasked with participating in the search for and the selection of the new Executive Director. Following that, we provided services to assist in his acclamation to his position
2. The District was presented with an opportunity to sell its existing lease of a Verizon cellular tower. This unusual and very novel proposal required detailed analysis of the options available. The completed analysis then guided our negotiations, resulting in the District receiving almost \$800,000 for the purchase of this lease. With the option that was adopted by the Board, as recommended by me, it's quite probable that this amount will be doubled over the next 20 years.
3. During the fiscal year 2024, we entered into a project to convert the financial management computer application from a single server-based system to the MIP Cloud service. The benefits of this conversion of reduced downtime, enhanced data security, stronger backup protection and better user interface will be realized over future years.
4. In the fiscal year 2024, we continued to have implementation issues with Palm Beach County Information Services Department. Because of COVID, the individual at the County who had developed this specialized assessment system for us left, citing health issues. Her replacement, after two years, is still learning the nuances of the system thus requiring additional time from us to ensure that the correct assessments are on the individual tax bills. At the conclusion of the last effort, we have developed a new procedure which will decrease the iterative steps needed to complete the process. We are working with the County to agree to the new protocol.
5. One of the integral portions of our service is that we work closely with the South Indian River Water Control District office staff to complete the recording of day-to day transactions and inputting them into the Financial System. During the year, the District was in transition due to a new Office Administrator, who while being very competent, is in the process of acquiring these unique skills. We've been assisting her in her learning efforts. As part

of our guidance, we recognized that some of the existing procedures should be reconsidered. Therefore, we have launched a major examination of these procedures with the goal being that we can reduce the time spent on data capture, as well as the usefulness of these data. This involves the input of the Executive Director, the Superintendent of Operations, and the Treasurer's team.

The cost of professional services is determined based only on the hours invested with the client, as has always been the case with the District. Our approach continues to be that of minimizing the hours necessary to accomplish a task and to shift as many tasks to the District staff as they are capable of handling. This has been an ongoing program, which has resulted in reduced savings and elements of our services and will continue in the future. We note that the last time we requested an adjustment to our hourly rate was in 2002.

I have had discussions with the previous Manager of Operations and the current Executive Director that, as the employee complement is reshaped, they consider strengthening the internal accounting abilities. This is not a critique of the existing individuals; however, they have many duties that are required of them, and as constituted do not have the time to handle significant additional tasks. With the redesign of some of the data capturing procedures, the Cloud-based financial system, and the planned e-payment system, I'm confident that the District's office staff will be able to take on additional duties.

I'm always open to looking at ways in which the Board can best provide resources to the District on an economical basis, I believe that the best avenue for this is through the budget process. Our goal has always been to provide the District with the most cost-effective and professionally responsible services.



FLORIDA DEPARTMENT OF Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Alexis A. Lambert
Secretary

January 13, 2025

Via Electronic Mail

John J. Fumero

Nason Yeager Gerson, Harris & Fumero, P.A.

750 Park of Commerce Boulevard, Suite 210

Boca Raton, Florida 33487

jfumero@nasonyeager.com

Re: Florida Department of Environmental Protection Grant Agreement Number
LPA0220

Dear Mr. Fumero:

This is in response to your October 2, 2024, letter requesting that the Office of Inspector General for the Florida Department of Environmental Protection investigate aspects of Grant Agreement Number LPA0220. The Office of Inspector General has completed its review.

The review determined that while there are a few areas where Department oversight could improve, overall, all funds reimbursed to the Grantee appear to meet the requirements of Grant Agreement Number LPA0220 and that no ineligible costs were paid to the Grantee.

The Department appreciates your attention on this matter and takes seriously its duty to protect Florida's natural resources and be a good steward of taxpayer's money.

Sincerely,

A handwritten signature in blue ink, appearing to read "Justin G. Wolfe", is written over a light blue horizontal line.

Justin G. Wolfe
General Counsel



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Supervisor of Operations Report – March 20, 2025

TO: Board of Supervisors
FROM: Supervisor of Operations
SUBJECT: Report for February 21, 2025, to March 20, 2025
DATE: February 20, 2025

Administrative

- 1) The Supervisor of Operations met with Palm Beach County Environmental Resources Management. The purpose of this meeting was to discuss maintenance activities along sections of the District's Rights-of-Way that are adjacent to Palm Beach County Environmental Resources Management natural areas. Some of these areas contain threatened and endangered plants. Palm Beach County Environmental Resources Management requested that we notify them before any major construction or maintenance. This will allow them to survey and/or remove any sensitive species if needed.
- 2) The Supervisor of Operations was accepted into the Florida Association of Special Districts Certified District Manager Program. This program will take place in Tallahassee this March.
- 3) The Stephen J. Hinkle District Work Center was prepared for the 31st Annual Landowners Family Day.
- 4) The Supervisor of Operations gave an update/report at the Jupiter Farms Residents meeting on March 11th.
- 5) District employee Robert Ford passed their Commercial Driver's License Class A Learners Permit Exam.
- 6) On-site meetings and phone conversations were held with Landowners related to maintenance activities throughout the District.
- 7) The Mechanic's maintenance log was reviewed for March.

Water Control

- 1) The District received 1.54 inches of rain in this reporting period.
- 2) The District replaced one 24" x 40' and four 24" x 30' dump pipes along the south side of Canal C. During the Canal C project, the contractor will band an additional length of pipe to these dump pipes to account for the reshaping and realigning that is taking place.
- 3) Swale elevation, surveying, and swale cleaning operations continue as dry conditions allow.
- 4) Crews installed six driveway culverts, prepared swales for four new construction culvert installations, inspected two new construction culverts, and installed two temporary construction culverts.

- 5) Crews continue to inspect Landowner driveway culverts for replacement and drainage swales for maintenance. If a landowner driveway culvert needs maintenance or replacement, they will leave a door hanger to notify the landowner. Landowners are responsible for the maintenance of their driveway culvert.
- 6) Crews continue to inspect and replace inoperable drainage culverts such as District dump pipes and cross pipes.
- 7) Crews continue to shoot elevations of existing swales and pipes throughout the District to collect data for future projects.

Road Maintenance

- 1) The tree removal crew began their work on District roads in Jupiter Farms. Branches that are too big for the boom mowers are hand cut and removed. The primary objective is to remove branches that are low hanging within road easements. Low branches cause damage to the District's maintenance equipment and slow down maintenance activities. Additionally, these branches can damage cars and trucks as well as boats and campers traveling on the road.

The Vegetation contractor hauled away an estimated 150 cubic yards of vegetative debris from District staging areas on March 11th.

- 2) Road grading is still scheduled weekly for shell rock roads. Grader operators are authorized to do single passes during dry conditions. A single pass combats corrugation (wash boarding) while maintaining road stability.
- 3) Road pull-ins are postponed due to dry conditions.

After a small rain event, the District was able to pull in six roads. Three were located in Jupiter Farms and three were located in Palm Beach Country Estates.

Dustin Fazio

Dustin Fazio
Supervisor of Operations

Memorandum

To	South Indian River Water Control District Board of Supervisors
CC	William Chad Kennedy, Executive Director
Subject	Engineer's Report for February
From	Karen D. Brandon, PE, District Engineer
Board Meeting Date	March 20, 2025

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. 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 23. Staff is also researching the US 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. The Florida Department of Environmental Protection has confirmed that as long as there are no wetland impacts that are in Waters of the United States then a 404/Federal authorization will not be required. Staff submitted a letter to Florida Department of Environmental Protection requesting confirmation of qualification as an exemption or "No Permit Required". The Florida Department of Environmental Protection has requested completion of a Waters of the United States form followed by a site inspection for verification. Staff was notified by Florida Department of Environmental Protection this week that we have been assigned a new permit reviewer. 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 Florida Department of Environmental Protection's decision on the permit required. 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 aerals 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 Florida Department of Environmental Protection 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 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 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 16th to discuss reducing the scope of work.

A meeting was held with the low bidder on January 16th 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. Rio-Bak is finalizing their revised bid. Staff anticipates requesting award of the contract at the June Board meeting.

The Contract was awarded at the June Board meeting. The contract documents have been sent to Rio-Bak for their execution.

Rio-Bak has requested that the Notice To Proceed be pushed back until conditions are drier. The contract documents have been fully executed.

A Pre-construction meeting was held with Rio-Bak on October 24, 2024. It was agreed to postpone the Notice To Proceed until after the first of the year. The construction is anticipated to take 2-3 months, so it should be completed well before the Grant end date of June 30, 2025.

AECOM reached out to Rio-Bak on January 7, 2025, to get their scheduled start date. Rio-Bak agreed to provide a date early next week so that South Indian River Water Control District can issue the Notice to Proceed.

A pre-construction meeting was held on site on January 30th, with the contractor, Rio-Bak. The Notice to Proceed was issued for February 3, 2025. Rio-Bak has mobilized some equipment and is in the process of filing an National Pollutant Discharge Elimination System Construction Permit and temporary dewatering permit from South Florida Water Management District.

Rio-Bak is approximately 50% complete on the project. They anticipate being substantially complete in early April.

- 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 Improvements 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 are 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.

Staff received a request from the landowner who filed the petition to reduce the specification requirements for the road base thickness and the amount of driveway restoration required, in order to reduce the cost of the project.

A conference call was held on September 26, 2024, with the landowner who filed the petition to discuss the engineering and survey fees to date. The 20th Plan of Improvement is on hold pending the Referendum process for the future Plan of Improvement.

The petitioners paid the additional funds needed to the District on February 10, 2025, in order for the project to move forward to construction. Wynn and Sons, the low bidder, is agreeable to signing the contract. A Notice of Award for the construction contract is on the February 20th Board agenda.

The Notice of Award was approved at the February 20th Board meeting. The Contractor, Wynn and Sons, is in the process of executing the documents and securing his Payment and Performance Bonds. A Notice to Proceed is anticipated to be issued for the middle of April.

- 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.

Work is being finalized on the Palm Beach Country Estates hydraulic model. Final Quality Assurance/Quality Control checks and calibration are being performed while the report is being drafted.

The stage data to be used in the calibration has been requested from the Town of Jupiter multiple times, however, has not been received. AECOM is following up again

this week. The report has been drafted for internal review with the calibration section pending.

- D. The Staff is working on updating both the Water Control Plan and the Public Facilities Report to include improvements that have been constructed.

An internal meeting is scheduled on January 13, 2025 to discuss the history, current tax structure, legal requirements and the engineering process for the Water Control Plan.

Drafts of the updated Water Control Plan and the Public Facilities Report are being finalized for distribution and review and comments.

The updated Water Control Plan and Public Facilities Report have been submitted for review by the South Florida Water Management District. The District – Florida Department Of Transportation maintenance agreement will be added as a Public Facilities Report exhibit.

II. Operation And Maintenance

- A. **Staff continues to advance the development and buildout of the Geographic Information System utilizing ArcGIS Pro and the associated Field Collector application. All necessary hardware has been received and configured for use. A purchase order has been issued to ESRI for the required software licenses. AECOM has been actively compiling essential data, including surveys, as-built drawings, and permit information. Once the software licenses are activated and fully operational, staff will begin uploading the compiled data into the Geographic Information System platform for District use.**
- B. Natural Resources Conservation Service Grant Application for Hurricane Damage – A meeting was held on November 1, 2024, with Natural Resources Conservation Service staff at their office in Royal Palm Beach. A draft Damage Survey Report was prepared and presented at the meeting to obtain submitted on November 8, 2024. A few additional comments were received and addressed on November 21, 2024. Once the application has been “approved” by the local Natural Resources Conservation Service staff, it will go to the State Engineer for final approval prior to formal submittal as a request for funding.

The Natural Resources Conservation Service confirmed on February 14, 2025, that the funds approved for the District have been frozen indefinitely through the Presidential executive order.

- C. On November 14th, staff conducted a field visit with the Executive Director and Supervisor of Operations to review site conditions for the design of pre-storm drainage control structures at the west ends of Canal C and Canal E. These structures will improve the operations of the Palm Beach Country Estates drainage network by enabling South Indian River Water Control District to direct water westward through existing connections to the South Florida Water Management District C-18 Canal during pre-storm drawdown, assuming South Florida Water Management District lowers stages in the C-18 Canal, ahead of a major storm. This will provide additional storage capacity within S South Indian River Water Control District’s system and enhance stormwater conveyance during the event.

Staff is currently working on the design of the control structures and has been coordinating with Contech on the control structure gate and walkway.

Staff is preparing a design memorandum describing work completed to date for future use, should South Indian River Water Control District decide to move forward with these structures.

Staff is finalizing the draft design memorandum for submittal to the District for review and comments.

- D. The National Pollutant Discharge Elimination System Annual Report and accompanying Water Quality Assessment Report have been finalized and forwarded to Mock Roos for submittal to Florida Department of Environmental Protection. The next National Pollutant Discharge Elimination System Steering Committee Meeting is scheduled for either April 16th or June 18, 2025, depending on topics requiring discussion.**

- 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.

Staff assisted the Executive Director with preparation of a PowerPoint presentation regarding a grant application for easement surveys and Geographic Information System services for the Loxahatchee River Preservation Initiative meeting on August 5, 2024.

- F. 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 (PPA) 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 National Geodetic Vertical Datum 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 South Indian River

Water Control 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.

- G. Staff was contacted by the Palm Beach County Building Dept regarding the Policies and Procedures Manual 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.

Doug Wise, the Building Director for Palm Beach County, requested that South Indian River Water Control District attend a Palm Beach County Workshop on July 9, 2024. The workshop included a discussion on Stormwater and Floodplain Management.

- 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 Executive Director, 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.