Minutes of the Regular Meeting of the South Indian River Water Control District Held on July 16, 2026

The regular meeting of the South Indian River Water Control District was held on July 16, 2026, at 6:00 p.m. at the District Work Center, 15600 Jupiter Farms Road, Jupiter, Florida, and via Zoom video conferencing. Present in person were Supervisors Susan Kennedy, John Meyer, Tom Powell, and Bob Berman. Also present were William "Chad" Kennedy, Executive Director; Dustin Fazio, Supervisor of Operations; Ryan Grigg, Chief Financial Officer; Charles Haas, Treasurer; Seth Behn, Attorney; Karen Brandon, Engineer; and Donna DeNinno, Public Information. Approximately 13 landowners were present in person. Approximately 7 landowners were present via Zoom video conferencing, as well as Supervisor Beth McElroy; Kyle Wekenmann, Office Assistant; and Robert Eustice, Engineer.

Ms. Kennedy called the meeting to order and the Pledge of Allegiance to the flag was given. She explained to the audience that all meeting documents are available on the website, a week prior to each meeting. She noted there were changes to the agenda and asked for a motion. **Mr. Meyer motioned to approve changes to the agenda. The motion was seconded by Mr. Berman, and it carried unanimously.**

Ms. Kennedy asked if there were any corrections to the minutes for the June budget meeting and requested a motion to approve the minutes. **Mr. Powell motioned to approve the minutes of the June 18, 2026, budget workshop meeting. The motion was seconded by Mr. Berman, and it carried unanimously.** Ms. Kennedy then asked if there were any corrections to the minutes for the June Board meeting and requested a motion to approve the minutes. Mr. Berman noted there is a correction under Mr. Berman's Supervisor's comments to change the name Deborah Drum on the last page. **Mr. Meyer motioned to approve the minutes of the June 18, 2026, Board meeting as amended. The motion was seconded by Mr. Powell, and it carried unanimously.**

Ms. Kennedy asked for any corrections to the warrants list and requested a motion to approve the warrant list. Mr. Berman said there is no warrants list in the agenda package or online. Mr. Grigg said this is now being done twice a month and provided to the Supervisors. Ms. Kennedy asked Mr. Behn if the warrants list has to be approved every month and he replied that this would be in the Policies and Procedures under the procurement policy and administration has the authority to pay. He didn't think there was a statutory requirement that the Board approve those payments. It is provided for informational purposes in the agenda package. Ms. Kennedy said this could be changed to an information point and then received and filed to be included in the agenda package. **Mr. Berman motioned to approve the warrants list. The motion was seconded by Mr. Meyer, and it carried unanimously.**

Landowner comment: Mr. Charles Bratten of Palm Beach Country Estates spoke about his concern regarding the District being represented by the Lewis, Longman and Walker law firm. He noted that at the Palm Beach County Commission meeting on the Data Center, the conduct of the firm's president Tara Duhy became the subject of significant public criticism. According to statements made at the meeting, the firm had added Palm Beach County as a defendant in litigation. The commissioners and County attorney then discussed meetings that occurred without the County's attorney being present and this type of conduct was inappropriate and described as an ethics issue. Commissioner Marcie Woodward stated on the record that Ms. Duhy met with her earlier and did not disclose that the County had already been made part of the lawsuit, while emergency injunction relief was being pursued, and this should not have happened without the County attorney being present. Mr. Bratten felt that when the president of a law firm is publicly criticized by County commissioners and the County attorney regarding professional ethics, other government agencies should question continuing to rely on the firm. The District continues to rely on the firm's advice, including on the District's interpretation of road paving petitions, and one he has consistently challenged as inconsistent with Florida law. He respectfully asked that the Board consider whether events discussed at the County commission meeting affect the public's confidence in the legal advice being provided to the District and whether obtaining an independent legal opinion on important matters would better serve District landowners. He added that he intended to provide Board members with the video of the meeting for their review.

Ms. DeNinno presented the Public Information report. She said she had provided her report to the Board and the only item she had was that the August newsletter was being prepared, which includes the proposed 2026-27 budget overview, the Supervisor election, and the Annual Landowner's Meeting.

Mr. Hass presented the Treasurer's report. He said the Board has received his report, had nothing else to add, and asked if the Board had any questions.

Mr. Grigg presented the updated proposed Fiscal Year 2026-2027 budget, which includes changes and input provided by the Board at last month's Budget Workshop. Staff has continued to refine the budget. The budget and budget recap have been made available on the District's website. He said he will be focusing on the high-level summary of the budget and key changes that have been made since the Workshop. For East Basin water control, they will use an existing fund balance of $242,557 to offset some of the cost for the Canal C realignment project assessment. For West Basin water control, they are looking to transfer an additional $163,000 to the grant-matching fund so there will be available money for future grant projects. The $163,000 consists of $113,000 for the Loxahatchee River Preservation Initiative grant project which is being proposed for Fiscal Year 2026-27. It also includes an additional $50,000 for Fiscal Year 2025-26 for the Natural Resources Conservation Service Grant project technical services.

The Canal C Realignment Project Phase 2 is the biggest change to the budget. They received bids from ten contractors, with the lowest bid at $444,058. This is significantly less than the original $2.5 million estimate included as a placeholder in the budget presented at the June Budget Workshop. This will now result in no new debt issuance for Fiscal Year 2026-27, and instead, there will be a one-time assessment for Palm Beach Country Estates landowners. In addition, the District will utilize excess funds of $178,276 from the 2015 Water Distribution System Bonds Debt Service Fund hookup fees received from the Town of Jupiter. The $534,857 fund balance will be amortized over the remaining three years of assessments to reduce assessments to benefited landowners.

For road maintenance in Palm Beach Country Estates and Jupiter Farms, $200,000 will be transferred to the Road Capital Projects Funds from each of the road maintenance funds for future road resurfacing projects due to increasing material and petroleum costs.

For a typical 1.25-acre property in Jupiter Farms, the District is proposing an overall increase of $151, from $535 to $686, for Fiscal Year 2026-27. Most of the increase is from the Road Maintenance assessment, which is primarily due to the District doubling its road materials budget.

For a typical 1.15-acre parcel in Palm Beach Country Estates, the District is proposing an overall increase of $305, from $1,420 to $1,725, for Fiscal Year 2026-27. Water control maintenance will decrease $107 due to using existing fund balances, and this helps to offset the new assessment for the Canal C Realignment Phase II Project, which is estimated at $299. The 2015 Water Distribution System Bonds is the largest assessment in Palm Beach Country Estates at 36% of the total. This item will come off assessments in 2030.

For Egret Landing and Jupiter Park of Commerce there will be slight decreases for Fiscal Year 2026-27 for water control maintenance.

Mr. Grigg presented a pie chart showing proposed revenue and other financing sources totaling $7.11 million for Fiscal Year 2026-27. Non-ad valorem assessments to landowners comprise 95.4% or approximately $6.78 million of revenue. Intergovernmental revenues are shown at $138,000, due to two Loxahatchee River Preservation Initiative grants. In addition, the District receives $75,000 from Palm Beach County for the road maintenance work provided by the District. Driveway culvert revenues are budgeted at $66,000.

Mr. Grigg then showed a graph comparing Fiscal Year 2025-26 and Fiscal Year 2026-27 proposed budgeted revenues. Non-ad valorem assessments are proposed to increase from $5.9 million to $6.8 million.

The expenditures slide showed the breakdown by type of fund. The District's governmental funds include water control, which makes up the majority of expenditures at $2.6 million or 36.4%, road maintenance, park maintenance, debt service, and capital projects. Total governmental funds budgeted expenditures for Fiscal Year 2026-27 are estimated at $7.23 million. Debt service accounts for $1.55 million or 21.4%. Road maintenance accounts for $1.52 million or 21.1%, and capital projects account for $1.50 million or 20.7%.

Mr. Grigg then presented water control maintenance budgets for the West and East Basins. In Jupiter Farms the District is budgeting $385,500 for transfers out, which includes the $163,000 transfer to the Grant Matching Fund. Expenses of $1.9 million are budgeted for water control in the West Basin. To have a zero-based budget, the District has budgeted $2.3 million in revenue to cover the expenditures and transfers-out. This is $239k more than the FY25-26 budgeted revenue. For the East Basin, which includes Palm Beach Country Estates, Egret Landing, and Jupiter Commerce Park, transfers-out are $112,500 to the water control capital fund to cover $100,000 of bridge repairs. The remaining $12,500 is for the East Side's portion of the water control update. The District is proposing budgeted expenditures of $725,693 for Fiscal Year 2026-27. The use of existing fund balance is to reduce the increase in Palm Beach Country Estates assessments resulting from the addition of the one-time Canal C Project assessment.

As previously discussed, the District is proposing the transfer of $200,000 from the road maintenance funds to the road resurfacing capital projects funds for both Jupiter Farms and Palm Beach Country Estates for future road resurfacing. For Palm Beach Country Estates road maintenance, the District is proposing expenditures of $400,542 and revenues of $600,542 for Fiscal Year 2026-27. For Jupiter Farms road maintenance, the District is proposing expenditures of $1.11 million and revenues of $1.31 million for Fiscal Year 2026-27. The higher revenue amounts are primarily due to increased costs for road shell rock and increases in transfers-out.

Mr. Grigg then showed expenditures by category. Personnel services account for the largest expenditure at 26.1%, followed by capital outlays at 25.4%, debt service at 19.2% including principal and interest, and professional staff services at 9.7%.

Mr. Grigg then displayed a schedule of capital expenditures that the District is planning to complete during Fiscal Year 2026-27. The largest project on this list is the Canal C Realignment Project at $488,465. This is followed by resurfacing one mile of roadway in Jupiter Farms for $420,000. The next largest project is for invasive tree removal in the amount of $226,000, which will be funded with a 50/50 Loxahatchee River Preservation Initiative

Grant, so the District only needs to spend $113,000 on this project. Total capital outlays are estimated at $1.92 million for the next fiscal year.

Mr. Grigg then showed a slide comparing the Fiscal Year 2025-26 budget and the Fiscal Year 2026-27 proposed budgets for the various personnel costs. The District is proposing a total increase in personnel costs of $72,321, which is a 3.8% increase. This includes wages and benefits. This increase is mostly due to promotions, increases to base pay for entry level positions, and performance-based increases. He noted that executive salaries increased, but that regular salaries decreased. This is due to the District reclassifying the Office Administrator position from an hourly position to an executive salaried position.

The next slide detailed professional staff expenses. The District is proposing a total decrease in professional staff expenses of $171,370 or 18.9%. This is largely due to the Chief Financial Officer taking over some of the responsibilities from the Treasurer, the accounting services, and the assessment roll preparation fees. The District is proposing a one-time increase in the engineering budget of approximately $80,000 due to engaging with Kimley Horn who will be helping the District with grant-related projects. The District is also proposing slight increases for the public information and legal services due to inflation.

Mr. Grigg then showed a list of the District's bonds and notes. As of 9/30/2026 we anticipate having a debt balance of $5.46 million. We anticipate making principal payments of $1.29 million in Fiscal Year 2026-27 and an ending debt balance of $4.17 million as of September 30, 2027. The Palm Beach Country Estates 2015 Water Distribution Systems Bonds make up the majority of this total.

The final slide showed budgeted transfers in and out, which are equal at $2,037,083. As previously mentioned, the road capital project funds for Palm Beach Country Estates and Jupiter Farms are now separate funds.

Mr. Grigg concluded his presentation and opened the floor to questions. Mr. Haas noted the preliminary assessments must be sent to the Property Appraiser by July 24 for preliminary TRIM notices. Mr. Berman complemented Mr. Grigg on all the work he has done on the budget. Mr. Meyer echoed Mr. Berman's comments and also acknowledged Mr. Kennedy, Mr. Grigg, Mr. Fazio, Ms. Hammond, and Mr. Haas for their hard work on the budget and efforts to increase transparency for landowners. Ms. Kennedy asked if there was a consensus to move forward with the proposed budget and all agreed.

Mr. Grigg discussed the District's proposed investment policy that was sent to the Board for review. The policy establishes the framework for the policy and addresses the requirements of Section 218.415 of the Florida Statutes, including scope, objectives, authority, standards of prudence, authorized institutions, permitted investment types, and collateralization. The policy is intended to promote the safety of the District funds, maintain adequate liquidity, and appropriate return on investments, while ensuring compliance with applicable laws and best practices. He stated that staff recommends approval of the investment policy as presented. **Mr. Berman motioned to approve the investment policy. The motion was seconded by Mr. Powell, and it carried unanimously.**

Mr. Kennedy presented the Executive Director's report. He said the Board has received his report and asked for approval of Resolution 2026-08: Awarding a Contract for Invitation to Bid No. 2026-02 for the Canal C Realignment Project Phase 2 in the amount of $440,048.18. Mr. Kennedy noted the bid and contractor has been reviewed by the Engineer and that they have a good reputation. The project will most likely start during the dry season. **Mr. Berman motioned to approve Resolution 2026:08. The motion was seconded by Mr. Meyer, and it carried unanimously.** Mr. Kennedy noted that originally, he intended to pursue a Loxahatchee River

Preservation Initiative grant for the project, however, the timeline will not be feasible in this case. In lieu of this, he said he could still apply for a grant for Phase 2 of the invasive exotic tree removal along the canals. The Board consensus was for Mr. Kennedy to proceed.

Mrs. Brandon presented the Engineer's report. She updated the Board on the petition for 129th Place North between Sandy Run and 150th Court North. There are 14 lots and 2689 linear feet of roadway within the petition area. The construction cost has been finalized at $659,000, including construction, legal, survey, engineering costs, and contingency. They are working with Mr. Grigg regarding the term and interest rates for the assessment per parcel prior to getting approval to send the ballots out. Mr. Meyer asked about the referendum costs and Mr. Grigg replied that he believed it was close to $4,000. A fee of $1000 is paid up front for the petition submission and there is also a second fee for the cost of preparing the referendum, regardless if it passes or not, that must be paid up front as well. Mrs. Brandon said they will bring the exact numbers back before the Board at the next meeting.

The Natural Resources Conservation Service Grant Phase 2 work was completed on June 10th. A final inspection was conducted on June 24th and Crowder-Gulf, the contractor, has submitted the final pay application. She is requesting approval for the payment, subject to Engineer and Chief Financial Officer review of the final package. The District was approved for this additional $846,737 grant, and she thought the contractor came in just under that. They can then send it to the Natural Resources Conservation Service for reimbursement. **Mr. Berman motioned to approve the payment subject to Chief Financial Officer and Engineer review. The motion was seconded by Mr. Powell, and it carried unanimously.**

Mrs. Brandon stated they had another Teams meeting with Florida's Turnpike Enterprise, Florida Department of Transportation, and their consultants on June 24th to discuss their existing condition model. She said AECOM was disappointed with what they received. They basically just redid our portion of the model but didn't provide more detail on their corridor. They are still working on completing the remainder of the model, which is the part we really want to see, but we most likely will not see that until they are ready to do their 45% submittal next month. She stated that AECOM expressed concern about the way they modified our portion of the model, which resulted in higher existing conditions of more than 500 cubic feet per second out of our structure. She wants to make sure they don't "double dip" on the storage in the transportation corridor between what I-95 is using and what the Turnpike was going to need. As far as we know they are looking at filling in a portion of the borrow canals on each side, and there's constriction of the box culverts under I-95. Mr. Berman attended the meeting and said while their engineers were polite during discussions, there is a clear difference of opinion. They completely ignored all the work that was done over two years in our engineering study, and they must use this information. He felt it did not go well. He added that the sound walls also need to be factored into the design. He said that in a presentation made to the County Commission, the sound wall was discussed and asked if that information could be included in the Engineer's file. **Mr. Meyer motioned to receive and include the information in the file. The motion was seconded by Mr. Powell, and it carried unanimously.** Mrs. Brandon said there are still issues to be worked out on the Operations & Maintenance Agreement once the design is finalized.

Mr. Behn presented the attorney's report. He said that his firm follows the rules of the Florida Bar for all purposes and maintains the highest set of standards. Regarding the legislative update, Meg Weinberger's office has reached out, and they provided information to them regarding operations and easements. He received a call from her aide that they are reviewing it, and they have some responses and will get back to them. They were concerned about the use of our facilities as recreation, but he wasn't sure what that was about. They are willing to collaborate with the District as appropriate moving forward, whether it's legislation or problem-solving other issues.

Mr. Behn stated he included an agreement from their legislative team for $2500 per month in the Board package should the District wish to continue interacting with the legislature. He noted that if the District wishes to make legislative changes to the District's act, that might be the time to look at doing this agreement. Mr. Berman asked to defer this item to later in the meeting. Ms. Kennedy said at this time, Ms. Weinberger's office is contacting Mr. Behn, and that is perhaps the proper procedure. She didn't think there was Board consensus to increase the legal budget at this time.

There was no old business.

Under new business, there was a discussion regarding flood control assessments for certain properties. Mr. Kennedy said that the District Treasurer brought the issue to his attention and Mr. Haas explained there was a parcel in Palm Beach Country Estates, which is owned by a trust, that is basically along canals, is not buildable, and is not currently being assessed, as there is really no benefit to the landowner. He approached Mr. Kennedy about the possibility of them deeding it to the District. Mr. Berman said he found at least seven other parcels that were similar to this property, however, they are all being assessed, and he believes this one should be as well. Mr. Behn asked if we hold an easement and Mr. Berman thought so. The assessment would be estimated at $4,200 as it is approximately 14 acres. Mr. Kennedy asked for Board direction in reaching out to owners of non-buildable lots to see if they are willing to deed them over to the District. Mr. Berman felt we should still assess the property for the upcoming TRIM bill. Other Board members questioned if this was proper at this time. Ms. Kennedy and Mr. Meyer both felt that if there was little to no benefit to the landowner, a large annual assessment was questionable. Mr. Haas said the Board could take the position of notifying the owners of the parcel that they are looking at revising their policy and that an assessment would be made next year that would be approximately $4,200. Mr. Behn questioned whether it was an oversight, or if there was a determination made at one time not to assess it, so there is a disparity. Mr. Kennedy said it does factor into water control as the District drains runoff from the parcel. Ms. Kennedy feels it is really a part of the infrastructure operations of the District and added that we need to be consistent and she'd like to see more information and analysis so that a policy can be made. Mr. Kennedy said they can do an inventory of inaccessible lots and whether they are being accessed and then bring this back before the Board. Mrs. Brandon said they may also have some information in their files.

Under Supervisor Comments, Mr. Berman spoke about Mr. Powell being the longest continuously serving elected public official in Palm Beach County and the second-longest in Florida. He asked the Board to consider some permanent acknowledgement in honor of Mr. Powell. Ms. Kennedy said we will be acknowledging Mr. Powell at the August meeting. Mr. Powell said he thought it was a good time to retire after serving for 45 years and he has enjoyed his tenure and feels proud of his service.

Mr. Berman requested an agenda item for the next meeting for discussion and possible action on a policy that would differentiate referendum requirements for the East and West sides and direct staff to investigate options. The petition would remain the same. He referred to two exhibits that he wanted attached to the minutes.

Mr. Berman said he had been contacted by Ms. Weinberger's staff on whether the legislation changes he previously submitted should be revisited and perhaps scaled back. He would like an agenda item at the next meeting regarding this. The major issue is representation of landowners in Palm Beach Country Estates and change to the Board makeup. Ms. Kennedy said there is an issue with timing, and she has an issue with revisiting HB4099. There should be a new, clean piece of legislation if this is pursued. She noted we should thank Ms. Weinberger for her efforts, but we need to take the time to research, investigate, and get landowner input, and then look at options for legislative changes. Her office has previously indicated that she wanted a public process and public meetings where they were directly involved and we do not have time to do this. Ms. Kennedy added that Ms. Weinberger's office did not reach out to either the executive director or herself, as president of the Board. The non-resident landowner seat will eventually become an issue, so it does need to be looked at for the future. She feels it should be a workshop item and if on the August agenda, then only for the purposes of setting up a calendar. Mr. Berman felt if we could pass the main issue regarding referendum changes for Palm Beach Country Estates, this would become less of an immediate concern. Mr. Meyer said if we are going to proceed, it is a legislative item and needs to be formally discussed at a Board meeting. He added that legal has stressed in the past that if we are changing the legislation, it needs to be a unanimous decision by the Board. Ms. Kennedy said this type of change is not currently in the proposed budget. We need Board discussion and public input first and then include the cost for legislative changes in the budget for the following fiscal year.

Mr. Meyer spoke about the issues that have come up regarding the minutes over the last few months. He would like to see a policy regarding attachments to the minutes, whether from Board members or landowners. Mr. Behn said when we receive documents they become public record. Attachment to the minutes is not required. The minutes can reflect that attachments are received and then it's a public record. Documents can be received and accepted and then provided to Ms. Hammond for the official public record.

Mr. Berman referenced two documents with an AI overview of highlights of the minutes. He still disagrees with how minutes are prepared as a transcript and a summary should be adequate for District minutes. Ms. Kennedy said they are not a transcript, and she is not in favor of an AI summary.

There being no further business to come before the Board, the meeting was adjourned at 7:45 p.m.

ADJOURNED

Recording Secretary | Approved