



**SEBASTIAN RIVER  
IMPROVEMENT DISTRICT**

**INDIAN RIVER COUNTY**

**APRIL 7, 2021  
SPECIAL BOARD MEETING  
10:00 A.M.**

Special District Services, Inc.  
The Oaks Center  
2501A Burns Road  
Palm Beach Gardens, FL 33410

[www.sridfl.org](http://www.sridfl.org)

561.630.4922 Telephone  
877.SDS.4922 Toll Free  
561.630.4923 Facsimile

**AGENDA**  
**SEBASTIAN RIVER IMPROVEMENT DISTRICT**  
**BOARD OF SUPERVISORS**  
 Indian River County Administration Complex, Building B, Room 303  
 1800 27<sup>th</sup> Street  
 Vero Beach, Florida 32960  
**SPECIAL BOARD MEETING**  
**April 7, 2021**  
**10:00 a.m.**

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Approval of Minutes
  - 1. March 3, 2020 Regular Board Meeting Minutes.....Page 2
- F. Old Business
  - 1. Consider Approval of Vero Beach Sporting Clays Permit Application
- G. New Business
- H. Administrative Matters
- I. Board Members Comments
- J. Comments from the Public for Items Not on the Agenda
- K. Private Attorney-Client Session.....Page 6

The District’s attorney has requested that the Board hold a private attorney-client session at the end of its Special Meeting scheduled for April 7, 2021, at 10:00 a.m. The Board will convene the Special Meeting at 10:00 a.m., and at the conclusion of the Special Meeting agenda recess to the private session. At the conclusion of the private session, the Chairman will re-open the Special Meeting, announce termination of the private session, and adjourn the Special Meeting.

When recessing the Special Meeting to the private session, the Chairman will announce the following:

The Board is commencing a private attorney-client session, as authorized by Section 286.011(8), Florida Statutes, to discuss pending litigation and to seek advice from the Board. The estimated length of the session is one hour. The names of the persons attending the session are: Members of the Board of Supervisors of the Sebastian River Improvement District, District Managers Todd Wodraska and B. Frank Sakuma, Jr., Special Counsel Douglas P. Manson, and Board Attorney Daniel B. Harrell.

- L. Announce Termination of the Private Attorney-Client Session and Adjourn

Publication Date  
2021-03-29

Subcategory  
Miscellaneous Notices

SEBASTIAN RIVER IMPROVEMENT DISTRICT NOTICE OF SPECIAL BOARD MEETING NOTICE IS HEREBY GIVEN that the Board of Supervisors ("Board") of the Sebastian River Improvement District ("District") will hold a Special Board Meeting ("Meeting") on April 7, 2021, at 10:00 a.m. at the Indian River County Administration Complex, Building B, Room 303, 1800 27th Street, Vero Beach, Florida 32960. The purpose of the Special Board Meeting is to conduct any business which may properly come before the Board. The meeting is open to the public and will be conducted in accordance with the provisions of Florida law. A copy of the Agenda for the meeting may be obtained from the District's website ([www.sridfl.org](http://www.sridfl.org)) or by contacting the District Manager at (772) 345-5119. The meeting is open to the public and will be conducted in accordance with the provisions of Florida law. The meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone. Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearing or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based. SEBASTIAN RIVER IMPROVEMENT DISTRICT [www.sebastianriverid.org](http://www.sebastianriverid.org) Pub: Mar 29, 2021 TCN4661606

**SEBASTIAN RIVER IMPROVEMENT DISTRICT  
REGULAR BOARD MEETING  
March 3, 2021**

**A. Call to Order**

The Regular Board Meeting of the Sebastian River Improvement District (the “District” or “SRID”) was called to order at 10:08 a.m. in the Indian River County Administration Complex, Building B-1, Room 501, 1800 27<sup>th</sup> Street, Vero Beach, Florida 32960. Zoom attendees used the following link: <https://us02web.zoom.us/j/3341025011>

**B. Proof of Publication**

Mr. Sakuma informed attendees that notice of the Regular Board Meeting had been published in the *Indian River Press Journal* on November 24, 2020, as legally required.

**C. Establish Quorum**

A quorum was established with the following Supervisors present:

**Board of Supervisors**

Chairman	Shawn Sexton	Present
Supervisor	Jeff Bass	Present
Supervisor	Tom Hammond	Present

Staff members in attendance were:

District Manager (via Zoom)	Todd Wodraska	Special District Services, Inc.
District Manager	Frank Sakuma	Special District Services, Inc.
District Counsel (via Zoom)	Dan Harrell	Gonano & Harrell
District Engineer	George Simons	Carter Associates, Inc.

**D. Additions or Deletions to Agenda**

There were no additions or deletions to the agenda.

**E. Approval of Minutes**

**1. December 2, 2020, Regular Board Meeting & Public Hearing**

Mr. Sakuma offered the minutes, as provided in the board package, for Board consideration.

A **motion** was made by Mr. Hammond, seconded by Mr. Bass approving the December 2, 2020, Regular Board Meeting minutes, as presented. Prior to a vote and during public comment on the minutes, Mr. Ulevich informed the Board that his comments in reference to item G.1. (Resolution No. 2020-04) were intended to highlight a possible correction of the budgeted ROW fees for Hidden Hammock of \$1,750 per the District rules. He did not wish to imply that he was

determining or setting the ROW fees. There being no further comment, the **motion** carried unanimously.

## **F. Old Business**

### **1. Liberty Park Phase 1A – Permit Status**

Mr. Simons provided the Board an update on the status of the Liberty Park Phase 1A permit, which had been issued by the District in January, 2021.

## **G. New Business**

### **1. Consider Resolution No. 2021-01 – E-Verify Memorandum of Understanding**

Resolution No. 2021-01 was presented, entitled:

#### **RESOLUTION NO. 2021-01**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SEBASTIAN RIVER IMPROVEMENT DISTRICT DIRECTING THE DISTRICT MANAGER TO REGISTER THE DISTRICT WITH AND USE THE E-VERIFY SYSTEM PURSUANT TO THE REQUIREMENTS OF SECTION 448.095, FLORIDA STATUTES; AUTHORIZING EXECUTION OF THE E-VERIFY MEMORANDUM OF UNDERSTANDING FOR EMPLOYERS BETWEEN THE DISTRICT AND THE DEPARTMENT OF HOMELAND SECURITY (DHS); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

Mr. Harrell explained why the Board was asked to consider the resolution and answered questions about the E-Verify requirements from the Board and members of the public. After Board deliberation, there was a **motion** made by Mr. Bass, seconded by Mr. Hammond, adopting Resolution No. 2021-01, as presented. The **motion** carried unanimously.

### **2. Consider Approval of Vero Beach Sporting Clays Permit Application**

Mr. Simons reviewed the items provided in the Board package regarding the intended drainage being submitted by the owners and answered questions from the Board about the project. Mr. Hammond advised the Board he would not be voting on this item. After further discussion, there was a **motion** made by Mr. Bass, seconded by Mr. Sexton directing District staff to work with the applicant in obtaining any necessary drainage easements and/or agreements in so as to remain in compliance with the SRID policies.

During public comment on the motion, Mr. Ulevich asked if this project was related to the St. Johns River Water Management stormwater treatment area. He also asked if a pumping facility he photographed in the area was related to the project. Mr. Ulevich submitted a photograph and asked for it to be included in the meeting record. No other members of the public made comments, and the **motion** carried unanimously with Mr. Hammond abstaining.

In addition to drainage of the project, Mr. Simons informed the Board that FPL may be using poles located within the SRID ROW to hang new/additional wire. Those FPL poles seemed to have

been in place prior to the change in SRID policies, which requires a ROW use agreement for utilities located within the SRID ROW. Discussion among the Board and staff ensued about the necessity of a ROW use agreement in this instance, and what other factors may determine if a “grandfathered-in” placement of utilities in the ROW would trigger the requirement of a ROW use agreement.

A **motion** was made by Mr. Bass, seconded by Mr. Sexton, clarifying that existing rules require a ROW use agreement for utilities if there are new utilities located in the ROW and for grandfathered-in utilities if there were additional utilities or a change of use to the area being served by the utilities. The **motion** carried unanimously with Mr. Hammond abstaining.

## **H. Administrative Matters**

### **1. Financial Report**

Mr. Wodraska presented the current financials of the SRID.

During public comment, Mr. Ulevich recalled the 2019 Engineer’s Report included comments about FPL refurbishments in reference to ROW use fees. He also suggested the SRID use the IRLNEP grant writing services for gate modification funding.

### **2. Water Quality Report**

The Water Quality Report from Pace Analytical was presented in the agenda packet. Mr. Simons noted that the water quality looked good during the testing period.

### **3. Sand Mine Update**

Mr. Simons reported all three mine renewals were complete.

During public comment, Mr. Ulevich recalled that evidence of a lower water table near the Wild Turkey mine was discussed in an earlier meeting. He inquired if Wild Turkey had submitted a modification to SRID for their mine, to which Mr. Simons responded they had not.

## **I. Board Member Comments**

There were no comments from the Supervisors.

## **J. Comments from the Public for Items Not on the Agenda**

Mr. Ulevich recalled in 2020 the Board discussed having a workshop to discuss annexation and the impact such action would have on the District.

Mr. Bob Russell asked the Board to reconsider the need for an easement amendment to include an oxbow of the creek in one section of his property. There was Board discussion about the need and also the impact of a conservation easement would have on the District’s ability to maintain drainage in the area. There was a consensus of the Board was to have the District Engineer work with Mr. Russell’s team for resolution.

## **K. Adjournment**

There being no further business to come before the Board, the Regular Board Meeting of the Sebastian River Improvement District was adjourned at 11:00 a.m. There were no objections.

---

**Secretary/Assistant Secretary**

---

**Chair/Vice-Chairman**

Law Offices  
of  
**GONANO & HARRELL**  
A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS  
ATTORNEYS AND COUNSELORS AT LAW

DOUGLAS E. GONANO  
Board Certified Real Estate Lawyer  
email: dgonano@gh-law.com

ALEXZANDER D. GONANO  
email: agonano@gh-law.com

TD BANK BUILDING  
1600 South Federal Highway, Suite 200  
Fort Pierce, Florida 34950-5178  
Telephone (772) 464 - 1032  
Facsimile (772) 464 - 0282

DANIEL B. HARRELL  
Board Certified In Education Law  
email: dharrell@gh-law.com

**VIA ELECTRONIC TRANSMISSION ONLY**

MEMORANDUM NO. 21-01

March 25, 2021

MEMORANDUM TO MEMBERS OF THE BOARD OF SUPERVISORS OF THE SEBASTIAN RIVER IMPROVEMENT DISTRICT

Re: Request for Private Attorney-Client Session

G&H File No. 3834-001

=====

I respectfully request that on April 7, 2021, the Board of Supervisors hold a private attorney-client session as authorized by Section 286.011(8), Florida Statutes, to discuss pending litigation and to seek advice from the Board. Section 286.011(8) sets forth a number of restrictions and a specific procedure under which such session may be held:

- Each such meeting shall be among the Board members, the chief executive officer of the District, and the Board's attorneys only.
- The Board's attorney must advise the Board at a public meeting that the attorney desires advice concerning pending litigation. This will be accomplished at a special meeting on April 7, 2021.
- The subject matter of each session must be confined to settlement negotiations or strategy sessions related to litigation expenditures in currently pending litigation.
- The entire session shall be recorded by a certified court reporter; the court reporter shall record the times of commencing and terminating the session, all discussions and proceedings, the names of all persons present, and the names of all persons speaking; no portion of the session shall be off the record; and the court reporter's notes shall be fully transcribed and filed with the secretary to the Board.
- The Board must give reasonable public notice of the time and date of the session and the names of the persons who will attend; the session must commence at an open meeting at which the Chair must announce the commencement and estimated length of the session and the names of the persons attending; and at conclusion of the private



session, the public meeting shall be reopened and the Chair must announce termination of the session.

- Upon conclusion of the litigation, the transcript of the private session shall become a public record.

Again, I respectfully request that the Board hold a private attorney-client session at the conclusion of the special meeting scheduled for April 7, 2021 at 10:00 a.m. At the conclusion of the special meeting agenda, the Chair should recess the public meeting and make the following announcements:

- The Board is commencing a private attorney-client session, the estimated length of which is one hour.
- The names of the persons attending the session are as follows:
  - Members of the Board of Supervisors of the Sebastian River Improvement District
  - Mr. Todd Wodraska and B. Frank Sakuma, Jr., District Managers
  - Douglas P. Manson, Special Counsel
  - Daniel B. Harrell, Board Attorney

At the conclusion of the private attorney-client session, the Chair shall reopen the special meeting, publicly announce termination of the private session, and adjourn the special meeting. Please advise if you have any question or require additional information.

*Daniel B. Harrell*

Daniel B. Harrell

DBH/mm

cc: Mr. Todd Wodraska  
Mr. B. Frank Sakuma, Jr.  
Ms. Tricia Lacasas  
Mr. Douglas P. Manson, Esq.  
Atlantic Court Reporting