



SEBASTIAN RIVER IMPROVEMENT DISTRICT

INDIAN RIVER COUNTY

**EMERGENCY MEETING
MARCH 17, 2023
10:00 A.M.**

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

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
Bldg. A, Room A1-102
1801 27th Street
Vero Beach, Florida 32960

OR

Join Conference Call: (877) 873-8018 access code: 7344194

EMERGENCY MEETING

March 17, 2023

10:00 a.m.

- A. Call to Order
- B. Establish Quorum
- C. Additions or Deletions to Agenda
- D. Approval of Minutes
 - 1. February 8, 2023 Regular Board Meeting.....Page 1
- E. Old Business
- F. New Business
 - 1. Consider Approval of Engagement Letter with Gonano & Harrell.....Page 4
 - 2. Consider Items and Repairs Related to 82nd Avenue.....Page 6
- G. Administrative Matters
 - 1. Attorney
 - 2. Engineer
 - 3. Manager
- H. Board Members Comments
- I. Comments from the Public for Items Not on the Agenda
- J. Adjourn

**SEBASTIAN RIVER IMPROVEMENT DISTRICT
REGULAR BOARD MEETING MINUTES
FEBRUARY 8, 2023**

A. Call to Order

The February 8, 2023, Regular Board Meeting of the Sebastian River Improvement District (the “District”) was called to order at 10:04 a.m. in the Indian River County Administration Complex, Building A, Room A-1-102, 1801 27th Street, Vero Beach, Florida 32960.

B. Proof of Publication

Proof of publication was presented showing that notice of the Regular Board Meeting had been published in *Indian River Press Journal* on September 30, 2022, as part of the District’s Fiscal Year 2022/2023 Meeting Schedule, as legally required.

C. Establish Quorum

A quorum was established with the following Supervisors present:

Board of Supervisors

Chairman	Jeff Bass	Present
Supervisor	Tom Hammond	Absent
Supervisor	Chad Kelly	Present

Staff members in attendance were:

District Manager	Todd Wodraska	Special District Services, Inc.
District Counsel	Dan Harrell	Gonano & Harrell
District Counsel	Ruth Holmes	Torcivia, Donlon, Goddeau & Rubin, P.A
District Engineer	George Simons	Carter Associates, Inc.
District Manager	Frank Sakuma	Special District Services, Inc.

D. Additions or Deletions to Agenda

There were no additions or deletions to the agenda.

E. Approval of Minutes

1. December 14, 2022, Regular Board Meeting

A **motion** was made by Mr. Bass, seconded by Mr. Kelly approving the minutes of the December 14, 2022, Regular Board Meeting. The **motion** approving the minutes passed unanimously.

F. OLD BUSINESS

1. Update on Indian River County – 66th Avenue Permit Application

Mr. Simons advised of the responses from the most recent Request for Additional Information (RAI) had been by the County. He also advised of an update to the stormwater model for the District was necessary in response to the intended infrastructure improvements along 66th Avenue. After further discussion, a **motion** was made by Mr. Bass, seconded by Mr. Kelly adopting the new stormwater model, subject to the completion of the proposed improvements, and approving the permit. The **motion** passed unanimously.

2. Update on CR 510 West Phase

Mr. Simons advised the District was waiting for revised submittals from FDOT.

3. Update on 82nd Avenue Southern Phase

Mr. Simons advised the District had not yet received the permit application for this item.

Related to 82nd Avenue, Mr. Simons advised the Board that he and Mr. Hammond had met with Commissioner Adams to discuss the maintenance required along 82nd Avenue. Mr. Simons was assisting landowners in providing the County with possible options for corrective maintenance to the road. Mr. Bass confirmed the cost of that activity would not fall to the District, instead it would be either the landowners, the County, or both.

G. NEW BUSINESS

1. Consider Ratification of R&S Metalworks Gate Retrofit Proposal to SJRWMD Cost Share Program

Mr. Sakuma notified the Board of the submittal to the SJRWMD cost share program of the gate retrofit project. Because the due date was January 31st, the submittal was in advance of Board approval. There was a **motion** made by Mr. Kelly, seconded by Mr. Bass, approving and ratifying the submittal of the proposal, and authorizing staff to continue working with SRJWMD for any additional action related to the proposal. The **motion** carried unanimously.

2. Consider Approval of Indian River County First Station 7 Interlocal Agreement

Mr. Sakuma noted the draft interlocal agreement was included in the Board package. County Attorney Dylan Reingold was in attendance and available to answer any questions from the Board. There was a **motion** made by Mr. Kelly, seconded by Mr. Bass, approving the interlocal agreement, as presented. The **motion** carried unanimously.

3. Discussion Regarding Hawks Cove

Mr. Simons informed the Board that a permit application was pending and further updates would be provided, once payment and the application had been received.

H. Administrative Matters

1. Sand Mine Update

Mr. Simons provided the following updates:

- Davis Sand Mine – permit renewed;
- Blue Goose Sand Mine – inspected, punch list items pending;
- Wild Turkey Sand Mine – inspected, punch list items pending.

2. Finance Report

Mr. Sakuma noted the finance report was included in the Board package and the District was financially sound. Mr. Bass asked about more favorable bank rates in the current fiscal environment. Mr. Wodraska confirmed SDS had found better rates through FLCLASS and would bring a recommendation back to the Board.

3. Engineer's Report

Mr. Simons had nothing further for the Board.

4. Manager's Report

Mr. Wodraska advised the Board of his discussions with representatives of the Blue Water Bay development. They were interested in pursuing a possible Unit of Development under SRID. The Board was not opposed to the idea and advised it would consider such an entity if presented.

Mr. Sakuma asked if the Board favored having Premier Citrus evaluate District canals prior to negotiating with Cates Tractor for the annual ROW maintenance. The Board directed staff to do so, similar to efforts during the prior year.

I. Board Member Comments

There were no further Board comments.

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

There were no comments from the public.

K. Adjournment

Mr. Sakuma advised the next scheduled meeting is scheduled to occur on March 8th. There being no further business to come before the Board, the Regular Board Meeting of the District was adjourned by the Chairman at 11:03 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
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TD BANK BUILDING
1600 South Federal Highway, Suite 200
Fort Pierce, Florida 34950-5178
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DANIEL B. HARRELL
Board Certified in Education Law
email: dharrell@gh-law.com

October 7, 2022

VIA ELECTRONIC MAIL ONLY

Mr. Todd Wodraska
Sebastian River Improvement District
TWodraska@sdsinc.org

Re: Sebastian River Improvement District ("District")

Our File No. 3834-001

Dear Todd:

As of March 31, 2023, I will be retiring from the active practice of law, including the provision of direct legal services to the District on current and future matters ("District Matters"). I propose to assign my existing engagement with the District ("Engagement"), and to transfer all records and files on District Matters, to the law firm of Torcivia, Donlon, Goddeau & Rubin, P.A. ("TDG&R"), effective April 1, 2023.

TDG&R is a West Palm Beach law firm that has long represented many units of local government on the Treasure Coast, including several in St. Lucie County. To assure continuity in the handling of District Matters, I will be available to assist TDG&R in its provision of services to the District, on an as-needed basis, for a period of not less than 12 months following transfer.

If assignment of my Engagement with the District to TDG&R is acceptable, including transferring all files related to District Matters from my firm to Mr. Glen J. Torcivia, Esquire, please so indicate by signing the acceptance at the end of this letter and transmitting a copy of the signed letter by electronic mail to dharrell@gh-law.com and glen@torcivialaw.com.

It is of course the choice of the District as client regarding who should serve as its legal counsel, and whether all records and files on District Matters should be transferred TDG&R or to other counsel. If the District elects not to accept assignment of the Engagement to TDG&R, the District will need to select other counsel to assume responsibility for District Matters effective not later than April 1, 2023. If other counsel is to be selected, please advise me as soon as practicable, but in no event later than March 1, 2023, to whom I should transfer records and files related to District Matters.

Mr. Todd Wodraska
Sebastian River Improvement District
October 7, 2022
Page 2

Thank you for your consideration, it has been an honor and privilege to have worked with the District, and please advise if you have any question regarding this proposal.

Sincerely,

Daniel B. Harrell

Daniel B. Harrell

The District consents to assignment of the Engagement, and the transfer of District Matters, including all records and files, to Torcivia, Donlon, Goddeau & Rubin, P.A., effective April 1, 2023.

Please sign and date if the District consents

RESOLUTION

Supervisor *J. Hubert Graves* introduced the following resolution and moved its adoption, to-wit:

BE IT RESOLVED That the officers of this District be and they are herewith authorized and directed to execute and deliver to Indian River County, Florida, an Easement for road right of way purposes upon the East 50 feet of Lateral C canal of this District as to that part thereof running from the South boundary or terminus of such Lateral C canal north to the North boundary lines of Sections 11 and 12 in Township 32 South, Range 38 East, Indian River County, Florida, and as per copy of said Easement attached to this resolution and made a part hereof.

The motion for the adoption of the resolution being duly seconded it was declared adopted by the following vote:

Ayes: *Graves - Carter - Barnes.*

Nays: None

June 19, 1943.

* * *

E A S E M E N T

THIS INSTRUMENT Executed this 19th day of June, 1943, between Sebastian River Drainage District, a drainage district incorporated under the laws of the State of Florida, hereinafter called the Grantor, and Indian River County, a political subdivision of the State of Florida, hereinafter called the Grantee, WITNESSETH:

The Grantor, in consideration of \$1.00 and other valuable considerations to it in hand paid by the Grantee, receipt whereof is herewith acknowledged, does hereby give, grant and convey unto the said Grantee an easement upon and over the East 50 feet of the right of way of that portion of Lateral C Canal of Sebastian River Drainage District extending from the South boundary or terminal of said Lateral C canal north to the north boundary lines of Sections 11 and 12 in Township 32 South, Range 38 East, Indian River County, Florida; the said Lateral C canal being shown upon the Plan of Reclamation of Sebastian River Drainage District filed in the office of the Clerk of the Circuit Court of Indian River County, Florida.

The conditions and purposes of the Easement herewith granted being that the property upon and over which said Easement is herewith granted shall be used and maintained by Grantee solely as a public highway and county road.

The Grantee shall use and maintain said right of way in a manner which shall not be detrimental to the use of said Lateral C canal for drainage purposes and which shall not interfere with the purposes of said District or with the cleaning and maintenance of said canal by said District.

All rights acquired by the Grantee or by the general public in and to said right of way by the maintenance and use thereof shall be conditioned upon and subject to the provisions of this Easement and this Easement shall be subject to termination by the Grantor upon twelve months' notice in writing to

the Grantee in the event that the right of way herewith granted shall become necessary for exclusive use by Grantor in providing drainage in said drainage district and carrying out the purposes of said district.

IN WITNESS WHEREOF This instrument has been executed the day and year first above written.

SEBASTIAN RIVER DRAINAGE DISTRICT

Signed, Sealed and
Delivered in the
Presence of:

By J. M. Barnes
President, Board of Supervisors

J. B. Parish
R. W. Graves

Attest:

J. A. Harms
Secretary, Board of Supervisors

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

I HEREBY CERTIFY, That on this day of June, 1943,
before me personally appeared and J. A.
Harms, respectively President and Secretary of Sebastian River
Drainage District, a corporation under the laws of the State
of Florida, to me known to be the individuals and officers de-
scribed in and who executed the foregoing conveyance to Indian
River County, a political subdivision of the State of Florida,
and severally acknowledged the execution thereof to be their free
act and deed as such officers thereunto duly authorized ; and
that the official seal of said corporation is duly affixed there-
to, and the said conveyance is the act and deed of said corpora-
tion.

WITNESS my signature and official seal at Wabasso, in
the County of Indian River and State of Florida, the day and year
last aforesaid.

J. A. Harms
Notary Public, said State & County.
My Commission Expires:

Notary Public, State of Florida at large,
My commission expires Sept. 8, 1946.
Bonded by Max. Bonding & Ins. Co.

R E S O L U T I O N

Supervisor *J. Hubert Gravis* introduced the following resolution and moved its adoption, to-wit:

BE IT RESOLVED That the officers of this District be and they are herewith authorized and directed to execute and deliver to Indian River County, Florida, an Easement for road right of way purposes upon the East 50 feet of Lateral C canal of this District, as to that part thereof running from the South boundary or terminus of such Lateral C canal north to the North boundary lines of Sections 11 and 12 in Township 32 South, Range 38 East, Indian River County, Florida, and as per copy of said Easement attached to this resolution and made a part hereof.

The motion for the adoption of the resolution being duly seconded it was declared adopted by the following vote:

Ayes: *Gravis - Carter - Barnes*

Nays: None

* * *

June 19, 1943.

LAW OFFICES
MITCHELL, SMITH & MITCHELL

CHARLES A. MITCHELL
SHERMAN N. SMITH, JR.
MARSHALL O. MITCHELL

107-15 INDIAN RIVER CITRUS BANK BUILDING
VERO BEACH, FLORIDA

June 10, 1943

Mr. J. Hubert Graves
Wabasso,
Florida

Dear Hubert:

*Dude —
File this in
minuttl Book of
Sebastian River D.D.*

I am enclosing herewith original and copy of Easement from Sebastian River Drainage District to Indian River County whereby the District grants to the County an easement upon and over the East 50 feet of the right-of-way of Lateral C canal from the South terminus thereof North to the North boundary line of Sections 11 and 12 in Township 32 South, Range 38 East and to be used for highway purposes. If the Easement is satisfactory the original should be signed by the President and Secretary of the Board of Supervisors, the corporate seal affixed, the instrument attested by two witnesses and acknowledged before a Notary Public. The original should then be delivered to Douglas Baker.

I also enclose form of resolution which I suggest the Board of Supervisors adopted authorizing the Easement.

I cannot remember which of you is the President of the Board of Supervisors and the name of the President should be inserted in the acknowledgment on the Easement.

I discussed this matter with Edge Carter and if you have any suggested changes in the Easement or resolution please advise me and I shall make them. I thought it advisable to insert the clause that if the right-of-way should become necessary for drainage purposes then the Easement may be cancelled upon one year's notice by the District to the County. If the parties desire, this clause could be eliminated from the Easement but it would then have the effect of being a permanent proposition and it occurred to me that at some future time not only the District but adjoining land

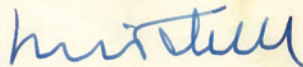
Mr. J. Hubert Graves

2.

June 10, 1943

owners might wish to close this proposed road and if so it would be best to have the Easement subject to termination.

Sincerely yours,



CAM/cj
Encl.

cc: Hon. Douglas Baker,
Clerk Circuit Court,
Vero Beach, Florida.

cc: Mr. W. S. Buckingham
Vero Beach, Florida