



**HOBE-ST. LUCIE
CONSERVANCY DISTRICT**

MARTIN COUNTY

**BOARD OF SUPERVISORS MEETING
JULY 27, 2022
9:30 A.M.**

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

www.hobestluciecd.org
561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
HOBE-ST. LUCIE CONSERVANCY DISTRICT
Hobe Sound Polo Club
2935 SE Bridge Road
Hobe Sound, Florida 33455
BOARD OF SUPERVISORS MEETING
July 27, 2022
9:30 a.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. June 22, 2022 Board of Supervisors Board Meeting & Public Hearing.....Page 3
- G. Old Business
 - 1. Update Regarding Martin County Litigation
 - 2. Status Update Regarding RG Reserve Pipe Permit Meeting with SFWMD
 - 3. Status Update Regarding Howe Holdings Agreements
- H. New Business
 - 1. Consider Approval of Irrigation Agreement Grove Vegan Farms Irrigation Agreement.....Page 14
- I. Administrative Matters
 - 1. Engineer’s Report
 - 2. Attorney’s Report
 - 3. Manager’s Report
 - 4. Field Operations Report
- J. Board Members Comments
- K. Adjourn

Treasure Coast Newspapers

PART OF THE USA TODAY NETWORK

St. Lucie News-Tribune

1939 SE Federal Highway, Stuart, FL 34994

AFFIDAVIT OF PUBLICATION

**SPECIAL DISTRICT SERVICES INC
2501 BURNS RD, #A**

PALM BEACH GARDENS, FL 33410-5207

STATE OF WISCONSIN
COUNTY OF BROWN

Before the undersigned authority personally appeared, said legal clerk, who on oath says that he/she is a legal clerk of the St. Lucie News-Tribune, a daily newspaper published at Fort Pierce in St. Lucie County, Florida: that the attached copy of advertisement was published in the St. Lucie News-Tribune in the following issues below. Affiant further says that the said St Lucie News-Tribune is a newspaper published in Fort Pierce, in said St. Lucie County, Florida, and that said newspaper has heretofore been continuously published in said St. Lucie County, Florida, daily and distributed in St. Lucie County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement ; and affiant further says that she has neither paid or promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. The St. Lucie News-Tribune has been entered as Periodical Matter at the Post Offices in Fort Pierce, St. Lucie County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

Issue(s) dated before where the dates are noted:

10/13/2021

Linda Tuttle
Subscribed and sworn to before on October 13, 2021

Amy Kokott
Notary, State of WI, County of Brown

6/30/2025
My commission expires,

AMY KOKOTT
Notary Public
State of Wisconsin

Publication Cost: \$157.32
Ad No: 0004947176
Customer No: 1313371
PO#: HSL 21-22 Fiscal Yr Reg Mtg Schedule

HOBE-ST. LUCIE
CONSERVANCY DISTRICT
FISCAL YEAR 2021/2022
REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Hobe-St. Lucie Conservancy District will hold Regular Meetings at the Hobe Sound Polo Club located at 2935 SE Bridge Road, Hobe Sound, Florida 33455 at 9:30 a.m. on the following dates:

October 27, 2021
November 17, 2021
December 15, 2021
January 26, 2022
February 23, 2022
March 23, 2022
April 27, 2022
May 25, 2022
June 22, 2022
July 27, 2022
August 24, 2022
September 28, 2022

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. A copy of the Agenda for any of the meetings may be obtained from the District's website or by contacting the District Manager at (561) 630-4922 and/or toll free at 1-877-737-4922 prior to the date of the particular meeting.

From time to time one or more Supervisors may participate by telephone; therefore a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Said meetings may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at (561) 630-4922 and/or toll-free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time without advertised notice.

HOBE-ST. LUCIE
CONSERVANCY DISTRICT
www.hobestluciecd.org
Pub: Oct 13, 2021
TCN4947176

MINUTES OF THE BOARD OF SUPERVISORS MEETING
OF HOBE-ST. LUCIE CONSERVANCY DISTRICT
JUNE 22, 2022

Pursuant to the above Notice, the Board of Supervisors of Hobe-St. Lucie Conservancy District held its Board of Supervisors Meeting on June 22, 2022 at 9:30 A.M. at the Hobe Sound Polo Club located at 2935 SE Bridge Road, Hobe Sound, Florida 33455.

Present were Rick Melchiori, Edward Weinberg and Robert Brown, Supervisors; Todd Woodrask and Michael McElligott of Special District Services, Inc. as District Manager; Robert Higgins of Higgins Engineering, Inc. as District Engineer; and Mary M. Viator, Attorney. Also in attendance was Mr. Warren Wilson and Ms. Michelle Beninda of Coventry Development, Brett Sealy, Mr. Paul Whalen and Mr. Davies, Mr. Ray Spears of The Grassroots Corp. and Jacques Mouracadeh via telephone.

CALL TO ORDER

The Board of Supervisors Meeting was called to order by President Melchiori.

ESTABLISHMENT OF QUORUM

The President announced a quorum was present and it was in order to transact any business to come before the Board.

ADMINISTER OATH OF OFFICE

The Oath of Office was administered to Mr. Brown who took his seat on the Board.

ELECTION OF OFFICERS

The District Manager announced it was in order to elect Officers. Thereupon, the following slate of Officers was presented:

Rick Melchiori	President
Edward Weinberg	Vice President

Mary Viator
Michael McElligott
Robert Brown

Secretary
Treasurer
Assistant Secretary

A motion was made by Mr. Weinberg, seconded by Mr. Brown and unanimously passed approving the election of Officers as presented.

ADDITIONS OR DELETIONS TO AGENDA

None.

COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

None.

APPROVAL OF MINUTES

A motion was made by Mr. Weinberg, seconded by Mr. Brown and unanimously passed approving the Minutes of the April 27, 2022 Board of Supervisors Public Hearing Meeting.

PUBLIC HEARING – UNIT OF DEVELOPMENT NO. 1A

1. Proof of Publication:

The Proof of Publication of the subject Public Hearing was presented.

2. Receive Public Comment on Approval of the Water Control Plan and Engineer’s Report for Unit of Development No. 1A

The President announced that it was appropriate to hold a Public Hearing to consider approval of the Water Control Plan and Engineer’s Report for Unit of Development No. 1A. At this time, the President called to order the Public Hearing for Final Consideration of the proposed Water Control Plan and Engineer’s Report for Hobe-St. Lucie Conservancy District Unit of Development No. 1A.

The Attorney explained that the purpose of the Public Hearing was to receive Public Comments with regards to the benefits assessed in the Engineer’s Report. No objections were received regarding the proposed Engineer’s Report.

a. Presentation of the Proposed Water Control Plan and Engineer’s Report for Unit of Development No. 1A.

The District Engineer presented the proposed Water Control Plan and Engineer's Report of Hobe-St. Lucie Conservancy District Unit of Development No. 1A.

The Engineer stated that the Engineer's Report provides that the benefit to the property, as a result of implementation of the Water Control Plan is \$252,615,000.00, which would be allocated and apportioned in accordance with the procedures set forth in the Engineer's Report. The District Engineer stated that all of the subject property in the Unit will receive benefits.

The Engineer stated that the Engineer's Report reflects the estimated cost for the Water Control Plan for Unit of Development No. 1A in total amount of \$165,189,978 and that the benefits assessed are \$252,615,000.

b. Public Comments

None.

c. Adjournment

There being no further comments from the Public, a motion was made, seconded and unanimously passed to close the Public portion of the Public Hearing.

3. Consider – Adoption of Resolution 2022-04 – Approving the Water Control Plan and Engineer's Report for Hobe St-Lucie Conservancy District Unit of Development No. 1A

Following discussion by the Board, a motion was made by Mr. Brown, seconded by Mr. Weinberg and unanimously passed adopting the following Resolution:

RESOLUTION NO. 2022-04

RESOLUTION OF THE BOARD OF SUPERVISORS OF
HOBE-ST.LUCIE CONSERVANCY DISTRICT APPROVING
THE WATER CONTROL PLAN AND ENGINEER'S REPORT
FOR HOBE-ST.LUCIE CONSERVANCY DISTRICT
UNIT OF DEVELOPMENT NO. 1A

(Copy filed in District Records)

Mr. Melchiori and Mr. Weinberg announced a Conflict of Interest. Form 8B Filed in District Records.

OLD BUSINESS

1. Update Regarding Martin County Litigation

The Attorney reported the following update on the litigation filed by Martin County and SFWMD as follows:

On November 23, 2021, the District Court of Appeal granted the County's and SFWMD's Motions for Extension of Time to allow them to file any post-opinion motions by December 17, 2021. Martin County and SFWMD filed Motions for Certification of Conflict and Great Public Importance. Hobe-St.Lucie timely filed a Response on January 18, 2022. Appellate counsel has notified counsel for Amicus FASD of its option to participate but has not received a response. Hobe-St. Lucie has also filed a Motion to Tax Appellate Costs.

On January 20, 2022, the Court denied the Motions for Certification of Conflict and Great Public Importance filed by Martin County and SFWMD.

On February 1, 2022, Martin County and SFWMD filed Motions to Stay Issuance of the Mandate.

On February 10, 2022, Hobe-St. Lucie filed a Response opposing these Motions.

On February 15, 2022, the Court denied the Motions to Stay Issuance of the Mandate.

On February 18, 2022, Martin County and SFWMD filed Notices to Invoke the Discretionary Jurisdiction of the Florida Supreme Court, which will decide whether to accept or decline jurisdiction.

On February 28, 2022, Martin County and SFWMD filed their jurisdiction briefs.

On March 4, 2022, the District Court of Appeal issued its Mandate, which remands the

case to the Circuit Court for entry of summary judgment in favor of the District.

On March 24, 2022, the District filed its Brief on Jurisdiction opposing jurisdiction of the Florida Supreme Court against Martin County and also SFWMD.

2. Update Regarding RG Reserve Pipe Permit Application

The District Engineer commented that RG Reserve met with South Florida Water Management District. The Reserve Mitigation Bank was not doing its job to maintain and enhance the wetlands and there had been adverse impacts to the District in the form of a berm washout. The Board had directed the District Engineer notify South Florida Water Management District of the damage issues and to coordinate with South Florida Water Management District regarding the failure to comply with the RG Mitigation Bank Permits.

The District Engineer stated SFWMD asked RG Reserve to comply or the permit would be denied. He explained there has been a breakthrough and that there had been a change in consultants. The District Engineer was directed to continue to follow up regarding the Mitigation Bank Connection.

3. Update Regarding Howe Holdings Agreement

The District Engineer commented on Howe Holdings.

The District Engineer indicated that Howe Holdings had a lease back with Thomas Produce and Thomas Produce has paid the past charges for 2021. Howe Holdings is to pay the charges going forward for 2022 and is cooperating. The Board deferred action based on the circumstances and that payment of past charges had been received from Thomas Produce.

NEW BUSINESS:

1. Consider Resolution No. 2022-05 Levying Drainage Taxes on Unit of Development No. 1A

The District Attorney presented Resolution No. 2022-05, Levying Drainage Taxes on Unit

of Development No.1.A. as follows:

RESOLUTION NO. 2022-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF HOBE-ST.LUCIE CONSERVANCY DISTRICT LEYING DRAINAGE TAXES ON THE LANDS IN UNIT OF DEVELOPMENT NO. 1A. OF THE DISTRICT BENEFITTED BY THE IMPROVEMENTS DESCRIBED IN THE WATER CONTROL PLAN FOR SUCH UNIT; AND PROVIDING AN EFFECTIVE DATE

(Copy filed in District Records)

A Motion was made by Mr. Brown, seconded by Mr. Weinberger and unanimously passed approving Resolution No. 2022-05 Levying Drainage Taxes on Unit of Development 1A as set forth above.

2. Consider Resolution No. 2022-06 – Authorizing Bond Resolution for Unit of Development No. 1A

The District Attorney presented Resolution No. 2022-06, Authorizing Bond Resolution for Unit of Development No. 1A. as follows:

RESOLUTION NO. 2022-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF HOBE-ST. LUCIE CONSERVANCY DISTRICT INITIALLY AUTHORIZING THE ISSUANCE IN ONE OR MORE SERIES OF NOT EXCEEDING \$227,353,500.00 BONDS OF SUCH DISTRICT TO FINANCE THE COST OF IMPROVEMENTS WITH RESPECT TO UNIT OF DEVELOPMENT NO. 1A OF THE DISTRICT; PROVIDING THAT SUCH BONDS SHALL BE PAYABLE SOLELY FROM DRAINAGE TAXES LEVIED BY THE DISTRICT ON THE LANDS WITHIN UNIT OF DEVELOPMENT NO. 1A, AND OTHER MONIES AS PROVIDED HEREIN; PROVIDING FOR THE RIGHTS, SECURITIES, AND REMEDIES FOR THE OWNERS OF SUCH BONDS; PROVIDING FOR THE CREATION OF SPECIAL FUNDS AND ACCOUNTS; APPOINTING A TRUSTEE; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNCECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

(Copy filed in District Records)

A Motion was made by Mr. Brown, seconded by Mr. Weinberger and unanimously passed approving Resolution No. 2022-06, Authorizing Bond Resolution for Unit of Development No. 1A.

3. Consider Approval of Agreement for Underwriter Services

The Agreement for Underwriting Services with MBS Capital Markets, LLC was presented by Mr. Brett Sealy, Managing Partner.

Representatives of MBS Capital Markets, LLC explained the proposed Agreement for Underwriting Services relating to the proposed issuance of bonds for Unit of Development No. 1A.

A Motion was made by Mr. Brown seconded by Mr. Weinberger and unanimously passed approving the Agreement for Underwriter Services with MBS Capital Markets, LLC.

4. Consider Resolution No. 2022-07 Adopting Fiscal Year 2022/2023 Budget:

Mr. Michael McElligott presented the Proposed Budget for Fiscal Year 2022/2023 for the Board's consideration which assumed no assessments would be paid on the SFWMD Lands.

Mr. McElligott presented the proposed assessment breakdown for Fiscal Year 2022/2023. Based on the circumstances it was recommended the Board approve the Budget which assumed no payment on the SFWMD Lands which included contingencies to collect the outstanding unpaid assessments.

The Board discussed the general administrative budget as well as the maintenance expenses for the respective Units of Development. The Board also discussed the expenses associated with the operation and maintenance of the backbone of the District's system.

Mr. McElligott indicated that he kept the same assessment rates for Unit No. 1, 2 and 3.

Mr. McElligott additionally addressed the cost associated with the backbone system and

addressed the funds in the Balance of the District. He stated that the District has had to increase those assessments.

Following discussions by the Board, a motion was made by Mr. Brown seconded by Mr. Weinberger and unanimously passed adopting Resolution No.2022-07 approving the proposed Annual Budget for Fiscal Year 2022/2023 as discussed.

RESOLUTION NO. 2022-07

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
HOBE-ST-LUCIE CONSERVANCY DISTRICT APPROVING
A PROPOSED BUDGET FOR FISCAL YEAR 2022/2023

(Copy filed in District Records)

5. Consider Resolution No. 2022-08 Adopting a Fiscal Year 2022/2023 Meeting Schedule

The District Manager presented the proposed Meeting Schedule for Fiscal Year 2022/2023.

Following discussion, a motion was made by Mr. Weinberger seconded by Mr. Brown and unanimously passed adopting Resolution No. 2021-08, approving the proposed Fiscal Year 2021/2023 Meeting Scheduled as presented:

RESOLUTION NO. 2021-08

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
HOBE-ST. LUCIE CONSERVANCY DISTRICT, ESTABLISHING
A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2022/2023
AND SETTING THE TIME AND LOCATION OF SAID
DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE

(Copy filed in District Records)

6. Consider Approval of Revised Irrigation Policy

The District presented the Revised Irrigation Policy as follows:

Hobe St. Lucie Conservancy District
Irrigation Permit/ or Agreement Policy
Revised June 9, 2022

The Entity shall by permit or special agreement pay fifty percent of the highest unit per acre assessment (except for Unit 1A and Balance of the District Unit assessments). The per acre assessment shall be based on total South Florida Water Management District's permitted irrigated acreage. If requested by the HSLCD, the Entity shall provide pumpage reports monthly to HSLCD.

A motion was made by Mr. Weinberg, seconded by Mr. Brown and unanimously passed approving the Revised Irrigation Permit/or Agreement Policy.

7. Consider Approval of Irrigation Agreement between the District and Bedner Family Enterprises, LTD

The District Engineer presented the proposed Irrigation Agreement between the District and Bedner Family Enterprises, LTD.

A motion was made by Mr. Brown, seconded by Mr. Weinberg and unanimously passed approving the Irrigation Agreement between the District and Bedner Family Enterprises, LTD.

Mr. Brown announce a Conflict of Interest. Form 8B filed in District Records.

8. Consider Approval of Irrigation Agreement between the District and Bridgeview Farms, LLC

The District Engineer presented the proposed Irrigation Agreement between the District and Bridgeview Farms, LLC.

A motion was made by Mr. Brown, seconded by Mr. Melchori and unanimously passed approving the Irrigation Agreement between the District and Bridgeview Farms. LLC in accordance with the revised Irrigation Policy.

9. Consider Approval of Contract Increase Request – The Grassroots Corporation

The Grassroots Corporation requested a Contract Increase for the services performed on behalf of the District.

A motion was made by Mr. Melchori, seconded by Mr. Weinberg and unanimously passed approving the Contract Increase Request by The Grassroots Corporation.

ADMINISTRATIVE MATTERS

1. District Engineer's Report

The District Engineer commented on the overall drainage issues.

The District Engineer stated Mr. Barnes, a neighboring landowner, was requesting an Irrigation Agreement with the District similar to Bridgeview Farm.

A motion was made by Mr. Weinberg and seconded by Mr. Melchori authorizing the District to proceed with Mr. Barnes' request subject to "Availability."

2. District Attorney's Report

The Attorney reported on matters as they appeared on the Agenda. The Attorney further reminded the Supervisors of the need to comply with the deadline for filing Financial Disclosure forms due July 1st.

The Attorney commented on the effects of SB 4-C relating to Reedy Creek Improvement District which would not impact the District.

3. Manager's Report

The District Manager reported on matters as they appeared on the Agenda.

4. Field Operations Report

Mr. Spears commented on the District's Operations. He addressed FPL and the six (6) wells in Unit 3. Following discussion by the Board, it was the consensus of the Board to keep the wells.

SUPERVISOR COMMENTS

NONE

NEXT MEETING

The next Board of Supervisors' Meeting was scheduled for July 27, 2022.

ADJOURN

There being no further business to come before the Board, the Meeting was adjourned.

President

Secretary

**CONSIDER APPROVAL OF IRRIGATION
AGREEMENT GROVE VEGAN FARMS
IRRIGATION AGREEMENT**

**TO BE DISTRIBUTED
UNDER SEPARATE COVER**