

**WEST VILLAGES IMPROVEMENT DISTRICT
SPECIAL BOARD MEETING
MAY 19, 2022**

A. CALL TO ORDER

The May 19, 2022, Special Board Meeting of the West Villages Improvement District (“WVID” or the “District”) was called to order at 11:09 a.m. at 19503 S. West Villages Parkway, in a Meeting Room across from #A14, Venice, Florida 34293 and via Zoom: <https://us02web.zoom.us/j/87509654850>, Meeting ID: 875 0965 4850, Dial In: 1-929-436-2866.

B. PROOF OF PUBLICATION

Proof of publication was presented which showed the notice of the Regular Board Meeting had been published in the *Sarasota Herald-Tribune* on May 10, 2022, as legally required.

C. ESTABLISH A QUORUM

It was determined that the attendance of the following Supervisors constituted a quorum, and it was in order to proceed with the meeting:

Chairman	John Luczynski	Present in person
Vice Chairman	Steve Lewis	Present in person
Supervisor	Tom Buckley	Present in person
Supervisor	Victor Dobrin	Present in person
Supervisor	Christine Masney	Present in person

Staff members in attendance were:

District Manager	Todd Wodraska	Special District Services, Inc.
District Manager	William Crosley	Special District Services, Inc.
District Counsel	Lindsay Whelan (via Zoom)	Kutak Rock LLP
District Engineer	Richard Ellis (via Zoom)	Dewberry

Also present were the following: Phil Stokes, John Meisel, Kevin Shaughnessy and Rich Bando.

D. ADDITIONS OR DELETIONS TO AGENDA

Item G2 was removed from the agenda.

Supervisor Dobrin requested of a Unit of Development #3 discussion regarding irrigation.

E. COMMENTS FROM THE PUBLIC

Mr. Meisel requested the District meet with Gran Paradiso residents regarding irrigation and production of appropriate documents, specifically the basis of the District’s ability to charge a well availability fee as well as the average allocation of irrigation water of 593,200 gallons per day.

F. APPROVAL OF MINUTES

1. April 14, 2022, Regular Board Meeting

Supervisor Dobrin stated in regard to agenda Item G2, he dissented on his vote due to the fact that no other supplier of service had been demonstrated to be competitive and his ability to find information about the supplier of street lighting materials during his search for information. He also noted that there was no one at the meeting who could speak on the supplier that was chosen to provide the service.

A **MOTION** was made by Mr. Buckley, seconded by Ms. Masney approving the minutes of the April 14, 2022, Regular Board Meeting, as amended. The **motion** passed 4 to 0 with Chairman Luczynski abstaining from the vote, as he was not present at the April 14, 2022, Regular Board Meeting.

G. GENERAL DISTRICT MATTERS

1. Present Pre-Qualified Contractor List Committee Recommendations

Mr. Ellis presented the Pre-Qualified Contractor Selection Committee recommendations to the Board and explained the criteria that was used to make said recommendations. Mr. Ellis also explained that these recommendations, if approved, will allow the District to send requests for future bid proposals to each of the contractors who would qualified for that specific type of work.

A **MOTION** was made by Supervisor Lewis, seconded by Supervisor Buckley and passed unanimously approving the Committee's recommendations, as follows:

Selection Committee's recommendations for pre-qualified contractors:

Ajax Paving Industries of Florida LLC:

- i) excavation/earthwork, ii) roadways, iii) stormwater management, and iv) water and sewer facilities construction
- Bonding limit: \$500,000,000

Brightview Landscape Services Inc.:

- i) irrigation facilities and ii) landscape installation construction; and iii) landscape and irrigation maintenance
- Bonding limit: \$5,000,000

The Demoya Group, Inc.:

- i) excavation/earthwork, ii) roadways, iii) stormwater management, and iv) water and sewer facilities construction
- Bonding limit: \$3,000,000

Frederick Derr & Company Inc.:

- i) excavation/earthwork, ii) roadways, iii) stormwater management, iv) water and sewer facilities, and v) irrigation facilities construction

- Bonding limit: \$40,000,000

Hoover Pumping Systems Corporation:

- i) irrigation facilities construction and ii) landscape and irrigation maintenance
- Bonding limit: \$2,000,000

Juniper Landscaping of Florida, LLC:

- i) irrigation facilities and ii) landscape installation construction; and ii) landscape and irrigation maintenance
- Bonding limit: \$25,000,000

Woodruff & Sons, Inc.:

- i) excavation/earthwork, ii) roadways, iii) stormwater management, iv) water and sewer facilities, v) hardscape facilities, and vi) street lighting construction
- Bonding limit: \$200,000,000

Shipps Excavating Inc.:

- i) excavation/earthwork, ii) roadways, iii) stormwater management, iv) water and sewer facilities, and v) irrigation facilities construction; and vi) canal/drainage maintenance
- Bonding limit: \$2,000,000

Not approved as prequalified contractors:

Black & Veatch Inc.

Sunny Grove Landscaping & Nursery, Inc.

2. Discussion Regarding Proposed Budgets for Fiscal Year 2022/2023

This item was removed from the agenda.

H. UNIT OF DEVELOPMENT NO. 3

This item was added to the agenda at Supervisor Dobrin's request. Supervisor Dobrin is requesting a meeting with District staff and the Gran Paradiso POA regarding irrigation and irrigation water allocations. There was discussion amongst the Board Members regarding this matter. Chairman Luczynski asked for the District Engineer to do a deep dive, forensically, on where bond dollars were spent in Unit of Development #3 for irrigation.

I. UNIT OF DEVELOPMENT NO. 6

1. Consider Resolution No. 2022-07 – Designating Unit of Development No. 9 and Setting a Public Hearing

Resolution No. 2022-07 was presented, entitled:

RESOLUTION 2022-07

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE WEST VILLAGES IMPROVEMENT DISTRICT
DESIGNATING "WEST VILLAGES IMPROVEMENT**

DISTRICT UNIT OF DEVELOPMENT NO. 9;" SETTING A HEARING ON THE APPROVAL AND CONFIRMATION OF THE ESTABLISHMENT OF SUCH UNIT; PROVIDING FOR RECORDATION OF THIS RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Ms. Whelan presented Resolution No. 2022-07, explain that Section 11 of the Special Act provides that a unit of development ("Unit") may be established by the Board of Supervisors of the District (the "Board") upon the receipt of a petition of the owners of fifty-one (51%) percent of the acreage to be included within the Unit. The Board has received a petition from the fee simple owners of at least fifty-one (51%) percent of the real property which lies within the jurisdictional boundaries of the District.

A **MOTION** was made by Supervisor Buckley, seconded by Supervisor Dobrin and passed unanimously adopting Resolution No. 2022-07, as presented, setting the Public Hearing for June 9, 2022.

J. ADMINISTRATIVE MATTERS

1. District Engineer

There was no report from the District Engineer. Chairman Luczynski asked if there had been any progress or update on the work being conducted with the City of North Port regarding the new updated FEMA maps. The City had acknowledged that they had all of the information they needed from the District, but no update was provided.

2. District Attorney

Ms. Whelan advised that the District's boundary amendment had not yet been signed, but it was anticipated that the approval would be forthcoming.

In addition, Mr. Whelan requested permission from the Board for District staff to reach out for Request for Proposals to those contractors who were just pre-qualified by the Board and could provide that specific work related to bids for the US 41 Improvements. All costs associated to this project will be an expense of the developer, at no expense to the District.

A **MOTION** was made by Supervisor Masney, seconded by Supervisor Lewis and passed unanimously approving District staff to proceed with RFPs, as presented.

3. District Operations' Manager

The District Operations' Manager had no updates at this time.

4. District Manager

a. Announce New Meeting Location

The June meeting will be held at the new Public Safety Complex located at 19955 Preto Boulevard, Venice, Florida 34293 at 11:00 a.m. This will be the new meeting location until further notice.

The next meeting is schedule for June 9, 2022.

K. BOARD MEMBER COMMENTS

Supervisor Dobrin thanked the Chairman and District Staff for engaging with FDOT regarding the River Road expansion project, as he felt that communication was going in the right direction. Supervisor Dobrin also brought up the traffic speeds on District owned roads and wanted know if speeds are consistent throughout the District roads. Mr. Ellis advised that speeds were dictated by the City of North Port through the approval process for road permitting. Supervisor Dobrin also stated he received an email from a resident about the sidewalk in front of Gran Paradiso, specifically regarding landscape debris along the sidewalk and a crack in the sidewalk. The District Operations' Manager will take a look at the areas to see if any maintenance is needed.

Chairman Luczynski read aloud an email form Robert Roehrig. He also provided the responses from Operations' Manager Mike Smith to those questions raised by Mr. Roehrig. The email and responses from the Operations' Manager will be included in the record. There was a lengthy discussion regarding this matter. At the request of Chairman Luczynski, District Manager William Crosley read two letters into the record that are addressed to the Gran Paradiso Property Owners Association, which are related to questions the District has received from POA President Steve Glunt and POA board member John Meisel about the irrigation system and allocation quantities of irrigation water that Gran Paradiso can use. Both letters will be posted on the District website. Supervisor Dobrin asked that his comment be retained for the record that inferring during discussion that the current Gran Paradiso Property Owners Association board of directors had done something wrong was incorrect.

Chairman Luczynski advised that there was an individual living in Gran Paradiso who attempted to operate/trigger a District well located in Gran Paradiso 15 times in an effort to augment water levels in the District's irrigation lake that is also located in Gran Paradiso. Those wells are owned by the District and any future attempts to control any District property will be met with arrests and if any damage occurs, there will be prosecution for damage to public property. Pursuant to the water management District permit, no lake can be augmented for any reason for aesthetic purposes. There was further discussion. Supervisor Dobrin requested all information regarding the individual trying to operate the District well. Additional discussion took place.

L. ADJOURNMENT

There being no further business to come before the Board, the Special Board Meeting was adjourned at 12:29 p.m. on a **MOTION** made by Ms. Masney, seconded by Mr. Buckley and passed unanimously.


Secretary/Assistant Secretary


Chair/Vice Chair

William Crosley

From: Bob&J <rjroehrig@gmail.com>

Sent: Wednesday, May 18, 2022 11:35 AM

To: William Crosley

Subject: Irrigation Concern to Board

Dear WVID Supervisors and Staff,

I cannot make the start of tomorrow's monthly WVID Supervisors Board meeting to make a public comment due to a prior meeting commitment. I would like Supervisor Dobrin to please read my concerns to the entire Board.

Robert Roehrig

13195 Campanile Ct.

Gran Paradiso Community

I am Chair of the current Landscape committee in Gran Paradiso and am dealing with our Brightview Landscape Vendor on many irrigation issues we face concerning the amount of water we receive. After reading once again the current Operations and Maintenance Contract we have with the WVID I'm questioning the following that is clearly stated within the contract: The following statements are taken directly from the current Operations and Maintenance Contract we share with the WVID.

1. The irrigation central computer/controller system shall be checked as often as necessary to insure scheduling. The DISTRICT will be responsible for the replacement or maintenance of the pumping equipment or to replace any defect in the system.
2. The irrigation system shall provide sufficient water to all lawns and shrub beds. System shall be adjusted during the rainy season. The watering shall provide for lush, green landscape appearance and shall operate between the hours of 9 PM and 7 AM or as required by the DISTRICT.
3. Irrigate as necessary during periods of little or no rainfall using the automatic irrigation system and any supplemental watering necessary.
4. The ASSOCIATION shall be responsible for controlling the amount of water used for irrigation and any damage that results from over watering or insufficient watering shall be the responsibility of the ASSOCIATION. (we have incurred great damage due to the lack of water throughout our communities landscaping, especially along the Blvds that the WVID owns) We have now lost hundreds of bushes and plants due to insufficient water.

A last comment I would like to make concerning WVID irrigation on U.S.41.....I bike along the sidewalk every morning at 6:00 AM going east out of the Gran Paradiso entrance. Could I please ask to have the rotary heads along the WVID sidewalk adjusted as to keep the sidewalks clear of the irrigation spray. Many others besides me use this sidewalk at early morning hours and it's very annoying to have to try to dodge irrigation water in the early morning darkness.

Thank You,

Robert Roehrig

William Crosley
From: Mike Smith
Sent: Wednesday, May 18, 2022 8:06 PM
To: John Luczynski; William Crosley
Subject: GP POA IRRIGATION QUESTIONS

John,

Item1, the central control system he is referring to is specific to the POA common areas (WVID property within GP) Our only responsibility is to provide a pressurized line. Once it leaves the pump station the agreement states that the internal irrigation system and management of thereafter is the responsibility of the POA.

Item2, the system provides a more than adequate supply for the current GP peak month demand. The rest of this item comes down to water management. If a system is mismanagement during the dry season the outcome could be that of large material loss.

Item3, the allocation calculated by using the AGMOD model allows a peak month flow during the dry season, by managing your demand throughout the year provides these banked allocations for use during this period.

Items, this all comes down to water management or lack of. There has been no restriction to demands from this site. Only warnings of overuse. Two totally different issues. The loss of material could be a result of recent irrigation shutdown in these common areas. This was recently brought to my attention by a GP vendor.

The last comment regarding the heads on 41 is a simple fix which I will take care of.

The agreement is very clear on all items above. I would be happy to walk Bob through it so he can better understand the agreement along with responsibilities of the POA.

If you need me to call in let me know.

Mike
Operations Manager
540-539-7592

WEST VILLAGES IMPROVEMENT DISTRICT
C/O Special District Services, Inc.
19503 S. West Villages Parkway #A3
Venice, Florida 34293

May 19, 2022

Via U.S. Mail and Electronic Mail

Gran Paradiso Property Owners Association, Inc.
Attn: Steve Glunt President
20125 Galleria Boulevard
Venice, Florida 34293
sgluntgpboard@gmail.com

RE: West Villages Improvement District Irrigation Utility Program

Dear Mr. Glunt,

Staff of the West Villages Improvement District (the “**District**”) has received several inquiries from members of the Board of Directors (the “**BOD**”) of the Gran Paradiso Property Owners Association, Inc. (the “**Association**”) as to the irrigation program within the District. The District has accordingly prepared this letter in an effort to educate the BOD on the District’s provision of irrigation water within the Gran Paradiso community.

When the master developer acquired the majority of the lands within the Wellen Park development several years ago, it also legally acquired the original developer’s rights to the Water Use Permit (the “**Permit**”) issued by the Southwest Florida Water Management District (“**SWFWMD**”). The geographical scope of the Permit includes all lands within the District, with the exception of the Islandwalk development which was separately permitted (hereinafter, the lands subject to the Permit shall be referred to as “**Unit No. 6**”). The Permit allocates irrigation water to the lands within Unit No. 6, which is supplied from three sources: i) surface water (i.e. irrigation lakes); ii) reclaimed water (i.e. supplied by the City of North Port, Sarasota County, and/or Englewood Water District); and iii) groundwater (i.e. wells).¹ The SWFWMD permitholder(s) is the only entity(ies) that is legally allowed to develop or utilize water resources within the lands within the scope of such Permit.² The Permit is currently jointly held by the District and The Ranch Land Operations, LLLP, an affiliate of the master developer.

¹ The Permit requires that the surface water and reclaimed water are to be used preferentially and the groundwater is to be used when those sources are not adequate to meet the irrigation demands established by the Permit.

² Section 12 of the *Amended and Restated Declaration of Covenants and Restrictions for Gran Paradiso*, dated October 29, 2013 (the “**Declaration**”), additionally provides that the conveyance of a lot to a homeowner does not include the right to develop or utilize the ground or surface water resources within such lot. Section 5.12 and 12 of

The lands within Gran Paradiso, including specifically the groundwater irrigation wells located within your development (“Wells”),³ were included within the scope of the Permit at the time of assignment to the master developer and remain subject to the Permit. As a result, although the Association owns the fee simple title to the real property upon which the Wells are located, it does not own or own the rights to the Wells themselves. Instead, these rights are held by the holders of the Permit.

The master developer holds a perpetual easement over the lands where the Wells are located for access and for the installation, maintenance, repair and general use and operation of the Wells in accordance with the Permit (hereinafter, the “Easement”).⁴ The Easement provides that the property owner shall ensure quiet enjoyment of the easement property, meaning that it will not take or allow any actions that disrupts the Grantee’s use of the property for the purposes stated in the Easement (i.e. relative to the Grantee’s operation of the Wells). The Easement is recorded against the land and thus is enforceable against the Association as the current owner of such lands.

Overall irrigation water allocations for both the lands within Gran Paradiso as well as Unit No. 6 are ultimately governed by the SWFWMD Permit. A project’s irrigation allocation is determined by SWFWMD’s AGMOD modeling software based on the amount of irrigable acres located within a specific project boundary, as well as property use type, irrigation type, and soil type. The well capacity or quantities ascribed to a well(s) accordingly do not dictate the irrigation allocation.

The reason for this, in part, is that the irrigation infrastructure within Unit No. 6 is a considered a system of improvements where the improvements generally serve the entirety of the lands within Unit No. 6 instead of just the development in which they are physically located.⁵

the Declaration further require homeowners to connect the irrigation water lines on their lot to the lines of the utility provider(s) providing service to Gran Paradiso (i.e. the District).

³ Note that six (6) wells within Gran Paradiso have been permitted, but only two are physically operational. It is understood by SWFWMD that it will take time to bring the District’s entire wellfield, including the portion located within Gran Paradiso, into production. However, for the reasons discussed in this letter, this fact has no effect on irrigation allocations for either the Gran Paradiso development or for the lands within Unit No. 6.

⁴ Note that District staff in late 2021 and early 2022, at the request of Supervisor Victor Dobrin, did an audit of all common area property within Gran Paradiso to confirm that all property intended to be turned over to the District was in fact conveyed to the District. This audit identified a number of pond tracts, as well as the tracts upon which the Wells are located, that had not yet been turned over to the District. The District prepared and provided a form of deed for these properties and presented the draft document to representatives of the BOD which to date has declined to act on approving, executing, and recording such deed.

⁵ Claims have been made by certain of the members of the BOD that all of the irrigation infrastructure within Gran Paradiso was paid for using proceeds of bonds secured by the lands within Gran Paradiso (hereinafter, the “Unit No. 3 Bonds”), which is purported to be impermissible since Unit No. 6 was created by the District to oversee the District’s irrigation operations. While the District does not believe that all master irrigation improvements in Gran Paradiso were funded with proceeds of the Unit No. 3 Bonds, there is nothing impermissible about the payment of irrigation infrastructure construction/installation costs in this manner. Conversely, it is routine for either the District or the developer of a project to install the initial irrigation installation physically located within their development.

This is described in the Permit as “wellfield flexibility.” For example, wells and infrastructure outside of Gran Paradiso can provide irrigation water to your development and conversely the Wells and other infrastructure located in Gran Paradiso can provide (and have historically provided) provide irrigation water to other properties within Unit No. 6.

By way of example, the District presently moves irrigation water generated from the Wells to PIL No. 1 to mix with the water located therein in order to reduce the salinity of the groundwater produced from such Wells to make it suitable for irrigation purposes. If we did not mix the groundwater in this manner, the groundwater produced straight from the Wells would burn and destroy the turf and landscape improvements. It is not possible for PIL No. 3, which is located within Gran Paradiso, to be utilized for this mixing process as it is too small of a lake. As a result, Gran Paradiso is relying on irrigation facilities outside of its geographical boundary to facilitate the provision of irrigation water to the lands within its boundary, just like other properties within Unit No. 6, but outside of Gran Paradiso, rely on facilities located within Gran Paradiso.

In order to facilitate the implementation of the full-service residential irrigation program within Unit No. 6,⁶ in 2018 the District and the master developer determined that it was in the best interest of the District, its residents, and landowners for the District to oversee the irrigation program for the lands within Unit No. 6 and accordingly entered into that certain *Water Supply Agreement* providing in part: i) that the District is to be the exclusive provider of irrigation water to the users within Unit No. 6,⁷ which includes the Development; and ii) the fees to be charged to the District to pay for the availability of groundwater quantities via the use of master developer-owned wells.

Pursuant to its enabling legislation, the District is authorized to prescribe, fix, establish, and collect rates, fees and other charges after a public hearing thereon. In conjunction with entering into the Water Supply Agreement referenced above, The District procured an irrigation rate study and, after public hearing, adopted Resolution 2018-18⁸ establishing several irrigation-related fees/rates including: i) a variable operating/usage rate; ii) a fixed capital rate; and iii) a well availability rate based on the District’s requirement to remit such rates per the Water Supply

The District then collects a capital recovery fee, as discussed in more detail herein, from all users of irrigation water within Unit No. 6 for the repair and/or replacement of existing irrigation infrastructure.

⁶ Prior to 2018, the majority of the lands within to-be-formed Unit No. 6 were permitted by SWFWMD for agricultural use only (including the Wells), with the only source of irrigation water to Gran Paradiso being provided by Englewood Water District.

⁷ Note that the lands within Unit No. 6 includes both i) lands subject to a restrictive covenant imposed by the master developer, and ii) additional lands within the District that had commenced residential development prior to 2018, including Gran Paradiso. For the reasons stated herein, the lack of a “restrictive covenant” imposed by the master developer over the lands in Gran Paradiso (or any other residential community developed prior to 2018) does not negate those communities’ obligation to acquire irrigation water from the District as the irrigation utility provider and to participate in the provision of fees and charges imposed by the District relative to its operation of such utility.

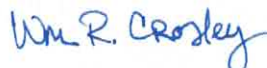
⁸ Resolution 2018-18 was subsequently amended by Resolution 2021-15.

Agreement⁹ (collectively, the "**Irrigation Fees**"). A copy of the current rate schedule is enclosed herein as **Exhibit A** for your reference.

The District and the Association thereafter entered into the *Amended and Restated Agreement for the Delivery and Use of Irrigation water*, dated December 16, 2020 (the "**GP Water Agreement**") which in part i) provides the terms under which the District will provide irrigation water to the Gran Paradiso development; ii) provides the manner in which the Irrigation Fees are to be invoiced by the District and paid by the Association; and iii) establishes the ability of the District to set rates, fees, and charges related to its provision of irrigation water to the development and to revise same which shall thereafter apply without the need for amendment to the GP Water Agreement.¹⁰

I hope that this letter served to educate you on the District's irrigation program, but should you have any questions please do not hesitate to contact me at (941) 244-2805 or werosley@sdsinc.org.

Sincerely,



William Crosley
West Villages Improvement District
District Manager

CC: Association Board of Directors (via e-mail)
John Meisel- jmeiselgpboard@gmail.com
Pam Kantola- pkantolagpboard@gmail.com
Phil Stokes- pstokesgpboard@gmail.com
Victor Dobrin- vdobringpboard@gmail.com
Tom Porada- tom@porada.com
Jim Cranston- capt.jimeranston.gppoa@gmail.com

⁹ As discussed above, the Permit provides for wellfield flexibility and so the lands within Gran Paradiso rely upon wells located outside of the development but within Unit 6, and lands within Unit 6 similarly rely upon the Wells within Gran Paradiso, to provide irrigation water. As a result, the well availability fee applies to any property that receives irrigation water from the District. This is similar to the manner in which special assessments are allocated against all benefitting properties when the infrastructure together serves the entirety of a development area, rather than only against the areas within which the improvements are physically located.

¹⁰ Section 12 of the Declaration, among other documents recorded in the Official Records of Sarasota County, Florida, additionally discloses the existence of the District and its authority to levy and collect assessments, rates, fees and charges to provide and operate public infrastructure improvements.

WEST VILLAGES IMPROVEMENT DISTRICT
C/O Special District Services, Inc.
19503 S. West Villages Parkway #A3
Venice, Florida 34293

May 19, 2022

Via Certified Mail and Electronic Mail

Gran Paradiso Property Owners Association, Inc.
Attn: Steve Glunt President
20125 Galleria Boulevard
Venice, Florida 34293
sgluntgpboard@gmail.com

RE: Gran Paradiso Irrigation Quality Water Reserved Allocation

Dear Mr. Glunt,

As you are aware, the West Villages Improvement District (the "**District**") and Gran Paradiso Property Owners Association, Inc. (the "**Association**") previously entered into the *Amended and Restated Agreement for the Delivery and Use of Irrigation Quality Water*, dated December 16, 2020 (the "**Agreement**") providing for the District's provision of Irrigation Quality Water (as defined in the Agreement) to the Gran Paradiso residential development (the "**Development**").

Overall Wellen Park and project-based Irrigation Quality Water allocations within the boundary of the District are ultimately governed by the District's Water Use Permit (the "**Permit**") issued by the Southwest Florida Water Management District ("**SWFWMD**"). A project's allocation is ultimately determined by SWFWMD's AGMOD modeling software based on the amount of irrigable acres located within a specific project boundary. Exhibit C to the Agreement established that the Association's allocation of Irrigation Quality Water (hereinafter, its "**Reserved Allocation**") relative to the lands within the Development is 593,200 GPD.

The District has recently received several inquiries from Board of Directors' member John Meisel relative to the veracity of the calculation of the Reserved Allocation. Upon such inquiry, and the District's prompt and diligent investigation of same at Mr. Meisel's request, it has been determined by the District's environmental and irrigation consultant that the District had inadvertently included lands *outside* of the Development in its calculation of the Reserved

Allocation. Thus, the Reserved Allocation referenced in the Agreement is higher than what is permissible to be provided to the Development pursuant to the terms of the District's Permit.

Specifically, the Development is located within a residential portion of Village A within Wellen Park. When entering into the Agreement, District staff inadvertently included the AGMOD allocations for a commercial parcel within Village A (located at the northwest corner of US Highway 41 and West Villages Parkway), within the calculation of the Reserved Allocation. While located within Village A, this commercial property is actually located *outside* of the Development and is being developed separate and apart from the Development. As a result of this revelation, it is now necessary to reduce the Development's Reserved Allocation from 593,200 GPD (which represents the AGMOD allocation for the entirety of Village A) to 558,700 GPD (which represents the SWFWMD-established allocation for just the Development).

By way of further explanation, in 2018 when the AGMOD allocations were most recently calculated for Village A, the Development was determined to have 147.4 acres of existing irrigated lawn and landscape area, and was estimated to have a total of 277.3 acres of irrigated lawn and landscape area at build-out.¹ As discussed above, AGMOD allocations are based upon the total amount of irrigable acres within a development at project build-out. To aid in your review, please see the enclosed chart of the AGMOD allocation for Village A which shows the break-out of the SWFWMD-established AGMOD allocations for each of the two distinct areas within Village A.

Section 12(B) of the Agreement provides that, in the event "the Irrigation Quality Water in the amounts addressed pursuant to this Agreement is otherwise prohibited by operation of any statute or law or governmental permit, rule or order," that the District may thereafter terminate the Agreement without penalty or liability by giving written notice to the Association. Unfortunately, the inadvertent over-allocation of Irrigation Quality Water to the Development is violative of the terms of the Permit, which is issued by SWFWMD- a governmental entity. Thus, such over-allocation "is prohibited by a government permit" and permits the District to terminate the Agreement, which would leave the Development without a source of Irrigation Quality Water to irrigate the lands within its boundary.

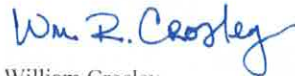
However, Section 19 of the Agreement provides that the Parties may amend the Agreement when such amendment is in writing and authorized by both Parties. Accordingly, in lieu of terminating the Agreement pursuant to Section 12(B), which would result in no Irrigation Quality Water being provided to the Development- which is clearly detrimental to the development of both the lands within the District as well as within the Development- the District instead desires to amend the Agreement pursuant to Section 19 in order to revise the Reserved Allocation to account for the proper allocation of Irrigation Quality Water to the Development on a going forward basis.

¹ The District invites the Association to provide it with AutoCAD files delineating total acreage planned to be irrigated at build-out in order to better refine the irrigatable acreage calculation for the purposes of the AGMOD calculation relative to the Development. However, please note that this effort may result in a further decrease in identified irrigated acres and AGMOD allocations.

As a result, please see the enclosed amendment to the Agreement which addresses the proper amount of Irrigation Quality Water to be provided to the Development pursuant to the District's Permit, for your approval and execution. In order to ensure prompt compliance with the Permit, such revised allocations shall be effective as of June 1, 2022.

Should you have any questions please do not hesitate to contact me at (941) 244-2805 or wcrosley@sdsinc.org.

Sincerely,



William Crosley
West Villages Improvement District
District Manager

CC: Association Board of Directors (via e-mail)
John Meisel- jmeiselgpboard@gmail.com
Pam Kantola- pkantolagpboard@gmail.com
Phil Stokes- pstokesgpboard@gmail.com
Victor Dobrin- vdobringpboard@gmail.com
Tom Porada- tom@porada.com
Jim Cranston- capt.jimcranston.gppoa@gmail.com

Enclosures

PIL 3 Service Area	AGMOD Demand Calculations							
	NW Commercial Quad			Gran Paradis Lawn and Landscape			Total Annual Average Demand (gpd)	Total Peak Month Demand (gpd)
	Irrigated Area (ac)	Annual Average Demand (gpd)	Peak Month Demand (gpd)	Irrigated Area (ac)	Annual Average Demand (gpd)	Peak Month Demand (gpd)		
Village A	17.1	34,500	109,200	277.3	558,700	1,770,700	593,200	1,879,900

WEST VILLAGES IMPROVEMENT DISTRICT
C/O Special District Services, Inc.
19503 S. West Villages Parkway #A3
Venice, Florida 34293

May 18, 2022

Via U.S. Mail and Electronic Mail

Gran Paradiso Property Owners Association, Inc.
Attn: Steve Glunt President
20125 Galleria Boulevard
Venice, Florida 34293
sgluntgpboard@gmail.com

RE: West Villages Improvement District Irrigation Utility Program

Dear Mr. Glunt,

Staff of the West Villages Improvement District (the “**District**”) has received several inquiries from members of the Board of Directors (the “**BOD**”) of the Gran Paradiso Property Owners Association, Inc. (the “**Association**”) as to the irrigation program within the District. The District has accordingly prepared this letter in an effort to educate the BOD on the District’s provision of irrigation water within the Gran Paradiso community.

When the master developer acquired the majority of the lands within the Wellen Park development several years ago, it also legally acquired the original developer’s rights to the Water Use Permit (the “**Permit**”) issued by the Southwest Florida Water Management District (“**SWFWMD**”). The geographical scope of the Permit includes all lands within the District, with the exception of the Islandwalk development which was separately permitted (hereinafter, the lands subject to the Permit shall be referred to as “**Unit No. 6**”). The Permit allocates irrigation water to the lands within Unit No. 6, which is supplied from three sources: i) surface water (i.e. irrigation lakes); ii) reclaimed water (i.e. supplied by the City of North Port, Sarasota County, and/or Englewood Water District); and iii) groundwater (i.e. wells).¹ The SWFWMD permitholder(s) is the only entity(ies) that is legally allowed to develop or utilize water resources within the lands within the scope of such Permit.² The Permit is currently jointly held by the District and The Ranch Land Operations, LLLP, an affiliate of the master developer.

¹ The Permit requires that the surface water and reclaimed water are to be used preferentially and the groundwater is to be used when those sources are not adequate to meet the irrigation demands established by the Permit.

² Section 12 of the *Amended and Restated Declaration of Covenants and Restrictions for Gran Paradiso*, dated October 29, 2013 (the “**Declaration**”), additionally provides that the conveyance of a lot to a homeowner does not include the right to develop or utilize the ground or surface water resources within such lot. Section 5.12 and 12 of

The lands within Gran Paradiso, including specifically the groundwater irrigation wells located within your development (“**Wells**”),³ were included within the scope of the Permit at the time of assignment to the master developer and remain subject to the Permit. As a result, although the Association owns the fee simple title to the real property upon which the Wells are located, it does not own or own the rights to the Wells themselves. Instead, these rights are held by the holders of the Permit.

The master developer holds a perpetual easement over the lands where the Wells are located for access and for the installation, maintenance, repair and general use and operation of the Wells in accordance with the Permit (hereinafter, the “**Easement**”).⁴ The Easement provides that the property owner shall ensure quiet enjoyment of the easement property, meaning that it will not take or allow any actions that disrupts the Grantee’s use of the property for the purposes stated in the Easement (i.e. relative to the Grantee’s operation of the Wells). The Easement is recorded against the land and thus is enforceable against the Association as the current owner of such lands.

Overall irrigation water allocations for both the lands within Gran Paradiso as well as Unit No. 6 are ultimately governed by the SWFWMD Permit. A project’s irrigation allocation is determined by SWFWMD’s AGMOD modeling software based on the amount of irrigable acres located within a specific project boundary, as well as property use type, irrigation type, and soil type. The well capacity or quantities ascribed to a well(s) accordingly do not dictate the irrigation allocation.

The reason for this, in part, is that the irrigation infrastructure within Unit No. 6 is a considered a system of improvements where the improvements generally serve the entirety of the lands within Unit No. 6 instead of just the development in which they are physically located.⁵

the Declaration further require homeowners to connect the irrigation water lines on their lot to the lines of the utility provider(s) providing service to Gran Paradiso (i.e. the District).

³ Note that six (6) wells within Gran Paradiso have been permitted, but only two are physically operational. It is understood by SWFWMD that it will take time to bring the District’s entire wellfield, including the portion located within Gran Paradiso, into production. However, for the reasons discussed in this letter, this fact has no effect on irrigation allocations for either the Gran Paradiso development or for the lands within Unit No. 6.

⁴ Note that District staff in late 2021 and early 2022, at the request of Supervisor Victor Dobrin, did an audit of all common area property within Gran Paradiso to confirm that all property intended to be turned over to the District was in fact conveyed to the District. This audit identified a number of pond tracts, as well as the tracts upon which the Wells are located, that had not yet been turned over to the District. The District prepared and provided a form of deed for these properties and presented the draft document to representatives of the BOD which to date has declined to act on approving, executing, and recording such deed.

⁵ Claims have been made by certain of the members of the BOD that all of the irrigation infrastructure within Gran Paradiso was paid for using proceeds of bonds secured by the lands within Gran Paradiso (hereinafter, the “**Unit No. 3 Bonds**”), which is purported to be impermissible since Unit No. 6 was created by the District to oversee the District’s irrigation operations. While the District does not believe that all master irrigation improvements in Gran Paradiso were funded with proceeds of the Unit No. 3 Bonds, there is nothing impermissible about the payment of irrigation infrastructure construction/installation costs in this manner. Conversely, it is routine for either the District or the developer of a project to install the initial irrigation installation physically located within their development.

This is described in the Permit as “wellfield flexibility.” For example, wells and infrastructure outside of Gran Paradiso can provide irrigation water to your development and conversely the Wells and other infrastructure located in Gran Paradiso can provide (and have historically provided) provide irrigation water to other properties within Unit No. 6.

By way of example, the District presently moves irrigation water generated from the Wells to PIL No. 1 to mix with the water located therein in order to reduce the salinity of the groundwater produced from such Wells to make it suitable for irrigation purposes. If we did not mix the groundwater in this manner, the groundwater produced straight from the Wells would burn and destroy the turf and landscape improvements. It is not possible for PIL No. 3, which is located within Gran Paradiso, to be utilized for this mixing process as it is too small of a lake. As a result, Gran Paradiso is relying on irrigation facilities outside of its geographical boundary to facilitate the provision of irrigation water to the lands within its boundary, just like other properties within Unit No. 6, but outside of Gran Paradiso, rely on facilities located within Gran Paradiso.

In order to facilitate the implementation of the full-service residential irrigation program within Unit No. 6,⁶ in 2018 the District and the master developer determined that it was in the best interest of the District, its residents, and landowners for the District to oversee the irrigation program for the lands within Unit No. 6 and accordingly entered into that certain *Water Supply Agreement* providing in part: i) that the District is to be the exclusive provider of irrigation water to the users within Unit No. 6,⁷ which includes the Development; and ii) the fees to be charged to the District to pay for the availability of groundwater quantities via the use of master developer-owned wells.

Pursuant to its enabling legislation, the District is authorized to prescribe, fix, establish, and collect rates, fees and other charges after a public hearing thereon. In conjunction with entering into the Water Supply Agreement referenced above, The District procured an irrigation rate study and, after public hearing, adopted Resolution 2018-18⁸ establishing several irrigation-related fees/rates including: i) a variable operating/usage rate; ii) a fixed capital rate; and iii) a well availability rate based on the District’s requirement to remit such rates per the Water Supply

The District then collects a capital recovery fee, as discussed in more detail herein, from all users of irrigation water within Unit No. 6 for the repair and/or replacement of existing irrigation infrastructure.

⁶ Prior to 2018, the majority of the lands within to-be-formed Unit No. 6 were permitted by SWFWMD for agricultural use only (including the Wells), with the only source of irrigation water to Gran Paradiso being provided by Englewood Water District.

⁷ Note that the lands within Unit No. 6 includes both i) lands subject to a restrictive covenant imposed by the master developer, and ii) additional lands within the District that had commenced residential development prior to 2018, including Gran Paradiso. For the reasons stated herein, the lack of a “restrictive covenant” imposed by the master developer over the lands in Gran Paradiso (or any other residential community developed prior to 2018) does not negate those communities’ obligation to acquire irrigation water from the District as the irrigation utility provider and to participate in the provision of fees and charges imposed by the District relative to its operation of such utility.

⁸ Resolution 2018-18 was subsequently amended by Resolution 2021-15.

Agreement⁹ (collectively, the “**Irrigation Fees**”). A copy of the current rate schedule is enclosed herein as **Exhibit A** for your reference.

The District and the Association thereafter entered into the *Amended and Restated Agreement for the Delivery and Use of Irrigation water*, dated December 16, 2020 (the “**GP Water Agreement**”) which in part i) provides the terms under which the District will provide irrigation water to the Gran Paradiso development; ii) provides the manner in which the Irrigation Fees are to be invoiced by the District and paid by the Association; and iii) establishes the ability of the District to set rates, fees, and charges related to its provision of irrigation water to the development and to revise same which shall thereafter apply without the need for amendment to the GP Water Agreement.¹⁰

I hope that this letter served to educate you on the District’s irrigation program, but should you have any questions please do not hesitate to contact me at (941) 244-2805 or wcrosley@sdsinc.org.

Sincerely,



William Crosley
West Villages Improvement District
District Manager

CC: Association Board of Directors (via e-mail)
John Meisel- jmeiselgpboard@gmail.com
Pam Kantola- pkantolagpboard@gmail.com
Phil Stokes- pstokesgpboard@gmail.com
Victor Dobrin- vdobringpboard@gmail.com
Tom Porada- tom@porada.com
Jim Cranston- capt.jimcranston.gppoa@gmail.com

⁹ As discussed above, the Permit provides for wellfield flexibility and so the lands within Gran Paradiso rely upon wells located outside of the development but within Unit 6, and lands within Unit 6 similarly rely upon the Wells within Gran Paradiso, to provide irrigation water. As a result, the well availability fee applies to any property that receives irrigation water from the District. This is similar to the manner in which special assessments are allocated- against all benefitting properties when the infrastructure together serves the entirety of a development area, rather than only against the areas within which the improvements are physically located.

¹⁰ Section 12 of the Declaration, among other documents recorded in the Official Records of Sarasota County, Florida, additionally discloses the existence of the District and its authority to levy and collect assessments, rates, fees and charges to provide and operate public infrastructure improvements.

Enclosure

EXHIBIT A

CURRENT IRRIGATION WATER RATE SCHEDULE

All rates have been established in accordance with that certain *Irrigation Rate Analysis- Draft Report*, dated August 31, 2018.

Proposed Reclaimed Water Rates¹ Per 1 ERU

Rates	Tier 1³	Tier 2³
<i>Variable Operating/ Usage Rate²</i>	\$0.73	\$1.46
<i>Fixed Capital Rate</i>	\$1.39	\$1.39
<i>Fixed Well Availability Rate</i>	\$4.17	\$4.17

¹ Rates may be increased by the District at the beginning of each fiscal year by an amount not to exceed the greater of: i) 5.5% (i.e. the 10-year average of the United States CPI- Water and Sewerage Maintenance Series at the time of adoption of these rates), or ii) the year-over-year change in the United States CPI- Water & Sewerage Maintenance Series without the need for a further public hearing.

² Monthly operating/usage fees will ultimately be calculated per each 1,000 gallons utilized monthly.

³ Tier 2 operating rates will apply for those customers exceeding 1.5 times their monthly irrigation allocation (hereinafter the "Monthly Allocation") based on *AGMOD Demand Calculations*, as determined by the District Engineer and the Operations Manager. The Monthly Allocation shall be calculated by multiplying the *AGMOD Demand Calculations* (expressed in gallons per day) by the number of days in a given month. Monthly Allocations will fluctuate depending on peak /off peak periods, and will accommodate applicable grow-in practices for new construction, as determined to be appropriate by the District Engineer and Operations Manager. Tier 2 rates will only be applied to usage that exceeds the Monthly Allocation.

ERUs Per Customer Class

Product Type	Metric	ERU
Single-Family ¹ Residential Unit	1 unit	1
Multi-Family ² Residential Unit	1 unit	.33
Commercial Irrigable Acres ³	.075 irrigable acres	1
Recreational Irrigable Acres ⁴	.075 irrigable acres	1

¹ A single-family unit is defined as a building containing not more than two (2) dwellings.

² A multi-family unit is defined as a building containing more than two (2) dwellings.

³ Irrigable acreage for commercial property is calculated based on 16% of the net developable area (i.e. gross land area less major roadway right-of-way and wetland areas) for each parcel.

⁴ Irrigable acreage for recreational property (i.e. golf courses, parks, athletic facilities, etc.) is calculated based on an estimate of the irrigable area for the property as conducted by a Professional Engineer.

WEST VILLAGES IMPROVEMENT DISTRICT
C/O Special District Services, Inc.
19503 S. West Villages Parkway #A3
Venice, Florida 34293

May 18, 2022

Via Certified Mail and Electronic Mail

Gran Paradiso Property Owners Association, Inc.
Attn: Steve Glunt President
20125 Galleria Boulevard
Venice, Florida 34293
sgluntgpboard@gmail.com

RE: Gran Paradiso Irrigation Quality Water Reserved Allocation

Dear Mr. Glunt,

As you are aware, the West Villages Improvement District (the "**District**") and Gran Paradiso Property Owners Association, Inc. (the "**Association**") previously entered into the *Amended and Restated Agreement for the Delivery and Use of Irrigation Quality Water*, dated December 16, 2020 (the "**Agreement**") providing for the District's provision of Irrigation Quality Water (as defined in the Agreement) to the Gran Paradiso residential development (the "**Development**").

Overall Wellen Park and project-based Irrigation Quality Water allocations within the boundary of the District are ultimately governed by the District's Water Use Permit (the "**Permit**") issued by the Southwest Florida Water Management District ("**SWFWMD**"). A project's allocation is ultimately determined by SWFWMD's AGMOD modeling software based on the amount of irrigable acres located within a specific project boundary. Exhibit C to the Agreement established that the Association's allocation of Irrigation Quality Water (hereinafter, its "**Reserved Allocation**") relative to the lands within the Development is 593,200 GPD.

The District has recently received several inquiries from Board of Directors' member John Meisel relative to the veracity of the calculation of the Reserved Allocation. Upon such inquiry, and the District's prompt and diligent investigation of same at Mr. Meisel's request, it has been determined by the District's environmental and irrigation consultant that the District had inadvertently included lands *outside* of the Development in its calculation of the Reserved

Allocation. Thus, the Reserved Allocation referenced in the Agreement is higher than what is permissible to be provided to the Development pursuant to the terms of the District's Permit.

Specifically, the Development is located within a residential portion of Village A within Wellen Park. When entering into the Agreement, District staff inadvertently included the AGMOD allocations for the northwest quadrant of Village A, which is a commercial parcel, within the calculation of the Reserved Allocation. While located within Village A, this commercial property is actually located *outside* of the Development and is being developed separate and apart from the Development. As a result of this revelation, it is now necessary to reduce the Development's Reserved Allocation from 593,200 GPD (which represents the AGMOD allocation for the entirety of Village A) to 558,700 GPD (which represents the SWFWMD-established allocation for just the Development).

By way of further explanation, in 2018 when the AGMOD allocations were most recently calculated for Village A, the Development was determined to have 147.4 acres of existing irrigated lawn and landscape area, and was estimated to have a total of 277.3 acres of irrigated lawn and landscape area at build-out.¹ As discussed above, AGMOD allocations are based upon the total amount of irrigable acres within a development at project build-out. To aid in your review, please see the enclosed chart of the AGMOD allocation for Village A which shows the break-out of the SWFWMD-established AGMOD allocations for each of the two distinct areas within Village A.

Section 12(B) of the Agreement provides that, in the event "the Irrigation Quality Water in the amounts addressed pursuant to this Agreement is otherwise prohibited by operation of any statute or law or governmental permit, rule or order," that the District may thereafter terminate the Agreement without penalty or liability by giving written notice to the Association. Unfortunately, the inadvertent over-allocation of Irrigation Quality Water to the Development is violative of the terms of the Permit, which is issued by SWFWMD- a governmental entity. Thus, such over-allocation "is prohibited by a government permit" and permits the District to terminate the Agreement, which would leave the Development without a source of Irrigation Quality Water to irrigate the lands within its boundary.

However, Section 19 of the Agreement provides that the Parties may amend the Agreement when such amendment is in writing and authorized by both Parties. Accordingly, in lieu of terminating the Agreement pursuant to Section 12(B), which would result in no Irrigation Quality Water being provided to the Development- which is clearly detrimental to the development of both the lands within the District as well as within the Development- the District instead desires to amend the Agreement pursuant to Section 19 in order to revise the Reserved Allocation to account for the proper allocation of Irrigation Quality Water to the Development on a going forward basis.

¹ The District invites the Association to provide it with AutoCAD files delineating total acreage planned to be irrigated at build-out in order to better refine the irrigatable acreage calculation for the purposes of the AGMOD calculation relative to the Development. However, please note that this effort may result in a further decrease in identified irrigated acres and AGMOD allocations.

As a result, please see the enclosed amendment to the Agreement which addresses the proper amount of Irrigation Quality Water to be provided to the Development pursuant to the District's Permit, for your approval and execution. In order to ensure prompt compliance with the Permit, such revised allocations shall be effective as of June 1, 2022.

Should you have any questions please do not hesitate to contact me at (941) 244-2805 or wcrosley@sdsinc.org.

Sincerely,



William Crosley
West Villages Improvement District
District Manager

CC: Association Board of Directors (via e-mail)
John Meisel- jmeiselgpbboard@gmail.com
Pam Kantola- pkantolagpbboard@gmail.com
Phil Stokes- pstokesgpbboard@gmail.com
Victor Dobrin- vdobringpbboard@gmail.com
Tom Porada- tom@porada.com
Jim Cranston- capt.jimcranston.gppoa@gmail.com

Enclosures

PIL 3 Service Area	AGMOD Demand Calculations							
	NW Commercial Quad			Gran Paradis Lawn and Landscape			Total Annual Average Demand (gpd)	Total Peak Month Demand (gpd)
	Irrigated Area (ac)	Annual Average Demand (gpd)	Peak Month Demand (gpd)	Irrigated Area (ac)	Annual Average Demand (gpd)	Peak Month Demand (gpd)		
Village A	17.1	34,500	109,200	277.3	558,700	1,770,700	593,200	1,879,900

William Crosley

From: Bob&J <rjroehrig@gmail.com>
Sent: Wednesday, May 18, 2022 11:35 AM
To: William Crosley
Subject: Irrigation Concern to Board

Dear WVID Supervisors and Staff,

I cannot make the start of tomorrow's monthly WVID Supervisors Board meeting to make a public comment due to a prior meeting commitment. I would like Supervisor Dobrin to please read my concerns to the entire Board.

Robert Roehrig

13195 Campanile Ct.

Gran Paradiso Community

I am Chair of the current Landscape committee in Gran Paradiso and am dealing with our Brightview Landscape Vendor on many irrigation issues we face concerning the amount of water we receive. After reading once again the current Operations and Maintenance Contract we have with the WVID I'm questioning the following that is clearly stated within the contract: The following statements are taking directly from the current Operations and Maintenance Contract we share with the WVID.

1. The irrigation central computer/controller system shall be checked as often as necessary to insure scheduling. **The DISTRICT will be responsible for the replacement or maintenance of the pumping equipment or to replace any defect in the system.**
2. **The irrigation system shall provide sufficient water to all lawns and shrub beds.** System shall be adjusted during the rainy season. The watering shall provide for lush, green landscape appearance and shall operate between the hours of 9 PM and 7 AM or as required by the DISTRICT.
3. **Irrigate as necessary during periods of little or no rainfall** using the automatic irrigation system and any supplemental watering necessary.
4. **The ASSOCIATION shall be responsible for controlling the amount of water used for irrigation and any damage that results from over watering or insufficient watering shall be the responsibility of the ASSOCIATION. (we have incurred great damage due to the lack of water throughout our communities landscaping, especially along the Blvds that the WVID owns) We have now lost hundreds of bushes and plants due to insufficient water.**

A last comment I would like to make concerning WVID irrigation on U.S.41.....I bike along the sidewalk every morning at 6:00 AM going east out of the Gran Paradiso entrance. Could I please ask to have the rotary heads along the WVID sidewalk adjusted as

to keep the sidewalks clear of the irrigation spray. Many others besides me use this sidewalk at early morning hours and it's very annoying to have to try to dodge irrigation water in the early morning darkness.

Thank You,

Robert Roehrig

William Crosley

From: Mike Smith
Sent: Wednesday, May 18, 2022 8:06 PM
To: John Luczynski; William Crosley
Subject: GP POA IRRIGATION QUESTIONS

John,

Item1, the central control system he is referring to is specific to the POA common areas (WVID property within GP) Our only responsibility is to provide a pressurized line. Once it leaves the pump station the agreement states that the internal irrigation system and management of thereafter is the responsibility of the POA.

Item2, the system provides a more than adequate supply for the current GP peak month demand. The rest of this item comes down to water management. If a system is mismanagement during the dry season the outcome could be that of large material loss.

Item3, the allocation calculated by using the AGMOD model allows a peak month flow during the dry season, by managing your demand throughout the year provides these banked allocations for use during this period.

Items, this all comes down to water management or lack of. There has been no restriction to demands from this site. Only warnings of overuse. Two totally different issues. The loss of material could be a result of recent irrigation shutdown in these common areas. This was recently brought to my attention by a GP vendor.

The last comment regarding the heads on 41 is a simple fix which I will take care of.

The agreement is very clear on all items above. I would be happy to walk Bob through it so he can better understand the agreement along with responsibilities of the POA.

If you need me to call in let me know.

Mike

Operations Manager
540-539-7592