

Spanish Wells Community Association Drainage Management Committee (DMC)

Whereas: The Spanish Wells Community Association (“SWCA”) is party to a water management permit with South Florida Water Management District (“SFWMD”).

Whereas: SWCA is responsible for maintaining and managing the drainage infrastructure within the Spanish Wells Community according to the terms of the agreement with SFWMD.

Whereas: The drainage infrastructure within the Spanish Wells Community consists of 43 lakes and 376 physical components including pipes, catch basins, and junction boxes.

Whereas: SWCA is required to provide long term funding within its reserve account for future costs associated with the maintenance and replacement of the drainage system infrastructure.

Whereas: The aforementioned duties of SWCA and its Board of Directors cannot be assigned, abrogated, or provided by contract with third parties. Therefore, SWCA is establishing the Drainage Management Committee (“the DMC”) as a committee of the Board of Directors of SWCA.

Purposes:

1. Monitor and manage the drainage system according to the agreement with SFWMD.
2. Monitor the condition of all components of the drainage system.
3. Manage the operation of moveable components of the system including adjustable weirs and pumps.
4. Consult with engineers and the finance committee to assure that long-term reserve funding is appropriate.
5. Represent the financial interest of the residents with the objective to maintain and preserve the value of the common property of SWCA.
6. Be responsible to the Board of Directors of SWCA to help the Board of Directors meet its fiduciary duties to the Residents and to help ensure that SWCA does not violate the terms of the agreement with SFWMD.
7. Recommend the approval of all contracts with third parties that are necessary for maintenance and renovation of drainage system components.

Structure:

The DMC will be a permanent committee of the SWCA Board of Directors. The Committee will be comprised of 3 individuals as follows:

1. One member of the SWCA Board of Directors designated by the SWCA Board of Directors.
2. At least two additional members selected from the community. It is recommended that these individuals possess solid background in engineering, finance, operations and community history and status. The designation of these two members shall be reviewed annually.

3. The Chairman will be appointed by the Board of Directors of SWCA.
4. The President of SWCA shall be an ex-officio member of the DMC.

Method of operation:

The DMC shall meet quarterly and may schedule additional meetings as deemed necessary to address any situation. Should the DMC deem it necessary in order to meet its objectives, it may expand the committee. Any committee additions shall be reported to the Board of Directors of SWCA. The DMC shall make regular reports to the Board of Directors of SWCA.