

**MINUTES OF MEETING  
SUNSHINE WATER CONTROL DISTRICT**

Public Hearings and a Regular Meeting of the Sunshine Water Control District's Board of Supervisors was held on **Wednesday, September 11, 2013, at 6:30 p.m.**, at the **LaQuinta Inn, Coral Springs, 3701 N. University Drive, Coral Springs, Florida 33065.**

**Present at the meeting were:**

Joe Morera	President
Emily Heafy	Vice President
Daniel Prudhomme	Secretary

**Also present were:**

Craig Wrathell	District Manager
Doug Paton	Wrathell, Hunt and Associates, LLC
Howard McGaffney	Wrathell, Hunt and Associates, LLC
Bill Capko	District Counsel
Tom Donahue	District Engineer
Cory Selchan	Field Superintendent
John McKune	McKune & Associates
Anna Singh	Resident
Sasha Rios	Resident
David Hulett	Resident
Gary Runge	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Morera called the meeting to order at 6:30 p.m.

**SECOND ORDER OF BUSINESS**

**Roll Call**

***\*\*\*This item, previously the Third Order of Business, was presented out of order.\*\*\****

Mr. Wrathell noted, for the record, that all Supervisors were present, in person.

**THIRD ORDER OF BUSINESS**

**Pledge of Allegiance**

***\*\*\*This item, previously the Second Order of Business, was presented out of order.\*\*\****

All present recited the Pledge of Allegiance and observed a moment of silence in honor of those lost in the attacks on September 11, 2001.

**FOURTH ORDER OF BUSINESS****Update: Canal Z**

- **ROW Clearing Summary [DP, TD]**

Mr. Paton presented the ROW Clearing Summary. He indicated that there are 122 landowners along Canal Z; 20 have no encroachments and 102 have some form of encroachment. Mr. Paton stated that 16 landowners never responded, despite numerous notifications. He reported that Staff visited 86 landowners. No landowners selected Option 1, 21 landowners selected Option 2 and 39 landowners selected Option 3. Mr. Paton noted that 26 of those who responded and with whom Staff met, did not return their agreements. Staff followed up and those 26 still did not return a signed agreement; in these cases, Staff will proceed with clearing the ROW of those 26 properties.

In response to Mr. Morera's question, Mr. Paton clarified that the 26 who did not return an agreement are separate from the 16 who never responded; Staff met with the 26, sent an agreement, followed up but those residents never returned their agreements.

Mr. Paton discussed the progress and stated that, primarily on the south side, the area with the heaviest vegetation, most ROWs were never maintained; they were overgrown with weeds and invasive plants. He stressed that Staff tried to meet with each landowner to save vegetation in the 10' buffer, if it could be saved, or transplant vegetation into the buffer, if possible. Staff is working closely with Mr. Mark Westfall, the City of Coral Springs Forester, and Mr. Paton feels that the number of trees to be removed was reduced to a minimum. Mr. Paton advised that most residents were understanding of the project and why it was necessary.

Mr. Donahue pointed out that a number of signed agreements were received once work commenced.

Mr. Paton stated that work is well underway in the Cypress Run section, which is the most difficult area. Eagle Trace will commence next and work should proceed smoothly, as there is less vegetation. Work began on the condominium side.

Mr. Donahue estimated that work is 40% completed between Coral Ridge Drive and Coral Springs Drive; all of the clearing is essentially completed and the contractor is working on relocating vegetation and stump grinding and, once completed, the contractor will work on fence

removal. Upon completion, the contractor plans to resod and restore the areas, working from the west outfall. Mr. Donahue indicated that the coordination meeting will be held tomorrow for the other side of the canal, from Coral Ridge Drive to the Sawgrass Expressway. He noted that a lot of that vegetation is more on the bank, or close to it, than it was on the east section.

Mr. Morera asked about a tall ficus hedge near resident property lines and asked if the hedge will be removed. Mr. Donahue advised that the ficus hedge is at the top of the bank. Mr. Paton pointed out that most of the ficus was destroyed by whitefly; no ficus will be left in the buffer zone. Mr. Paton noted that, on Mr. Westfall's recommendation, the District is not recommending ficus planting, going forward.

Regarding viewing Eagle Trace, from an aerial perspective, Mr. Paton stated that the developer planted an entire stretch of trees, just inside the landowners' property lines, which gives the appearance that the tree canopy extends into the ROW. Mr. Paton noted that most property owners would like to see the trees removed but the District will not remove them because they are the landowners property, not in the ROW or on District property. Mr. Paton reiterated that the aerial photographs make it appear that the trees are in the ROW but they are not; the trees are on the landowners property.

Mr. Donahue noted that the rain has caused the banks to become muddy and slowed the contractor's progress; however, he hopes that the work in the east section will be completed by the end of next week, with work commencing on the Eagle Trace side early next week.

Mr. Donahue presented "after" photographs. He indicated that, in areas with no fences, a construction barrier was installed, as specified. Mr. Donahue identified various items still to be addressed during restoration, following the completed work.

Mr. Morera questioned what other options are available, in lieu of resodding the entire length of the canal. Mr. Selchan indicated that it will not be necessary to resod the whole length; the contractor bid and the cost will be on the contractor. Mr. Selchan noted that only a few homeowners were significantly impacted and need to be resodded. Mr. Donahue pointed out that the contractor slowed the work due to the rain and to avoid excessive damage.

Mr. Paton pointed out two (2) fences that were relocated by the homeowners. Mr. Morera asked if those fences are still considered "illegal", given the City's new fence ordinance. Mr. Paton replied affirmatively. Mr. Morera felt that the homeowner should be required to sign

an agreement with the District and not be “grandfathered” in. Mr. Paton agreed; everyone must follow the fence policy.

Mr. Donahue continued reviewing photographs of the work completed, including vegetation and/or fence removals and relocations, stump grinding.

Mr. Morera asked if Staff obtains a signed agreement from homeowners that previously did not sign an agreement but make a request that something be relocated, at the time the District is clearing their area. Mr. Paton replied affirmatively; nothing will be relocated until the homeowner signs an agreement.

Mr. Donahue explained the work progress.

Mr. Donahue advised that the Eagle Trace residents and property manager were notified that work will commence on their side.

Mr. Donahue indicated that the canal excavation project was put out to bid in the Sun Sentinel and he contracted about 25 contractors. The mandatory pre-bid meeting is September 19, 2013, at which time, those attending will visit the site. Bids are due Friday, October 4, 2013, at IBI Group’s office. The District Engineer will review the bids and provide the Board with a recommendation at the October meeting.

Mr. Morera stated that he is visiting the site once or twice per week to observe the progress. He indicated that a few residents reached out to him regarding perceived deficiencies with the contractor’s work. Mr. Morera advised Mr. Donahue of the deficiencies, which the contractor addressed; some issues were resolved by the contractor before Mr. Morera reported them. He found the contractor to be quite responsive. Mr. Morera believes that the project is progressing as well as it can, given the circumstances.

**FIFTH ORDER OF BUSINESS**

**Citizens Comments/Requests [3-Minute Time Limit] (*Requests should be made from the microphone to ensure recording of all comments. Please state your name prior to speaking.*)**

Ms. Anna Singh, a resident, reported that she is still suffering from allergies and no one has done anything about the trees behind her home. Ms. Singh stated that the trees are getting larger; she needs help and asked what she should do or for the District to do something for her.

Mr. Morera indicated that the District is aware of Ms. Singh's issue and what needs to be done; it is a matter of time and resources regarding not only Ms. Singh's needs but those of the other residents along that canal. He assured her that the District will address it as quickly as possible; however, the District does not have the time or resources to address Ms. Singh's immediate concerns. In response to a comment by Ms. Singh, Mr. Morera asked her to understand that the District has certain priorities that must be addressed and only a certain amount of money; all projects and citizens' concerns are important.

Mr. Prudhomme recalled a telephone conversation with Ms. Singh where they agreed that the reason dirt is leaving her property and entering the canal is that she has nothing protecting it, such as sod. Mr. Prudhomme stated that he offered to have a truckload of dirt and a pallet of sod delivered to her home, free of charge, but someone would need to help her lay it out. Ms. Singh indicated that she does not have anyone to help her. Mr. Prudhomme noted that Ms. Singh has a great grandchild that she cares for and urged her to call on her family members, who she has helped, to help her; he cannot do everything for her. Mr. Prudhomme further suggested that Ms. Singh call upon a church or the local high school to find assistance and stressed that he located the dirt and sod; Ms. Singh must accept some responsibility and arrange for the installation.

Ms. Sasha Rios, a resident, indicated that she is Ms. Singh's neighbor and reported the same problems identified by Ms. Singh. She voiced her understanding of the District's other projects but wanted to remind the Board of the problem behind Ms. Singh's home. Ms. Rios noted that Ms. Singh hired someone to clear the area but the vegetation is growing. Ms. Rios pointed out that her own property has a 6' privacy fence but the vegetation has grown to be 6' above the fence, which is leaning.

Ms. Heafy advised that it is against code to have vegetation growing that high above the fence and Ms. Rios will likely hear from code enforcement. Ms. Rios asked who she will hear from. Ms. Heafy indicated that the resident must trim the vegetation on their property. Ms. Rios pointed out that the vegetation is not on her property; everything is growing out of the canal. Mr. Selchan explained that a lot of the trees, behind those homes, are growing across, from the other side of the canal; however, regardless, it is the homeowners' responsibility to maintain the bank to the water's edge. Mr. Selchan stated, if the trees are growing from the canal bank to the fence, the resident is responsible for mowing and maintaining the area. Ms. Rios questioned if she is responsible for the area behind her fence. Mr. Selchan replied affirmatively; the area from the

fence, to the water's edge is Ms. Rios' responsibility, per city code. Ms. Rios asked if she is responsible for correcting the erosion. Mr. Selchan stated that this particular canal is a box cut canal, which presents certain challenges in maintaining it.

Discussion ensued regarding maintaining the area. In response to Ms. Rios' question, Mr. Selchan indicated that she can cut the vegetation and leave it lying on the bank.

Mr. David Hulett, a resident, voiced his gratification at seeing the Canal Z Project move forward, after the long, torturous course, to date. He recalled that the ultimate objective of the project was to proceed to the canal dredging, so that that the canals function, as necessary.

Mr. Hulett noted that the proposed meeting schedule lists the meeting location as "to be determined". He urged the Board to maintain the current meeting location or a location that is not associated with the City of Coral Springs. Mr. Hulett recalled the very discourteous manner in which the District was pitched out of City Hall, to the point of the City's lack of a response to the District's inquiry regarding renting the previous meeting location. Although Mr. Hulett did not care for the method, led by Commissioner Larry Vignola's charge to remove the District from City Hall, he feels that it turned out to be a positive move, as it is better for the District to not meet on City property.

Mr. Hulett noted that he lives along Canal A. He stated that, after Hurricane Wilma, all of the banks were cleared, at no cost to the property owners. He feels that the mistake was that the District did not follow up with property owners notifying them that maintenance and keeping the banks clear was their responsibility, going forward. Mr. Hulett noted that, in certain sections, the holly has grown back and is out of control. He finds it unfortunate that the property owners did not realize it was their responsibility to keep the area clear.

**SIXTH ORDER OF BUSINESS**

**Approval of August 14, 2013 Regular Meeting Minutes**

Mr. Morera presented the August 14, 2013 Regular Meeting Minutes and asked for any additions, deletions or corrections.

**On MOTION by Ms. Heafy and seconded by Mr. Prudhomme, with all in favor, the August 14, 2013 Regular Meeting Minutes, as presented, were approved.**

**SEVENTH ORDER OF BUSINESS**

**Affidavits of Publication**

Mr. Wrathell stated that, in Broward County, assessments are required to be on the truth in millage (TRIM) notice; when property owners received the TRIM notice, it included the District's proposed assessment for Fiscal Year 2014.

Mr. Wrathell presented the affidavits of publication for today's Public Hearings and Regular Meeting.

**EIGHTH ORDER OF BUSINESS**

**Public Hearing to Consider Resolution 2013-5, Adopting the Final Budget for the Fiscal Year Beginning October 1, 2013 and Ending September 30, 2014, Pursuant to Florida Law**

Mr. Wrathell presented the Fiscal Year 2014 Proposed Budget. He referred to the "Assessment Table", on Page 11, noting that the number of assessable units varies from year to year. Mr. Wrathell indicated that the total Fiscal Year 2014 assessment is proposed to increase by approximately \$10, primarily because, as bond funds are depleted and used for construction, the District must begin to "pay as it goes"; the District could borrow more money or, take the more prudent approach of funding the capital projects as they go along. The proposed assessment is \$208.38; however, if the taxpayer pays in November, they would pay 4% less, equating to approximately \$200.

Mr. Wrathell indicated that, with the proposed assessment, the proposed generated revenue is \$2,561,941 for Fiscal Year 2014; however, the 4% early pay discount is factored in bringing the net anticipated revenue to \$2,459,463. He noted interest earnings, along with miscellaneous and permit review income, that contribute to the District's revenue.

Mr. Wrathell reviewed the District's expenditures and advised that the Supervisors, with the exception of Ms. Heafy, who waived receipt, are paid \$50 per meeting; however, the District budgets for the full amount. The budget expenses also include funds for Supervisor and/or staff travel to various events or training. Mr. Wrathell reviewed the remaining "Professional & administration" expenditures. He identified an increase in "Legal" from \$72,000 to \$90,000, bringing the budget in line with the "Legal" expenditures incurred in the current fiscal year. Regarding "Insurance", Mr. Wrathell noted that the expense was under budget for the current

fiscal year and the proposed budget was adjusted accordingly, to be consistent with the reduced figure.

Mr. Wrathell reviewed the "Field operations" expenditures and noted the "Salaries and wages" line item, which anticipates salary increases and the addition of a trash crew. He pointed out an increase in the "Workers' compensation insurance" line item from \$14,514 to \$24,840 because coverage was adjusted to match the employees' salaries. Mr. Wrathell identified a proposed increase in "Engineering" expenses from \$240,000 to \$264,000. He noted that many of these increases are related to the ongoing capital projects underway in the District. Mr. Wrathell pointed out a reduction in the "Insurance" line item, which relates to property insurance.

Mr. Wrathell indicated that, under "Repairs and maintenance", "Canal banks" increased from \$12,000 to \$20,000 and "Canal dredging" was increased from \$35,000 to \$100,000. He reviewed the remaining expenditures, which remained relatively consistent. Mr. Wrathell pointed out that nothing is budgeted for "Hurricane cleanup", which was related to the District's reimbursement to FEMA during the current fiscal year. He noted the addition of the "Pump station telemetry" line item for \$1,000.

Mr. Wrathell summarized that the proposed budget anticipates an increase in expenditures from \$2,300,309, during the current fiscal year, to \$2,466,913 for Fiscal Year 2014. For Fiscal Year 2013, it is expected that expenditures will exceed revenues by \$378,000, a large portion of which is related to the FEMA reimbursement, which impacts the fund balance. Mr. Wrathell noted that the capital improvement related items are what pushed the District over budget. He advised that, from an operational perspective, Mr. Selchan and his staff are generally under budget.

Mr. Wrathell indicated that the proposed budget assumes a beginning fund balance of \$2,788,793. He reviewed the "Assigned" and "Unassigned" fund balance items and corresponding amounts.

Ms. Heafy asked if the District plans to add to "Disaster recovery". Mr. Wrathell replied affirmatively; however, it will be in future years, as an increase is not anticipated for Fiscal Year 2014.

Mr. Prudhomme asked about the "Dues, subscriptions, etc." line item and asked what the District subscribes to. Mr. Wrathell indicated that the District is a member of the Florida



Association of Special Districts (FASD), which is approximately \$2,500 per year. The budget line item also includes fees required to be paid to the state.

Regarding the "Engineering" line item, Mr. Prudhomme recalled asking about the District Engineer's fees over the past five (5) years. He noted that, in Fiscal Year 2009, \$86,000 was budgeted for "Engineering". Mr. Prudhomme pointed out that the proposed budget is \$264,000 and asked what happened since Fiscal Year 2009 to cause the fees to increase so much.

Mr. Donahue advised that the District Engineer was hired in June, 2008, and he is unsure if the Fiscal Year 2009 budget was already adopted. He indicated that, as the new District Engineer, they took on a full hydrologic study, put together a GIS system to map the entire District and commenced canal cleaning projects. Mr. Donahue pointed out that previous District Engineers were not asked to complete these types of projects. He explained that, when the new Board was elected, they observed the conditions and were more proactive in moving the District forward, than previous Boards. Mr. Donahue felt that the question is more of what previous Boards asked the previous District Engineers to do versus what the recent Boards have asked IBI Group to accomplish.

Mr. Wrathell recalled that, with the new Board, it was discovered that certain requirements, such as providing an extensive status of the District's infrastructure facilities and amenities every five (5) years, had not been completed for a very long period of time, by the prior Boards and/or prior District Engineers. Once the new District Engineer was hired, Mr. Selchan toured the District with the new Board, Staff and District Engineer to identify the state of disrepair of the District's infrastructure. Mr. Wrathell stated that the hydrologic study was completed by the new District Engineer and it revealed that the District's drainage was not at the required level to function properly. The concern of the new Board was that, if the District did not upgrade the 1960's infrastructure, such as the pump stations, canals, culverts, etc., a major storm event would cause serious issues. Mr. Wrathell stated that this information and realization were the catalysts for the recent work in the District; the Board has been working towards improving the District's infrastructure, which "kicked up" the engineering aspect coinciding with the hiring of the current District Engineer. Mr. Wrathell pointed out that, prior to this, the Board and District operated on more of a "status quo" approach, without doing much to maintain the infrastructure. He noted that the recent Board recognized that the District's infrastructure was sorely lacking; the City recently completed an analysis of the projects that the District has

undertaken and the City Engineer agreed that the District's current efforts will be helpful. Mr. Wrathell summarized that, from the "big picture" perspective, the cost increase is related to the increased level of engineering-related activity, within the District.

Ms. Heafy noted that, regardless of who serves as District Engineer, they would be required to do the same things. She recalled that the previous District Engineer, CH2M Hill, did not turn over any information to the new Board, as they informed the Board that they could not locate the information; the Board was required to "start from scratch". Ms. Heafy stated that the level of neglect, over the years, is what caused the high level of engineering work and increased costs. She voiced her belief that, once the major projects are completed, the "Engineering" costs will decrease.

Mr. Prudhomme asked for the anticipated time frame for the "Engineering" costs to return to less than \$100,000. Mr. Donahue was unsure if the "Engineering" costs will ever be under six (6)-figures but, once Canal Z is completed, which was a major project, the District will budget on a "pay-as-you-go" basis, each year, trying to complete a particular canal or capital improvement project from the annual budget.

Ms. Heafy felt that the "good Samaritan" approach, where the District agreed to do certain things for certain people, has caused the District Engineer to spend more time in the field meeting with residents, trying to address the individual resident concerns.

Mr. Donahue explained that the Canal AA-BB and Canal Z clearing projects took up a lot of the District Manager and District Engineer's time, over the last two (2) years, involving a lot of public contact. He felt that, now that the "prototype" for these types of projects is in place, future projects will be smoother.

Regarding other projects that contributed to the "Engineering" costs, Mr. Donahue explained to Mr. Prudhomme about the water consumptive use permit, required by South Florida Water Management District (SFWMD), which was completed and is now valid for 20 years. A study on the East-West Basin Interconnect was conducted, which was a shared-cost project involving the City, county and the District. He noted that there have been numerous one (1)-time projects, such as this, since his firm was hired as District Engineer, which were necessary to catch the District up from years of inactivity.

Mr. Prudhomme asked, during Mr. Donahue's five (5)-year tenure, on a percentage basis, how far the District is to the goal. Noting that the District was fortunate to have bond funds for

several projects, Mr. Donahue stated that the canal clearing and dredging projects will take place over a long period of time but, going forward, work will be completed on a “pay-as-you-go” basis with the funds budgeted each year; he recalled that the Board budgeted \$200,000 in the Fiscal Year 2014 budget for the work.

Mr. Prudhomme asked Mr. Donahue to estimate the progress percentage achieved, towards the end goal, since his firm became District Engineer. Mr. Donahue noted that the new pump stations are considered a major portion of the accomplished work and a vast improvement that should solidify the District for the next 40 to 50 years. Mr. Donahue explained that the focus now is on getting the water to the pump stations; the Canal Z project goes a long way towards accomplishing that goal. Mr. Donahue noted that the City and Mr. Selchan want the focus on the West Basin, particularly the Westchester and Corporate Park areas. Reaching the goals is a matter of how much money the Board wants to spend; however, as was clearly summarized tonight, the District has limited funds and will do what it can, going forward.

Mr. Wrathell asked Mr. Prudhomme to keep in mind that the Board authorized the various projects; if, in the future, the Board decides against authorizing projects, budgeted money will not be spent. From a business perspective, Mr. Wrathell suggested that Mr. Prudhomme consider the projects based on “bang for the buck”, which are the major items completed or near completion and are the projects that greatly improve the District’s infrastructure and drainage functionality. The next aspect relates to tackling the smaller projects which will gradually bring functionality to the next level. Mr. Wrathell explained that the District now has great pump stations and, once Canal Z is completed, it will help tremendously because it is a main drain canal which previously was impeding water flow to the pump station; if the main drain does not work and water does not reach the pump stations, it is not efficient. He stated that the concept is to now “de-clog” Canal Z, a main drain, so that water flows correctly, followed by tackling the smaller canals. Mr. Wrathell stated that the District could spend another ten (10) or 15 years improving the canals; it could be a lifetime project, if the District does not remain diligent and actively keep the ROWs clear, once the major clearing is completed.

Ms. Heafy reminded Mr. Prudhomme that, for 34 years, nothing was done regarding the canals; this Board is trying to catch up on all the years of neglect.

Mr. Prudhomme surmised that it is a reasonable expectation that the "Engineering" costs might not go down, based on the work that the Board wants to accomplish, over the coming years.

Mr. Wrathell indicated that Pages 4 through 7 contain detailed descriptions of the expenditure items.

Mr. Wrathell reviewed the Series 2011 debt service fund budget and the amortization schedule on Pages 7, 8 and 9. He explained the interest payment due November 1, 2013 and the principal and interest payments due on May 1, 2014. Mr. Wrathell noted that the District obtained a competitive interest rate when it issued the bonds. Regarding the \$800,000 fund balance amount, Mr. Wrathell indicated that the District has a required debt service reserve to cover any missed payments. Once all items are factored in, the District's projected surplus, for Fiscal Year 2014, is \$61,388. Mr. Wrathell noted that the District obtained a rating when it issued bonds and, if it taps into its reserve, the rating will be harmed.

Mr. Wrathell indicated that the bonds mature on May 1, 2041.

Mr. Wrathell reviewed the assessment tables, on Page 11, noting that those assessments will generate the revenue necessary to pay the District's expenditures. He reviewed the spreadsheet of capital improvements, for the next five (5) years, on Page 12, which was suggested by the District Engineer but will be voted on by the Board, each year.

Mr. Wrathell reviewed the various maps of the District, included at the end of the proposed budget.

Mr. Morera was pleased with the budget and the changes that were necessary to keep assessments where they are.

**\*\*\*Mr. Morera opened the Public Hearing.\*\*\***

Mr. Hulett voiced his feeling that the Board made a wise decision to not fund the City's beautification project in the Corporate Park. He commended Mr. McKune for his input. Mr. Hulett was disappointed to see assessments increase. He recalled the plan to use funds freed up from paying off the SunTrust loan but acknowledged that the repayment to FEMA impacted the District's ability to maintain the assessment level without digging into the "Disaster recovery" fund. Mr. Hulett stated that, by his calculations, the increase is not huge; however, he would have preferred no assessment increase for at least another year.

Mr. Hulett commented that the matter of the engineering costs continues to, quite unfairly, be a "horse being kicked down the road". He pointed out that the District launched a major capital improvement plan (CIP) and, along with it, came necessary increases in engineering and legal fees. Mr. Hulett believes that, any person completing a thorough examination of the engineering fees, would quickly realize that the fees are well within any reasonable guideline for engineering projects of this magnitude. Mr. Hulett believes that, as a taxpayer, he has been well served by the engineering work performed.

To address Mr. Prudhomme's questions, Mr. Hulett stated that the engineering fees are a direct correlation of what the Board wants to accomplish, which is two-fold, including the design and construction of the pump stations, which were completed, and the next phase, which is dredging. Mr. Hulett reminded everyone that this is a dredging project that keeps being referred to as a clearing project. He stressed the importance of bringing the main drain canals to zero or -1 elevation. At the time, the Board knew that the bond issue money would not be enough to complete the full six (6) miles of canals that needed to be cleared. From where the District is now, they will address the canals on a "pay-as-you-go" basis, to address the remainder. With the most critical, Canal Z, nearly completed, Mr. Hulett recommended that the District seriously consider the West Outfall, as it makes no sense to move the water there, if it cannot be moved to the pump station. He pointed out that this is an ongoing dredging program, with part of it being the necessity to clear part of the ROWs to move the equipment. Mr. Hulett hopes that people will begin to understand the facts of why the work was needed and that it was not a massive anti-environmentalist tree clearing project. It was a way to make the flood control drainage system function as it should, because it was not properly constructed in 1963.

Noting the continuous questions regarding engineering fees, Mr. Hulett pointed out that, prior to hiring current District Counsel, the District paid \$1,000 per month in legal fees and, now, it pays about \$7,500 per month. He noted that one could question when the legal fees will go down.

Mr. Hulett voiced his belief that, all in all, this is another good job by Staff and the Board to develop a responsible budget with only a modest increase. He is hopeful that the District can move forward with the second part of the CIP to make the drainage system function effectively and efficiently, when necessary.

Mr. Wrathell discussed current requirements of developers when developing property and speculated that, when this area was developed, in the early 1960s, the infrastructure was not completed to the design specifications and that Coral Springs is far more densely constructed now than the original developer anticipated in the 1960s. This subsequently resulted in a drainage system that was designed to meet the 1960s needs of Coral Springs; however, the City now has very little vacant land and is taken over by concrete, which puts a strain on the canal system. Mr. Wrathell pointed out that the drainage system built in the early 1960s had not been invested in for over 40 years. He summarized that the system was never designed to meet the current development level and the system was neglected for the past 40 years, which created a mess of things that must be addressed.

Mr. Wrathell stressed that the Board, including Mr. Hulett, and Staff did not want to be “on watch”, having done nothing, should a major storm hit and the District not be prepared, resulting in homes being destroyed.

Ms. Heafy recalled that the original District Engineer did not ensure that the canals were dug to the designed depths. Mr. Wrathell noted that, once they hit cap rock during the digging process, they stopped digging.

Mr. Gary Runge, a resident, commented that, if nothing was done during the past 34 years, the District can balance this by Mr. Selchan returning all of the money he received for the that work he did not do. He stated that the District has done a good job regarding the pump stations, what needs to be done and Canal Z. Mr. Runge voiced his opinion that the proposed \$264,000 for “Engineering” costs does not need to be spent. He pointed out that the Board is considering increasing the engineering budget at a time when it seems that the District should be on the decline for expenditures, given the work that was already completed. Mr. Runge hoped that, as work winds down, the engineering expenses would come down, during the course of the year but acknowledged that the dredging project is probably expensive. Going forward, Mr. Runge does not believe the District can afford to pay a quarter of a million dollars each year for engineering. He feels the same about District Counsel’s fees. It was noted that the District Manager’s fees have remained the same.

Regarding the City and the Corporate Park, Mr. Runge recalled that, relative to water flow, the Corporate Park is not a major matter. He feels that the District should use this fact as leverage to encourage the City to contribute funds, should the District agree to proceed with the

project. Mr. Runge pointed out that the District residents must pay the bill for the Corporate Park, which he does not feel is right, as there are more important issues.

Mr. Wrathell explained that he discussed these matters with the City and Mayor but they have not offered to fund anything.

Mr. Morera assured Mr. Runge that he, as a Board Member, will work to spend the citizens money in a prudent, impactful manner to benefit the District, as well as benefitting the City but with a balance of equity between both parties, not with one (1) party carrying more of a burden. As it relates to engineering and legal costs, Mr. Morera stated that he looks forward to seeing those costs decline, as the major projects are completed; however, certain operations cost more than others. He reiterated that the Board will be prudent in managing the District’s funds, given the future projects.

Mr. Wrathell recalled that the FEMA flood plain maps were recently revised in Palm Beach County and some areas are now in a poorer position than before. He voiced his opinion that FEMA probably assumes that the District’s drainage system functions properly but there is the possibility that FEMA could reevaluate the Broward County flood plains and change the District’s flood rating, which could directly impact property and flood insurance.

**\*\*\*Mr. Morera closed the Public Hearing.\*\*\***

Mr. Wrathell presented Resolution 2013-5 for the Board’s consideration.

**On MOTION by Ms. Heafy and seconded by Mr. Prudhomme, with all in favor, Resolution 2013-5, Adopting the Final Budget for the Fiscal Year Beginning October 1, 2013 and Ending September 30, 2014, Pursuant to Florida Law, was adopted.**

**NINTH ORDER OF BUSINESS**

**Public Hearing to Determine and Levy Special Assessments To Defray Administration and Operations & Maintenance, Funded Through the District’s General Fund; and to Defray Debt Service, Funded Through the District’s Debt Service Fund**

- **Consideration of Resolution 2013-6, Levying a Non Ad Valorem Maintenance Assessment for the General Fund and a Non Ad Valorem Maintenance Assessment for the Debt Service Fund for Fiscal Year 2013/2014**

Mr. Wrathell presented Resolution 2013-6 for the Board's consideration. He explained that the resolution levies non ad valorem maintenance assessments for the "General Fund" and the "Debt Service Fund", which will be placed on the November tax bills.

**\*\*\*Mr. Wrathell opened the Public Hearing.\*\*\***

**\*\*\*Mr. Wrathell closed the Public Hearing.\*\*\***

**On MOTION by Ms. Heafy and seconded by Mr. Prudhomme, with all in favor, Resolution 2013-6, Levying a Non Ad Valorem Maintenance Assessment for the General Fund and a Non Ad Valorem Maintenance Assessment for the Debt Service Fund for Fiscal Year 2013/2014, was adopted.**

**TENTH ORDER OF BUSINESS**

**Discussion: East Outfall - Holiday Springs Village Condo ROW Agreement**

Mr. Selchan stated that this matter was brought to the District's attention when the Holiday Springs Village Condo Board Members wrote letter a to Commissioner Dan Daley asking him to request that the District begin maintaining the East Outfall, north of the pump station, in addition to mowing the grass. He met with Campbell Property Management and the Board and asked why they quit mowing the area. They indicated that they quit mowing because, when the District completed its canal bank improvements, a berm was built along their property and the District's dike, which is the border of Coral Springs and Margate. Mr. Selchan noted that the Holiday Springs Village Condo development is in Margate. He stated that the berm was built in lieu of hauling the material away, following the canal bank improvements. Mr. Selchan explained that the berm caused the condo development access problems for mowing.

Mr. Morera asked when the berm was built. Mr. Selchan stated that it was completed about five (5) years ago, prior to the current District Engineer and District Manager being hired.

Mr. Selchan reviewed the property lines and an areca palm hedge. He visited the site to gauge the resident's pulse regarding the hedge, as, eventually, the District will approach them regarding the 10' buffer, which would allow them to keep the hedge, if it is maintained. Mr. Selchan was told that they would maintain it if the District agrees to cut access points in the berm so that the crew does not have to ride lawnmowers from Sample Road to Royal Palm Boulevard. Mr. Selchan advised them that, if they agree to sign the agreement to maintain the hedge and



ROW, he would ask the Board to approve funds to cut a couple of access points in the berm. Holiday Springs Village Condo was willing to sign the agreement, which is Option 3, and allows them to keep the hedge. In response to Mr. Morera's question, Mr. Selchan confirmed that the area meets the criteria for Option 3.

Mr. Selchan was unsure of the cost to cut the requested access points but estimated it to be no more than \$5,000 to \$10,000. He noted that the District has a canal bank fund that could be used to complete the project. This solves the condo's issues and helps the District.

Mr. Selchan referred to the map, which shows the District's property line running aside the condo's property.

In response to Ms. Heafy's question, Mr. Selchan advised that, prior to the canal work and installation of the berm, the condos maintained the flat area and the District maintained the remaining area. Once the berm was built, the condos stopped mowing. Mr. Selchan confirmed that he knew they stopped mowing but did not know the reason, until they sent the letter to Commissioner Daley.

Mr. Prudhomme asked what recourse the District has if the condo development does not honor the agreement. It was noted that the matter would be referred to District Counsel.

Based on Mr. Selchan's information, Mr. Morera found no downside to entering into the agreement.

Mr. Wrathell pointed out that the District somewhat created the situation by building the berm.

**On MOTION by Mr. Prudhomme and seconded by Ms. Heafy, with all in favor, authorizing the Field Supervisor to execute the East Outfall – Holiday Springs Village Condo ROW Agreement for Option 3, requiring Holiday Springs Village to maintain the canal bank, provided that the District provide the requested access, was approved.**

**ELEVENTH ORDER OF BUSINESS**

**Discussion/Consideration:  
Participation Policy**

**Public**

Mr. Capko explained that this matter is in response to a legislative change to the law regarding public participation. Effective October 1, 2014, all local governments must have

procedures in place to allow members of the public to speak on nearly every agenda item, as opposed to only during a public comment period.

Mr. Morera asked if, going forward, Management should include a public comment notation after each item that the public can speak on.

Mr. Capko recommended that the District continue utilizing the "comment cards", with the speaker completing a card and including the agenda item(s) to which they wish to speak about. For the purposes of the actual written agenda, Mr. Capko felt that it would be easier to assume that the majority of the items will be allowed to have public comments and only make a notation on those items that do not require the Board to hear public comments, as outlined in the policy provided.

Mr. Wrathell recommended opening the meeting and collecting speaker cards from anyone wishing to speak. Once the item comes up and the Board has finalized its discussion but prior to voting the Board could hear public comments on that particular item.

Mr. Morera questioned if the Board should solicit public input prior to holding its discussion. Mr. Capko reiterated Mr. Wrathell's suggestion that the Board hold its discussion first, followed by public comments; the Board can discuss the public comments prior to taking action, if it wishes.

Mr. Capko recommended adopting the public participation policy.

In response to a question, Mr. Wrathell confirmed that the Board maintains the flexibility to take agenda items out of order. Mr. Capko confirmed that the policy does not affect the order of the agenda.

Discussion ensued regarding trying to get speakers in and out quickly, so that they do not need to stay for the duration of the meeting, waiting to speak on a topic. Mr. Wrathell reminded the Board that this cannot change the fact that the District has a two (2) or two-and-a-half (2½) hour agenda; someone must wait. He clarified that the policy simply deals with taking public comment on agenda items at the time they arise but prior to the Board voting on the issue.

**On MOTION by Mr. Prudhomme and seconded by Ms. Heafy, with all in favor, the Sunshine Water Control District Public Participation Policy, was approved.**

**TWELFTH ORDER OF BUSINESS****Supervisors' Communications**

Ms. Heafy asked if dredging of Canals AA-BB and Z will commence at the same time. Mr. Donahue indicated that the bid package includes dredging Canals AA-BB and Z, the stub coming from County Club to Canal AA-BB and the two (2) culverts crossing Canal AA-BB. Mr. Donahue noted that, depending on the bids received and the available funding, sections can be added or dropped; the primary goal is completion of Canal Z and, if funding allows, the contracted work can be stretched to Canal AA-BB and to the culverts. Ms. Heafy stated that she wants a continued clearing program for Canal AA-BB. Mr. Donahue stated that would be a maintenance policy and program for Mr. Selchan and his crew to follow. Ms. Heafy stressed that she does not want the District to ever have to do this big project again. Mr. Morera summarized that Ms. Heafy wants the District to implement a follow-up policy to ensure that, once the work is done, the problem does not recreate itself in a few years. Ms. Heafy replied affirmatively. Mr. Selchan noted two (2) locations, on Canal AA-BB, that are not being well maintained and will be addressed; the remainder of the canal is clear and being well maintained.

Ms. Heafy asked if grass carp will be installed only in areas that will not be dredged. Mr. Selchan advised that he tries to install the fish as far away as possible from the pump stations and confirmed that he would not install them in the areas being discussed anyway, as those areas are too close to the pump stations. Mr. Selchan reconfirmed that the fish would not be installed in the areas being dredged.

Ms. Heafy voiced her opinion that the District should approach the City again regarding the tree mitigation costs, as the costs are harmful to the District's residents; people who do not live along the canal must also pay. Ms. Heafy noted that the costs are related to removal of trees that were illegally placed on the District's property; she feels that the District and its residents should not be required to pay mitigation.

Mr. Selchan reminded the Board that the District chose to pay the tree mitigation costs and did not fight it; they could have fought it but the Board chose not to. He discussed the benefits of paying tree mitigation, which can result in the correct types of trees being planted in the correct locations; the District is "giving back" by paying mitigation. Mr. Selchan felt that the District could negotiate the mitigation fees, going forward.

Mr. Wrathell noted that Mr. Selchan, Mr. Donahue and Mr. Paton have worked well with Mr. Westfall and voiced his concern that, if the District asked the City to waive tree mitigation

fees, it would go nowhere; however, if the Board allows Staff to continue working with Mr. Westfall, he will continue to be generous. He noted that the benefit of paying tree mitigation is that it counters claims about the District “killing trees”; by paying mitigation, the District is actually funding trees.

Mr. Selchan indicated that Mr. Westfall is doing his job, as City Forester; however, he must also comply with Broward County requirements.

Ms. Heafy recalled that the District recognized its employees, last year, and asked if something will be done for them this year. Mr. Selchan indicated that a luncheon was held for District employees at a local restaurant. Mr. Morera suggested a similar event. Mr. Selchan stated that, at the luncheon, Mr. Hulett, the former Board President, and a crew member were speaking and the subject of dental issues came up. Mr. Hulett provided the employee with contact information and the employee is now in the final stages of resolving the issues. Mr. Selchan recalled Mr. Hulett looking forward to having lunch with the employee, once the work was completed, and suggested including Mr. Hulett in the luncheon, as it would mean a lot to the employee that he helped. Mr. Morera confirmed that the suggestion will be taken under consideration.

Mr. Morera asked the status of creating District email addresses for the Board Members. Mr. Wrathell will follow up on the status.

Mr. Morera indicated that the International Dinner Dance will be held on September 28, 2013 at the Marriott Heron Bay. The cost is \$50 per ticket, which includes cocktails, dinner, dancing and entertainment. He encouraged everyone to consider attending this enjoyable event.

**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney: *Lewis, Longman & Walker, P.A.***

**i. Public Records Exemptions**

Mr. Capko reviewed Mr. Lewis’ opinion letter regarding the public records exemption questions at the last meeting. Mr. Lewis advised that Board Member home addresses and phone numbers are not exempt, under most circumstances, and recommended that the District provide each Board Member with a cell phone and email addresses to be used solely for District business, so that personal cell phones and email addresses would not be open to public records

requests. Mr. Capko explained that this is a way to separate a Board Member's public business from their private life.

Mr. Morera feels that establishing District email addresses is a good idea. Regarding cell phones, he stated that he has not received a large number of calls; he occasionally receives texts but, in general, he sees no need for District-use only cell phones for the Board.

Ms. Heafy agreed that District issued cell phones are not necessary.

Mr. Capko stated that establishing District email addresses is the most important aspect.

▪ **Supervisors' Communications (continued)**

Mr. Morera recalled an article in the Sun Sentinel, on August 28, 2013, regarding South Florida Water Management District (SFWMD) notifying the City of Davie that SFWMD does not need to pull city permits or pay tree mitigation fees for removal of trees along a canal. SFWMD advised that it is their prerogative to do what is best to manage the property that they own. The City of Davie tried to reach a deal with SFWMD to pay half the mitigation costs to relocate trees, in lieu of SFWMD simply cutting the trees down. Mr. Morera wondered how this situation differs from the District's and is eager to know the outcome.

Mr. Lewis stated that, without discussing the matter with their attorney, SFWMD took the position that they had the ability to remove trees without required mitigation being paid to the City of Davie. He reported that, while the point had not been determined in the Florida court system, SFWMD felt confident that they had a better chance of prevailing, if it took that position. Mr. Lewis noted that the Coral Springs Improvement District (CSID) is considering having his firm seek an Attorney General's opinion on this type of issue.

Mr. Paton believed that the City of Davie was not charging a mitigation fee; they wanted to save the trees and asked SFWMD to contribute to relocating some of the trees. Mr. Paton summarized that it was not a "pay mitigation" issue; it was a "save these trees" matter. Mr. Capko voiced his understanding that the City of Davie has a tree protection ordinance but he does not know the amount of mitigation.

**B. Engineer: IBI Group**

**i. Permit Application Log**

The permit application log was included for informational purposes.

**ii. Monthly Engineer's Report: 08/06/13 to 09/04/13**

Mr. Donahue reported that there are no active permit applications requiring a Board decision at this time.

Mr. Donahue recalled that, a few months ago, the developer of the site at the northeast corner of Sample Road and Coral Springs Drive, requested approval to culvert the canal. The Board granted preliminary approval and the developer submitted the engineering plans, which will be brought to the Board, at the appropriate time.

Mr. Donahue indicated receipt of a request for abandonment of an existing FPL easement at Cornerstone Plaza, at the old Denny's site. He advised that, based upon his review, a Letter of No Objection was issued.

Regarding Pump Stations 1 and 2, Mr. Donahue indicated that Pump Station 1 had three (3) outstanding issues, which will be resolved by the end of next week. The contractor was proactive in addressing settling of the generator slab. The process is to install pin piers to support the generator slab, which involves excavating all four (4) corners and installing pin piers through the brackets holding the slab. Mr. Donahue explained that, once the pin piers are all the way in, pressure grout is pumped underneath the slab to fill all voids. Murray Logan will inspect the area again, in one (1) year, and inject more pressure grout, if necessary. Mr. Donahue reviewed the work performed, as outlined in his monthly report.

Mr. Donahue recalled discussion, at the last meeting, regarding the cap on the headwall, in the discharge basin, at Pump Station 1, at Royal Palm Boulevard. He stated that the sidewalls were originally constructed and capped at elevation 15', which was consistent with the pump station structure. Mr. Donahue stated that the existing headwall was left at elevation 13.5'; the new sidewalls are at elevation 15'. He noted that, due to the turbulence created, during a full pumping situation, it was wise to complete the discharge basin at elevation 15'. The work commenced last week and will be completed by the end of this week. Mr. Donahue indicated that a temporary fence is installed and the permanent fence will be installed on the headwall.

Mr. Donahue reported that installation of the upgraded FPL transformer will commence on Monday. Once installation is completed, all of the outstanding issues will be resolved and he will work with Mr. Selchan to test all of the pumps to ensure that everything is satisfactory.

Mr. Donahue reiterated that the Canal Z dredging project is out for bid and a mandatory pre-bid meeting will be held next Thursday.

Mr. Donahue advised that sod will be installed at Canal LL, opposite of the Saveology IcePlex, next week.

Mr. Donahue stated that he will coordinate with Broward County, encouraging them to complete the restoration of the West Outfall Canal, at the Coral Springs Drive Bridge, while the District is working on the Canal Z Project.

**C. Engineering Consultant: *John McKune***

Mr. McKune had nothing to report.

Mr. Morera and Mr. Selchan thanked Mr. McKune for his contributions to the District.

**D. Field Supervisor: *Cory Selchan***

Mr. Selchan reported that the District had 6" of rain, since the last meeting. He stated that the rain occurred within a relatively short time, which had a major impact on all waterways from Lake Okeechobee down to the Everglades. Mr. Selchan confirmed that the District's water levels are doing well, with minimal pumping.

Mr. Selchan indicated that the District's chemicals are bid out at this time each year, in coordination with the other water control districts, in order to obtain the best prices. CSID agreed to take the lead on the bid process and split the cost of the advertisement between the districts involved. Mr. Selchan stated that the bids should be ready for consideration at the October meeting.

Mr. Selchan noted that the new tractor is working well.

Regarding grass carp, Mr. Selchan apologized, as he intended to bring pictures to tonight's meeting. Mr. Morera asked that he bring the photographs next month. Mr. Prudhomme recalled discussion of the fish getting too close to the pump stations and asked about installing wire or something to block the fish, capture them and return them upstream. Mr. Selchan advised that the volume of weed material would plug it instantly. Mr. Selchan explained that it plugs up with only aluminum bars, spaced 6" apart. In response to Mr. Prudhomme's question, Mr. Selchan estimated that it takes the fish two (2) to three (3) years to make it to the pump stations. Mr. Selchan confirmed that the District has tried various barriers but they always become impacted by weeds. Mr. Wrathell pointed out that the time, effort, energy and resources that would be spent to save the fish far exceeds the cost to buy more fish. Discussion ensued regarding the grass carp life cycle.

**E. Manager: Wrathell, Hunt & Associates, LLC**

Mr. Wrathell reported that the introductory meeting for the operational audit was held on Monday, August 26, 2013. He stated that the auditors provided the general parameters of how the audit will proceed and an initial list of items for their review. The documents will be uploaded to an FTP site. Mr. Wrathell found the auditors to be pleasant and the information requested is much the same as what is provided for the annual independent audit. He confirmed that the District's eagerness to work with them was stressed.

Mr. Wrathell noted that he informed the auditors of the District's belief that there was a political element related to the audit; however, once the audit is completed, the District believes that it would be an asset to show that everything is proper. He stated that the process should take a couple of months.

Mr. Wrathell indicated that he reviewed an operational audit for another District and noted that 80% of the items in that audit were items not addressed for this District.

**i. Approval of Unaudited Financial Statements as of July 31, 2013**

Mr. Wrathell presented the Unaudited Financial Statements as of July 31, 2013 and the unreconciled cash balances.

Mr. Wrathell referred to Page 2 and pointed out that assessment collections were at 101%. He speculated that the remaining assessment funds were the result of tax certificate sales. Assessment collections related to the debt service fund, on Page 4, were at 101%.

**On MOTION by Ms. Heafy and seconded by Mr. Prudhomme, with all in favor, the Unaudited Financial Statements as of July 31, 2013, were approved.**

**ii. Fiscal Year 2014 Proposed Meeting Schedule/Location**

Mr. Wrathell presented the Fiscal Year 2014 Proposed Meeting Schedule for the Board's consideration.

Mr. Wrathell recalled the difficulty in finding a new meeting location, when the City no longer allowed the District to meet at City Hall, and asked the Board to notify him of any suggestions, as the options were extremely limited.



Mr. Morera recalled that Mr. Prudhomme was checking with the City regarding the District meeting at City Hall and asked the status. Mr. Prudhomme indicated that Mayor Vince Bocard has no objection; however, the matter must be presented to the entire City Commission.

Mr. Wrathell suggested advertising for the current location and, if the City allows the District to go back to City Hall and the Board concurs, the schedule can be readvertised.

Ms. Heafy voiced her opinion that it is best for the District to remain separate and independent from the City; most residents do not understand the difference. She feels that not meeting on City property is best to distinguish them from the City.

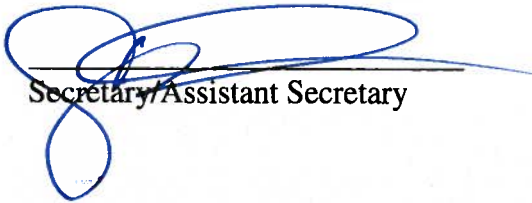
**On MOTION by Ms. Heafy and seconded by Mr. Prudhomme, with all in favor, Fiscal Year 2014 Proposed Meeting Schedule, meeting at the current location, and directing Staff to advertise, accordingly, was approved.**

**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Ms. Heafy and seconded by Mr. Prudhomme, with all in favor, the meeting adjourned at 9:21 p.m.**



Secretary/Assistant Secretary



Chair/Vice Chair