

**MINUTES OF MEETING
SUNSHINE WATER CONTROL DISTRICT**

A Regular Meeting of the Sunshine Water Control District's Board of Supervisors was held on **Wednesday, March 9, 2016**, *immediately following the Landowners' Meeting* at **6:30 p.m.**, at **Sartory Hall, located in Mullins Park, 10150 NW 29 St. (Ben Geiger Drive), Coral Springs, Florida 33065.**

Present at the meeting were:

Joe Morera	President
Jim Maguire	Vice President
Daniel Prudhomme	Secretary

Also present were:

Craig Wrathell	District Manager
Doug Paton	Wrathell, Hunt and Associates, LLC
Cindy Cerbone	Wrathell, Hunt and Associates, LLC
Michal Szymonowicz	Wrathell, Hunt and Associates, LLC
Jesse Jackson	Wrathell, Hunt and Associates, LLC
Alfred J. Malefatto	District Counsel
Steve Zielnicki	District Engineer
Steve Smith	Craig A. Smith & Associates, Inc.
Cory Selchan	Field Superintendent
John McKune	McKune & Associates

FIRST ORDER OF BUSINESS

Call to Order

Mr. Wrathell called the meeting to order at 6:54 p.m.

Mr. Wrathell advised that Mr. Prudhomme was reelected to the Board during the Landowners' Meeting and will serve a three-year term; Mr. Prudhomme was unchallenged and received 61 votes.

▪ **Administration of Oath of Office to Newly Elected Supervisor**

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

Mr. Wrathell, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Daniel Prudhomme.

Mr. Wrathell provided and briefly explained the following items:

- A. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**

B. Membership, Obligations and Responsibilities

C. Financial Disclosure Forms

- **Form 1: Statement of Financial Interests**
- **Form 1X: Amendment to Form 1, Statement of Financial Interests**
- **Form 1F: Final Statement of Financial Interests**

D. Form 8B, Memorandum of Voting Conflict

Mr. Wrathell indicated that Mr. Prudhomme was familiar with these documents.

SECOND ORDER OF BUSINESS

Roll Call

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

THIRD ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited during the Landowners' Meeting.

FOURTH ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisor

A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees

B. Membership, Obligations and Responsibilities

C. Financial Disclosure Forms

- **Form 1: Statement of Financial Interests**
- **Form 1X: Amendment to Form 1, Statement of Financial Interests**
- **Form 1F: Final Statement of Financial Interests**

D. Form 8B, Memorandum of Voting Conflict

These items were presented following the First Order of Business.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2016-2, Canvassing and Certifying the Results of the Landowners' Election

Mr. Wrathell presented Resolution 2016-2 for the Board's consideration. The resolution canvasses and certifies the results of the landowners' election. Mr. Wrathell reiterated that Mr. Prudhomme received 61 votes and will serve a three-year term.

On MOTION by Mr. Morera and seconded by Mr. Maguire, with all in favor, Resolution 2016-2, Canvassing and Certifying the Results of the Landowners' Election, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2016-3, Electing Officers of the District

Mr. Wrathell presented Resolution 2016-3 for the Board's consideration.

Mr. Maguire nominated the following slate of officers:

- | | |
|------------------|---------------------|
| Joe Morera | President |
| Jim Maguire | Vice President |
| Daniel Prudhomme | Secretary |
| Craig Wrathell | Treasurer |
| Craig Wrathell | Assistant Secretary |
| Cindy Cerbone | Assistant Secretary |

No other nominations were made.

On MOTION by Mr. Morera and seconded by Mr. Prudhomme, with all in favor, Resolution 2016-3, Electing the Officers of the District, as nominated, was adopted.

SEVENTH ORDER OF BUSINESS

Public Comments [3-Minute Time Limit]
(Comments should be made from the microphone to ensure recording. Please state your name prior to speaking.)

There being no public comments, the next item followed.

EIGHTH ORDER OF BUSINESS

Discussion: Permit Cost Recovery Policy

Mr. Wrathell recalled previous discussion regarding whether a Letter of No Objection (LONO) was currently covered under the District's permit cost recovery policy. After reviewing the policy, Mr. Wrathell recommended that language regarding LONOs be added to the policy. An item to commemorate the this action will be included in the next agenda.

Mr. Maguire asked what the cost recovery for a LONO would be. Mr. Wrathell asked if the minimum \$500 deposit, required for permit issuance, was appropriate for LONOs, as well. Mr. Zielnicki indicated that the preparation for a LONO could cost more than \$500, depending on the amount of effort required.

On MOTION by Mr. Maguire and seconded by Mr. Prudhomme, with all in favor, revised resolution to include Letters of No Objection to the Permit Cost Recovery Policy, and authorization for the President to execute, were approved.

NINTH ORDER OF BUSINESS**Continued Discussion: Pump Stations #1 & #2**

- **Consideration of Craig A. Smith & Associates Invoice No. 1601108**

Mr. Wrathell presented an email from Mr. Schriener. The cost of preparing the Pump Station reports exceeded the amount authorized by the Board. In consideration of the sensitivity of the issue, the District Engineer provided a \$23,850 discount, lowering the invoice total to \$14,100.

Mr. Wrathell felt that the discount was generous and recommended that the invoice be approved.

On MOTION by Mr. Prudhomme and seconded by Mr. Maguire, with all in favor, the Craig A. Smith & Associates Invoice No. 1601108, in the amount of \$14,100, was approved.

TENTH ORDER OF BUSINESS**Consideration of Piggybacking on Florida Fish Farms, Inc., Triploid Grass Carp Contract No. Y1227120Q1 with Broward County**

Mr. Selchan advised that the District utilized triploid grass carp as a weed control method in the canals. Typically, the District would receive bids to stock the carp but Broward County obtained bids and received a fantastic price from Florida Fish Farms, Inc. (FFF); the District's last approved bid was \$1 more, per fish. FFF approved Mr. Selchan's request to "piggyback" on the terms and pricing of Broward County's agreement. Mr. Selchan wished to purchase 3,500 fish, at \$4 each, for a total cost of \$14,000.

Mr. Maguire asked about the size of the fish. Mr. Selchan stated that the fish would be 10” to 12” but they could grow up to 2’ and weigh 40 to 50 pounds. Mr. Selchan stated that the carp eat the weeds and reduce the District’s need for chemicals.

Mr. Morera asked if the fish were released in the same area each year. Mr. Selchan replied that the carp are released at the top of the canal system, throughout the District, as far away from the pump stations as possible and the carp work their way through the system.

On MOTION by Mr. Maguire and seconded by Mr. Prudhomme, with all in favor, the Piggybacking on Florida Fish Farms, Inc., Triploid Grass Carp Contract No. Y1227120Q1 with Broward County, in the amount of \$14,000, was approved.

ELEVENTH ORDER OF BUSINESS

Approval of the February 10, 2016 Regular Meeting Minutes

Mr. Morera presented the February 10, 2016 Regular Meeting Minutes and asked for any additions, deletions or corrections.

The following changes were made:

Line 359: Change “ $\frac{2}{3}$ HP” to “ $\frac{2}{3}$ of full-load rated HP”

On MOTION by Mr. Maguire and seconded by Mr. Prudhomme, with all in favor, the February 10, 2016 Regular Meeting Minutes, as amended, were approved.

- **Doug Paton**

****This item was an addition to the agenda.****

Mr. Morera reported that Mr. Doug Paton, of Wrathell, Hunt and Associates, LLC (WHA), was retiring.

Mr. Wrathell stated that Mr. Paton was an incredible asset to the District and WHA and Mr. Paton with an award featuring the Sunshine Water Control District (SWCD) and WHA logos and thanked Mr. Paton for his hard work. The inscription read:

“Doug Paton

Thank you for the years of teamwork and dedication. Congratulations on your retirement.

2016

On behalf of the Sunshine Water Control District and Wrathell, Hunt and Associates”

The Board and Staff congratulated Mr. Paton on his retirement and thanked him for his service.

Mr. Paton expressed his appreciation to the Board and Staff.

TWELFTH ORDER OF BUSINESS

Supervisors’ Communications

Mr. Morera welcomed Mr. Prudhomme back to the Board. He reported that the Taste of Coral Springs was held on Tuesday, February 23, and the funds raised will give each charity approximately \$9,500. Mr. Morera advised that the 12th Annual Coral Spring Festival of the Arts will be held on Saturday and Sunday, March 19 and 20. WorldFest will be held on Sunday, April 3.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Lewis, Longman & Walker, P.A.*

- **Process to Become City Dependant District**

Mr. Malefatto presented a memorandum outlining the process to become a City dependent district and the cons related to doing so. The memorandum will be distributed to the Board, via email, following the meeting.

Mr. Malefatto advised that, to become a City dependent district, the District must be dissolved and the City would assume the District’s responsibilities through a Special Act of the Florida Legislature. The legislation must be consistent with Chapter 189, the Uniform Special District Accountability Act of 1989.

Mr. Malefatto explained that the County legislative delegation must consider whether to propose a bill to dissolve the District. The sponsor would propose the bill to the state legislature and the bill must pass through several committee review processes before being presented to the Florida Senate and House of Representatives. If the bill passes through both houses, it must then be signed by the Governor and, ultimately, a referendum must be voted on by the District’s electors. If the referendum failed, dissolution would fail.

Mr. Morera asked if the referendum voters were the same as the landowner voters. Mr. Malefatto replied affirmatively.

In response to Mr. Wrathell's question, Mr. Malefatto clarified that the referendum voting would be overseen by the Supervisor of Elections and not the District but the electors would be the same as in a District election.

Mr. Malefatto asked if there were further developments with the City. Mr. Morera indicated that the author of the Coral Springs Forum article contacted himself and the President of the Coral Springs Improvement District (CSID) for responses to the article.

Mr. Malefatto reported that the Lanzo Construction (Lanzo) litigation case was settled and, per the Florida statute, the transcripts of the District's three executive sessions were now public record.

Mr. Prudhomme asked about the likelihood of the transcripts being utilized in a future lawsuit. Mr. Malefatto did not foresee any reason they would be. The District and Lanzo signed a joint mutual release.

▪ **Liberty Mutual Surety Contract Bond Status Query**

****This item, previously 13.E.iii., was presented out of order.****

Mr. Wrathell indicated that Liberty Mutual Surety contacted District Management several times, in regard to completion of the Lanzo project. Mr. Wrathell asked if, based upon the settlement of the Lanzo case, should the project completion forms should be filled out and returned to the bonding company. Mr. Malefatto asked if the District considered the construction complete. Mr. Selchan responded affirmatively. Mr. Wrathell pointed out that the District had not officially accepted completion of the project. Mr. Malefatto confirmed that the Lanzo settlement was complete.

Mr. Smith asked if IBI Group (Florida), Inc. (IBI) accepted completion of the project. Mr. McKune replied affirmatively.

On MOTION by Mr. Maguire and seconded by Mr. Prudhomme, with all in favor, acceptance of completion of the Canal Restoration and Culvert Replacement, was approved.

Mr. Morera asked if IBI responded to the F.S. Chapter 558 notice letter. Mr. Malefatto stated that, as of the previous Friday, Broad and Cassel, had not received a response. Mr. Mike

Wilson, of Broad and Cassel will notify District Counsel when a response is received; the 45-day time frame allotted for a response ended on Monday but there is some latitude.

Mr. Morera asked what the next step was if IBI did not respond. Mr. Malefatto advised that the IBI is obligated, by statute, to provide a response.

Mr. Morera asked if Staff had any contact with IBI. Mr. Smith indicated that, initially, there were telephone conversations between Craig A. Smith & Associates, Inc. (CAS), and IBI regarding the reports prepared by CAS.

Mr. Maguire inquired about IBI invoices from September. Mr. Wrathell advised that a batch of invoices were held back because IBI owed the District money. Mr. Wrathell explained that IBI overbilled the District approximately \$14,000 but had not provided a refund; therefore, amount owed to the District was deducted from the invoices and the balance was paid. Mr. Maguire asked if there were any other outstanding invoices from IBI. Mr. Wrathell did not believe so.

B. District Engineer: *Craig A. Smith & Associates*

- **Monthly Engineer's Report: February 4, 2016 - March 2, 2016**
- **Permit Application Recommendation: Sawgrass Place North**

Mr. Zielnicki advised that a permit application was submitted for Sawgrass Place North, a seven-acre vacant parcel in the Corporate Park, for the development of two large office/warehouse buildings with one culvert outfall into the canal by the Sawgrass Expressway.

Mr. Zielnicki recommended approval of the permit, subject to receipt of the trash bond.

On MOTION by Mr. Prudhomme and seconded by Mr. Maguire, with all in favor, the Sawgrass Place North permit application, subject to the special conditions, as set forth in the CAS letter dated March 2, 2016, was approved.

Mr. Smith advised that minor modifications were made to Pump Station #1. Adjustments with the pulleys at Pump Station #2 were recommended. For the time being, Staff was comfortable operating the pumps as-is. Staff met with Mr. Bailey, an electrical engineer and, per his recommendations, minor electrical modifications must be made. The District Engineer is waiting for prices of certain necessary components before making any adjustments. Mr. Bailey estimated that the cost of the breaker, at Pump Station #1, was less than \$10,000.

Mr. Maguire was under the impression that CAS would present in-depth recommendations at tonight's meeting regarding the necessary immediate interim solution, the possible moderate solutions and the desired long-term solutions.

Mr. Selchan reiterated that Staff met with Mr. Bailey, who is familiar with pump stations. Mr. Bailey took detailed notes and wanted to discuss why the vendor used certain Square D® components but he had not received a response; therefore, Mr. Selchan requested that the District Engineer not report the recommendations until Mr. Bailey received a response. The electrical components must be addressed before any changes to the wheels or developing an operating schedule, which would allow the District to pump as much water as possible during a major storm event. The District will have the capacity to pump a lot of water when water levels are high and, once the water level goes down, there would be head loss so pumps must be turned off before there are issues with the pumps. Mr. Selchan noted that Pump Station #2 was a much larger system and already has issues with flooding. Mr. Selchan was comfortable utilizing an operational schedule rather than adjusting the pulleys; the report from Mr. Bailey will confirm whether that is the best option, at this time.

Mr. Smith noted that, while Staff has differing opinions, they are working together to provide the District with the best possible interim solution. Mr. Bailey's report will be completed within two weeks.

Mr. McKune confirmed that he, Mr. Selchan, Mr. Bill Landis, Mr. Schriener and Mr. Bailey were working together to determine the appropriate interim solution.

Mr. Maguire wanted to ensure that, in the event of a 100-year storm, the District is prepared. He requested that, short-term, mid-range and long-term plans be in place, as he did not want the responsibility of operating the pump stations to fall solely on Mr. Selchan.

Mr. Smith acknowledged the Board's patience. He and Mr. Selchan confirmed that Staff was working towards an interim solution that all parties could agree on.

Mr. Selchan stated that, once the pending lawsuit was concluded, the engineers and Staff can determine how to proceed.

Mr. Morera reiterated Mr. Maguire's sentiment that the District did not want to find itself "playing catch up". There must be trust in the system that it will operate properly when it is turned on.

Mr. Smith recalled previous discussion regarding the Interconnected Pond Routing (ICPR) modeling of the West Outfall Canal. The predominant issue was the restrictions at the

bridges. Documents from Broward County and the original design plans of the bridges were received. Unfortunately, the depth to determine how deep the pilings were driven remains pending. If the canals are excavated, that information is necessary to confirm that the bridges are structurally sound. Mr. Smith stated that the District must prove that the amount of excavation needed to improve the canal system will be acceptable to the County. A structural engineer was consulted about the unknown depth of the pilings. Based on specifications in the original design plans and geo technical information, the structural engineer can determine an approximate depth that the piles were driven to and from there, a determination can be made as to the amount of excavation that can be completed under the bridges.

Mr. Morera understood that excavations, under the bridges, would be performed by Broward County, taking advantage of the dry beds while the District excavated the canals.

Mr. Smith acknowledged that the County would perform work under the bridges but the proposed work must first be submitted by the District and approved by the County.

Mr. Selchan reported that the County was initially uneasy with work around the bridges, as they did not possess copies of the original plans. Per Mr. Selchan's suggestion, Mr. Orlando Rubio, of CAS, obtained the original design plans from the Coral Springs Geographic Information Systems (GIS) Services Division. The core drilling information was included in the GIS plans. Mr. Selchan advised that the County originally believed that the pilings were very shallow and was not going to allow excavation, under the bridges. The County then agreed to perform the work under the bridges but not to the design specs desired by the District. Mr. Selchan believed that the pilings are longer than the County originally assumed and, once confirmed by the structural engineer, the information can be presented to the County; hopefully, the County will concur and still agree to perform the excavations. In response to Mr. Morera's question, Mr. Selchan indicated that there were four bridges; Coral Springs Drive, Atlantic Boulevard, Riverside Drive and within Cypress Park.

The County was concerned regarding the bridge on Coral Springs Drive. Mr. Selchan hoped that the County would consider replacing the bridge with a bridge that spanned the canal and did not require pilings. Mr. Selchan indicated that there was discussion, within the City, regarding widening Riverside Drive, which would require the bridge to be replaced. The bridge in Cypress Park is a different style bridge; Mr. Selchan believed that the District could work with the bridge as it is. The Atlantic Boulevard bridge would be the one bridge that the District must work around.

Mr. Selchan stated that CAS's recommendations must correspond with what the County is willing to do at the bridges before a recommendation can be presented to the Board and requested that CAS not present the final ICPR modeling report until what the County is willing to do is known.

Mr. Morera asked if Canal 21-1A was the West Outfall Canal. Mr. Selchan stated that Canal 21-1A was the canal that ran out of the Coral Springs Country Club into Canal BB.

Based on the information received, Mr. Smith wanted to schedule a meeting with Broward County to determine what the County requires from the District to make a determination of whether the areas could be excavated.

Mr. Maguire wanted to ensure that the pump station recommendations took priority over the ICPR modeling.

C. District Engineering Consultant: *John McKune*

Mr. McKune stated that the bridge at Coral Springs Drive was a District project, built by the developers and was cheaply constructed. The District initially constructed the bridges and roads and donated them to the City and the County. The Coral Springs Drive bridge was constructed of 8' sections of cast, prestressed concrete; rain gets through the bridge and erodes the canal banks. If the area under the bridge is excavated but the bridge is not replaced, the area will require excavation again, in the future.

D. District Field Supervisor: *Cory Selchan*

Mr. Selchan reported that the District received a little more than 2.5" of rain since the last meeting and water levels were falling. The East Basin is currently at 7', which is .5' lower than normal; the West Basin is currently at level. With the rain that is predicted, Mr. Selchan doubted that there would be a dry season this year.

Mr. Selchan welcomed Mr. Prudhomme back to the Board.

Mr. Selchan appreciated the Board approval of the triploid grass carp purchase. He stressed that the carp were integral to canal maintenance.

Mr. Selchan reported that a resident was interested in the District removing a tree on the canal bank and signed the necessary contract with the District; tree removal bids were pending.

Mr. Maguire inquired about residents encroaching on the banks of Canal Z. Mr. Selchan indicated that a resident claimed that rocks under the grass damaged his mower. Staff will bushhog the area to make sure that there are no large rocks; the resident will be responsible for maintaining the area, going forward. Other residents who encroached on the canal bank received

notices to remove the encroachments. Mr. Paton advised that the resident who claimed his lawn mower was damaged was cited by the City, which is why he contacted the District; the resident initially refused to maintain the area.

Mr. Maguire asked if the Canal Z Right-of-Way (ROW) Violation Enforcement Policy was successful. Mr. Selchan replied affirmatively.

Despite a few issues, Mr. Selchan was pleased with the appearance of the District and that the City cited the resident for not maintaining the ROW behind his home. The City rarely cited residents, in the past, even when requested to do so by the District.

Mr. Morera noted that Coral Springs Code Enforcement was closely inspecting properties and issuing citations. Properties that were idle for years are now being maintained. The City has a generous window for the cited issues to be corrected.

Mr. Selchan took Ms. Cerbone on a tour of the District's facilities and pump stations. He looks forward to working with Ms. Cerbone in the future.

Mr. Selchan was attempting to fill a vacant position.

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

i. Approval of Unaudited Financial Statements as of January 31, 2016

Mr. Wrathell presented the Unaudited Financial Statements as of January 31, 2016. On Page 1, the funds in the "FineMark Bank - ICS" account are FDIC insured. Page 2 reflected that assessment revenue collections were at 83%. On Page 3, the "Capital outlay" line item was mistakenly omitted; however, the figures were correct.

Mr. Morera asked where the settlement payment to Lanzo would appear. Mr. Wrathell stated that the settlement payment is an unbudgeted expense item and would most likely be listed as "Settlement payment" in the March Unaudited Financial Statement. Page 4 reflected the November 1, 2015 interest payment and corresponding 83% debt service assessment revenue collections; the next payment will be made on May 1.

<p>On MOTION by Mr. Maguire and seconded by Mr. Prudhomme, with all in favor, the Unaudited Financial Statements as of January 31, 2016, were approved.</p>
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ii. Correspondence from the Thunderbird Club, Inc., Regarding Staff

Mr. Wrathell read a letter from Ms. Karen Lowe, President of the Thunderbird Club, Inc., into the record:

“Dear Mr. Wrathell:

Many times people write letters to complain about something. It seems to be a rarity that someone writes a letter for acknowledging someone’s service.

I would like to acknowledge one of your employees Cory. It is with great pride that I am a Coral Springs resident if only part/time as I also live in NY. The service this man has given our community has been super. The first and only time I had to call him to take care of the canal in our community was years ago when he took over the job. Cory and his men have always done a fabulous job cleaning up this canal and spraying for mosquitoes. You should be very proud of the men you have hired and without good leadership we would not get the type of service we have become accustomed to.

Recently I found out that the canal is not under your jurisdiction, and we no longer can rely on your excellent service. We are saddened by this news, and certainly hope that Briarwood community will keep it up to your standards.

Thank you again for years of wonderful service.

Sincerely yours,

Karen Lowe

President”

Mr. Smith asked how the canal was removed from the District’s jurisdiction. Mr. Selchan explained that Broken Woods Country Club made modifications to the area, which was previously a golf course and, through that process, it was discovered that the canal was not under the District’s jurisdiction. The Briarwood community and The Thunderbird Club were informed that the canal was not part of the District and agreed to maintain it, going forward.

The Board appreciated the hard work of Mr. Selchan and his staff.

iii. Liberty Mutual Surety Contract Bond Status Query

This item was discussed during item 13.A.

iv. NEXT MEETING DATE: April 13, 2016 at 6:30 P.M.

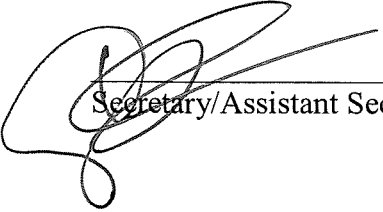
Mr. Morera indicated that the next meeting will be held on April 13, 2016 at 6:30 p.m., at this location.

FOURTEENTH ORDER OF BUSINESS Adjournment

There being no further business to discuss, the meeting adjourned.

On MOTION by Mr. Maguire and seconded by Mr. Prudhomme, with all in favor, the meeting adjourned at 8:26 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary

Joe E. Moore

Chair/Vice Chair