

**MINUTES OF MEETING
SUNSHINE WATER CONTROL DISTRICT**

The Board of Supervisors of the Sunshine Water Control District held a Public Hearing and Regular Meeting on September 11, 2019, 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
Daniel Prudhomme	Vice President
John Tornincasa	Secretary

Also present were:

Cindy Cerbone	District Manager
Lisa Dao	Wrathell, Hunt and Associates, LLC
Terry Lewis	District Counsel
Orlando Rubio	District Engineer
Jim Maguire	Craig A. Smith & Associates, Inc.
Cory Selchan	Field Superintendent
John McKune	Engineering Consultant
Mrs. Prudhomme	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

Ms. Cerbone called the roll. All Supervisors were present, in person.

THIRD ORDER OF BUSINESS

Pledge of Allegiance

All present recited the Pledge of Allegiance and stood for a moment of silence in recognition of the 18th anniversary of September 11th.

FOURTH 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.

FIFTH ORDER OF BUSINESS**Public Hearing on Adoption of Fiscal Year
2019/2020 Budget****A. Proof/Affidavit of Publication**

The affidavit of publication was provided for informational purposes.

B. Consideration of Resolution 2019-10, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2019, and Ending September 30, 2020; Authorizing Budget Amendments; and Providing an Effective Date

Ms. Cerbone distributed a revised proposed Fiscal Year 2020 budget as the version in the agenda package did not reflect the amended Fiscal Year 2019 budget or transfers in and out for the bond refunding.

Mr. Tornincasa asked why the "Pump station telemetry" line item increased significantly. Mr. Selchan stated that the increase was to switch to a cell based telemetry system instead of the current radio system. The outdated equipment needs to be replaced since it was not designed for water control type use. The telemetry system would be replaced once the litigation is settled and they start replacing the pumps.

On MOTION by Mr. Prudhomme and seconded by Mr. Tornincasa, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Morera and seconded by Mr. Tornincasa, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Prudhomme and seconded by Mr. Tornincasa, with all in favor, Resolution 2019-10, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2019, and Ending September 30, 2020; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2019-11, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2019/2020; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

Ms. Cerbone presented Resolution 2019-011. The following change was made:

7th Whereas Clause: Change "190" to "298"

On MOTION by Mr. Tornincasa and seconded by Mr. Prudhomme, with all in favor, Resolution 2019-11, as amended, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2019/2020; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Discussion: ROW/Easement Clearing Policy and Obstruction Removal Agreement

Ms. Cerbone reviewed the ROW/Easement Clearing Policy, including the parameters in which the District would pay once for removal of residential property obstructions in the District's right-of-way (ROW) but not for commercial properties, differences between individual, commercial and not-for-profit property owners and the criteria to appeal. A redline and a final version of the Policy and Agreement would be presented for consideration at the next meeting.

This item was deferred to the next meeting.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2019

Ms. Cerbone presented the Unaudited Financial Statements as of July 31, 2019. The "Legal" line item amount was low to correct a data entry error in the prior month.

On MOTION by Mr. Tornincasa and seconded by Mr. Prudhomme, with all in favor, the Unaudited Financial Statements as of July 31, 2019, were accepted.

NINTH ORDER OF BUSINESS**Approval of August 14, 2019 Regular Meeting Minutes**

Ms. Cerbone presented the August 14, 2019 Regular Meeting Minutes. All edits submitted to Management were incorporated into the final version; none of those changes were significant.

On MOTION by Mr. Prudhomme and seconded by Mr. Tornincasa, with all in favor, the August 14, 2019 Regular Meeting Minutes, as amended to incorporate all edits previously submitted to Management, were approved.

TENTH ORDER OF BUSINESS**Public Comments**

There being no public comments, the next item followed.

ELEVENTH ORDER OF BUSINESS**Supervisors' Communications**

Mr. Prudhomme thanked his wife for attending the meeting. He offered condolences to those affected by 9/11.

Mr. Morera stated the sold out International Dinner Dance would be held September 28, 2019. He noted the unfortunate destruction the hurricane caused in the Bahamas. Online or in person donations were being accepted at Wing's Plus and City Hall, during the Bites-N-Sips event on the 14th. The Wing's Plus website had a list of items to donate. He thanked everyone and expressed appreciation for their continued support of the District and all that they do.

TWELFTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: Lewis, Longman & Walker, P.A**

Mr. Lewis provided updates to the IBI Litigation as follows:

- Litigation Counsel for the District scheduled depositions for IBI's pump expert and the Standard of Care Expert, representing Lanzo, next week.

- Deposition of the District's pump expert was not scheduled yet.
- Mr. Bill Landis, of Craig A. Smith & Associates, Inc. (CAS), an expert in pumps and costs, would be deposed to preserve his testimony and opinions, as he cannot attend the trial, in December.
- Negotiations with both Defendants continued. The District's last offer was \$7.2 million. This depends on what the experts and District Engineer say regarding whether a pump bypass can occur while the motors are being repaired. If it does not have to be completely shut down and the pumps can keep operating while replacement of one motor after another occurs, it would save \$2 or \$3 million. If the District settles, which he was hopeful about, the settlement would be on the scope of the repair and for the repair costs. The parties were still somewhat apart but there was movement and the Mediator is waiting to call them back into mediation to see if it can be resolved.

- **Discussion: State Appropriation Grant Process**

Mr. Lewis reviewed the State Appropriation Grant process, timelines and criteria involved to get a Legislator to sponsor a project and propose a bill to the House and Senate during the Legislature Session. It was too late to submit a request this year; however, one could be submitted during the next delegation meetings in June or July 2020 and, if approved, appropriations would be received in Fiscal Year 2021.

Mr. Morera asked if the District had any projects that would qualify and meet the submittal criteria. Mr. Rubio stated the District could apply for a stormwater grant; each project in CAS's revised Capital Improvement Plan (CIP) would qualify for a grant.

Mr. Lewis stated there is a time when it is more beneficial to eliminate the Legislature process and deal directly with the various agencies from where the funds were already appropriated, such as South Florida Water Management District (SFWMD), as it takes a lot of time and effort to convince a Legislator to file a proposed bill, since they are only allowed six. He discussed the District's local Representatives interests and focus, noting that District Counsel's firm has a positive working relationship with Representative Daley. He believed the West Outfall Canal (WOC) project may be a legitimate candidate to receive State funds.

Mr. Lewis stated that the last Legislative session appropriated \$60 million or \$80 million to the Governor's Budget for water projects and the Department of Agriculture's appropriation bill also received funds.

Mr. Rubio stated CAS, alongside District Counsel, prepared House and Senate forms that were then discussed at the delegation meetings. For the next meeting, District Counsel would review and determine which agencies have funds available under the type of projects listed in the CIP and provide the costs associated to proceed with this process and Mr. Maguire would present recommendations of which CIP projects should be presented to the delegation and include the costs associated with preparing applications and filing legislative forms for the Fiscal Year 2021 period.

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

- i. WOFC Update
- ii. Proposed Capital Projects
- iii. Permit Applications
- iv. Monthly Report

Mr. Rubio presented the Monthly Engineer's Report.

C. District Engineering Consultant: *John McKune*

There being no report, the next item followed.

D. District Field Supervisor: *Cory Selchan*

Mr. Selchan reported the following:

- 8" of rain was received in one month and only 3" of that was from Hurricane Dorian.

On behalf of the Board, Mr. Morera thanked Mr. Selchan going above and beyond to resolve a recent issue and noted he was able to resolve it with the aid of his crew and everyone else that assisted. Mr. Selchan appreciated the recognition and stated it was truly a team effort.

- Rain Gauge: A manual rain gauge was being used until a new one arrives. Eliminating the huge antennas beside each pump station from the property and switching the telemetry over to a different type of system was requested.

Mr. Selchan presented an executed Obstruction and Removal Agreement "Option 2", from a resident redoing their fence, along with three proposals to remove the trees behind the residence, before issuing a Letter of No Objection (LONO). He recommended awarding the contract to the lowest bidder.

On MOTION by Mr. Tornincasa and seconded by Mr. Prudhomme, with all in favor, authorizing District Staff to award the contract to the lowest bidder, Need Trees Trimmed, Inds., to remove the five shade trees and stump grind, in the amount of \$1,600, and issue a Letter of No Objection, was approved.

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

The Florida Association of Special Districts (FASD) membership would be renewed.

The next meeting will be held on October 9, 2019 at 6:30 p.m.

THIRTEENTH ORDER OF BUSINESS

Adjournment

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

On MOTION by Mr. Tornincasa and seconded by Mr. Prudhomme, with all in favor, the meeting adjourned at 7:40 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

September 11, 2019

Cindy Cubre
Secretary/Assistant Secretary

Joe E. Moren
President/Vice President