

**MINUTES OF MEETING
SUNSHINE WATER CONTROL DISTRICT**

The Board of Supervisors of the Sunshine Water Control District held Public Hearings and a Regular Meeting on September 14, 2022 at 6:30 p.m., at the La Quinta Inn Coral Springs, 3701 N. University Drive, Coral Springs, Florida 33065.

Present were:

| | |
|------------|----------------|
| Joe Morera | President |
| Ivan Ortiz | Vice President |
| Ed Khouri | Secretary |

Also present were:

| | |
|-----------------------------|------------------------------------|
| Cindy Cerbone | District Manager |
| Jamie Sanchez | Wrathell, Hunt and Associates, LLC |
| Al Malefatto | District Counsel |
| Orlando Rubio | District Engineer |
| Cory Selchan | Field Superintendent |
| John McKune (via telephone) | Engineering Consultant |

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

All Supervisors were present.

THIRD ORDER OF BUSINESS

Pledge of Allegiance

All present recited the Pledge of Allegiance.

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.)**

No members of the public spoke.

FIFTH ORDER OF BUSINESS

Discussion: Memorandum Regarding Resolutions 2022-10 and 2022-04 Related to Health Insurance for Board Members

Mr. Malefatto presented the Memorandum regarding Resolution 2022-10 that will replace Resolution 2022-04, which provided for reimbursement to Board Members for their health insurance premiums. The Amendment limits reimbursements to the amount of premiums paid for employees and specifies that reimbursements may be applied to Medicare and Veterans Administration premiums. Per Internal Revenue Code, premium reimbursements would be considered taxable income. He discussed the optional healthcare reimbursement arrangement. Mr. Malefatto will present additional information at the next meeting.

- **Consideration of Substitute Resolution 2022-10, Providing for Certain Insurance to Board Members and the Spouse of Board Members; Repealing Resolution 2022-04 in its Entirely; Providing for Severability; Providing for an Effective Date**

Ms. Sanchez presented Resolution 2022-10.

On MOTION by Mr. Ortiz and seconded by Mr. Khouri, with all in favor, Resolution 2022-10, Providing for Certain Insurance to Board Members and the Spouse of Board Members; Repealing Resolution 2022-04 in its Entirely; Providing for Severability; Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2022/2023 Budget

- **Consideration of Resolution 2022-11, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date**

Ms. Sanchez presented Resolution 2022-11. She reviewed the proposed Fiscal Year 2023 budget, which was unchanged since it was presented in May.

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

No members of the public spoke.

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

On MOTION by Mr. Ortiz and seconded by Mr. Khouri, with all in favor, Resolution 2022-11, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Special Assessments to Fund the Budget for Fiscal Year 2022/2023, Pursuant to Florida Law

- **Consideration of Resolution 2022-12, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; 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. Sanchez presented Resolution 2022-12.

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

No members of the public spoke.

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

On MOTION by Mr. Morera and seconded by Mr. Ortiz, with all in favor, Resolution 2022-12, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; 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.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2022

Ms. Sanchez presented the Unaudited Financial Statements as of July 31, 2022.

Discussion ensued regarding processing of a Change Order.

Mr. Selchan stated, when it became apparent that scheduled work would not be completed within the current fiscal year, the expenditure was moved to the Fiscal Year 2023 budget.

On MOTION by Mr. Ortiz and seconded by Mr. Khouri, with all in favor, the Unaudited Financial Statements as of July 31, 2022, were accepted.

NINTH ORDER OF BUSINESS

Approval of August 10, 2022 Regular Meeting Minutes

Ms. Sanchez presented the August 10, 2022 Regular Meeting Minutes. Mr. Malefatto discussed changes submitted to Management. The following changes were made:

Line 130: Change "RBD" to "RBC"

Line 153: Change "CDD" to "District"

On MOTION by Mr. Ortiz and seconded by Mr. Khouri, with all in favor, the August 10, 2022 Regular Meeting Minutes, as amended to include edits previously submitted to Management and edits from today's meeting, were approved.

TENTH ORDER OF BUSINESS

Supervisors' Communications

Mr. Morera stated he had an opportunity to accompany Mr. Selchan and observe work and progress in the District. He thanked Mr. Selchan and encouraged the other Board Members to do the same. The City's Budget Hearing will be September 21, 2022 at City Hall.

Mr. Morera asked if there is a list of all signed agreements with residents and if follow up was done to ensure residents are in compliance. Ms. Cerbone stated all agreements are public record and all records are retained. Follow up is only be done if directed by the Board and no such direction has been given.

Mr. Morera directed Mr. Selchan to perform spot inspections. Mr. Selchan stated Staff is aware of some instances of noncompliance; he will review the list and send notices.

Discussion ensued regarding the most cost-effective means of addressing instances of noncompliance with Option 2 and Option 3 Agreements, residents who do not have Agreements and removal of obstructions on District property at the resident's expense.

A successful obstruction removal was discussed.

Mr. Selchan stated the contractor engaged did a good job and the resident was satisfied.

Mr. Morera thanked Staff for their assistance.

ELEVENTH ORDER OF BUSINESS

Staff Reports

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

Mr. Malefatto stated that, several months ago, the District vendor "Just Call James" (JCJ) inadvertently cut a BlueStream cable line while performing maintenance. BlueStream charged JCJ \$3,000. He sent a letter and email to BlueStream's attorney pointing out that, if the line had been permitted the situation could have been avoided. No response was received and now BlueStream's collection company is pursuing JCJ for the repair costs. Mr. Malefatto stated he advised BlueStream's attorney that the cost should be waived because the cable line was never permitted.

The importance and methods of supporting District vendors were discussed.

Mr. Selchan stated the JCJ put its insurance company on notice. He voiced his opinion that the \$3,000 bill seemed excessive for the repair performed. The consensus was to support JCJ. Mr. Malefatto will continue calling and emailing about the permitting violation.

Mr. Malefatto discussed new Legislation related to a Referendum that will be on the upcoming November ballot, which asks voters in the District if they prefer a one person, one vote system, as opposed to the current allocation of one vote per property. Representative Daley, the sponsor of the Legislation, submitted a public records request for the District's rate payers. A list of assessed properties was provided and it is expected that property owners will be contacted and encouraged to vote. Similar requests were made of other area Special Districts. Mr. Morera stated he will continue attending and speaking at meetings hosted by Representative Daley to educate the public about the purpose and activities of the District.

B. District Engineer: Craig A. Smith & Associates

I. Presentation: Monthly Engineer's Report

Mr. Rubio presented the September Monthly Engineer's Report. He noted the following:

- Pump Stations 1 and 2: Electrical repairs are on hold until dry season. Building permits for foundation work at Pump Station 2 are in progress.
- West Outfall Phase 2B Improvements: The canal work is done. A meeting was held with the contractor and the Structural Engineer regarding work at Riverside Drive and Pump Station 1 and coordinating and scheduling work.

- **Update: Riverside Drive Bridge Repairs**

Mr. Rubio presented the Radise International Engineering proposal for design work under the Riverside Drive Bridge, including multiple design alternatives and associated costs for each canal crossing. The design work is necessary to allow the contractor to provide a bid for the work; he recommended Canal Improvement Approach A.

Mr. Selchan stated, in its current state, the bridge is a tremendous impediment to water flow and the proposed work is essential.

Discussion ensued regarding the proposal and the options presented. Mr. Selchan stated, after much consideration, Staff is in agreement that Approach A is preferable.

On MOTION by Mr. Ortiz and seconded by Mr. Khouri, with all in favor, the RADISE International proposal for the design of Riverside Drive, at a lump sum cost of \$123,294.04, was approved.

➤ The culvert replacement at NW 24th Street is nearly complete.

Mr. Selchan stated the second lift of asphalt is complete and residents are pleased. A meeting was held to determine where trees will be planted; he strongly recommended avoiding planting in the right-of-way (ROW) and staying as far away from the canals as possible and residents agreed.

II. Permit Applications

Mr. Rubio presented the following permit applications:

a. **CSJ Capital, LLC (Ladybird Academy) Canal L**

On MOTION by Mr. Ortiz and seconded by Mr. Khouri, with all in favor, the CAS Project No. 15-1826-P31 ROW Permit Application submitted by Z Development Services, on behalf of CSJ Capital, LLC for development of institutional facility Ladybird Academy adjacent to Canal "L", including demucking work on the adjacent canal, subject to the Special Conditions set forth in the September 6, 2022 recommendation letter, was approved.

b. **Foundry Commercial Acquisition, LLC (Waste Transfer Station) Culvert Crossing – Canal RR**

On MOTION by Mr. Ortiz and seconded by Mr. Khouri, with all in favor, the CAS Project No. 15-1826-P33 ROW Permit Application submitted by Chem Moore and Associates on behalf of Foundry Commercial Acquisition, LLC for culverting a segment of Canal RR to allow an access driveway to the permittee's property on the south side of the canal and installation of a paved driveway canal crossing with F-curb, sidewalk on the west side, guardrails on both sides and 72 LF of 84" RCP with FDOT standard concrete headwalls, subject to the Special Conditions set forth in the September 6, 2022 recommendation letter was approved.

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

There was no report.

D. District Field Supervisor: *Cory Selchan*

Mr. Selchan reported the following:

- There have been many thunderstorms but not much rainfall accumulation. Water is low in the East Basin. Approximately 7' is retained in the West Basin as amounts over that level will be pumped out until the improvements at the Pump Station are complete.
- Invasive weeds grow fast in the summer and crews are working as hard as they can to maintain these areas.
- Board Members were encouraged to accompany Staff for inspections.

Mr. Selchan recalled previous discussion about planting a tree in memory of a former Board Member.

Discussion ensued regarding the tree memorial program offered by the City. Mr. Selchan will obtain additional information about availability at Cypress Park.

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

I. Obstructions Removal Agreement Request (Option 2) – 2988 NW 103 Lane

Ms. Sanchez presented the Option 2 Obstructions Removal Agreement that was requested by the property owner to remove obstructions in the ROW. Proposals were received from Castle Tree Art and JCJ, in the amounts of \$4,735 and \$3,900, respectively. Mr. Selchan stated both are good vendors and recommended accepting the lowest cost proposal.

On MOTION by Mr. Ortiz and seconded by Mr. Khouri, with all in favor, the Option 2 Agreement and the Just Call James proposal for tree removal, in the amount of \$3,900, were approved.

II. NEXT MEETING DATE: October 12, 2022 at 6:30 P.M.

○ QUORUM CHECK

The next meeting is scheduled for October 12, 2022.

Ms. Sanchez stated the December meeting will be on December 7, 2022, as the Coral Springs Holiday Parade is scheduled for December 14, 2022.

TWELFTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Ortiz and seconded by Mr. Morera, with all in favor, the meeting was adjourned at 7:36 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


President/Vice President