

**MINUTES OF MEETING
SUNSHINE WATER CONTROL DISTRICT**

The Regular Meeting of the Sunshine Water Control District's Board of Supervisors was held on **Wednesday, July 8, 2009 at 6:30 p.m.**, in the **Commission Chambers, Coral Springs City Hall, 9551 West Sample Road, Coral Springs, Florida 33065.**

Present at the meeting were:

Dave Hulett	President
Emily Heafy	Vice President
Joe Morera	Secretary

Also present were:

Michael Szymonowicz	Wrathell, Hart, Hunt and Associates, LLC
Jesse Jackson	Wrathell, Hart, Hunt and Associates, LLC
Daphne Gillyard	Wrathell, Hart, Hunt and Associates, LLC
Rhon Ernest-Jones	District Engineer
Cory Selchan	Field Superintendent
Tom Donahue	Rhon Ernest Jones/IBI Group
John McKune	McKune & Associates
Terry E. Lewis	Lewis, Longman & Walker, P.A.
Bill Capko	Lewis, Longman & Walker, P.A.
Darren Leiser	Lewis, Longman & Walker, P.A.
Brian DeGirolmo	DeGirolmo & Associates
Jim Hickey	City of Coral Springs

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

The meeting was called to order at 6:30 p.m. Mr. Szymonowicz called the roll and announced that all Supervisors were present at Roll Call.

SECOND ORDER OF BUSINESS

**Consideration of Engagement Letter from
Lewis, Longman & Walker, P.A.**

Mr. Lewis: I would like to thank the Board for the support. We do some wonderful things and this is our specialty. I enjoy doing special districts more than any other line of practice that we have. This evening, you should have no fear, in spite of the fact that you see two (2) other lawyers. At a time or another, they will be doing work for Sunshine. Bill Capko is a fine,

local government attorney and bond lawyer. Particularly, the Water Control Bond coming along, he would be front and center for the actual financing parts that we would need to do. Mr. Leiser is a young associate with the firm. I wanted them to come and share their thoughts and get to know the Staff.

Mr. Hulett: Thank you for coming down tonight. We look forward to your help and guidance.

On MOTION by Mr. Morera and seconded by Ms. Heafy, with all in favor of approving the Engagement Letter with Lewis, Longman and Walker, P.A., to serve as District Counsel.

THIRD ORDER OF BUSINESS

Consideration of Proposals for Disaster Debris Services

- **Affidavits of Publication**
 - **Disaster Debris Removal Services**
 - **Disaster Debris Monitoring Services**
- **Disaster Debris Removal Services**
 - **AshBritt, Inc.**
 - **Crowder Gulf**
 - **DRC Emergency Services**
 - **Phillips & Jordan**
- **Disaster Debris Monitoring Services**
 - **Malcolm Pirnie, Inc.**
 - **South Florida Resource Conservation & Development Council, Inc.**
- **Evaluation/Analysis of Proposals**

Mr. Hulett: We have discussed, at some length, these services and have looked at, strongly, Philips & Jordan and Malcolm Pirnie. Both have been reviewed by previous counsel. It appears, in the work that Rhon did in monitoring the proposals, both firms appeared to surface to the top. Both are still under contract with the City of Coral Springs and have outstanding reputations and provided outstanding services during the last few hurricanes, such as Wilma.

Mr. Ernest-Jones: We did, in fact, provide a very apples-to-apples comparison with all the proposals. In summary, with the company score sheet, we documented the back- up to the

choice of Philips & Jordan for the Disaster Debris Removal and Malcolm Pirnie, for Disaster Debris Monitoring. It is always extremely important that the procurement process is very well documented. I spent some time making the four (4) proposals for the Disaster Debris Removal comparable; they were all responsive to the RFP, but we spent some time making a true comparison. So, we have a well documented process that has led us to the recommendations.

Mr. Hulett: As far as I am concerned, based on Rhon's analysis and the work he has previously done at looking at these firms, based on their reputations and results they produced for the City of Coral Springs, the fact that they will be in town working for the City, should another disaster occur, I am prepared to go ahead and move to approve both of these firms tonight.

Ms. Heafy: I feel just like you do. I would go with these recommendations after what I have read.

Mr. Morera: On the Instructions to Offerer, is that something you looked at, or is it the Manager?

Mr. Ernest-Jones: It came out of Craig's office and is based on the City RFP.

Mr. Morera: Have we dealt with this once before?

Mr. Ernest-Jones: The recommended companies, yes.

Mr. Morera: Both of them?

Mr. Ernest-Jones: Yes, both were the main contractors when I was involved in the City. They moved 750,000 cubic yards. They were efficient. The City, at that time, was not using Malcolm Pirnie. Malcolm Pirnie has an incredible reputation for that kind of work.

Mr. Morera: The only question I have is on Heading 21, Page 10 of 11, under **THE NON DISCRIMINATION AND EQUAL OPPORTUNITY EMPLOYMENT**. Perhaps the Attorney can give me more direction on this. Can we request that these firms be e-verified before they contract and sub with us? Can we ask these firms if the employees they hired have been e-verified; to make sure they are legal residents of the United States?

Mr. Lewis: I think that you can ask if they are citizens. I can't think of anything. Civil Rights laws have reams and reams of cases. I have never run across one (1) that prevents you from knowing whether the people you employ are citizens of the United States.

Mr. Morera: The federal government passed, today, the e-verify, the federal identification for any future employment under federal government contract, as a form of identifying whether people are legal in this country.

Mr. Lewis: My opinion is that it is not a prohibited piece of information. Not something that you have a necessary right of privacy.

Mr. Morera: Would it be possible to request of these firms that we propose to contract with, to provide that information?

Mr. Lewis: We can require that they tell us that everyone that is working on this is legal and has the ability to work. It is something you can put in the contract and require the contractor to, at least, verify.

Mr. Hulett: Do you recall, in the contract, if they are bringing in their own employees or are they bringing in subcontractors to do the clearing?

Mr. Ernest-Jones: It's a combination. It is a great question and I never really had, specifically, to ask such. As an employer, it is incumbent to make such verifications. It is important for us to separately stipulate such in the contract.

Mr. Lewis: My recommendation would be to include it as a condition in the contract; that they attest that everyone working for them is a legal resident and qualified to work.

Mr. Hulett: Is the City contract run through Rich's department?

Mr. Ernest-Jones: It would have to be through Public Works. They sub-contract a lot, depending on the urgency of the situation. Philips & Jordan distinguish themselves, from other cities, that I was aware of, by keeping control on what can be a very unruly process.

Mr. Hulett: Joe's point is well taken. I think that the language in the contract should state both firms are to meet federal requirements.

Mr. Morera: I am not sure when it became a practice for firms to verify legal employment. I would like to see if we are able, moving forward, with the proposed firms, that that criteria, if the Board can allow such, to include this in the contract. This will give some assurance that they have followed that criteria.

Mr. Ernest-Jones: Ultimately, the contract will come from the District Manager's office and District's Attorney's office and we will take a look at it.

Mr. Lewis: Is there a City contract already? We can see what they are used to in a contract and it would be more efficient and save some time. We can work with the Manager's office on getting the contracts.

Mr. Ernest-Jones: My proposition would be that it starts with Craig's office, given to us for the sign-off and then to the District Attorney.

Mr. Morera: Do we need a motion?

Mr. Lewis: We can add it in as an addendum to the contract. I don't think a separate motion is needed.

• **Consideration of Award of Contracts**

On MOTION by Mr. Morera and seconded by Ms. Heafy, with all in favor of approving Contracts with Philips & Jordan for Disaster Debris Removal Services and Malcolm Pirnie, Inc., for Disaster Debris Monitoring Services, to include an addendum stating all employees are legally eligible to work in the United States.

FOURTH ORDER OF BUSINESS

Consideration of Permits/ Applications

Mr. Ernest-Jones: The comments are self explanatory. We keep the Permit Application Log to keep track of everything that is in the process, including the Trash Bonds. We have no permits for consideration this month. We also are getting involved in plat reviews.

FIFTH ORDER OF BUSINESS

Approval of June 10, 2009 Regular Meeting Minutes

Mr. Hulett: I gave the minutes a review, even though there are a lot of pages. The verbatim transcript gave us a really good sense of what we did and decided. I think the general sense of the discussions is pretty much there.

Mr. Selchan: Line 1566, Page 51, I believe the person who made the comment was Mr. Donahue. He was making the comments about the procurement of the software and hardware of the GIS System.

Mr. Hulett: I do not think Rich Michaud was here last month. I suggested to Craig and Daphne to try the transcriptionist at the City, if there is a problem with the minutes. I like the minutes, since they help remember what was said and done.

Ms. Heafy: Page 41, Line 1256, says, they play it all the time in the hall, right in the entrance of City Hall, and at City Hall in the mall, on a regular basis.

On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor of approving the June 10, 2009 Regular Meeting Minutes, as amended.

SIXTH ORDER OF BUSINESS

Citizens' Requests

There being no Citizens' Requests, the next item followed.

SEVENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Morera: The only thing that I noticed during the meeting, I was not present, but I did catch it on the Channel 25 programming, is the meeting that the City had for the upcoming 2010. The discussion that took place with the proposed increase in the millage. Even though, after you break it down, it amounts to a small monthly cost, should the number remain the same as it does now, that is one (1) item that will increase, as additional dollars to homeowners. FPL is proposing a rate increase. All these different components, as an aggregate, will start adding up and some folks are going to have a real hard time saying it's not just \$7. After adding up all three (3), four (4), five (5), six (6) of them, it is now \$30 a month. To some folks it might be a reasonable number; to others it may be the number that puts them over the top. I know we have to move forward with our proposal, but I think that we need to keep in mind that it may become something folks will have to deal with and be concerned as to how they balance that amount to.

Ms. Heafy: That is our job to sell it. We tell them how to improve the system. The City has not raised the taxes for millage in years.

Mr. Morera: It's been a long time. It's unfortunate that as everything comes to a head, as the economic situation continues to be depressed, every municipality and government agency and business are trying to find other revenue sources. They start tapping into small dollar amounts. Once you start adding them all up, it's no longer ten (10) cents; it becomes \$3, \$4, or

\$50. That's what I see when we come out and start making our proposal, that folks are going to start saying it's many little things, not just one (1) little thing. That may create more of a challenge for us to be able to present the benefit of the program that we are moving forward with.

Mr. Hulett: It is challenging times. If I recall a discussion, what Mike Levinson said, I believe the point they were making on the millage rollback was that it would affect, more, the people who were long-time homesteaded people and they would see a small increase. Those that bought their homes recently might see a decrease.

Mr. Ernest-Jones: The more recent homeowners are paying a disproportionate amount of the ad valorem taxes.

Mr. Hulett: I think Joe's points are well taken. Even though we are in tough times, the City has done a good job in analyzing their situation. They are proposing a three (3) prong approach in terms of the millage rollback, hiring freeze, and they are not going to be cutting critical services. The City has a pretty good reserve they will have to dip in to make it through this year. The City of Coral Springs is a little bit special and, as a citizen, I am willing to step up to the plate and pay a little more to live in this community. When we send our fathers into the Oval Office to get awards, like the Malcolm Baldrige Award, and stand next to the President, that puts a little extra area of responsibility, both on them and others who are operating the City, to meet that little higher level of standard that we've come to expect and hope that we can maintain in the City of Coral Springs. What we are trying to do is to make sure that the Citizens we serve, in our District, will not be flooded out. Our job is to move the water and pump it out. If we can't move it and can't pump it, because the pump station was blown down in the hurricane, then we've missed our mission. I think we are headed in a good direction.

Mr. Ernest-Jones: The thing is that this is an extraordinary time to get construction work done and if we can do that and capture this 30% decrease; the housing market is at or close to bottoming out and this is a benefit. We are hoping we can get this done a whole lot less expensively. That is always an argument. In the tough times, the small amount that everyone has to pay, spread over a huge population, allows us to take advantage and be greatly improved.

Mr. Hulett: I noticed this on our website; the paragraph on the bottom, under District Services, that talks about CSID and that we are in a partnership with them. That troubles me and I would like to see that language change, without the emphasis on CSID and the sharing of

technology expenditures and budgeting and accounting. I don't really think they are doing that. We outsourced our benefit administration and we rent space from them. I would like to see that revision. Our relationship with these guys has been a little rocky.

Mr. Szymonowicz: We will try to rewrite it and as soon as we have some suggestive language, we will circulate it for everyone's comments.

Ms. Heafy: I agree with that. I think we should be our own.

Mr. Hulett: We had considerable difficulty, last year, in renewing our health insurance. It is currently shopped by CSID for three (3) Districts. I raised some questions regarding the legality of that and was not satisfied that we got the proper answers. It took a long time to get answers from the broker on the account or the HR people at CSID. I would like to have you (Mr. Lewis) take a look at that to see if we can't have a better comfort level with the carrier, which is currently AETNA; that they recognize these are three (3) independent agencies, grouped together for the purpose of purchasing insurance. We never got the language very clear that we are on solid ground on that topic.

Mr. Lewis: I have talked a little with Craig about this. Did CSID act as the agent for the other two (2) districts in bargaining?

Mr. Hulett: They were the point man in selecting the coverage.

Mr. Lewis: That is fine and can be done. It's okay for local governments, including Districts, to enter into interlocal agreements for cost-sharing on some programs. I am assuming there is a policy that the agent wrote for each of the Districts.

Mr. Hulett: That is what I tried to find out and could never get to that point.

Mr. Lewis: Separate Districts hold potential liabilities and I would think the insurance broker would recognize those.

Mr. Hulett: My sense of it was that it was written under one (1) policy, but I could never find out.

Mr. Lewis: We have changed the law, in favor of Special Districts, this year. Special Districts can now piggy-back off of contracts that have been issued with other counties or Special Districts. If Coral Springs got a good deal, you would be able to use that deal in your own policy, if the broker and insurance company were willing to honor.

Mr. Hulett: I don't want an employee to end up in a serious accident and be declined a claim because the policy should never have been written.

Mr. Lewis: Michal, do you have a copy of the policy itself? It would be helpful to take a look to see what went on.

Mr. Szymonowicz: I am not sure exactly what we do have, but I will take a look at what we do have regarding employees outside of CSID.

Ms. Heafy: Cory, wouldn't the employees get a copy?

Mr. Hulett: Craig has the file and email between Bruce and CSID.

EIGHTH ORDER OF BUSINESS

Staff Reports

a. Attorney

Mr. Lewis: I mentioned legislation when I was here last month. There will be a time when I am barely visible, if at all. Our firm represents the Florida Association of Special Districts and I serve as their General Counsel. Last year, the piggy-back language, that I wrote in support of, we were able to pass. It makes life so much easier for the Districts, in certain cases with commodities and construction projects. If you can get a contractor or provider to agree to the same terms and conditions he agreed to on another competitive bid or contract, you can pick that up and use it without competitively bidding or going through the RFP process. In the coming year in the Legislature, in the tough financial times, one (1) of the issues going on is entitled "Transparency and Local Government Budget". There is great interest in making sure that Special Districts, Cities and Counties Budgets are easily obtainable. The concept being discussed is that whatever you have, as much as through your line items, would be in a format that would be possible to send to a central website maintained by the State of Florida Department of Management Services. You can maintain your own website, but I am working with the Joint Legislative Committee staff on a legislative concept that will be debated through the legislative season next year. This District is sophisticated, has its own website and it doesn't sound like something that would cause you much heartburn. I know you are considering going forward with the Water Control Plan Amendment to refurbish or restore the District. The process can be painful. I just finished a year with the Ranger Drainage District and the amount of notice you have to give and the disclosure of what the project is going to cost, will be controversial, in some minds. We ended up with multiple Public Hearings. The Board felt like it was the only way to nullify all the issues the citizens initially had. The first hearing had something like 200-300 people. The meeting went on and the people didn't understand what the District was doing. We

had the Board continue the hearing month-to-month. Every month, for five (5) to six (6) months, we continued the Water Control Amendment Hearing for the assessments. Eventually, it involved the citizens and got them to look at the things we were trying to do and this was probably a \$10-\$11 million project. By getting the citizens involved, the last two (2) meetings, where we finally adopted the Water Control Plan and the Engineer's Report, we had 12 people. Nobody wanted to spend more money, but they did walk away. A process that should have taken about six (6) months from beginning to end, really took more than a year to accomplish. In an area that is well developed like this, I expect a lot of citizens' input. I have the process of amending the Plan. It is a bare bones explanation of each step of the process. The Chapter 197 is the general Non Ad Valorem Assessment law that covers the assessments of any kind of any government. The notice provisions of 197 and 298 are not exactly the same. The other item, in a nutshell, Federal Environmental Protection Agency (EPA) directed the Florida Department of Environmental Protection (FDEP) to adopt a Water Quality Rule that established quantitative, numeric standards for nutrients, phosphorus and nitrogen, in all water, including canals. The standards that the FDEP is talking about are appropriate for a stream or lake. It is a difference of 30-40 parts per million, as opposed to 500 per million. A typical canal system would have a concentration of 400-500 parts per million of phosphorus and nitrogen. We are participating in this, using the Florida Association of Special Districts.

b. Engineer

i. Monthly Engineer's Report 6/11/09 to 6/30/09

Mr. Ernest-Jones: There are not any permit reviews this time around.

ii. Pump Stations 1 & 2 Replacement-Design

****This item was discussed out of order, after Item iii.****

iii. Update: East-West Basin Interconnect Grant Application 6/19/09

Mr. Ernest-Jones: With regard to the East-West Basin Interconnect, we have been selected as, one (1) of eight (8), out of 14, to receive a grant from the initial screening committee. The grant will be around \$20,000, as we discussed last month. The Interlocal Agreement, finalizing this grant, will extend out to December 2009. This is an item that, we all agree, is good for the constituents of the District. We are talking about spending some money to improve the recharge aspect, rather than getting rid of the water. We are in the process of processing a water use permit from the District. We are current with our dates for that. This is a separate

matter where we have an interconnect between the East and West Basin, which will benefit the recharge, with no real benefit as a Drainage District.

Mr. Lewis: I don't know what your special grant might say, but I am sure it incorporates Chapter 298. You not only have the authority to engage in drainage, but in any kind of comprehensive water management involving flood control. There is adequate statutory authority to do what you want. A large district in Lake Worth, historically a Drainage District, has altered its practices in the last 15-20 years and they hold as much water on-site as they can, for the specific purpose of recharging 27 municipal water wells. They are actively in the water supply process.

Mr. Ernest-Jones: I think we identified marginal benefits, from the traditional drainage standpoint, but the initiative came from the City, which is the water supplier and the owner of the utility. The grant is as far ahead as it can be. We expect ratification. The project is nearly done. Are the stakes in place?

Mr. Donahue: We should have confirmation of site block next week, but the stakes are confirmed.

Mr. Hulett: Do we have any sense of it yet?

Mr. Ernest-Jones: They have completed the field work, but we need to have it flagged so that we can go out and take a look at that. Perhaps, for the benefit of those not on the field visit, we will take photos to show how that works. The issue is how, exactly, to make the interconnect, to minimize the inconvenience and cost to the landowners.

Mr. Morera: I believe there is a landowner that owns a parcel of land. Is that part of this?

Mr. Ernest-Jones: My initial estimation and field review, it looks like the adjacent owner is starting to incorrectly use land that belongs to the District.

iv. Culvert Replacement-Pipe Lining

Mr. Ernest-Jones: Culvert replacement and repair is moving along. The trip to Orlando was good. Mr. Cecil Davis was willing to share their experiences. We have established some significant cost benefits within a certain range of these culverts. If you could, picture a rusty, corrugated metal culvert, especially at the end that is exposed to the air, passing under a road. We are faced with this sleeving concept, which we feel is very effective. Also, it is the least disruptive and it is hard to put a cost on that. We don't have to tear up the street or shut off the

traffic. We still have costs to be considered. When the culverts start to get really big, it gets to be undesirable and so much less cost effective. We would recommend replacement of culverts over 60”.

Mr. Hulett: How many of those do we have?

Mr. Ernest-Jones: Of the original nine (9), we had two (2) recommended for replacement. In a typical culvert, in the range of 24” to 60”, it’s a preferable method.

Mr. Donahue: This is an update on the Culvert Replacement Repair Project. We have identified nine (9) culverts that require, previously discussed replacement; now we are considering relining them. They are highlighted in red. In addition, we have another 15 that require repair, not replacement. They are highlighted in green. In our Five (5)-Year Plan, we have nine (9) culverts for replacement. We were hosted by Cecil Davis of the Ranger Drainage District. Ranger is 15 square miles located just east of Orlando. It is much more rural than Sunshine.

Mr. Lewis: All their assessments are per acre, or a fraction thereof. I think with the restoration program, their assessments are going to be big.

Mr. Ernest-Jones: We have 16,000 units in Sunshine.

Mr. Lewis: There are probably no more than 3,500 people in Ranger. If you own a 10-acre lot, it worked out to cost something like \$100 per acre.

Mr. Donahue: The process we observed was conducted by Reynolds Inliner. This is a resin liner to existing pipes. There are other companies that provide the same type of lining by using resin and concrete. The official generic name is CIPP (Cured-In-Place Pipe). Reynolds outlines the advantages, even though you may be cutting down on the diameter of the pipe, you are getting a much smoother surface and increased hydraulic flow, cost savings and no open trenching across roadways. The sight we visited was three (3), 36” corrugated metal pipes. In all, Ranger is having at least 13 pipes relined in June and July. First step, about 200 feet on either side of the culverts, they build a dike to hold back the water. Then they build a secondary dike to where they can do some dewatering right at the culvert locations. There is a pump where they are drawing the water for their process. There are two (2) additional pipes coming in with roadway drainage, but those will be replaced, in traditional methods, by Ranger staff. These particular three (3) culverts, that cross a public roadway, are probably about 150 feet in length. The material is referred to as an inside-out sock. It is a plastic and felt liner with the resin

imbedded. It is delivered to the site in a refrigerated truck, because the material is sensitive to heat and activated by hot water. They keep it covered, if there are any delays, because it is sensitive to UV rays. It is very time sensitive to get this material out of the truck and into the process. They bring the tube through the mouth of the culvert and invert it. They begin pumping it with water. As the water builds up, it is pushing the tube to unfold through the culvert. There is preliminary work that has to be done, such as the cleaning of the culvert or repairs inside if there are any obstructions. When you view the other side, you can see the extreme deterioration of the culvert. They are pumping water through the tube and the water shows up on discharge end of the pipe and continues on. The final extension is about three (3) feet beyond the culvert. It has taken the form of the culvert, filled with water. When it is fully in position, from end to end, they start pumping hot water. The hot water activates the resin in the lining and the pressure of the water pushes the liner against the corrugated pipe. As you see, this leaves a PVC type pipe within the existing corrugated pipe. The existing pipe will continue to rust. In theory, there could be nothing left and this resin PVC pipe can stand the structural load and the water flow. Rather than controlling the elevation of the water at the culvert, they will be placing these concrete structures at the mouth of each culvert to control the elevation of the water leading up to the culvert.

Mr. Ernest-Jones: We don't have that in Sunshine. The system there is that it keeps stepping down as it flows west. Previously, they had half-pipes with stop logs that rusted away and deteriorated. The replacement structures are in concrete.

Mr. Donahue: These are smaller pipes lined with the resin product. Ranger personnel installed headwalls at the pipes. It is an option for us and is not necessary.

Mr. Ernest-Jones: The situation is different because they have the equipment they use themselves. They are able to help out with operations such as creating a dam, and installing headwalls. When we were pricing it, under Sunshine's conditions, we priced out the extra services that would be needed. For example, a dam would be installed and removed, as well as cleaning and putting in headwalls on each end. The pricing shows, favorably, in the range of 24" to 60"; 60" is pricey. In certain cases, you can see the percentage of the last set of figures, on the right hand side, will tell you the ratio, in terms of the CIPD, versus the replacement. The two (2) larger pipes, 104' and 140', are 72" and 64" pipes, which makes it preferable to replace the

pipes. We will be judicious, all the way along, and select the optimal process for this. The beauty of not disrupting traffic cannot be overestimated.

Mr. Hulett: Is there a projected service life?

Mr. Lewis: It appears to be longer than corrugated pipes, 40 or 50 years. It is not a new process and has been around, long enough, that it is every bit as good and looks more attractive.

Mr. Ernest-Jones: FDOT is a leading agency in new technology in the field. They have their own labs. This has been around for more than 25 years.

Mr. Lewis: The material is there forever. It reduces the diameter of the pipes, but you make that up with the hydraulic flow.

Ms. Heafy: It doesn't look like roots could go through it.

Mr. Ernest-Jones: I think Ranger was able to increase their program by almost 50%.

Mr. Lewis: The year that we spent on this project, we really had the citizens engaged. As a result of the dialogue with the citizens, I think they ended up knocking off a couple of million dollars, off the top of the costs.

Mr. Morera: What is the thickness of the finished product?

Mr. Ernest-Jones: On the smaller pipes, it is about ½ inch and on the larger ones, it is up to ¾ of an inch.

Mr. Morera: Say this gets done and the pipe gets damaged. Can it be repaired?

Mr. Ernest-Jones: You would use the most suitable material. This is a very specific process. You could put another liner inside it, if worst comes to worst.

Mr. Morera: You know how people dig in the wrong places and things get damaged and crushed. I am sure there is a process to repair what is currently in place.

Mr. Ernest-Jones: It would be similar to having a hole in a fiberglass boat. This is fiber enforced and impregnates a fiber. You would have to put a fibrous material. The engineers would have to figure it out. It is a valid concern. This has enabled us to zero in on the costs. If you take the best cost of each, what was budgeted for \$450,000, we had two (2) major large diameter pipes in the original nine (9), we had estimated \$50,000 a piece on average. Overall, we are coming in at about 10% less, plus the disruption factor, the savings would be better.

Mr. Hulett: Any savings is worth the effort. Assuming all things are equal and this is a good system, the big savings is not having to tear up the streets. To avoid disruption is huge. I would like to move to the Pump Station 1 and 2 Replacement Design Proposal.

- **Pump Stations 1 & 2 Replacement-Design**

*****This item, previously item ii., was discussed out of order.*****

Mr. Ernest-Jones: We feel we should move forward. We have done our preliminary studies and cost estimating and cost verification on the other elements. The advantages of going forward is significant and we are seeing roadway design projects that are missing the stimulus dollars and grant dollars because they are not ready to go. This is consistent with the lower construction costs. They are going to begin creeping up and this is an excellent time. We have done the preliminary study. What we are asking for is for you to accept the recommendations from our preliminary study, which is all related to the location of the facilities within the canals.

Mr. Hulett: I don't recall if we have approved the sites you recommended or not.

Mr. Ernest-Jones: I don't recall if it was voted on. I think you had valid concern about the overall cost. Those questions have been answered.

Mr. Hulett: If we move forward to approve the Proposal for Professional Services, move forward with the design element, then you can begin that process if we needed to come back next month to give formal approval to the sites themselves. Will that work?

Mr. Ernest-Jones: You had authorized us, previously, to do the geotechnical and survey work, which is all completed, as well as the preliminary design on this location. I don't think it is hard to support us on our recommendations of the locations.

Mr. Hulett: As I recall, on Pump Station #1, the recommendation was directly downstream from the existing station. On Pump Station #2, it was to the...

Mr. Ernest-Jones: ...east side

Mr. Hulett: Rather than being directly in line with the canal and the old pump station, it was on one (1) side, with the canal being redirected to the new station. You would not have to build the dam, then you can build your pump station and then construct your canal.

Mr. Ernest-Jones: There are construction cost savings if you can do it in the dry, rather than in the wet.

Mr. Hulett: Cory and John, you were in agreement with those particular locations?

Mr. Selchan: Yes.

Mr. Hulett: Since we have pushed this, and looking at our budgets and financial statements, the money is allocated for this exact purpose. In interest of moving this project forward, particularly in light of the federal dollars from FEMA, if they are to become available, I

am ready to move forward to approve these engineering costs and get the design phase underway.

On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor of accepting the Engineer's recommendations for the location changes to Pump Stations 1 and 2 and to proceed with the execution of contracts.

v. **EPA Numeric Water Quality Criteria for Nutrients**

**** This item was discussed out of order.****

vi. **FEMA 2010 Pre-Disaster Mitigation Program**

Mr. Ernest-Jones: Tom did a great job in pulling together five (5) separate applications. This was a FEMA Pre-Disaster Notice that was provided.

Mr. Donahue: From other sources at IBI, we found out about it and had one (1) day to turn it around and get the one (1) page Notice of Intent to apply to the Florida Department of Emergency Management (FDEM). They will compile and review applications and notify us if any of the projects are applicable for the grant. They will be the applicant to FEMA, with the application due on November 6, 2009. All other applicants, such as Sunshine, will be sub-applicants to FDEM. We submitted for the canal restoration, culvert replacement, pump stations, hydrologic model and the monitoring and telemetry system. Those were off the Five (5)-Year Plan.

Mr. Ernest-Jones: This is a 75-25 contribution. That would be huge and the timing is perfect.

Mr. Hulett: They will notify us with further details?

Mr. Donahue: They will review and let us know which applications are eligible and they will ask us for much more detailed backup to go into their packet, that will go to FEMA.

Mr. Ernest-Jones: Once the decisions start to land, we will be in a posture, ready to go.

Mr. Donahue: This is a Fiscal Year 2010 grant, which is even more reason to have the design element ready to go.

Mr. Morera: This is what they are looking for, a shovel ready program?

Mr. Ernest-Jones: We will be shovel ready. The timing is very fortunate.

Mr. Lewis: Ranger got the same heads up. It appears to be federal stimulus money that has been made available by the Department of Community Affairs, within that department is the Department of Emergency Management. They have to find projects that are ready to go.

Mr. Ernest-Jones: There are numerous informative meetings being held within Broward Drainage District. All the Districts are in a dander over this because, if the maximum loads of phosphates and nitrates are imposed, it is going to be an unfunded mandate that is more pristine than rain water. The fear is they will arbitrarily impose something.

Mr. Lewis: They are a good conduit for the Water Control Districts, but you do make up a good component of the membership, about 30-35% are Water Control Districts. We asked the FDEP about the fact that they do not have any real data or analysis. The one (1) theory is that they may not set standards, but that the EPA may adopt a more severe standard.

Mr. Ernest-Jones: This is the load, at the point of discharge, every district discharges into South Florida Water Management District canal, at which it is measured. I will keep the Board posted. The computer system for Mr. Selchan has been selected and the purchase order is shipping. We are to the point of purchase order. The Water Use Permit is moving along; we have met all the deadlines and we are awaiting comments from the District. Canal Restoration 2, the surveyors have completed the survey profiles. We are doing the probing profiles to establish where the bed rock is in all these canals. We are 50% complete. The next stage is the hydrologic model. It was based on idealized conditions and, because of the highly cemented rock we are sitting on, we are going to have half-shallow canals and have to factor that into the model on an average basis.

Mr. Hulett: We will be using real data, instead of just guesses.

Mr. Ernest-Jones: Correct. If you recall, the idea of the hydrologic model is to see if we can accomplish the appropriate flow while ideally downsizing the culvert sizes. That is an interactive process that is part of the contract, so that we come up with an optimal system. It is modeled to show a fully, properly functioning system. We have been finalizing the five (5)-year CIP, a needed component of the final Water Control Plan. The Water Control Plan is done. Does the ratification of the five (5)-year CIP need to be specially announced at a Public Hearing?

Mr. Lewis: Not if it is being included in the Water Control Plan.

Mr. Ernest-Jones: Craig has been nursing this one along and it is a jointly drafted document. We are ready to recommend approval. Michal, is your office ready to recommend approval?

Mr. Szymonowicz: Let us defer this to the next meeting.

Mr. Lewis: Not in Chapter 298, but in the Special Districts Accountability Act, there is an obligation of Water Control Districts to update, periodically, this plan. In this case, it would be submitted to the City of Coral Springs. Are there new items or facilities in the CIP?

Mr. Ernest-Jones: Yes

Mr. Lewis: Or replacement?

Mr. Ernest-Jones: All the GIS system.

Mr. Lewis: I will send out the provisions in Chapter 298. I am sure this satisfies anything you would be obligated to do and you would not have to go back and do anything else. It is a separate statutory requirement.

Mr. Ernest-Jones: The status of the Water Control Plan is that it had not been kept current. Previously, it was one (1) page. Now we have the proper application done, the only missing component is the five (5)-year CIP.

Mr. Hulett: It's a situation where we approve your design element, but it is a formal process to state that we are moving forward with regards to the pump station, culverts, the clean-out, in some kind of formal language.

Mr. Ernest-Jones: I know what the District is looking for.

Mr. Lewis: Whatever is going to be in your final Water Control Plan, when you think you are at that point, then we kick off that process. Craig's office has a flow chart that outlines the same thing. We would initiate the Water Control Plan Amendment Process which would culminate in the hearing on the Water Control Plan and the Engineer's Report.

Mr. Hulett: From a Supervisor's standpoint, would we need to be at a point where we take formal action to approve the three (3) elements of the CIP, which is the replacement of the pump stations, repair and rebuilding of the culverts and the cleanout of the canals; plus the security fences. Whatever formalities need to be put in place for us to take that vote to move this process forward, I am ready to do that. We have already given you the go ahead on the design elements of the pump stations, so it seems like we are ready to go. Whatever formalities need to be put into place to allow us to vote, approve a motion to move forward, so that you can submit

the CIP to SFWMD as part of the Water Control Plan. You need a formal approval of the CIP itself, so we need some language to guide us.

Mr. Lewis: The CIP is necessary, but it is part of the Water Control Plan. SFWMD has statutory obligation, as do we, to review our Water Control Plan, the one (1) we plan to adopt and approve. They have 60 days, once we formally submit it to them, to give us their comments. When you give them the Water Control Plan, with the CIP in it, after they had signed off on the CIP already, I am assuming they would give us a letter back, immediately, saying they have no further comments. Even if they did have comments, the way the law is drawn, we would say we will comply, to the extent that we can. If it is not possible to do, their comments really are advisory, but we always try to follow them. One (1) of the things that will kick off the process is one (1) of those notices for the final CIP.

Mr. Hulett: I think we need to have the Manager prepare whatever language is necessary to approve the CIP portion of the Water Control Plan, so that we can get it fully submitted.

Mr. Ernest-Jones: That would be very good and it is an essential part of the flow chart that Craig created. We do request that you execute the plat.

Mr. Donahue: Mr. Hickey is here for the City Hall plat. This was reviewed a few months ago and recommended that it be signed, the Board voted to do that. Mr. Hickey has the original mylar for signature...

Mr. Ernest-Jones:...by Mr. Hulett or Craig. The City Hall Plat for City Hall South.

Mr. Hickey: 5.73 acres...City Hall South Parcel and there's a parcel that is owned by the PRA and there's Canal K, that is owned by the District. That is why you have to sign off on it. I need Mr. Hulett and two (2) others. I have the paperwork here. Thank you.

c. **Field Supervisor**

Mr. Selchan: A little bit of information for the Board about all of our wonderful rainfall that we had. We had 21" of rainfall in the last month, which incurred quite a bit of cost in propane. We pumped, just in the West Basin, 107 hours since our last Board Meeting, not in a whole month. We have been pumping a lot of water. Our East Basin is still high. We have tried to maintain as much water, being mindful of our well fills. Water over there is about a foot higher than normal. Our West Basin is slightly above our normal water level, which would be 7'

5". Our daily activities have been going on as well as we could with the pouring rain, which does hinder our activities, but gives us lots of time to clean up some of the canals.

Mr. Hulett: From the beautification standpoint, I think they are higher than I ever recall them being.

Mr. Selchan: They have been higher and they were quite high and I had to take some steps and make sure we did not get any water in the streets. After a couple really heavy downfalls, we did have some ponding along the roadways because of the high canal water level. The water level was such that, when you looked down the catch basin, it was a few inches. We pumped it down some because we were getting some really heavy rainfall. Without that, we would have left it up, if we were not expecting heavy rainfall. We just have to do some pumping; it didn't hurt us. We still have high water on the East side. We are in good shape. I wanted to let the Board know we had quite a bit of rainfall; it was uneventful. We pumped it all out and have not had any trouble with any of our pumping facilities.

d. Manager

i. Unaudited Financial Statements as of May 31, 2009

Mr. Szymonowicz: There are Unaudited Financial Statements, as of May 31st, for your approval, including the back up material.

On MOTION by Mr. Hulett and seconded by Ms. Heafy, with all in favor of approving the Unaudited Financial Statements as of May 31, 2009.

ii. Discussion: Maturity of Treasury Bill/Investment in CDARS Program

Mr. Szymonowicz: The second item is a discussion of investment of approximately \$1.3 million dollars. We have a three (3) month U.S. Treasury Bill that is maturing tomorrow. We would like to seek your guidance as to what should be the preferred investment vehicle, with regards to that amount of money and how long we should invest it for. Whether there are any expenses that you anticipate we might have to incur, which would necessitate keeping that amount of money more liquid and more available; or whether we should roll it over into another three (3) month treasury bill, or use a pooled program at the banks. We also have Jesse Jackson to provide you with some context on the investments.

Mr. Hulett: I think that, from last month, we like the CDARS program. The question is how to stagger the maturities. I was looking to Craig to make some of those decisions, based on where we are going with what we approved tonight. If you are not prepared for that tonight, what I would suggest is move the money into cash, one of the money markets or over to Community Bank; hold it there until next month's meeting and come back with some recommendations on how we want to stagger the maturities and CD's within the CDARS program. Is that the process when you are putting that amount of money into CDARS? As I understand it, you have a wide range of maturities available to you so that you can stagger them, based on what you believe your cash flows are going to be over a period time.

Mr. Jackson: The maturities range from one (1) month to two (2) years, so, obviously, working with Mr. Ernest-Jones, we will develop a plan to stagger those funds so that we have enough money available for anything he has planned in the near future.

Mr. Szymonowicz: It would be helpful if the guidance came from the Engineer, in terms of when certain expenditures will be incurred. That way we can play around with the dates and provide securities in such a way that we will have the funds available when we will need the money. Obviously, from an operational standpoint, we know when the expenditures will happen, it is the capital expenditures, at least from our side, that is fairly unknown and where your guidance would be appreciated.

Mr. Ernest-Jones: We will provide a spreadsheet at the next meeting to indicate our estimation of the use of funds as time progresses over the next 12 months; being mindful that this is hurricane season and it is important to have to some cash on hand to encourage the contractors.

Mr. Hulett: Should we look at it from the standpoint of the next 12 months, or from October to next September? When Craig gets back, you can sit down with him, with the outline, and work out a cash flow scenario for this particular money. In the meantime, we have two (2) different money market accounts. I am sure it can go there until we are ready to move it into CDARS.

iii. Reschedule Public Hearing after September 12, 2009 to Adopt Fiscal Year 2010 Budget due to TRIM

Mr. Szymonowicz: This is a request from our office to change the Budget Public Hearing. We received a letter on July 2nd, from the Broward County Property Appraiser, advising us that, if we wished to use Truth-in-Millage (TRIM) letter that all of us receive from the Property Appraiser's Office and utilize this as a required form of notification for non ad

valorem assessments, per requirements of Chapter 197, we should hold our public hearing on or after September 12th. This would provide for a 20-day notification period between the date the letters are expected to be received and the actual meeting date. We seek the Board's guidance as to which day fulfills these requirements and works well with everyone else's schedule.

Mr. Hulett: Does it make sense to push our meeting back from September 9th to September 16th and do a joint meeting?

Mr. Lewis: There is another statutory requirement in Chapter 197. In order to actually be on the tax roll, we have to adopt by September 15th.

Mr. Szymonowicz: In fulfillment of the statutes, yes. Broward County, on the other hand, has always seen this as somewhat inconsistent with other statutory requirements, which require budgets are adopted and assessments are submitted by the end of September. They work, graciously, with all levels of government and have given them time until the end of the month.

Mr. Lewis: If it's okay with the Property Appraiser and Tax Collector, that is fine.

Mr. Hulett: The other problem with notices is that we notice our meetings a year in advance and if we change our meeting date, would we have to do an additional notice?

Mr. Szymonowicz: We would have to advertise by providing notice on the TRIM. It would be more effective notification than a newspaper advertisement. But we would have to readvertise for this one (1) meeting.

Mr. Lewis: It will be a special meeting.

Mr. Szymonowicz: A little problem with the Florida law is that recognizing that Special Districts frequently use the TRIM as their required first class notice pushes the date of the meeting to between the 10th and 13th, depending on the year and days of the week; however, as your Counsel stated, there is also the requirement that the Tax Collector certifies the roll on the 15th. This gives Special Districts almost an impossibly small window to hit. As a rule of thumb, in order to meet the TRIM requirements, you should not have your meetings any day before September 10th or 11th.

Mr. Hulett: The 12th is a Saturday. Do we need to check with the Tax Collector if we are okay with holding the meeting on September 16th?

Mr. Szymonowicz: We will be fine. We have done this with them a number of times.

Mr. Hulett: We need to check with the City and make sure this room is available.

Mr. Szymonowicz: Would you prefer we check with the City and provide available dates?

Mr. Hulett: If the Commission Chamber is not available, the West Wing Conference Room will be a satisfactory location.

Mr. Szymonowicz: We will check with the City and provide you available dates at the next meeting. We will also supply you with a new resolution that will supersede the previous resolution and set a new date.

iv. NEXT MEETING DATE: August 12, 2009 at 6:30 P.M.

NINTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Morera and seconded by Ms. Heafy, with all in favor of adjourning.

The meeting was adjourned at 8:30 p.m.


Secretary/Assistant Secretary


President/Vice President