

**MINUTES OF MEETING  
SUNSHINE WATER CONTROL DISTRICT**

A Regular Meeting of the Sunshine Water Control District's Board of Supervisors was held on **Wednesday, May 9, 2012, 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:**

|                            |                |
|----------------------------|----------------|
| David Hulett               | President      |
| Joe Morera (via telephone) | Vice President |
| Emily Heafy                | Secretary      |

**Also present were:**

|                   |                                    |
|-------------------|------------------------------------|
| Craig Wrathell    | District Manager                   |
| Matt Kozak        | Wrathell, Hunt and Associates, LLC |
| Doug Paton        | Wrathell, Hunt and Associates, LLC |
| Bill Capko        | District Counsel                   |
| Cory Selchan      | Field Superintendent               |
| Tom Donahue       | District Engineer                  |
| Rhon Ernest-Jones | District Engineer                  |
| Jonathan Sharon   | The Weitz Company                  |
| John McKune       | McKune & Associates                |

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Hulett called the meeting to order at 6:31 p.m. Mr. Wrathell indicated, for the record, that Supervisors Hulett and Heafy were present, in person. Supervisor Morera was not present at roll call.

**SECOND ORDER OF BUSINESS**

**Citizens' Requests**

There being no citizens' requests, the next item followed.

**THIRD ORDER OF BUSINESS**

**Discussion: Correspondence from Coral Springs City Attorney Regarding the Removal of Trees on Rights-of-Way**

Mr. Hulett presented the correspondence received from the Coral Springs City Attorney, Mr. John Hearn, regarding removal of trees in the District's right-of-way.

Mr. Capko distributed an item that was submitted to the City of Coral Springs for inclusion in their upcoming agenda. He noted that, as of 5:00 p.m., today, the agenda was not posted, so he is unsure if this item will be addressed. Mr. Capko reviewed Mr. Lewis' letter requesting to be on the upcoming agenda. No additional response was received from the city.

Mr. Hulett explained that his suggestion was to offer the city a compromise such that, if the city gives the District ten (10) feet, from the bank, the District would be agreeable to mitigation on a tree-by-tree basis for the remaining area. He believes the District's banks are mostly 15 feet. Mr. Hulett suggested authorizing District Counsel to make this offer. He feels if this matter goes before the commission and they are not willing to give any break regarding mitigation, the District must send a message that, if assessments must increase due to mitigation, the District will tell residents to address their questions to the city commission. Mr. Hulett feels this is a reasonable solution and the project should move forward.

Ms. Heafy feels the letters received from the city imply that the city wants to be in control of the matter and will not bend. She questioned why the District should be required to pay anything to the city when others illegally planted the trees on the District's property.

Mr. Hulett recommended reminding the city that the District recently paid \$5 million for tree related clean up, due to Hurricane Wilma.

**\*\*\*Mr. Morera joined the meeting, via telephone, at 6:40 p.m.\*\*\***

For Mr. Morera's benefit, Mr. Hulett reiterated the prior discussion.

Mr. Hulett asked the Board to authorize District Counsel to present the offer to the city.

Mr. Morera questioned if the District will receive the desired response or if the District is yielding too early, prior to hearing the commission's position.

Ms. Heafy proposed informing the city that the District will not pay mitigation and will proceed with clearing the trees. She pointed out that the city did not enforce replacement or payment of mitigation costs when trees had to be removed because of Hurricane Wilma. Mr. Morera voiced his support of Ms. Heafy's position.

Mr. Capko suggested reconsidering the District's position until after the city commission meeting next week.

Mr. Hulett voiced his opinion that the city will not change its position.

Mr. Ernest-Jones noted the city's desire to vet what was included for the commissioners' review and recommended that he and Mr. Hulett meet, one-on-one, with the commissioners to

brief them on the situation and the District's position. It was suggested that Mr. Wrathell also attend these meetings. Mr. Ernest-Jones will schedule meetings for Monday and Tuesday.

Mr. Morera noted that this is an election year. He feels, should the District be required to raise assessments to pay mitigation, residents should be made aware that it came as a result of the commission's actions and be encouraged to attend city commission meetings to question the commissioners.

**FOURTH ORDER OF BUSINESS**

**Review of Construction Bids/Award of Project: Culverts W55 and W56 (to be provided at meeting)**

Mr. Selchan indicated the subject of the culverts came about prior to the pump station replacement and similar projects. He advised that there were head losses at the pump stations; there was a difference of four (4) feet in the water level from the furthest point to the pump station. This means the water is not flowing adequately through the culvert system to the pump station. When the water level lowers in front of the pump station, the pump capacity is lost. This results in an inability to drain stormwater. Mr. Selchan stated there has been localized flooding west of Coral Ridge Drive and the immediate area. This is because water is not leaving the areas and flowing to the pump stations. Mr. Selchan advised that increasing the culvert size in these areas will solve the problem; localized flooding will be alleviated and the pumps will be able to function appropriately. He concluded that this project will have the biggest impact on the District's drainage system.

Mr. Hulett voiced his opinion that this work is necessary for the District to drain its system properly.

Mr. Ernest-Jones reviewed a sketch of the area being discussed and described the work underway. He voiced his opinion that this project is the next best use of the bond proceeds.

Mr. Ernest-Jones indicated that The Weitz Company obtained bids for completion of the project. He reviewed the bids received from Murray Logan Construction, Inc. (Murray Logan), Centerline Utilities, Inc. (Centerline), and Noury Construction Co. (Noury). Mr. Ernest-Jones indicated he wants the work on both culverts to take place simultaneously; however, some contractors do not have sufficient crews to do so. He reported that Centerline assured him that they have the necessary manpower.

Mr. Ernest-Jones indicated that The Weitz Company's total proposed cost for completion of the project is \$1,176,389, which includes a \$50,000 contingency. He briefly explained the bidding process. Mr. Ernest-Jones recommended award of the contract to Centerline, through The Weitz Company.

Mr. Hulett asked for an explanation of the bid result documents presented by Mr. Ernest-Jones and how the final total was derived. In response to Mr. Ernest-Jones' reply, Mr. Hulett summarized that Centerline's proposed cost is \$881,933.86 and the construction management portion is approximately \$66,000, per culvert, which includes permit, bond, warranty, contingency and construction fee costs. Mr. Ernest-Jones noted that the contractor was also instructed to include \$10,000 for each culvert for repairs that may be necessary due to the work being performed. In response to Mr. Hulett's question, Mr. Ernest-Jones indicated that the 5% construction fee is a negotiated additional fee, which was included in the original contract. Mr. Ernest-Jones confirmed that The Weitz Company also receives the 5% amount, in addition to the \$66,000 construction management costs they receive as part of the first part of the proposed costs.

Noting Murray Logan's quality work on the pump stations and, aside from the \$40,000 difference in the proposals, Mr. Hulett asked why Centerline was recommended over Murray Logan. Mr. Ernest-Jones indicated he asked the same question and was informed that Murray Logan is getting busier and their bid is based on sequential construction. Murray Logan's proposed cost would have been \$972,000 to perform the work simultaneously. Mr. Ernest-Jones concluded that Murray Logan is experiencing manpower and equipment availability issues.

Mr. Hulett asked the status of permitting.

Mr. Ernest-Jones reported that the county determined they do not have jurisdiction on Royal Palm Boulevard so the District must work with the city.

Mr. Ernest-Jones discussed the traffic issues related to the project. He estimated a three (3)-month construction period to complete the project.

Mr. McKune agreed with the information presented and voiced his support of the project.

Mr. Morera asked for a breakdown of the final costs presented by Mr. Ernest-Jones. Mr. Ernest-Jones indicated the change order is for \$1,176,389. Mr. Morera recalled that the Centerline bid was \$881,933.86 and asked for clarification of how the final figure was derived. Mr. Ernest-Jones reiterated the additional costs included in the change order, which bring the total to \$1,176,389. Mr. Hulett summarized the additional costs included in the change order.

Mr. Morera questioned Mr. Ernest-Jones regarding whether the city might be opposed to the work being completed simultaneously. Mr. Ernest-Jones acknowledged that the city may have an issue but noted the locations are ¼ of a mile apart. Regardless, Mr. Ernest-Jones stated he feels the District has a good argument to complete them simultaneously, outside of the school year.

Mr. Sharon spoke of Centerline's work with The Weitz Company. He stated that Centerline is very experienced in this type of work.

Mr. Morera asked if the proposed total includes all of the exceptions brought out at the bid opening. Mr. Ernest-Jones replied affirmatively, explaining that he analyzed all of the exceptions and none were material to the bid, as they were not applicable to the project.

**On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor, Change Order #005, with award of the contract to Centerline Utilities, Inc., through The Weitz Company, for the Culvert W55 and Culvert W56 restoration work, in the amount of \$1,176,389, was approved.**

**FIFTH ORDER OF BUSINESS**

**Update: Canals AA & BB ROW Clearance Pilot Project**

Mr. Paton distributed the status report for the right-of-way clearing project. He reported that only one (1) property owner has not responded; however, it is a rental property, which may be why there was no response. Mr. Paton confirmed that the property owner owns another home in Coral Springs and the information was also sent to that address. Mr. Paton referred to the status column, noting the highlighted lines are those that indicated their desire to use Option 2 but have not returned the signed agreement. He concluded that, of the 42 property owners, one (1) has not responded, signed agreements are pending for four (4) and the rest responded. Two (2) selected Option 3, 13 selected Option 1 and the remainder selected Option 2.

Discussion ensued regarding the importance of commencing work and, if necessary, dredging from the canals, rather than the banks. Mr. Paton confirmed that everyone inquires about when the work will begin.

Mr. Ernest-Jones indicated he is prepared to begin the bid process immediately; all bid documents are ready.

Ms. Heafy questioned why time and effort are being spent on the right-of-way tree removal issue if the talk is now of dredging from the canals. Mr. Hulett stated these are different issues; the canal dredging must be completed regardless of whether the banks are cleared. Mr. Wrathell voiced his concern that commencing any part of the project while in negotiations with the city will cause the city to question why the right-of-way clearing is necessary, since the dredging is already being done from the canals. Mr. Ernest-Jones recommended authorizing initiation of the bid process, with a nonspecific construction date.

In response to Ms. Heafy's question, Mr. Ernest-Jones confirmed that the dredging and right-of-way clearing phases will be separate contracts.

**On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor, authorizing publication of the bid for ROW clearing and canal dredging, for Canals AA and BB, was approved.**

**SIXTH ORDER OF BUSINESS**

**Update: Newsletter**

Mr. Wrathell indicated that the newsletter mailings commenced on Monday.

**SEVENTH ORDER OF BUSINESS**

**Update: FEMA Appeal**

Mr. Paton reported that he received an update from Mr. Evan Rosenberg, the Deputy Bureau Chief for the Florida Division of Emergency Management. Mr. Rosenberg sent an email indicating that there is currently no news; however, every month, the Department of Emergency Management sends a list of the outstanding second appeals to FEMA. Mr. Rosenberg advised that the District's overdue second appeal is the sixth largest, in terms of funds locked on appeal.

**EIGHTH ORDER OF BUSINESS**

**Approval of April 11, 2012 Regular Meeting Minutes**

Mr. Hulett presented the April 11, 2012 Regular Meeting Minutes and requested any additions, corrections or deletions.

**On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor, the April 11, 2012 Regular Meeting Minutes, as presented, were approved.**

**NINTH ORDER OF BUSINESS**

**Supervisors Requests**

Mr. Morera reminded the Board of the registration deadline for the upcoming FASD annual meeting being held in Bonita Springs, June 5 through 7.

Mr. Hulett indicated the Masters Basketball Tournament is being held this week at the Coral Springs Gymnasium.

**TENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being nothing additional to report, the next item followed.

**B. Engineer**

**i. Consideration/Discussion: Permits/Applications/Letters of No Objection**

- ***Permit Application Review: Taco Bell at Royal Eagle Plaza, 9190 Wiles Road (SE Corner Wiles & University)***

Mr. Donahue reviewed the permit application and the District Engineer’s letter recommending approval of the permit, per the outlined conditions.

**On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor, the permit application for the Taco Bell at Royal Eagle Plaza, 9190 Wiles Road (SE Corner Wiles & University), IBI Job #22761, was approved.**

**ii. Permit Application Log**

Mr. Donahue advised that the two (2) open items on the log can be closed out. The first item was determined to be in the Coral Springs Improvement District’s boundaries. The second item was reviewed and a letter of no objection was issued.

**iii. Monthly Engineer’s Report – 04/04/12 to 05/02/12**

Mr. Ernest-Jones reported that Pump Station #1 will be substantially complete near the end of June. Pump Station #2 should be completed in mid July. He indicated a small amount of time was spent on the Daniela Springs and the Cumber Plaza permitting but there has been no measurable progress with South Florida Water Management District (SFWMD).

Mr. Hulett questioned if completion of the pump stations includes demolition of the old building and installation of the sheet pile and downstream pool. Mr. Ernest-Jones indicated they

are working on the demolition permit issue; both old pump stations contain a small amount of asbestos, which creates a problem and requires a higher-level review.

Mr. Wrathell indicated that, for insurance purposes, Management is working with Mr. Donahue to determine a valuation of the assets. He confirmed that the District's insurance premiums will likely increase.

**iv. Field Supervisor**

Mr. Selchan reported that the hope of digging the canals this year has ended, due to the heavy rainfalls recently. He stated that the performance at new Pump Station #1 has been impressive.

Mr. Selchan recalled that Mr. Morera contacted him regarding a Westchester resident's inquiry about removing a large ficus tree that is on the District's property. He contacted the resident, explained Options 1 through 3 and asked the resident to remain patient, until the tree mitigation issue is resolved. In response to Mr. Hulett's question, Mr. Selchan confirmed that, while an overgrown ficus bush would not be, the ficus tree is subject to mitigation. Discussion ensued regarding the danger of these types of tree root systems in the right-of-way, in the event of a severe weather event. Ms. Heafy questioned if the city will require that a certified arborist be employed to remove trees. Mr. Selchan noted that the city does not like tree stumps to remain.

Mr. Selchan indicated the new truck is in place and the new trash crew is working.

Mr. Selchan recalled previous discussion about having District personnel at the emergency call center. He and Mr. Paton met with Arcadis, who advised that a formal agreement is not required to have someone at the call center. Mr. Selchan indicated the city is finalizing the interlocal agreement with the District.

**\*\*\*Mr. Morera arrived at the meeting at 8:08 p.m.\*\*\***

**C. Manager**

**i. Unaudited Financial Statements as of March 31, 2012**

Mr. Wrathell presented the Unaudited Financial Statements as of March 31, 2012. He indicated that the unreconciled cash and investment balances were also provided. He stated that, at a future meeting, the Board may consider various savings account options, if they wish to obtain a higher yield.

Mr. Wrathell referred to Page 2, noting that collections are at 87% through the end of March. He noted that the interest and miscellaneous line item is primarily related to the receipt



of grant funding; it is not earned interest. In response to Mr. Hulett's question, Mr. Wrathell stated he is comfortable with the current level of assessment collections.

Mr. Wrathell advised that the SunTrust loan was paid in full and will be reflected on the May financials.

Discussion ensued regarding uses for the monies previously allocated to pay the SunTrust loan. Mr. Wrathell discussed establishing reserve accounts in the Fiscal Year 2013 budget for items such as disaster recovery. He explained that these items can be labeled as assigned reserve, which gives more flexibility than committed reserve.

Disaster recovery, potential expenses and funding sources were discussed. Mr. Wrathell recommended reserving funds for disaster recovery and determining a strategy for building up funds for construction.

Regarding reinvesting District funds in higher yield accounts, Mr. Wrathell stated that, while he appreciates the District's selection of a local bank, he is obligated to notify the Board of other options, from time to time. Mr. Hulett asked Mr. Wrathell to present savings account options at the next meeting.

**On MOTION by Mr. Morera and seconded by Ms. Heafy, with all in favor, the Unaudited Financial Statements as of March 31, 2012 were approved.**

**ii. Check Register, March 2012**

The check register was provided for informational purposes.

**iii. Invoices, March 2012**

The invoices were provided for informational purposes.

**iv. NEXT MEETING: June 13, 2012 at 6:30 P.M.**

Mr. Wrathell indicated that the next meeting is scheduled for June 13, 2012, at this location.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business, the meeting adjourned at 8:29 p.m.



---

Secretary/Assistant Secretary



---

Chair/Vice Chair