

**MINUTES OF MEETING
SUNSHINE WATER CONTROL DISTRICT**

The Board of Supervisors of the Sunshine Water Control District held a Regular Meeting on March 10, 2021, *immediately following the Landowners' Meeting, scheduled to commence at 6:30 p.m.*, at La Quinta Inn Coral Springs, 3701 N. University Drive, Coral Springs, Florida 33065

Present were:

Joe Morera	President
Ivan Ortiz	Vice President
Daniel Prudhomme	Secretary

Also present were:

Cindy Cerbone	District Manager
Al Malefatto	District Counsel
Orlando Rubio	District Engineer
Steve Smith	Craig A. Smith & Associates, Inc. (CAS)
Cory Selchan	Field Superintendent
John McKune (via telephone)	Consultant Engineer
Susan Seal	Resident

FIRST ORDER OF BUSINESS

Call to Order

Ms. Cerbone called the meeting to order at 6:48 p.m.

SECOND ORDER OF BUSINESS

Roll Call

All Supervisors were present, in person.

THIRD ORDER OF BUSINESS

Pledge of Allegiance

All present recited the Pledge of Allegiance.

FOURTH ORDER OF BUSINESS

Public Comments [3-Minute Time Limit]

This item was presented following the Fifth Order of Business.

FIFTH ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisor (the following to be provided in separate package)

Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Morera. Mr. Morera was already familiar with the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Pubic Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Financial Disclosure Forms**
 - I. Form 1: Statement Financial Interests**
 - II. Form 1X: Amendment to Form 1, Statement Financial Interests**
 - III. Form 1F: Final Statement of Financial Interests**
- D. Form 8B – Memorandum of Voting Conflict**
 - **Public Comments [3-Minute Time Limit]**

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

Ms. Cerbone gave an overview of several discussions she had with Resident Susan Seal and a Condominium Association Representative about executing the Option 2, Obstruction Removal Agreement. She reviewed the existing policies and noted that, although this topic was included as an agenda item, Ms. Seal wanted to express her concerns, under public comments.

Ms. Seal stated that she wants the overgrown cypress tree causing the easement to shrink to be removed. She discussed how the Condominium Representative had her execute the SWCD Obstruction Removal Agreement but she was now concerned of possible repercussions and she was troubled that she was not advised of the other options, provided with those Agreements and given sufficient time to review the documents and the situation at the time she executed the Agreement. Although Ms. Cerbone and Mr. Selchan clarified the property boundaries and contractor insurance coverage, Ms. Seal asked for more time to review the document and agreed to let Ms. Cerbone know if she wanted this item included on the next agenda.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2021-02, Canvassing and Certifying the Results of the Landowners' Election of a Supervisor for the Sunshine Water Control District

Ms. Cerbone presented Resolution 2021-02. The following results of the Landowners' Election would be inserted into Resolution 2021-02.

Joe Morera 132 Votes 3-year Term

On MOTION by Mr. Prudhomme and seconded by Mr. Ortiz, with all in favor, Resolution 2021-02, Canvassing and Certifying the Results of the Landowners' Election of a Supervisor for the Sunshine Water Control District, was adopted.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2021-03,
Designating the Officers of the District and
Providing for an Effective Date**

Ms. Cerbone presented Resolution 2021-02. Mr. Ortiz nominated the slate of officers as follows:

President	Joe Morera
Vice President	Ivan Ortiz
Secretary	Daniel Prudhomme
Treasurer	Craig Wrathell
Assistant Treasurer	Jeff Pinder
Assistant Secretary	Craig Wrathell
Assistant Secretary	Cindy Cerbone
Assistant Secretary	Daniel Rom

No other nominations were made.

On MOTION by Mr. Ortiz and seconded by Mr. Prudhomme, with all in favor, Resolution 2021-03, Designating the Officers of the District and Providing for an Effective Date, as nominated, was adopted.

EIGHTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of January 31, 2021**

Ms. Cerbone presented the Unaudited Financial Statements as of January 31, 2021.

Mr. Morera suggested, and the Board agreed with transferring \$500,000 from the "Unassigned" line item to "Disaster recovery", in the Fiscal Year 2022 proposed budget.

On MOTION by Mr. Prudhomme and seconded by Mr. Ortiz, with all in favor, the Unaudited Financial Statements as of January 31, 2021, were accepted.

NINTH ORDER OF BUSINESS

Approval of February 10, 2021 Regular Meeting Minutes

Ms. Cerbone presented the February 10, 2021 Regular Meeting Minutes. Minor edits from Mr. Malefatto were submitted to Management and would be incorporated before the minutes are posted on the District website.

On MOTION by Mr. Prudhomme and seconded by Mr. Ortiz, with all in favor, the February 10, 2021 Regular Meeting Minutes, as amended to incorporate 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. Ortiz welcomed Mr. Morera back to the Board.

Mr. Morera thanked the Board for their support and confidence in, once again, appointing him as President of the Board.

TWELFTH ORDER OF BUSINESS

Staff Reports

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

I. Discussion: National Special Districts Coalition (NSDC) Request to Include Special Districts in Pending Federal COVID-19 Relief Package

Mr. Malefatto discussed the Federal COVID-19 Relief Bill, under which Special Districts could request funds once President Biden executes it on Friday. The Board decided to not take any action at this time, as the time and effort to collect and submit COVID-19 related data would exceed the minimal out-of-pocket expenses incurred by the District.

II. Consideration of Request for Amendment to District's Drainage Easement - Construction of Gas/Convenience Store at 4550 North University Blvd.

Mr. Malefatto presented a letter given to the Developer, which stated the District did not object to the City proceeding with the application on the above site; however, it also stated that, until the drainage easement issues and site plan was amended, the District would not sign off on any final approvals. He, Mr. Rubio and Mr. Selchan conveyed discussions with the various parties and the timeline to resolve this matter to prevent incurring additional review fees. This would be presented for approval at the next meeting.

Mr. Malefatto stated that State Representative Daley revised his proposed House Bill to change the method of electing Supervisors for Special Districts. He had not confirmed a rumor that the North Springs Improvement District (NSID) approved it. If passed, the conversion would commence in 2026, with the Board expanded to five Members; this could potentially apply to all four of the Special Districts within Coral Springs. He recommended that the District engage a lobbyist to oppose the Bill and suggested that each Supervisor contact Representative Daley to discuss it and suggest increasing Supervisor compensation in the proposed legislation; although he did not believe the Bill would pass without the NSID approving the recent revisions.

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

I. Presentation: Monthly Engineer’s Report

Mr. Rubio presented the Monthly Engineer’s Report.

▪ Consideration of Proposal for Canal 2B Design Work

a. Under CAS Management, Radise International Proposal to Develop Design – Build Bid Package

This item, previously Item 12BIVa, was presented out of order.

Mr. Rubio presented the Radise International (Radise) proposal to develop, in coordination with CAS, a design build criteria bid package for the Riverside Drive Bridge Improvements and Pump Station (PS) 2, part of the West Outfall Canal Phase 2B, projects. Regarding questions about Engineering fees and the project options Radise presented, Mr. Rubio and Mr. Smith agreed that the costs were fair. Including Radise in developing the bid packages was typical, as it allows one contractor to oversee the Engineers involved in the project and is more cost-effective than the alternative. Mr. Selchan stated the approach was typical; there are pros and cons to splitting up the scope of work. Mr. McKune recommended proceeding with the recommended process, which, would be the most effective and efficient way, if done properly. As they would monitor each project and the costs, Mr. Prudhomme

asked Mr. Smith to advise Radise of the District’s comments about the underwhelming presentation, that Radise must meet the project deadlines and that the District would not stand for any delays or a repeat of the performance issues of the prior project. Mr. Smith stated that the contract was with CAS, not the District.

On MOTION by Mr. Prudhomme and seconded by Mr. Ortiz, with Mr. Prudhomme and Mr. Ortiz in favor and Mr. Morera dissenting, the Radise International proposal for Geotechnical Engineering Services, in a not-to-exceed amount of \$71,592.40, was approved. [Motion passed 2-1]

- **Consideration of Proposal for Canal 2B Design Work**
 - b. **CAS Proposal for Canal Plans for Phase 2B (Including Radise International’s Proposal for Soil Sampling Analysis)**

This item, previously Item 12BIVb, was presented out of order.

Mr. Rubio presented the CAS proposal. Mr. Smith stated the design portion of the project was expected to take three months. Mr. Rubio, Mr. Smith and Mr. Selchan provided details of the current issues and the projects that would resolve them and compared the differences to the scope of work that was previously done.

On MOTION by Mr. Prudhomme and seconded by Mr. Ortiz, with all in favor, Craig A. Smith and Associates Proposal #4083 to provide Professional Services for Canal Plans for the Phase 2B West Outfall Canal Construction, in a not-to-exceed amount of \$114,100, was approved.

II. Permit Applications

Mr. Rubio stated that Crown Castle Fiber resubmitted plans because they differed from the ones that were originally approved; the resubmitted plans included repairing the damaged culvert. He stated that cost recovery fees were received.

Mr. Rubio recommended approving the right-of-way (ROW) permit applications.

Due to the slow response to repair the damaged culvert, the Board decided to proceed with approving all the permit applications, with the condition that CAS signs off that the culvert repairs were properly completed before giving the approval to proceed with the other permits.

- a. **12409 NW 35 ST. – South Feed Canal Crossing 01**

- b. 12409 NW 35 ST. – South Feed Canal Crossing 02
- c. 12409 NW 35 ST. – South Feed Canal Crossing 03
- d. 12409 NW 35 ST. – South Feed Canal Crossing 04
- e. 4300 Coral Ridge Dr. – North Feed Canal Crossing 04
- f. 12409 NW 39 ST. – North Feed Canal Crossing UG (Pipe Repair)

On MOTION by Mr. Ortiz and seconded by Mr. Prudhomme, with all in favor, the CAS Project No. 15-1826, Right-of-Way (ROW) permit application to install fiber optic cables and for pipe repair at 12409 NW 39 Street, North Feed Canal Crossing, submitted by Crown Castle Fiber, subject to the Special Conditions set forth in the March 1, 2021 recommendation letter, was approved.

- g. 3775 NW 124 AVE. – North Feed Canal Crossing 14

On MOTION by Mr. Morera and seconded by Mr. Ortiz, with all in favor, the, CAS Project No. 15-1826, Right-of-Way (ROW) permit applications, specified as Agenda Items 12BIIa through 12BIIe and 12BIIg, to install fiber optic cables at 12409 NW 35 Street, South Feed Canal Crossings 01 through 04, 4300 Coral Ridge Drive, North Feed Canal Crossing 04 and 3775 NW 124 Avenue, North Feed Canal Crossing 14, submitted by Crown Castle Fiber, subject to the Special Conditions set forth in the March 1, 2021 recommendation letter, with the release of these permits contingent upon successful completion of the 12409 NW 39 Street, North Feed Canal Crossing UG Pipe Repair project, which included the District Engineer signing off on that permit and that all repair work was completed, was approved.

Mr. Rubio distributed another permit application during the meeting.

On MOTION by Mr. Ortiz and seconded by Mr. Prudhomme, with all in favor, the CAS Project No. 15-1826, Right-of-Way (ROW) permit application to install directional bore conduits along the upland canal bank and beneath the existing culvert on Coral Ridge Drive, South of Royal Palm Boulevard, submitted by Focus Engineering Services Inc., on behalf of Bluestream, subject to the Special Conditions set forth in the March 5, 2021 recommendation letter, was approved.

III. Update: PS1 and PS2 Electrical Engineering Design

This item was discussed during Item 12BI.

IV. Consideration of Proposal for Canal 2B Design Work

- a. **Under CAS Management, Radise International Proposal to Develop Design – Build Bid Package**
- b. **CAS Proposal for Canal Plans for Phase 2B (Including Radise International’s Proposal for Soil Sampling Analysis)**

These items were presented following Item 12B1.

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 and responded to questions:

- 4” of rainfall was received since the last meeting; 8” is typical but the amount had not negatively affected the canal system. The water levels were sound.
- Staff remained busy and resident complaints were down to a minimum.
- He commended his crew for taking the pandemic situation in stride and not complaining about the inconveniences of adhering to safety precautions. One employee contacted COVID but was doing much better and was waiting for test results before returning to work.
- Continuing Issues with Commercial Area Trash: Trash was and would continue to be an issue until the City takes action. The identified areas of concern were because walls were not built around certain areas early in the development of the community.

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

I. Consideration of Obstructions Removal Agreement Option 2, 3221 Coral Springs Drive and Associated Obstructions Removal

This item was addressed during public comments. It would stay on the agenda, as the matter remained pending.

Discussion ensued regarding defining and determining ROW boundaries and ownership, actual location of the ficus tree in question and the condominium’s association involvement.

II. Consideration of Obstructions Removal Agreement Option 2, 10265 NW 41 Court

Ms. Cerbone presented the Option 2 Agreement. One estimate was received and two more were pending.

On MOTION by Mr. Prudhomme and seconded by Mr. Ortiz, with all in favor, the Option #2 Obstructions Removal Agreement, for 10265 NW 41 Court, and authorizing Staff to proceed with the lowest bid, in a not-to-exceed amount of \$3,000, was approved.

**III. Consideration of Resolution 2021-04, Sunshine Water Control District
Temporary COVID-19 Paid Sick Leave Policy**

Ms. Cerbone recapped the actions taken by the Board in 2020, in which employees would be paid for time away from work due to COVID-19, without affecting the employee’s vacation or sick time accruals.

Ms. Cerbone presented the temporary policy, which was prepared in coordination with Mr. Selchan and Ms. Rustin, from Mr. Malefatto’s office. Discussion ensued regarding updating the document with general COVID-related verbiage. This item would remain on the agenda to allow the Board additional time for review.

IV. NEXT MEETING DATE: April 14, 2021 at 6:30 P.M.

- **QUORUM CHECK**

The next meeting will be held on April 14, 2021 at 6:30 p.m.


THIRTEENTH ORDER OF BUSINESS

Adjournment

There being no further business to discuss, the meeting adjourned at 9:03 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


President/Vice President