

**MINUTES OF MEETING  
SUNSHINE WATER CONTROL DISTRICT**

The Board of Supervisors of the Sunshine Water Control District held a Regular Meeting on November 17, 2021 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
Daniel Prudhomme	Secretary

**Also present were:**

Jamie Sanchez	District Manager
Al Malefatto	District Counsel
Orlando Rubio	District Engineer
Steve Smith	Craig A. Smith & Associates
Cory Selchan	Field Superintendent

**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, 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]**  
*(Comments should be made from the microphone to ensure recording. Please state your name prior to speaking.)*

There were no public comments.

FIFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2021

Ms. Sanchez presented the Unaudited Financial Statements as of September 30, 2021.

**On MOTION by Mr. Prudhomme and seconded by Mr. Ortiz, with all in favor, the Unaudited Financial Statements as of September 30, 2021, were accepted.**

SIXTH ORDER OF BUSINESS

Approval of October 13, 2021 Regular Meeting Minutes

Mr. Morera presented the October 13, 2021 Regular Meeting Minutes.

**On MOTION by Mr. Ortiz and seconded by Mr. Morera, with all in favor, the October 13, 2021 Regular Meeting Minutes, as presented, were approved.**

SEVENTH ORDER OF BUSINESS

Supervisors' Communications

Each of the Supervisors wished those in attendance a safe and Happy Thanksgiving and offered Ms. Sanchez congratulations on her new position.

Mr. Morera encouraged everyone to keep family, friends and members of the military in their thoughts and prayers. He invited all to attend the tree lighting at Coral Springs City Hall on December 4, 2021 and to bring their friends and families.

EIGHTH ORDER OF BUSINESS

Staff Reports

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

There was no report.

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

**I. Presentation: Monthly Engineer's Report**

Mr. Rubio provided the following update:

- Electrical Repairs at Pump Stations 1 and 2: The generator was approved for purchase and the signed quote was sent on September 23, 2021. The quote was updated to remove the automatic transfer switch to be provided by Current Connections, Inc. (CCI). The drawings were reviewed by an Electrical Engineer; approval was pending. The generator drawings were shared

with the Electrical Contractor; comments were received today and Mr. Larry Smith would respond accordingly. The contract was executed and the pre-construction meeting on October 11, 2021 went very well. Shop drawings were submitted for review.

- West Outfall Canal Phase 2B Improvements: When the project was authorized, services included everything up to bidding; a proposal for construction services for the duration of the project was presented in the agenda package.
- CAS Proposal No. 4083B for “Engineering Services During Construction” and “Construction Observation Services”: The proposal includes hourly rates to be charged based on hourly services provided. Total hourly project fees would be billed in a not-to-exceed amount of \$177,320.

Mr. Ortiz asked if the switch to CCI as the contractor for electrical repairs at Pump Stations 1 and 2 would impact the cost. Mr. Rubio stated it would not, as it was already a bid item; from a service standpoint, CCI has been very responsive and the decision was made to avoid the risk of potential delays by Ring Power’s contractor in the event of an issue.

Mr. Prudhomme asked if the change could raise any warranty concerns. Mr. Rubio stated it would not because the warranty for the automatic transfer switch would be under CCI; the warranty for the generator would be under Ring Power. Mr. Morera wanted to ensure that there is clear, defined language in the event of a warranty dispute.

Mr. Selchan stated that, while such a scenario could occur, the District has insurance and District Counsel could pursue legal avenues if necessary. He stated that a more pressing issue was that the order for the generator has not been submitted yet and there would be a six-month wait for a generator. An automatic transfer switch is also needed for the electrical upgrade, whether it is ordered through the generator company or not.

Mr. Rubio stated the Board’s authorization is for the Engineering Services and Construction Costs proposal. A Board Member asked if these costs were identified when the project scope was originally determined or if the costs were to be determined (TBD). Mr. Smith stated the costs were TBD but it was known that these costs would be part of the package in the budgeting of the project. When the initial proposed budget was presented, it included the design and construction; permitting costs were included but the costs were not proposed in the design phase. It is important to ensure that proper coverage is provided for the entire estimated six-month duration of the construction period for each of the professionals including

on-site field representatives. Standard rates apply for various personnel and hours are billed as needed for field representatives and on-site Engineers who would field inquiries and questions and resolve potential issues during construction. It is a not-to-exceed amount; hours were budgeted but would not be charged unless used.

Mr. Morera asked who would be the Project Engineer. Mr. Rubio stated he would oversee the progress meetings, RFIs, coordinate and oversee contractors and work with Mr. Selchan. The Field Representative would observe construction, ensure everything is done in an appropriate and safe manner and complete daily and weekly reports.

The contracted rates were discussed. Mr. Morera questioned the hourly rates. Mr. Smith stated the contracted rate of \$112 included a multiplier to cover the firm’s burden, which is standard in the industry. The various positions and hourly rates were discussed. Mr. Morera voiced his opinion that the rates are high. Mr. Smith discussed inflationary pressures and noted that on-site Staff is needed to certify the project when it is completed. The firm has been working for the District at the 2015 rates; whereas, the 2021 rates are effect in other Districts. Mr. Morera asked if daily or weekly reports are reviewed and signed off. Mr. Selchan stated the Field Representatives communicate with him regularly and hours would be tracked accordingly.

**On MOTION by Mr. Ortiz and seconded by Mr. Prudhomme, with all in favor, CAS Proposal No. 4083B for Engineering Services During Construction and Construction Observation Services, in a not-to-exceed amount of \$177,320, was approved.**

- West Outfall Canal Phase 2B Improvements: A preconstruction meeting was held with Rio-Bak Corporation (RBC) and Radise International. The City Engineer was invited and accepted the meeting but was not able to attend; she is aware of the project and happy to be kept informed. RBC would begin construction at the intake ramp and proceed to the north of the bridge; unit quantity would be sufficient so no change order would be necessary.
- Notification and Encroachments: The canal was surveyed in 2018 and encroachments were identified and the District completed a one-time encroachment removal at its own cost; residents were notified and presented with removal options. Ten residents must be notified before construction begins; two new residents have slight encroachments outside their property line. Another new resident on the east side of the canal north of the bridge has an

elaborate rock bed and wrought iron fence with hedges 20' to 30' into the Right-of Way (ROW). While formulating an outreach document and letter Ms. Sanchez found that the previous property owners executed the Agreement; when properties are sold, the Agreement transfers with the title. The letter to be sent via Certified Mail would give property owners the option to have the encroachments removed by the first week of January, which would give them the opportunity to attend the December meeting. The letter advises that the District has paid once to have encroachments removed and, if necessary, the District would engage a contractor to remove the encroachments and the District would seek to recover those costs from the property owner. The letter would be sent as soon as approved by the Board.

Discussion ensued regarding the encroachment, the property owner's presumed lack of permit for the fence and the title report. Mr. Malefatto stated he reviewed and revised the letter, which stated because of the recorded Agreements the property owner would be given the option to remove the encroachment and, if the District removes it, the reimbursement of the expense would be sought from the property owner. The consensus was to send a bill and, if necessary, a lien would be placed on the property.

Mr. Selchan stated the property owners were not notified yet, pending feedback from the Board, but he and Ms. Sanchez discussed making courtesy phone calls in advance of mailing the letter. He noted that, while property owners would have an opportunity to attend the December meeting, the Agreement was clear that these items are in the wrong place and the vegetation is not the proper type. The District would not delay the project and would remove the items if necessary. Mr. Malefatto stated a fence without a permit is also a City Code violation. Mr. Selchan stated, if it becomes necessary to remove the items, they would be placed in a dump truck and removed from the property.

Discussion ensued regarding the letter. Mr. Morera stated this is a necessary step. The properties, encroachment items and copying the City Manager on communications to affected property owners was discussed.

**On MOTION by Mr. Prudhomme and seconded by Mr. Ortiz, with all in favor, authorizing Staff to send encroachment notification letters to the two identified property owners along the West Outfall Canal, was approved.**

**II. Permit Application**

- **Crown Castle Fiber, LLC for Coral Glades High, 2700 Sportsplex Drive - Proposed Installation of a 2-1.5" HDPE Conduit**

Mr. Rubio stated another ROW permit request was received and the permittee was put on notice that the permit will not be released until repairs are completed. The permittee was waiting on County approval for their repairs. Discussion ensued regarding the permit request, previous approvals, current permit application, possibility of the permittee proceeding without a permit and the possible ramifications. Mr. Selchan stated that he knew the area in question and the project was not underway. Mr. Morera recalled that the previous application was approved contingent upon completion of the repairs. Mr. Malefatto stated the District has the right to deny the application until previous obligations are met. Conditional approval versus denying the permit was discussed. The consensus was that the permittee has not satisfactorily completed the repair work for Permit No. 2021-06.

**On MOTION by Mr. Prudhomme and seconded by Mr. Ortiz, with all in favor, the Crown Castle Fiber, LLC Permit Application for proposed installation of a 2-1.5" HDPE Conduit at Coral Glades High School, was not approved.**

Mr. Malefatto stated the permit could be held and reconsidered once the required work is completed; the prior project had conditional approval. Mr. Selchan stated he would advise the permittee that the permit was not approved.

### **III. Update: 20-Year Stormwater Needs Analysis**

Mr. Rubio stated a proposal would be presented for this project in January. Discussion ensued regarding legislation, the worksheet and the Stormwater Needs Analysis.

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

There was no report.

#### **D. District Field Supervisor: *Cory Selchan***

Mr. Selchan stated that 2" of rain caused some street flooding and increased water levels. If necessary, pumps would be run overnight to reduce water levels.

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

- I. Obstructions Removal Agreement – Option 2 [John H. Shaffer and Yuk Ha Tsui, 2700 NW 124 Ave.]**

Ms. Sanchez stated a fence request was received but a Letter of No Objection (LONO) could not be issued due to obstructions in the ROW; an Option 2 Agreement was drafted. The property owner listed sold the property and the new property owner understands that a new Agreement must be executed in order to proceed. Mr. Selchan distributed two estimates for removal of the obstruction. Discussion ensued about the property and a large area of plantings in the vicinity on the City's ROW related to road improvements. Mr. Selchan stated the City does not maintain it and the District sprays to prevent it from growing across the canal. The City needs to maintain dead trees but it may be necessary for residents to complain for the City to address the issue. Public works would likely be the responsible entity.

Ms. Sanchez requested approval and selection of a vendor from the bids distributed. NTTI bid \$950 and Castle Tree Art bid \$1,145. Discussion ensued regarding the bids. The lowest bidder was NTTI, with a bid of \$950.

**On MOTION by Mr. Ortiz and seconded by Mr. Prudhomme, with all in favor, the Option 2 Agreement with Thaddeus Walter Grzeszkowiak, Jr., in substantial form, and the NTTI bid, in a not-to-exceed amount of \$950, were approved.**

**II. Discussion: Holiday Luncheon**

Ms. Sanchez stated she emailed Mr. Selchan and Staff and asked if Friday, December 17, 2021 would be acceptable to the Board. Discussion ensued regarding the date. The consensus was that December 10, 2021 would be the tentative date. Big Bear Brewing Co. was the tentative location. Ms. Sanchez stated they do not take reservations but she could be in arrive at opening to secure the location.

**III. NEXT MEETING DATE: December 8, 2021 at 6:30 P.M.**

- **QUORUM CHECK**

The next meeting would be held on December 8, 2021, unless canceled.


**NINTH ORDER OF BUSINESS**

**Adjournment**

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

**On MOTION by Mr. Morera and seconded by Mr. Prudhomme, with all in favor, the meeting adjourned at 7:46 p.m.**

  
Secretary/Assistant Secretary

  
President/Vice President