

**MINUTES OF MEETING  
SUNSHINE WATER CONTROL DISTRICT**

The Board of Supervisors of the Sunshine Water Control District held a Regular Meeting on March 9, 2022, *immediately following the Landowners' Meeting, scheduled to commence 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:**

Cindy Cerbone	District Manager
Jamie Sanchez	Wrathell, Hunt and Associates, LLC (WHA)
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC (WHA)
Al Malefatto	District Counsel
Janice Rustin (via telephone)	Lewis, Longman and Walker, P.A.
Orlando Rubio	District Engineer
Steve Smith	Craig A. Smith & Associates (CAS)
Cory Selchan	Field Superintendent
John McKune (via telephone)	Consultant Engineer
Mark Sirchio	Rio-Bak Corporation (Rio-Bak)
Ron Formeyer	Current Connections
Other Members of the Public	

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Morera called the meeting to order at 6:40 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]**

No members of the public spoke.

**FIFTH ORDER OF BUSINESS**

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

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

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

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-01, Canvassing and Certifying the Results of the Landowners’ Election of a Supervisor for the Sunshine Water Control District**

Ms. Sanchez presented Resolution 2022-01 and read the title. She recapped the Landowners’ Election results as follows:

Daniel Prudhomme	3 Votes	3-Year Term
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**On MOTION by Mr. Morera and seconded by Mr. Ortiz, with all in favor, Resolution 2022-01, 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 2022-02, Designating Certain Officers of the District; and Providing for an Effective Date**

Ms. Sanchez presented Resolution 2022-02 and read the title. Mr. Ortiz nominated the following slate of officers:

Joe Morera	President
Ivan Ortiz	Vice President
Daniel Prudhomme	Secretary
Craig Wrathell	Assistant Secretary
Cindy Cerbone	Assistant Secretary
Jamie Sanchez	Assistant Secretary

No other nominations were made.

Prior appointments by the Board for Treasurer and Assistant Treasurer remain unaffected by this Resolution.

**On MOTION by Mr. Ortiz and seconded by Mr. Morera, with all in favor, Resolution 2022-02, Designating Certain Officers of the District; and Providing for an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Update: PS1, PS2 and WOFC Phase 2B Project**

Mr. Rubio, along with Mr. Mark Sirchio, of Rio-Bak, reported the following:

- Excavation on the Canal Project phases that are being worked on is progressing nicely.
- Demolition at the pump stations commenced last week.
- Recently received shop drawings for all the materials that will be used at the concrete work area were forwarded to the structural engineers at Radise for approval. Once approved, the drawings would then be sent to the manufacturer.

In response to Mr. Morera’s question regarding redesign of the intake, Mr. Rubio explained that the minus 4 intake reading will create more volume for the pumps to draw down. The cones resolve a substandard hydraulic design at the pumps and, because the intake

bay is not deep enough, the hydraulics of the canal must be corrected, including the intake. The redesign addresses the electrical repairs and the hydraulic and horsepower issues.

Mr. Smith stated, in laymen's terms, the goal is to slow the water as it approaches the pump station to prevent it from flowing in too quickly and loading the pumps unevenly. He voiced his belief that upgrading the horsepower and the motors will make a tremendous difference and rectify the issues; the project is moving along as planned. Mr. Smith and Mr. Sirchio responded to questions regarding the hauling company, whether there were any unforeseen issues, excavation and finalization of the Phase 2B project. Mr. Morera voiced his appreciation for the efficient management of the project.

Mr. Rubio, along with Mr. Ron Formeyer, of Current Connections Inc., reported the following:

- The materials were scheduled to be delivered this month, except for one item, which is being delayed an additional month. An updated schedule would be emailed.
- A Change Order for the generator closure and fuel tank for closing the concrete pad would be considered tonight.
- Option 1, for \$179,075, does not include the wall enclosure around the fuel tank and Option 2, for \$228,700, includes the wall enclosure that would prevent trespassers from entering and taking fuel.
- Staff's recommendation was to proceed with Option 2.

Asked if Current Connections is the provider of the fuel tank, Mr. Rubio replied no and stated that Current Connections is the installer. Discussion ensued regarding the rationale for the change order, mitigating the installation costs, the fuel tank and generator, maximum burn rate, initial bid negotiations and the importance of proceeding with the project.

Mr. Morera voiced his opinion that the Engineering team did not do its due diligence in anticipating the additional work, which he believed should have been included in the original bid. Ms. Cerbone stated it would be rare for a construction project of this size not to have at least one change order and it would be in the District's best interest to proceed with remediating the pump stations to minimize potential issues if there is a storm event.

On MOTION by Mr. Ortiz and seconded by Mr. Prudhomme, with Mr. Ortiz and Mr. Prudhomme in favor and Mr. Morera dissenting, Current Connections Inc., Change Order #1 for the Option 2 installation of a wall enclosure around an external tank, in a not-to-exceed amount of \$228,700, was approved. (Motion passed 2-1).

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

This item, previously Item 15B, was presented out of order.

I. Presentation: Monthly Engineer’s Report

Mr. Rubio presented the Monthly Engineer’s Report.

II. Permit Application

- Dry Art Construction, LLC 2590 NW 112 Avenue – 286 SF Addition to Existing Residence

Mr. Rubio presented the recommendation letter related to the right-of-way (ROW) permit application for construction of a 296 SF addition to an existing residence adjacent to Canal BB.

On MOTION by Mr. Prudhomme and seconded by Mr. Ortiz, with all in favor, the CAS Project No. 19-2064 ROW permit application submitted by Dry Art Construction for 286 SF addition to the existing residence at 2590 NW 112 Avenue Coral Springs, Florida 33065, adjacent to Canal BB, subject to the Special Conditions set forth in the March 1, 2022 recommendation letter, was approved.

**NINTH ORDER OF BUSINESS**

**Discussion: Employee Hourly Wages**

Ms. Cerbone reviewed the Employee Hourly Wage spreadsheet, reflecting the three hourly wage increase options. Mr. Morera stated the Field Supervisor is recommending the additional \$3 per hour increase based on current industry needs.

Mr. Selchan referenced a recent job advertisement where the City of North Lauderdale was offering higher wages than the District. He commented that the majority of the City of North Lauderdale’s field employees are better compensated than the District’s employees who have many more years of experience. He appealed to the Board to approve a \$3 per hour wage

increase for District employees to reward the field operations crew for their hard work and dedication.

Discussion ensued regarding wage increase options, Florida minimum wage, effective date of the increase and future increases. Mr. Selchan voiced appreciation to the Board for considering the increase. He felt it would improve morale, which is very important. The Board's consensus was to approve the \$3 hourly increase, retroactive to the beginning of March.

**On MOTION by Mr. Prudhomme and seconded by Mr. Ortiz, with all in favor, the \$3 per hour wage increase for District field employees, retroactive to March 1, 2020, was approved.**

**TENTH ORDER OF BUSINESS**

**Continued Discussion: Employee Pension Plan Fiduciary Consultant Proposals**

**Ms. Janice Rustin joined the meeting via telephone.**

- **Burgess Chambers**
- **NFP**

Mr. Morera recalled prior presentations by representatives from NFP and BCA and stated that he subsequently submitted questions to Ms. Cerbone, Ms. Sanchez and Mr. Malefatto regarding the presentations. Ms. Cerbone stated that the answers to Mr. Morera's questions were blind copy emailed to the Board Members.

Mr. Morera stated the Board must review the current employee pension plan and determine if the District should retain the current administrator or switch to another plan. Mr. Prudhomme voiced his opinion that Ms. Jamie Hayes, of NFP, is a better fit for the District.

Mr. Ortiz asked for clarification of a \$5,000 project fee and an annual recurring fee. Ms. Cerbone explained that the Board is being asked to only consider an initial review and a few other options to consider to have a pension plan; both companies charge an initial \$5,000 fee. Ms. Rustin stated the fiduciary matters of the consultant are that of oversight; they will examine and evaluate the plan and determine the best option for the District. Mr. Morera asked what the fiduciary role of the Board is in relation to the pension plan. Mr. Malefatto stated that Ms. Rustin was advising that the District retain a fiduciary advisory company to assist the Board in making the correct choices for its employees.

Ms. Cerbone explained the current pension plan and noted that nothing is withheld from employee pay. She stated Staff and the Board have oversight to examine documents on a periodic basis to determine if investments are being devalued and the District has insurance coverage. She speculated that the Board would like to engage a fiduciary company for \$7,500 annually, instead of at \$20,000, and stated that the goal is to ensure that pension funds are available for the employees upon retirement from the District.

Discussion ensued regarding fiduciary matters, Fiduciary Consultants, Mission Square, employee responsibility, plan negotiations, employee contribution plan, employee rights to switch plans and which of the two vendors to engage.

**On MOTION by Mr. Prudhomme and seconded by Mr. Ortiz, with all in favor, engaging NFP as the District’s Fiduciary Advisor, in the amount of \$5,000, was approved.**

Ms. Cerbone would email Ms. Hayes to inform her that the Board approved her proposal and that Mr. Malefatto would be following up with her.

**ELEVENTH ORDER OF BUSINESS**

**Update/Discussion: Board Member Participation in the Employee Health Care Benefits**

This item was deferred to the next meeting.

**TWELFTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of January 31, 2022**

Mr. Morera presented the Unaudited Financial Statements as of January 31, 2022.

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

**THIRTEENTH ORDER OF BUSINESS**

**Approval of February 9, 2022 Regular Meeting Minutes**

Mr. Morera presented the February 9, 2022 Regular Meeting Minutes. Mr. Malefatto stated his edits were forwarded to Management for incorporation in the minutes.

**On MOTION by Mr. Prudhomme and seconded by Mr. Ortiz, with all in favor, the February 9, 2022 Regular Meeting Minutes, as amended to incorporate edits submitted to Management, were approved.**

#### **FOURTEENTH ORDER OF BUSINESS**

#### **Supervisors' Communications**

Mr. Ortiz wished the Engineers a happy Engineers Week and acknowledged the upcoming St. Patrick's Day holiday and Spring Break.

Mr. Morera welcomed Mr. Prudhomme back to the Board, stated that the "Our Town" event was scheduled for the upcoming weekend and discussed Senate Bill 620, which would adversely-impact local businesses and is likely to pass.

#### **FIFTEENTH ORDER OF BUSINESS**

#### **Staff Reports**

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

Mr. Malefatto stated Staff previously distributed copies of a draft request for an Attorney General opinion that would be filed on March 10, 2022, on behalf of the Coral Springs Improvement District (CSID), related to tree removal permits and mitigation. He discussed the canal maintenance program, tree removal, the ROW, a permit requirement and a recent modification of a Statute involving Arborist Reports. He stated it will be interesting to see how the Attorney General rules on this.

Mr. Malefatto responded to questions regarding tree removal, Chapter 298, permitting, mitigation and keeping the ROWs open.

Mr. Malefatto invited the Board and Staff to a function at his office on April 19, 2022.

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

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

###### **II. Permit Application**

- **Dry Art Construction, LLC 2490 NW 112 Avenue – 286 SF Addition to Existing Residence**



These items were presented following the Eighth Order of Business.

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

There was no report.

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

Mr. Selchan reported the following:

- The District had 4½” of rain since the last Board meeting.
- The West Basin reached about 8’, which generated resident calls.
- The project is going extremely well.
- There are no ongoing issues; the District is running smoothly.

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

**I. Obstructions Removal Agreement–Option 2 [Winsome Palmer, 8501 NW 38 Street]**

Ms. Sanchez presented the Option 2 Obstructions Removal Agreement that was requested by the property owner to remove obstructions in the ROW. Mr. Selchan provided a \$3,600 estimate from Castle Tree Art and a \$3,200 estimate from NTTI. Discussion ensued regarding the property owner, information on the property appraiser’s website and the estimates.

**On MOTION by Mr. Prudhomme and seconded by Mr. Ortiz, with all in favor, NTTI Rogue Response LLC Estimate #2522, for tree removal, in the amount of \$3,200, was approved.**

Mr. Selchan stated, going forward, he would provide three bids for the Board to review.

**II. NEXT MEETING DATE: April 13, 2022 at 6:30 P.M.**


- **QUORUM CHECK**

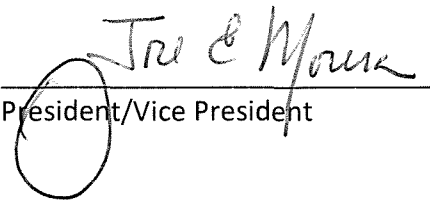
The next meeting would be held on April 13, 2022.

**SIXTEENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business to discuss, the meeting adjourned at 8:56 p.m.

  
Secretary/Assistant Secretary

  
President/Vice President