

**MINUTES OF MEETING
SUNSHINE WATER CONTROL DISTRICT**

The Board of Supervisors of the Sunshine Water Control District held a Regular Meeting on May 10, 2023 at 6:00 p.m., at Sartory Hall, 10150 NW 29 St., Coral Springs, Florida 33065.

Present were:

Joe Morera	President
Ivan Ortiz	Vice President
Carol Smith	Secretary

Also present were:

Cindy Cerbone	District Manager
Jamie Sanchez	Wrathell, Hunt & Associates, LLC (WHA)
Al Malefatto	District Counsel
Orlando Rubio	District Engineer
Cory Selchan	Field Superintendent
Mark Sirchio	Rio-Bak Corporation (RBC)

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.

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.

▪ **District Engineer Staff Report**

This item, previously Item 11B, was presented out of order.

Mr. Rubio presented RBC Change Order No. 4 for demucking Canal F, along the west side of University Drive, for the City and County to widen the road. This requires issuing a right-of-way permit for the Florida Department of Transportation (FDOT) to complete its portion of the project and allows for execution of a Interlocal Agreement between the SWCD and the City of Coral Springs to cost share the work. The \$141,850 cost would be split between the SWCD and the City.

Mr. Malefatto recommended approving Change Order No. 4 but asked for time to review the Interlocal Agreement Mr. Rubio prepared before it is sent to the City.

Mr. Rubio and Mr. Selchan responded to questions about the scope of the project, project timeline, the inability to reuse the material and testing the material before it is trucked to the landfill.

On MOTION by Mr. Ortiz and seconded by Ms. Smith, with all in favor, Change Order #4, CAS Project No. 21-2182, for the SWCD West Outfall Canal Phase 2 Improvements, to demuck Canal F, along the west side of University Drive, in a not-to-exceed amount of \$141,850 to be cost-shared with the City of Coral Springs, subject to executing the Interlocal Agreement with the City of Coral Springs, was approved.

Mr. Selchan stated that the City Representatives agreed to have anything in the way of the project removed.

Mr. Malefatto advised of the need to discuss the insurance clause in the Interlocal Agreement with Ms. Cerbone and Ms. Sanchez.

On MOTION by Mr. Ortiz and seconded by Ms. Smith, with all in favor, authorizing Mr. Morera to execute the Interlocal Agreement with the City of Coral Springs pertaining to RBC Change Order No. 4, outside of a District Meeting, was approved.

Mr. Selchan commended Mr. Sirchio and team members Frankie Rodriguez and others for moving the riprap in front of the old pump station over to the Habitat for Humanity project at no cost to the SWCD and on doing a great job on the revetment project.

FIFTH ORDER OF BUSINESS

Update: ROW Communications

Mr. Selchan stated only two of the six homeowners took action after the second right-of-way (ROW) obstruction letters were sent. He believes the remaining homeowners, mostly police officers and a firefighter, are not going to take any action. As the materials are mostly minimal, with the exception of a fence, he suggested his crews remove the materials from the ROW. A fence company will need to be engaged if there is pushback from the resident and a police officer should be on site, if needed.

On MOTION by Ms. Smith and seconded by Mr. Ortiz, with all in favor, authorizing Mr. Selchan to proceed with removal of the obstructions in the SWCD right-of-way (ROW) at the four remaining homes, as suggested, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2023-03, Approving a Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Ms. Sanchez distributed an updated version of the proposed Fiscal Year 2024 budget. This version reflects a corrected formatting issue and now all references to “Fiscal Year 2023” in the header were changed to “Fiscal Year 2024”. She reviewed the proposed Fiscal Year 2024 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2023 budget, and explained the reasons for any changes.

The following budget items were discussed:

➤ Legal-legislative work: Mr. Malefatto suggested inviting his colleague, Mr. Lyon, to an upcoming meeting to explain what legislation representation would make sense for the SWCD before designating any funds to that budget line item. Mr. Lyon anticipates the costs would be an additional \$2,000 a month. Ms. Cerbone offered budget suggestions, which the Board Members would consider once Ms. Sanchez completes the budget presentation.

➤ Engineering-capital outlay: Mr. Rubio elaborated on the status of the Engineering projects listed under the budget line items.

Mr. Morera asked Staff to find out if the culvert replacement project along University Drive can be coordinated with the FDOT road widening/resurface project.

➤ Truck, tractor and generator: Mr. Selchan noted that PowerSecure, Inc. inadvertently did not invoice for monitoring services over the last 13 years. Going forward, the SWCD will be billed for those monitoring services; therefore, he suggested increasing the budgeted amount to \$50,000 to cover the cost to monitor the generator; the amount might decrease upon receipt of a proposal and before the Fiscal Year 2024 budget is adopted.

➤ Excess/(deficiency) of revenues over/(under) expenditures: Ms. Cerbone noted that unassigned fund balance was used to keep the assessment increase at 3%, which is similar to what was done in the prior years.

Regarding truck replacement, Mr. Selchan will review the State and City's bid contract to ensure optimal savings on the four trucks that will be purchased in Fiscal Year 2023.

The Board agreed with Mr. Malefatto's recommendation to budget \$24,000 to the Legal-legislative work line item and for Mr. Lyon to attend an upcoming meeting. This expense will necessitate minor adjustments to the assessments, to make sure the assessment increase is no greater than 3%.

The following changes will be made to the proposed Fiscal Year 2024 budget:

Page 1, "Legal-legislative work": Increase "\$0" to "\$24,000"

Page 2, "Truck, tractor and generator": Add "and monitoring services" to title and increase "\$32,000" to "\$50,000"

Page 4, "Definitions of General Fund Expenditures": Add percentage amount for each cost increase, as applicable.

On MOTION by Ms. Smith and seconded by Mr. Ortiz, with all in favor, Resolution 2023-03, Approving a Proposed Budget for Fiscal Year 2023/2024, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for September 13, 2023 at 6:30 p.m., at Sartory Hall, 10150 NW 29 St., Coral Springs, Florida 33065; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Quotes for District Access at 9725 NW 36 Manor

Mr. Selchan noted difficulty obtaining reasonable quotes to install a wooden gate. He informed the resident that the Board is amendable to looking into the request and the resident indicated that there is no rush. This item will remain on the agenda.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2023

On MOTION by Mr. Ortiz and seconded by Ms. Smith, with all in favor, the Unaudited Financial Statements as of March 31, 2023, were accepted.

NINTH ORDER OF BUSINESS

Approval April 12, 2023 Regular Meeting Minutes

Ms. Sanchez stated Mr. Rubio emailed his edits to the April 12, 2023 Regular Meeting Minutes and those edits will be incorporated into the minutes.

On MOTION by Ms. Smith and seconded by Mr. Ortiz, with all in favor, the April 12, 2023 Regular Meeting Minutes, as amended to incorporate edits previously submitted to Management by Mr. Rubio, were approved.

TENTH ORDER OF BUSINESS

Supervisors' Communications

Mr. Ortiz wished mothers a Happy Mother's Day and everyone a great Memorial Day.

Mr. Morera echoed Mr. Ortiz’s good wishes. He asked when the Board Members will receive Financial Disclosure Form 1, which must be filed by July 1, 2023. Ms. Cerbone stated it should arrive late-May or early-June but it can be downloaded if not received. Mr. Morera asked about posting maps, etc., on the District website. Ms. Cerbone noted the difficulties with having maps, etc., on the website since all items on the website must be accessible in terms of the Americans with Disabilities Act (ADA) access requirements for websites. She recommended only posting documents that are statutorily required to be posted. While including a link on the website to a Geographic Information Systems (GIS) mapping system is a possibility, it is quite expensive and/or cost prohibitive to post maps, etc., on the website.

Mr. Morera asked about the District’s cost share portion of the Waste Pro Invoice. Mr. Selchan stated that it is appropriate.

Mr. Morera asked for approval to attend the Hispanic Elected Local Officials (HELO) three-day conference in Coral Gables in May.

Discussion ensued regarding the conference topics, whether it benefits the District and budget availability.

On MOTION by Ms. Smith and seconded by Mr. Ortiz, with all in favor, authorizing Mr. Morera to attend the 2023 Hispanic Elected Local Officials (HELO) Summer Conference in Coral Gables, Florida and reimbursing Mr. Morera for the special conference registration fee of \$250 and other costs related to his attendance, was approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

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

Mr. Malefatto reported on recently passed legislation awaiting the Governor’s signature and other items, as follows:

- House Bill 1367 specifies that it is unlawful to dump litter in or on any water control district property or canal ROW without consent. This goes into effect October 1, 2023 and requires law enforcement to enforce this and for all Board Members and District Managers who

discover a person committed unlawful dumping to report the incident to the appropriate law enforcement agency. Ms. Cerbone will share this information with the Chief of Police.

➤ House Bill 199 requires officers and employees of Special Taxing Districts to complete four hours ethics training annually. This goes into effect January 1, 2024.

Mr. Morera asked Mr. Malefatto to research if any changes were made to the Financial Reporting for Elected Officials requirements that would impact the SWCD Board Members.

Regarding the annual 2023 Florida Association of Special District (FASD) conference June 12 to June 15, 2023, in Orlando Florida, Mr. Morera noted that any of the Board Members can attend.

Ms. Smith stated she is not able to attend the June SWCD District meeting.

➤ The closing date on the sale of the District's easement to Amera Downtown Development is May 22, 2023. The District will receive \$100,000 plus legal fees, etc., for a total amount of is \$110,743.65. Mr. Morera will be given the Settlement Statement, Warranty Deed and Closing Affidavit to execute after the meeting.

B. District Engineer: Craig A. Smith & Associates

• **Presentation: Monthly Engineer's Report**

Mr. Rubio presented the Monthly Engineer's Report and responded to questions.

Mr. Selchan stated the fuel tank for Pump Station #2 (PS2) is pending and testing is scheduled two weeks from today. Ms. Cerbone asked Mr. Selchan and/or Ms. Sanchez to ask Egis if inspections are needed for any insurance changes on the new generator and the new fuel pump, which is doubling in size.

Discussion ensued regarding types of items posted on the District website and protocol for processing public records requests.

Mr. Morera asked Mr. Rubio to provide a proposal to proceed with the twin weir 137th Avenue project for the next meeting.

▪ **FDOT ROW Permit Application – University Drive Improvements**

This item was an addition to the agenda.

On MOTION by Mr. Ortiz and seconded by Ms. Smith, with all in favor, the CAS Project No. 15-1826 ROW Permit Application submitted by the Florida Department of Transportation for University Drive Improvements from NW 39th Street to Sawgrass Expressway, affecting SWCD Canal "F", for dewatering, subject to all terms, conditions and the Special Conditions set forth in the May 10, 2023 recommendation letter, execution of the Interlocal Agreement with the City and agreement of the cost-sharing terms between the parties, was approved.

C. District Engineering Consultant: John McKune

There was no report.

Mr. Selchan stated that Mr. McKune is a great resource. He advised Mr. McKune that, although he is unable to participate now, the District will keep funds in the budget for his services.

D. District Field Supervisor: Cory Selchan

Mr. Selchan reported the following:

- The District received 10" of rain in April, with 6" of rain just after the last meeting.
- There were several complaints about low water levels.
- Earthwork and modifications to the outside of Pump Station #1 (PS1) and the majority of the electrical within PS1 was completed. A tiny electrical hitch during preliminary testing was corrected immediately. He anticipates deeming the entire project complete once the punch list items are completed.
- The new generator for PS2 arrived yesterday and there was no need to rent a temporary fuel tank. Phillips & Jordan will stage a fuel truck on site.

Staff was asked to review the current Phillips & Jordan and Rostan contracts.

- RBC completed the revetment project, which was inspected and deemed a fine job.

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

- **NEXT MEETING DATE: June 14, 2023 at 6:00 PM [401(a) Committee Meeting followed by 6:30 PM Regular Meeting]**
 - **QUORUM CHECK**

TWELFTH ORDER OF BUSINESS

Public Comments

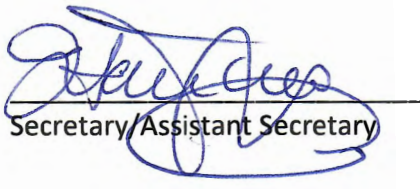
No members of the public spoke.

THIRTEENTH ORDER OF BUSINESS

Adjournment

The meeting adjourned at 9:02 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



President/Vice President