

**MINUTES OF MEETING  
SUNSHINE WATER CONTROL DISTRICT**

The Board of Supervisors of the Sunshine Water Control District held a Regular Meeting on October 11, 2023 at 6:30 p.m. at the Sartory Hall, 10150 NW 29th Street, Coral Springs, Florida 33065.

**Present were:**

Joe Morera	President
Ivan Ortiz	Vice President
Carol Smith	Secretary

**Also present were:**

Jamie Sanchez	District Manager
Cindy Cerbone (via telephone)	Wrathell, Hunt and Associates LLC
Seth Behn	District Counsel
Chris Lyons (via telephone)	Lewis, Longman & Walker, P.A.
Bill Capko (via telephone)	Lewis, Longman & Walker, P.A.
Orlando Rubio	District Engineer
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.

**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**

**Discussion/Consideration of 2023-2024  
Legislative Representation Proposal**

Mr. Lyons recalled successfully representing the District in a matter related to a local bill and his previous proposal to continue representing the District by making appropriation requests or monitoring legislative matters and providing regular written reports. Given that the Board expressed some interest in a legislative monitoring contract and set aside funds for some level of legislative representation in the Fiscal Year 2024 budget, he prepared a monitoring contract that would cover all seven weeks of the legislative session. He reviewed the 2023-2024 Legislative Representation Proposal, highlighting the pertinent information and took questions.

In response to Ms. Smith's question, Mr. Lyons confirmed that the proposal covers the monitoring of everything that might pertain to an Independent Special District and stated, as issues arise, the proposal will cover District-related matters such as stormwater, water and anything that affects Independent Special Districts, including pre-emptions.

Mr. Ortiz asked if there are any issues that the Board should start looking into or worrying about. Mr. Lyons stated, there is currently no legislation that impacts the District but he will examine the current list of bills filed and alert the Board of any local Broward County bills that might be of interest.

Mr. Morera stated, although he thinks there was value in retaining Mr. Lyons' services to represent the District in Tallahassee, he is uncertain, from a return on investment (ROI) standpoint.

Mr. Morera noted that the City was awarded funds designated for stormwater management. He asked how the District, which is in the business of stormwater management and flood prevention, can receive some of the funds that the City will receive. Mr. Lyons stated, to request State funds, City officials must fill out very detailed forms explaining how the funds will be expended and, when and if stormwater-related funds are granted, it goes to the Florida

Department of Environmental Protection (FDEP), which executes a contract with the City for them to receive the funds to perform the work; unless the City, in its request, stated one of the conditions for asking and receiving the funds was to reduce the impact on the Special Districts it coordinates with, he doubted that anything can be done to coerce the City into to sharing its funds with the District. He stated the best way for the District to tap into State funds is to have a particular project that benefits its residents that the State could contribute towards. He suggested Mr. Morera confer with the two local representatives regarding sharing the proceeds to reduce the contribution from the District.

Mr. Morera stated that the District Board Member compensation rate has been frozen since 1963 and voiced his opinion that the compensation rate should be adjusted. He asked how Board Members can obtain reasonable compensation for their time while serving the Board. Mr. Lyons stated increasing the compensation for Sunshine Board Members would require a local bill; unfortunately, the Broward County deadline for local bills expired for this session. If the Board would like to pursue that, it would likely be an effort for the next session.

Ms. Sanchez stated that, if the Board wishes to proceed, there would be two motions; one to engage Mr. Lyons, based on the proposal, and another to authorize Mr. Lyons research the two items that were broached by Mr. Morera.

Mr. Morera stated the Board will have further discussions regarding the proposal and Mr. Lyons will be apprised of the decision.

**Mr. Lyons left the call.**

Discussion ensued regarding increasing District Board Member compensation, what other Broward County Boards are paid, whether the Board should approve the legislative monitoring agreement and an upcoming Florida Association of Special Districts (FASD) meeting.

The consensus was to table this item to the next meeting.

Mr. Behn will research current compensation studies and report his findings.

Ms. Sanchez will email Mr. Lyons to apprise him of the Board’s decision and invite him to the next meeting.

**SIXTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of August 31, 2023**

Ms. Sanchez presented the Unaudited Financial Statements as of August 31, 2023. Asked if there is anything to call out, Ms. Sanchez stated that, in conferring with Mr. Rubio and Mr. Selchan prior to the meeting, it was noted that some of the line items might have been miscoded. Staff will coordinate to ensure that the line items are coded properly. Asked which items were miscoded, Ms. Sanchez pointed to the “Repairs and maintenance” line, on Page 3, and stated “Canal banks” should be changed from \$0 to \$66,530, under the Year-to-Date column. Mr. Selchan pointed out the “Capital outlay – pump station 1 & 2” line item at 167% and the “Capital outlay – ps1 hydra/struc/canal” line item at 0%.

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

**SEVENTH ORDER OF BUSINESS**

**Approval of September 13, 2023 Public Hearings and Regular Meeting Minutes**

Ms. Sanchez presented the September 13, 2023 Public Hearings and Regular Meeting Minutes. The following changes were made:

Line 167: Change “Mr. Santiago” to “Mrs. Santiago”

Line 170: Change “District website” to “Broward County SOE’s website”

Discussion ensued regarding a link to the Broward County SOE’s website and the specific qualification information for prospective Board Supervisors.

**On MOTION by Ms. Smith and seconded by Mr. Ortiz, with all in favor, the September 13, 2023 Public Hearings and Regular Meeting Minutes, as amended, were approved.**

**EIGHTH ORDER OF BUSINESS**

**Supervisors’ Communications**

Mr. Ortiz stated he was saddened to hear about Mr. Malefatto’s passing and expressed sincere condolences to Mr. Malefatto’s family and colleagues.

Ms. Smith echoed Mr. Ortiz’ sentiments and stated it is a tragic loss.

Mr. Morera asked everyone to rise and pause for a moment of silence for Mr. Malefatto, a close friend, confidante, counselor and advisor. Mr. Morera stated it is a tremendous loss and opined that Mr. Malefatto is irreplaceable and will be greatly missed.

Mr. Morera discussed the District’s recent collaboration with Habitat for Humanity on a low-income housing project consisting of 13 homes on two lots on Riverside Drive. The project was not prepared to deal with the District’s fees and requirements and the City asked for Mr. Selchan’s assistance mitigating the fees to help the project come to fruition. Mr. Morera commended Mr. Selchan and Rio-Bak for doing the work required by the District to bring the project into compliance with its criteria. He expressed his disappointment that the District was barely recognized at the groundbreaking ceremony, despite donating a substantial amount of time and money to the project. He communicated his feelings in an email to the CEO of Habitat for Humanity and City Officials.

Mr. Morera asked about the status of Mr. Prudhomme’s memorial tree. Mr. Selchan stated a check was recently remitted for the tree, which will soon be delivered, and a plaque was ordered. The memorial is in progress.

Mr. Behn thanked the Board and Staff for honoring Mr. Malefatto and stated he worked with Mr. Malefatto for 16 years and Mr. Malefatto encouraged him to enroll in law school and taught him that he can be an attorney and a genuinely good human being at the same time. He noted that Mr. Malefatto treated everyone with respect and kindness.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

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

Mr. Behn stated the firm is committed to continuing to serve the District and designated Ms. Janice Rustin, a Board-certified attorney, to serve as District Counsel. Mr. Behn stated that he and Mr. Capko will back her up and be available, as needed. He thanked the Board for the trust placed in the firm and in Mr. Malefatto.

Mr. Morera suggested that the firm create and award an “Al Malefatto Good Citizen Award” to a deserving attorney annually.

Mr. Capko voiced his appreciation for the kind comments about Mr. Malefatto and stated he and Mr. Behn will convey Mr. Morera’s suggestion to the Executive Committee.

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

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

Mr. Rubio presented the Monthly Engineer’s Report.

**II. Permit Applications**

Mr. Rubio presented the following:

- **Blue Stream Communications, LLC [Holiday Springs Village]**

**On MOTION by Mr. Ortiz and seconded by Ms. Smith, with all in favor, the CAS Project No. 15-1826, Right-of-Way permit application, submitted by Blue Stream Communications, LLC – S14/15/T48S/R41E, for two directional bore installations; 70 LF – 2” HDPE Conduit under the SWCD Canal “G” near 8605 W Sample Road and 70 LF – 2” HDPE Conduit under the SWCD Canal “E” east of NW 81<sup>st</sup> Avenue, subject to the Special Conditions set forth in the October 4, 2023 recommendation letter, was approved**

- **FPL [South of Atlantic Blvd.]**

**On MOTION by Mr. Ortiz and seconded by Ms. Smith, with all in favor, the CAS Project No. 15-1826, Right-of-Way permit application, submitted by Florida Power & Light (FPL) S34/T48S/R41E, directional bore installation, 170 LF of 2-6” HDPE Conduits under the SWCD East Outfall Canal, subject to the Special Conditions set forth in the October 4, 2023 recommendation letter, was approved.**

- **Ladybird Academy Permit Extension Request**

This was an addition to the agenda.

**On MOTION by Ms. Smith and seconded by Mr. Ortiz, with all in favor, the CAS Project No. 15-1826, Right-of-Way permit extension request 2 for Ladybird Academy – Canal L, subject to the Special Conditions set forth in the October 11, 2023 recommendation letter, was approved.**

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

There was no report.

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

Mr. Selchan reported the following:

➤ The District sustained 9” of rain in September and close to 3” to date, in October. He hopes there will not be any additional storms.

➤ Most of the District’s projects for the year are complete.

➤ The tree-trimming projects were completed and residents expressed satisfaction.

➤ The canals are beginning to look better.

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

Ms. Sanchez stated Mr. Malefatto was wonderful to work with and eased her transition to becoming the District’s Manager.

The District’s Holiday luncheon will be held on December 1, 2023 at 11:30 a.m.

- **NEXT MEETING DATE: November 8, 2023 at 6:30 PM**

- **QUORUM CHECK**

The next meeting will be held on November 8, 2023.

**TENTH ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Ms. Smith and seconded by Mr. Ortiz, with all in favor, the meeting adjourned at 8:16 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
President/Vice President