

**MINUTES OF MEETING
SUNSHINE WATER CONTROL DISTRICT**

A Regular Meeting of the Sunshine Water Control District's Board of Supervisors was held on Monday, December 4, 2017, at 6:30 p.m., at Sartory Hall, located in Mullins Park, 10150 NW 29 St. (Ben Geiger Drive), Coral Springs, Florida 33065.

Present at the meeting were:

Joe Morera	President
Daniel Prudhomme	Vice President
John Tornincasa	Secretary

Also present were:

Cindy Cerbone	District Manager
Al Malefatto	District Counsel
Orlando Rubio	District Engineer
Jim Maguire	Craig A. Smith & Associates, Inc.
Cory Selchan	Field Superintendent
John McKune	McKune & Associates
Peter Dobens	Quest Corporation of America
Patty Villaran	Arthur J. Gallagher

FIRST ORDER OF BUSINESS

Call to Order

Mr. Morera called the meeting to order at 6:33 p.m.

SECOND ORDER OF BUSINESS

Roll Call

Ms. Cerbone called the roll. 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 being no public comments, the next item followed.

FIFTH ORDER OF BUSINESS**Presentation: 2018 Benefits Renewal****• Discussion/Consideration: 2018 Benefits Renewal**

Ms. Cerbone stated that, tonight Ms. Patty Villaran, of Arthur J. Gallagher, was in attendance. The booklets distributed contained the exact same information as those included in the agenda package, with the exception of the larger print in the handout.

Ms. Villaran gave an overview of the Executive Summary. The District currently has a medical plan with AvMed, which is 100% paid for by the District for its employees and their dependants. In the past, other carriers did not meet the rich benefits compared to the AvMed Plan. This year, she asked for less rich benefits, higher deductibles and higher out-of-pocket maximums, in order to pair it up with a GAP Plan. Should the Board decide to change to another medical carrier, paperwork must be completed no later than the end of this week.

Ms. Villaran stated that, for dental insurance, new renewals would occur on January 1, 2018 and be on January 1, the following year. A flat renewal was received by Ameritas in order to keep the District's long-term business, since 2014, together with alternate quotes for consideration.

Ms. Villaran stated that basic life and short-term and long-term disability, were lines of coverage that she did not market because the District has a very different approach on those benefits. Two carriers are offering basic life insurance together, which is very unusual since no one carrier can offer the same benefit that these two combined, could. For that reason, she is leaving basic life insurance alone and the short and long-term disability should be paired with the "life" carrier. In the event that a disability claim goes into a "life" claim, the information rolls over from one side of the business to the other, very easily. The District should keep the basic life insurance with Reliance Standard (Reliance) and Sun Life, and the long and short-term disability insurance, with Reliance.

Ms. Villaran gave an overview of the medical plan, alternate plans, deductibles and out-of-pocket costs, as referenced in the handout. She reviewed "Option #3", regarding the GAP insurance, together with the pricing.

Questions, answers and discussion ensued regarding an older employee on District insurance versus Medicare, costs of healthcare, coverage to employees and their dependants, the

option to pay for 100% of the employee coverage and 50% of the family coverage to reduce the expenses of the District while maintaining the level of coverage, employee contributions, five of eight employees with family coverage and the impact to them, reviewing benefit plans for 2019 with a 50% to 75% contribution for employee dependants, increasing employee compensation to offset benefits and the tax implications to the employees, employees working for less compensation than other Districts and receiving similar benefits, losing better employees, consideration of health and safety of the employees and their families, researching all options and scenarios, maintaining the existing benefits and a 15% dental insurance increase.

The consensus was to move renew with AvMed for health coverage, Ameritas for dental and vision and Reliance and Sun Life for basic life, short and long-term disability, together with the proposed premium rate increase.

On MOTION by Mr. Prudhomme and seconded by Mr. Tornincasa, with all in favor, renewal of the AvMed Medical Coverage, with a 4.85% rate increase, for the 2018 calendar year, was approved.

On MOTION by Mr. Tornincasa and seconded by Mr. Prudhomme, with all in favor, renewal of the Ameritas Dental and Vision Coverage for the 2018 calendar year, with the new rates, was approved.

On MOTION by Mr. Prudhomme and seconded by Mr. Tornincasa, with all in favor, renewal of the Reliance Standard and Sun Life Basic Life, Short and Long-Term Disability Coverages, for the 2018 calendar year, with the new rates, was approved.

****Ms. Villaran left the meeting at approximately 7:10 p.m.****

SIXTH ORDER OF BUSINESS

Continued Discussion: West Outfall Canal Project

Mr. Maguire stated that, from a communication plan, he and Mr. Morera met with the Coral Springs Improvement District (CSID) and gave the same presentation as they previously

gave at the District meeting. It went pretty well and Mr. Maguire asked for a little leniency and if the CSID could help the residents but the CSID said that it would not and that it does not do that. 58 residents would be impacted by this project. Mr. Dobens and Ms. Gabriella Ferraro, of Quest Corporation of America (QCA), made 76 home visits. Many calls came into the communications line; he and Mr. Selchan visited residents and 23 of the 58 forms were turned in. The only pending item was a request about a Cassia tree from a resident who attended the last meeting. Mr. Maguire contacted the District's Arborist; however, as the resident never turned in the required form and he was not going to carry that any further, it was a moot issue.

Mr. Morera inquired about the nine residents that did not give Mr. Maguire any feedback and the condition of the backyard on the right-of-way (ROW). Mr. Maguire replied that there were some issues and he might try visiting one more time.

Discussion ensued regarding residents signing the form, no response from residents, not providing the buffer, fencing, open backyards, the canals and liability, issuing trespass notices to residents, risks involved with trespassing and due notice, forms for residents, occupied non-responsive homes, residents capping off the sprinklers when a notice was issued for work to be done, residents refusing to discuss anything, fences being moved by residents, a resident not mowing the grass and being cited, making clear to residents about how the District was handling the sprinklers, reconnecting the lines and putting the lines into the canal, avoiding replacing lines since the lines were sitting for six months, Phase 1A having five parts, removing encroachments, resident irrigation lines and moving heavy equipment.

Mr. Morera stated he wants to make sure the District would be managing all the disruptions and, having dealt with all the scenarios during the Canal Z project, he wanted to be proactive in informing residents who would be affected. Ms. Cerbone stated that all the information was in the communication letter to the residents, in the presentation, on the website and also in the FAQs that would be posted to the website within the next couple of days; it was communicated a total of four times.

Discussion ensued regarding the canal being the least reliable source of water one can tap into, wells or sprinkler meters from the City being more ideal, reliable water sources, residents being understanding,, fences near the buffer, relocating trees that are not on the approved list, seven residents on 104th and hedge recommendations, removing fences and working with the contractor to install the new fences, fences in the ROWs, bidding for fence relocation, re-

permitting for fences, fence relocation costs, the resident with the Arica trees and fencing not on his property, removing the trees and putting the fence back up, residents obtaining fence permits and demonstrating their surveys, the City's requirement for residents to obtain a Letter of No Objection (LONO) from the District in order to obtain a fence permit, an electrical box for the pump station on the ROW with a fallen 30' ficus tree impeding access to the electrical box, Mr. Applebaum taking it personally and requesting a larger 10' buffer and his deck being 6" onto District property, etc.

Mr. Malefatto stated that he was revising the various option agreements. He asked Ms. Cerbone if those were going out based on the responses the District received on the original form and Ms. Cerbone replied affirmatively; she hoped they would go out next week. Later this week she would meet with the District Engineer, Mr. Selchan and Mr. McKune to talk about the bid documents and the next steps with QCA, to start organizing the agreements.

Mr. Maguire stated that, overall, the project was on track from a project plan prospective. He was managing this with Mr. Rubio, Mr. Selchan and Ms. Cerbone, who all did a great job staying on track. The next project will be to look at the 1A bid. A meeting on that was scheduled for Wednesday and he hoped to wrap it up, since a lot of the work was completed and was completed in the past. Ms. Cerbone planned on having the bid docs on the January agenda for review and consideration. Mr. Maguire stated that would put the District right on track; if the Board approved the bid documents, it could be put to bid in January and be on track for the April 15 time frame. Mr. Morera stated that, regarding the bid documents, he would like a representative of the company to come to a meeting and give an update as to how the project was going. Ms. Cerbone stated that he already mentioned that but it was more on the construction side, regarding the encroachment side, for the removal. Discussion ensued regarding property lines, Maplewood Estates, trenching by the cable company, surveys, plans and a December time frame.

Mr. Maguire stated that the "frequently asked questions" would be handed out and he would like them posted on the District's website. Those were all the answers that he and Ms. Cerbone were able to capture, based on listening to the tape.

Mr. Selchan stated that he already reached out to all City Staff that he reached regarding this and they all understand the District's position and that the residents put a fence outside of their property lines, which is a violation of the existing permit. He did some investigation and

determined that the residents all had a fence permit but the permit clearly stated that “All fencing materials will be placed on the homeowner’s property”. All the applications showed that the fence would be placed on their property. The City inspects to ensure that the fencing was properly installed but never surveys to check for correct placement.

SEVENTH ORDER OF BUSINESS**Continued Discussion: Hurricane Irma
Debris Removal**

Mr. Selchan stated that the Natural Resources Conservation Service (NRCS) still had no funds. He contacted the Federal Emergency Management Agency (FEMA) and scheduled a meeting with them on Thursday to go over material FEMA wanted to talk about. FEMA and he would discuss the damages, what the District expected of FEMA and, hopefully, in a very short time, the District will be allowed to move forward to with debris removal. The contractor, monitor and the District were all ready to go. The only issue was that the City completed its portion and was restoring the area that they were using as a debris management site; therefore the District would no longer be allowed to take its debris to that area. He asked the monitor to ensure that he coordinated with the District’s contractor to determine what alternate sites were now available. The CSID was seeking a permit to use a piece of property with nothing on and, if the CSID gets the permit, he would negotiate with them to allow the District to use that site. If not, the monitor was looking for alternate sites. CSID’s meeting today with FEMA went well; however, the CSID cannot move forward, since they want to do a few things for which FEMA was not sure on how to proceed. Mr. Selchan discussed the work that CSID needed to complete and noted that it would be much easier for FEMA to address this District’s hurricane damage. He would know on Thursday and commence work as soon as possible but, if work did not start right away, it would commence in early January.

In response to a Mr. Prudhomme’s question, Mr. Selchan stated that the District must go back to the NRCS, if it gets funded, as FEMA would make the District do so; he preferred to do this work with the NRCS, anyway.

Mr. Maguire stated that the west outfall was still in mitigation with two of the District’s permits, also with the City. He hoped to have an update by the January meeting with regard to the cost of the tree mitigation. The tree permitting mitigation would come with the tree permitting process and the City has been cooperative with the District’s Arborist.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2018-01, Designating a Date, Time and Location for a Landowners' Meeting; Providing for Publication; Providing for an Effective Date

Ms Cerbone presented Resolution 2018-01. This Resolution provided information regarding the upcoming Landowners' Meeting, in March, along with instructions and a sample proxy and ballot. Mr. Tornincasa's Seat would be up for election, since he was a mid-term appointment, and Mr. Morera's Seat was up for election, based on the election schedule.

Mr. Malefatto stated that he revised the Resolution and forwarded it to Management's office and the revised Resolution was supposed to have been given to Ms. Cerbone, to present. After the agenda was posted, he made another revision and noted those revisions:

Fifth Whereas, Line 2: Delete "two (2)"

Additional Whereas Clause: "WHEREAS, in 2018, two (2) Board seats will be open for election: one for a full three (3)-year term and one for a two (2)-year term to complete the term of a Supervisor who resigned in 2017."

Ms. Cerbone stated that she had the correct Resolution, for signature.

In response to Mr. Tornincasa's question of when the proxies and ballots would be distributed, Ms. Cerbone replied that they would be available online, she could email them and they would also be available at the Landowners' Meeting on March 14, 2018.

On MOTION by Mr. Prudhomme and seconded by Mr. Tornincasa, with all in favor, Resolution 2018-01, Designating March 14, 2018 at 6:30 p.m., at this location, for a Landowners' Meeting; Providing for Publication; Providing for an Effective Date, as amended, was approved.

NINTH ORDER OF BUSINESS

Approval of Unaudited Financial Statements as of October 31, 2017

Ms. Cerbone presented the Unaudited Financial Statements as of October 31, 2017. Assessment revenue collections were at 0%, which was expected, as assessment revenues are typically not received until December. Expenditures were at 4%, which was slightly under budget thus far for expenses.

In response to a Mr. Tornincasa question, Ms. Cerbone stated that Fiscal Year 2017 ended September 30, 2017 and these were the first financials for Fiscal Year 2018.

On MOTION by Mr. Prudhomme and seconded by Mr. Tornincasa, with all in favor, the Unaudited Financial Statements as of October 31, 2017, were approved.

TENTH ORDER OF BUSINESS

Approval of November 8, 2017 Regular Meeting Minutes

Ms. Cerbone presented the November 8, 2017 Regular Meeting Minutes and asked for any additions, deletions or corrections. The following changes were made:

Line 305 and throughout: Change “CDD” to “District”

Changes submitted to Management’s office, prior to the meeting, would be incorporated..

On MOTION by Mr. Tornincasa and seconded by Mr. Prudhomme, with all in favor, the November 8, 2017 Regular Meeting Minutes, as amended to incorporate changes previously submitted to Management, were approved.

****Mr. Dobens left the meeting.****

ELEVENTH ORDER OF BUSINESS

Supervisors’ Communications

Mr. Morera stated that the meeting with the CSID that Mr. Maguire mentioned went pretty well; the reception was what he expected. He pleaded with the CSID to find it within its scope of business to consider some flexibility on its billing cycle and process for the time period that residents would be affected and use additional City water. He hoped the CSID would offer those residents a break; the CSID would consider it but made no promises; therefore, he was unsure of the final outcome.

Mr. Morera stated that, as Mr. Malefatto mentioned, he had a meeting and the Water Districts met at North Springs Independent District’s (NSID) office, given that there was a common concern of the new law proposed to change the current election process to the General Election process. Mr. Ron Colon, from NSID, shared that, given some of the discussions he had

with certain individuals involved in the process, the potential outcome would be beneficial to the Districts, versus what was being proposed. Mr. Colon appeared to be very positive and assuring and Mr. Morera was hoping he was right.

TWELFTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: *Lewis, Longman & Walker, P.A***

Mr. Malefatto stated that, regarding the proposed Legislation that would affect all four of the Special Districts in the City of Coral Springs, Mr. Lewis advised him that, as of today, the bills had not been presented to any Committee, which would be the first step to get them approved. As of now, there was no movement to support the bills; however, that could change today, or at a later date. It was his understanding that the NSID retained two Lobbyists and that the CSID retained Mr. Malefatto's firm, to lobby against this Legislation. He would continue to monitor this matter. He previously spoke to this District regarding retaining a Lobbyist and had recommended two names. If the District wanted to go in that direction, he was leaving the decision up to the Board. One of the Lobbyists he recommended was retained by the NSID and the other was from Holland & Knight.

Mr. Malefatto stated that, regarding the IBI litigation, he had a report from the District's attorney, Mr. Michael Wilson, of Broad & Cassel; they had a Case Management Conference and Mr. Wilson requested a trial date. The Judge set the trial for October 18, 2018; therefore, with the trial 10 months out, a lot of discovery would occur between now and then. Prior to trial, the case must go to mediation. The District's side made a Motion for Production of Documents and IBI's attorney's responded that it would cost approximately \$190,000 to \$300,000 to produce the requested documents. Mr. Wilson wanted to bring this up at the Case Management Conference but ran out of time; therefore, Mr. Wilson scheduled this for December 19 and is objecting to those costs, on behalf of the District.

Mr. Malefatto circulated a letter received by the District Manager's office from a local personal injury law firm, Lawlor|Zigler, who represents the family of a 3-year old who drowned in a canal at Coral Lago, on September 30, 2015. Apparently, the Plaintiff sued the Developer of Coral Lago, Sample Road Investments, LLC. Sample Road Investments pointed to the Sunshine Water Control District (SWCD), as being the owner of the water body in question. Mr. Malefatto contacted the insurance adjuster at Traveler's Insurance and he and Ms. Cerbone spoke to the

adjuster. Today, both he and Ms. Cerbone had another conversation with the adjuster and the adjuster stated that, based on his preliminary research, he thought that the Plaintiff was incorrect and that the subject canal that is part of and owned by Coral Lago. Today, Mr. Selchan advised that, at one time, the SWCD owned that water body; however, the water bodies were deeded over to the Developer in July 2014 and this incident occurred in 2015. The insurance adjuster raised a question and, although Mr. Malefatto would not discuss that now since it was the early stages of litigation, it appeared that the District would have several defenses. The insurance company was referring the matter to the Law Firm of Kelley Kronenberg, to provide a legal defense; it is a very good law firm headquartered in Fort Lauderdale and with offices around the State. He had not had the opportunity to speak with the assigned attorney but would be in touch, to coordinate the District's defense. The District was fully covered per the insurance adjuster's confirmation; there is no deductible and the insurance company would not contest the coverage. Hopefully, the District would be out of the case prior to getting sued.

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

▪ **SWCD Permit Application: Fibernet Direct – North & South Feeds (8-1.5 HDPE Conduit for FOC)**

****This item, previously the Third Bullet Point, under Item 12B, was presented out of order.****

Mr. Rubio stated that, for the Board's consideration, was a ROW Permit Application for Fibernet Direct to install 8, 1.5" High Density Polyethylene (HDPE) Conduit with fiber optic cable, throughout various canal crossings.

On MOTION by Mr. Prudhomme and seconded by Mr. Tornincasa, with all in favor, the Fibernet Direct right-of-way permit application for multiple (8-1.5 HDPE conduit with fiber optic cable) subaqueous crossing installations, at various locations, subject to the special conditions, as set forth in the CAS recommendation letter dated November 27, 2017, was approved.

• **Monthly Engineer's Report: November 8, 2017 – December 4, 2017**

Mr. Rubio stated that, regarding the current projects and as mentioned earlier, Mr. Selchan and Mr. Maguire met with residents to address the encroachment issues. He was going

to discuss a tree request tonight; however, the resident did not file the necessary form. Mr. Maguire made a presentation to the CSID, which went well. Mr. Rubio had a Permit Application package turned into him from the landscape architect, for tree permitting. The application required a signature and, if the Board executed it tonight, he could submit for the permit, hopefully this week. He was still in the negotiations for the tree mitigation but, from what he heard, it looked pretty good. In response to Ms. Cerbone's question, the permit fee was waived by the City. Ms. Cerbone stated that she would notarize the application tonight.

Mr. Rubio stated that, for the next meeting, he would present the amended project scope for the west outfall canal, to separate the construction operation services from the original project for Phases 1A, 2A and Phase 1B. Each project scope would be tailored to ensure the SWCD has sufficient project representation during the construction of each Phase by Craig A. Smith & Associates (CAS). CAS would advise the District Manager and Board of the mitigation costs, prior to agreeing to the costs, as referenced in Paragraph C., of the Engineer's Report dated, November 27, 2017.

- **Water Control Update Plan**

Mr. Rubio presented the update for the Water Control Plan (WCP). The agenda package included items to be discussed in the Water Control Plan, pursuant to Chapter 298, Florida Statutes. For the next five years, the bulk of the work would be spent on the West Outfall Canal projects. Other intermittent projects were included, if funds and time allowed but, in the updated WCP, he included Phases 1 through 4, for the West Outfall Canal. Some work on Phases 1 and 2 already occurred and the actual construction of Phase 1 would occur next year, with encroachment removal, for both Phases 1 and 2. Other projects were for Project #2, which was for the culvert replacement on Westchester, and one of the recommendations from Chen Moore & Associates (CMA), to improve the conveyance for Westchester to the District's system. CMA recommended replacing two culvert crossings. CMA will work with the City and the City would be in favor of having that done. Discussion ensued regarding the locations of the culvert and the proposed changes.

Mr. Rubio stated that the next project involved improvements in Canals DD, EE and RR, in the northwest part of the District. He was looking to improve the hydraulics, to force water from the Corporate Park instead of going south to an improved path of lesser resistance; less water would go through Westchester to help it out.

Discussion ensued regarding the locations of Canal DD, EE and RR, improving the canal west of Canal RR, potential control structures, Canal Z being big and deep, preventing water from flowing into Westchester, preliminary discussions with the City about this project, improvements in the Corporate Park and partnerships with the City for cost savings, swale-type systems in the Corporate Park and incorporating the diversion of the water from Westchester into a wider body of canal, which would be beneficial to the residents, if it could be incorporated into the financials.

Mr. Rubio stated that the next project was the control structure modification, which was the twin, double risers at the skating rink. Mr. Selchan mentioned that, during storms, he observed water going in reverse, from the risers; it was going west, across the road. Mr. Rubio's idea was to install a back flow preventer on the pipes on the structures.

Discussion ensued regarding the materials recommended by Mr. Rubio and using a more expensive but more reliable product. The water would not be stopped from going over the road by using these products but it would work for the risers.

Mr. Rubio discussed the underwater pipe inspection process by a diver. The pipes would be video-taped, the materials and size of the pipes would be checked and the pipes would be checked for holes or rust. If those things came about, he assumed the budget allotted for replacement of two pipes, per year. If the inspection warranted replacement, he would present it to the Board, depending on the level of the repair.

Mr. Morera stated that there were new technologies that involved coating the inside of pipes, in lieu of replacing them, and, inside the culverts where it is a smoother surface to fill in any holes or corrosion. He suggested researching those options, prior to deciding to replace the culvert, if those were applicable to the condition of the pipe or culvert.

Discussion ensued regarding the revision to the dates shown on page 10 to reflect fiscal years rather than calendar years and that language will be added to the Plan regarding the repairs at Pump Station nos. 1 and 2 once the litigation issues are resolved and costs become known.

Ms. Cerbone suggested approving the WCP, in substantial form. The amended WCP would be presented at a future meeting for the Board's review.

Discussion ensued regarding the time frame for presenting and accepting the WCP.

On MOTION by Mr. Tornincasa and seconded by Mr. Prudhomme, with all in favor, the Water Control Plan, in substantial form, subject to presentation in January of any changes or the final format submitted, was approved.

- **SWCD Permit Application: Fibernet Direct – North & South Feeds (8-1.5 HDPE Conduit for FOC)**

This item was presented first, under Item 12B.

C. District Field Supervisor: *Cory Selchan*

Mr. Selchan discussed the thunderstorm last week. The District received a little over 2.75” of rain in slightly over two hours; it raised all water levels in the City again. The West Basin was pumped, since the rain raised the water level 1.5’ on the west side and 2’ on the east side. He was working to get everything cleaned up for the holidays. By the end of December, the District would have over 90” of rain; the normal amount of rainfall for the District was 64” to 67” per year.

Mr. Selchan thanked the Board, on behalf of the employees, for working so hard on the benefits; he and the employees were thankful and appreciated it.

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

Ms. Cerbone stated that, from a budget perspective with QCA, the District still had about 40 hours of QCA’s time to utilize before the District reached its not-to-exceed amount. In response to Mr. Morera’s question, Ms. Cerbone replied that, when Mr. Dobens attends meetings, he charges for the time and she was the one inviting Mr. Dobens.

Ms. Cerbone stated that the annual employee luncheon would be on Friday, December 8 at noon, at Big Bear Brewing Company.

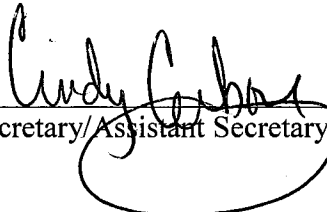
i. NEXT MEETING: January 10, 2018 at 6:30 P.M.

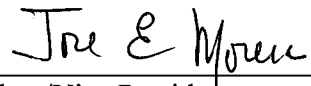
The next meeting will be held on Wednesday, January 10, 2018 at 6:30 p.m., at this location.

THIRTEENTH ORDER OF BUSINESS

Adjournment

There being no further business to discuss, Mr. Morera adjourned at 8:51 p.m.


Secretary/Assistant Secretary


President/Vice President