

**MINUTES OF MEETING  
SUNSHINE WATER CONTROL DISTRICT**

The Board of Supervisors of the Sunshine Water Control District held a Regular Meeting on January 8, 2020, 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

**Also present were:**

Cindy Cerbone	District Manager
Al Malefatto	District Counsel
Orlando Rubio	District Engineer
Jim Maguire	Craig A. Smith & Associates, Inc.
Steve Smith	Craig A. Smith & Associates, Inc.
Cory Selchan	Field Superintendent
Tom Mullin	RADISE International, LC

**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**

Ms. Cerbone called the roll. Supervisors Morera and Prudhomme were present, in person. Supervisor Tornincasa was not present.

Ms. Cerbone stated that Mr. Tornincasa's seat would be up for election in March; she would follow up on his decision to continue on.

**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.

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

**This item, previously Item 9B1, was presented out of order.**

**I. Presentation: Monthly Report**

Mr. Rubio stated the RADISE International, LC (RADISE) Report listed the results of the soil tests for all six West Outfall Canal (WOFC) bridge crossings and included the soil design parameters to be used to analyze the ability proposed in each section of the crossing, beginning with the vehicular bridges, pedestrian bridges and then pipe crossings.

Mr. Tom Mullin, RADISE Chief Geotechnical Engineer, reviewed the Report, the tasks and tests performed and current soil conditions. The bridges with less headroom would be challenging and approached differently than those with more headroom. Further inspections were planned for next week, before presenting a recommendation for the next phase of the reporting and before proceeding with Phase 2 of the project, which would be the design activity. Mr. Mullin responded to Mr. Morera's questions regarding the distances of the boring to the bridge, which bridge had headroom issues, considering the cost benefit of a project first, the depth of the borings, etc.

Mr. Selchan prioritized the bridges and stated that the Atlantic bridge was the least restricted of the bridges to address, as it has the deepest area and the best flow profile; he recommended completing that one last if it becomes one of the most difficult and expensive in the program.

Mr. Maguire concurred with Mr. Selchan's rankings. Until the recommendations and project costs are presented, he does not know whether the crossing area would be incorporated with the work at each particular phase. Mr. Mullin stated he was preparing the engineering option design recommendation components and the write up for each bridge.

Mr. Maquire stated the pump station plans and Phase 2 recommendations would be presented in March. Ms. Cerbone stated further discussions regarding the March and April meeting and the ability of having a quorum would be discussed later in the meeting.

a. **Proposed Capital Projects**

Mr. Rubio stated the Canal 20-1A improvement construction project commenced in conjunction with staking out the project; he expected the project to be completed in two weeks, weather permitting. Mr. Maguire confirmed that the Country Club does not intend to perform work on its side, simultaneously with the District.

b. **Permit Applications**

- **FPL Pole Replacement**

Mr. Rubio presented the recommendation letter for the right-of-way permit to Florida Power & Light Company (FPL).

**On MOTION by Mr. Morera and seconded by Mr. Prudhomme, with all in favor, the Right-of-Way Permit Application, CAS Project No. 15-1826, submitted by Florida Power & Light Company (FPL), to install a new power pole between two existing poles, 1' off the edge of the existing pavement at Stranahan River, subject to the requirements, specifications and special conditions, as set forth in the recommendation letter dated December 19, 2019, was approved.**

Mr. Rubio stated that a Letter of No Objection (LONO) was issued to Cornerstone Downtown, a redevelopment project at the southwest corner of Sample Road and University Drive. Discussion ensued regarding retention, using the existing drain system connected to the culverts, elevation, the entity responsible for repairs, etc. Mr. Selchan stated he did not see this build impacting the District and noted that the District is responsible for inspecting the culverts about every five years. If an issue is discovered, who would address it would depend on what is generating a problem, unless it is a general maintenance matter.

Mr. Rubio stated that the request for Termination of Easement by Bassett Brothers, Inc. was pending until the District's requirement that the area is returned back to its original condition is satisfied or it meets the South Florida Water Management District (SFWMD) permit conditions. A response from the property owner's Engineer was pending. Mr. Selchan stated the District should not approve this request until the owner returns with a remedy, as the easement is there to maintain the lake. Mr. Malefatto stated their counsel requested his assistance in processing the request; however, after further discussions with District Staff, he told them to make a formal application, as the request required input from the Engineer.

Due to the lack of response from the AT&T contractor that damaged a culvert during drilling, Mr. Rubio would forward a draft letter detailing the timeline of events for Mr. Malefatto to use to send to the contractor.

Mr. Smith stated he was comfortable that the litigation settlement amount would allow them to address all the critical items at the pump station and be able to include utilizing some of the ideas reflected in their expert's report but he wanted to meet with Staff to review the pump station solutions to confirm the best route, before presenting the changes.

Mr. Selchan asked to speak with Dr. Werth about the ideas in his report. Ms. Cerbone stated that the report would be available to the District once the settlement documents are executed; she was concerned about speaking with Dr. Werth before that occurs. Discussion ensued regarding CAS implementing the recommendations in the report without collaborating with Dr. Werth or engaging him as a consultant, etc. Mr. Smith stated the District went into litigation against IBI because it did not get what it was supposed to get; the "fix" Dr. Werth gave was just a band aid and does not fix all the issues. Mr. Morera stated that Mr. Landis' position changed after he saw Dr. Werth's recommendation and asked for the documents to be reviewed. Mr. Smith disagreed with Mr. Morera's statement that Mr. Landis changed his position and stated the settlement amount was adequate to band aid the vortex problem but less than the actual cost to fix the problem as they should be able to get what was originally paid for.

Mr. Malefatto stated it was necessary to revise the Settlement Agreement he received to omit the confidentiality and indemnification clause inserted into the document. He would contact opposing counsel to submit the final version for execution.

Mr. Prudhomme expressed his faith in CAS' position.

CAS would work with Staff and present the proposed plan to fix the pump stations at the next meeting.

**FIFTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of November 30, 2019**

Ms. Cerbone presented the Unaudited Financial Statements as of November 30, 2019. Discussion ensued regarding the Capital Outlay project list; recommendations on whether to

proceed this year with the Westchester project or another project would be presented at the next meeting, while awaiting the settlement funds.

**On MOTION by Mr. Prudhomme and seconded by Mr. Morera, with all in favor, the Unaudited Financial Statements as of November 30, 2019, were accepted.**

**SIXTH ORDER OF BUSINESS**

**Approval of December 4, 2019 Regular Meeting Minutes**

Mr. Morera presented the December 4, 2019 Regular Meeting Minutes.

**On MOTION by Mr. Prudhomme and seconded by Mr. Morera, with all in favor, the December 4, 2019 Regular Meeting Minutes, as amended to incorporate all edits previously submitted to Management, were approved.**

**SEVENTH ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**EIGHTH ORDER OF BUSINESS**

**Supervisors' Communications**

Mr. Prudhomme hoped everyone had a nice New Year and for things to go well for Mr. Tornincasa. He asked about the March Landowners' meeting. Ms. Cerbone stated it would be discussed later in the meeting.

Mr. Morera wished everyone a good New Year, with good health and peace and stated that, although a lot of moving parts and changes were expected this year, he believed that the team would successfully make the District function better. He thanked everyone for leading the District in the right direction. He hoped Mr. Tornincasa would continue to improve and able to attend the meetings soon.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

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

Mr. Malefatto distributed proposed State legislation, filed by Representative Daly, to change the way voting is done for Special Districts. If the bill passes, elections would be held in November, 2024. The Board would remain in place until 2024 but, if someone resigns, the seat vacated would need to be filled. He would continue to follow the legislation and provide any updates.

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

**I. Presentation: Monthly Report**

**a. Proposed Capital Projects**

**b. Permit Applications**

- **FPL Pole Replacement**

This item was presented following the Fourth Order of Business.

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

There being no report, the next item followed.

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

Mr. Selchan reported the following:

- As of the last meeting, the District was 10" behind its annual rainfall of 67" but 6.5" was recouped in December, leaving the District just 5" shy of the normal average.
- The canals continued to look good.

Mr. Selchan wished everyone a happy New Year and stated he was optimistic about the District revisiting and working with Staff to resolve some lingering issues.

In response to questions about staff retention and equipment, Mr. Selchan stated that, as long as they can provide the same level of service, staff retention would remain as is. He stated his truck would be replaced this year and he plans to replace the boats soon.

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

Ms. Cerbone stated that, due to safety issues, longer tables would be used to set up the meeting room until the City notifies her that the card tables are safe.

Ms. Cerbone stated with regard to the Federal Emergency Management Agency (FEMA) claim, she received a request to update information about a single line audit via a website; however, the Controller in Management's office advised her not to respond until she spoke to a representative from FEMA or Florida PA, who is administering the funds. An email indicating

the District would receive a substantial amount of money was received but no funds were received yet.

Ms. Cerbone stated Mr. Tornincasa's seat is up for election at the March Landowners' meeting and provided alternatives due to the inability to assemble a quorum. Discussion ensued regarding cancelling meetings, changing dates, the Governor's authority to designate a candidate if no one qualifies, etc. The consensus was for Ms. Cerbone to find out if Mr. Tornincasa intends to run again and also find interested candidates to run.

**On MOTION by Mr. Morera and seconded by Mr. Prudhomme, with all in favor, authorizing Staff to reschedule the March 11, 2020 Landowners' and Regular Meetings to March 17, 2020, and advertise accordingly, was approved.**

Ms. Cerbone distributed the draft door hanger for homes on or around 82<sup>nd</sup> Street regarding new and existing vegetation obstructing the District's right-of-way (ROW) and a draft letter to specific homeowners to remove items within the next month or so. Due to items in the upcoming agenda, she asked the Board to reconsider the earlier decision to send them out since the request being made was not because they have ongoing construction projects. The consensus was to postpone the notice to allow Supervisors time to tour the area and evaluate the situation.

- **NEXT MEETING DATE: February 12, 2020 at 6:30 P.M.**
  - **Quorum Check**

Supervisors Morera and Prudhomme confirmed their attendance, in person, at the February 12, 2020 meeting.

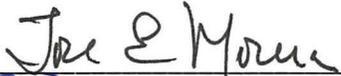
**TENTH ORDER OF BUSINESS**

**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 8:35 p.m.**

  
Secretary/Assistant Secretary

  
President/Vice President