

**PLANTATION ACRES IMPROVEMENT DISTRICT
REGULAR MEETING**

February 22nd, 2018

Member Present: J. Gary McAlpin, Chairman
Edward N. Szerlip, Vice Chair
Jesse Varnell, Commissioner
Louis Flanigan, Commissioner
James Davis, Commissioner
Angel Alvarez, District Manager

Present: David Fradley, District Engineer
Joe Telles, District Administrator
Paul Gougelman, District Attorney

Absent:

Chairman McAlpin: Called the meeting to order at 7:00 p.m. The Pledge of Allegiance to the Flag followed by the roll call indicated the above members were present. Commissioner Davis lead us in prayer. There was a quorum.

MINUTES - Regular Meeting Minutes of February 22nd, 2018. Motion to approve the Regular Minutes of January 25th, 2018, Special Workshop Meeting of February 13th (South Acres) and Special Workshop Meeting of February 15th (5th Street). Motion carried unanimously by voice vote.

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PUBLIC COMMENTS-

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DISTRICT ADMINISTRATOR'S REPORT:

District Administrator Telles provided an overview of the Consent Agenda and Cash Flow ending January 31st, 2018. Motion made and second to approve the Consent Agenda and Cash Flow ending. Motion carried unanimously by voice vote.

Operation and Maintenance: **\$33, 123.30**

Administration: **\$18,591.02**

Financial Expenses **\$1,310.70** (Assessors Collection, Assessors Discount, and Bank Fees/Interest):

Emergencies and Contingencies: **\$0.00**

Capital Reserves: **\$12,239.00**

Total Expenditures: **\$65,264.02**

Receipts: **\$33,532.17**

Non-ad Valorem Assessment (Current Year): **\$33,227.79**

Non-ad Valorem Assessment (Prior Years): **\$1.35**

Interest – Non- Valorem: **\$239.49**

Interest – Bank Accounts - **\$63.54**

Bank Balances: **\$745,232.24** (Checking Account, Money Market, Fiscal & Equipment Reserve, Canal Improvement, Bond, and Permit)

Bond and Permit Account: **\$534,485.16**

Chairman McAlpin: District Administrator Telles advised Chairman McAlpin concerning the exceeding of the engineering projection for this year and asked District Engineer Fradley.

District Administrator Telles: Advised that the Board had asked and authorized Mr. Fradley items (canals, pumps) to do engineering and we are taking a step back, pump stations are under control, engineering for roads at this time is closed, need to watch what items we are instructing David to do.

1. Board's approval on the contingency contract to extend the debris removal for an additional year will be viewed at next Board meeting after reviewing the terms/conditions of the previous contract).
2. Renewal for the telemetry contract of \$1,559.25 (same as previous). Motion made and second to approve. Motion carried unanimously by voice vote.
3. 2003 Trail Blazer surplus bid highest at \$550.00. Motion made and second to approve. Motion carried unanimously by voice vote.
4. Agreement with District is \$3000.00 a month for seven (7) years and will not increase however; last couple of months traveling to discuss pump stations, resurfacing projects, Hurricane Irma, and meetings with Chairman, Fradley, the Mayor, and Special Workshop Meetings from Wellington asking Board for consideration to compensate, generated an invoice \$2,378.74. Motion made and second to approve. Motion carried unanimously by voice vote.

District Attorney Gougelman: Can't abstain unless you have a voting conflict of interest and I don't know what that would be.

Commissioner Davis: Commented by asking why not hold conference calls to discuss instead and if the invoice will be ongoing. I'm not opposed but it's costly and not budgeted. Abstained and made a motion to approve. Appears that Chairman had prior knowledge of the invoice because Mr. Telles was going to address it to the Board and then didn't want to and Chairman advised to do so.

Chairman McAlpin: Responded that he didn't encourage Mr. Telles to bring it up but felt that if he wants to do so in front of the Board it's his prerogative and we would entertain it and I certainly would have no objection.

Commissioner Varnell: Inquired on the extension of debris contract and asked Mr. Telles to provide at the next meeting whether it can be legally extended according to the previous contract and not the vendor's allowance.

Chairman McAlpin: \$900,000 for the South Acres thereof, and where does it stand currently and are culverts complete.

District Engineer Fradley: Project is on hold until tonight's approval, field work completed for the main connection culverts, added some cost for South Acres potential changing, money well spent. Will probably use most of the consulting funds for the beginning year, keep in mind that I was authorize at the November meeting and then started with the pump stations, we will balance out or be close at the end of the year.

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LEGAL REPORT – None Mercifully. (provided Board with the review below).

Completed review of Villasenor Estates Plat. Based on review: (Attachments provided) **Comments:**

1. Title opinion discloses no liens or security interests that would require holder thereof to join in and consent to the proposed plat. Title opinion is in order as required by Section 177.041, Florida Statutes. Recommended that plat be adopted subject to conditions listed on documents provided.
2. Recommended that second paragraph in the dedication block read: all drainage easements shown hereon are dedicated to the Plantation Acres Improvement District, a Florida Public Corporation.
3. Section 171.091(27), Florida Statutes, provides: The plat shall include in a prominent place the following statements: "NOTICE: This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county."

On sheet 5, as required by Section 177.091(27), Florida Statutes, it is recommended that the wording of Note 5 be revised to be consistent with the statute. The word "if" should be changed to "is" in line 2 of the Note.

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ENGINEER'S REPORT -

- A. CONSENT ITEMS –
- B. QUASI-JUDICIAL ITEMS

The items in this section are quasi-judicial in nature. If you wish to object or comment upon any of these items, you must be sworn before addressing the Board of Commissioners, and if you wish to address the Board, you may be subject to cross-examination. If you refuse to submit to cross-examination, the Board of Commissioners will not consider what you have said in its final deliberations.

District Attorney Gougelman swore the parties in and are under oath.

B1. City of Plantation Roadway Resurfacing (C1801.01) Permit Modification

Item is up for approval to include the roads shown highlighted in blue on the attached maps provided. Recommendation to accept the recommendation of residents. Roads to be added: (Overview presented)

1. NW 5th St as accessed from NW 112th Ave (Live Oaks) – Workshops being held to help determine the preference of the residents along the described roads, asking to weigh the benefit of having an elevated road a risk of increased of flooding exposure. Or preference is to raise to current criteria and handle drainage impact with improved conveyance. No feasible way to offset lost volume of an elevated road and associated grading so increased water levels during major storm will occur.
2. All of Plantation Acres South, PAS. – Increase in water level will impact older and lower homes and property. Live Oaks increase in water level confined to swales because homes and lots relatively high and larger than lots in PAS. Live Oaks also bordered on two sides by canal and has District pump at NE corner. Loss in storage should be effectively minimized by conveyance system.

Chairman McAlpin: David, to be clear on what has been discussed for the South Acres and the wish of the residents was that South Acres will not be raised only repaved and the City of Plantation and PAID would integrate as quickly the drainage program which is connecting the rest of the canals, the culverts into the pond system(s) for uniform drainage and the street culverts. The plan for the South Acres (South of SW 3rd St) at this time is not raise the roads, only resurface, perform the major drainage improvement project as outlined in the meeting which may involve a funding instrument with the District. Motion made and second to approve consent item B1. Motion carried unanimously by voice vote.

District Engineer Fradley: The street culverts are off my list for a variety of reasons, there is no service data to support the location of those inlets, the job changes from the design perspective, too many unknown and without doing the road

improvements. Second item resurfacing is not a big improvement, recommendation is to approve and makes no sense from resurfacing the road.

Chairman McAlpin: City of Plantation has in their bond for resurfacing at 5th Street said for resurfacing on 5th Street we would receive \$23,000, David is saying resurfacing the road now 1" takes some time and get funding from the City or other sources. We can get it done now.

Commissioner Varnell: The money from the bond could get booted and it's a gamble on if the City approves to go with it and as many items do does not get cut. More logical to take the 1" now and might only be flooded 2" and not 3".

Brett Butler/Director and City Engineer COP: The City's is contractors is already full this year inclusive of the Acres, if this road is held back more than likely will not see a resurfacing this calendar year, the funds to resurface may or may not be in next years, hypothetically it might be available, we have others under the same bond and if I may share that if 5th Street is held back at this time the neighborhoods scheduled including yours are at the eastern part of the city and if this road comes back on the agenda I would anticipate that the contractor is going to increase your cost to us not only because the material cost will increase but his mobilization cost will also increase to possibly \$15,000.

Chairman McAlpin: I understood that the City had the money set aside and we would either Resurfaced or repaved now I'm hearing differently. Would you please clarify this for me Horace?

Horace McHugh/Chief Administrative Officer/COP: Clarification is that we got estimates and they are dependent on certain things, the estimate offered to you is predicated on the fact that you are doing areas at the same time and what we're trying to do with the contractor is to skip particular areas in some sequence, Brett indicated his schedule is full for certain areas at this time for this year. If for example all of Planation Acres is completed and next project is on the east side of town and takes us into next year the cost might either change and not be able to accommodate that and we have a time limit in which we have to expend the bond a three year time frame so the funds would be there however it's the scheduling that would present some challenge(s) and base on the scheduling if might not be able to accommodate you being at the outside of town, or the cost might skyrocket significantly higher. It's not an indefinite thing where we can continue the discussion, may have within a month time while the contractor is still here. Maybe an option as David said is to go ahead and approve on it allowing us to continue the negotiations. Our position is we've gone to the community and offered on a bond to resurface roadway(s) and they have affirmed and there's a period in which to spend it, from a public safety perspective here may be some flooding under certain conditions base on drainage and PAID's responsibility but there not public safety daily. Our obligation is to go ahead and honor the residents. We can probably have a sidebar and look at the technical side of everything to figure out some options.

Vandana/Vickram Tikkoo – 11430 NW 5th St. - Issue is every time it rains I get 7" and by the City all others are under code and we must pay and only giving us 1" and that is only covering the bumps. Will the work on the pumps be completed prior to the upcoming rainy season?

Chairman McAlpin: We can certainly work with the City on this issue, but we need to now decide of the resurfacing. The City has made other improvements to other roads as she mentioned. If 5th Street in the Acres will be the only street not resurface suggested resurfacing and putting on the schedule now since it will take a while to get to 5th Street and hopefully between now and the time the contractor is ready to get there we can have some of the items done and I don't want to lose the opportunity and also work with the City Joe get some financing done and get some good numbers and get with the City on financing so we can have the residents make a decision. Horace I would like to get with the City and the Mayor to talk through some specifics and logistic(s) next week. The meeting with the City will include David, Joe, and myself and then the point person would be Joe. Doc you can't attend.

District Administrator Telles: We are a small division and don't have the ability to build the road. Its about \$18,000.00 per resident and extending is according to our Charter it's a gray area. The City could probably do a special assessment and come up with the \$310,000.

District Attorney Gougelman: The problem with you attending is if it's a small meeting with a couple of people I assume that you are going to participate in that meeting and it would violate Sunshine Laws.

Chairman McAlpin: Voting on any part of this or on 5th Street I will recuse myself but for strategy with the Mayor I will be there. Would like to I would like to see someone make a motion to move forward on resurfacing 5th Street with the 1" and putting it back on the ledger and between now and when the resurfacing is done see if more of a detail can be worked out with cost and funding and work with the City to see if it could be raised and the residents would have to vote. Motion made to resurface 5th street by 1" with discussions that can be changed to raise the street(s) at a further time. Road call

vote made on this issue (Commissioner Varnell (yay), Commissioner Flanigan (yay), Commissioner Davis (yay), Chairman McAlpin (abstained because I currently live on 5th in the Acres) and Vice Chairman Szerlip (yay) Motion made and second to approve Consent Items B1. Motion carried unanimously by voice vote.

District Attorney Gougelman: Mr.Chairman you must state the reason for your abstention and complete a Memorandum of Voting Conflict for County, Municipal, ad other Local Public Officers (Form 8B) Section 112.3143, Florida Statutes.

District Secretary: For the record, Chairman McAlpin provided *Memorandum of Voting Conflict* form executed on February 22nd, 2018 as per District Attorney Gougelman’s instruction and has been attached to the meeting minutes.

Brett Butler/Director and City Engineer COP: Speed bumps will be reinstalled at the expense of the City.

B2. Villasenor Estates (P1801.02) Plat
Item for subdivision of one lot into four.

- 1. Meets the criteria of the District but at time of report lacking approval from District counsel for proof of ownership. Providing information is furnished prior to meeting is satisfactory will be recommended for approval without condition(s). Recommendation will be to approve subject to counsel’s review and approval of the title work. (Proof of ownership meeting counsels’ approval and Chairman may sign plat following approval and satisfaction of any condition(s) if Owner’s and Surveyors signature are present on the original).

District Attorney Gougelman: You have my letter Current title opinion from the applicant shows clear title and not encumbered by a mortgage so what I’m recommending to the Board is comment 1) Conditions that would be placed in your minutes not on the plat and comments 2 & 3) are extremely minor revision issues to the plat and you would approve subject to those conditions tonight if its acceptable to you.

Chairman McAlpin: Motion made by Commissioner Varnell to approve plat item with the conditions specified by the Board attorney) Motion made and second to approve Consent Item B2. Motion carried unanimously by voice vote.

C. BOARD ACTION ITEMS - None

D. Discussion Items:

D1. PAS Drainage Improvements (D1712.01)Update

Surveying has continued for “main” corridors, scope of project dependent on outcome of resurfacing project if PAS prefer allowing City to proceed only then drainage will proceed as originally proposed. If decision to raise roads an extensive change will be made to plan including “laterals” to analyze all adjacent lot topography and improvements.

D2. Pump Station Improvements (D1707.01)Update

Expected that all pump stations will be back online, continuation of the underwater inspection to identify repairs required on wet wells and downstream gates. Trash racks been redesigned in aluminum and being fabricated.

District Engineer Fradley: As of tonight, we know what the scope of the work is, with the drainage improvement for Plantation Acres South and 5th Street,

Chairman McAlpin: Joe based on the engineering my question is do we have sufficient funds and you must tell us on where the estimate is if we’ll need to secure outside financing for the South Acres and 5th Street construction by next meeting.

Linda Tucker: 11841 Hermitage Dr.- Does the work include the removal of trees, limbs and debris left in the ponds from the last hurricane?

District Engineer Fradley: Only if it’s in the way, and we’re finding that some of those routes are overgrown on Hermitage, occasionally if they’re in the way we must reroute which is a cost issue and not worth going to that extreme.

Chairman McAlpin: Let's have Angel's crew go through each pond in the next month, note which type of debris is in each and whether it's a result of material blowing in from someone's house which should have been removed by themselves and if so notify, the homeowner and if not we must move forward to clean the ponds so that they drain properly, address Linda's concern and is it relatively easy to go in and remove the debris. At the last meeting we spoke about the person whom would not allow access to the yard for surveying purposes, please update us on that since we said we'd do the work ourselves.

District Engineer Fradley: Although not allowed to go on property, able to establish the line on the North side, verified that there weren't trees in our right of way, where the canal is everything on dry land is private property, all subdivisions on the side of the District because Hiatus Road takes a big bite policy was to grab canal easement to the right of way. Women must do the removal. The man whom showed the picture of the garbage can, baby stroller and tree we surveyed and what he did and not allowed was plant trees in the middle of the easement, Angel has alerted him back then to move them and he created the obstructed. Wanted us to fill in the bank but its been that way for thirty years, he must remove the trees.

District Manger Alvarez: Board granted two residents (5th and 9th Street) a thirty-day extension, all other residents have complied, staff removed one/two areas which were small. I will contact the homeowner and let them know they have an additional month (May) and if they're not removed we'll do it and invoice them. City's trees were removed. Best Buy rear swale is of concern and I will update on the next meeting.

District Engineer Fradley: Pump station, Pat Owens assisting us with the underwater inspection to advise on the condition(s) pumps, walls, and floors. Only two pumps not functional for the rainy season but will be up and running soon. Our welder on the job is an experienced industrial welder which can do under water and will work together with Pat. Pat will give report on all six stations.

Chairman McAlpin: When Pat does the inspection is not only the housing but the entire civil structure since they're fifty years old and may have to be replaced.

Commissioner Varnell: Any update on the eight acres on Sunrise

District Engineer Fradley: Permit renewed and now active, have everything they need and they're just not moving, they have \$300,000 security for the job, and the one across the one across the street is at a snail's pace.

District Administrator Telles: Showed pictures to the Board what was removed and replaced on pump station #5 (original was from 1965) and will forward to Chairman McAlpin.

D3. Permit Activity (D9408.02 & D9408.03) Summary

Summary: Approved Building Permits

<u>No.</u>	<u>Name</u>	<u>Address</u>	<u>PAID No.</u>
1.	Gil (Fence)	480 SW 116 th Ave.	B1712.01
2.	Harari (Fence)	12232 NW 19 th St.	B0210.06
3.	Raugh (Clearing)	NW 19 th St. (Vacant Lot)	B1801.02
4.	Gracey (Pool)	11850 NW 6 th St.	B1208.01
5.	Armogan (Fill)	460 E. Mt. Vernon Dr.	B1512.01
6.	Cockerell (Tennis Court Demolition)	NW 6 th St. (Vacant Lot)	B1801.03
7.	Gill (Septic Tank/Drainfield)	11850 NW 2 nd St.	B9108.03
8.	Varr Beber (Generator, Tank & Fence)	870 NW 115 th Ave.	B0002.01
9.	Lora (Fence)	12102 NW 19 th St.	B0012.08
10.	Yale Properties Development, LLC (Fence)	11811 SW 3 rd St.	B1801.04
11.	Ramcharitar (Driveway)	2801 NW 112 th Terr.	B8808.13
12.	Dittmer (Fence)	11841 NW 27 th Ct.	B1802.01
13.	Jacobs (Generators)	12100 NW 8 th St.	B0202.09
14.	Gonzalez & Decalvo (Shed)	11261 Shady Ln.	B9105.05

15.	Roche (Garage & Interior Restoration)	11251 NW 4 th Ct.	B9106.04
16.	Rosenfeld (Generator)	2181 NW 121 st Ave.	B9407.05

Summary: Approved Certificates of Occupancy

<u>No.</u>	<u>Name</u>	<u>Address</u>	<u>PAID No.</u>
1.	Paragon Homes of Plantation Acres (House)	12360 NW 15 th St.	B1401.06
2.	Rhino Homes LLC (House)	11350 NW 8 th St.	B1502.01

D4. Violation Activity – None

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IV. District Manager’s Agenda-

Last month’s follow up: Drainage Mapping – in progress. Initial observations have been noted and transferred to a written report. Next step is to transfer to the P.A.I.D. drainage map. Completed the North, Central and South Acres. Reports on Central and South Acres completed I will forward those to you, assets are being labeled, Next step is the maintenance schedule.

Hurricane debris removal from canals – started and delayed addressing pump station repairs. All but three small areas have been cleared.

Pump Station – Station 5 was repaired on Frida, February 9th, with Pat Owens as a Consultant and Terry Myers (welder). Station 6 was repaired on Wednesday, February 14th, by staff and Terry Myers. Station 2 will be repaired by end of day Thursday, February 15th, by staff and Terry Myers.

Canals: This Month – 4.36’ Previous Month Total – 4.02’ Yearly Total – 4.16’

Rainfall: This Month – .25” Previous Month’s Total – 5.5” Yearly Total – 5.75”

Projects: Pump station repairs and hurricane debris removal

Fleet: The new Ford F150 has been received. Thank you.

Safety: No incidents to report.

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Old Business - None

New Business – District Manager Alvarez recommends P.A.I.D. changing the remaining pump station backflow barriers from stations 1, 3 and 4. They all are all over fifty years.

There being no further comments, the meeting was adjourned at 8:34 p.m..

J. Gary McAlpin, Chairman Date

District Secretary Date

