

## MINUTES OF MEETING NORTH SPRINGS IMPROVEMENT DISTRICT

The regular meeting of the Board of Supervisors of the North Springs Improvement District was held Friday, June 8, 2012 at 5:05 p.m. in the district office, 10300 N. W. 11 Manor, Coral Springs, Florida.

Present and constituting a quorum were:

David Gray	President
Vincent Morretti	Secretary
Vandin Calitu	Assistant Secretary

Also present were:

Doug Hyche	District Manager
Dennis Lyles	District Counsel
Rod Colon	Director of Operations
Jane Early	District Engineer
Brenda Schurz	District Clerk
Nick Schooley	Drainage Supervisor
Kay Woodward	Accountant
Donna Holiday	GMS-South Florida, LLC
Rosario Priolo	Landowner
Mark Capwell	Landowner

### **FIRST ORDER OF BUSINESS**

#### **Roll Call**

Mr. Hyche called the meeting to order at 5:05 p.m.

### **SECOND ORDER OF BUSINESS**

#### **Organizational Matters**

##### **A. Oath of Office for Newly Elected Supervisors**

Ms. Schurz being a notary public of the State of Florida administered the oath of office to the newly elected supervisors.

**B. Election of Officers – Resolution 2012-11**

Mr. Hyche stated the next item is election of officers, which will be Resolution 2012-11.

Mr. Lyles stated this is another matter that you can take up either one at a time or someone can propose a slate and the board can vote the entire slate up or down. It is strictly up to the discretion of the board as to how you approach that. You can move to adopt Resolution 2012-11 and elect the same slate of officers that currently serve the district and we can have staff read the holders of each office.

Ms. Schurz stated president David Gray, secretary Vince Morretti, assistant secretary Vandin Calitu, treasurer Patti Powers, assistant treasurers Doug Hyche and Rod Colon.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor Resolution 2012-11 electing the same slate of officers was approved.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the May 2, 2012 Meeting**

Mr. Hyche stated the next item is approval of the minutes of the May 2, 2012 meeting.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the minutes of the May 2, 2012 meeting were approved as presented.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2012-12 Approving the Proposed General Fund and Debt Service Budgets for Fiscal Year 2013 and Setting the Public Hearing**

Mr. Hyche stated the next item is consideration of Resolution 2012-12 approving the proposed general fund and debt service budgets for fiscal year 2013 and setting a public hearing.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor Resolution 2012-12 was approved.

**FIFTH ORDER OF BUSINESS**

**Consideration of Audit Engagement Letter from Keefe, McCullough & Co., LLP for Services Provided for the Year Ended September 30, 2012**

Mr. Hyche stated item five is consideration of audit engagement letter with Keefe, McCullough & Co., LLP for services provided for the year ended September 30, 2012.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the engagement letter with Keefe McCullough & Co. to perform the 2012 audit was approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of Arbitrage Engagement Letter with LLS Tax Solutions, Inc. to Provide Arbitrage Calculations for the \$1,575,000 Special Assessment Refunding Bonds, Series 2009 (Parkland Isles) for Bond Year Ended April 30, 2011 for a Lump Sum Amount of \$700**

Mr. Hyche stated item six is consideration of arbitrage engagement letter with LLS Tax Solutions, Inc. to provide arbitrage calculations for the \$1,575,000 Special Assessment Refunding Bonds Series 2009 (Parkland Isles) for bond year ended April 30, 2011 for a lump sum amount of \$700.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the agreement with LLS Tax Solutions, Inc. to provide arbitrage calculations for the \$1,575,000 special assessment refunding bonds series 2009 for the lump sum amount of \$700 was approved.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Manager**

**I. Discussion of Interlocal Agreement with Coral Springs Improvement District**

Mr. Hyche stated the next item is discussion of interlocal agreement with Coral Springs Improvement District. This interlocal agreement is coming up for renewal.

Mr. Colon stated the agreement expires on September 31<sup>st</sup> and it actually requires 60 days notice of cancelation. We didn't want it to automatically renew. We are recommending that we send our notice to cancel the interlocal agreement with 60 days notice and possibly renegotiate terms in the interlocal agreement.

Mr. Gray asked the 60 day notice of termination at this point will take us up prior to the end of the agreement?

Mr. Hyche responded we would like to let it end on September 30<sup>th</sup>.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor staff was authorized to provide notice to Coral Springs Improvement District of non-renewal of the interlocal agreement between NSID and CSID.

**II. Separation Agreement and Mutual Release with Lanzo Construction for Project Known As Outfall Pipe Baffle – Pelican Isles**

Mr. Hyche stated the next item is separation agreement and mutual release with Lanzo Construction for project known as outfall pipe baffle in Pelican Isles.

Mr. Colon stated the former chair, Steve Mendelson, wanted a baffle to regulate the elevation of his lake. Once we executed the contract the homeowners association wasn't in favor of it and they contacted the district asking if we would reconsider it because they didn't think it was needed. We reevaluated it and it really doesn't need to be done.

Mr. Gray stated we are eliminating the work.

Mr. Colon responded yes.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the separation agreement and mutual release with Lanzo Construction for outfall pipe baffle in Pelican Isles was approved.

**III. Work Authorization with Miller Legg for Heron Bay Golf Course Wetlands Mitigation Bank Remedial Mitigation Planning in the Amount of \$18,950**

Mr. Hyche stated the next item is a work authorization with Miller Legg for Heron Bay Golf Course wetlands mitigation bank remedial mitigation planning in the amount of \$18,950.

Mr. Colon stated we would like to have Miller Legg design a buffer area between the golf course and the mitigation area. We have the funds to do it and we think it will enhance the area and not have any overgrowth into the golf area.

Mr. Gray stated this is for them to just come up with the plan.

Mr. Hyche responded that is correct.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the work authorization with Miller Legg for Heron Bay Golf Course wetlands mitigation bank remedial mitigation planning in the amount of \$18,950 was approved.

**IV. Award of Contract – Heron Bay Commons Janitorial Services**

Mr. Hyche stated the next item is award of contract for the Heron Bay Commons janitorial services.

Mr. Colon stated at the last meeting we had representatives of two companies here that were both qualified to perform the janitorial service at Heron Bay Commons. It basically came down to price, one was cheaper than the other and both their references checked out.

Mr. Gray stated we asked you to investigate which one you felt was the better of the two that were seriously considered. This is staff's recommendation?

Mr. Colon responded that is correct.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the contract for Heron Bay janitorial services was awarded to M&J Cleaning Services.
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**V. Consideration of Proposals for Chemical Building Office Conversion Project No. 2012-05**

Mr. Hyche stated the next item is consideration of proposals for chemical building office conversion.

Mr. Colon stated the district has an old chlorine dock that we are not going to be using anymore. We are in dire need of more storage space for records. We have very limited office space and we believe this will enhance the operation of the district by having more storage for records and more administrative offices.

Mr. Gray asked Pars Development is the recommended lowest price responsive bidder?

Mr. Colon responded that is correct.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the contract for the chemical building office conversion, project no. 2012-05 was awarded to Pars Development, Inc. in the amount of their low bid in the lump sum amount of \$189,000.

**VI. ADS Work Authorization Water Treatment Plant Wells Instrumentation Improvements for a Lump Sum Amount of \$72,850**

Mr. Hyche stated the next item is ADS work authorization for the water treatment wells instrumentation improvements for a lump sum amount of \$72,850.

Mr. Colon stated Broward County is mandating that we have draw down levels on all our wells and that we also have active flow meters on each and every single one of our wells. It is something that we have to do and we have a continuing services contract with ADS Engineering to perform this work.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the contract for the chemical building office conversion, project no. 2012-05 was awarded to Pars Development, Inc. was approved.

**VII. Consideration of Proposals for County Line Road Milling and Striping**

Mr. Hyche stated the next item is consideration of proposals for County Line Road milling and striping.

Ms. Early stated as you know over the past few months we discussed County Line Road and we took the striping and milling out of the original contract with Hardrives because there was so much construction going on we didn't want to finish it and then have it damaged and have to redo it. We just held back on doing that and the board has taken some bids to get this work done now. This is at the intersection and

then west on the newly constructed County Line Road. We can't turn it over to the county until this work is done.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the contract for County Line Road milling and striping was awarded to Ruzzano Builders, Inc. in the amount of their low proposal of \$87,000.00.

**VIII. Consideration of Change Order to Add New Large Four Pump Skid by Prominent Pump Company to be Used in Place of the VaccuFeed System in the Existing New Chemical Injection System Building at the Water Treatment Plant in the Amount of \$127,530**

Mr. Hyche stated the next item is consideration of change order to add new large four pump skid by Prominent Pump Company to be used in place of the VaccuFeed System in the existing new chemical injection system building at the water treatment plant in the amount of \$127,000.

Mr. Colon stated as of today I think CH2M Hill sent a letter to the contractor letting them know that the vacuum system wasn't working and we are seeking reimbursement. We had a back-up pump system in there that works just fine and it is something we believe will benefit the disinfection process a lot better. Ever since we put in the vacuum system it never worked. We are going to deduct it from the amount owed to the contractor and the contractor will have to take it up with the distributor.

Mr. Gray stated I haven't read the documents but I believe they are in breach of contract for not fulfilling their contract. If it is not working they didn't fulfill their contract. Our contract is with the person you are taking the money from, correct?

Mr. Colon responded that is right.

Mr. Gray stated we don't have a direct contract with the supplier.

Mr. Colon stated that is correct.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the change order from Century Building Restoration USA, Inc. for an additional \$127,530 for the new chemical injection system building project was approved.

**IX. Amendment to Consulting Services Agreement with Leigh Robinson Kerr & Associates, Inc. to Prepare Traffic Study to Determine if the Plat Requirement for Construction of a Westbound Left Turn Lane Can be Waived at the Proposed Driveway Connection to Loxahatchee Road and Preparation of a Lighting Plan as part of the Site Plan Application to Broward County in the Amount Not to Exceed \$7,000**

Mr. Hyche stated the next item is amendment to consulting services agreement with Leigh Robinson Kerr & Associates, Inc. to prepare traffic study to determine if the plat requirement for construction of a westbound left turn lane can be waived at the proposed driveway connection to Loxahatchee Road and preparation of a lighting plan as part of the site plan application to Broward County in the amount not to exceed \$7,000.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the amendment to the consulting services agreement with Leigh Robinson Kerr & Associates for a traffic study to determine if a westbound left turn lane at proposed driveway connection to Loxahatchee Road can be waived was approved.

**X. Consideration of Advance Funding Agreement with Lennar Homes**

Mr. Hyche stated the next item is consideration of an advance funding agreement with Lennar Homes.

Mr. Lyles stated this is an agreement that we actually prepared initially. Lennar Homes internally with their own in-house counsel as well as their lawyers in West Palm Beach, Greenberg Traurig, made a few suggestions and we went back and forth and

ultimately agreed to the document that you now have in front of you. What this essentially does is cover the funding by Lennar of the infrastructure improvements for its particular portion of the development in the Wedge. At a later time there will probably be a bond issue and as a result of the bond issue Lennar will be entitled to be repaid for the amounts that it advanced to the district but it is going to prefund or advance fund certain infrastructure improvements that are spelled out in the document and listed on the exhibit and this is just the terms and conditions of how that is going to be accomplished and provides that if and when we issue bonds then they would be entitled to receive payment up to but not to exceed the amount of the bonds. If they run over that is at their risk and this is going to be us spending their money to build this set of improvements.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the advance funding agreement with Lennar Homes for infrastructure improvements on property in the Wedge was approved.

**XI. Consideration of Advance Funding Agreement with Standard Pacific**

Mr. Hyche stated the next item is consideration of an advance funding agreement with Standard Pacific.

Mr. Lyles stated it is the same thing and they are developing in the same area of the Wedge and you will notice about three quarters of the way down on page 1 the percentages that are being prefunded by these two developers, the two together equal 100% of this one big project. The same terms and conditions, same agreement and the same provisions and in the case of Standard Pacific it is a little bit smaller obligation, they get 41.19% of the cost and Lennar picks up 58.81%.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the advance funding agreement with Standard Pacific for infrastructure improvements on property in the Wedge was approved.

**B. Attorney**

Mr. Lyles stated I don't have anything additional to bring before the board but I do want to remind everybody it is that time of year when you should have already received your form 1 financial disclosure documents and those are due the 1<sup>st</sup> of July so make sure you get those things signed and sent in to the supervisor of elections office here in Broward County.

**C. Engineer**

**I. Work Authorization No. 214 Water and Wastewater Special Assessment Revenue Bond Engineer's Report and Water and Wastewater Revenue Bond Engineer's Report for a Lump Sum in the Amount of \$58,720**

Ms. Early stated work authorization no. 214 is for the preparation of the water and wastewater special assessment revenue bond engineer's report and the water and wastewater revenue bond engineer's report. There will be two separate actual engineer's report, a rate study done to ensure that the revenue coming in will be sufficient to operate the new proposed plant in the Wedge.

Mr. Colon stated we recommend that before the engineer moves forward that they get our approval first. In other words if you approve the work authorization we would ask that the engineer not move forward until they get direction from staff.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor work authorization no. 214 in the lump sum of \$58,720 was approved upon notice to proceed from district staff.

**II. Project Status Report**

Ms. Early stated the current project list is attached. The R.O. Plant we are still working on getting the permit and reviewing RFI's and shop drawings. County Line Road we just took proposals for the signage and striping. The perimeter buffer the work is complete, punch list items are complete, we are working with Parkland to get everything signed off and certified. Heron Bay bond completion, the landscape buffer is done, WCI intends to start the sidewalk construction within the next 30 days and we will be overseeing that work for NSID because we were the engineer of record, it was designed under the bond. R.O. Plant we had additional work for the design of the scrubbers and we anticipate July 6<sup>th</sup> to have final documents. Chemical building the issue with the vacuum system is the last issue that we are working on. The buffer water main is complete and certified. County Line Road, Nob Hill Road intersection is complete that was with water and sewer. Plans were done for the intersection for the milling and striping so that will be starting. Heron Bay North water main is complete. Work authorization no. 210 the site plan is complete, work is progressing on the injection well permit application and we should have the design report for the water reclamation facility within the next two weeks and we are completing force main design on County Line Road and we are proceeding with the Lox Road piping designs because we did get the survey from Miller Legg. The 20" force main on Nob Hill those plans are complete we are waiting for permits from the county as well as the 8" reuse main on Nob Hill Road, we are just waiting on county permits then we can proceed with that work.

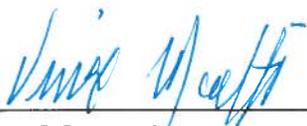
**EIGHTH ORDER OF BUSINESS**

**Approval of Financials and Check Registers**

Mr. Hyche stated the next item is approval of the financials and check registers.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the financials and check registers were approved.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the meeting adjourned at 5:25 p.m.



Vincent Morretti  
Secretary



David Gray  
President