

**AGENDA
OLD PLANTATION WATER CONTROL DISTRICT
REGULAR MONTHLY BOARD MEETING**

Tuesday – May 10, 2022

6:00 PM

- 1. Roll Call**
- 2. Approve minutes of Regular Meeting held April 12, 2022**
- 3. Approve online payments and warrants issued April 30, 2022**
 - 4a) General Fund No. 023-025**
- 4. Permits & Actions on previous Board approval: NONE**
- 5. Permit Applications for Review:**
 - 5a. Recommendation for Amendment No. 1 to License Agreement No. 52 between OPWCD and MCI Metro to delete to certain construction locations, specifically Exhibit Locations A4 and A7.**
 - 5b. Recommendation to revoke License Agreement No. 62 between OPWCD and Lennar Homes, LLC.**
- 6. District Engineer Report**
- 7. District Attorney Report**
- 8. District Treasurer Report**
- 9. New Business**
 - 9a. Draft 20 Year Needs Assessment Report**
 - 9b. Fiscal Year 2023 Preliminary Expense and Revenue Budget**
- 10. District Superintendent Report**
- 11. Comments from Public**
- 12. Comments from the Board of Supervisors**
- 13. Adjourn**

**MINUTES OF THE REGULAR MONTHLY MEETING OF
THE BOARD OF SUPERVISORS OF
OLD PLANTATION WATER CONTROL DISTRICT
MAY 10, 2022**

The May 2022 Meeting of the Board of Supervisors ("Board") of Old Plantation Water Control District ("District") was held, pursuant to published notice, on Tuesday, May 10, 2022 at 6:00 P. M. at the offices of the District in Plantation.

Arnold Ramos was the Chairman of the meeting and Dianna Hopkins was the Secretary of the meeting.

Upon roll call, the following members of the Board and other persons were present as follows:

BOARD MEMBERS

ARNOLD RAMOS, Chairperson (via teleconference)
DIANNA HOPKINS, Secretary

DISTRICT STAFF

BRETT BUTLER, Superintendent
JENNIFER HOLLINGSWORTH, Administrative Assistant

CONSULTANTS

ROBERT E. FERRIS, JR., ESQ, Attorney
DANIEL BORHORQUEZ, Engineer

MEMBERS OF THE PUBLIC

NONE

At this time, under agenda item 2, the Minutes of the Regular Meeting of Supervisors held on April 12, 2022 were read and approved.

Under agenda item 3, upon motion made by Ms. Hopkins and seconded by Mr. Keena, on-line payments and warrants issued in April 30, 2022 warrant numbers: 023-025 were approved.

Under agenda item 4, Mr. Ramos announced that there were no permits or actions taken on prior Board approval.

Under agenda item 5a, Mr. Butler stated that MCI Metro advised him that under its license number 52 that it does not wish to proceed with the improvements identified in the locations shown on exhibit's A4 and A7. Mr. Butler stated that MCI Metro had been granted three licenses and has fully completed the improvements identified in license numbers 51 and 54, which licenses are fully closed out. It wishes to close out the improvements identified in license 52 by deleting the proposed improvements in exhibits A4 and A7 which it has stated are no longer needed. Mr. Butler stated he has no objection to this request and suggested that license 52 be amended to delete the proposed improvements called for in exhibits A4 and A7. Ms. Hopkins moved to amend license 52 by deleting from the license MCI Metro's right to construct the proposed improvements in the locations shown on exhibits A4 and A7 and MCI Metro shall reimburse the District for the attorney's fees incurred in drafting this amendment.

Under agenda 5b, Mr. Butler stated that the District should consider a termination of license 62 which had been entered into between the District and Lennar Homes. Mr. Bohorquez was requested to review the history surrounding the request by Lennar Homes for a license to use the District's right-of-way for water storage and water quality. The original drainage plan which Lennar submitted and which he reviewed clearly showed that Lennar Homes could not meet the District's requirements for on-site water storage and water quality because of the number of units it proposed to build on its site and could only meet these requirements if the District gave it a license to use the District's adjacent right-of-way to store its water. He also stated that Lennar Homes had reduced the number of units it planned to construct on its site and after reviewing Lennar Homes' new drainage plans it could store all its water on its site and meet the District's requirements for onsite water storage and water quality, and there was no need to use the District's right-of-way in order to meet the District's criteria. Mr. Ramos stated that the only reason Lennar Homes requested the use of the District's right-of-way was because of its proposed living unit density could not meet the District's criteria for onsite water storage and quality on its own site and this was the sole purpose and basis for the District granting a license to Lennar Homes to use its right-of-way.

Ms. Hopkins stated that because of this changed condition, the entire purpose of the license no longer existed and since Lennar Homes could meet the District's criteria for water storage and quality on its site without the need to store water on the District's right-of-way there was no District criteria that she was aware of that would allow a license for the use of a District right-of-way when there was no need for it. Ms. Hopkins stated that the District should advise Lennar Homes that its current plans under review are not acceptable because there is no need for the use of the District's right-of-way and that within ninety (90) days after this meeting date, Lennar shall submit revised drainage plans deleting the use of the District's right-of-way and it shall reimburse the District for any attorney's fees incurred in drafting a termination of the license together with reimbursement of other outstanding attorney and engineer fees to date. Mr. Ramos seconded this motion and after discussion the motion was unanimously approved.

Under agenda item 6, Mr. Bohorquez stated that he had provided his report under agenda item 5.

Under agenda item 7, Mr. Ferris stated that he had reviewed and commented upon a draft contract with Tower Genius, LLC. Mr. Butler stated that based upon his review and Mr. Ferris' review of this draft that he requested Tower Genius, LLC to delete one (1) paragraph, which Tower Genius agreed to and then, he signed the draft contract and forward it to Tower Genius, LLC

Under agenda item 8, Mr. Ramos read the monthly treasurer's report prepared by Mr. Keena effective on April 30, 2022. He stated that the District had on that date cash or cash equivalents of \$2,086,456.00 dollars and had reserves of \$980,000.00 dollars leaving unrestricted cash or cash equivalents of \$1,106,456.00 dollars. Ms. Hopkins moved to approved the Treasurer's report. Mr. Ramos seconded the motion and after discussion the motion was unanimously approved.

Under agenda item 9 New Business and item 10 Superintendent's Report, Mr. Butler asked permission to combine each agenda item under agenda item 9. Mr. Ramos asked him

to proceed with his report on each item under combined agenda item 9. Mr. Butler explained that because of the passage of HB 53, special districts are now required to provide to the State of Florida a twenty-year needs assessment report. The form that the State of Florida requires to be used is attached as 9a-1. Mr. Butler then provided in attachment 9a-2, his projection of the capital improvements that he believes the District should undertake through the year 2038 and the estimated costs of each improvement. The capital improvements already approved for 2022 are found in paragraphs 1-5 of this report. For each of the years starting in the year 2023 and subsequent years, the following paragraphs describe the capital improvement: 2023 paragraphs 6-11; 2024 paragraphs 12-15; 2025 paragraphs 16-21; 2026 paragraphs 22-25; 2027 paragraphs 26-30; 2028, 2029, 2030, 2031, and 2032 paragraphs 31-32; 2033 paragraph 33; and 2038 paragraph 34. Mr. Ramos suggested that paragraph 25 under the 2026 budget calling for hurricane windows should be moved to year 2033. Mr. Butler stated he would move this item and stated that he is going to refine the report before the filing deadline. Ms. Hopkins moved to approve Mr. Butler's draft of the District's twenty (20) year needs assessment report and Mr. Butler shall be authorized to file the same with the State of Florida. Mr. Ramos seconded the motion and after discussion the motion was unanimously approved.

At agenda item 9b-1 through 9b-5, Mr. Butler presented to the Board alternate budgets for the fiscal year 2022-2023. The alternate budgets include the District's projected expenses and revenues. Non ad valorem acreage assessment increases ranged from \$1.75 dollars per acre to \$15.00 per acre. Both Mr. Ramos and Ms. Hopkins suggested that the increase in non-ad valorem acreage assessment should be set at this time at \$20.00 per acre pending further review as the budget may be refined. Mr. Butler also referred the Board to his projected budgets for the years 2024-2027. Mr. Butler also presented, in written form, a proposed budget and reserves projection for the years 2023-2027 dated May 10, 2022.

Under agenda items 11 and 12, there were no comments from the public nor, from the Board of Supervisors.

There being no further matters to come before the Board, the meeting was adjourned.

We the undersigned append our signatures for purposes of waiving notice of the meeting and approving the actions taken at the May 10, 2022 meeting of Supervisors of Old Plantation Water Control District.

NO FURTHER MINUTES ON THIS PAGE, TURN TO PAGE 5 FOR SIGNATURES

ARNOLD RAMOS

J.B. KEENA

DIANNA HOPKINS