

PLANTATION ACRES IMPROVEMENT DISTRICT
REGULAR MEETING

June 23rd , 2022

Member Present: Stephen Nieset, Chairman
Dr. Edward (Doc) N. Szerlip, Vice-Chairman
Lance Fein Ed.D, Commissioner
Louis Flanigan, Commissioner
Christopher Cariffe, Commissioner

Present: Joseph Telles, District Administrator
Angel Alvarez, District Manager
Bealinda Pell, District Engineer
David Tolces, District Attorney

Chairman Nieset called the meeting to order at 7:00 p.m. The Pledge of Allegiance to the Flag followed by Chairman Nieset giving prayer. Roll call indicated the above members were present.

MINUTES –

Motion made to approve the Regular P.A.I.D. Minutes for April 28th, 2022 by Commissioner Cariffe second by Commissioner Fein. Motion carried unanimously by voice vote.

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PUBLIC COMMENTS: - None

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DISTRICT ADMINISTRATOR REPORT:

District Administrator Telles: The Consent Agenda for April 28th, 2022 that has not changed and Cash Flow for period ending April 30, 2022. (Overview)

District Administrator Telles: We have Robert from Inframark Administration Services we all have their proposal. You may want to stay for the whole meeting since I would like to discuss this now. I've gone over it and there is a minor change to it where the employees would than become employees under Inframark and they would be covered under your health insurance that was sent to me this afternoon. The proposal is for them to take over July 15th but David and I talked about it and we would like to talk to their legal people. I don't know whay the boards opinion is and whether you have any questions to ask him.

Chairman Nieset: I didn't have a chance to go through this. As far as the scope and everything does that include the spraying/canal maintenance?

Robert: Yes. The way we understood it as a reminder initially we submitted the proposal for to provide the maintenance supervisor and then we were asked to come back and add the admin and financial services. We did that and are ready to move forward with that proposal/contract if the commission would like to do that. One of the things that came back with the discussion was that our attorney spoke with your attorney is that if you would like to go ahead and approve the proposal like it is we can come back at the next meeting with the addition of the main maintenance personnel. The reason our attorney suggested you might would to add that is because it eliminates any employment issues that could come up because it would be Inframark that would be supervising the district employees. That again is completely up to you.

Vice Chairman Doc Szerlip: In order to do justice I would really like to look this over and believe it should be tabled. That is my feeling at this point.

Commissioner Fein: I would like to ask a couple of questions for verification. So you are discussing now your proposal as is rfeplacing all our current financial services and our district manager and not the employees?

Robert: Originally we were asked to submit a proposal for the maintenance supervisors and we did that but then we understood from the meeting that we were asked to come back and give a quote on the administrative and financial. So that's what you have in front of your. Not the employees because at that time we were not asked to do that and we didn't want to step our and ask for something we were not asked to do. The only reason that came up now was because in drafting the contract our attorney said that this would enable us to and agreed to eliminate any co-employment issues that could arise from a third party supervising district employees. It is completely up to you how you would like to do this.

Commissioner Fein: If you go forward with that would you than interview and then hire the employees or take the district employees as their own?

Robert: What we would do first is that anytime we run into these situations we would go ahead and seek to hire the excisting employees that would be our first choice as long as they can pass the background checks and willing to work for Inframark. You have people that are already working and know the system and there it makes no sense to bring in a new crew. That would be our approach.

Commissioner Cariffe: In your current client list how many clients do you do that for? Are you actually outsourcing both the workers and the district manager. Is that your common practice of yours? Let's say you have employees working for special districts and then you have the managing director for the outsourcing.

Robert: We do it both ways because we provide services to cities municipal governments and manage one hundred thirty (130) special districts which you would fall under, In some cases we have district employees and we provide site supervision but as we have gone through that process legally we realized it's much easier to have one employer because that releases the district from liability, HR issues and all you are doing in acquiring us is to provide a scope of service. You don't have to worry about and employee, disciplinary action and that's the reason we found that it works the best.

Commissioner Fein: If we do go the single employee model than the scope and pricing changes again correct?

Robert: Yes. We would have to add the maintenance personnel they are not in the proposal.

Commissioner Fein: We definitely need to table.

District Attorney Tolces: District Attorney. That was my thinking as well this additional time will gives us the opportunity to air out the issues that bring back the full and complete proposal so that you are actually seeing the contracted drafted and that it confirms this is the way you want to go with on whether the employees want to go or not whatever it might be. That was my thought with Mr. Telles.

Commissioner Cariffe: Has any body gone through and done the due diligence on this?

Chairman Nieset: I have not.

Vice Chairman Doc Szerlip: Joe, is this company the only one you has responded?

District Administrator Telles: Two other companies contacted me asking for the information and I sent all the information and they said they don't provide that kind of service. Other companies that manage and they said they don't provide this type of service.

Robert: The closes one is in Coral Springs.

Commissioner Cariffe: So you have experience with the water pump/infrastructure?

Robert: Our portion of our company is called Infrastructure Management Services, the other part of the company provides exclusively provides services exclusively for operating water and sewer operations for municipalities. We do that in thirty seven States. We have experience in both sides of the equation but you are certainly welcomed to check our references.

District Manager Alvarez: I heard we would probably lose access to the Florida Retirement System (FRS) and is that correct? I'm asking because we have time vested from ground zero.

Robert: We are a private sector company not eligible but we have a 401(k) plan and aren't eligible to be part of the FRS

District Administrator Telles: If you hire the employees do you have a time that they would become eligible for the 401(K)?

Robert: They would become eligible for the plan right away. The other thing we normally do when we take over a situation like this we will vest the employees that we do take over with seniority based on the number of years they have been with the district as an example if you have and indicated that has been here five years he would be vested with five years with seniority with our company that is the way we do it throughout the country. It makes it fair to the employees and since we are part of a national company we have the full slate of benefits for the employees and not like many of the management companies that try to cut cost. We have a full set of benefits , leave, medical leave, 401(k), including monthly ongoing safety training requirements for all our employees. The VP of our safety operations is ten miles up the road. They will be required to go through the training and they will go to the site and make the work being done is done safely.

Commissioner Cariffe: Will the next proposal be analyzing the overall workforce we have today and the overall necessity for maintaining the infrasture we have today and will you be looking at that to recommend how many employees you can take on on the employees we have today and whether you will have to backfill or be able to in the event that you can't. Will that be looked at?

Robert: You mean before the July meeting? That is something we don't do before we sign a contract because our concern is we are talking to your employees about their employment.

Commissioner Cariffe: I'm not talking about talking to the employees I'm talking about if you are giving us a proposal for managing this special district are you analyzing the workforce that we have today and the possibility whether we are a little heavy or lite and maintaining that workforce and proactively working on a workforce that continues to maintain our infrastructure going forward. Is your firm/next proposal going to include that?

Robert: We will certainly look at that because the proposal we submitted didn't include the maintenance personnel and since this is the direction you want to go in I will be getting in touch with Joseph to get some additional information so that we can do some analytical work before the next meeting.

District Manager Alvarez: So that would not be grandfathered in they would be going the rehire process.

Robert: I can tell you the normal process when we do this we like to use the existing employees but we also know where they are in the community, pass the background checks and as long as they do and able to do the work then we would like to hire them.

Motion made by Commissioner Cariffe to table the Inframark Administration Services proposal until the July meeting second by Commissioner Fein. Motion carried unanimously by voice vote.

District Administrator Telles: The Consent Agenda for May 31st, 2022 that has not changed and Cash Flow for period ending May 31st, 2022. (Overview)

Motion made by Vice Chairman Doc Szerlip to accept the Consent Agenda for May 31st, 2022 and Cash Flow for period ending May 31st, 2022 second by Commissioner Fein. Motion carried unanimously by voice vote.

District Administrator Telles: Also you were sent the budget worksheet required for our charter and you will have a worksheet for approval for the 2022/2023 budget I have to submit to the Property Appraisal Office for July.

Commissioner Fein: I know we approved this but the permits on the engineering and platts reads fees received. I thought we adjusted that so that it can be a wash and positive on that? Looks like we are still at a lose.

District Attorney Tolces: There are spreadsheets every month and there are ones with a negative balance so David and I will go over that and that will make up the differences on what has been collected and those due. Proposed 2022/2023 budget (Overview)

Commissioner Carriffe: We need to bring up the to Inframark on whether in the proposal we will be using our own vehicles.

District Attorney Tolces: The court ruled that they are immuned from paying ad-vor taxes not from an assessment therefore we reached out to the Property Appraisal Office (Broward County) they reviewed and agreed on the list of properties that needed to be added and they will get a tax bill showing.

Vice-Chairman Doc Szerlip: In lieu that Joe will not be with us after September are you folks conting on with us as engineers?

District Engineer Pell: Yes.

District Administrator Telles: The information was gathered on the FRS and we signed the contract with the FRS and in the process of doing that he was either given wrong information or misunderstood what vested was and so when we started the FRS with the employees and had been with the district one year were part of the FRS so we did not contribute to the FRS until they were here one year. About 2012, the FRS came in and said that is absolutely wrong and that you were vested the very first day you have been with the district so they computed what should have been deducted from the employees payroll and we paid that and in the process of doing that they then accessed us penalties and interest of which our attorney or attorney then recommended that we do not pay it. I had sent registered letters to them documenting everything what Tom had done, they came back to me saying we disagree with you. Our attorney again told me not to pay it we don't owe it don't pay it. Two months ago they came back to us with if we don't pay it we will take it out of your taxes. Broward County Tax Collector has the authority to pay the FRS. I talked to Davide he spoke with the attorney and we settled on just the penalty part of it with no interest (\$9,548). They were asking for almost \$20,000.

Motion not made on the Budget Worksheet.

Vice-Chairman Doc Szerlip: I would like to thank Joe Telles for all the years that I've known and worked with him and to all his efforts in trying to keep everything afloat here. I really commend him and feel that, as you say, you've put your time in. I wanted to also ask a question since I'm not sure of this wonderful Inframark. To me it's a question then we board would be responsible for looking into someone to replace you.

District Administrator Telles: I will do anything I can to find a replacement if you do not have one. Someone local maybe someone like Keith that would be willing to help. Maybe there's a conflict of interest.

LEGAL REPORT:

District Attorney Tolces: Good evening everyone. As Joe mentioned a few things we worked on these couple of months. I have before you a Resolution for you consideration. The Resolution of the Board of Commissioners for the Plantation Acres Improvement District to provide for an amendment to Section 2.2.10 of the the Plantation Acres Improvement District policy and procedures manual to permit public comment on each agenda item on which the District is taking action at a District meeting. The purpose of this Resolution is to clarify the public comment process on when is the appropriate time to make public comment what they could do during public comment. The language that is provided here will provide you the Board with guidance on how to deal with your clients and residents when they do make public comment specifically if you would look at item No.3 top of page 3 what it says is the length of timing for the person to speak is limited.

Motion made by Commissioner Carriffe to approve for an Amendment to Section 2.2.10 of the the Plantation Acres Improvement District policy and procedures manual second by Commissioner Fein. Motion carried unanimously by voice vote.

District Attorney Tolces: The only other item I have is regarding the foreclosure. The City of Plantation filed suit for a lien against the property. We are a party to it. Its proceding we will see how far it will go and if they say there is a possibility for the District to acquire the property we will report that back to you.

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ENGINEER'S REPORT : (Overview)

A. CONSENT ITEMS: NONE

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. **NONE**

C. BOARD ACTION ITEMS – NONE

D. DISCUSSION ITEMS

D1. Pump Station Number 3 Rehabilitation (D1707.01-3) Update

D2. 20-Year Needs Analysis (D2109.01) Update

D3. Swale Obstruction Evaluation (D2201.01) Update

D4. Permit Activity (D9408.02 & D9408.03) Summary

D5. Violation Activity (D9611.01). Summary

District Manager’s Report

Last Month’s Follow Up: District drainage facilities inspection completed and submitted to WinnFrad on Friday June 17, 2022.

Projects: See weekly project reports; tropical storm Alex drainage preparations and response on June 4th, 5th and 6th

<u>Runtime hours</u> – Pump 1 = 3449	Pump 2= 3562	Pump 3 = 3702
Pump 4 = 3103	Pump 5 = 4557	Pump 6 = 3237

<u>Canals:</u>	This month = 2.8’	Last Month =4.23’ -	YTD = 4.11’
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<u>Rainfall:</u>	This Month = 15.6” -	Last Month = 9.1”-	Year to Date = 29.36”
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Fleet: Ford F-250 went to Sawgrass Ford dealership for service. Diagnostic beyond in-house abilities. Luis to make a claim at O’Reilly Auto Parts for fuel pump (previously installed by Luis). F-250 to replace catalytic convertor on driver side and needs two front tires; 2018 F-150 oil/filter change.

Safety – No incidents to report.

New: Pump station radio units have been upgraded (completed June 4th); station #3 has a sensor issue (malfunction) to address by Star Control (service call).

NEW BUSINESS –

Commissioner Flanigan: Not me buddy...I’m here for the night.

