

**SOUTH BROWARD DRAINAGE DISTRICT
GOVERNING BOARD MEETING MINUTES
OCTOBER 31, 2007**

Present:

Jack McCluskey, Chairperson
Scott Hodges, Vice Chairperson
Carl Lanke, Treasurer
John Eastman, Commissioner
Robert E. Goggin, Commissioner

Alanna Mersinger, Commissioner
Leo M. Schwartzberg, District Director
Douglas R. Bell, Legal Counsel
Joann Long, Recording Secretary
General Public: See Attached List

Absent:

James Ryan, Secretary

01. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

Meeting called to order at 9:35 A.M. followed by roll call followed by the Pledge of Allegiance.

02. PUBLIC COMMENT(S) - None

03. APPROVAL OF MEETING MINUTES

A. Motion by Mr. Goggin to approve September 11, 2007, Board meeting minutes as submitted. Second by Mr. Lanke; carried unanimously.

B. Motion by Mr. Hodges, second by Mr. Eastman, to approve September 11, 2007, Management Committee minutes as submitted. Carried unanimously.

C. Motion by Mr. Hodges to approve September 26, 2007, Board meeting minutes as submitted. Second by Mr. Goggin; carried unanimously.

04. DISTRICT DIRECTOR'S REPORT

A. VARIANCE/VACATION REQUESTS

1. Request submitted to construct a pool within a 40' drainage easement on the **Proana property** located at 15104 S. W. 51 Street, Davie (Chelsea at Ivanhoe). This easement easement contains a 48' metal drainage pipe which requires only a 30' drainage easement. After discussion, Mr. Eastman moved Option # (of 3) be approved which provides for a 5' encroachment into the drainage easement. Motion seconded by Mr. Goggin. This would include an agreement whereby the District would not be responsible were there to be a problem to the pool due to a portion being constructed within the drainage easement, plus the owner would be responsible for all SBDD costs incurred on his behalf. After further discussion, the original motion was amended to allow Mr. Schwartzberg flexibility to approve the final design. Motion carried unanimously.

2. Variance request received to allow the patio to remain in the lake-maintenance easement on the **Valbuena property** at 5378 S. W. 134 Avenue, Miramar (Miramar Patio Homes). This patio was constructed without a City or SBDD permit as were the dock and shade structures on the property. Mr. Schwartzberg recommended approval of the 7' encroachment of the patio into the lake-maintenance easement and noted that the property owner is willing to remove the other items, including the electrical improvements. Motion to approve Mr. Schwartzberg's recommendation by Mr. Hodges, seconded by Mr. Eastman; carried unanimously.

3. Variance request received to allow small concrete slab used for storage of a paddle boat on the **Pineros property** located at 2353 N. W. 195 Avenue, Pembroke Pines (Key-stone Lake) within the lake-maintenance easement. Mr. Goggin moved for approval, seconded by Mrs. Mersinger; carried unanimously.

4. Request to vacate original surface-water management area on the **Martinez property** located at 17805 Southwest 54 Street, Southwest Ranches and replace elsewhere on the property. Motion to approve by Mrs. Mersinger, second by Mr. Hodges; carried unanimously.

5. Motion by Mrs. Mersinger to vacate the original surface-water management area on the **Terrible property** in Southwest Ranches which will be replaced elsewhere on the property by Mrs. Mersinger, second by Mr. Hodges and carried unanimously.

B. BECK DISASTER RECOVERY SERVICES INVOICE

The Beck contract for assistance with FEMA funding was for \$10,000, plus a \$25,000 bonus upon successfully obtaining the maximum possible FEMA funds. Beck's final invoice brings their total fee to \$12,195, plus the \$25,000. Mr. Schwartzberg requested approval to pay the \$2,195 contract overage and the \$25,000. After discussion, Mr. Eastman moved to approve Mr. Schwartzberg's recommendation; second by Mr. Lanke. Motion carried by majority vote with Mr. Hodges voting nay as he was opposed to paying the contract overage.

C. PEMBROKE PINES EROSION-RESTORATION LOAN REPAYMENT

At the November 7th Pembroke Pines City Commission meeting, a "display" check will be submitted for the repayment of the erosion-restoration loan. All Commissioners are welcome to attend. The actual check was given to the City previously.

D. CANAL 13 PLATFORM & GATE BID AWARD

Mr. Schwartzberg recommended that the Board approve the Giralt Enterprises bid for the Canal 13 project in the amount of \$17,800 which includes \$11,700 for the gate and \$6,100 for the motor. Giralt provided this same equipment for the Canal 13-A project and did an excellent job. Mr. Goggin moved for approval of Mr. Schwartzberg's recommendation; second by Mrs. Mersinger.

After considerable discussion, the motion carried by majority vote with Mr. Eastman voting nay.

E. SW 164 AVENUE CANAL TREE REMOVAL

Low bidder for this work was K & R Tree Service for \$16,200, with bids ranging up to \$98,040. Mr. Schwartzberg recommended K & R be approved, as they have always done excellent work for the District. Mr. Goggin moved to approve Mr. Schwartzberg's recommendation, second by Mrs. Mersinger; carried unanimously.

F. LATERAL 4 WEST CANAL CLEANING/EXCAVATION

Mr. Schwartzberg recommended Arbor Tree & Land company be awarded this work for an amount of \$21,650. This canal, as well as all other SBDD laterals, will become very important when Broward County widens Griffin Road west to 186th Avenue as they will close off the connection from the 184th Avenue Canal to the C-11.

Mr. Goggin moved for approval of Mr. Schwartzberg's request subject to confirmation of insurance and licenses for the contractor. Motion seconded by Mrs. Mersinger and carried unanimously.

05. LEGAL-COUNSEL REPORT

A. PEMBROKE LAKES HOME DEPOT INDEMNIFICATION AGREEMENT FOR IMPROVEMENTS IN LAKE-MAINTENANCE & DRAINAGE EASEMENTS/ RESOLUTION NO. 2007-16

This is a standard agreement/resolution which has no adverse affects to the District's operations, and the property owner will be responsible for all costs incurred. Motion to approve by Mr. Eastman, second by Mr. Hodges; carried unanimously.

B. SURPLUS PROPERTY DISPOSAL PROCEDURE & SBDD RESOLUTION NO. 2007-15

This resolution would require Board approval for any disposal of any District property/equipment. Motion to approve by Mr. Eastman, second by Mr. Goggin; carried unanimously.

C. BROWARD COUNTY LEGISLATIVE DELEGATION ELECTION & RECEPTION

The Commissioners were invited to attend a November 1st reception to be held after the Broward County Legislative Delegation election.

D. SPECIAL DISTRICTS BILL

A bill has been proposed by State Senator Jeremy Ring which would make all independent districts dependent and under the jurisdiction of the County. Mr. Bell has not seen a copy of the bill as yet but will provide further information as it becomes available.

06. APPROVAL OF LEGAL BILLS

Legal bills approved unanimously per motion by Mr. Goggin and second by Mr. Lanke.

07. MEETING DATE(S)

A. Board of Commissioners meeting - Thursday, November 15, 2007, 9:30 A.M

B. Management Committee - workshop to be scheduled for some time in January regarding erosion and other unexpected events

08. Adjournment at 11:15 A.M.

Jack McCluskey in the Absence of
James Ryan, Secretary
South Broward Drainage District

/jl