

## SOUTH BROWARD DRAINAGE DISTRICT

Management Committee

Meeting Minutes

January 4, 2006

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### **3:45 P.M. MANAGEMENT COMMITTEE MEETING CALLED TO ORDER.**

#### **PRESENT**

SBDD: President Tom Gill, Vice President Vicki Minnaugh, Secretary Jack McCluskey, Supervisor John Eastman, Director Leo Schwartzberg, District Legal Counsel Douglas Bell, Recording Secretary Joann Long, South Florida Resource Conservation and Development Council Reps West Scott and Greg Garvey, SWR Drainage Committee Chairperson Douglas McKay.

#### **PRESENTATIONS**

##### **SOUTH FLORIDA RESOURCE CONSERVATION & DEVELOPMENT COUNCIL RE: EROSION/CONTRACT/SPECIAL-ASSESSMENT RESOLUTIONS**

A proposal was provided to all Board members re: repair/restoration of the problem lake-bank/easement areas in some of the developments within SBDD as a result of Hurricane Wilma. This proposal was reviewed by the District's legal counsel who made some minor changes. The consultant (SFWCDC) is in agreement with the document as amended by Mr. Bell. Mr. Dennis Giordano of CG&A, Inc., also reviewed the contract and felt it to be acceptable.

SFWCDC will be responsible for the project from start to finish once a repair/restoration is selected by the District, and it was noted that there may be more than one option used. This would depend on the area involved. Mr. Schwartzberg will meet with the homeowner associations who would be responsible for determining the option used for their individual area(s).

SFWCDC will prepare the documents, specifications, etc., which would be used to put the project out for bid. The District could undertake a bond issue similar to those done in the past for SBDD capital-improvement projects which would be repaid by the applicable property owners on the annual tax bills. The two associations that Mr. Schwartzberg has met with are agreeable on a special assessment. He still has to meet with the others.

While the District has taken the position that it has no obligation to do anything about the erosion problem, it is in a position to provide assistance. If an area does not have a HOA, all SBDD can do is share information; and if an area does not elect to participate, the District would do nothing.

In response to a question, Mr. Schwartzberg noted that Keystone Lakes realized some damage but nowhere near that which occurred in Harbour Lakes Estates, Silver Lakes, Riviera Isles and Sunset Lakes which were the four hardest-hit areas. If necessary, Keystone Lakes could be "added" at a later date.

CG&A, Inc., has no significant interest in this project other than to be used for special services if/as needed.

All agreed that this is an emergency situation and that correction of the problem should commence as quickly as possible. The first step is to approve Resolution #2006-01 (Resolution of the South Broward Drainage District declaring an immediate danger to the public health or safety or other substantial loss to the District which requires emergency action, said danger having been caused by damage to the lake banks/shorelines of the large lakes within the developments of Riviera Isles, Silver Lakes, Harbour Lake Estates and Sunset Lakes; authorizing the District to proceed with procurement of professional engineering services necessitated by said immediate danger without competition; providing for severability; providing an effective date). Mrs. Minnaugh moved for approval of Resolution #2006-01 as submitted. Motion seconded by Mr. McCluskey; carried unanimously.

Mrs. Minnaugh moved for approval of the contract as submitted by South Florida Resource Conservation & Development Council. Motion seconded by Mr. McCluskey; carried unanimously.

Mr. Bell has had discussion with the bank on the matter of special-assessment bonds and been advised that anything over \$10,000,000 would be subject to taxes, interest for up to \$10,000,000 would be 4-4.5% and possibly an additional 1-1.5% more for over \$10,000,000. There are other options which are being investigated. When a cost estimate is available, SBDD can make a final determination on how to handle the financing.

Resolution #2006-02 (Resolution of the SBDD stating the intent of the SBDD to authorize a special assessment for construction of drainage improvements for Riviera Isles, including but not limited to lake bank/shoreline restoration, drainage structure restoration and lake bank/shoreline stabilization, to create a special-assessment district to be known as Unit District #4B, to authorize the borrowing of funds for construction of said improvements from an authorized lending institution, to provide that the cost of the improvements shall be payable from special assessments assessed against assessable property within Unit District #4B; providing for severability and providing an effective date) and Resolution #2006-03 (Resolution of the SBDD authorizing special assessment for construction of improvements within SBDD special-assessment district known as Unit District #4B; authorizing the borrowing of funds for construction of said improvements from an authorized lending institution; authorizing the appropriate District officials and personnel to proceed with funding of the proposed improvements; providing for reimbursement of specified costs from loan proceeds; providing that said loan shall be payable solely from special assessments assessed against the property with-

in the benefitted area; providing for severability and providing an effective date) were provided for perusal/review by the Board members. Resolutions would be required for each of the special-assessment areas. All will be presented at the next Board meeting for approval.

As it would take approximately six months at the least before the special-assessment bond issue(s) would be approved by the Courts, one option to obtain some "front" money would be to increase the maintenance fee for the 2006-07 general-operating budget.

Mr. Bell noted that there is a small amount of commercial property in several of the involved developments, and he felt these areas should be assessed on an acreage basis.

Mr. Gill requested the Supervisors be provided with a map showing the areas that were damaged, as this would be very helpful when discussing the damage issue.

There was discussion at a previous meeting re: the damage to the Silver Lakes Causeway which is a city-owned road. While the City did repair the "problem", it was done in the same manner as the original roadway which makes it subject to the same damage in the event of another hurricane. Mrs. Minnaugh felt the City should be put on notice of the District's resolution plan which is a better one than used for this repair by the City.

Discussion ensued on notice to the property owners. Mr. Schwartzberg felt that the District should notice the homeowner associations who could then notice the property owners. While Mrs. Minnaugh agreed in theory, she responded that it is her experience that the associations notice very few of the property owners about such issues. Mr. McCluskey felt this should be a newspaper notice ASAP.

Regarding previous discussion about bond money not being allowed to improve private property, and Mr. Eastman's question of having a blanket document in the event it is necessary to have some of the property owners dedicate additional easement to the District, Mr. Bell responded it would be difficult to have such an overall document, as individual property owners are involved. Mrs. Minnaugh moved that only a few properties would be subject to this need, those being for the properties on the water that received damage.

Re: the cost of the restoration, a SFR CDC rep advised that he had done some calculations and felt that for the areas in question within SBDD, the repair/restoration could be in the \$17,000,000 - \$52,000,000 range.

It was agreed that if special Board meetings are required in order to move this project along, they will be called, as everyone is anxious to get the work started as soon as possible. No one wants anything held up waiting for approval.

In re: to the notice/letter to property owners, these people should be made aware that there will be people in the backyards looking at the property. The SFR CDC rep responded that his company would provide such a notice.

Mr. Bell questioned if all of Silver Lakes or just the part north of Pines Boulevard (which is where the damage occurred) is to be included in the special-assessment bond issue. This is something that must be decided by the HOA as soon as possible.

### **BOARD MEETING DATE/FEBRUARY**

A decision on changing the date for the February Board meeting will be made at the January 19<sup>th</sup> Board meeting.

### **LEGISLATIVE UPDATE**

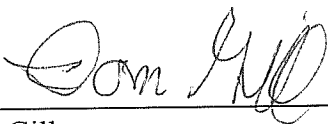
The District's two Bills (ad-valorem taxing method and bid-threshold increase) were approved by the local delegation. Hopefully, the State legislative group will do the same.

### **SOUTHWEST RANCHES INSURANCE/LEASE/LETTER**

The District has been provided with the proof-of-insurance information from the Town.

Mrs. Minnaugh questioned if a letter had been sent to the Town re: their moving their facility from District premises upon the termination of their current lease which will expire on June 28<sup>th</sup> of this year. The response was "no", and it was agreed that the District Director should send such a letter as soon as possible.

### **ADJOURNMENT 5:00 P.M.**



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Tom Gill  
Meeting Chairperson

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