

SOUTH BROWARD DRAINAGE DISTRICT

Management Committee

Meeting Minutes

February 9, 2006

4:00 P.M. MANAGEMENT COMMITTEE MEETING CALLED TO ORDER. PLEDGE OF ALLEGIANCE RECITED.

PRESENT

SBDD: President Tom Gill, Vice President Vicki Minnaugh, Secretary Jack McCluskey, Supervisors John Eastman & Scott Hodges, Director Leo Schwartzberg, District Legal Counsel Douglas Bell, CG&A Consulting Engineer Shahin Hekmat, CT&A Engineers Matt Harold & Bob Cole, Winningham & Fradley Engineers David Fradley & Werner Vaughn, Joe McLaughlin/City of Pembroke Pines Engineer. See attached list for general public attendees.

PRESENTATIONS

EROSION PROJECT/HURRICANE WILMA UPDATE

Mr. Schwartzberg has met with the Boards of Silver Lakes and Riviera Isles re: the erosion problem. He is hopeful of being able to select surveyors at the upcoming Board meeting. Information is being gathered on products/options for resolution of the problem, and that information will be presented to the homeowner associations. When the surveying work is completed, the associations will be advised how much their "down-payments" will be.

Mr. Schwartzberg made a presentation to the Broward County Water Advisory Board recently which went well according to the TAC chairperson. Mr. Schwartzberg explained that because of its structure, the District has been able to address hurricane damage and accomplish considerably more than many of the other governmental entities.

FEMA has advised there are no funds available for this project. NRCS has agreed to provide 2.4 million dollars which is less than 10% of the overall project cost. This amount could be increased if they were to decide to do so. Application has been made to FEMA for "pre" disaster-mitigation grant.

Just under \$81,000 has been received from FEMA towards the cost of Hurricane Wilma cleanup. NRCS has now taken over this area, and the remaining work (basically tree removal) cannot commence until the money is paid up front. NRCS has agreed to an additional 1.1 million dollars for restoring headwalls and cleaning culverts for overall erosion that has occurred over the years (this does not include hurricane caused-erosion).

The next tree-removal contract(s) should be presented at the March Board meeting.

Because of the FEMA and NCRS arrangement, there will be additional trees addressed at a later date.

For the five developments involved at this time, the erosion-project cost is estimated to be over 25 million dollars. It will be up to the individual developments to decide if they want to participate, what option they want, which properties will be assessed and the length of time they would prefer for the special assessment to run. If they decide they do not want the District's help, the District will provide notification that they will be "on their own".

There are roof-structure changes for the S-2 Pump Station to be made (for which the District will be financially responsible) that will make the station safer for maintenance purposes.

SURFACE-WATER MANAGEMENT AREA RELEASE/VACATION

The District has been requested to release the original surface-water management area on the Fernandez property located at 16700 Southwest 64 Street, Southwest Ranches, as there have been some changes in the plans originally submitted. Replacement surface-water management areas have been provided. Mrs. Minnaugh moved for approval of the request as submitted. Motion seconded by Mr. McCluskey; carried unanimously.

SOUTHWEST RANCHES NEW TOWN HALL UPDATE

Mr. William Keith provided and discussed Report #3 for the SWR's new Town Hall which is anticipated to cost 3.3 million dollars for construction which could increase if delays are encountered. While there have been major obstacles, one being mitigation, the Council and staff are committed to this project.

Mr. Eastman noted the Town's lease with the District expires at the end of June, and he questioned if there will be a temporary facility ready on the new site by that time. Mr. Keith responded they are hopeful there will be even though the cost of the temporary setup may not be recoverable when the new facility is ready. Mr. Eastman asked that Mr. Keith provide him with exact costs for the temporary setup as soon as possible.

S-9/S-10 STORMWATER IMPROVEMENTS, PHASE II/CRAVEN, THOMPSON & ASSOCIATES, INC. REPORT

Mr. Matt Harold of CT&A provided a brief history for the area under discussion, including SFWMD's intent for the discharge for the area. In their opinion, the existing system within Basins S-9/10 works regardless of whether or not Phase 2 is completed. Doing the additional work would provide slight improvements in some areas and make others "worse". Two areas that would be improved would be Silver Lakes and Chapel Trail even though they work as they now are. Most areas north of Sheridan would be fairly consistent without Phase 2 even though the peak discharge would be somewhat improved with the additional improvements. Mr. Harold recapped his discussion by

provide SBDD any money for improvements needed within its boundaries.

Mr. Hekmat explained that while the system is working, the District is not meeting SFWMD's criteria re: water quality/water quantity. He felt the improvement project has nothing to do with what is being discussed and clouds the issue. Without meeting SFWMD's criteria, the District is in violation of its SFWMD permit/criteria. Mr. Hekmat also disagreed that the proposed Phase 2 work will worsen the existing drainage, as discharge would commence sooner due to the improvement of the existing culverts plus the installation of a new one.

Mr. Schwartzberg discussed the advantages of completing the improvements re: storm events, especially back-to-back events. Mr. Hodges felt this would be a rare occurrence. Mr. Eastman is more concerned with typical summer months/rain events rather than the draw down for an isolated large storm event.

Mr. Hekmat reiterated that 4.0 is the elevation set by SFWMD for the involved area, including Chapel Trail.

Mr. Gill felt the "argument" of the property owners should be with SFWMD.

Mr. Bob Cole of CT&A explained that his company's report was not intended to be a recommendation one way or the other....it was to review the information and provide their opinion which is they saw very little improvement with the implementation of the Phase 2 work and thus felt it is not worth doing same when compared to the cost involved. Mr. Cole discussed the existing conditions which he felt verified CT&A's position/opinion.

Mr. Schwartzberg discussed the water-quality issue within SWR. Many of the older properties never completed the drainage work as called for in their construction permits, and many have altered the original conditions of the permit's retention area criteria prior to the properties being annexed into SBDD. This has adversely affected drainage conditions.

Mr. Gill suggested that Mr. Eastman go before SFWMD's Board and present his position and that of some of his constituents in an effort to see if SFWMD would make some changes in its present criteria for the Basins S-9/S-10 area.

Mr. Joe McLaughlin, Pembroke Pines (PP) City Engineer, advised that the City of PP has reviewed the improvement plans and has no major problems with same. Mr. McLaughlin added that at some time in the future, there will could be minor issues that will have to be addressed. Even so, he felt doing the work now would be of greater value compared to waiting after a major problem(s) has occurred.

Mr. David Fradley of Winningham & Fradley, engineers for the Town of Southwest Ranches, voiced his agreement with Mr. McLaughlin's position and that most seem to be missing the point. According to the CT&A report, there are significant advantages

saying there would be a small amount of benefit to the District by moving forward with Phase 2.

Discussion ensued on water quality, an area that gets “skirted” around. It was noted this is in place already, as anyone developing property has to provide for water quality. A negative from Phase 2 improvements would be seepage. There is a constant motion of water from the west to the east. Raising the water table will cause some areas within SWR to get “muckier”. Mr. Eastman questioned at what point does it become impossible for anything to do any good. Mr. Harold explained that there are some elevations/events where the pumps at the SFWMD S-9 Pump Station could be overwhelmed.

Mr. Eastman noted that many of the homes in SWR are on the old system which is septic tanks. They rely on seepage for drainage. He questioned what effect the improvements would have on this area. Mr. Schwartzberg interjected that he has a letter from Broward County that everything since the 1970s is based on 4' elevation which translates into the fact that Phase 2 improvements would have no affect on septic tanks. Mr. Eastman still felt this could be a problem at times when there are heavy rains. Mr. Schwartzberg added that nothing in this plan changes the existing elevations.

Mr. Eastman noted that his concern is problems that could result re: future drainage caused by SFWMD’s criteria...nothing for which SBDD is responsible. He opined that the District should not spend a great amount of money for unnecessary work which could create problems once the elevation in this area goes to 4.0.

It was agreed that perhaps adding flap gates to the outfalls could help. The connection between Silver Lakes and Chapel Trail would help Chapel Trail to some degree even though, per CT&A, both systems are working all right at this time.

Mr. Eastman felt that moving forward with Phase 2 improvements would have a negative effect on most of Southwest Ranches properties within SBDD.

Mr. Gill felt there isn’t a dispute re: the interconnects and that perhaps the District could move forward with these and hold off on the other improvements for a while. The District Director responded that he was unsure whether or not SFWMD would allow the District to do the interconnects without completing the entire project.

Mr. Eastman felt if the improvements are required for SFWMD’s CERP project, the District would receive funding for all associated improvements plus encounter fewer problems than it has at this time. He was of the opinion the District should wait until the C-11 SFWMD improvements have been completed to determine what else needs to be done, that no canals should be closed and maintain the 3.5 current elevation rather than closing the canals at a 4.0 elevation.

Mr. McCluskey disagreed with previous statements that the federal government would provide SBDD any money for improvements needed within its boundaries.

Mr. Hekmat explained that while the system is working, the District is not meeting

down side to the Phase 2 improvements.

Discussion ensued on septic tanks. SBDD staff felt that any problems in this area are due to the tertiary drainage system which is the responsibility of the Town and not that of the District. Mr. Eastman continued to be concerned with those older homes that have septic-tank systems.

Mr. Fradley felt that no one should consider this project based on “old” criteria but rather move forward with the additional improvements which include new and better hydraulics. He added that increased water in the lakes is a good thing and not a bad thing. The only down side Mr. Fradley saw was perhaps the cost.

Mr. Eastman explained that he is not as concerned with the newer homes but rather those homes that were constructed 25-30 years ago in connection with the everyday rain events that occur during the summer. He felt that increasing the elevation will result in these properties having water in their yards for longer periods of time than at present. Mr. Fradley explained that most of the older properties have been or will be improved at some time in the future. Any improvements based on current criteria are a waste of time and money. Mr. Fradley felt that the current 4.0 elevation has and will continue to work well. Mr. Eastman again voiced his concern about those older properties where no fill has been added and/or “new” improvements constructed.

Mr. Fradley felt the Town needs to work on its tertiary drainage system which would help everyone realize the benefits of the SBDD additional proposed improvements. He reiterated his position that there will be enough improvements realized to deal with the 4.0 elevation; and the sooner the project moves forward, the better.

Mr. Ron Bergeron disagreed with some of the information provided by Mr. Schwartzberg on the issue of elevations as he has developed considerable property within the S-9/S-10 Basins at the 3.5 elevation criteria. Mr. Bergeron continued to be opposed to the improvement project and felt that installing a weir will not result in improved water quality. Mr. Bergeron also felt that tying elevations of 3.5 and 4.0 together will have a negative impact on everyone within the two Basins and that to do any further substantial improvements before the C-11 plans are available will have very little benefit to anyone. Mr. Bergeron was adamant that spending the kind of money required for the balance of the Phase 2 improvement project is not merited for the small amount of benefit that would be realized. He added that until the District obtains additional information from SFWMD on their C-11 project, he saw no benefit to doing anything further re: Phase 2 of the SBDD improvement project..

RE: water quality, Mr. Bergeron said that is what SFWMD’s CERP program is all about. They are in charge of a pretreatment area to handle the water before it continues out to the Everglades. Mr. Bergeron felt strongly that the nurseries should be required to pre-treat their waters as other new developments are required to do.

Mr. Bergeron felt the District should pay attention to the CT&A findings and do nothing else until the C-11 has a final design. In the meantime, he felt there are no

advantages/benefits to the property owners by moving forward with Phase 2.

Mr. Cole reiterated that CT&A's purpose in doing the report was not to influence any action but only to provide information on what they found after a thorough review of the overall project and existing conditions. Mr. Cole felt the District could improve water quality by enforcing the existing permits.

Mr. Gill again noted he would like for Mr. Eastman to meet with SFWMD on his own to determine if there is any possibility SFWMD would ease up on some of its criteria for SBDD.

Mr. McCluskey believed that discussions/action on Phase 2 have been going on way too long during which time the costs for same have increased and will continue to increase. He felt it time to vote on whether or not to proceed. Accordingly, Mr. McCluskey moved that the District Director be authorized to move forward with Phase 2 of the stormwater-improvement project. Motion seconded by Mrs. Minnaugh.

Mr. McCluskey felt the District has sufficient information after listening to the engineers present to move forward at this time and that it is time to do what needs to be done. Mrs. Minnaugh voiced her agreement that it is time to make a decision and move forward with the project before drainage problems are encountered. She is hopeful the Town is working on its tertiary drainage which would be of great help to everyone. Mrs. Minnaugh felt that it has been shown that there would be benefits as a result of constructing Phase 2 of the improvement project. Mr. McCluskey noted that if the vote on the motion passes, it would not preclude Mr. Eastman making a presentation to SFWMD on his own re: their criteria.

Mr. Eastman felt that as the public is not comfortable with this project, the Board members should agree in total before moving forward with same. Mrs. Minnaugh's belief was that the time will never come when everyone agrees one way or the other. She also doesn't want to wait any longer for any further costs to increase which has already happened in the months that Phase 2 has been delayed.

While Mr. Eastman is not in agreement with certain components of the project Phase 2, he was concerned about the "older" homes within SWR. He felt further discussion with other entities will not hurt anything and that another month will not make any difference when making a decision. Mr. Eastman's main objection is the closing of any outfall canals.

Mr. Schwartzberg explained that if the District does not complete the overall project, the cost of the project to date will become 100% the responsibility of the property owners as the \$1,000,000 SFWMD grant will have to be repaid (as the District will be in violation of the agreement with that entity); plus the \$800,000 from the State will not be forthcoming. This could result in the property owners being assessed more than if the balance of the project is completed.

Mr. McCluskey reiterated that costs have increased since commencement of this pro-

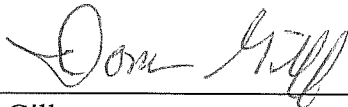
ject and will continue to do so, plus those who have voiced opposition are only a minute amount of the property owners within Basins S-9/S-10 and thus are not a fair representation.

Mr. Hodges questioned if there is something the District can do to reduce some of the negativity on this issue. Mr. Schwartzberg responded that the Town is taking steps to do so with the development of a tertiary-drainage system for the Town which will help the older homes.

Mrs. Minnaugh felt Mr. Eastman's idea of addressing the SFWMD is good one. Even so, she felt the District must move forward now as time is passing; and costs are increasing. Mr. Hodges is concerned about the project benefitting some areas more than others. It was noted that this is the case with anything and cannot be avoided.

A roll-call vote showed the following results: Minnaugh/yes; Gill/no; McCluskey/yes; Hodges/no; Eastman/no. Therefore, the motion failed by a vote of three opposed, two in favor.

ADJOURNMENT 5:50 P.M.



Tom Gill
Meeting Chairperson

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