

**SOUTH BROWARD DRAINAGE DISTRICT
BOARD OF COMMISSIONERS MEETING**

*****AGENDA*****

THURSDAY, MARCH 25, 2010

NOTE: BOARD MEMBERS, PLEASE TURN YOUR MICROPHONES ON

01. CALL TO ORDER/PLEDGE OF ALLEGIANCE
02. PUBLIC COMMENT
03. APPROVAL OF FEBRUARY 25TH BOARD OF COMMISSIONERS MEETING MINUTES
04. DIRECTOR'S REPORT
 - A. MICHAEL WOOD, LOBBYIST, UPDATE
 - B. WATER CONSERVATION MONTH PROCLAMATION
 - C. VACATIONS/VARIANCES
 1. WARD EASEMENT VACATION
 2. BONILLA VARIANCE
 - D. BID RECOMMENDATIONS
 1. S-1 & S-7 MASTER AND ENGINE CONTROL PANELS
 2. SOUTHWEST RANCHES TREE REMOVAL PROJECT
 3. S-8 PUMP OVERHAUL
 - E. RECERTIFICATION FEE INCREASE
 - F. DISTRICT DIRECTOR
 - G. OTHER
05. ATTORNEY'S REPORT:
 - A. LEGISLATIVE UPDATE
 - B. EPA NUMERIC STANDARDS CRITERIA STATUS REPORT
 - C. OTHER
06. APPROVAL OF LEGAL BILLS
07. BOARD MEMBERS QUESTIONS/COMMENTS
08. OTHER
09. MEETINGS:
 - A. NEXT MEETING WILL BE THURSDAY, APRIL 22, 2010
10. ADJOURNMENT

ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE BOARD WITH RE-SPECT TO ANY MATTER CONSIDERED AT SUCH HEARING/MEETING MAY NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE MAY WISH TO INSURE THAT A VERBATIM RECORD IS MADE, WHICH RECORD IS TO BE USED FOR TESTI-MONY AND EVIDENCE UPON WHICH AN APPEAL WOULD BE BASED.

IN ACCORDANCE W/THE AMERICANS W/DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS W/DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE DISTRICT AT (954) 680-3337 AT LEAST 48 HOURS PRIOR TO THE PROCEEDINGS FOR ASSISTANCE.

**SOUTH BROWARD DRAINAGE DISTRICT
GOVERNING BOARD MEETING MINUTES
MARCH 25, 2010**

Present:

Scott Hodges, Chairperson
James Ryan, Treasurer
Robert E. Goggin, IV, Secretary
Mercedes Santana-Woodall, Commissioner
Vicki Minnaugh, Commissioner
Alanna Mersinger, Commissioner

Leo M. Schwartzberg, District Director
Douglas R. Bell, Legal Counsel
Reina Muniz, Recording Secretary
Fred Fisikelli, SWR Councilman
Jose Lopez & Carol Morris, SFWMD
Lobbyist Michael Wood
General Public: See Attached List

Absent:

Thomas Good, Vice Chairperson

01. CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

02. PUBLIC COMMENT

None

03. APPROVAL OF MINUTES

Commissioner Goggin moved for approval of the minutes of the February 25, 2010 Board meeting minutes. Motion seconded by Commissioner Minnaugh and carried unanimously.

04. DISTRICT DIRECTOR'S REPORT

A. Michael Wood, Lobbyist, Update

Mr. Wood gave us an update on his trip to Tallahassee and said they are still looking for funding for the culvert project and are pretty confident that they will get it. He said that if the District is going to get any funding it would most likely be through (TED) Transportation and Economic Development Committee. He mentioned that there will be a follow-up trip in April to protect the District's funding request. Regarding the habitat project he mentioned that he got good news from FP&L. He said that FP&L had two conditions: 1) They want a curriculum letter from the Broward School District; and 2) They also want (SBDD) South Broward Drainage District to make sure they speak to the School District about transportation to and from SBDD. He mentioned that Dr. Keener, Mr. Schwartzberg and Nancy Colgrove hopes to meet next Thursday to begin the process

of writing the curriculum for the program and that he feels reasonably certain that the Broward School District will help us with that.

Mr. Schwartzberg commented that he was approached by a consultant for a developer who is interested in helping to fund this project.

B. Water Conservation Month Proclamation

Commissioner Hodges read the Water Conservation Month Proclamation and duly proclaimed the month of April to be “Water Conservation Month”.

Commissioner Minnaugh moved for approval of the Water Conservation for the Month of April. Motion seconded by Commissioner Santana-Woodall and carried unanimously.

C. Vacations/Variances

- 1. Ward Easement Vacation** – Mr. Antonio Ward requested vacation of the drainage easements on the east and west sides of his property and the lake maintenance easement at the rear of his property located at 15000 Saxon Circle North (Ivanhoe) at Southwest Ranches. Mr. Schwartzberg said he saw no reason to deny Mr. Ward’s request to vacate the drainage easements, however, Mr. Schwartzberg did not recommend vacating the lake maintenance easement because it allows the District to control the use of the land adjacent to the lake, specifically as it relates to docks, decks and hedges.

After conferring with the Town of Southwest Ranches to see if there were any objections to releasing the drainage easements, Mr. Schwartzberg requested the approval of the vacation of the drainage easements and denial of the request to vacate the lake maintenance easement.

Commissioner Minnaugh Moved for approval of vacation of the drainage easements and denial of vacation of the LME; motion seconded by Commissioner Goggin and carried unanimously.

- 2. Bonilla Variance** – Mr. Eligio Bonilla requested a variance to allow a newly built trellis to remain in the (LME) lake maintenance easement behind his house. He had a permit with the City to build the trellis. The plans showed the trellis butting up against the LME, but not encroaching into it.

After the District’s inspector, Mr. Ochoa, made a final inspection, he found that the trellis encroached a full 10 feet into the LME. Prior to this encroachment, if the District would have had to access the LME with a vehicle, the District would have had to remove a short section of the fence to get past the sewage lift station at the corner of the lot. Now the District will have to remove a longer section of the fence.

Mr. Schwartzberg recommended the approval of the request to allow the trellis to remain in the LME.

Commissioner Minnaugh moved to deny the variance request to keep the trellis in the LME; motion seconded by Commissioner Goggin and carried unanimously.

D. Bid Recommendations

1. S-1 & S-7 Master and Engine Control Panels Pump Stations

The control panels at the S-1 and S-7 stations are in need of replacement. The District opened bids for this work on March 18th. The low bidder of \$124,000 was submitted by (TAW) Tampa Armature Works, Inc. Although TAW has not done work for the District before, they have completed five similar projects in the past 10 years. Mr. Schwartzberg reviewed the documents submitted by TAW and found them to be satisfactory.

Mr. Schwartzberg requested the Board award the Master & Engine Control Panels for the S-1 & S-7 Pump Stations to TAW, Inc. for the lump sum of \$124,000.

Commissioner Goggin moved for approval to award the S-1 & S-7 Master and Engine Control Panel Pump Station Bid Project to TAW, Inc. for the lump sum of \$124,000.00. Motion was seconded by Commissioner Minnaugh and carried unanimously.

In further discussion regarding the funding of this project, whether the funds will be either Reserve funds or Stimulus funds, the Commissioners agreed with Commissioner Hodges that this project will be awarded with the condition that the project will not begin until the notice to proceed is received.

2. Southwest Ranches Tree Removal Project

The District is preparing to remove trees along the banks of canals at 12 locations in Southwest Ranches that have serious potential to fall into its secondary canals in a hurricane. Bids were received and opened on March 17th. The low bidder of \$11,588.57 was submitted by ELAN Lawn & Landscaping Services. ELAN Lawn & Landscaping has done several projects for the District in the past.

Mr. Schwartzberg recommended that the Board award the Southwest Ranches Tree Removal Project to ELAN Lawn & Landscaping Services for the lump sum of \$11,588.57.

Commissioner Goggin moved for approval to award the Southwest Ranches Tree Removal Project to ELAN Lawn & Landscaping Services for the lump sum of \$11,588.57. Motion was seconded by Commissioner Minnaugh and carried unanimously.

3. S-8 Pump Station Overhaul

The S-8 Pump Station is the only station in the District that was built with water lubricated pumps. The District knew that pump would last at least 10 years without needing to be overhauled, it has lasted 14 years. Bid was opened on March 17th. The low bidder was MWI Corporation for the sum of \$11,835.00. MWI Corporation successfully did work for the District several years ago.

Mr. Schwartzberg recommended that the Board award the Overhaul of Pump # 3 at the S-8 Pump Station to MWI for the lump sum of \$11,835.00

Commissioner Goggin moved for approval to award the Overhaul of Water Lubricated Pump at the S-8 Pump Station Project to MWI Corporation for the lump sum of \$11,835.00. Motion

was seconded by Commissioner Santana-Woodall and carried unanimously.

E. Recertification Fee Increase

The Recertification fees were set based on how much time was spent per project in the first year of the program and staff estimates for what they thought might be spent in different circumstances. The District found one area that the fees were set too low. It did not account for the inspection that is needed to be done of each pollution retardant baffle and for the inspection of the headwalls themselves. The District was doing the inspections in-house, but as the projects got bigger, the District realized that this would get expensive. The District signed a contract on a per baffle basis with a commercial diving company for \$18 per baffle and there is some supervision involved with that. The company agreed to hold the price for a full 12 months.

Mr. Schwartzberg proposed that the District add to our existing structures, without raising existing fees, two new fees, one for per outfall and one per (PRB) Pollution Retardant Baffle, of \$25.00. This way the District only targets the projects that actually have that cost associated with it as opposed to raising the permit fee to cover this in an overall way and having to guess whether the District has enough money. Also, no one would get a higher fee if they aren't getting the benefit.

Commissioner Minnaugh moved for approval to increase the Recertification fee. Motion was seconded by Commissioner Santana-Woodall; motion carried unanimously. Mr. Bell said he will prepare a resolution for final approval at the next meeting.

F. District Director

Mr. Schwartzberg formally resigned as Director of the South Broward Drainage District. He hopes to continue to serve as Director through June 25, 2010.

He realizes that the board members need to consider his replacement. It was decided that the Board will hold a Management Meeting to discuss this further on April 1 at 9:30 a.m. There will be a newspaper advertisement and it will also be posted at the SBDD lobby.

In discussion, the Commissioners praised Mr. Schwartzberg on what a great job he's done through the years and how hard it will be to fill Mr. Schwartzberg shoes; they commended him for following his dream.

05. LEGAL-COUNSEL REPORT

A. Legislative Update

Mr. Bell said that the inspector general bill is still moving forward. He said he prepared some memorandums and comments and gave those to the delegation members. He said Commissioner Mersinger delivered copies of it to a number of the members on her trip to Tallahassee. He mentioned that a new version of the bill came out two days ago and it was modified again. He also mentioned that some of his suggestions had been implemented.

B. EPA Numeric Standards Criteria Status Report

Mr. Bell said the EPA Numeric Standards Criteria is still moving forward. They have extended their review for comments to the end of April.

C. Other

Mr. Bell said Mr. Boff is still working on his analysis and will be giving Mr. Bell his memorandum so that the District can discuss it at the next board meeting.

06. APPROVAL OF LEGAL FEES

Commissioner Minnaugh moved for approval of the legal bills; motion was seconded by Commissioner Goggin and carried unanimously.

07. BOARD MEMBER'S QUESTIONS/COMMENTS

Mr. Schwartzberg said that Water Matters Day was well attended. He said that the District already has one team for our Canal Clean-up Program as a result of Water Matters Day. A new engineer at Calvin Giordano will be heading up a team that will clean up part of the University Drive canal floors. He also mentioned another group from one of the schools that is also looking at doing it.

08. OTHER

Mr. Fisikelli wanted to inform South Broward Drainage District that the Town of Southwest Ranches placed all of their permits on the new computer system so that now, if you know the address, etc., you can go online and check on those permits. He mentioned that from now on there will be check points on their permit cards for drainage.

Commissioner Mersinger said that while in Tallahassee she met with Mr. Ernie Barnett, Policy Director from SFWMD. She said it went well.

09. MEETING DATE

- A. Management Meeting will be held on Thursday, April 1, 2010 at 9:30 A.M.
- B. Next Board Meeting will be held Thursday, April 22, 2010 at 9:00 A.M.

Adjournment at 11:01 A.M.

Respectfully submitted,



Robert E. Goggin IV, Secretary
South Broward Drainage District

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