

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

**\*\*\*AGENDA\*\*\***

**THURSDAY, MAY 27, 2010**

**NOTE: BOARD MEMBERS, PLEASE TURN YOUR MICROPHONES ON**

01. CALL TO ORDER/PLEDGE OF ALLEGIANCE
02. PUBLIC COMMENT
03. APPROVAL OF APRIL 22<sup>ND</sup> BOARD OF COMMISSIONERS MEETING MINUTES  
APPROVAL OF MAY 17<sup>TH</sup> MANAGEMENT MEETING MINUTES
04. DIRECTOR'S REPORT
  - A. MICHAEL WOOD, LOBBYIST, UPDATE
  - B. VACATION/VARIANCES
    1. IYENGAR VACATION OF SWMA
    2. PAUL SKEADOS VARIANCE
    3. BOKAMPERS VARIANCE
  - C. BID RECOMMENDATIONS
    1. DEMOLITION OF B-4 PUMP STATION & CANAL EXCAVATION PROJECT
    2. SW 196<sup>TH</sup> AVENUE REAR YARD DRAINAGE PROJECT
    3. IVANHOE OUTFALL PROJECT
  - D. TUITION REIMBURSEMENT FOR LUIS OCHOA
  - E. PHOTOCOPIER LEASE
  - F. OTHER
05. ATTORNEY'S REPORT:
  - A. EPA NUMERIC STANDARDS CRITERIA STATUS REPORT
  - D. UPDATE ON BROWARD COUNTY INSPECTOR GENERAL LEGISLATION
  - B. UPDATE ON GENERAL SPECIAL DISTRICT LEGISLATION
  - C. UPDATE ON GRAND PALMS LEGAL PROCEEDINGS
  - E. RESOLUTION 2010-06; APPROVING EMPLOYMENT CONTRACT FOR DISTRICT DIRECTOR
  - F. OTHER
06. APPROVAL OF LEGAL BILLS
07. BOARD MEMBERS QUESTIONS/COMMENTS
08. OTHER
09. MEETINGS:
  - A. NEXT MEETING WILL BE THURSDAY, JUNE 24, 2010
10. ADJOURNMENT

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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  
MAY 27, 2010**

**Present:**

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

Leo M. Schwartzberg, District Director  
Kevin M. Hart, P.E.  
Douglas R. Bell, Legal Counsel  
Lisa E. Alvarez, Temp.Recording Secretary  
Michael Wood, Lobbyist  
General Public: See Attached List

**Absent:**

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**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 Minnaugh moved for approval of the minutes of the April 22, 2010 Board meeting. Motion seconded by Commissioner Woodall-Santana and carried unanimously.

Commissioner Goggin moved for approval of the minutes of the May 17, 2010 Management meeting. Motion seconded by Commissioner Minnaugh and carried unanimously.

**04. DISTRICT DIRECTOR'S REPORT**

**A. Michael Wood, Lobbyist, Update**

Michael E. Wood, Lobbyist said that he had not succeeded in his efforts to get funding for the District during the legislative session. Senator Smith did express a firm commitment for funding for 2011. A request was made for all the culvert money which was \$1 million, but Mr. Wood is not sure how much will be received. Mr. Wood is still continuing to push FPL. Enterprise Rent-A-Car is interested in participating and may take the lead and has talked about giving a \$10,000 check in exchange for naming rights.

Leo shared that the conceptual design for the Habitat project has been done and as soon as it is approved will be forwarded to the Board and the school board for approval.

**B. Vacation/Variances**

1. Iyengar Vacation of SWMA - Dr. Iyengar has made some minor changes to his site plan and has requested the SWMA be vacated on the north side and added to the east side. The square footage stays the same. Mr. Schwartzberg requested that the Board approve the vacation of the SWMA.

Commissioner Minnaugh moved for approval of the vacation of the SWMA; motion seconded by Commissioner Goggin and carried unanimously.

2. Paul Skeados Variance - Mr. Skeados purchased a house in Pembroke Lakes South in 1995 which had an existing dock. The dock exceeds the District's allowable square footage by 44 feet. Mr. Schwartzberg requested that the Board approve the variance for the dock though the dock is nonconforming since it did pre-exist the current owner.

Commissioner Goggin moved for approval of the variance for the dock; motion seconded by Commissioner Mersinger and carried unanimously.

3. Bokampers Variance - Bokampers is a proposed commercial restaurant facility being proposed at the NW corner of Dykes Road and Miramar Parkway. A variance has been requested for a dock and deck which will be in the lake maintenance easement and which exceeds the maximum square footage permitted by the District's Criteria Manual. There are electrical improvements proposed to be placed on the dock/deck. Mr. Schwartzberg has discussed the District's criteria with the owner's representative and he has agreed to exceed District electrical criteria by placing signage on the waterside of the dock indicating the location of the emergency shutoff switch. Mr. Schwartzberg recommends approval of the variance for the dock and deck in the lake maintenance easement as submitted.

Commissioner Goggin moved for approval of the variance for the dock; motion seconded by Commissioner Woodall-Santana.

The owner's representative requested that the District's approval be put forward in some form of writing since it was a requirement of their closing.

Commissioner Hodges inquired as to the District's lake maintenance easement and how the District would access the easement. Mr. Schwartzberg explained that even though the easement would be partially located under the dock/deck, that the District would have full access to the easement from both sides.

Commissioner Minnaugh made an amendment to the Motion to be contingent that no document to be provided that the developer just rely on the minutes and proceed forward and if they don't close, the variance is withdrawn; motion seconded by Commissioner Good and carried unanimously.

Commissioner Good inquired as to who would be responsible for the waterway clean up from the debris created by the dock/deck. Mr. Schwartzberg explained that the District does not currently clean up debris or garbage from waterways and wouldn't, if it was a code issue then it would be the responsibility of the City of Miramar.

Mr. Schwartzberg requested that the Board approve to quit claim to Bokampers that small portion of land underneath the dock. Commissioner Goggin made a motion to vacate and quit claim to Bokampers, motion was seconded by Commissioner Santana-Woodall, carried unanimously.

### **C. Bid Recommendations**

#### **1. Demolition of B-4 Pump Station & Canal Excavation Project**

Mr. Schwartzberg explained that the issues involving how to dispose of the dirt that would be generated by the demolition of the S-4 Pump Station had been resolved and bids were opened on May 17, 2010. Several bids were received and the lowest acceptable bidder was The BG Group LLC for the lump sum of \$18,753.00. Mr. Schwartzberg recommended that the Board award The BG Group LLC the contract in the lump sum of \$18,753.00.

Commissioner Goggin moved for approval of the S-4 Pump Station Demolition project to The BG Group LLC, for the lump sum amount of \$18,753.00, motion seconded by Commissioner Minnaugh, carried unanimously.

Commissioner Goggin raised an issue that the residents of the French Villas use the pump station for access to the townhomes and suggested that Mr. Schwartzberg put up a sign advising residents that the pump station and land it sets on will be removed. Mr. Schwartzberg agreed to place the appropriate signs.

#### **2. SW 196<sup>th</sup> Avenue Rear Yard Drainage Project**

On May 17, 2010 several bids were received for the rear yard drainage project for SW 196<sup>th</sup> Avenue. The low bidder was KMC Corporation for the amount of \$91,800.46.

Mr. Schwartzberg advised that all the homeowners are aware of the project and are in favor of the project.

Mr. Schwartzberg requested that the Board award the SW 196<sup>th</sup> Avenue Rear Yard Drainage Project to KMC Corporation for the amount of \$91,800.46. This company has never done work for the District before, however Kevin Hart has worked with them and spoke well of them.

Commissioner Minnaugh moved for approval to award the SW 196<sup>th</sup> Avenue Rear Yard Drainage Project to KMC for the amount of \$91,800.46, motion seconded by Commissioner Goggin and carried unanimously.

### 3. Ivanhoe Outfall Project

Mr. Schwartzberg requested that the Board award the Ivanhoe Outfall Project sluice gate and walkway to Giralt Enterprises, Inc. for the lump sum of \$15,176.00.

Commissioner Minnaugh moved for approval to award the Ivanhoe Outfall Project sluice gate and walkway to Giralt Enterprises, Inc. for the lump sum of \$15,176.00, motion seconded by Commissioner Goggin and carried unanimously.

#### **D. Tuition Reimbursement For Luis Ochoa**

Mr. Schwartzberg was requested by the Board at the April 22, 2010 meeting to review the policies of local municipalities regarding their educational reimbursement policies. After review, Mr. Schwartzberg is recommending the Board approve tuition reimbursement for courses that meet the following criteria, the course is required, or is an approved elective for a civil engineering degree at FIU and that Mr. Ochoa passes the class with a C or better.

Commissioner Mersinger suggested that a time certain be required for work service after completion of the degree.

Mr. Bell suggested that the Commissioners concerns be put into a formal agreement which Mr. Ochoa would sign.

Commissioner Hodges suggested that a minimum of 2 years work be required after Mr. Ochoa receives his degree. Commissioner Mersinger agreed.

Commissioner Good would like to have tuition reimbursement available to all employees and Commissioner Mersinger suggested the Board adopt a policy regarding tuition reimbursement and have it incorporated in the employee manual.

Commissioner Minnaugh moved to table this item for the next board meeting pending a formal contract; motion seconded by Commissioner Goggin and carried unanimously.

Commissioner Ryan had to leave.

#### **E. Photocopier Lease**

Mr. Schwartzberg advised that the photo copier lease will expire next month and he has researched several options for a new copier. He selected two from the State Bid List and both copiers are very similar in features and include monthly maintenance costs. Mr. Schwartzberg is requesting the Board to approve a 36 month lease for a Toshiba e-Studio2830c for \$223.45 per month.

Commissioner Minnaugh moved for approval of the 36 month lease for a Toshiba e-Studio2830c for \$223.45 per month; motion seconded by Commissioner Good and carried unanimously.

05. **ATTORNEY'S REPORT**

**A. EPA Numeric Standards Criteria Status Report**

Mr. Bell stated that he attended a State DEP meeting at South Florida which identifies impaired waters in South Florida and that the deadline for comments is June 1<sup>st</sup>. Mr. Bell will be providing a letter objecting. This appears to be another unfunded mandate.

**B. Update on Broward County Inspector General Legislation**

Mr. Bell advised that this bill did not make it through this year, but will probably come up again next year in a better form.

**C. Update on General Special District Legislation**

Mr. Bell advised that everything failed this year and that nothing that would affect the District made it through.

**D. Update on Grand Palms Legal Proceedings**

Mr. Bell advised that the Judge in the case scheduled a hearing on the status and that it use to be that if nothing took place in a year the case would be dismissed. However the Judge is allowing this case to continue forward.

**E. Resolution 2010-06; Approving Employment Contract for District Director**

Commissioner Minnaugh moved to approve District Resolution 2010-06, motion seconded by Commissioner Goggin, and carried unanimously.

Commissioner Good made a motion that the severance package be limited to a maximum of 12 months pay, motion was second by Commissioner Mersinger and carried unanimously.

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**

Commissioner Minnaugh stated that she, Commissioner Mersinger and Commissioner Ryan attended the Southwest Ranches Town meeting and that the Town had received a check from South Florida Water Management District for the S-9/10 Basin in the amount of \$202,500.00.

Commissioner Goggin shared that the City of Pembroke Pines had given ACE Hardware a key to the City for being the longest operating privately owned business in Pembroke Pines. Ace has been in business for 33 years and has been a family run business for 4 generations.

Only 5 other keys to the City have been given out.

Commissioner Mersinger shared that June 9<sup>th</sup> is Broward Days Legislative Wrap-up at the Riverside Inn from 11:30-1:00 and Representative Ari Porth will be there. RSVP is by June 7<sup>th</sup>, the cost is \$50 for members and \$65 for non-members.

**08. OTHER**

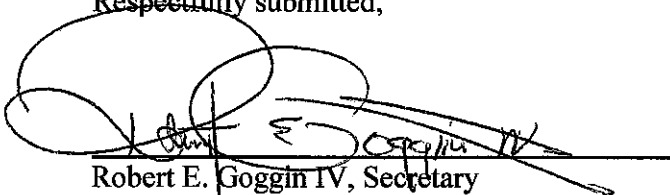
Mr. Schwartzberg advised there was a blood drive going on outside with the Florida Blood Centers until 3:00 P.M. for anyone who would like to donate blood.

**09. MEETING DATE**

A. Next Board Meeting will be held Thursday, **June 24, 2010 at 9:30 A.M.**

**Adjournment at 11:43 A.M.**

Respectfully submitted,



Robert E. Goggin IV, Secretary  
South Broward Drainage District

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