

**SOUTH BROWARD DRAINAGE DISTRICT  
BOARD OF COMMISSIONERS MEETING  
AGENDA  
THURSDAY, MAY 29, 2008**

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

- 01. CALL TO ORDER/PLEDGE OF ALLEGIANCE
- 02. PUBLIC COMMENT
- 03. APPROVALS:
  - A. APRIL 24, 2008, BOARD MEETING MINUTES
  - B. MAY 14, 2008, BOARD EROSION WORKSHOP MINUTES
- 04. DIRECTOR'S REPORT
  - A. 2007-2008 BUDGET ADJUSTMENT
  - B. VARIANCE/VACATION REQUESTS:
    - 1. PLACENCIA - VARIANCE
    - 2. LAFOREST - VACATION
  - C. HURRICANE EMERGENCY EROSION SPECIAL COMMITTEE REPORT
  - D. HURRICANE MANUAL
  - E. OTHER
- 05 ATTORNEY'S REPORT
  - A. SOUTHWEST RANCHES LEASE RENEWAL DISCUSSION
  - B. SPECIAL DISTRICTS LEGISLATION UPDATE
  - C. GRAND PALMS LAWSUIT UPDATE
  - D. OTHER
- 06. APPROVAL OF LEGAL BILLS
- 07. BOARD MEMBERS QUESTIONS/COMMENTS
- 08. OTHER
- 09. MEETINGS:
  - A. BOARD OF COMMISSIONERS MEETING - THURSDAY, MAY 29, 2008,  
9:30 A.M.
  - B. MANAGEMENT COMMITTEE MEETING - SET DATE IF NECESSARY

10. ADJOURNMENT

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ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT 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 TESTIMONY 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.

**NOTE:**

**ITEMS NO. 4-E, 4-F & 4-G PREVIOUSLY LISTED AS 4-F, 4-G & 4-H ON ORIGINAL AGENDA SUBMITTAL.**

**SOUTH BROWARD DRAINAGE DISTRICT  
GOVERNING BOARD MEETING MINUTES  
MAY 29, 2008**

**Present:**

James Ryan, Chairperson  
Scott Hodges, Vice Chairperson  
Robert E. Goggin IV, Secretary  
Thomas Good, Commissioner  
Mercedes Santana-Woodall, Commissioner  
John Eastman, Commissioner

Leo M. Schwartzberg, District Director  
Douglas R. Bell, Legal Counsel  
Joann Long, Recording Secretary  
General Public: Robert Busch

**Absent**

Alanna Mersinger, Commissioner

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

Meeting called to order at 9:45 A.M. followed by roll call and the Pledge of Allegiance.

**02. PUBLIC COMMENT**

None.

**03. APPROVAL OF MEETING MINUTES**

(A) Per motion by Commissioner Goggin and second by Commissioner Santana-Woodall, the April 24, 2008, Board meeting minutes were unanimously approved.

(B) Per motion by Commissioner Goggin, second by Commissioner Good, the May 14, 2008, Board Erosion Workshop minutes were unanimously approved.

**04. DISTRICT DIRECTOR'S REPORT**

A. The District Director requested that the Board authorize the **transfer of \$25,000 from the line item #1640 (Public Records) 2007-2008 general-operating budget to line item #1765 (Herbicides)** per his memo dated May 23<sup>rd</sup> (copy attached). After brief discussion on trash racks and grass carp, Commissioner Good moved for approval of Mr. Schwartzberg's funds transfer request. Second by Commissioner Goggin; carried unanimously.

B. The District Director requested approval of a 2' lake-maintenance **chickee-hut encroachment on the Placencia property** located at 16325 Northwest 11 Street, Pembroke Pines/Spring Valley (see attached). Motion to approve by Commissioner Santana-Woodall, second by Commissioner Eastman; carried unanimously.

C. Messrs. Bell, Schwartzberg and Commissioner Hodges, **special Hurricane Erosion Committee for the purpose of recommending a tiered-taxing method for communities that have large lakes that suffer severe erosion/loss of property during catastrophic wind events**, have come up with a list of large lakes/communities that perhaps should be subject to higher assessments than those communities/areas that are not subject to such severe damage. Mr. Bell is procuring additional information and should have a report available for the June Board meeting.

Mr. Schwartzberg noted that in reference to **reinsurance**, he has been advised that the London company is interested even though they need much more information in order to further pursue the issue at their end. Mr. Schwartzberg is meeting with the District's insurance agent; and if he is satisfied with the information Mr. Schwartzberg is preparing, it will be forwarded to the London company.

Per request, the lakes will be marked on the Board-Room map.

D. No radical changes have been made to the District's **Hurricane Manual** for the 2008 hurricane season. Most of the changes were in the contact names/phone numbers. Staff also annually tries to clarify any questionable areas in the manual that have come to its attention.

Mr. Schwartzberg explained that the **UHF 38' radio antenna** is installed annually just prior to hurricane season and then removed and stores afterwards. Staff is in the process of testing the UHF radio system, and it appears to be more than adequate for contact within SBDD boundaries. Currently, this is not tied into Broward County's emergency system; but Mr. Schwartzberg will look into that possibility when time permits.

The **Facility Report** was mentioned, and Commissioner Eastman would like to be sure that the two new Board members have copies of same.

#### 05. **LEGAL-COUNSEL REPORT**

A. The **Town of Southwest Ranches has requested approval for a tertiary drainage easement to be located over an area of SBDD's surface-water management area on the Roberto Fernandez property** located within the Town (Lot 6 of Friendly Acres). This would pose no difficulty for the District. Motion by Commissioner Hodges to approve the request. Second by Commissioner Goggin; carried by unanimous vote.

The same request is being made for the **Franklin Maria property** located at 17000 Southwest 62 Court within the Town. Again, it would pose no problem for SBDD were a SWR tertiary drainage easement allowed over a portion of the District's surface-water management area. Commissioner Eastman moved for approval of the request as submitted. second by Commissioner Hodges; carried unanimously.

B. The District came through the recently-ended legislative session unscathed. While all had hoped for a considerable portion of any CIBR approved funds through SFWMD, only \$100,000, was approved; and as the District's request was first on SFWMD's CIBR funds request list, the \$100,000, will be provided SBDD for use toward the cost of the remaining Basins S-9/S-10 storm-water improvements.

C. Commissioner Goggin raised the question of what was happening with the **SWR's 5-year lease renewal** and the **fire-station temporary parking issues**. Mr. Schwartzberg responded that additional information is needed re: the lease before further discussion on same and that the fire station temporary parking may not be an issue as the Town may have another suitable location for that purpose.

D. Mr. Bell has filed a motion to dismiss on behalf of the District in connection with the **Grand Palms lawsuit**. If legal fees are not recovered directly from Grand Palms, they will be recouped via the next property-tax bill.

#### 06. **APPROVAL OF LEGAL FEES**

Commissioner Goggin moved for approval of the legal bills as submitted; motion seconded by Commissioner Santana-Woodall and carried unanimously. It was noted that the legal bills were included in the Board packages that were hand delivered on Friday, May 30<sup>th</sup>. Commissioner Eastman asked that he also receive this information via e-mail.

#### 07. **BOARD MEMBERS/OTHER COMMENTS**

A. Re: Mr. Schwartzberg's comments on the London insurance company in connection with **reinsurance**, Commissioner Eastman voiced his belief that the District is not an insurer for private properties; those persons should get their own coverage. He felt the Commissioners should be very careful when considering undertaking large **insurance premiums** in this area.

B. Commissioner Eastman brought up the fact that employee **Joann Long** will be completing her 5-year **DROP** as of the end of June next year at which time she will retire. He suggested that when considering Joann's replacement, the Board should consider hiring someone who could also perhaps maintain/update the Broward County SBDD tax-basin information. This would save a great deal in legal fees as this is something that occurs on a regular basis and has for many years been done by legal counsel.

Mr. Schwartzberg advised that he had already taken steps re: some of Joann's duties by having an in-house staff member who has expressed an interest in the bookkeeping portion begin classes for the District's accounting program. This individual is also working with Joann as time permits. He will address the other duties as time permits, but he does not feel that sufficient work exists to merit hiring a paralegal to maintain/update the County tax-basin information.

C. Commissioner Eastman lastly noted that as the District has become more transparent, it should do so with its **public records** also. He felt that anything that comes through the District should be available on the web site in order to make all information available to the general public.

Mr. Schwartzberg explained that this is gradually being done. Staff, as time permits, is scanning all documents for that purpose as well as paper-storage purposes. Almost all information is available via e-mail based on a written request. John suggested making the minutes available using the recorded disc on the web site. Commissioner Hodges felt that the use of electronics could greatly reduce the paperwork sent to the Board members. He asked that consideration be given to perhaps purchasing **dedicated laptops** for each Board member for that purpose.

D. Commissioner Goggin noted that recently, there was an impressive newspaper article noting that the **City of Pembroke Pines** had received a special Broward County award for its efforts re: **water conservation**. All agreed that was quite an accomplishment.

E. General public attendee Robert Busch noted that he has studied **FEMA regulations** and found that FEMA defines flooding as wave action. Their policies do not cover the land – only the buildings. While HOAs insurance did cover pools and docks, property owners are now required to purchase ancillary coverage for such structures.

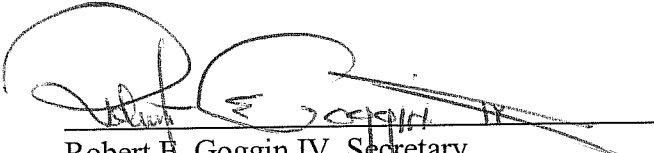
Mr. Schwartzberg interjected that any new insurance for erosion also would not cover pools, patios, decks, docks, etc.

#### 08. **TAX BILLING & COLLECTION FEE**

The District has received a \$37,000, bill from the County for the billing and collection of the District's taxes for the 2007 tax year. While they deduct 1% on each monthly submital for the Revenue Collection Department, the additional 1% for the Property Appraiser's Department is collected at a later date. The \$37,000, is included in the 2007-08 general-operating budget.

09. **June Board meeting date** will be Thursday, June 26, 2008, 9:30 A.M. (There will be Management Committee meeting unless an emergency were to arise.)

**Adjournment at 10:40 A.M.**

  
Robert B. Goggin IV, Secretary  
South Broward Drainage District

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