

**SOUTH BROWARD DRAINAGE DISTRICT
BOARD OF SUPERVISORS MEETING
AMENDED AGENDA
THURSDAY, JUNE 28, 2007**

NOTE: BOARD MEMBERS, PLEASE TURN YOUR MICROPHONES ON

01. CALL TO ORDER/PLEDGE OF ALLEGIANCE

02. ELECTION OF OFFICERS:

A. PRESIDENT

C. SECRETARY

B. VICE PRESIDENT

D. TREASURER

03. PUBLIC COMMENT

04. APPROVAL OF MAY 31ST BOARD MEETING MINUTES

05. DIRECTOR'S REPORT:

A. NEW ESCAPE

B. WORKERS COMPENSATION POLICY

C. FEMA UPDATE

D. VACATIONS:

1. OAKBROOK RANCHES/EASEMENT VACATION

2. SOSA/SURFACE-WATER MANAGEMENT AREA VACATION

E. VARIANCES:

1. PINES HEALTH PARK

F. BUDGET DISCUSSION

G. OTHER

06. ATTORNEY'S REPORT:

A. 2007 LEGISLATION UPDATE

B. 2008 LEGISLATION

C. ALTERNATIVE TAX-METHOD UPDATE

D. WORKERS COMPENSATION REQUIREMENT FOR DISTRICT CONTRACTS

E. SCHEDULE FOR BUDGET HEARINGS

F. OTHER

07. APPROVAL OF LEGAL BILLS

08. BOARD MEMBERS QUESTIONS/COMMENTS

09. OTHER

10. MEETING DATES:

A. BOARD OF SUPERVISORS MEETING - THURSDAY, JULY 26, 2007,
9:30 A.M.,

B. MANAGEMENT COMMITTEE MEETING - SET DATE

11. ADJOURNMENT

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 PARTI-CIPATE 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
JUNE 28, 2007**

Present:

Jack McCluskey, President
Scott Hodges, Vice President
Carl J. Lanke, Treasurer
James Ryan, Secretary
John Eastman, Commissioner
Robert E. Goggin, Commissioner

Alanna Mersinger, Commissioner
Leo M. Schwartzberg, District Director
Douglas R. Bell, Legal Counsel
Joann Long, Recording Secretary
General Public (List Attached)

01. CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

02. ELECTION OF OFFICERS

Due to a change in the District's Charter, a new election of Officers was required. All votes were unanimous. Results: President, Jack McCluskey (per motion by Mr. Ryan, second by John Eastman); Vice President, Scott Hodges (per motion by Mr. Ryan, second by Mrs. Mersinger); Treasurer, Carl Lanke (per motion by Mr. Ryan, second by Mrs. Mersinger); Secretary, Jim Ryan (per motion by Mr. Lanke, second by Mrs. Mersinger).

The District's legislative bill changing the title of Supervisors to Commissioners was approved. Therefore, Supervisors now are titled Commissioners.

03. PUBLIC COMMENT(S) - None

04. MEETING MINUTES

The May 31, 2007, Board meeting minutes were approved unanimously per motion by Mrs. Mersinger, second by Mr. Ryan.

05. DISTRICT DIRECTOR'S REPORT

A. The new **Ford Escape Hybrid** has been delivered. In the short time Mr. Schwartzberg has driven this vehicle, it's gotten approximately 26-27 mpg compared to about 17 with his previous vehicle.

B. At the June 13th Management Committee meeting, Mr. Bell was asked to look into the District's **workers comp coverage** and how allowing contractors without this coverage would affect the District. Mr. Schwartzberg did the majority of the research which showed that SBDD would be liable for any injury that would occur to any employees of a company that does not carry workers comp. This also applies to any person that would be injured due to the actions of the contractor and employees.

Mr. Schwartzberg explained that there are other options the contractor could use that would not create any liability for the District.

It was agreed that the District must continue with its present criteria regarding contractors and workers comp coverage as it cannot assume the liability of others.

C. **FEMA** representatives met with Mr. Schwartzberg recently and advised that FEMA had approved over \$4,000,000, of the submitted bills for Hurricane Wilma expenses. While this will pay back the Miramar and Pembroke Pines loans, Mr. Schwartzberg has entered his objection to monies deemed not

reimbursable and will be providing additional information to those who denied expenses. He felt that the engineer who did the analysis made a very simplistic judgment which resulted in the large deduct. He is working to get this corrected if at all possible. The Cities must be reimbursed the loan funds by March 2008.

D. (1) Mr. Schwartzberg recommended approval to **vacate the drainage easement** which exists over a portion of the site that was dedicated on a parcel of **Oakbrook Ranches** which is now part of the overall plat. and which is in conflict with the current lot layout. Any needed easements will be acquired during the platting process. Motion to approve by Mr. Eastman, second by Mr. Hodges. Carried unanimously.

(2) A request has been received for the **vacation of the original surface-water management area** (SWM) on the **Sosa property** at 17201 Southwest 59 Court, South- west Ranches as it conflicts with the proposed site plan. New SWM areas have already been dedicated. Motion made by Mr. Eastman to approve the vacation request, second by Mr. Hodges; carried unanimously.

E. **Pines Health Park**, which includes senior housing facilities, located on the South Florida Mental Hospital property, has requested permission to construct a **pedestrian bridge** with only 3.1 feet of clearance pending the construction of two boat ramps and preparation/approval of the necessary documents by the District's attorney. This would minimize the strain on the residents by reducing the present walking distance between the two facilities. Mr. Schwartzberg recommended approval. Motion by Mr. Eastman, second by Mr. Hodges; carried unanimously.

F. Discussion ensued on the **proposed General Fund Budget for fiscal year 2007-2008** (copy attached) as prepared by Mr. Schwartzberg who also provided previous years budgets/actual expenditures for comparison purposes. This information was provided only for review purposes in order that the Board members can be fully apprized of its contents before the first advertised budget hearing.

Messrs. Bell and Schwartzberg explained how the **new tax rates** were derived.

G. Mr. Schwartzberg will be ordering 100 **SBDD lapel pins** containing the District's logo at a cost of \$300 which includes the setup charge. Most Commissioners have expressed their wish to have these pins.

06. **ATTORNEY'S REPORT**

A. **Legislative Update** - The District's **2007 Bill** was signed by the Governor on June 15th, and Mr. Bell is the process of updating the District's Charter.

For the **2008 legislative session**, Mr. Bell is working on information for submittal for a code-enforcement program and an appeal process.

Discussion ensued on including a **request for funds for the 2008 session**. All felt that to be a good idea as it can't hurt anything to ask. Perhaps Senator Nan Rich will sponsor the same request-for funds bill that she submitted for SBDD this year that was unsuccessful.

B. **Alternative Tax-Method Analysis Update** - Mr. Bell has completed the basin conversions regarding the annual SBDD maintenance-operations fee. As of this time, there are 102,282 taxable units. Mr. Eastman questioned if a staff member could be trained on how to keep the tax-roll information current which would reduce the large annual cost for this work. Mr. Schwartzberg will discuss this with Mr. Bell to see if this is possible.

C. **Workers Comp Insurance** - Mr. Bell reiterated that the District does not want to contract with any individual or company that does not have workers comp insurance. It has always been the policy to abide by that position, and there have never been any problems as a result of doing so. All agreed with Mr. Bell's position.

D. The first official **budget hearing** will be held at the regular July Board meeting on Wednesday, July 25, 2007, at 9:30 A.M. This will allow sufficient time to get the final budget-hearing date included on the TRIM notices.

The final budget hearing will be held on ~~Thursday~~^{Tuesday} September 11, 2007, at 7:30 P.M.

E. Sheridan 400 Mitigation Group has asked that the **mitigation agreement** between that group and SBDD be transferred to the new property owner, EC Dania Beach Ford. This agreement pertains to off-site mitigation area. Motion by Mr. Ryan, second by Mrs. Mersinger to approve the transfer. Motion carried unanimously.

F. Motion by Mr. Ryan to approve a **SWR drainage easement** that would overlap a portion of a SBDD dedicated area on the Jose Velez, Jr., property (5650 S. W. 178 Avenue, SWR); second by Mr. Hodges and carried by majority vote with Mr. Eastman dissenting.

G. Motion by Mr. Eastman, second by Mr. Ryan to approve **Weekly** request to dedicate a 30' **roadway & drainage easement** along their south property line on Southwest 54th Place to SWR and the City of Pembroke Pines. This would also overlap a SBDD dedicated area but pose no problem. Mr. Eastman moved for approval, second by Mr. Ryan; carried by majority roll-call vote with Mr. Hodges opposed.

07. APPROVAL OF LEGAL BILLS

Mr. Lanke moved for approval of the legal bills as submitted; seconded by Mr. Ryan and carried unanimously.

08. HURRICANE MANUAL

Mr. Lanke commended Mr. Schwartzberg for the great job on updating the SBDD Hurricane Manual.

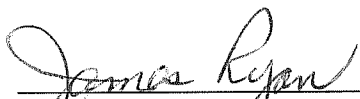
09. BOARD MEMBERS TITLE CHANGE

Due to a change in the District's Charter at the last legislative session in Tallahassee, Board members are now titled "Commissioners" rather than "Supervisors".

08. MEETING DATES

- A. Board of Supervisors meeting - Wednesday, July 25, 2007, 9:30 A.M.
- B. Management Committee - Monday, July 16, 2007, 4:00 P.M..
- C. Final Budget Hearing/Management Committee Meeting - ~~Thursday~~^{Tuesday} September 11, 2007, 7:30 P.M.

09. Adjournment at 10:40 A.M.



James "Jim" Ryan, Secretary
South Broward Drainage District

/jl