

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

9:30 A.M.

AGENDA

THURSDAY, JULY 28, 2005

01. CALL TO ORDER/PLEDGE OF ALLEGIANCE
02. PUBLIC COMMENT
03. APPROVALS:
 - A. JUNE 30, BOARD OF SUPERVISORS MEETING MINUTES
 - B. JULY 12, 2005, MANAGEMENT COMMITTEE MINUTES
 - C. JULY 12, 2005, FINANCE COMMITTEE MINUTES
04. **10:00 A.M. - PUBLIC HEARING TO APPROVE TENTATIVE BUDGET & ASSESSMENT RATES FOR FYE SEPTEMBER 30, 2006/RESOLUTION #2005-06**
05. BASINS S-9/S-S-10:
 - A. S-9/S-10 PHASE II RESTUDY/CRAVEN THOMPSON & ASSOCIATES - DISCUSSION
 - B. SPECIAL ASSESSMENT BOND PAYMENTS DUE AUGUST 1st - APPROVAL (#1) \$162,691.09 (#2) \$249,112.13 = \$411,803.22 TOTAL
 - C. COMMUNITY BUDGET ISSUE REQUEST/\$800,000 GRANT UPDATE - DISCUSSION
 - D. OTHER
06. UPDATED FACILITY REPORT APPROVAL-ADOPTION/RESOLUTION #2005-07
07. EMPLOYEE POLICY HANDBOOK ADOPTION/RESOLUTION #2005-08
08. AMENDMENT TO CG&A CONTINUING CONTRACT FOR GIS IMPLEMENTATION
09. AMENDMENT TO DECLARATION OF EASEMENTS FOR PASADENA APARTMENTS CULVERT CROSSING
10. LOCAL LEGISLATIVE BILL/AD VALOREM TAX - UPDATE
11. OTHER NEW BUSINESS
12. OLD BUSINESS:
 - A. RECORDS MANAGEMENT - DESIGN, PLANNING & TRAINING/CONSULTANT STEVE M. LEWIS - UPDATE
 - B. OTHER
13. APPROVAL OF LEGAL FEES
14. MEETING DATES:
 - A. BOARD MEETING, THURSDAY, AUGUST 25, 2005
 - B. SCHEDULE MANAGEMENT COMMITTEE MEETING
15. 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 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

Board of Supervisors

Meeting Minutes

July 28, 2005

9:30 A.M. BOARD OF SUPERVISORS MEETING CALLED TO ORDER

PRESENT

President Tom Gill, Vice President Vicki Minnaugh, Secretary Jack McCluskey, Treasurer Howard Zimmerman, Supervisor John Eastman, Supervisor Scott Hodges, District Director Neil Kalin, Assistant District Director/Engineer Leo Schwartzberg, District Legal Counsel Douglas Bell, Recording Secretary Joann Long, CG&A Engineer Shahin Hekmat. General Public: Robert Goggin, Joel Goldfarb

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited after the call to order.

PUBLIC COMMENT

None.

MINUTES

(A) Motion to approve the May 26, 2005, Board meeting minutes as submitted made by Mrs. Minnaugh, seconded by Mr. Zimmerman. Motion carried by unanimous vote.

(B) The Management Committee meeting minutes, as submitted, were approved by a unanimous vote on motion made by Mr. McCluskey and seconded by Mr. Hodges.

(C) Mr. McCluskey moved for approval of the July 12, 2005, Finance Committee meeting minutes as submitted. Motion seconded by Mrs. Minnaugh and carried unanimously.

PRESENTATIONS

BASINS S-9/S-10 UPDATE

(A) Per request from the District Director, Mr. McCluskey moved to table discussion on the Phase II restudy being done by Craven, Thompson & Associates. Motion seconded by Mrs. Minnaugh and carried unanimously.

(B) The first annual principal/interest payment on the two loan draws is due August 1st. Amounts: Draw #1, \$162,691.09; Draw #2, \$249,112.13 for total of \$411,803.22. Mrs. Minnaugh moved to approve payment(s). Seconded by Mr. McCluskey and carried by a unanimous vote.

(C) The recently-approved CBIR \$800,000 grant awarded to SBDD will be handled by the Florida DEP unless changed at a later date. Upon receipt of the agreement, the Board members will have an opportunity to review same prior to its return.

FACILITY REPORT

Motion by Mr. Zimmerman to table approval at this time to allow sufficient time for a full review by all interested parties. Second by Mr. McCluskey. Carried unanimously. Mr. Kalin asked that any comments/suggestions/concerns be provided to him prior to the August 25th Board meeting so that he can have the responses available at that meeting.

Mr. Zimmerman noted that he was provided a file on easements and other dedicated areas within SBDD and had difficulty with the printing of same. He would like to see this information, including maps, printed in a form which could be included in the Facility Report.

EMPLOYEE POLICY HANDBOOK

Resolution No. 2005-08 was submitted for approval. This formally adopts this handbook approved at the June 30th Board meeting. Motion to approve by Mr. McCluskey, second by Mr. Eastman, carried by unanimous vote.

GIS IMPLEMENTATION BY CALVIN, GIORDANO & ASSOCIATES, INC.

Amendment No. 24 to CG&A's continuing contract was submitted for approval. This pertains to the \$24,215.00 GIS upgrade approved at the June 30th Board meeting. The scope of services will include additional data bases and operation/maintenance information including the 5-year recertification information, rain-gauge information as well as water-quality testing information. Re: water testing, this is basically for phosphorous in the overall District, plus fecal coliform in the C-11 Canal. Also to be included in the "new" GIS information will be aquatic-weed maintenance information.

Mr. Eastman felt that while Luis Ochoa will be the primary operator for the input and retrieval of the GIS information, there should be a backup in the event of Mr. Ochoa's unavailability. It was pointed out that Pam Walsh will provide backup plus Mr. Schwartzberg himself is fully familiar with the overall GIS system.

Mr. McCluskey moved for approval of Resolution No. 2005-08. Second by Mrs. Minnaugh. Motion carried unanimously.

AMENDMENT TO DECLARATION OF EASEMENTS/PASADENA APARTMENTS CULVERT CROSSING

The owners of Pasadena Apartments (located on the north side of Pembroke Road between Hiatus and Flamingo Roads) have requested that the Declaration of Easement the District previously granted to the "then" owner in 1987 be amended to include an additional area as the bridge/culvert crossing access road was constructed partially outside of the easement area. Mr. Bell recommended approval of Resolution No. 2005-05 as everything else would remain the same other than the easement would be widened. Motion by Mr. McCluskey to approve the request as submitted. Second by Mrs. Minnaugh, and motion carried by unanimous vote.

LOCAL LEGISLATIVE BILL/AD-VALOREM TAX

Mr. Bell has determined that the SBDD tangible personal-property tax would generate an additional amount of approximately \$40,880. A Resolution will be presented at the August Board meeting which must then be provided to the Broward delegation by early October.

EMPLOYEE DISCRIMINATION SUIT

A discrimination suit has been filed by a District employee. This matter has been turned over to our insurance company. The Board will be kept apprized of this situation as information becomes available, with Mr. Bell and Mr. Kalin responding to the EEOC in writing.

PUBLIC RECORDS MANAGEMENT

Recently, Messrs. Eastman, McCluskey and Kalin and staff member Susan Iratzoqui met with Mr. Steve Lewis who was provided a brief overview of what the District would like to accomplish re: records management. Mr. Lewis has submitted a proposal through F.A.U. for a cost of \$9,500 plus approximately \$500 in incidental expenses to assist the District in achieving its goal of proper records management. This would include a seminar for all staff members and any interested Board member(s). Mr. Kalin felt this should be given serious consideration.

Mr. Zimmerman explained the County is also looking into records management, and the main problem appears to be records retrieval. They have been working with Toshiba who would provide a presentation at the District upon request. Mr. Zimmerman was present at their meeting with the County and felt SBDD should take advantage of a presentation from another company before making a decision on how to proceed. Accordingly, he moved that the District Director contact Toshiba for a meeting and a proposal. Motion seconded by Mr. McCluskey and carried unanimously.

Mr. Eastman reported that State requirements for records management are almost ominous, and there are many systems available for this purpose. Based on his knowledge of Mr. Lewis, he felt this individual could come in and tailor a system specifically for the District once we have availed ourselves of whatever information is available at no cost. Mr. Eastman asked that the Board consider Mr. Lewis when making any decision in this area. Mr. Zimmerman clarified his position that he was not recommending Toshiba at this time--only that the District obtain information from that company for consideration when deciding how to proceed in this important matter.

The "regular" Board meeting was temporarily adjourned at 10:00 A.M. for the Public Hearing on the proposed budget and assessment rates for the 2005-06 fiscal year.

PUBLIC HEARING/PROPOSED BUDGET & ASSESSMENT RATES, FYE SEPTEMBER 30, 2006

Public hearing on the proposed budget and assessment rates for fiscal-year ending September 30, 2006, called to order at 10:00 A.M. by Mr. Gill who noted the name of the taxing district is South Broward Drainage District; and the tentative taxes/assessment rates for fiscal year 2005-06 are attached as Exhibit "B" to SBDD Resolution No. 2005-06.

Mr. Gill asked if there were any questions/comments from Supervisors regarding the tentative taxes and assessment rates for fiscal year 2005-06. There were none.

The District Director presented the proposed 2005-06 fiscal-year budget in the amount of \$2,369,650.00, noting that the only expense change from the information presented at the June 30th Board meeting was the addition of \$50,000 to the diesel fuel line item. This did not increase the assessment rates as other items were adjusted in the income section to compensate for the \$50,000 expense increase. The uncertainty of fuel prices was the reason for this line-item increase. The Board members had no questions regarding the amended budget as submitted.

There were no comments or questions from the public on tentative taxes, assessment rates or the budget for fiscal year 2005-06. Therefore, Mr. Gill closed the public discussion portion of the meeting.

Again, there were no questions and/or comments from any Supervisor on the issue of proposed tax and assessment rates and the budget; and it was agreed that the final public hearing on this issue will be held Thursday, August 25, 2005, 10:00 A.M. at District headquarters.

Mr. Zimmerman moved to approve and adopt Resolution No. 2005-06 which approves the proposed taxes, assessment rates and budget for fiscal year 2005-06. Motion seconded by Mrs. Minnaugh and carried by unanimous vote.

The public hearing closed at 10:10 A.M. at which time the "regular" Board meeting reconvened.

CONSOLIDATION/CBWCD-SBDD

At a recent CBWCD meeting, Mr. Zimmerman presented the possibility of a merger between that District and SBDD. CBWCD's Board will have dialogue with their professionals on the issue. Mr. Zimmerman suggested after that meeting, they consider a meeting of both Boards with a joint facilitator present to see if the issue can move forward. He will be meeting with the new CBWCD Board members who had very little information re: the original presentation. Mr. Zimmerman added that there were no adversely negative responses from any CBWCD Board members. It was reiterated this issue must be stressed as a joint effort between both Districts and not a "takeover" by SBDD as that in no way is the intention of this District.

BROWARD STATE ATTORNEY INVESTIGATION

Mrs. Minnaugh thanked Mr. Kalin for the information on costs at this time re: the State Attorney's investigation, and she questioned Mr. Eastman as to what he and/or the State Attorney is hoping to find through this process.

Mr. Eastman responded that due to lack of response from the Board on the issues he had brought to light at a public meeting some months ago, he felt he had to do something himself. He felt the investigation is very worthwhile and that there will be a conclusion at some time. Had the Board been interested in

looking into the matters raised by him, Mr. Eastman said he would not have pursued an investigation. Mrs. Minnaugh did not recall any information provided by Mr. Eastman to the Board on the matter of aquatic-weed maintenance practices which appears to be one of the main issues under investigation. Mr. Eastman responded this was a side issue of the original issues.

Mr. McCluskey felt that the information provided today reads as though Mr. Eastman was a witness to certain actions which is not the case. Mr. Eastman responded that all he did was pass information, provided to him by District employees, to the State Attorney's office who then began the investigation.

Mrs. Minnaugh again noted that the issues contained in information received today were never brought to the Board. Mr. Eastman responded that he would like to bring other issues to the Board for resolution. Mrs. Minnaugh asked that Mr. Eastman do so as soon as possible so that the Board can be fully aware of his concerns and determine the validity of same and how to proceed.

Mr. Eastman stated that he is the liaison between the District's concerned employees and the Broward State Attorney's office. Mr. Zimmerman felt that whatever information is provided by that office to Mr. Eastman should also be provided to all SBDD Board members. Mr. Eastman added that he had been told by the investigating individual that staff members Neil Kalin, Joe Certain and Robert Franklin would soon be called in for interviews.

SOUTHWEST RANCHES TOWN HALL/PRISON FACILITY/ROAD CLOSURE(S)

No further information has been received from the Town of Southwest Ranches on the progress of the new Town Hall complex. There have been several newspaper articles on this issue.

Brief discussion ensued on a minimum-security prison facility (to be used as an immigration holding facility) which will be built by the Town of SWR within the City of Pembroke Pines. This facility will provide a source of revenue to the Town.

The issue of road closures was discussed, with Mr. Kalin noting this involves additional time and costs to the District as its employees in some areas have to take a longer route when traveling to water bodies within the Town for aquatic-weed treatment as well as other maintenance issues. Mr. Bell felt the District has the right to use its canal rights and reservations. Mrs. Minnaugh did not understand how public roads can be closed without public hearings on the issue.

Mr. McCluskey moved that the District send a letter to the Town explaining the problems re: additional time and costs as well as the canal rights and reservations issue. Motion seconded by Mr. Zimmerman and carried by majority vote with Mr. Eastman dissenting. Mr. McCluskey requested that a copy of the letter be sent to Mr. Sam Goren, Pembroke Pines City Attorney.

LEGAL BILLS

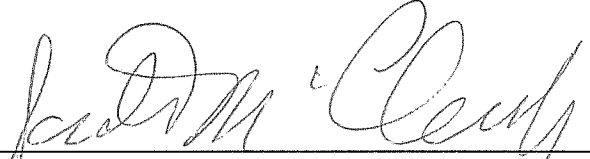
Due to a misunderstanding, which has now been corrected, re: e-mailing legal invoices to the Board members, it was agreed to withhold approval of these invoices until the upcoming Management Committee meeting to allow sufficient time for all Board members to review same.

MEETING DATES

August Board meeting, Thursday, August 25, 2005, 9:30 A.M.

Management Committee meeting, Tuesday, August 9, 2005, 4:00 P.M.

ADJOURNMENT AT 10:30 A.M.



Jack McCluskey, Secretary
Board of Supervisors

/jl