

**SOUTH BROWARD DRAINAGE DISTRICT  
BOARD WORKSHOP MEETING**

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

**FRIDAY, AUGUST 20, 2010 AT 3:00 P.M.**

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

01. CALL TO ORDER/PLEDGE OF ALLEGIANCE
02. DISCUSSION REGARDING A PROPOSED AMENDMENT TO THE SOUTH BROWARD DRAINAGE DISTRICT CHARTER
03. MEETINGS:
  - A. THE NEXT REGULAR BOARD MEETING WILL BE **THURSDAY, AUGUST 26, 2010 AT 9:30 AM.**
04. 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  
WORKSHOP  
AUGUST 20, 2010**

**Present:**

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

Kevin M. Hart, District Director  
Douglas R. Bell, Legal Counsel  
Reina Muniz, Recording Secretary  
Scott Barrocas for Rep. Martin D. Kiar  
Kristin Carter for Senator Nan Rich  
General Public: See Attached List

**Absent:**

Thomas Good, Vice Chairperson

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

Meeting called to order at 3:11 P.M., followed by the Pledge of Allegiance.

**02. DISCUSSION REGARDING A PROPOSED AMENDMENT TO THE SOUTH BROWARD DRAINAGE DISTRICT CHARTER**

Chair Hodges opened up the meeting by recognizing Mr. Scott Barrocas, Legislative Assistant for Representative Martin Kiar and Ms. Kristen Carter, Legislative Assistant for Senator Nan Rich.

He summarized the meeting he, Mr. Hart, and Mr. Bell had with Senator Nan Rich, Representative Kiar and others to discuss last year's bill, and how to move forward with a proposed bill this year that the legislature will pass.

He said that it was made clear to them that anything that mentions the word "code" will not get support. There were also concerns to any language in the Charter amendment that might insinuate that the District would have the ability to assess residents more than what is currently being assessed by the District.

Commissioner Mersinger was apprehensive that if the EPA does what they intend to do, and the District is placed in charge of the water quality of those canals, and the District has nothing that they can do to stop a situation (i.e. someone polluting the waters), that the District will not have enough authority to stop people from polluting?

Chair Hodges said that anything pertaining to the EPA subject would be better discussed as a separate agenda.

Mr. Bell explained Section 62 of last year's bill. He said that he wrote in verbatim the language from the CBWCD Charter, with some modifications, to make it compatible with South Broward Drainage District.

Chair Hodges said that his goal is to discuss and decide which way to propose changes and then do a rewrite of the Charter.

Mr. Bell suggested that Section 62 could be accomplished by Resolution and the proposed Charter language condensed to probably two or three paragraphs and that would resolve most of the issues.

Commissioner Mersinger questioned what the timeline was to rewrite the Charter. Mr. Bell said the middle to the end of October. The floor was then given to Mr. Hart to give an update on the EPA.

Mr. Hart said that there were a series of public hearings held earlier this year. He mentioned how there were numerous comments and questions on the scientific basis for the new rule changes and the economic impact of the changes; there were also questions as to who will be responsible to enforce it. Since that time, they have pushed back the implementation date for the rules for South Florida waters. The date has been postponed to August 2012.

Mr. Hart said that in the meantime, they are still moving forward with estuaries and coastal waters. He made the Board aware of an article he read on the July edition of Eastern Water Law. He said that the Science Advisory Board is recommending an overhaul of the EPA nutrient criteria rules. He said this is a congressional established committee that delivers technical advice to the EPA; that their own congressional committee is recommending that they take a new look at the criteria. He also mentioned that there was a ruling where EPA had imposed restrictions on construction sites and they were forced to withdraw a key portion of those regulations related to the discharge from construction sites, for the exact same reasons that are being discussed on the nutrient criteria. This was presented to the EPA from the building and construction industries.

Chair Hodges recommended to the Board, that at this time, they would not concern themselves with the EPA language since it has been postponed. He said they will continue to review it from time to time.

Chair Hodges wanted to know if the Board had any other comments on the proposed Charter.

The Board proceeded to go through the proposed Charter revisions page by page and discussed the changes. The word "code" was to be removed from any new proposed language in the Charter revisions. The word "tax" on item 10, page 4, should say "assessment". Mr. Hart suggested the use of the words "assessment and/or tax".

He commented that Representative Kiar said that he would like item 10, page 4 to be specific and keep those three key words in. The District added the word "operation" as well. The word

“construction” needs to be removed on page 7. Commissioners Mersinger and Minnaugh had questioned the word construction because they believe that at times there is a need to dig a canal, etc., which would be worded as “construct a canal”. Both Commissioners Mersinger and Minnaugh agreed that as long as it doesn’t tie the District’s hands from doing business as needed, such as keeping the area from flooding, then the Board doesn’t see a problem with deleting that word. There was a question whether the word “construction” should be removed or not.

Mr. Bell suggested that what he would like to do is discuss it further at next week’s meeting and as long as everyone is in agreement, the District can run it by Senator Nan Rich and Representative Kiar and ask them for comments. He said that should give the District another couple of weeks to see if there are any objections and what suggestions they may have. He said it’s easier to remove it than it is to add it in.

Mr. Hart suggested that instead of the word “construction”, the words “water management and drainage improvements . . .” would depict pretty much the same thing. The Board seemed to agree. Mr. Bell explained that Section 13 of the current Charter includes the word “construct” in several places throughout the section, which covers the Board’s authority to perform construction.

Commissioner Goggin explained that the word “construct” already exists in our Charter, and that what the District is trying to establish, is to update and cross-reference the different sections of the Charter so that it makes some sense.

Chair Hodges summarized the meeting by expressing how positive and productive the meeting he, Mr. Hart and Mr. Bell had with Senator Nan Rich and Representative Kiar.

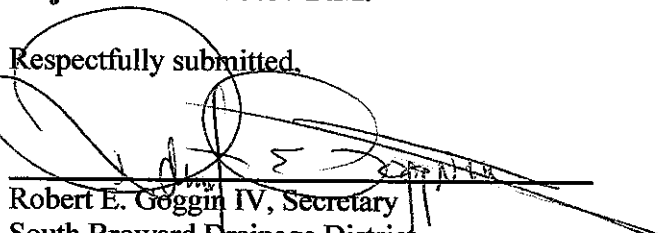
Ms. Carter said that they want to do everything they can do to help the District reach the goal that they are trying to reach.

Chair Hodges mentioned that perhaps he and Mr. Hart should talk with Mr. Ron Bergeron. He said that Mr. Bergeron would be someone they would like to have on their side. Commissioner Goggin agreed that the District should meet with him so that way he doesn’t get mixed information.

It was agreed that District staff would update the proposed Charter amendment and present it to the Board at the earliest possible date.

**Adjournment at 3:57 P.M.**

Respectfully submitted,



Robert E. Goggin IV, Secretary  
South Broward Drainage District

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