

## AGENDA

SOUTH BROWARD DRAINAGE DISTRICT  
PUBLIC HEARING ON BUDGET AND ASSESSMENTS FOR 2008/2009

September 25, 2008

10:00 A.M.

6591 Southwest 160<sup>th</sup> Avenue  
Southwest Ranches, Florida 33331

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1. Convene Public Hearing at 10:00 A.M.
2. District Chairperson presents:
  - a. The Name of the taxing District is South Broward Drainage District.
  - b. The proposed taxes and assessment rates for fiscal year 2008/2009 are attached as Exhibit "A" to District Resolution N° 2008-06.
  - c. The proposed budget for fiscal year 2008/2009 is attached as Exhibit "A" to the District's Resolution N° 2008-07.
3. Questions and comments from Commissioners regarding the proposed taxes and assessment rates for fiscal year 2008/2009.
4. District Director presents the proposed 2008/2009 fiscal year budget.
5. Questions and comments from Commissioners regarding proposed budget for fiscal year 2008/2009.
6. Public discussion and questions on proposed taxes, assessment rates and budget for fiscal year 2008/2009.
7. District Chairperson closes public discussion.
8. Additional questions and comments from Commissioners regarding proposed taxes, assessment rates and budget for fiscal year 2008/2009.
9. District Chairperson presents Resolution N° 2008-06 which approves and adopts proposed taxes and assessment rates for fiscal year 2008/2009.
10. District Chairperson entertains motion to approve and adopt Resolution N° 2008-06 which approves and adopts proposed final taxes and assessment rates for fiscal year 2008/2009.
11. District Chairperson presents Resolution N° 2008-07 which approves and adopts proposed budget for fiscal year 2008/2009.
12. District Chairperson entertains motion to approve and adopt Resolution N° 2008-07 which approves and adopts proposed budget for fiscal year 2008/2009.
13. Adjourn Public Hearing.

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ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSES, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED

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**SOUTH BROWARD DRAINAGE DISTRICT  
BUDGET HEARING  
SEPTEMBER 25, 2008**

**Present:**

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

Leo M. Schwartzberg, District Director  
Douglas R. Bell, Legal Counsel  
Joann Long, Recording Secretary  
General Public: See Attachment To  
September 25, 2008 Board Minutes

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**01. CALL TO ORDER:**

The final budget hearing on the 2008-2009 Budget was called to order at 10:00 A.M.

**02. DISTRICT CHAIRPERSON PRESENTS:**

Commissioner Ryan noted:

- (A) The name of the taxing District is South Broward Drainage District.
- (B) The proposed tax and assessment rates for fiscal year 2008-2009 are attached as Exhibit A to SBDD Resolution No. 2008-06.
- (C) The proposed budget for fiscal year 2008-2009 is attached as Exhibit A to SBDD Resolution No. 2008-07.

Commissioner Ryan added that no property owners SBDD tax rates were increased, and the remaining portion of the Hurricane Wilma special assessment has been voided.

**03. DISTRICT DIRECTOR'S PRESENTATION:**

Mr. Schwartzberg presented the proposed 2008-2009 fiscal-year budget which, at the amount of \$3,395,617, is an increase over last fiscal-year's budget by just under \$10,000. Some increases: 4.5% cost-of-living increase in salaries and wages, computers, maintenance contracts, fuel, pump stations (a new generator will be purchased for the S-7 Pump Station), culvert cleaning, canal cleaning and tree removal. The last three items were increased as with the economy as it now is, a great deal more work can be accomplished at a much lower cost. Chemicals also increased due to certain types of vegetation which have become immune to chemicals used for many years. Another item which increased was line item #1780, Meetings/Seminars/Tolls/Travel/Education/Employee Development, as Mr. Schwartzberg has been elected to the Board of the Florida Association of Special Districts, and thus more traveling will be involved. A savings was realized in property and liability insurance costs from the 2007-2008 year to the 2008-2009 fiscal year.

**04. PUBLIC QUESTIONS/COMMENTS REGARDING PROPOSED TAXES, ASSESSMENT RATES AND BUDGET FOR FISCAL YEAR 2008-2009:**

- (A) Mr. Bob Busch voiced his objection to the \$7 emergency-fund fee. He felt there are other outside sources available for funding emergencies
- (B) Mr. Fred Fisikelli felt that the SWR acreage property owners are being unfairly taxed by being taxed on acreage that have been deemed for agricultural purposes.
- (C) Mrs Mary Gay Chaples stated that according to past and recent presentations, SWR

is holding most of the water for Pembroke Pines. She noted that most properties within SBDD boundaries have been developed which causes a great deal of water to move north into and through SWR. As such, it was her position that SBDD should consider this and thus better protect SWR tax-wise.

(D) Mr. Ronnie Bergeron questioned if there are restrictions on the emergency-fund monies whereby they cannot be used for work on private properties? Commissioner Ryan explained that the Board will, by super-majority vote, determine what will be classed as an emergency and thus paid with funds from that account.

Mr. Bergeron agreed with having an emergency fund to be used for emergencies until FEMA provides reimbursement for monies paid by SBDD. He felt that the District would receive full reimbursement for work on District properties and easements but nothing on anything paid towards private properties. Mr. Bergeron opposes using any emergency-fund monies on private properties. He also did not feel it is necessary to include the \$7 emergency-fund fee in the 2008-2009 budget, especially with no restrictions in place regarding private properties.

**05. COMMISSIONERS QUESTIONS/COMMENTS REGARDING PROPOSED TAXES, ASSESSMENT RATES AND BUDGET FOR FISCAL YEAR 2008-2009:**

(A) Commissioner Eastman felt there are ample funds available to handle any emergency that might arise without including the \$7 emergency fee in the 2008-2009 budget. With that exception, he is in agreement with the budget as proposed. His main concern regarding the emergency fund is that if any monies are used towards private-property repairs, those owners should be liable for 100% reimbursement to the District. He has studied the majority of the HOA documents for the developments in the western portion of the District, and all provide that the HOAs and property owners are responsible to maintain their properties in total, including the lake banks.

Based on the history of the District and especially the work that was done as a result of Hurricane Wilma, Commissioner Eastman felt that the emergency fund would be used only for the large-lake properties.

Commissioner Eastman noted that SBDD has excellent credit and that it can borrow money whenever it wished to at a low rate. He asked the Board to reconsider the emergency-fund line item in the budget for fiscal year 2008-2009.

(B) Commissioner Mersinger felt that SBDD is one District and that what affects one area affects all areas. Accordingly, it was her opinion that the District should absorb the balance of the S-9/S-10 special assessment.

Commissioner Mersinger explained the borrowing power is changing due to the existing economic situation. Even without that issue, she is opposed to borrowing money and then having to pay interest. She too remembered the great amount of criticism the former Board received on numerous occasions for not having sufficient monies to immediately begin the restoration and doesn't want to see that happen again. Commissioner Mersinger voiced her belief that the \$31 tax rate which includes the \$7 emergency-fund amount should remain in the proposed budget.

(C) Commissioner Hodges agreed that the budget should remain as submitted. He does feel that the Board should look at the taxing method for properties deemed as agricultural properties and perhaps consider some type of a break for those properties.

Commissioner Hodges noted that an emergency fund is vital for use immediately after an emergency as there can be a lengthy interim between the work being completed and reim-

bursement by FEMA. He felt that if this year passes without a hurricane, the Board could perhaps consider capping the emergency fund next year.

Commissioner Hodges questioned what is included in the legal-fee line-item amount. Mr. Schwartzberg responded that over recent years, this has been basically the amount paid for a variety of "regular" legal services. This has been reduced considerably over past years, as in-house staff has been able to do some of the clerical and document-recording work previously handled by the District's legal counsel. When the opportunity arises, consideration will be given to in-house staff doing some of the assessment-related updating work.

(D) Commissioner Good commended all District staff members for the budget which has been submitted, especially when considering the scope of services the District provides for the amount of monies available.

Commissioner Good stressed that the District no longer has an erosion fund but rather an emergency fund which would be used only for catastrophic events damage as determined by a super majority of the Board. He agreed with Commissioner Mersinger that one of the most important things the District must do is to be able to have cash available immediately in a crisis mode as it has always been cash first, credit second. He agreed fully with the budget as submitted which includes the emergency-fund line item.

(E) Commissioner Goggin felt that most agree that the District Director and legal counsel have been very diligent in keeping the budget as it is without any increase to the property-owners while still providing the level of service necessary. He felt this is a good indication that staff is working together for the good of everyone.

The Board has discussed the matter of the \$7 emergency-fund fee several times, and just because emergency funds may be available does not indicate they would be used for private properties.

(F) Commissioner Santana-Woodall felt it is amazing how SBDD runs with such a small budget when compared to other governmental entities. In reference to the emergency fund, a catastrophe can occur at any time. She did agree that the Board should look into the matter of the SWR agricultural properties and tax rate.

(G) Commissioner Ryan recalled that after Hurricane Wilma, SBDD received no help from the cities/towns within its boundaries other than Pembroke Pines and Miramar who provided loans funds on which interest was assessed. While FEMA reimbursed a portion of monies paid by the District for damages, that money was received "after the fact" and was not reimbursement in full for all expenses incurred. Thanks to the efforts of the District Director and other staff members, FEMA did pay the balance over two years after the hurricane.

Commissioner Ryan added that there are numerous foreclosures that have occurred and are continuing to occur. This situation could have an adverse affect on the District.

Commissioner Ryan was of the belief that when taking what occurred after Hurricane Wilma into consideration as well as the foreclosure situation, the \$7 emergency-fund fee should remain in place for the 2008-2009 fiscal year.

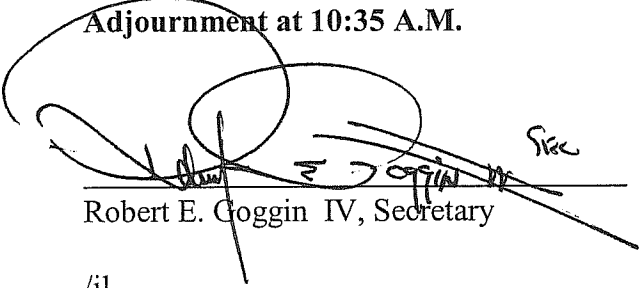
**06. RESOLUTION NO. 2008-06/PROPOSED TAX AND ASSESSMENT RATES FOR FISCAL YEAR 2008-2009:**

Commissioner Mersinger moved for approval of Resolution No. 2008-06 as presented. Second by Mr. Good and carried by majority vote with Commissioner Eastman opposed.

07. RESOLUTION NO. 2008-07/PROPOSED BUDGET FOR FISCAL YEAR 2008-2009

Commissioner Good moved for approval of Resolution No. 2008-07 as presented. Motion seconded by Commissioner Goggin and carried by majority vote with Commissioner Eastman opposed.

Adjournment at 10:35 A.M.



Robert E. Goggin IV, Secretary

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