

**SOUTH BROWARD DRAINAGE DISTRICT
BOARD OF COMMISSIONERS MEETING
AGENDA
WEDNESDAY, SEPTEMBER 26, 2007**

NOTE: BOARD MEMBERS, PLEASE TURN YOUR MICROPHONES ON

- 01. CALL TO ORDER/PLEDGE OF ALLEGIANCE
- 02. PUBLIC COMMENT
- 03. APPROVAL - AUGUST 30, 2007, BOARD OF COMMISSIONERS MEETING MINUTES
- 04. DIRECTOR'S REPORT
 - A. CEMETERY TRAILS CANAL POWER-POINT PRESENTATION
 - B. CANAL 13 PROJECT/PLATFORM & GATE BID
 - C. FEMA/BECK LETTER
 - D. OTHER
- 05. ATTORNEY'S REPORT
 - A. BUDGET/ASSESSMENT RATES
 - B. CHARTER REVISION ISSUES
 - C. OTHER
- 06. APPROVAL OF FISCAL YEAR 2007-2008 BOARD MEETING DATES
- 07. APPROVAL OF LEGAL BILLS
- 08. BOARD MEMBERS QUESTIONS/COMMENTS
- 09. OTHER
- 10. MEETING DATES
 - A. BOARD OF SUPERVISORS MEETING - THURSDAY, OCTOBER 25, 2007
 - 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 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
SEPTEMBER 26, 2007**

Present:

Jack McCluskey, Chairperson
Scott Hodges, Vice Chairperson
James Ryan, Secretary
Carl Lanke, Treasurer
Robert E. Goggin, Commissioner
-John Eastman, 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/ROLL CALL/PLEDGE OF ALLEGIANCE**

Meeting called to order at 9:30 A.M. followed by roll call and the Pledge of Allegiance.

02. **PUBLIC COMMENT(S)** - None

03. **AUGUST 30, 2007, COMMISSIONERS MEETING MINUTES**

Motion by Mr. Ryan to approve August 30, 2007, Board meeting minutes as submitted. Second by Mr. Hodges; carried unanimously.

04. **DISTRICT DIRECTOR'S REPORT**

A. There were no objections to Mr. Schwartzberg's request to table the **Cemetery Trails Canal Power Point Presentation** until a later date.

B. Mr. Schwartzberg discussed the reason for the **Hurricane Wilma Erosion Funds** Shortfall of \$1,766,988.15, noting that Beck strongly recommended no further appeals be made to FEMA as that could endanger the monies already approved which will enable the District to reimburse the Pembroke Pines and Miramar loans.

Lengthy discussion ensued on how to recover the \$1,766,988.15 shortfall amount, and a number of suggestions were proffered. Action(s) taken: (1) Motion by Mr. Eastman to waive the approximate \$451,000 soft costs and charge no interest on any pay-back amount(s); second by Mrs. Mersinger and carried unanimously. (2) Motion by Mr. Hodges to use the current approximate \$650,000 erosion-fund monies towards the shortfall; second by Mr. Ryan and carried unanimously. (3) A single assessment of \$33 against all properties within the affected Basins with the affected communities paying a larger amount was unanimously approved per motion by Mr. Ryan, second by Mr. Hodges.

As this action will require changes to the approved 2007-2008 budget, the following actions were taken: (1) Motion by Mr. Ryan, second by Mr. Eastman, to readdress Resolution #2007-12. Carried unanimously. (2) Motion by Mr. Goggin, second by Mr. Hodges, to amend and revise Exhibit to Resolution #2007-12 to increase assessments for all properties in Basins 4, 5 and 9 south of Sheridan Street for additional amount of approximately \$33 based upon further analysis by Messrs. Schwartzberg and Bell; Carried unanimously. (3) Motion to further amend Exhibit A to Resolution #2007-12 to increase maintenance assessment by \$26.50 for specific developments made by Mr. Ryan, seconded by Mr. Goggin; carried unanimously. (4) Motion to reconsider Resolution #2007-13 and amend Exhibit A accordingly made by Mr. Ryan, seconded by Mr. Hodges, carried unanimously.

Upon receipt of the FEMA monies, the erosion loans from the Cities of Pembroke Pines and Miramar will be repaid.

C. Only one bid (Giralt Enterprises, \$17,800) was received for the **Canal 13 Project Platform and Gate** which is not unusual as there are very few companies who manufacture that equipment (Giralt did the Canal 13-A Platform and Gate). Mr. Schwartzberg requested approval of the \$17,800 amount. Motion to do so made by Mr. Ryan and seconded by Mr. Hodges.

Mr. Eastman discussed some changes re: the Save The Everglades Program which he felt negate the need for the two remaining gate structures in Basins 9/10. After further discussion, it was agreed, per motion by Mr. Ryan and second by Mr. Hodges which carried by majority vote with Messrs. McCluskey and Lanke voting nay, to table the motion and second until the October 31st Board meeting. This will provide ample time to obtain information from SFWMD in order to make an educated decision on whether or not the two remaining gate structures are needed to complete the Basins 9/10 storm-water improvements in the proper manner and as approved by SFWMD. Mr. Schwartzberg was asked to contact Giralt Enterprises to hold the bid until the October 31st Board meeting.

5. **ATTORNEY'S REPORT**

A. Brief discussion ensued on **Charter amendments**. Mr. Eastman is still desirous of a small change in wording in some areas which he agreed can be done at a later date when there are substantive changes required.

B. With reference to the District's **Group Insurance** Plan, further investigation revealed that our carrier will not cover Board members.

C. The **Quit Claim Deed and Partial Vacation of Parcel "C" (Lake) in Miramar Park of Commerce Phase V** issue was submitted to the Board for its decision on whether or not to release/vacate easements that are not needed. Mr. Bell recommended this be approved, noting it is the standard document for requests such as this. Motion to approve made by Mrs. Mersinger, seconded by Mr. Goggin. Carried unanimously.

6. **FISCAL YEAR 2007-2008 BOARD MEETING DATES**

2007 - October 31, November 15, December 13; **2008** - January 31, February 28, March 27, April 24, May 29, June 26, July 24, August 28, September 25. All dates are subject to change.

7. **LEGAL BILLS**

Mrs. Mersinger moved for approval of the legal bills as submitted. Motion seconded by Mr. Lanke and carried by unanimous vote.

8. **BOARD MEMBER QUESTIONS**

A. Mrs. Mersinger noted that she doesn't ever want to be put in the same spot as the Board members were today regarding **erosion/money issues**. She suggested the Board hold a workshop on this important matter.

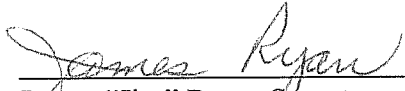
B. **Condolences** will be proffered on behalf of the District by the District Director to **Representative Mike Davis'** family due to his death.

C. Mr. Ryan stated that he is very proud of this Board for having been able to reduce a huge cost to the property owners to a very minimal one. It is his firm belief that the entire Board did a great job on behalf of the property owners.

09. **MEETING DATE(S)**

- A. Commission meeting Wednesday, October 31st, 9:30 A.M.
- B. Management Committee - No meeting scheduled.

10. **Adjournment at 12:35 P.M.**



James "Jim" Ryan, Secretary
South Broward Drainage District

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