

**SOUTH BROWARD DRAINAGE DISTRICT
BOARD OF SUPERVISORS MEETING
***** AGENDA *****
THURSDAY, OCTOBER 26, 2006**

(NOTE: BOARD MEMBERS, PLEASE TURN YOUR MICROPHONES ON)

01. CALL TO ORDER/PLEDGE OF ALLEGIANCE

02. PUBLIC COMMENT

03. APPROVALS:

- A. SEPTEMBER 28, 2006, BOARD OF SUPERVISORS MEETING MINUTES
- B. MANAGEMENT COMMITTEE MEETING MINUTES

04. DIRECTOR'S REPORT:

- A. HURRICANE WILMA INTERIM EROSION-RESTORATION PROJECT UPDATE
- B. GONZALEZ SURFACE-WATER MANAGEMENT AREA VACATION (TO BE RELOCATED) ON LOT 2, C. J. SCHOSNIG PLAT PROPERTY, SOUTHWEST RANCHES
- C. OTHER

05. ATTORNEY'S REPORT:

- A. SOUTHWEST RANCHES LEASE - UPDATE
- B. LEGISLATION - UPDATE
- C. OTHER

06. APPROVAL OF LEGAL BILLS

07. BOARD MEMBERS QUESTIONS/COMMENTS

08. OTHER

09. MEETING DATES:

- A. BOARD OF SUPERVISORS MEETING - THURSDAY, NOVEMBER 30, 2006, 9:30 A.M.,
- B. MANAGEMENT COMMITTEE MEETING - SET DATE

10. 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

October 26, 2006

9:30 A.M. BOARD OF SUPERVISORS MEETING CALLED TO ORDER, followed by the Pledge of Allegiance.

PRESENT

President Tom Gill, Vice President Vicki Minnaugh, Secretary Jack McCluskey, Supervisors John Eastman, Scott Hodges & Jim Ryan, District Director Leo Schwartzberg, District Legal Counsel Douglas Bell, Shahin Hekmat/CG&A, Recording Secretary Joann Long, Jose Lopez/SFWMD. General Public: Adriana DeVetten, Raymond PiLara, Earl Rodney, Carl Lanke, Robert Busch, Terrie Allison, Alana Messenger, Marilyn Poltanpour, Marcia Campbell.

PUBLIC COMMENT

None.

MEETING MINUTES

Mrs. Minnaugh moved for approval of the September 28, 2006, Board of Supervisors meeting as submitted; second by Mr. McCluskey, carried unanimously.

The October 8, 2006, Management Committee meeting were not available at this time for approval.

DISTRICT DIRECTOR'S PRESENTATIONS

INTERIM EROSION-RESTORATION WORK

Mr. Schwartzberg reported that the interim erosion-restoration work in process at this time seems to be proceeding with no problems. In general, feedback from the public has been positive. (See attached memorandum for complete update.) Harbour Lake Estates, Keystone Lakes, Riviera Isles and Sunset Lakes North are almost completed. Work in Silver Lakes and Sunset Lakes, the last two projects, has just recently begun.

SURFACE-WATER MANAGEMENT AREA VACATION/REPLACEMENT

Messrs. Fernando and Brandon Gonzalez have requested the vacation of their original surface-water management area because when the house was constructed, the floor was so high that it necessitates vacating some of the original surface-water management area which would be replaced in another acceptable area on the property. Mr. Schwartzberg recommended approval of the request as submitted. Mr. Ryan moved for approval of the request as made; second by Mrs. Minnaugh, carried unanimously.

BROWARD SOIL & WATER CONSERVATION DISTRICT

On the upcoming election ballot, the Broward Soil & Water Conservation District (BSWCD) has placed a non-binding referendum election question thereon referencing the creation (or non-creation) of a Broward Watershed Improvement District. This was done without any input from any other agency, including drainage districts. Everything that the Broward Watershed Improvement District would be doing is already being done by other governmental agencies/special districts.

Mr. Schwartzberg noted that at the Broward County Surface-Water Coordination Committee meeting yesterday, that Committee voted unanimously to oppose this effort as it would be pointless to have another group doing what others have been doing for years. Mr. Schwartzberg requested petition to contact the local newspapers to express SBDD's opposition to the ballot referendum on this issue. Mr. McCluskey moved Mr. Schwartzberg be authorized to contact the local newspapers on behalf of the

District's opposition to the formation of a new committee that is not necessary; motion seconded by Mrs. Minnaugh, carried unanimously.

SBDD LEGAL COUNSEL PRESENTATIONS

TOWN OF SOUTHWEST RANCHES LEASE

There has been no change on the Southwest Ranches lawsuit since the report given at the October 18th Management Committee meeting. There will be a meeting at 3:00 P.M. today with the Southwest Ranches Council and the District's Board of Supervisors in an attempt to come up with a resolution to the lease issue. Mr. Bell explained the items that would be discussed. If no agreement is reached, the two Boards would then go to mediation; and if there is still no agreement, Mr. Bell would have to file the necessary paperwork. The Town would then have five days to respond after which time the matter would be taken to court.

PROPOSED 2007 LEGISLATION

Mr. Bell has amended the District's taxing-method bill to include 3 mills rather than 5 as approved at the October 18th Management Committee meeting. He has also made some minor housekeeping changes to the District's second bill. There will be several meetings of the local delegation, but those meeting dates are not available as yet. When available, he will provide that information to all Board members in the event any may wish to attend.

APPROVAL OF LEGAL BILLS

Mrs. Minnaugh moved for approval of the legal bills as submitted; second by Mr. Ryan. Mr. Eastman asked if Mr. Bell could provide an approximate cost for legal services required to bring the District's two bills to a conclusion. Mr. Bell explained some of the work needed to be able to respond to requests from Senator Nan Rich and the local delegation Secretary. In response to a comment by Mr. Eastman, Mr. Bell noted that when he is requested by the delegation to provide certain information, there isn't much choice but to do whatever is necessary to provide that information.

Mr. Ryan asked about the cost to date for the Southwest Ranches issue. Mr. Bell's response was that to date, there is \$21,277 in attorney fees, \$750 for paralegal fees plus another \$1,700 and \$8,000, bringing the overall amount to close to \$32,000. It was noted that the District will look to the Town to reimburse all legal fees, as there is a provision in the lease that specifies they will be responsible for such costs incurred by SBDD.

A vote on the motion to approve the legal bills as submitted carried unanimously.

SUPERVISORS COMMENTS

HOWARD ZIMMERMAN LETTER

Mr. Schwartzberg read a proposed letter (copy attached) from Mr. Tom Gill as President to Mr. Howard Zimmerman thanking him for his many years of service on the District's Board and to the property owners within SBDD. It also included a request to Mr. Zimmerman to accept the position of District Historian which Mr. Zimmerman had previously agreed to do if needed.

Mrs. Minnaugh moved for approval to send the letter as written; seconded by Mr. McCluskey, carried unanimously.

SBDD S-8 PUMP STATION/SWR FIRE-STATION SITE

Mrs. Minnaugh recalled that the purchase agreement by the Town and SBDD included that if the Town did not have a building constructed on this site within five years, the property would revert back to the District. Mr. Bell confirmed the correctness of Mrs. Minnaugh's recollection. It was noted there is an easement that has a tower on a portion of it; and if the property reverts back to

SBDD, SBDD would receive any proceeds from that source.

Mrs. Minnaugh moved, seconded by Mr. McCluskey, that the District send the Town a letter and include a copy of the purchase agreement and a copy of a deed signing this property back over to the District. Motion carried unanimously.

SWR PROPERTY OWNER COMPLAINT RE: FLOODING

The question was raised about what has happened with the property owner in SWR who had come in with a complaint about an adjacent neighbor willing his property to the point where her property was flooded. The response was that nothing has been done, but the complaining property owner has made no further contact with the District.

SUPERVISORS VICKI MINNAUGH & TOM GILL/ELECTION

Mr. Schwartzberg presented plaques of appreciation to outgoing Board members Vicki Minnaugh and Tom Gill for their many years of service to the District and its constituents. He noted that both have always been people of morals and willing to take a stand and not waiver regardless of outside pressures. They have served faithfully and diligently and will be greatly missed.

Mr. Gill responded that he has enjoyed his tenure on this Board and always tried to do his best. Mrs. Minnaugh "dittoed" that statement. She also urged the upcoming Board members to always remember that the Board members are here for the good of the vast majority of the taxpayers.

Mr. Bell voiced his total agreement with everything expressed by Mr. Schwartzberg, adding that it has been a real pleasure working with Mrs. Minnaugh and Mr. Gill. He added that the new Board members will be sworn in at the November 30th Board meeting. Mr. Ryan stated that he would like to see Mrs. Minnaugh and Mr. Gill be available if anyone has any questions, as they both have a great deal of knowledge about the District. Mr. McCluskey expressed his appreciation to Mr. Gill and Mrs. Minnaugh for their service to the Board and to the property owners.

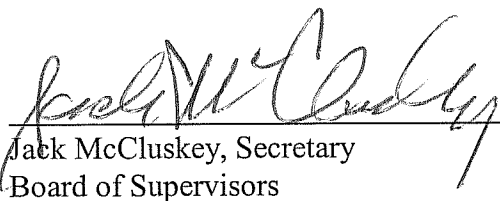
Mr. Hodges would like to see in the future, perhaps changing the District's election to March so that the focus would be on the District and not on everyone and everything else. It was noted that most of the Cities are wanting to go to a November election, one reason being the large cost for holding an election at any other time of year. Mrs. Messenger noted that most of the non-partisan elections are now held in September.

MEETING DATES

(A) The next Board of Supervisors meeting will be held on Thursday, November 30th 9:30 A.M.

(B) A Management Committee meeting will be held on Wednesday, November 8th, at 4 P.M.

ADJOURNMENT AT 10:05 A.M.



Jack McCluskey, Secretary
Board of Supervisors

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