

**SOUTH BROWARD DRAINAGE DISTRICT  
BOARD OF SUPERVISORS MEETING  
\*\*\*9:30 A.M.\*\*\*  
AGENDA  
THURSDAY, OCTOBER 27, 2005**

01. CALL TO ORDER/PLEDGE OF ALLEGIANCE
02. PUBLIC COMMENT
03. APPROVALS:
  - A. SEPTEMBER 29, 2005, BOARD OF SUPERVISORS MEETING MINUTES
  - B. OCTOBER 11, 2005, MANAGEMENT COMMITTEE MINUTES
04. S-9/S-10 BASINS STORMWATER MODEL REVIEW/CRAVEN THOMPSON-UPDATE
05. TOWN OF SOUTHWEST RANCHES:
  - A. LEASE EXTENSION-DISCUSSION
  - B. SETTLERS VILLAGE GRANT SUPPORT LETTER-DISCUSSION
  - C. OTHER
06. PARTIAL VACATION OF 172 AVENUE CANAL RIGHT-OF-WAY (PORTION OF TRACT 5 OF SOUTHEAST CORNER OF SECTION 6-51-40)-DISCUSSION / APPROVAL
07. FACILITY REPORT 2005/RESOLUTION #2005-07 - APPROVAL
08. LOCAL LEGISLATIVE UPDATE:
  - A. AD VALOREM TAX
  - B. DEANNEXATION
  - C. BID THRESHOLD AMOUNT INCREASE/RESOLUTION #2005-16
09. DISTRICT DIRECTOR CONTRACT/RESOLUTION #2005-15
10. OTHER BUSINESS
11. OLD BUSINESS:
  - A. 2005 FACILITY REPORT -UPDATE
  - B. OTHER
12. APPROVAL OF LEGAL FEES
13. MEETING DATES:
  - A. BOARD OF SUPERVISORS, THURSDAY, NOVEMBER 17, 2005, 9:30 A.M.
  - B. SCHEDULE MANAGEMENT COMMITTEE MEETING
14. 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.

NOTE: Since September 29, 2005, Board Meeting-41 Commercial Permits pending/7 issued; 9 Domestic Permits pending/26 issued.

**SOUTH BROWARD DRAINAGE DISTRICT**

Board of Supervisors

Meeting Minutes

October 27, 2005

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

**PRESENT**

President Tom Gill, Vice President Vicki Minnaugh, Secretary Jack McCluskey, John Eastman, District Director Leo Schwartzberg, District Legal Counsel Douglas Bell, Recording Secretary Joann Long.

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT**

None.

**MINUTES**

(A) Motion to approve September 29, 2005, Board meeting minutes as submitted made by Mrs. Minnaugh, seconded by Mr. McCluskey and carried by a unanimous vote.

(B) Motion to approve October 11, 2005, Management Committee meeting minutes as submitted made by Mrs. Minnaugh, seconded by Mr. McCluskey and carried by unanimous vote.

**PRESENTATIONS**

**CRAVEN THOMPSON & ASSOCIATES BASINS S-9/S-10 PHASE II REPORT**

Due to staff illness, CG&A has been unable to provide existing modeling and other information for use by CT&A in compiling their report on cost vs benefits of Phase II of the Basins S-9/S-10 storm-water-improvement project. This information should be exchanged in the very near future. In the meantime, due to the circumstances, the report has been delayed.

**TOWN OF SOUTHWEST RANCHES LEASE/SETTLERS VILLAGE GRANT SUPPORT**

(A) The Town's attorney has spoken with Mr. Bell and asked that the lease-extension issue be included on the November Board meeting agenda. He was advised that the Board has to first make the decision whether or not to renew the lease as well as the amount if the lease is renewed. It was the Board's consensus that this will be an agenda item for the next Board meeting.

(B) The Town has asked the District for a letter of support for a grant related to preserving three 90-year old homes. While staff has written letters of support for the Town for drainage-related issues in the past, Mr. Schwartzberg felt the existing policy of not becoming involved in issues unrelated to stormwater should be maintained. After brief discussion, the Board unanimously agreed with Mr. Schwartzberg's position.

**PARTIAL VACATION OF 172 AVENUE CANAL**

There is a question re: who owns a portion of the 172 Avenue Canal right-of-way (a portion of Tract 5 of the southeast corner of Section 6-51-40). Rather than get into an extended, and probably costly, legal procedure, to determine the answer, Mr. Bell recommended the District vacate its interest in the area in question and retain the necessary easement(s) thereover which would resolve the issue to the satisfaction of the adjacent property owner and the District. Mrs. Minnaugh moved for approval of Mr. Bell's recommendation. Motion seconded by Mr. McCluskey and carried unanimously.

## **FACILITY REPORT 2005**

All changes have been made to the Facility Report which included some good input from staff member Joe Certain while staff members Will Moore and Roy Pooran had no comments. It was agreed to delay approval of the updated report until the November meeting.

## **LOCAL LEGISLATIVE BILLS/AD-VALOREM TAX/DEANNEXATION/BID THRESHOLD AMOUNT**

All SBDD bills have been submitted to the local delegation. While Mr. Bell has discussed the deannexation bill with three legislators (Susan Goldstein, Nan Rich and Mike Davis), there is no sponsor as yet. It was explained that if approved, deannexation would not take place until termination of the SWR lease.

On the issue of deannexation, Mr. Eastman felt there is nothing to be gained by deannexation at this time and that it would only incur a great amount of legal fees to attempt to do so. He noted there is a great amount of conflict with SWR property owners re: deannexation and that in his opinion, it would be a waste of time and money on everyone's part to try to accomplish deannexation at this time. Mr. Eastman felt that if the lease is extended, a provision could be included that upon termination of the lease, the Town would be required to secure a sponsor for deannexation and pay all fees associated with accomplishing same for the District. It was felt this can be discussed further at the next meeting.

Resolution #2005-16 re: the bill for the bid threshold amount increase will be submitted for approval at the November Board meeting. The District is requesting the legislative body to approve increasing the current \$10,000 amount to \$25,000, with that amount to increase automatically when the State threshold amount is increased. The only portion of the District's existing policy that would change would be the threshold amount which would allow projects to be awarded without going out to bid as projects over \$10,000 would still require Board approval. There were no objections voiced to this proposed threshold-amount increase.

## **DISTRICT DIRECTOR CONTRACT/RESOLUTION #2005-16**

As approved at the October 11, 2005, Management Committee, the District Director's contract was changed from a 1-year period to a 4-year period; plus the dollar amount was changed from \$110,000 to \$114,472 based on increase(s) earned through the 2004-05 fiscal year. Mr. McCluskey moved to approve Resolution #2005-16 which incorporates the two contract changes. Motion seconded by Mrs. Minnaugh. Mr. Eastman would like to see a copy of the amended contract, including the Exhibit of the Director's responsibilities prior to voting on Resolution #2005-16. Accordingly, the motion and second were withdrawn; and it was agreed to include this on the next meeting agenda.

## **HURRICANE WILMA REPORT**

Mr. Schwartzberg reported that 4 days prior to the event, all pumps were on. Even so, very little rainfall was realized. As of Tuesday following the hurricane on Monday, three assessment crews were in the field checking all SBDD facilities and water bodies. There has been massive erosion in some areas which must be addressed even though this is not the responsibility of the District.

FP&L, local building departments and local districts learned many things from Hurricane Wilma that all were unaware of before. It been determined there are flaws which have existed for the last 20 years that all were unaware of due to there being no significant storm event in this area. All types of erosion control other than reinforced concrete are subject to damage.

In some areas, trees fell towards the District's canals where in other areas, they fell towards the adjacent properties. It is a fact that in Southwest Ranches, everyone would have been better off had the District removed all trees from within its easements/rights-of-ways/reservations rather than deferring to those adjacent property owners who were opposed to total removal. Southwest Ranches is the worst area re: fallen trees.

To enable staff to report to work in a timely manner, each employee is being permitted to purchase 10 gallons of gas. If when the first person uses his/her 10 gallons, there are still lengthy lines at the

gas stations, this issue may be readdressed.

There is already a two-page list of revisions to the Hurricane Manual based on what has been observed by staff in the first two days of their return to work. This includes satellite phones for key personnel.

The S-2 Pump Station roof was lost which appears to be the only serious damage to SBDD facilities.

Mr. Bell pointed out that Bergeron has an obligation in one area to clean up before and after a storm event. This will be checked as well as any other areas that might have similar agreements.

The District has two staff members who have experience with the FEMA process and have already commenced with the necessary paperwork/contacts.

Mr. Eastman noted there is a local Company that has developed a great system for telemetry and other areas which can be used for backup. Mr. Schwartzberg responded that at this time, he isn't particularly concerned about telemetry; he is more concerned about person-to-person communication. After further research, a recommendation will be made to the Board re: how to proceed in this area.

Mr. Schwartzberg explained that the District is working at saving fuel any way it can without creating any problems in any area.

A question was raised re: overtime. Mr. Schwartzberg responded there has been no overtime as yet since the storm, and none is anticipated in the near future.

#### **FORMER DISTRICT DIRECTOR INSURANCE**

Discussion ensued on the group-insurance coverage for the previous District Director. It was agreed (per motion by Mr. McCluskey which was seconded by Mrs. Minnaugh and carried unanimously) the District will reimburse the cost for the necessary coverage per this individual's contract directly to the former Director, with him to secure the coverage rather than the District getting into anything that could be considered questionable in any facet.

#### **LEGAL BILLS**


Mrs. Minnaugh moved for approval of Mr. Bell's legal fees as invoiced. Motion seconded by Mr. McCluskey and carried unanimously.

#### **MEETING DATES**

November Board meeting, Thursday, November 17, 2005, 9:30 A.M.

Due to November's Board meeting being earlier than usual (due to the Thanksgiving Holiday), it was felt no Management Committee would be necessary. Even so, were something to arise that requires Board attention, an emergency meeting could be called (on November 8<sup>th</sup> if necessary).

**ADJOURNMENT AT 10:55 A.M.**

  
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Jack McCluskey, Secretary  
Board of Supervisors