

**SOUTH BROWARD DRAINAGE DISTRICT  
BOARD OF COMMISSIONERS MEETING  
\*\*\*\*AGENDA\*\*\*\*  
THURSDAY, NOVEMBER 15, 2007**

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

01. CALL TO ORDER/PLEDGE OF ALLEGIANCE
02. PUBLIC COMMENT
03. APPROVALS (If Available)
  - A. OCTOBER 23, 2007, SPECIAL BOARD/SFWMD MEETING MINUTES
  - B. OCTOBER 31, 2007, BOARD MEETING MINUTES
04. DIRECTOR'S REPORT
  - A. PROPOSAL FOR REDUCED PERMIT FEES FOR EROSION PROJECTS IN THE FIVE COMMUNITIES
  - B. SCHEDULE WORKSHOP ON GUIDELINES/CRITERIA FOR USING HURRICANE EROSION EMERGENCY FUNDS AND RELATED ASSESSMENT OPTIONS
  - C. CANAL 13 PROJECT BID AWARD
  - D. CEMETERY TRAILS CANAL POWER-POINT PRESENTATION
  - E. OTHER
05. ATTORNEY'S REPORT
  - A. REQUEST FOR RELEASE/VACATION OF DRAINAGE-EASEMENT ON TREO PLAT PROPERTY
  - B. DISTRICT DECLARATION OF RESTRICTIVE COVENANTS PER LEASE WITH TOWN OF SOUTHWEST RANCHES
  - C. REQUEST FOR RELEASE OF EASEMENTS ON WEEKLY ASPHALT PROPERTY AKA NOJOSY
  - D. SPECIAL DISTRICTS LEGISLATION PROPOSED BY SENATOR RING
06. APPROVAL OF LEGAL BILLS
07. BOARD MEMBERS QUESTIONS/COMMENTS
08. OTHER
09. MEETINGS:
  - A. BOARD OF COMMISSIONERS MEETING - THURSDAY, DECEMBER 13, 2007, 9:30 A.M.
  - B. MANAGEMENT COMMITTEE MEETING ???
10. ADJOURNMENT

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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 PARTI-CIPATE 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  
NOVEMBER 15, 2007**

**Present:**

Jack McCluskey, Chairperson  
Scott Hodges, Vice Chairperson  
James Ryan, Secretary  
Carl Lanke, Treasurer  
John Eastman, Commissioner

Alanna Mersinger, Commissioner  
Leo M. Schwartzberg, District Director  
Douglas R. Bell, Legal Counsel  
Joann Long, Recording Secretary  
General Public (List Attached)

**Absent:**

Robert Goggin, IV, Commissioner

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**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. **MEETING MINUTES** - None available.

**04 DISTRICT DIRECTOR'S REPORT**

**(A) REQUEST FOR REDUCED PERMIT FEES FOR EROSION PROJECTS IN FIVE WILMA-AFFECTED COMMUNITIES**

The District has been requested to reduce or waive the permit fees for persons in the communities affected by Hurricane Wilma on properties that were not included in the District's restoration project (LMS memo attached). After considerable discussion, Mr. Hodges moved the District establish a special permit fee for erosion-related projects in the five areas of \$75 for a 2-year period starting today. After a proposed amendment by Mrs. Mersinger that did not receive a second, Mr. Lanke seconded Mr. Hodges Motion for a special fee not to exceed \$75 (which would include any recording fees) for a 2-year period effective today. Motion carried by a majority vote with Mr. Ryan voting nay.

**(B) WORKSHOP FOR GUIDELINES/CRITERIA FOR USING HURRICANE FUNDS AND RELATED ASSESSMENT OPTIONS**

Tuesday, February 19<sup>th</sup>, at 9:30 A.M., a workshop will be held to discuss the aforementioned issues. All municipalities within SBDD boundaries will be invited to attend. Mrs. Mersinger would like to see HOA documents to see who is responsible for erosion damage, and Mr. Eastman would like to see what the legal basis is for spending taxpayers money on properties of others and assessing on the same basis.

**(C) CANAL 13 PROJECT BID AWARD**

The bid information package was picked up by fourteen contractors, ten attended the required pre-bid meeting; and eight submitted proposals. The low bidder was Southeast Engineering Contractors for a cost of \$1,041,000. That same company did the first structure (Canal 13-A) and did a good job, and Mr. Schwartzberg recommended approval of their for the second structure. Mr. Ryan moved for ap-

proval of the bid as recommended by Mr. Schwartzberg. Second by Mrs. Mersinger. After considerable discussion, a roll-call vote showed the motion carried by a majority vote with Mr. Eastman voting nay.

**(D) CEMETERY TRAILS CANAL POWER-POINT PRESENTATION**

A power-point presentation of the Cemetery Trails Canal Wetland Mitigation project results was made by Mr. Schwartzberg at the suggestion of Mr. Lanke who visually viewed the area. All felt the project turned out excellently.

**(E) DUECKER REQUEST RE: EROSION FUNDS**

Mr. Kenneth Duecker has requested financial assistance from the District for the repair of erosion damage to his lake-front property in east Pembroke Pines (letter attached). Mr. Schwartzberg asked for the Board's opinion regarding his response which included inviting them to attend the February 19<sup>th</sup> erosion workshop. All were in agreement with Mr. Schwartzberg's response.

**(F) SBDD SHIRTS**

Mrs. Mersinger had some shirts made containing an embroidered SBDD logo to wear at outside events. This was done at her own cost. The manufacturer has been contacted and agreed to waive the set-up fee for anyone who might want any of these shirts, and that company would like at least a 24-piece order. Anyone interested should check with Mr. Schwartzberg on this matter, as there are several different shirts available.

**05. LEGAL-COUNSEL REPORT**

**(A) REQUEST TO RELEASE/VACATE EASEMENT ON TREO PLAT PROPERTY**

A request has been received to release/vacate the 30-foot drainage easement on the Treo Plat property located within Southwest Ranches (letter attached). A new easement will be dedicated elsewhere along with an ingress-egress easement over the paved portion of the property. Mr. Ryan moved for approval, second by Mr. Eastman; carried unanimously..

**(B) SBDD DECLARATION OF RESTRICTIVE COVENANTS PER LEASE WITH SOUTHWEST RANCHES**

Pursuant to the lease between SBDD and SWR, the District agreed to record a Declaration of Restrictive Covenants on its headquarters property (letter attached). There are a few minor changes to be made. Provided the Town comes to an agreement with Mr. Bell on the changes, Mr. Eastman moved for approval of the document (w/change). Motion seconded by Mrs. Mersinger and carried unanimously.

**(C) REQUEST FOR RELEASE OF EASEMENTS ON WEEKLY ASPHALT PROPERTY AKA NOJOSY**

Postponed.

**(D) PROPOSED LEGISLATION RE: SPECIAL DISTRICTS**

Senator Ring has proposed legislation approval of an 18-persons special committee to be appointed by the Broward County Commissioners for the purpose of reviewing all special districts in Broward County even though there is already a provision in the County's guidelines for that group to do any needed reviews. All Board members were urged to be available at any local legislative meeting when this matter will be discussed.

Some of the special districts are providing letters to Senator Ring, and it was suggested that Mr. Bell do the same on behalf of SBDD. He will keep all updated on this matter.

In response to a question, either Mr. Bell or his associate Ms. Feld will be attending these meetings.

**06. APPROVAL OF LEGAL BILLS**

Legal bills approved unanimously per motion by Mrs. Mersinger and seconded by Mr. Lanke.

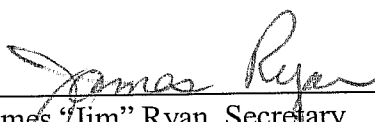
**07. LOCAL LEGISLATIVE DELEGATION**

The District has nothing to take before the delegation at this time.

**08. MEETING DATES**

- A. Commission meeting Thursday, December 13, 2007, 9:30 A.M.
- B. Management Committee - Not needed.

**09. Adjournment at 11:10 A.M.**

  
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James "Jim" Ryan, Secretary  
South Broward Drainage District

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