

**SOUTH BROWARD DRAINAGE DISTRICT
BOARD OF SUPERVISORS MEETING**

*****9:30 A.M.*****

AGENDA

THURSDAY, DECEMBER 15, 2005

01. CALL TO ORDER/PLEDGE OF ALLEGIANCE
02. PUBLIC COMMENT
03. APPROVALS:
 - A. NOVEMBER 17, 2005, BOARD MEETING MINUTES
 - B. DECEMBER 5, 2005, MANAGEMENT COMMITTEE MEETING MINUTES
04. DIRECTOR'S REPORT:
 - A. S-9/S-10 BASINS STORMWATER-IMPROVEMENT PROGRAM:
 1. PHASE II MODELING REVIEW/CRAVEN THOMPSON - UPDATE
 2. CANAL 13-A & 205 AVENUE CULVERT CONSTRUCTION
 - B. FACILITY REPORT 2005/RESOLUTION #2005-07 - APPROVAL
 - C. HURRICANE WILMA UPDATE:
 1. DAMAGE/CLEANUP
 2. EROSION WORKSHOP
 - D. PRESENTATION BY GREGORY GARVEY, COORDINATOR/EXECUTIVE DIRECTOR, SOUTH FLORIDA RESOURCE CONSERVATION & DEVELOPMENT COUNCIL
 - E. OTHER
05. ATTORNEY'S REPORT:
 - A. REQUEST FOR LIMITED VACATION OF WASHINGTON STREET CANAL ROW/(I-75 CENTURY VILLAGE/CENTURY VILLAGE (PEMBROKE HARBOR DEVELOPMENT)
 - B. MIRAMAR RESIDENTIAL MITIGATION AGREEMENT/RESOLUTION #2005-18
 - C. LOCAL LEGISLATIVE BILLS UPDATE:
 - A. AD VALOREM TAXES
 - B. BID THRESHOLD
 - C. ANNEXATION/DEANNEXATION
 - D. DISTRICT DIRECTOR CONTRACT/RESOLUTION #2005-15
 - E. FACILITY REPORT 2005/RESOLUTION #2005-07 - APPROVAL
 - F. OTHER
06. APPROVAL OF LEGAL BILLS
07. OTHER
08. MEETING DATE(S):
 - A. JANUARY BOARD MEETING DATE THURSDAY, JANUARY 26, 2006, 9:30 A.M.
 - B. MANAGEMENT COMMITTEE MEETING/SET DATE
09. 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 PARTICI-PATE 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

December 15, 2005

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 and Scott Hodges, District Director Leo Schwartzberg, District Legal Counsel Douglas Bell, Inspector Luis Ochoa, Recording Secretary Joann Long. General Public: See attached list.

PUBLIC COMMENT

None.

MINUTES

Motion to approve November 17, 2005, Board meeting minutes as submitted made by Mrs. Minnaugh, seconded by Mr. McCluskey. Motion carried unanimously.

The minutes of the December 5, 2005, Management Committee meeting were not available at this time and will be submitted for approval at the next meeting.

DISTRICT DIRECTOR'S PRESENTATIONS

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

CT&A's study on the merits of the proposed Phase II of the S-9/S-10 stormwater-improvement project has not been completed. Mr. Schwartzberg spoke with a CT&A representative, and it is his understanding that they are now working very diligently to complete the report. Upon receipt of said report, it will be discussed with Mr. Hekmat/CG&A after which it will be submitted to the SBDD Board (hopefully at the January Board meeting). When questioned, Mr. Schwartzberg responded that CT&A is behind schedule with the review.

CANAL 13-A & 205TH AVENUE CULVERT CONSTRUCTION

Per request by Messrs. Eastman and Hodges, Mr. Schwartzberg has discussed options with Williams Paving and agreed upon one which might result in a savings in the \$383,808 approved bid. Said option is being investigation at this time; and when all information is available, a determination will be made on the feasibility of same.

FACILITY REPORT 2005

Mr. Schwartzberg has made a final review of the 2005 Facility Report and found all information therein to be acceptable. Mrs. Minnaugh moved for approval of Resolution #2005-07. Motion seconded by Mr. Hodges and carried by unanimous vote.

HURRICANE WILMA UPDATE

TREE REMOVAL: Three tree-removal contracts have been completed, three more have been awarded, three will be going out for bid in early January with one final contract to be put out for bid at the end of January. The costs have so far come in well under what was originally anticipated.

DISTRICT FACILITIES: FEMA will pay 75% of the cost for damage to pump stations, and

the State will pay an additional 12.5%. Mr. Schwartzberg is making an effort to get them to agree to pay for part of the repair/replacement costs of other District structures.

EROSION: Letters have been sent to the HOA Presidents of Silver Lakes, Sunset Lakes, Riviera Isles and Harbour Lakes Estates asking that they, their engineers and management companies arrange to meet with Mr. Schwartzberg to discuss the issue of erosion.

At the second erosion workshop, the attendees were bused to problem areas. Mr. Schwartzberg made a presentation on erosion to TAC representatives who were shocked at what had occurred during "Wilma". They have asked the District to make a presentation at the next TAC meeting.

SURFACE-WATER MANAGEMENT AREA VACATION/REDEDICATION

The District has been requested to release the original surface-water management area on the Radice property located at 5801 S.W. 196 Lane, Southwest Ranches and relocate the dedicated area to a more suitable portion of their property. Mrs. Minnaugh moved for approval of the request as submitted. Second by Mr. McCluskey. Motion carried by unanimous vote.

Mr. Gill questioned if it is necessary for these types of exchanges to come before the Board. After brief discussion, most felt the present policy should be continued.

LEGAL COUNSEL PRESENTATIONS

VACATION REQUEST

The District has been asked to approve a limited vacation of the Washington Street Canal R.O.W. (I-75 Century Village/Century Village [Pembroke Harbor Development]). As there are two property owners, it will require two separate agreements. Mr. Bell provided a brief explanation on the two involved parcels noting the District will secure the required easement(s) over the canal. Mrs. Minnaugh moved for approval of the request as explained by Mr. Bell. Motion seconded by Mr. McCluskey; carried by unanimous vote.

MIRAMAR RESIDENTIAL MITIGATION AGREEMENT/RESOLUTION #2005-18

The Miramar Residential Mitigation Agreement/Resolution #2005-18 was submitted for approval. The District will have a flowage-storage easement over the area. Mr. Bell added that this is a standard agreement. Mrs. Minnaugh moved for approval of Resolution #2005-18 as submitted. Second by Mr. McCluskey; carried unanimously.

LOCAL LEGISLATIVE BILLS

The local delegation will meet this evening at 6 P.M., and Senator Nan Rich will be sponsoring the District's ad-valorem and bid threshold bills. The annexation-deannexation bill has been pulled.

DISTRICT DIRECTOR'S CONTRACT/RESOLUTION #2005-15

Mr. Bell has made some clarifications in the District Director's contract (which was approved at a previous meeting). The clarifications were also made to the accompanying Resolution #2005-15 which has yet to be approved. After brief discussion, Mr. McCluskey moved for approval of the amended contract and Resolution #2005-15. Motion seconded by Mrs. Minnaugh and carried by a unanimous vote. Mr. Schwartzberg had no objection(s) to the amendments which basically dealt with legal fees and severance pay.

LEGAL BILLS

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

OTHER PRESENTATIONS

CENTRAL BROWARD WATER CONTROL DISTRICT/CONSOLIDATION

Mr. McCluskey attended CBWCD's Board meeting last night and was advised that "consolidation" will be included on their next meeting agenda. He added that no one seemed amenable to such a possibility. Mr. McCluskey requested approval to attend their next meeting and represent SBDD's Board position on the issue. Even if CBWCD does not agree to move forward with consolidation, they need to be thoroughly aware of all factors/reasons for a consolidation. Mrs. Minnaugh moved that Mr. McCluskey be so authorized to act on behalf of this Board. Motion seconded by Mr. Hodges and carried unanimously.

HOWARD ZIMMERMAN ABSENCES

Mr. Eastman questioned if anyone had any information on Mr. Zimmerman, as he has been absent for several meetings. He questioned if there is any procedure to replace a Board member who is unavailable for a lengthy period of time. Mr. Bell responded there is nothing in the District's Charter on this issue. It was suggested that Mr. Schwartzberg contact Mr. Zimmerman and report back at the next meeting.

TOM MACVICAR/MEETING

The question was raised whether or not Mr. Schwartzberg had an opportunity to talk with Mr. MacVicar about the S-9/S-10 stormwater-improvement project, Phase II. Mr. Schwartzberg responded that he had spoken with Mr. MacVicar who advised that he would let Mr. Schwartzberg know when he would be available for a meeting. No further word since that conversation.

TOWN OF SOUTHWEST RANCHES/INSURANCE

INSURANCE: In response to a question, Mr. Schwartzberg replied that there has been no response from Mr. Canada to the proof-of-insurance request made on November 2nd. All Council members have been copied with the letter to Mr. Canada.

Mrs. Minnaugh voiced her concern about the potential liability in the event the Town's insurance has not been renewed with the District as an added insured. Mr. Eastman volunteered to check on this important matter upon adjournment of the meeting. He was authorized to do so on behalf of the Board per motion by Mr. McCluskey which was seconded by Mrs. Minnaugh and carried by a unanimous vote.

LEASE: Mr. Eastman presented the lease issue to the Town Council at its last meeting. Options discussed by the Council were (1) declare eminent domain for the property on which the modulars sit or (2) leave when the current lease expires and move the facilities to the Dykes/Griffin Roads property. The Council seemed to favor Option #2 as Option #1 would undoubtedly involve considerable legal fees.

Mr. Eastman felt the Town may need a few more months after the expiration of the lease before they can move the modulars to the new site. Mrs. Minnaugh would have no objection provided there is an escalating agreement for each month they remain after the expiration of the lease as that would provide the incentive to "move" as quickly as possible.

Discussion ensued on the current lease, and some felt that a letter should be sent to the Town advising that the District expects the Town to remove its facilities from SBDD property upon the expiration of the current lease. In addition, if after Mr. Eastman's visit today re: insurance, no proof of insurance is provided to the District, Mr. Bell should send a letter to Mr. Canada (w/copies to all Council members) that if this information is not provided soon, the District will exercise the lease option and purchase the necessary coverage and bill the Town for same.

After further discussion, Mrs. Minnaugh moved, based on the results of Mr. Eastman's visit to the Town after this meeting, that Mr. Bell send a letter with complete information on the insurance situation, with a January 15th final date to provide the information to the District. If not, the District will take the necessary steps to see that the District is protected. Motion seconded by Mr. Hodges and carried by unanimous vote.

GRAND PALMS/HOMELAND SECURITY

Mr. Eastman questioned how the Grand Palms/Homeland Security issue is proceeding. Mr. Bell responded that the culvert is in, and he has not heard anything from Pat Segal (Grand Palms). The project should be completed by the end of this week (per Mr. Schwartzberg), and Mr. Segal has not taken any action as of this date.

EROSION/HURRICANE WILMA

Mr. Gregory Garvey provided background information on the South Florida Resource Conservation & Development Council, Inc., (SFRCDC) which has considerable experience in the type of work needed to restore lake banks/easements damaged by acts of nature. They are a non-profit Florida organization dedicated to improving the quality of life in our community through resource conservation development projects. Mr. Garvey provided a power-point presentation for his company which was formed in 1993, and which partners with the U.S. Department of Agriculture and is a unique federal and local partnership. They have no private accounts – only taxing authorities. They are a fee-for-service organization.

Per a question from Mr. Eastman, Mr. Garvey responded that his organization is capable of handling work of the scope/size needed within SBDD boundaries. Re: the benefit of using his company rather than private engineers, etc., Mr. Garvey noted that they have a good track record of providing needed services to the area plus the relationship they have with some of the funding agencies has proven to be very valuable.

Mr. Wes Scott, Project Manager, explained that SFRCDC is used to handling turn-key projects but can work with the District and contractors as well. He is a professional engineer and can seal documents. There are four viable options for the work needed within SBDD, and the Board would have to make the decision on which way to proceed. The residents must be part of the system as they need to be satisfied with the result. The "problem" is very definitely fixable. Most residents feel it is going to be a quick fix which is not the case. They need to know we are working for their good. FEMA will assist in the costs to restore areas to where they were prior to "Wilma".

Mr. Schwartzberg noted that it is his belief that SFRCDC is capable of doing the necessary work and that the Board must decide how it wishes to move forward with resolving the repair/restoration problems.

Mrs. Minnaugh moved that SFRCDC be authorized to meet with Mr. Schwartzberg and prepare a proposal on the repair/restoration option with complete details and cost which could be submitted to the Board for further action. Mr. Schwartzberg asked that the Board approve SFRCDC putting together a contract to present to the Board which is basically the same objective as expressed by Mrs. Minnaugh. In order to make this happen in the most efficient manner which would involve meeting with the HOAs, Mr. Bell needs to work out the assessment method. The motion was seconded by Mr. McCluskey; carried unanimously. Again, the action taken is basically to enable the District to get started on what it needs to do to get the problem resolved. Mr. Schwartzberg added that each HOA should have a say in the method of resolution and the cost for the work to their area.

FORMER DISTRICT DIRECTOR/NEIL KALIN

Mr. Gill explained that the Board wanted to express its appreciation to former District Director Neil Kalin for his past and present services to the District. In recognition of same, Mr. Kalin was presented with a token of appreciation from the Board members. Mr. Kalin expressed his appreciation for the kind words and gift.

RECORDS MANAGEMENT

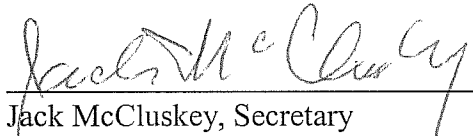
The District has retained a records-management consultant (Leahy) who has met with staff and CG&A representatives to review the software package used by CG&A with which the consultant was very impressed. Mr. Schwartzberg will be meeting with SBDD staff and CG&A on the specs in order to come up with a scope of services to present to the consultant. The District will be provided with a schedule of records that need to be retained. The time frame is 30 days for this first step. The consultant has a contract with Coral Springs which SBDD could use if it continues on with that company. Again, the first step is for information regarding what physical documents must be retained.

MEETING DATES

January Board meeting originally scheduled for January 26th was changed to January 19th per request by Mr. Schwartzberg. A possible change in the February meeting date will be discussed at the January meeting.

A Management Committee was scheduled for Wednesday, January 4th, 4:00 P.M., if needed.

ADJOURNMENT AT 10:45 A.M.



Jack McCluskey, Secretary
Board of Supervisors

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