

**SOUTH BROWARD DRAINAGE DISTRICT
GOVERNING BOARD MEETING MINUTES**

SEPTEMBER 26, 2013

Present:

Scott Hodges, Chairperson
James Ryan, Vice Chairperson
Vicki Minnaugh, Treasurer
Robert E. Goggin, IV, Secretary
Thomas Good, Commissioner
Alanna Mersinger, Commissioner
Mercedes Santana-Woodall, Commissioner

Kevin M. Hart, District Director
Douglas R. Bell, Legal Counsel
Freddy Fisikelli, SWR Councilman
Reina Muniz, Recording Secretary
General Public: See Attached List

Absent:

01. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Meeting called to order at 8:10 A.M., followed by the Pledge of Allegiance.

02. PUBLIC COMMENT

None.

03. APPROVAL OF MINUTES

Commissioner Minnaugh moved for approval of the minutes of the August 29th, 2013, South Broward Drainage District Board meeting. Motion was seconded by Commissioner Goggin and was carried unanimously.

Commissioner Goggin moved for approval of the minutes of the September 12th, 2013, South Broward Drainage District Board of Commissioners Budget Workshop/Public Hearing meeting. Motion was seconded by Commissioner Minnaugh and was carried unanimously.

04. DIRECTOR'S REPORT

A. ESTABLISH MEETING DATES FOR FISCAL YEAR 2013/2014

The following Board Meetings dates were established for the fiscal year 2013/2014:

OCTOBER 31, 2013
NOVEMBER 21, 2013
DECEMBER 19, 2013
JANUARY 30, 2014

FEBRUARY 27, 2014
MARCH 27, 2014
APRIL 24, 2014
MAY 29, 2014
JUNE 26, 2014
JULY 31, 2014
AUGUST 28, 2014
SEPTEMBER 18, 2014

Dates are subject to change.
All meetings will start at 8:00 a.m.

Commissioner Minnaugh moved for approval of the South Broward Drainage District Board meeting dates for fiscal year 2013/2014. Motion was seconded by Commissioner Goggin and was carried unanimously.

B. UPDATE TO 5-YEAR CAPITAL IMPROVEMENT PLAN (CIP)

District Director Hart presented an updated Capital Improvement Plan (CIP) to the Board of Commissioners that includes priorities for capital expenditures for fiscal year 2013/2014 and each subsequent year through 2017/2018.

He said that SBDD completed six CIP projects in 2012/2013 and that the total cost of those CIP projects was \$226,166. Three other projects from 2012/2013 are being carried forward to 2013/2014.

District Director Hart is proposing that SBDD begin a yearly maintenance and replacement program for the gear drives and motors at all of the SBDD pump stations, similar to what was done with the conversion of the stormwater pumps from oil to water. He said that some unexpected issues occurred with some of the District's gear drives and pumps this past year; and because of this, it would be important to start a yearly program to rebuild/replace the pumps and gear drives to extend the service life of all of the pumps stations, and eliminate, or significantly reduce, the possibility of pumps going down during the rainy season.

District Director Hart mentioned the three projects which are being carried forward: (1) Johnson Street Slip-Lining Project, which the City of Pembroke Pines has approved a cost-share of \$24,000.00; (2) Telemetry cameras at the SBDD Pumps Stations; and (3) Changes in the SBDD Conference Room. He also mentioned the projects that were completed this past year.

The total budget for the proposed 5-year CIP is \$2,697,500. The CIP includes a variety of important and necessary capital improvements, including pump station upgrades, culvert repairs/replacements, telemetry upgrades, canal improvements/dredging, miscellaneous drainage improvements, equipment upgrades, and building upgrades. The current balance in the CIP reserve account is \$953,907, which is sufficient to fund the proposed CIP through a portion of fiscal year 2014/2015. Additional funding will be required beyond fiscal year 2014/2015.

District Director Hart stated that the proposed CIP does not account for any outside funding from grants or other revenue sources. The District will continue to pursue available grants and outside funding opportunities for the CIP.

Commissioner Minnaugh moved for approval of the update to the 5-year CIP. Motion was seconded by Commissioner Goggin.

Chair Hodges made an inquiry as to how often the District inspects the interconnecting culverts. District Director Hart replied that the District has an annual inspection program; and because of the total number of culverts, they are inspected on a 5-year rotation.

Commissioner Good commented that the intersection of Hiatus and Pembroke Road gets flooded whenever there is a heavy rain storm. District Director Hart said that he will look into it.

Commissioner Minnaugh mentioned the intersection at Taft St. and Flamingo Rd. has the same issue. She said that on Saturday afternoon, the whole street was flooded and it was almost impassable, and she thought that a drain might be blocked. District Director Hart said that the District has found on a number of occasions that a very simple, inexpensive maintenance program can go a long way in correcting these type of drainage issues. He said that he will need to investigate.

The question was called and carried unanimously.

C. CONTRACT AWARDS:

1. TREE REMOVAL AND TRIMMING PROJECT AT EIGHT LOCATIONS IN MIRAMAR – SBDD advertised for bids for the Tree Removal and Trimming at eight (8) locations in the City of Miramar. The District received a total of five (5) bids. The Bid amounts ranged in price from \$23,565.67 to \$89,550.00. Each bidder was required to visit the job site locations with a SBDD representative as a prerequisite to submitting a bid.

The lowest bid was submitted by EDJ Service Inc. in the amount of \$23,565.67. SBDD has reviewed the bid submitted by EDJ Service Inc. and has determined that the Contractor is qualified to perform the work and that the bid meets all requirements. SBDD is familiar with this Contractor and has been satisfied with their past work. This contract includes an approximate \$6,000.00 credit for awarding all eight locations to EDJ Service Inc. District Director Hart recommended that the District award the contract for the Tree Removal and Trimming Project in Miramar to EDJ Service Inc. in the amount of \$23,565.67 as the lowest responsive, responsible bidder. This work will be done as part of the District's 2012/13 Budget with funding from the General Operating Account.

Commissioner Minnaugh moved for approval to award the SBDD Tree Removal and Trimming Project to EDJ in the amount of \$23,565.67. Motion was seconded by Commissioner Santana-Woodall.

Discussion ensued among members of the Commission.

Commissioner Mersinger suggested that the District speak to the homeowners so that they are aware and in acceptance with the plan. She also asked if there was any negative feedback from any of the community members.

District Director Hart replied that the District has spoken to all of the homeowners and will be coordinating with the City as well, so they are aware of what the District is doing; and if any permitting is required, it will be coordinated as well. As for the negative feedback, District Director Hart stated that the District has not received any negative feedback on this contract.

Commissioner Goggin asked District Director Hart about the difference between houses and tree removal along the same canal? District Director Hart replied that there is really no difference. He said that the District is limited on how much tree work can be done in a given year, and on a given contract; and that they try to identify those locations that have the highest priorities. He says he relies on staff to help make those decisions.

Commissioner Good asked how the Contractor will get to the trees? If they are going to go through the property or the water? And if they go through the property will there be any form of indemnification to protect the District? District Director Hart stated that the District has a form that was prepared for the homeowners to provide permission and indemnify the District so that they can work in those areas. Commissioner Good also expressed concerns about removing trees and weakening the embankment.

The question was called and it was carried unanimously.

2. CULVERT SLIP-LINING PROJECT LOCATED AT 18100 SW 68TH COURT, SOUTHWEST RANCHES - SBDD advertised for bids for the Culvert Slip-Lining Project located At 18100 SW 68th Court, Southwest Ranches. The District received a total of one (1) bid in the amount of \$18,347.00. The bidder was required to visit the job site location with a SBDD representative as a prerequisite to submitting a bid.

The bid was submitted by Shenandoah General Construction Company. SBDD has reviewed the bid submitted by Shenandoah General Construction Company and has determined that the Contractor is qualified to perform the work and that the bid meets all requirements. SBDD is familiar with this Contractor and has been satisfied with their past work. District Director Hart recommended that the District award the contract for the Culvert Slip-Lining Project in Southwest Ranches to Shenandoah General Construction Company in the amount of \$18,347.00 as the lowest responsive, responsible bidder. This work will be done as part of the District's 2012/13 Budget with funding from the General Operating Account.

Commissioner Goggin moved for approval to award the SBDD Culvert Slip-Lining Project to Shenandoah General Construction Company in the amount of \$18,347.00. Motion was seconded by Commissioner Mersinger.

Vice Chair Ryan asked District Director Hart if there will be any cost-sharing on this

project. District Director Hart replied no.

The question was called and it was carried unanimously.

D. REQUEST TO TRANSFER FUNDS FROM SBDD CIP COMMITTED ACCOUNT TO SBDD GENERAL OPERATING ACCOUNT

District Director Hart stated that SBDD recently completed the following CIP projects:

- Hollybrook Outfall Culvert Repair Project
- SBDD S-7 Pump Station Sluice Gate Project
- Homeland Security Outfall Culvert Relocation Project (aka: Grand Palms)
- SW 70th Place Culvert Replacement

All four projects were previously approved by the SBDD Board of Commissioners with funding through the Capital Improvement Committed Account. To date, the costs for these projects have been paid through the General Operating Account.

This is to request approval to transfer \$152,063.55 from the SBDD Capital Improvement Committed Account to the SBDD General Operating Account as reimbursement for the above-mentioned CIP projects.

Commissioner Minnaugh moved for approval to transfer funds from SBDD CIP Committed Account to SBDD General Operating Account as requested. Motion was seconded by Commissioner Goggin and it was carried unanimously.

E. OTHER

- Florida Association of Special District (FASD) – District Director Hart said that he received an email from the attorneys that represent FASD regarding the study of Special Districts statewide. According to the e-mail, the governor’s office is reassessing their approach for reviewing all 1600 Special Districts in Florida. Based on the time, effort and cost to the state, and hopefully the feedback and conclusions drawn so far, it does not appear that they will move forward with the same approach. He said he will keep the Board apprised.
- C-51 Work Group Meeting – Commissioner Mersinger gave an update on the first meeting of the C-51 Work Group. She said that the total cost for the project will be close to a billion dollars.

She said that on the surface it seems like an excellent project, but that she has concerns on the financing and all the agendas involved. She wants to make sure that the people who are paying for this get the best for their money.

District Director Hart said that the next step for the group is to hire a consultant; a third party to do an independent evaluation of the cost. The recommendation was for one of the entities involved in this project to use one of their existing contracts already in place to hire a consultant.

At this point, Vice Chair Ryan moved to adjourn the regular Board meeting and

convene the Final Public Hearing on the Budget. Commissioner Minnaugh seconded the motion and it was carried unanimously.

05. CONVENED PUBLIC HEARING AT 9:00 A.M. FOR ADOPTION OF THE PROPOSED ASSESSMENT RATES AND BUDGET FOR FISCAL YEAR 2013-2014

DISTRICT CHAIRPERSON PRESENTED THE FOLLOWING:

The name of the taxing District is South Broward Drainage District.

The proposed taxes and assessment rates for fiscal year 2013-2014 are attached as Exhibit "A" to District Resolution No. 2013-10.

The proposed budget for fiscal year 2013-2014 is attached as Exhibit "A" to the District Resolution No. 2013-11.

District Director Hart stated that the final budget for fiscal year 2013-2014 is being presented as \$3,563,965.08. He stated that this is consistent with the budget discussed at the Board's last Public Hearing. The District is not recommending any increases to the current assessment rates. The District's recommendation is to maintain the current assessment rates and to operate under the budget as proposed. There were no comments from the Board of Commissioners.

The District Chairperson opened the public hearing. There were no comments from the public.

The District Chairperson closed public discussion.

Commissioner Minnaugh moved for approval of Resolution 2013-10 as presented; which approves and adopts the proposed assessment rates for fiscal year 2013/14. Motion was seconded by Commissioner Goggin and was carried unanimously.

Commissioner Minnaugh moved for approval of Resolution 2013-11, which approves and adopts the proposed final budget for fiscal year 2013/14. Motion was seconded by Commissioner Santana-Woodall and was carried unanimously.

The Public Hearing was adjourned and the Regular SBDD Board Meeting was reconvened.

06. ATTORNEY'S REPORT:

Attorney Bell commented that there does not seem to be anything on the horizon regarding special district legislation for next year.

07. APPROVAL OF LEGAL FEES

Commissioner Goggin moved for approval of the legal bills. Motion was seconded by Commissioner Minnaugh and it was carried unanimously.

08. BOARD MEMBER'S QUESTIONS/COMMENTS

Commissioner Goggin requested an update on the Taft Street project and wanted to know how the District is working with the City of Pembroke Pines in the Pasadena Lakes area. District Director Hart replied that the City of Pembroke Pines received a proposal to stabilize the canal bank on the north side of Taft Street. He explained that the outside lane has been showing signs of failure over the years and that the City of Pembroke Pines wants to re-establish the guardrail and stabilize the canal bank, and they also want to rebuild the road. The City placed a bid to do all three projects together, but the prices came in too high; so they rejected those bids and re-advertised for just the canal bank stabilization, and received a bid for approximately \$850,000.00. He does not believe that they have approved the contract yet, but they did approve the award of the bid.

He stated that the City Manager spoke to the District on the possibility of collaborating with the City on the project; because the District has completed two projects on that canal to increase the conveyance capacity on the canal. He said that he is waiting to receive the design section for the project. If the project includes improvements to the canal, then there may be an opportunity to coordinate with the City on this. He has not received anything firm as of yet. He hopes that the cost and plan will include improvements to the canal. Unfortunately, the contractor does not feel that the work completed by the District previously, was a benefit to them, and are recommending that it be removed and replaced with their own work.

Commissioner Goggin said that from an engineering standpoint, it is his understanding that the City is trying to develop a privacy wall or a hedge along the roadway for the residents that live in that area. He said that there have been questions about who has rights to those canals, and originally there were assumptions that it was owned by the residents only; but that now it is believed that the centers of those lakes belong to the City of Pembroke Pines; which could place a partial responsibility in dealing with some of the problems with those lakes on the City; and he inquired if that also gives the District the right to do any work in the canals leading to those lakes? He asked if there was anything that can be done to help that situation?

District Director Hart replied that all the research he has done on those two lakes and the canals, indicates that they are privately owned, and because the District has an easement over the water bodies, the District has the ability and the right to make improvements to those canals. District Director Hart stated that the adjacent homeowners own the canals.

Commissioner Minnaugh commented that the residents are responsible for anything major to be done in the lakes and canals. She asked if the City is paying for the rebuilding of the banks? District Director Hart replied yes, and that from what he was told, their project includes a reconstruction of the guardrail and a landscape strip. No privacy wall. Commissioner Minnaugh asked if their contractor would need a permit from SBDD. District Director Hart replied yes. Commissioner Minnaugh had concerns that the City was not happy with the work that SBDD had previously done. She said that anything that the City does with regard to this project should have some sort of agreement that the District is not taking on any future maintenance. District Director Hart stated, that the primary objective of the District's project was met, and the work that the District completed was very successful. The additional advantage of those projects was to help stabilize the slope of the canal. The District did not evaluate the road. He opined that the canal bank looks excellent and there are no signs of failure. He said that he is disappointed that the City's contractor does not feel that it is

beneficial to them.

Commissioner Minnaugh rephrased her comment and stated that if their Contractor removes the work that was completed previously by SBDD, the District will not return, in the near future or in the long run, to fix or maintain what the City decides to have removed. The City needs to make sure that this is what they want. District Director Hart said that he appreciates Commissioner Minnaugh's comments and assured her that it will be a condition in the SBDD permit.

Commissioner Goggin's final comment was that there is one very verbal person on the City of Pembroke Pines Commission making comments on the disapproval of joint ventures between government agencies. He said that he would like to have the opportunity for SBDD to go before the other Commissioners and let them know that we are suppose to be working together because we are in the same County, rather than listening to one verbal person making derogatory and negative comments. Commissioner Minnaugh suggested that the District invite this person to SBDD. District Director Hart mentioned that there were other, positive comments from the City. He said that the City Manager commented positively and said how good the relationship is between SBDD and the City, and how they are working together. Commissioner Schwartz also made a complimentary comment on the District.

Commissioner Good wanted clarification on who is doing what. He said that the location of the proposed project is at the south side of the canal along Taft Street. He asked District Director Hart who is giving advisement to the City on the project? District Director Hart replied that he believes it is the City Engineer and Public Works Director. Commissioner Good asked if they are making the decisions on the recommendations to the City or did they hire a consultant? District Director Hart said he does not believe that the City hired a consultant, and that the recommendation that was made to the Commission to award the contract was evaluated and presented by the City Engineer. He said that he recently met with the City Engineer out at the job site, and previously he had met with staff members of the City's Public Work Dept. to discuss ideas, approaches and different methods for stabilization. He thought at that time, that perhaps they were providing a solution and getting prices on that solution, but instead they went forward with a design build; he has offered to provide input if requested. Subsequent to that recent field meeting the contractor and engineering entity made an evaluation and issued a report, and District Director Hart gave a comment on the report.

Commissioner Good asked who gave the report? District Director Hart could not recall the name of the firm, but said that it was the engineering firm who will be doing the design, and signing and sealing the plans; and that the contractor will do the work. The engineering company and the contractor specialize in canal bank stabilization and restoration. Commissioner Good's final question was if the District did improvements and it was incorrect, is there the ability for the City to lay a claim against the District for remediation work that they would have to do in order to correct the defect that was done on property that the District does not own, but yet has a right to do such work? District Director Hart deferred to attorney Bell. Attorney Bell replied that it would be remote, but if they hired an innovative attorney, they could come up with all kinds of potential causes of action that may or may not hold up in court.

Chair Hodges stated that Contractor should have priced the job on the "as is" condition of the canal bank.

Commissioner Mersinger commented that the District was not working on stabilizing the road; they were working to deepen the canal. District Director Hart stated that he sees it the same way as Chair Hodges characterized it: The Contractor provided a cost based on the “as is” condition of the canal. Those “as is” conditions should have included the work that was done by SBDD; and he has not heard that the contractor is asking for additional money related to that work. He said that he has not sensed that discussion, but one never knows. He is hoping the plans will show improvements for the canal and it will be a win-win situation.

Commissioner Goggin asked that the District keep themselves in the loop and that the District Director keep the Board informed. He knows that the Pasadena residents are very concerned on how the City of Pembroke Pines will come up with a solution on this.

Commissioner Minnaugh thanked District Director Hart and the staff for all of their hard work on the budget. Commissioner Santana-Woodall thanked District Director Hart for handling something she had brought to his attention regarding a flooding problem at one of the high schools.

09. MEETING DATE(S)

A. The Next Regular Board Meeting will be held on **Thursday, October 31st at 8:00 a.m.**

Adjournment at 9:41 A.M.

Respectfully submitted,

Robert E. Goggin IV, Secretary
South Broward Drainage District

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MEMORANDUM

DATE: October 24, 2013
TO: South Broward Drainage District Commissioners
FROM: Kevin M. Hart, P.E.
District Director
Subject: Contract Award for SBDD Stormwater Gear Drive Replacement at the S-2 Pump Station in Miramar

Comments:

SBDD advertised for bids for the Stormwater Gear Drive Replacement at the S-2 Pump Station in Miramar. We received a total of four (4) bids. The bids ranged in price from \$36,995.00 to \$98,999.00. Each bidder was required to attend a mandatory prebid meeting and to visit the site location with a SBDD representative as a prerequisite to submitting a bid. A copy of the Bid Summary is attached.

The lowest bid received was submitted by MW Corporation, Inc. (MWI) in the amount of \$36,995.00. SBDD has reviewed the bid submitted by MWI and has determined that the Contractor is qualified to perform the work and that the bid meets all requirements. MWI has performed work for the District in the past and the District has been satisfied with their work.

I am recommending that the District award the contract for the SBDD Stormwater Gear Drive Replacement at the S-2 Pump Station in Miramar to MWI Pumps in the amount of \$36,995.00 as the lowest responsive, responsible bidder.

Financial impacts to this Agenda Item: The work covered under this project is included as part of the District's 2013-2014 Capital Improvement Plan (CIP) with a budgeted amount of \$55,000; and funding for the project will come from the SBDD Capital Improvement Committed Account.

This is to request approval to award the contract for the SBDD Stormwater Gear Drive Replacement at the S-2 Pump Station in Miramar to MWI Corporation, Inc. in the amount of \$36,995.00. Funding for this project will come from the SBDD Capital Improvement Committed Account.

KH
Attachment

BID TABULATION
SOUTH BROWARD DRAINAGE DISTRICT
STORMWATER PUMP GEAR DRIVE REPLACEMENT
AT THE
S-2 PUMP STATION IN MIRAMAR

Friday, October 18, 2013

(BID RESULTS HAVE NOT BEEN FULLY EVALUATED)

COMPANY NAME	TOTAL BID AMOUNT	COMMENTS
MWI Corporation Inc.	\$36,995.00	
Creel Pump Inc.	\$54,000.00	
Douglas N. Higgins Inc.	\$67,000.00	
Mechanical Industrial Svcs.	\$98,999.00	

MEMORANDUM

DATE: October 24, 2013

TO: South Broward Drainage District Commissioners

FROM: Kevin M. Hart, P.E.
District Director

Subject: Request to Transfer Funds from SBDD Capital Improvements Committed Account to the SBDD General Operating Account

Comments:

SBDD recently completed the following CIP project:

- Stormwater Pump Gear Drive Replacement at SBDD S-7 Pump Station Project

This project was previously approved by the Board with funding through the Capital Improvement Committed Account. A final accounting of the project is shown below.

S-7 Gear Drive Replacement

Approved Contract Amount =	\$41,511.00
Final Contract Amount =	\$41,511.00

In addition, SBDD approved a \$568.68 Change Order for a guardrail modification on the SW 70th Place Culvert Replacement project as summarized below:

SW 70th Place Culvert Replacement

Approved Contract Amount =	\$47,099.70
Change Order Amount =	\$ 568.68 (1.2% of contract amount)
Final Contract Amount =	\$47,668.38
Cost Share from the Town of SW Ranches =	\$10,000.00
Final Cost to SBDD =	\$37,668.38

Financial impacts to this Agenda Item: None; the costs for these projects were previously approved by the SBDD Board of Commissioners and have been paid through the General Operating Account.

This is to request approval to transfer \$42,079.68 from the SBDD Capital Improvement Committed Account to the SBDD General Operating Account as reimbursement for the Stormwater Pump Gear Drive Replacement at SBDD S-7 Pump Station Project and a Change Order on the SW 70th Place Culvert Replacement Project.

KH

MEMORANDUM

DATE: October 24, 2013
TO: South Broward Drainage District Commissioners
FROM: Kevin M. Hart, P.E.
District Director
Subject: Request by the Shiva Visna Temple to Use SBDD Property for Overflow Parking

Comments:

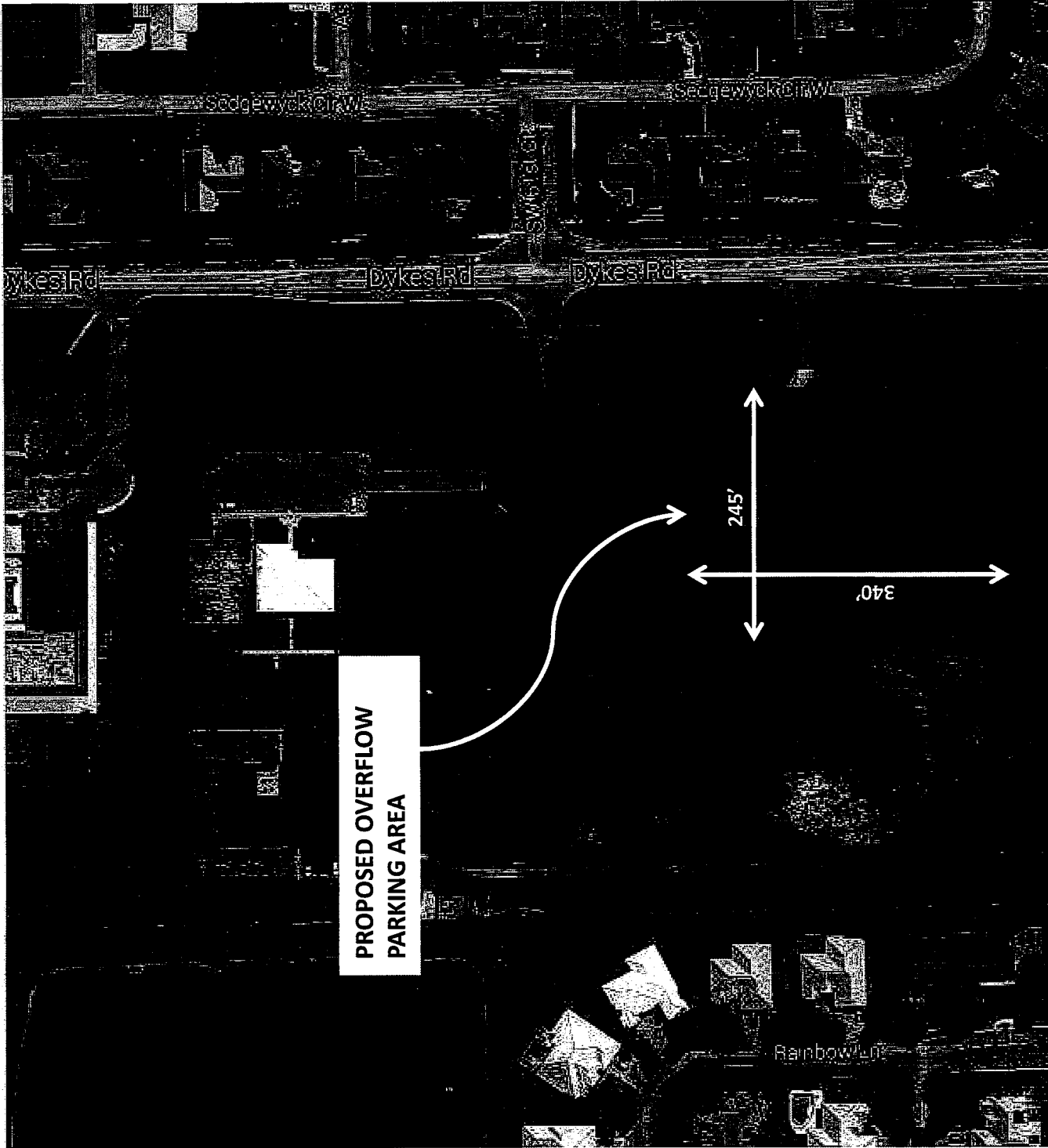
The Shiva Visna Temple is requesting permission from SBDD to use the District's south field for overflow parking over the Thanksgiving weekend on Friday, Saturday and Sunday. The time of the parking use will be between the hours of 8 AM and 9 PM.

The area to be utilized will be approximately 340' X 245' as depicted on the attached sketch. Shiva Visna Temple will have a BSO officer present at all times, and will provide a Certificate of Insurance naming SBDD as additional insured for the time that the SBDD property will be used. In addition, Shiva Visna Temple will be responsible for all set up and cleanup activities, and for securing any required permits and approvals. There will be no cost to the District for this event.

Financial impacts to this Agenda Item: None; all costs for this request will be incurred by Shiva Visna Temple.

This is to request approval to allow the Shiva Visna Temple to utilize the District's Property for overflow parking on Friday, November 29th; Saturday, November 30th; and Sunday, December 1st.

KH
Attachment



PROPOSED OVERFLOW PARKING PLAN

SBDD PROPERTY

NTS