

**SOUTH BROWARD DRAINAGE DISTRICT
GOVERNING BOARD MEETING MINUTES
MARCH 28, 2013**

Present:

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

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

Absent:

Vicki Minnaugh, Treasurer

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 Goggin moved for approval of the February 28, 2013, South Broward Drainage District (SBDD) Board meeting minutes. Motion was seconded by Commissioner Santana-Woodall and it was carried unanimously.

04. DISTRICT DIRECTOR'S REPORT

A. PROCLAMATION DECLARING APRIL AS WATER CONSERVATION MONTH

Chair Hodges read a Proclamation from SBDD, declaring the month of April as "Water Conservation Month".

B. AWARD CONTRACTS:

1. SBDD STORMWATER PUMP GEAR DRIVE REPLACEMENT PROJECT AT THE S-7 PUMP STATION IN MIRAMAR

District Director Hart stated that SBDD advertised for bids for the Stormwater Pump Gear Drive Replacement project at the S-7 Pump Station in Miramar. The District received a total of four (4) bids; the bid amounts ranged in price from \$41,511 to \$58,700. The lowest bid received was submitted by FPI Pumps, Inc. in the amount of \$41,511.00. SBDD has reviewed the bid submitted by FPI Pumps, Inc. and has determined that the Contractor is qualified to perform the work and that the bid meets all requirements. FPI Pumps, Inc. has performed work for SBDD in the past and the

District has been satisfied with their work.

District Director Hart recommended Board approval for the contract award of the SBDD Stormwater Pump Gear Drive Replacement Project to FPI Pumps, Inc. in the amount of \$41,511.00 as the lowest responsive, responsible bidder. This project is part of the District's current CIP and funding for this project will come from the CIP Committed Account.

This project will be the first of an ongoing yearly project to replace the gear drives in the District's pump stations. District Director Hart explained that these replacements are very much needed. Some existing gear drives are over 25 years old and the life cycle is approximately 20 years. He said that the cost of repair is slightly less than the cost to replace the gear drives.

Commissioner Goggin moved for approval to award the SBDD Stormwater Pump Gear Drive Replacement Project to FPI Pumps, Inc. in the amount of \$41,511.00. Motion was seconded by Commissioner Santana-Woodall.

Discussion ensued by the Board of Commissioners. Commissioner Mersinger asked District Director Hart, when contracts are awarded, can the Contractor in any way exceed the price that is given? District Director Hart replied no, they cannot exceed the price that is given. He explained that this is a lump sum contract, and that the District provides the bidders with a bid package on which the bidders base their price. The bid package includes specification, details, time frames, and plans (if applicable). The District gives the bidders as much information as possible so that they can give the District a total lump sum price to perform the work. However, there are occasions when during the course of the work something may come up that was unforeseen when the bid package was put together. In these instances, the Contractor would have an opportunity to request a change order that requires approval by the District. There are also occasions where the District may want to add more work to the contract. There can be owner initiated change orders or Contractor initiated change orders, but in either case, it must be submitted with back-up and reviewed by the District. If the contract time needs to be extended, it also has to be approved through a change order. The process for issuing a change order is included as part of the contract.

Commissioner Mersinger asked District Director Hart if the Board needs to approve the change order. District Director Hart replied, not necessarily; and that this could be a point of discussion for the Board. In coordination with the District Attorney, he suggested that if the change order amount falls within the guidelines of the District Director's authority for expenditures, the staff would review the request and approve it. District Director Hart said that the District does not necessarily want to bring every change order before the Board, but if the Board prefers that, he has no issue with it.

Chair Hodges commented that District Director Hart, in his discretion, can decide that. He said that the Board would not want to hold the Contractor up a month, waiting for the Board to meet again to approve a change order. That is why it is not necessary to make it a requirement. Certainly, if it is a \$50,000.00 change order, the District Director would need to bring it before the Board for approval.

Commissioner Goggin explained further and reiterated that the District does not want to place a job on hold for what might only be a \$500 change order.

Commissioner Good suggested that the District place a contingency for these costs equal to 10% of the total contract amount. Chair Hodges said that if an item needs to be brought before the Board, that the District Director would inform him, and they would review it and schedule it for Board approval.

Vice Chair Ryan commented that the fact of the matter is that the District Director is automatically authorized to make these decisions on his own up to \$10,000. Vice Chair Ryan asked District Director Hart where the District stands with regard to the CIP funds. District Director Hart said the District is under budget to date for the 2012/2013 CIP projects.

The question was called and it was carried unanimously.

C. RESOLUTION 2013-02 - APPROVAL OF SBDD TAX EXEMPT FOR PERMANENTLY DISABLED VETERANS

District Director Hart stated that this proposed Resolution is being presented in response to a request made by a disabled veteran in the Town of SWR, and the directive by the Board to prepare a Resolution providing an exemption from SBDD's annual tax for disabled veterans.

District Director Hart coordinated with District Attorney Bell and with the Broward County Property Appraiser's Office (BCPA), to put together a proposed Resolution which hopefully addresses the Board's request from last month's meeting.

The proposed Resolution would provide an exemption from SBDD's annual tax for properties that are owned by certain totally and permanently disabled veterans and their eligible surviving spouses beginning with the 2013 tax year. This Resolution refers back to Section 196.081, Florida Statutes.

If approved, Resolution 2013-02 would exempt from payment of SBDD's annual tax, homestead property in the District owned by totally and permanently disabled veterans and their eligible surviving spouses, who qualify for and receive an exemption from taxation from BCPA, pursuant to Section 196.081, Florida Statutes. According to the BCPA's Office, there are currently, 207 properties in SBDD's jurisdictional boundaries that would qualify for and receive this exemption.

Approval of Resolution No. 2013-02 would result in a reduction in SBDD's annual revenues of approximately \$6,417 (based on the 2012/2013 figures provided by the BCPA Office).

District Director Hart commented that there were other avenues that the District could have taken on this issue, but this was the most relevant, and also provided the District with the easiest mechanism to incorporate, because the District would rely on Broward County to do the required assessments. He said there is paperwork that needs to be filed and documents that need to be provided to verify that certain requirements are met; and once the County approves it and allows the exemption, it would automatically filter to SBDD. The District would have to notify the County, and with their records, it would be an easy process.

Attorney Bell mentioned that there was an amendment approved last year that will include spouses of first responders killed in the line of duty under this same exemption. He then read several different exemptions that refer to service related disabilities. He said the question is, "Does the District want to limit this to just service related disabilities or does the District want to include the spouses of first responders killed in the line of duty in the same category?" He said that if an exemption is applied by Broward County, and they determine there is an applicable exemption, the District would not need to go through the same evaluation process.

Commissioner Mersinger made a motion to approve Resolution 2013-02 – for Approval of SBDD Tax Exempt for Permanently Disabled Veterans. Motion was seconded by Commissioner Goggin for discussion.

In discussion, Commissioner Mersinger said that the District should limit it. She commented that

there is a real issue in this country where the country is dealing with 1% of the population who serve in the military and are disabled through service in the military; and that it is time that people stop giving lip service, and give them service, as they gave us. She said the scope should be to disabled veterans who have been disabled while in the military.

Chair Hodges asked if the District references Statute 196.081, are they then required to follow it? Attorney Bell replied that in one of the “Whereas” clauses in the Resolution, he placed language that states . . . “For homestead properties within District’s jurisdictional boundaries that qualify for and receive a tax exemption under Section 196.081, as determined by BCPA’s Office. . .” This paragraph encompasses everyone, but everywhere else he makes reference to just “disabled veterans”. He said that the language could probably be tweaked to limit the exemption to “disabled veterans with service related injuries”, so that it eliminates the first responder exemption. He would like to contact BCPA’s Office to confirm how they have this exemption set up so that there will not be an issue later.

Vice Chair Ryan commented that the second paragraph states . . . “that permanently disabled veterans and their eligible surviving spouses . . .” Attorney Bell replied this would refer to whoever the spouse is at the time of death. If they were to get remarried the exemption goes away, and BCPA would make that determination.

Commissioner Mersinger withdrew her motion to approve Resolution 2013-02 – for Approval of SBDD Tax Exempt for Permanently Disabled Veterans and Commissioner Goggin withdrew his second of the motion.

Commissioner Mersinger moved to table Resolution 2013-02 – Approval of SBDD Tax Exempt for Permanently Disabled Veterans to the next Board Meeting, for further revision on the language. Motion was seconded by Commissioner Santana-Woodall and it was carried unanimously.

D. SALE OF SURPLUS EQUIPMENT

Pursuant to Chapter 274, Florida Statutes, SBDD has identified certain properties (equipment) as surplus equipment. This surplus equipment is considered obsolete and its continued use is inefficient and serves no useful function to the District as determined by staff.

It is recommended that SBDD’s surplus equipment be sold to the highest responsible bidder in accordance with Section 274.06, Florida Statutes. It is further recommended that the surplus equipment be sold “as is” in individual lots as shown on the attached list to the highest responsible bidder for each lot. Any lots for which the District does not receive an acceptable bid will be lawfully disposed of in accordance with state, county and local laws and Chapter 274, Florida Statutes. A list of the surplus equipment was provided to Board members in their Board packages.

District Director Hart requested approval by the Board to place these items up for bid or auction.

Approval of this agenda item will allow SBDD to sell its surplus equipment to the highest responsible bidder, with any generated revenue being placed back into the General Operating Fund. It is estimated that the sale of the District’s surplus equipment will generate between \$10,000 and \$15,000.

Commissioner Goggin moved for approval of the sale of surplus equipment as submitted. Motion was seconded by Commissioner Mersinger.

Chair Hodges asked District Director Hart how this is calculated in the District’s budget. District Director Hart replied that there was no line item in the budget for this, and that the revenue will go back into the District’s General Fund under miscellaneous income.

The question was called and it was carried unanimously.

E. UPDATE ON SENATE BILL 538

District Director Hart updated the Board on Senate Bill 538. He said that this is the proposed Senate Bill introduced by Senator Ring from Broward County. Information regarding this bill was provided at last month's Board meeting because of its potential impact to Special Districts and especially to SBDD. Senator Ring is proposing that the administrative services of the District be consolidated with Broward County which would, in District Director Hart's opinion, place the District under the oversight of Broward County. Another important item in the proposed bill that would affect the Board of Commissioners, is that once their elected term expires there would not be an election, but instead, the County would appoint a member to fill that vacant seat.

All of the particular issues were recently discussed in Senate Committee meetings. In the first Committee meeting there were a number of comments and discussion by Committee members that indicated concerns with the language and the bill. After that meeting, there was a recommendation to add an additional committee to hear the bill, which was Ethics and Elections. During that second Committee meeting, there was more discussion and concerns raised to Senator Ring on the bill. In effect, it did not pass through Committee and was suspended; and continues to be in suspension in that Committee.

District Director Hart stated that it is unlikely that the bill will move forward this year. He said that the attorneys for the Florida Association of Special Districts were able to meet with Senator Ring and had some good suggestions on how to address Senator Ring's concerns, without having to introduce a new bill. Unfortunately, Senator Ring was not interested in this approach.

In summary, Senator Ring feels that there is overlap with special districts, and that Water Districts are a good place to start, and that he intends to work on the bill further, and reintroduce it in some form or fashion next year.

Attorney Bell stated that, as a follow-up, he listened to Senator Ring's presentation at the Ethics and Elections Committee meeting and that Senator Ring made many false statements. Attorney Bell commented that he does not seem to care about all the false information he has given because it has been called to his attention before.

Commissioner Mersinger agrees with Attorney Bell and said that the bill is dead for this year, but that Senator Ring will bring this bill back next year. She said that while speaking to other Counties and to other District Representatives, they indicated that they are not interested in pursuing this issue.

F. OTHER

- *SBDD Facilities Report* – District Director Hart updated the Board on the SBDD Facilities Report. He said that SBDD staff has been working on this for over a year and it is now finally completed. It is now called the “SBDD Facilities Report and Water Control Plan”. This is the result of a years worth of effort. He complimented Mr. Luis Ochoa for all his work and time in the finalization of this Report. It was done mostly in-house to save costs. District Director Hart said he feels very good about the work that went into this and the finished product.

He summarized by saying that this report is an overview and assessment of the District's facilities. The District has analyzed all of their 13 Drainage Basins in relationship to the adopted Level of Service “C” that the District approved years ago; and basically it is consistent with Broward County and SFWMD, where all the roads within the District are protected for a 10-year/3-day storm event and all of the building finish floors are protected for a 100-year/3-day storm event. The District updated the Basin and stormwater models wherever they thought it was appropriate. There are recommendations for facility improvements; however, there is no

recommendations or need, from staff's perspective, to increase the annual tax or assessments as it relates to this Facilities Report.

District Director Hart said that he would like the Board to formally adopt this plan, but in order to accomplish this there are several steps that are required.

District Director Hart commended everyone (Joe Certain, Pam Walsh, Susan Iratzoqui, Dean Chartrand and Reina Muniz), in all their efforts in putting the Facilities Report together. He said it was a team effort.

Attorney Bell explained the steps in adopting the SBDD Facilities Report and Water Control Plan.

They are as follows:

- A Resolution needs to be adopted at the next Board meeting.
- A Public Hearing notice needs to be placed, once a week for three consecutive weeks.
- First Class mailing of the notice to all properties in the District.
- A Public Hearing needs to take place.
- A Final Hearing needs to take place.

Chair Hodges suggested that the Resolution be made at the next Board meeting of April 25th, so that the word is out and for the public to attend the meeting. He said that it is the Board's duty to review and present any comments to District Director Hart's attention in order for the District to incorporate changes prior to the voting at the following meeting.

Commissioner Mersinger suggested that once the Resolution is concluded, the District should link the file to the SBDD website. District Director Hart commented that the report will be available online, but if the public requests a hard copy, a fee for \$125.00 would be applied and for a digital copy, a fee for \$25 would be applied. Attorney Bell suggested that the cost be approved by the Board through a motion. District Director Hart said that after final adoption by the Board, copies will be submitted to all five cities within the District.

Commissioner Mersinger made a motion to approve the cost of \$125 for a hardcopy and \$25 for a digital copy of the SBDD Facilities Report and Water Control Plan. Commissioner Goggin seconded the motion and it was carried unanimously.

Commissioner Good had several questions regarding the Facilities Report as follows:

- 1) Are the recertification assets being referenced in the Facilities Report? District Director Hart replied that the District does refer to the SBDD Criteria Manual, which is included as an Appendix, and which talks about the recertification process, but there is no language in the Facilities Report referring to the 5-year Recertification process. He said if necessary, it can be added to the Facilities Report and that it would be beneficial.
- 2) What is the interpretation of a Level of Service "C"? District Director Hart explained that there is a table in the Facilities Report that depicts all levels of service. For the District, a Level of Service "C" protects roads during a 10-year/3-day storm, and building floors during a 100-year/3-day storm. He said that this is the standard of drainage required in Broward County; and that is what the Board adopted for as long as he has been practicing engineering. He said that the Board can review this again if there is a different level of service that may be desired, but the adopted level of Service "C" is consistent with all five cities that the District covers, as well as SFWMD and DEP.
- 3) Is there is any value in going to a higher level of service? Do communities or homeowners

get a more favorable flood insurance rate because the District has a higher level of service? District Director Hart replied that may be possible, but it would be very difficult to modify the District's facilities to achieve a higher Level of Service.

District Director Hart said a Resolution will be brought back at the next Board meeting to hold a public hearing at the May meeting.

- Numeric Nutrient Criteria Process – District Director Hart said that it has been approximately 18 months since the state requested to take over the Numeric Nutrient Criteria regulations and oversight from EPA. Through Commissioner Good the District had prepared a Resolution supporting the State's request to EPA to do that. The Board approved that Resolution and it was sent to EPA and all the State Legislatures. EPA and the State have agreed, in principle, to allow the State to take over those numerics. District Director Hart opined that it was a good thing for Florida and SBDD. Furthermore, a few water bodies had been excluded, and the agreement, in principle, will have Florida include those bodies of water as well. Florida will oversee all Numeric Nutrient Criteria for all Florida waters. Immediate impact for the District is that the narrative criteria currently in place for canals, will remain in place. There would be very little change based on the initial proposal. However, it does have to go through legislature; and it has already made its way through the House of Representatives.
- Water Matter's Day – Water Matter's Day was held on March 9, 2013. It was a fun event with a record attendance this year. The District received an Emerald Award from Broward County which was made by children with special needs, and is being proudly displayed in a planter area at the building's entrance. The District is also displaying their banner in the SBDD conference room.

Commissioner Goggin suggested that it would be nice to make mention of who made the stone through the SBDD website. Commissioner Good suggested that the banner should be made larger and displayed on the fence at the entrance of SBDD, to let the public know what the District has accomplished.

05. ATTORNEY'S REPORT:

Attorney Bell expressed concerns on Senate Bill 2 that may affect elected officials who also work for public agencies. Attorney Bell said that there is a provision that may apply to current Board members who run for re-election, (but would not apply if you are currently in office). CBWCD has directed their attorney to take action to ensure that this does not affect their Board of Commissioners. Attorney Bell asked the SBDD Board of Commissioners if they would like to do the same. Commissioner Mersinger commented that the way this is written it is almost mute because it is so broad and non-specific. Attorney Bell said he will keep the Board apprised.

06. APPROVAL OF LEGAL FEES

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

07. BOARD MEMBER'S QUESTIONS/COMMENTS

Chair Hodges expressed his appreciation to District Director Hart and his staff, because in the past much money was spent with outside engineering firms to prepare the Facilities Report, and gradually this has been prepared 99% in-house and by the time this comes back, it will be prepared 100% in-house; this is a big cost savings to the District.

08. MEETING DATE

A. The Next Regular Board Meeting will be held on **Thursday, April 25th at 8:00 a.m.**

Adjournment at 9:30 A.M.

Respectfully submitted,

Robert E. Goggin IV, Secretary
South Broward Drainage District

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DRAFT

MEMORANDUM

DATE: April 18, 2013
TO: South Broward Drainage District Commissioners
FROM: Kevin M. Hart, P.E.
District Director
Subject: Variance Request for Property Owned by Paul and Ana Sharp

Comments:

The owner of the property located at 1808 SW 175th Avenue, Miramar, FL 33029 is requesting a variance from SBDD for an existing concrete patio and screen enclosure located within a SBDD 20-Foot Lake Maintenance Easement (LME). The deck and enclosure were constructed in 2003 and encroach two feet (2') into the LME. The property is located within the Sapphire Shores community of Silver Lakes.

The deck and enclosure were constructed in 2003 under separate building permits through the City of Miramar. Neither the property owner nor the Contractor was informed by the City that a permit was required from SBDD. SBDD criteria does allow for a four foot (4') encroachment into the LME with brick pavers on a sand base. A SBDD permit has been issued for all other improvements within the LME.

Mr. Sharp met with the Variance Review Committee (VRC) on April 9, 2013 and as a follow-up to that meeting the variance request is being presented to the SBDD Board for consideration.

The details of the variance as discussed at the VRC are as follows:

1. SBDD Criteria does not allow concrete decks or screen enclosures within a LME.
2. The concrete patio and screen enclosure on the Sharp property encroach two feet (2') into the LME.
3. A Building Permit was pulled for the both the deck and the enclosure from the City of Miramar.
4. The Silver Lakes Community Association approved the deck and the enclosure back in 2003, but record of that approval was subsequently destroyed in a fire.
5. There is approximately 23 feet from the edge of water to the edge of the concrete deck and screen enclosure.
6. The Sharp's are agreeable to entering into an Indemnification and Hold Harmless Agreement with SBDD.

SBDD staff has no objections to this variance request.

The requested variance is to allow a previously constructed concrete deck and screen enclosure to encroach 2 feet into a SBDD 20-foot Lake Maintenance Easement. If the variance is approved, the homeowner will be required to enter into an Indemnification and Hold Harmless Agreement with SBDD and pay for all associated legal fees and recording fees.

Financial impacts to this Agenda Item: there will be no financial impacts to this agenda item, as the property owner will be required to pay all associated legal costs and recording fees.

KH
Attachments

MEMORANDUM

DATE: April 18, 2013
TO: South Broward Drainage District Commissioners
FROM: Kevin M. Hart, P.E.
District Director
Subject: Proposed Resolution No. 2013-02

Comments:

Proposed Resolution 2013-02 was originally intended to provide an exemption from SBDD's annual tax for homestead real estate properties that are used and owned by certain totally and permanently disabled veterans and their eligible spouses, beginning with the 2013 tax year, pursuant to Section 196.081, Florida Statutes (FS). This item was tabled at last month's Board meeting to better define what properties would be exempt from taxation under this Resolution.

Under the latest amendment to Section 196.081, FS the following individuals are eligible to apply for an exemption from taxation:

- Totally and permanently disabled veterans who have been honorably discharged from service and their eligible surviving spouse.
- The eligible surviving spouse of first responders who have died in the line of duty (this was added effective with the 2013 tax bills).

In addition, Section 196.091, FS provides a homestead real estate tax exemption for totally disabled veterans who are required to have specially adapted housing, have to use a wheelchair for transportation and have been honorably discharged from service and their eligible surviving spouse.

A copy of the latest amendment to Section 196.081, FS and Section 196.091, FS are attached for reference. All veteran disabilities have to be service related.

SBDD staff has prepared two alternates for Resolution 2013-02 as follows:

Alternate [A]

Under this Alternate, Resolution 2013-02 would exempt from payment of SBDD's annual tax, homestead real estate property in the District used and owned by individuals who qualify for and

receive an exemption from taxation from the Broward County Property Appraiser (BCPA) pursuant to Sections 196.081 (1) – (5) and 196.091, FS as follows:

- Totally and permanently disabled veterans who have been honorably discharged from service and their eligible surviving spouse.
- Totally disabled veterans who are required to have specially adapted housing, have to use a wheelchair for transportation and have been honorably discharged from service and their eligible spouse.

Alternate [B]

Under this Alternate, Resolution 2013-02 would exempt from payment of SBDD's annual tax, homestead real estate property in the District used and owned by additional individuals who qualify for and receive an exemption from taxation from the BCPA pursuant to Sections 196.081 (1) - (6) and 196.091, FS as follows:

- Totally and permanently disabled veterans who have been honorably discharged from service and their eligible surviving spouse.
- Totally disabled veterans who are required to have specially adapted housing, have to use a wheelchair for transportation and have been honorably discharged from service and their eligible spouse.
- The eligible surviving spouse of first responders who died in the line of duty.

According to the BCPA's Office, there are currently, 207 properties in SBDD's jurisdictional boundaries that would qualify for and receive the exemption under Alternate [A], and it is estimated that up to 30 additional properties may qualify for and receive this exemption under Alternate [B]. The first year that the surviving spouse of first responders who died in the line of duty will be eligible for a tax exemption is 2013.

Once the SBDD delivers a copy of the adopted Resolution to the Property Appraiser's office, the Property Appraiser will make the determination of what property would receive the exemption proposed by Resolution 2013-02. The District would have no input in this decision.

Financial impacts to this Agenda Item: approval of Resolution No. 2013-02 would result in a reduction in SBDD's annual revenues of between \$6,500 and \$7,500 (based on the 2012/2013 figures provided by the BCPA Office).

KH Attachments

SOUTH BROWARD DRAINAGE DISTRICT
RESOLUTION NO. 2013-02 [A]

RESOLUTION OF THE SOUTH BROWARD DRAINAGE DISTRICT PROVIDING FOR AN EXEMPTION, BEGINNING WITH THE 2013 TAX YEAR, FROM THE PAYMENT OF THE DISTRICT'S ANNUAL TAX FOR REAL ESTATE THAT IS USED AND OWNED AS A HOMESTEAD BY A VETERAN WHO WAS HONORABLY DISCHARGED WITH A SERVICE CONNECTED TOTAL AND PERMANENT DISABILITY AND THEIR ELIGIBLE SURVIVING SPOUSE WHO QUALIFY FOR AND RECEIVE AN EXEMPTION FROM TAXATION FROM THE BROWARD COUNTY PROPERTY APPRAISER PURSUANT TO SECTION 196.081, FLORIDA STATUTES; PROVIDING FOR AN EXEMPTION, BEGINNING WITH THE 2013 TAX YEAR, FROM THE PAYMENT OF THE DISTRICT'S ANNUAL TAX FOR REAL ESTATE THAT IS USED AND OWNED AS A HOMESTEAD BY AN EX-SERVICEMEMBER WHO HAS BEEN HONORABLY DISCHARGED WITH A SERVICE-CONNECTED TOTAL DISABILITY AND REQUIRES SPECIALLY ADAPTED HOUSING AND IS REQUIRED TO USE A WHEELCHAIR FOR HIS OR HER TRANSPORTATION AND THEIR ELIGIBLE SURVIVING SPOUSE WHO QUALIFY FOR AND RECEIVE AN EXEMPTION FROM TAXATION FROM THE BROWARD COUNTY PROPERTY APPRAISER PURSUANT TO SECTION 196.091, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the South Broward Drainage District, hereinafter referred to as "District", is a political subdivision of the State of Florida charged with the responsibility of effecting drainage, flood protection, and water management within its geographical boundaries; and

WHEREAS, the District, is committed to protecting its residents and properties against flooding, improving water quality, and providing effective water management for southwest Broward County; and

WHEREAS, the District's boundaries encompass approximately 72.8 square miles and encompasses portions of five municipalities as follows: City of Miramar; City of Pembroke Pines; City of Hollywood; Town of Davie; and the Town of Southwest Ranches; and

WHEREAS, the District's levies and imposes an annual tax on all assessable real estate within the District for the purposes as provided for in the District Charter, to wit: Chapter 98-524, Laws of Florida, as amended; and

WHEREAS, Section 41 of the District's Charter authorizes the District to levy an annual tax on all lands within the District; and

WHEREAS, Section 41 of the District's Charter does not require the District to levy its annual tax on all lands within the District; and

WHEREAS, Section 196.081, Florida Statutes provides for an exemption of certain real estate from taxation which is used and owned by certain totally and permanently disabled veterans and their eligible surviving spouse; and

WHEREAS, Section 196.091, Florida Statutes provides for an exemption of certain homestead real estate from taxation which is used and owned by certain totally disabled veterans who require specially adapted housing and are required to use a wheelchair for his or her

transportation and their eligible surviving spouse; and

WHEREAS, District wishes to provide an exemption from the District's annual tax on homestead real estate that is used and owned by totally and permanently disabled veterans and their eligible surviving spouse who qualify for and receive an exemption from the Broward County Property Appraiser from taxation pursuant to Section 196.081, Florida Statutes; and

WHEREAS, District wishes to provide an exemption from the District's annual tax on homestead real estate used and owned by totally disabled veterans and their eligible surviving spouse who qualify for and receive an exemption from the Broward County Property Appraiser from taxation pursuant to Section 196.091, Florida Statutes; and

WHEREAS, in order to qualify for the exemption provided by this Resolution 2013-02, the veteran or eligible surviving spouse must meet the requirements stated in Sections 196.081 or 196.091 Florida Statutes; and

WHEREAS, homestead real estate within the District's jurisdictional boundaries that qualifies for and receives a tax exemption under Sections 196.081 and 196.091, Florida Statutes as determined by the Broward County Property Appraiser's Office should automatically qualify for an exemption from the District's annual tax; and

WHEREAS, a public hearing was held at 8:00 A.M. on Thursday, April 25, 2013 at the offices of the South Broward Drainage District located at 6591 S.W. 160th Avenue, Southwest Ranches, Florida 33331 for the purpose of approving an exemption from the District's annual tax for homestead real estate used and owned by certain totally and permanently disabled veterans and their eligible surviving spouse who qualify for and receive an exemption from taxation pursuant to Section 196.081, Florida Statutes. and for the purpose of approving an exemption from the District's annual tax for homestead real estate used and owned by certain totally disabled veterans and their eligible surviving spouse who qualify for and receive an exemption from taxation pursuant to Section 196.091, Florida Statutes ;

NOW THEREFORE, be it resolved by the Board of Commissioners of the South Broward Drainage District in meeting assembled that:

1. The recitals set forth above are true and correct and are incorporated herein as if set forth verbatim.

2. The District has determined that beginning with the 2013 tax year, it is fair and reasonable not to impose its annual tax upon homestead real estate used and owned by certain totally and permanently disabled veterans and their eligible surviving spouse who qualify for and receive an exemption from taxation pursuant to Section 196.081, Florida Statutes.

3. The District has determined that beginning with the 2013 tax year, it is fair and reasonable not to impose its annual tax upon homestead real estate used and owned by certain totally disabled veterans and their eligible surviving spouse who qualify for and receive an exemption from taxation pursuant to Section 196.091, Florida Statutes.

4. The District, beginning with the 2013 tax year, hereby exempts from payment of its annual tax, homestead real estate used and owned by totally and permanently disabled veterans and their eligible surviving spouse who qualify for and receive an exemption from taxation from the Broward County Property Appraiser pursuant to Section 196.081, Florida Statutes.

5. The District, beginning with the 2013 tax year, hereby exempts from payment of its annual tax, homestead real estate used and owned by totally disabled veterans and their eligible surviving spouse who qualify for and receive an exemption from taxation from the Broward County Property Appraiser pursuant to Section 196.091, Florida Statutes.

6. The District Director and the District Attorney are authorized to and shall notify and direct the Broward County Property Appraiser to exempt from the District's annual tax, beginning with the 2013 tax year, all homestead real estate used and owned by totally and permanently disabled veterans and their eligible surviving spouses who have been granted the exemptions provided by either Section 196.081 or 196.091, Florida Statutes by the Broward County Property Appraiser.

7. The exemption granted by this Resolution 2013-02 shall expire when and if the Broward County Property Appraiser determines that the exempt homestead real estate is no longer eligible for the exemption authorized by this Resolution 2013-02.

8. The exemption provided by this Resolution 2013-02 does not apply to the spouse of a first responder who dies in the line of duty as allowed by section 196.081(6) (c) 1., Florida Statutes.

9. The District Director or the District Attorney shall deliver a copy of this Resolution 2013-02 to the Broward County Property Appraiser.

10. The District Board of Commissioners reserve the right to rescind or modify this Resolution 2013-02 by subsequent District Resolution approved and adopted by the District Board of Commissioners.

11. If any one or more of the covenants, agreements or provisions of this Resolution 2013-02, shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be separate from the remaining covenants, agreements or provisions and shall in no way affect the validity of all other provisions of this Resolution 2013-02.

12. This Resolution shall take effect immediately upon its adoption. In witness whereof, The Chairperson of the Board of Commissioners of the SOUTH BROWARD DRAINAGE DISTRICT has hereunto set his hand and the Secretary of the Board of Commissioners of the SOUTH BROWARD DRAINAGE DISTRICT has caused to be set its seal.

ADOPTED AND DATED this _____ day of _____, 2013.

SOUTH BROWARD DRAINAGE DISTRICT

(SEAL)

By: _____
Scott Hodges, Chairperson

Attest:

Robert E. Goggin, IV, Secretary

STATE OF FLORIDA)
)§
COUNTY OF BROWARD)

The foregoing Resolution N^o 2013-02 was acknowledged before me this ____ day of _____, 2013 by SCOTT HODGES and ROBERT E. GOGGIN, IV, as Chairperson and Secretary, respectively of the SOUTH BROWARD DRAINAGE DISTRICT, a political subdivision of the State of Florida, on behalf of SOUTH BROWARD DRAINAGE DISTRICT. They are personally known to me.

WITNESS my hand and official seal in the county and state last aforesaid this ____ day of _____, 2013.

(NOTARY SEAL OR STAMP)

Notary Public - State of Florida at Large

**SOUTH BROWARD DRAINAGE DISTRICT
RESOLUTION NO. 2013-02 [B]**

RESOLUTION OF THE SOUTH BROWARD DRAINAGE DISTRICT PROVIDING FOR AN EXEMPTION, BEGINNING WITH THE 2013 TAX YEAR, FROM THE PAYMENT OF THE DISTRICT'S ANNUAL TAX FOR REAL ESTATE THAT IS USED AND OWNED AS A HOMESTEAD BY A VETERAN WHO WAS HONORABLY DISCHARGED WITH A SERVICE CONNECTED TOTAL AND PERMANENT DISABILITY , THEIR ELIGIBLE SURVIVING SPOUSE AND THE SURVIVING SPOUSE OF A FIRST RESPONDER, AS DEFINED IN SECTION 196.081 (6)(c)1., FLORIDA STATUTES, WHO DIED IN THE LINE OF DUTY WHILE EMPLOYED AS A FIRST RESPONDER BY THE STATE OR ANY POLITICAL SUBDIVISION OF THE STATE WHO QUALIFY FOR AND RECEIVE AN EXEMPTION FROM TAXATION FROM THE BROWARD COUNTY PROPERTY APPRAISER PURSUANT TO SECTION 196.081, FLORIDA STATUTES; PROVIDING FOR AN EXEMPTION, BEGINNING WITH THE 2013 TAX YEAR, FROM THE PAYMENT OF THE DISTRICT'S ANNUAL TAX FOR REAL ESTATE THAT IS USED AND OWNED AS A HOMESTEAD BY AN EX-SERVICEMEMBER WHO HAS BEEN HONORABLY DISCHARGED WITH A SERVICE-CONNECTED TOTAL DISABILITY AND REQUIRES SPECIALLY ADAPTED HOUSING AND IS REQUIRED TO USE A WHEELCHAIR FOR HIS OR HER TRANSPORTATION AND THEIR ELIGIBLE SURVIVING SPOUSE WHO QUALIFY FOR AND RECEIVE AN EXEMPTION FROM TAXATION FROM THE BROWARD COUNTY PROPERTY APPRAISER PURSUANT TO SECTION 196.091, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the South Broward Drainage District, hereinafter referred to as "District", is a political subdivision of the State of Florida charged with the responsibility of effecting drainage, flood protection, and water management within its geographical boundaries; and

WHEREAS, the District, is committed to protecting its residents and properties against flooding, improving water quality, and providing effective water management for southwest Broward County; and

WHEREAS, the District's boundaries encompass approximately 72.8 square miles and encompasses portions of five municipalities as follows: City of Miramar; City of Pembroke Pines; City of Hollywood; Town of Davie; and the Town of Southwest Ranches; and

WHEREAS, the District's levies and imposes an annual tax on all assessable real estate within the District for the purposes as provided for in the District Charter, to wit: Chapter 98-524, Laws of Florida, as amended; and

WHEREAS, Section 41 of the District's Charter authorizes the District to levy an annual tax on all lands within the District; and

WHEREAS, Section 41 of the District's Charter does not require the District to levy its annual tax on all lands within the District; and

WHEREAS, Section 196.081, Florida Statutes provides for an exemption of certain real estate from taxation which is used and owned by certain totally and permanently disabled veterans, their eligible surviving spouse and the surviving spouse of a first responder, as defined in section 196.081(6)(c)1., Florida Statutes who died in the line of duty while employed as a first

responder by the state or any political subdivision of the state; and

WHEREAS, Section 196.091, Florida Statutes provides for an exemption of certain homestead real estate from taxation which is used and owned by certain totally disabled veterans who require specially adapted housing and are required to use a wheelchair for his or her transportation and their eligible surviving spouses; and

WHEREAS, District wishes to provide an exemption from the District's annual tax on homestead real estate that is used and owned by totally and permanently disabled veterans, their eligible surviving spouse and the surviving spouse of a first responder who qualify for and receive an exemption from the Broward County Property Appraiser from taxation pursuant to Section 196.081, Florida Statutes; and

WHEREAS, District wishes to provide an exemption from the District's annual tax on homestead real estate used and owned by totally disabled veterans and their eligible surviving spouse who qualify for and receive an exemption from the Broward County Property Appraiser from taxation pursuant to Section 196.091, Florida Statutes; and

WHEREAS, in order to qualify for the exemption provided by this Resolution 2013-02, the veteran or eligible surviving spouse must meet the requirements stated in Sections 196.081 or 196.091 Florida Statutes; and

WHEREAS, homestead real estate within the District's jurisdictional boundaries that qualifies for and receives a tax exemption under Sections 196.081 or 196.091, Florida Statutes as determined by the Broward County Property Appraiser's Office should automatically qualify for an exemption from the District's annual tax; and

WHEREAS, a public hearing was held at 8:00 A.M. on Thursday, April 25, 2013 at the offices of the South Broward Drainage District located at 6591 S.W. 160th Avenue, Southwest Ranches, Florida 33331 for the purpose of approving an exemption from the District's annual tax for homestead real estate used and owned by certain totally and permanently disabled veterans, their eligible surviving spouse and the surviving spouse of a first responder who qualify for and receive an exemption from taxation pursuant to Section 196.081, Florida Statutes. and for the purpose of approving an exemption from the District's annual tax for homestead real estate used and owned by certain totally disabled veterans and their eligible surviving spouse who qualify for and receive an exemption from taxation pursuant to Section 196.091, Florida Statutes;

NOW THEREFORE, be it resolved by the Board of Commissioners of the South Broward Drainage District in meeting assembled that:

1. The recitals set forth above are true and correct and are incorporated herein as if set forth verbatim.

2. The District has determined that beginning with the 2013 tax year, it is fair and reasonable not to impose its annual tax upon homestead real estate used and owned by certain totally and permanently disabled veterans, their eligible surviving spouse and the surviving spouse of a first responder who qualify for and receive an exemption from taxation pursuant to Section 196.081, Florida Statutes.

3. The District has determined that beginning with the 2013 tax year, it is fair and reasonable not to impose its annual tax upon homestead real estate used and owned by certain totally disabled veterans and their eligible surviving spouse who qualify for and receive an

exemption from taxation pursuant to Section 196.091, Florida Statutes.

4. The District, beginning with the 2013 tax year, hereby exempts from payment of its annual tax, homestead real estate used and owned by totally and permanently disabled veterans, their eligible surviving spouse and the surviving spouse of a first responder who qualify for and receive an exemption from taxation from the Broward County Property Appraiser pursuant to Section 196.081, Florida Statutes.

5. The District, beginning with the 2013 tax year, hereby exempts from payment of its annual tax, homestead real estate used and owned by totally disabled veterans and their eligible surviving spouse who qualify for and receive an exemption from taxation from the Broward County Property Appraiser pursuant to Section 196.091, Florida Statutes.

6. The District Director and the District Attorney are authorized to and shall notify and direct the Broward County Property Appraiser to exempt from the District's annual tax, beginning with the 2013 tax year, all homestead real estate used and owned by disabled veterans and their eligible surviving spouse who have been granted the exemptions provided by either Section 196.081 or section 196.091, Florida Statutes by the Broward County Property Appraiser.

7. The District Director and the District Attorney are authorized to and shall notify and direct the Broward County Property Appraiser to exempt from the District's annual tax, beginning with the 2013 tax year, all homestead real estate used and owned by the surviving spouse of a first responder who has been granted the exemption provided by Section 196.081 Florida Statutes by the Broward County Property Appraiser.

8. The exemption granted by this Resolution 2013-02 shall expire when and if the Broward County Property Appraiser determines that the exempt homestead real estate is no longer eligible for the exemption authorized by this Resolution 2013-02.

9. The District Director or the District Attorney shall deliver a copy of this Resolution 2013-02 to the Broward County Property Appraiser.

10. The District Board of Commissioners reserve the right to rescind or modify this Resolution 2013-02 by subsequent District Resolution approved and adopted by the District Board of Commissioners.

11. If any one or more of the covenants, agreements or provisions of this Resolution 2013-02, shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be separate from the remaining covenants, agreements or provisions and shall in no way affect the validity of all other provisions of this Resolution 2013-02.

12. This Resolution shall take effect immediately upon its adoption. In witness whereof, The Chairperson of the Board of Commissioners of the SOUTH BROWARD DRAINAGE DISTRICT has hereunto set his hand and the Secretary of the Board of Commissioners of the SOUTH BROWARD DRAINAGE DISTRICT has caused to be set its seal.

ADOPTED AND DATED this _____ day of _____, 2013.

SOUTH BROWARD DRAINAGE DISTRICT

(SEAL)

By: _____
Scott Hodges, Chairperson

Attest:

Robert E. Goggin, IV, Secretary

STATE OF FLORIDA)
)§
COUNTY OF BROWARD)

The foregoing Resolution N° 2013-02 was acknowledged before me this ____ day of _____, 2013 by SCOTT HODGES and ROBERT E. GOGGIN, IV, as Chairperson and Secretary, respectively of the SOUTH BROWARD DRAINAGE DISTRICT, a political subdivision of the State of Florida, on behalf of SOUTH BROWARD DRAINAGE DISTRICT. They are personally known to me.

WITNESS my hand and official seal in the county and state last aforesaid this ____ day of _____, 2013.

(NOTARY SEAL OR STAMP)

Notary Public - State of Florida at Large

Select Year:

The 2012 Florida Statutes

Title XIV
TAXATION AND FINANCE

Chapter 196
EXEMPTION

[View Entire Chapter](#)

196.081 Exemption for certain permanently and totally disabled veterans and for surviving spouses of veterans.—

(1) Any real estate that is owned and used as a homestead by a veteran who was honorably discharged with a service-connected total and permanent disability and for whom a letter from the United States Government or United States Department of Veterans Affairs or its predecessor has been issued certifying that the veteran is totally and permanently disabled is exempt from taxation, if the veteran is a permanent resident of this state on January 1 of the tax year for which exemption is being claimed or was a permanent resident of this state on January 1 of the year the veteran died.

(2) The production by a veteran or the spouse or surviving spouse of a letter of total and permanent disability from the United States Government or United States Department of Veterans Affairs or its predecessor before the property appraiser of the county in which property of the veteran lies is prima facie evidence of the fact that the veteran or the surviving spouse is entitled to the exemption.

(3) If the totally and permanently disabled veteran predeceases his or her spouse and if, upon the death of the veteran, the spouse holds the legal or beneficial title to the homestead and permanently resides thereon as specified in s. [196.031](#), the exemption from taxation carries over to the benefit of the veteran's spouse until such time as he or she remarries or sells or otherwise disposes of the property. If the spouse sells the property, an exemption not to exceed the amount granted from the most recent ad valorem tax roll may be transferred to his or her new residence, as long as it is used as his or her primary residence and he or she does not remarry.

(4)(a) Any real estate that is owned and used as a homestead by the surviving spouse of a veteran who died from service-connected causes while on active duty as a member of the United States Armed Forces and for whom a letter from the United States Government or United States Department of Veterans Affairs or its predecessor has been issued certifying that the veteran who died from service-connected causes while on active duty is exempt from taxation if the veteran was a permanent resident of this state on January 1 of the year in which the veteran died.

(b) The production by the surviving spouse of a letter that was issued as required under paragraph (a) and that attests the veteran's death while on active duty is prima facie evidence of the fact that the surviving spouse is entitled to an exemption under paragraph (a).

(c) The tax exemption that applies under paragraph (a) to the surviving spouse carries over to the benefit of the veteran's surviving spouse as long as the spouse holds the legal or beneficial title to the homestead, permanently resides thereon as specified in s. [196.031](#), and does not remarry. If the surviving spouse sells the property, an exemption not to exceed the amount granted from the most recent ad valorem tax roll may be transferred to his or her new residence as long as it is used as his or her primary residence and he or she does not remarry.

(5) An applicant for the exemption under this section may apply for the exemption before receiving the necessary documentation from the United States Government or the United States Department of Veterans Affairs or its predecessor. Upon receipt of the documentation, the exemption shall be granted as of the date of the original application, and the excess taxes paid shall be refunded. Any refund of excess taxes paid shall be limited to those paid during the 4-year period of limitation set forth in s. 197.182(1)(e).

History.—s. 1, ch. 57-778; s. 1, ch. 65-193; ss. 1, 2, ch. 69-55; s. 2, ch. 71-133; s. 1, ch. 76-163; s. 1, ch. 77-102; s. 1, ch. 83-71; s. 10, ch. 86-177; s. 1, ch. 92-167; s. 62, ch. 93-268; s. 1, ch. 93-400; s. 1, ch. 97-157; s. 2, ch. 2012-54; s. 19, ch. 2012-193.

¹Note.—

A. Section 3, ch. 2012-54, provides that:

“Construction.—

“(1) The revisions to s. 196.081, Florida Statutes, made by this act operate prospectively to the 2013 tax roll and do not provide a basis for relief from an assessment of taxes not paid or create a right to a refund of taxes paid before January 1, 2013.

“(2) The provisions of s. 196.081(5), Florida Statutes, as created by this act apply to the homestead exemption of the surviving spouse of a first responder whose death occurs before, on, or after the effective date of this act.” Subsection (5), as created by s. 2, ch. 2012-54, was redesignated as subsection (6) by the editors to conform to the fact that s. 19, ch. 2012-193, also created a subsection (5).

B. Section 5, ch. 2012-54, provides that “[e]xcept as otherwise expressly provided in this act and except for this section, which shall take effect July 1, 2012, this act shall take effect on the same date that CS for SJR 1056, or a similar joint resolution having substantially the same specific intent and purpose, takes effect if approved by the electors at the general election held in November 2012 or at an earlier special election specifically authorized by law for that purpose.” Senate Joint Resolution 1056 did not pass; House Joint Resolution 93, which was substantially similar to Senate Joint Resolution 1056, did pass. If House Joint Resolution 93 is approved by a vote of the electors, s. 196.081, as amended by s. 19, ch. 2012-193, and s. 2, ch. 2012-54, will read:

196.081 Exemption for certain permanently and totally disabled veterans and for surviving spouses of veterans; exemption for surviving spouses of first responders who die in the line of duty.—

(1) Any real estate that is owned and used as a homestead by a veteran who was honorably discharged with a service-connected total and permanent disability and for whom a letter from the United States Government or United States Department of Veterans Affairs or its predecessor has been issued certifying that the veteran is totally and permanently disabled is exempt from taxation, if the veteran is a permanent resident of this state on January 1 of the tax year for which exemption is being claimed or was a permanent resident of this state on January 1 of the year the veteran died.

(2) The production by a veteran or the spouse or surviving spouse of a letter of total and permanent disability from the United States Government or United States Department of Veterans Affairs or its predecessor before the property appraiser of the county in which property of the veteran lies is prima facie evidence of the fact that the veteran or the surviving spouse is entitled to the exemption.

(3) If the totally and permanently disabled veteran predeceases his or her spouse and if, upon the death of the veteran, the spouse holds the legal or beneficial title to the homestead and permanently resides thereon as specified in s. 196.031, the exemption from taxation carries over to the benefit of the veteran's spouse until such time as he or she remarries or sells or otherwise disposes of the property. If the spouse sells the property, an exemption not to exceed the amount granted from the most recent ad valorem tax roll may be transferred to his or her new residence, as long as it is used as his or her primary residence and he or she does not remarry.

(4) Any real estate that is owned and used as a homestead by the surviving spouse of a veteran who died from service-connected causes while on active duty as a member of the United States Armed Forces and for whom a letter from the United States Government or United States Department of Veterans Affairs or its predecessor has been issued certifying that the veteran who died from service-connected causes while on active duty is exempt from taxation if the veteran was a permanent resident of this state on January 1 of the year in which the veteran died.

(a) The production of the letter by the surviving spouse which attests to the veteran's death while on active duty is prima facie evidence that the surviving spouse is entitled to the exemption.

(b) The tax exemption carries over to the benefit of the veteran's surviving spouse as long as the spouse holds the legal or beneficial title to the homestead, permanently resides thereon as specified in s. 196.031, and does not remarry. If the surviving spouse sells the property, an exemption not to exceed the amount granted under the most recent ad valorem tax

roll may be transferred to his or her new residence as long as it is used as his or her primary residence and he or she does not remarry.

(5) An applicant for the exemption under this section may apply for the exemption before receiving the necessary documentation from the United States Government or the United States Department of Veterans Affairs or its predecessor. Upon receipt of the documentation, the exemption shall be granted as of the date of the original application, and the excess taxes paid shall be refunded. Any refund of excess taxes paid shall be limited to those paid during the 4-year period of limitation set forth in s. 197.182(1)(e).

(6) Any real estate that is owned and used as a homestead by the surviving spouse of a first responder who died in the line of duty while employed by the state or any political subdivision of the state, including authorities and special districts, and for whom a letter from the state or appropriate political subdivision of the state, or other authority or special district, has been issued which legally recognizes and certifies that the first responder died in the line of duty while employed as a first responder is exempt from taxation if the first responder and his or her surviving spouse were permanent residents of this state on January 1 of the year in which the first responder died.

(a) The production of the letter by the surviving spouse which attests to the first responder's death in the line of duty is prima facie evidence that the surviving spouse is entitled to the exemption.

(b) The tax exemption applies as long as the surviving spouse holds the legal or beneficial title to the homestead, permanently resides thereon as specified in s. 196.031, and does not remarry. If the surviving spouse sells the property, an exemption not to exceed the amount granted under the most recent ad valorem tax roll may be transferred to his or her new residence if it is used as his or her primary residence and he or she does not remarry.

(c) As used in this subsection only, and not applicable to the payment of benefits under s. 112.19 or s. 112.191, the term:

1. "First responder" means a law enforcement officer or correctional officer as defined in s. 943.10, a firefighter as defined in s. 633.30, or an emergency medical technician or paramedic as defined in s. 401.23 who is a full-time paid employee, part-time paid employee, or unpaid volunteer.

2. "In the line of duty" means:

- a. While engaging in law enforcement;
- b. While performing an activity relating to fire suppression and prevention;
- c. While responding to a hazardous material emergency;
- d. While performing rescue activity;
- e. While providing emergency medical services;
- f. While performing disaster relief activity;
- g. While otherwise engaging in emergency response activity; or
- h. While engaging in a training exercise related to any of the events or activities enumerated in this subparagraph if the training has been authorized by the employing entity.

A heart attack or stroke that causes death or causes an injury resulting in death must occur within 24 hours after an event or activity enumerated in this subparagraph and must be directly and proximately caused by the event or activity in order to be considered as having occurred in the line of duty.

Note.—Former s. 192.111.

Select Year:

The 2012 Florida Statutes

[Title XIV](#)
TAXATION AND FINANCE

[Chapter 196](#)
EXEMPTION

[View Entire Chapter](#)

196.091 Exemption for disabled veterans confined to wheelchairs.—

(1) Any real estate used and owned as a homestead by an ex-servicemember who has been honorably discharged with a service-connected total disability and who has a certificate from the United States Government or United States Department of Veterans Affairs or its predecessor, or its successors, certifying that the ex-servicemember is receiving or has received special pecuniary assistance due to disability requiring specially adapted housing and required to use a wheelchair for his or her transportation is exempt from taxation.

(2) The production by an ex-servicemember of a certificate of disability from the United States Government or the United States Department of Veterans Affairs or its predecessor before the property appraiser of the county wherein his or her property lies is prima facie evidence of the fact that he or she is entitled to such exemptions.

(3) In the event the homestead of the wheelchair veteran was or is held with the veteran's spouse as an estate by the entirety, and in the event the veteran did or shall predecease his or her spouse, the exemption from taxation shall carry over to the benefit of the veteran's spouse, provided the spouse continues to reside on such real estate and uses it as his or her domicile or until such time as he or she remarries or sells or otherwise disposes of the property.

(4) An applicant for the exemption under this section may apply for the exemption before receiving the necessary documentation from the United States Government or the United States Department of Veterans Affairs or its predecessor. Upon receipt of the documentation, the exemption shall be granted as of the date of the original application, and the excess taxes paid shall be refunded. Any refund of excess taxes paid shall be limited to those paid during the 4-year period of limitation set forth in s. [197.182\(1\)\(e\)](#).

History.—s. 1, ch. 57-761; s. 2, ch. 65-193; ss. 1, 2, ch. 69-55; s. 1, ch. 77-102; s. 6, ch. 81-219; s. 7, ch. 84-114; s. 12, ch. 86-177; s. 4, ch. 93-268; s. 993, ch. 95-147; s. 21, ch. 2012-193.

Note.—Former s. 192.112.

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MEMORANDUM

DATE: April 18, 2013
TO: South Broward Drainage District Commissioners
FROM: Kevin M. Hart, P.E.
District Director
Subject: Proposed Resolution No. 2013-03

Comments:

Proposed Resolution 2013-03 authorizes and directs to District staff to schedule and advertise for a public hearing to be held on May 30, 2013 for the purpose of determining whether to proceed with the process for approval of the proposed amendment of the South Broward Drainage District Facilities Report and Water Control Plan (Facilities Report) in accordance with Section 298.301, Florida Statutes.

Upon approval of this Resolution, District staff shall give notice of a public hearing (Notice) on the proposed update and amendment of Facilities Report by causing publication of said Notice to be made once a week for three (3) consecutive weeks prior to May 30, 2013 in a newspaper of general circulation published in Broward County in accordance with Section 298.301, Florida Statutes.

In addition to the foregoing publication of said Notice, a copy of the Notice shall be served by first class mail on any owner of land within the District as shown on the current Broward County tax rolls, the South Florida Water Management District, the Broward County Board of Commissioners and the governing body of the five municipalities named above that are located within the District.

Financial impacts to this Agenda Item: approval of Resolution No. 2013-03 will result in approximately \$30,000 in advertising and postage expenses. This expense was not accounted for in the 2012/2013 budget; however, this expense can be funded from the General Operating account under Contingency and other surplus categories.

KH
Attachments

**SOUTH BROWARD DRAINAGE DISTRICT
RESOLUTION NO. 2013-03**

RESOLUTION OF THE SOUTH BROWARD DRAINAGE DISTRICT TO CONSIDER ADOPTION OF AN UPDATE AND AMENDMENT OF THE DISTRICT'S FACILITIES REPORT AND WATER CONTROL PLAN IN ACCORDANCE WITH SECTION 298.301, FLORIDA STATUTES; SCHEDULING A PUBLIC HEARING ON THE PROPOSED UPDATE AND AMENDMENT TO THE DISTRICT'S FACILITIES REPORT AND WATER CONTROL PLAN; PROVIDING FOR PUBLICATION OF A NOTICE OF SAID PUBLIC HEARING; PROVIDING FOR SCHEDULING A FINAL PUBLIC HEARING FOR FINAL APPROVAL OF THE PROPOSED UPDATE AND AMENDMENT OF THE DISTRICT'S FACILITIES REPORT AND WATER CONTROL PLAN AND APPROVAL OF THE ENGINEER'S REPORT REQUIRED BY SECTION 298.301, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the South Broward Drainage District, hereinafter referred to as "District", is a political subdivision of the State of Florida charged with the responsibility of effecting drainage, flood protection, and water management within its geographical boundaries; and

WHEREAS, the District, is committed to protecting its residents and properties against flooding, improving water quality, and providing effective water management for southwest Broward County; and

WHEREAS, the District's boundaries encompass approximately 72.8 square miles and encompasses portions of unincorporated Broward County and five municipalities as follows: City of Miramar; City of Pembroke Pines; City of Hollywood; Town of Davie; and the Town of Southwest Ranches; and

WHEREAS, in 1993 the District's then Board of Supervisors adopted the original version of the South Broward Drainage District Facilities Report which also serves as the District's Water Control Plan; and

WHEREAS, since 1993 the District's Facilities Report has been updated in 1998 and 2005, and on both occasions, the updated Facilities Report was adopted by the District's then Board of Supervisors; and

WHEREAS, District staff has completed a draft of a proposed 2013 update and amendment of the South Broward Drainage District Facilities Report and Water Control Plan and said update and amendment was presented to the District's Board of Commissioners at the District's March 28, 2013 Board meeting; and

WHEREAS, in accordance with Section 298.301, Florida Statutes, the District's Board of Commissioners wishes to consider the adoption of the proposed 2013 update and amendment to the District's Facilities Report and Water Control Plan, as presented by the District Director at the March 28, 2013 District Board meeting; and

WHEREAS, a public hearing has been requested for 8:30 A.M. on Thursday, May 30, 2013 at the offices of the South Broward Drainage District located at 6591 S.W. 160th Avenue, Southwest Ranches, Florida 33331 for the purpose of determining whether to proceed with the process for approval of the proposed update and amendment of the South Broward Drainage

District Facilities Report and Water Control Plan in accordance with Section 298.301, Florida Statutes;

WHEREAS, a public meeting was held on Thursday, April 25, 2013 at 8:00 A.M. at the offices of the South Broward Drainage District located at 6591 SW 160th Avenue, Southwest Ranches, FL 33331 for the purpose of considering adoption of this Resolution to consider adoption of the proposed update and amendment of the South Broward Drainage District Facilities Report and Water Control Plan;

NOW THEREFORE, be it resolved by the Board of Commissioners of the South Broward Drainage District in meeting assembled that:

1. The recitals set forth above are true and correct and are incorporated herein as if fully set forth verbatim.

2. The District's Board of Commissioners is authorized to and shall consider adoption of the proposed update and amendment of the South Broward Drainage District Facilities Report and Water Control Plan in accordance with Section 298.301, Florida Statutes at a public hearing on Thursday, May 30, 2013 at 8:30 AM at the offices of the South Broward Drainage District located at 6591 S.W. 160th Avenue, Southwest Ranches, Florida 33331.

3. The District Director or the District Attorney shall file an approved and adopted copy of this Resolution 2013-03 with the District Secretary.

4. The District Director is hereby authorized and directed to give notice of a public hearing ,hereinafter referred to as "Notice", on the proposed update and amendment of the District's Facilities Report and Water Control Plan by causing publication of said Notice to be made once a week for three (3) consecutive weeks prior to May 30, 2013 in a newspaper of general circulation published in Broward County in which lands and other property described in this Resolution are situated in accordance with Section 298.301, Florida Statutes, said Notice to be in substantially the form described in Section 298.301(2), Florida Statutes.

5. In addition to the foregoing publication of said Notice, a copy of the Notice shall be served by first class mail on any owner of land within the District as shown on the current Broward County tax rolls, the South Florida Water Management District, the Broward County Board of Commissioners and the governing body of the five municipalities named above that are located within the District.

6. If the District Board of Commissioners at the conclusion of the aforesated public hearing determines that the District shall proceed with the process for approval of the proposed update and amendment of the South Broward Drainage District Facilities Report and Water Control Plan and for the District Director to prepare an engineering report as stated in Section 298.301 (5), Florida Statutes. Upon filing said engineering report with the District Secretary, notice of the filing of said engineer's report and scheduling a final public hearing to consider approval of the engineer's report and the proposed update and amendment of the South Broward Drainage District Facilities Report and Water Control Plan together with a geographical depiction of the District, as required by said Section 298.301 (6), shall be published once a week for 2 consecutive weeks in a newspaper of general circulation in Broward County, Florida, said final public hearing to be scheduled at least 25 days but no later than 60 days after the last scheduled publication of said notice. The notice shall be in substantially the form described in Section 298.301 (6), Florida Statutes.

7. If any one or more of the covenants, agreements or provisions of this Resolution 2013-03, shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be separate from the remaining covenants, agreements or provisions and shall in no way affect the validity of all other provisions of this Resolution.

8. This Resolution shall take effect immediately upon its adoption.

In witness whereof, The Chairperson of the Board of Commissioners of the SOUTH BROWARD DRAINAGE DISTRICT has hereunto set his hand and the Secretary of the Board of Commissioners of the SOUTH BROWARD DRAINAGE DISTRICT has caused to be set its seal.

ADOPTED AND DATED this _____ day of _____, 2013.

SOUTH BROWARD DRAINAGE DISTRICT

(SEAL)

By: _____
Scott Hodges, Chairperson

Attest:

Robert E. Goggin, IV, Secretary

STATE OF FLORIDA)
)§
COUNTY OF BROWARD)

The foregoing Resolution N° 2013-03 was acknowledged before me this ____ day of _____, 2013 by SCOTT HODGES and ROBERT E. GOGGIN, IV, as Chairperson and Secretary, respectively of the SOUTH BROWARD DRAINAGE DISTRICT, a political subdivision of the State of Florida, on behalf of SOUTH BROWARD DRAINAGE DISTRICT. They are personally known to me.

WITNESS my hand and official seal in the county and state last aforesaid this ____ day of _____, 2013.

(NOTARY SEAL OR STAMP)

Notary Public - State of Florida at Large

*****MEMORANDUM*****

DATE: April 18, 2013
TO: South Broward Drainage District Commissioners
FROM: Kevin M. Hart, P.E.
District Director
Subject: Proposed Resolution No. 2013-04

Comments:

Proposed Resolution 2013-04 will rescind and vacate SBDD Resolution 88-13 which has been recorded in Official Records Book 15750, Pages 698-702 of the Public Records of Broward County, as the original purpose of Resolution 88-13 is no longer applicable.

Resolution No. 88-13 was adopted on August 25, 1988 for the purpose of putting the public on notice as to the intention of the District to construct a proposed canal to be known as the SBDD Canal No. 11 from Sheridan Street north to Griffin Road. At the time, it was anticipated that SBDD would need to claim and acquire certain rights-in-reservations/easements over the property described in Exhibit "A" to Resolution No. 88-13.

Subsequent to the adoption of Resolution 88-13, the original, planned alignment for SBDD Canal No. 11 was abandoned and the Bailey Drainage District canal on the west side of SW 172nd Avenue was acquired by the District and identified as SBDD Canal No. 11. Therefore, the District no longer needs to claim and acquire the rights-in reservations/easements described in Exhibit "A" to said Resolution No. 88-13 for the construction of SBDD Canal No. 11.

Upon approval by the Board, the District Director shall record the original of this Resolution 2013-04 in the Public Records of Broward County, Florida.

Financial impacts to this Agenda Item: there should be no financial impacts associated with the approval of Resolution No. 2013-04, as the property owner who initiated the request to vacate and rescind the provisions of SBDD Resolution 88-13 will reimburse SBDD for the legal costs and recording fees associated with Resolution No. 2013-04.

KH
Attachments

**SOUTH BROWARD DRAINAGE DISTRICT
RESOLUTION NO. 2013-04**

RESOLUTION OF THE SOUTH BROWARD DRAINAGE DISTRICT AUTHORIZING THE DISTRICT BOARD OF COMMISSIONERS TO RESCIND AND VACATE SOUTH BROWARD DRAINAGE DISTRICT RESOLUTION NO. 88-13 WHICH HAS BEEN RECORDED IN OFFICIAL RECORDS BOOK 15750, PAGES 698-702 OF THE PUBLIC RECORDS OF BROWARD COUNTY; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the South Broward Drainage District, hereinafter referred to as "District", is a political subdivision of the State of Florida charged with the responsibility of effecting drainage, flood protection, and water management within its geographical boundaries; and

WHEREAS, the District, is committed to protecting its residents and properties against flooding, improving water quality, and providing effective water management for southwest Broward County; and

WHEREAS, on August 25, 1988 the District's then Board of Supervisors approved District Resolution No. 88-13 for the purpose of putting the public on notice as to the intention of the District regarding the construction of a proposed canal to be known as the South Broward Drainage District Canal No. 11 from Sheridan Street north to Griffin Road; and

WHEREAS, Resolution No. 88-13 anticipated the need to claim and acquire certain rights-in-reservations/easements over the property described in Exhibit "A" to said Resolution No. 88-13, a true and correct copy of which is attached hereto as Exhibit "A"; and

WHEREAS, Resolution No. 88-13 was recorded in OR Book 15750, Pages 698-702 of the Public Records of Broward County; and

WHEREAS, the original, planned alignment for District Canal No. 11 as described in Resolution No. 88-13 was abandoned after the approval and recordation of said Resolution 88-13 and the Bailey Drainage District canal adjacent to and on the West side of SW 172nd Avenue from Sheridan Street to Griffin Road was acquired by the District and identified as District Canal No. 11 ; and

WHEREAS, the District no longer needs to claim and acquire the rights-in-reservations/easements described in Exhibit "A" to said Resolution No. 88-13 for the construction of SBDD Canal No. 11; and

WHEREAS, the District Board of Commissioners wish to rescind and vacate South Broward Drainage District Resolution No. 88-13 as previously recorded in OR Book 15750, Page 698-702 of the Public Records of Broward County; and

WHEREAS, a public hearing was held at 8:00 A.M. on Thursday, April 25, 2013 at the offices of the South Broward Drainage District located at 6591 S.W. 160th Avenue, Southwest Ranches, Florida 33331 for the purpose of rescinding and vacating South Broward Drainage District Resolution No. 88-13 as previously recorded in OR Book 15750, Pages 698-702 of the Public Records of Broward County;

NOW THEREFORE, be it resolved by the Board of Commissioners of the South Broward Drainage District in meeting assembled that:

1. The recitals set forth above are true and correct and are incorporated herein as if set forth verbatim.

2. The District's Board of Commissioners hereby rescinds and vacates South Broward Drainage District Resolution No. 88-13 as previously recorded in OR Book 15750, Pages 698-702 of the Public Records of Broward County, Florida.

3. This Resolution does not and is not intended to release any interest of the District in and to the property described on Exhibit "A" which has been dedicated to the District by separate instrument or which is currently being used for or in the future the District determines it's use is necessary for drainage or water management purposes.

4. Notwithstanding the District's rescission and vacation of District Resolution 88-13, the District, in its sole discretion, retains and reserves the right to evaluate the use of the property described on Exhibit "A" for drainage and water management purposes, should the need arise due to future development of property within the District or for providing drainage of property adjacent to the Exhibit "A" property.

5. The District Director or the District Attorney shall record the original of this Resolution 2013-04 in the Public Records of Broward County, Florida.

6. If any one or more of the covenants, agreements or provisions of this Resolution 2013-04, shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be separate from the remaining covenants, agreements or provisions and shall in no way affect the validity of all other provisions of this Resolution.

7. This Resolution shall take effect immediately upon its adoption.

In witness whereof, The Chairperson of the Board of Commissioners of the SOUTH BROWARD DRAINAGE DISTRICT has hereunto set his hand and the Secretary of the Board of Commissioners of the SOUTH BROWARD DRAINAGE DISTRICT has caused to be set its seal.

ADOPTED AND DATED this _____ day of _____, 2013.

(SEAL)

SOUTH BROWARD DRAINAGE DISTRICT

By: _____
Scott Hodges, Chairperson

Attest:

Robert E. Goggin, IV, Secretary

STATE OF FLORIDA)
)§
COUNTY OF BROWARD)

The foregoing Resolution N° 2013-04 was acknowledged before me this ____ day of _____, 2013 by SCOTT HODGES and ROBERT E. GOGGIN, IV, as Chairperson and Secretary, respectively of the SOUTH BROWARD DRAINAGE DISTRICT, a political subdivision of the State of Florida, on behalf of SOUTH BROWARD DRAINAGE DISTRICT. They are personally known to me.

WITNESS my hand and official seal in the county and state last aforesaid this ____ day of _____, 2013.

(NOTARY SEAL OR STAMP)

Notary Public - State of Florida at Large

EXHIBIT "A" TO
SOUTH BROWARD DRAINAGE DISTRICT RESOLUTION NO. 2013-04

The East 50 feet of Tracts 41, 42, 43, 44, 45, 46, 47, 48, 25, 26, 27, 28, 29, 30, 31 and 32, of Section 5, Township 51 South, Range 40 East of FLORIDA FRUITLANDS COMPANY SUBDIVISION NO. 1, according to the Plat thereof, recorded in Plat Book 2, Page 17 of the Public Records of Dade County, Florida

Together with

The West 50 feet of Tracts 40, 39, 38, 37, 36, 35, 34, 33, 24, 23, 22, 21, 20, 19, 18 and 17 of Section 5, Township 51 South, Range 40 East of FLORIDA FRUITLANDS COMPANY SUBDIVISION NO. 1, according to the Plat thereof, recorded in Plat Book 2, Page 17 of the Public Records of Dade County, Florida

Together with

The East 50 feet of Tracts 22 and 11 of the southwest $\frac{1}{4}$ of Section 32, Township 50 South, Range 40 East of CHAMBERS LAND COMPANY SUBDIVISION, according to the Plat thereof, recorded in Plat Book 1, Page 5 of the Public Records of Broward County, Florida

Together with

The West 50 feet of Tracts 23 and 10 of the southwest $\frac{1}{4}$ of Section 32, Township 50 South, Range 40 East of CHAMBERS LAND COMPANY SUBDIVISION, according to the Plat thereof, recorded in Plat Book 1, Page 5 of the Public Records of Broward County, Florida

Together with

The East 50 feet of Tracts 22 and 11 of the northwest $\frac{1}{4}$ of Section 32, Township 50 South, Range 40 East of CHAMBERS LAND COMPANY SUBDIVISION, according to the Plat thereof, recorded in Plat Book 1, Page 5 of the Public Records of Broward County, Florida

Together with

The West 50 feet of Tracts 23 and 10 of the northwest $\frac{1}{4}$ of Section 32, Township 50 South, Range 40 East of CHAMBERS LAND COMPANY SUBDIVISION, according to the Plat thereof, recorded in Plat Book 1, Page 5 of the Public Records of Broward County, Florida

Together with

The East 50 feet of Tracts 41, 42, 43, 44 and 45 of Section 29, Township 50 South, Range 40 East of FLORIDA FRUITLANDS COMPANY SUBDIVISION NO. 1, according to the Plat thereof, recorded in Plat Book 2, Page 17 of the Public Records of Dade County, Florida, lying south of the South Florida Water Management District's South New River Canal (Canal C-11)

Together with

The West 50 feet of Tracts 40, 39, 38, 37 and 36 of Section 29, Township 50 South, Range 40 East of FLORIDA FRUITLANDS COMPANY SUBDIVISION NO. 1, according to the Plat thereof, recorded in Plat Book 2, Page 17 of the Public Records of Dade County, Florida, lying south of the South Florida Water Management District's South New River Canal (Canal C-11)

SAID LANDS LYING, BEING AND SITUATED IN BROWARD COUNTY, FLORIDA.

MEMORANDUM

DATE: April 18, 2013
TO: South Broward Drainage District Commissioners
FROM: Kevin M. Hart, P.E.
District Director
Subject: SBDD 5-Year Capital Improvement Plan

Comments:

Attached for the Board's review and approval is a proposed amendment to the District's 5-Year Capital Improvement Plan (CIP). The CIP includes priorities for capital expenditures for fiscal year 2012/2013 and each subsequent year through 2016/2017. Also attached is the approved CIP from October 2012.

The CIP has been amended as follows:

- Costs for 2012/2013 projects have been revised to reflect contract prices and/or updated cost estimates.
- Added SW 70th Place Culvert Replacement in SW Ranches to the 2012/2013 project list. This is a fast track project due to a potential roadway failure, and may involve cost sharing from the Town of SW Ranches. The estimated construction cost is \$65,000.
- Transferred Drainage Improvement Projects for SW 170th Avenue and Dykes Road to 2013/2014.
- Added Upgrades to the SBDD Board Room to the 2012/2013 project list. These upgrades will include relocating the projection screen for video presentations, adding individual viewing screens for Board members, and replacing the audience chairs. The estimated cost for these upgrades is \$30,000.
- Added the Basin Inter-connect between Basin 3 and Basin 7 to the 2016/2-17 project list. The estimated construction cost is \$60,000.

The CIP budget for fiscal year 2012/2013 has decreased from \$630,500 to \$578,092. The overall budget for the 5-year CIP increased from \$2,617,500 to \$2,628,092. The current balance in the CIP reserve account is \$1,134,564.

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.

Financial impacts to this agenda item: approval of this agenda item will amend the 5-year budget for capital improvement projects for the District, and will re-establish priorities for the current fiscal year.

This is to request approval of the proposed amendment to the SBDD 5-Year Capital Improvement Plan.

KH
Attachment

SOUTH BROWARD DRAINAGE DISTRICT
CAPITAL IMPROVEMENT PROJECTS
April 18, 2013

Fiscal Year	Priority	Project	Cost	Notes
2012/2013	1	Upgrade 2 Pumps to Water Cooled.	\$32,592	Complete
	2	Rebuild Gear Heads at S-7 Pump station	\$45,000	Contract Awarded
	3	Install Sluice Gate & Modify Trash Rack at S-7 Pump Station	\$45,000	Permit Obtained; Construction Pending
	4	Culvert Repairs for Hollybrook Outfall Culvert (Lakeside Key II)	\$55,000	Contract Awarded (Cost Share with City of Pembroke Pines)
	5	Drainage Improvements in SWR - SW 70th Place Culvert Replacement; SW 205th Ave Culvert Extension	\$85,000	SW 70th Place is Out to Bid (Possible Cost Share with SW Ranches)
	6	Install Pipe Liner at Johnson St & Palm Ave Culvert (84" CMP)	\$75,000	Possible Cost Share with Pembroke Pines
	7	Culvert Replacement in Basin 10 - Rose Price Park Culvert	\$125,000	
	8	Grand Palms Improvements	\$25,500	Contract Awarded
	9	Upgrade Telemetry System & Install Cameras at Pump Stations	\$60,000	
	10	Upgrades to SBDD Board Room	\$30,000	
			Total	\$578,092
2013/2014	1	Upgrade 2 Pumps to Water Cooled.	\$30,000	
	2	Rebuild Gear Heads at S-2 Pump station	\$45,000	
	3	Install New Roof at Office Building and Maintenance Bldg	\$90,000	
	4	Replace Truss Roof at S-3 Pump Station	\$100,000	
	5	Excavate Primary/Secondary Canals in Basin 1	\$150,000	
	6	Drainage Improvements in SWR - SW 170th Ave; Dykes Rd Outfall	\$65,000	
	7	Culvert Replacements in Basin 8 - SW 54th Place/SW 164th Terr; SW 178th Ave	\$85,000	Requires Easements
		Total	\$565,000	
2014/2015	1	Upgrade 2 Pumps to Water Cooled.	\$30,000	
	2	Rebuild Gear Heads at S-8 Pump Station	\$65,000	
	3	Excavate Primary/Secondary Canals in Basin 1	\$150,000	
	4	Upgrade B-1 & B-2 Pump Stations	\$80,000	
	5	Culvert Replacements in Basin 8 - SW 164th Ave; Landmark Ranch Estates	\$200,000	
		Total	\$525,000	
2015/2016	1	Upgrade 2 Pumps to Water Cooled.	\$30,000	
	2	Rebuild Gear Heads at S-1 Pump station	\$60,000	
	3	Culvert Replacements in Basin 3 - Country Club Ranches	\$125,000	
	4	Excavate Primary/Secondary Canals in Basin 8	\$200,000	
	5	Replace Generator at S-1 and S-7 Pump Stations	\$50,000	
		Total	\$465,000	
2016/2017	1	Upgrade 1 Pump to Water Cooled.	\$15,000	
	2	Install Sluice Gates in Basin 5 (4 Locations)	\$160,000	
	3	Basin Inter-Connect Between Basin 3 & Basin 7 (Century Village)	\$60,000	
	4	Excavate Primary/Secondary Canals in Basins 1 and 8	\$200,000	
	5	Install Motor and Telemetry at Inter-Connect for S-9/S-10 & S-4/S-5 Basin (Pines Blvd)	\$60,000	
		Total	\$495,000	
Grand Total			\$2,628,092	

NOTE:

CIP DOES NOT INCLUDE FUNDING OBTAINED FROM GRANTS OR OTHER FUNDING SOURCES.

SOUTH BROWARD DRAINAGE DISTRICT
CAPITAL IMPROVEMENT PROJECTS
October 18, 2012

Fiscal Year	Priority	Project	Cost	Notes
2012/2013	1	Upgrade 2 Pumps to Water Cooled.	\$30,000	
	2	Rebuild Gear Heads at S-7 Pump station	\$65,000	
	3	Install Sluice Gate & Modify Trash Rack at S-7 Pump Station	\$85,000	
	4	Culvert Repairs for Hollybrook Outfall Culvert (Quincy Park)	\$80,000	
	5	Drainage Improvements in SWR - SW 205th Ave Culvert Ext; SW 170th Ave; Dykes Rd Outfall	\$85,000	
	6	Install Pipe Liner at Johnson St & Palm Ave Culvert (84" CMP)	\$75,000	Possible Cost Share with Pembroke Pines
	7	Culvert Replacement in Basin 10 - Rose Price Park Culvert	\$125,000	
	8	Grand Palms Improvements	\$25,500	
	9	Upgrade Telemetry System & Install Cameras at Pump Stations	\$60,000	
		Total	\$630,500	
2013/2014	1	Upgrade 2 Pumps to Water Cooled.	\$30,000	
	2	Rebuild Gear Heads at S-2 Pump station	\$45,000	
	3	Install New Roof at Office Building and Maintenance Bldg	\$90,000	
	4	Replace Truss Roof at S-3 Pump Station	\$100,000	
	5	Excavate Primary/Secondary Canals in Basin 1	\$150,000	
	6	Culvert Replacements in Basin 8 - SW 54th Place/SW 164th Terr; SW 178th Ave	\$85,000	Requires Easments
		Total	\$500,000	
2014/2015	1	Upgrade 2 Pumps to Water Cooled.	\$30,000	
	2	Rebuild Gear Heads at S-8 Pump Station	\$65,000	
	3	Excavate Primary/Secondary Canals in Basin 1	\$150,000	
	4	Upgrade B-1 & B-2 Pump Stations	\$80,000	
	5	Culvert Replacements in Basin 8 - SW 164th Ave; Landmark Ranch Estates	\$200,000	
		Total	\$525,000	
2015/2016	1	Upgrade 2 Pumps to Water Cooled.	\$30,000	
	2	Rebuild Gear Heads at S-1 Pump station	\$60,000	
	3	Culvert Replacements in Basin 3 - Country Club Ranches	\$125,000	
	4	Excavate Primary/Secondary Canals in Basin 8	\$262,000	
	5	Replace Generator at S-1 and S-7 Pump Stations	\$50,000	
		Total	\$527,000	
2016/2017	1	Upgrade 1 Pump to Water Cooled.	\$15,000	
		Install Sluice Gates in Basin 5 (4 Locations)	\$160,000	
	2	Excavate Primary/Secondary Canals in Basins 1 and 8	\$200,000	
	3	Install Motor and Telemetry at Inter-Connect for S-9/S-10 & S-4/S-5 Basin (Pines Blvd)	\$60,000	
		Total	\$435,000	
Grand Total			\$2,617,500	

NOTE:
CIP DOES NOT INCLUDE FUNDING OBTAINED FROM GRANTS OR OTHER FUNDING SOURCES.

MEMORANDUM

DATE: April 18, 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 projects:

- B-3 Pump Station Demolition & Culvert Replacement Project
- Conversion of Stormwater Pumps from Oil to Water Lubrication at the S-1 & S-3 Pump Stations in Miramar.

Both projects were previously approved by the Board with funding through the Capital Improvement Committed Account. A final accounting of both contracts is shown below.

<u>Project</u>	<u>Initial Contract Amount</u>	<u>Final Contract Amount</u>
B-3 Demolition	\$152,069.00	\$152,069.00
Pump Conversion	\$32,592.00	\$28,696.00
Total	\$184,661.00	\$180,765.00

Financial impacts to this Agenda Item: None; the contract for this work was previously approved by the SBDD Board of Commissioners and has been paid in full through the General Operating Account.

This is to request approval to transfer \$180,765.00 from the SBDD Capital Improvement Committed Account to the SBDD General Operating Account as reimbursement for the following CIP projects: B-3 Pump Station Demolition & Culvert Replacement Project and the Conversion of Stormwater Pumps from Oil to Water Lubrication at the S-1 & S-3 Pump Stations in Miramar.

KH
Attachments

MEMORANDUM

DATE: May 24, 2012
TO: South Broward Drainage District Commissioners
FROM: Kevin M. Hart, P.E.
District Director
Subject: Contract Award for B-3 Pump Station Demolition & Culvert Replacement Project

Comments:

SBDD advertised for bids for the B-3 Pump Station Demolition & Culvert Replacement Project in the City of Pembroke Pines. We received a total of five (5) bids. The bid included a Base Bid and an Alternate Bid. The bid documents stated that the District would award only one contract; for either the Base Bid or the Alternate Bid. The Base Bid includes the removal of a 48" CMP culvert and installation of a new 48" RCP culvert, while the Alternate Bid includes the slip-lining of the existing 48" CMP culvert (as opposed to replacement).

The bid amounts ranged in price from \$152,069.00 to \$342,839.00 for the Base Bid and from \$157,852.00 to \$331,633.00 for the Alternate Bid. Each bidder was required to attend a mandatory pre-bid meeting as a prerequisite to submitting a bid. A copy of the Bid Summary is attached.

Westwind Contracting, Inc. (Westwind) submitted the lowest bid for both the Base Bid (\$152,069.00) and the Alternate Bid (\$157,852.00).

SBDD has reviewed the bid submitted by Westwind and has determined that the Contractor is qualified to perform the work and that the bid meets all requirements. SBDD also checked references for Westwind and all references provided a positive response. I am recommending that the District award the contract for the Base Bid for the B-3 Pump Station Demolition & Culvert Replacement Project to Westwind Contracting, Inc. in the amount of \$152,069.00 as the lowest responsive, responsible bidder.

This is to request approval to award the contract for the Base Bid for the B-3 Pump Station Demolition & Culvert Replacement Project to Westwind Contracting, Inc. in the amount of \$152,069.00. Funding for this project will come from the SBDD Capital Improvement Committed Account.

KH
Attachment

9:01 AM
 04/10/13
 Accrual Basis

South Broward Drainage District Account QuickReport October 1, 2012 through April 10, 2013

Type	Date	Num	Name	Memo	Split	Amount
1795.3 · CIP-B-3 Demolition						
Bill	11/14/2012	Pay R...	Westwind Contracti...	B3PS Demoli...	1200 · Accoun...	83,253.38
Bill	12/12/2012	Regular	Douglas R. Bell	legal fees as...	1200 · Accoun...	918.75
Bill	1/3/2013	Pay R...	Westwind Contracti...	B3PS Demoli...	1200 · Accoun...	21,216.15
Bill	3/22/2013	FINA...	Westwind Contracti...	Final payemn...	1200 · Accoun...	36,532.77
Total 1795.3 · CIP-B-3 Demolition						<u>141,921.05</u>
TOTAL						<u><u>141,921.05</u></u>

Westwind Contracting + 10,147.95
pd 9/24/12
(previous fiscal yr)

152,069.00

MEMORANDUM

DATE: December 13, 2012

TO: South Broward Drainage District Commissioners

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

Subject: Contract Award for SBDD Conversion of Stormwater Pumps from Oil to Water Lubrication at the S-1 & S-3 Pump Stations in Miramar

Comments:

SBDD advertised for bids for the Conversion of Stormwater Pumps From Oil to Water Lubrication at the S-1 & S-3 Pump Stations in Miramar. One pump is located at the S-1 Pump Station (#2 Pump) and the second pump is located at the S-3 Pump Station (#3 Pump). We received a total of two (2) bids. The bid included a base bid and three Alternate Bid Items. The base bids ranged in price from \$26,296.00 to \$27,768.00. Each bidder was required to visit the two site locations with a SBDD representative as a prerequisite to submitting a bid. A copy of the Bid Summary is attached.

The lowest base bid received was submitted by FPI Pumps, Inc. (FPI) in the amount of \$26,296.00. SBDD has reviewed the bid submitted by FPI and has determined that the Contractor is qualified to perform the work and that the bid meets all requirements. FPI 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 Conversion of Stormwater Pumps From Oil to Water Lubrication at the S-1 & S-3 Pump Stations in Miramar to FPI Pumps, Inc. in the amount of \$26,296.00 as the lowest responsive, responsible bidder. In addition, I am requesting the award of Bid Alternates 1, 2 and 3 in the combined amount of \$6,296.00 to FPI Pumps, Inc. as the lowest responsive, responsible bidder. The total amount of the contract will be \$32,592.00.

Financial impacts to this Agenda Item: The work covered under this project is included as part of the District's 2012-2013 Capital Improvement Plan (CIP); 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 Conversion of Stormwater Pumps From Oil to Water Lubrication at the S-1 & S-3 Pump Stations in Miramar to FPI Pumps, Inc. in the amount of \$32,592.00. Funding for this project will come from the SBDD Capital Improvement Committed Account.

KH
Attachment

11:42 AM
04/17/13
Accrual Basis

South Broward Drainage District
Account QuickReport
October 1, 2012 through April 17, 2013

Type	Date	Num	Name	Memo	Split	Amount
1795.9 · Upgrade 2 Pumps-Water Cooled Bill	3/13/2013	Invoic...	FPI, Inc.	CIP project S...	1200 · Accoun...	15,548.00
Total 1795.9 · Upgrade 2 Pumps-Water Cooled						15,548.00
TOTAL						15,548.00

+ 13,148.00
\$28,696.00