

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

MARCH 29, 2018

Present:

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

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

Absent:

01. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

Chair Hodges called the SBDD Board Meeting to order at 8:03 a.m.; with Vice Chair Ryan, Commissioner Minnaugh, Commissioner Mersinger, Commissioner Goggin, and Commissioner Santana-Woodall present at the meeting; followed by the Pledge of Allegiance.

02. PUBLIC COMMENT

Mr. Tom Good shared some of his thoughts regarding the time he served as a Commissioner on the SBDD Board. He reminisced on years back while being a Board member with SBDD, and even before he became a board member, when he had interactions with the SBDD. He recalls many challenges that were presented to this Board; and how there were some new faces that came onto this Board of Commissioners; and there was also a new Executive Director, Mr. Kevin Hart. He said that when they were going through the selection of the Executive Director, that District Director Hart was not his first choice; but that District Director Hart rose to the top; and he was chosen as the Executive Director; and that after all these years of getting to know District Director Hart professionally and personally, this job was meant for District Director Hart. He said that he doesn't know of anyone that is more honest, has a greater intellectual capacity to manage the diversity or the issues that face this Board, or the integrity to represent this District. He said he has incredible respect for District Director Hart; and he is very happy that he is here, and is hopeful that he chooses to continue and complete his work career here with SBDD, because we will be served very well.

Going back to his reflection, he said that he found that SBDD has had a lot of integration; and that there was this newness, but it was merged with experience. He said today, the District is financially solid, operationally effective, and that this District enjoys incredible credibility throughout the County and the State, and that's because they all led this, and made this happen; and he applauds them for that.

Finally, he commented that in all the years that he had been with SBDD, and working with the Board members, that each and every one of the Board members has a unique way of looking at this world differently, and approaching problems. He thanked the Board members for the challenges and

guidance they gave him; and the fact that they prepared him for his future that he is about to face. He thanked them and gave them all his respect and love.

Mr. Woody Fisher, resident of Hollybrook, presented a brief description of his credentials to the Board for consideration to fill in the vacant seat on the Board. He said that upon retirement from the computer industry, he helped the public in various roles; he did constituent services as a legislative aide for a state representative; and he served as President of the St. Vincent's de Paul Society at St. Louis Catholic Church, helping the needy for 10 years; and he is currently on the Board of Director's at Hollybrook Golf & Tennis helping to serve his Hollybrook neighbors.

Mr. Jack McClusky, stated that he was present before the Board to solicit the Board's support for the vacancy that was created by Mr. Tom Good's election. He commented that his resume is rather lengthy, and that he has served in just about every capacity that the City of Pembroke Pines has to offer. He has been a Commissioner in the City for a total of 8 years; and he served on the SBDD Board of Commissioners for 8 years as well. He said that he started out about 48 years ago with the Pembroke Pines JCs and he is presently the city's historian.

03. APPROVAL OF MINUTES

Commissioner Minnaugh moved for approval of the minutes of the February 22, 2018, South Broward Drainage District Board meeting. Motion was seconded by Commissioner Goggin and it was carried unanimously.

04. DIRECTOR'S REPORT

A. PROCLAMATION FOR APRIL AS WATER CONSERVATION MONTH

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

B. RELEASE AND VACATION REQUEST OF SURFACE WATER MANAGEMENT AREA (SWMA) DESIGNATION FOR SALVAT RESIDENCE; SUBJECT TO THE DEDICATION OF A NEW SWMA

District Director Hart said that the owner of the property located at 4831 S.W. 201st Terrace, Southwest Ranches, FL 33332 requested that SBDD vacate the Surface Water Management Area (SWMA) that was previously designated and recorded under Instrument No. 113552560, Broward County Records. All properties in the SW Ranches are required to set aside 20% of their property at elevation 5.0' (or an equivalent storage area) as a SWMA.

The property owners, Orlando & Cindy Salvat, will dedicate a new SWMA over his property to comply with the 20% SWMA requirement. SBDD staff has reviewed the request and has no objections.

There are no financial impacts to this Agenda Item, other than SBDD administrative costs; all other costs will be incurred by the property owner.

The request is for SBDD to vacate and release its interest of the Surface Water Management Area on the property located at 4831 SW 201st Terrace, Southwest Ranches, FL 33332, as

described in the attached “Release and Vacation of Surface Water Management Area Designation” and recorded under Instrument No. 113552560, B.C.R.; subject to the dedication of a new Surface Water Management Area in accordance with SBDD Criteria.

Commissioner Goggin moved for approval of the Release & Vacation of SWMA designated for the Salvat residence as submitted. Motion was seconded by Commissioner Santana-Woodall.

Commissioner Minnaugh had concerns with why the property owner would go through so much trouble on a release and vacation for such a minor change from 2016. District Director Hart replied that he does not know the specifics except that most likely they are performing some kind of improvement on their property, where they now need to encroach into the SWMA.

The question was called and it was carried unanimously.

C. CONTRACT AWARD(S):

1. SBDD STORMWATER CULVERT SLIP-LINING PROJECT IN PEMBROKE PINES

District Director Hart stated that SBDD advertised for bids for the SBDD Stormwater Culvert Slip-lining Project in Pembroke Pines. SBDD received two (2) bids ranging in price from \$39,244.78 to \$53,732.52.

The lowest bid was submitted by Shenandoah Construction Company (Shenandoah) in the total amount of \$39,244.78. SBDD has reviewed the bid submitted by Shenandoah and has determined that the bid is complete and meets all requirements, and that the Contractor is qualified to perform the work. In addition, SBDD has been satisfied with previous work performed by Shenandoah.

District Director Hart recommended that the bid for the SBDD Culvert Slip-Lining Project in Pembroke Pines be awarded to Shenandoah Construction Company in the total amount of \$39,244.78 as the lowest responsive, responsible bidder.

The work covered under this project is included as part of the District’s 2017-2018 budget; and funding for the project will come from the SBDD General Operating account.

Commissioner Minnaugh moved for approval to award the SBDD Culvert Slip-Lining Project as recommended by the District Director to Shenandoah Construction Company, in the total amount of \$39,244.78. Motion was seconded by Commissioner Goggin.

Chair Hodges asked District Director Hart to give a brief description for those not familiar with what slip-lining is, where it is located, and what the benefits are. District Director Hart provided a description of the process and the location for this specific project.

The question was called and it was carried unanimously.

2. SBDD FABRIC-FORMED EROSION PROTECTION PROJECT IN MIRAMAR

District Director Hart stated that SBDD advertised for bids for the SBDD Fabric-formed

Erosion Protection Project in Miramar. SBDD received five (5) bids ranging in price from \$15,241.75 to \$28,900.00.

The lowest bid was submitted by Ferreira Construction Southern Division Company (Ferreira) in the total amount of \$15,241.75. SBDD has reviewed the bid submitted by Ferreira and has determined that the bid is complete and meets all requirements, and that the Contractor is qualified to perform the work. In addition, SBDD received positive responses to reference checks on Ferreira.

District Director Hart recommended that the bid for the SBDD Fabric-Formed Erosion Protection Project in Miramar be awarded to Ferreira Construction Southern Division Company in the total amount of \$15,241.75 as the lowest responsive, responsible bidder.

District Director Hart added that this project is located on the upstream side of the District's S-3 pump station and it is going to actually extend across the entire frontage of the pump station. This was a project identified after the debriefing on Hurricane Irma; it is going to significantly improve the flow through the District's sluice gates. Right now there is no lining on that channel; it's basically, just a regular canal bottom; and during Irma the vegetation had accumulated and grown on the bottom of that channel, and it was restricting flow. This was an area that the District wanted to improve.

The work covered under this project is included as part of the District's 2017-2018 budget; and funding for the project will come from the SBDD General Operating account.

Commissioner Minnaugh moved for approval to award SBDD Fabric-Formed Erosion Protection Project as recommended by the District Director to Ferreira Construction Southern Division Company, in the total amount of \$15,241.75. Motion was seconded by Commissioner Goggin and it was carried unanimously.

D. REQUEST BY DISTRICT DIRECTOR FOR APPROVAL TO ATTEND A 3-DAY WORKSHOP ON BUILDING RESILIENT COMMUNITIES ON APRIL 16-18 IN PITTSBURG, PA

District Director Hart asked the Board for approval to attend a 3-day workshop on Building Resilient Communities. The workshop is sponsored by the Institute for Sustainable Communities (IFSC) and will explore innovative approaches to building resilient communities. It will include teams from 8-12 communities across the country who will participate in clinics, panel discussions, and small-group working sessions to discuss strategies and develop solutions. SBDD was asked to participate in the workshop by the City of Miramar who submitted the application to the IFSC. SBDD will be part of the working group that includes representatives from the City of Miramar, Broward County, and Feeding South Florida Food Bank.

The cost of this workshop will be approximately \$800 which will be funded through the District's 2017-2018 budget, and will come from the SBDD General Operating account.

Commissioner Minnaugh moved for approval for SBDD District Director Hart to attend a 3-day workshop on Building Resilient Communities in Pittsburg, PA. Motion was seconded by Commissioner Santana-Woodall and it was carried unanimously.

E. OTHER

District Director Hart updated the Board on the following items:

- **FL Gas Transmission Company Project** – This month District Director Hart met with representatives from the Florida Gas Transmission Company; and he wanted to keep the Board apprised of the meeting and the proposed project. He said that the proposed gas line may run right through the middle of our District. The project is to relocate an 18” natural gas steel pipeline that currently runs along the Florida Turnpike; and D.O.T. wants to widen the turnpike; and in order to widen it, they need to relocate the gas main. He said the proposed alignment is right down the FP&L easement that bisects the District at Palm Avenue through City Hall and Pembroke Pines. They will most likely have to do an agreement with the District since they will be crossing a number of SBDD’s canals. In fact, they have expressed an interest in giving the Board an overview of the proposed project.

Commissioner Mersinger asked if they were aware that they are putting this gas line very close to the White Rock quarry. Chair Hodges replied to keep in mind that they do not want to relocate, that D.O.T. and the turnpike are forcing them to; and it is still up for debate. He said that right now they are just doing their homework to figure out if they have to relocate, and how they’re going to do it.

District Director Hart added that FL Gas Transmission Company is in discussions with the state as to who is going to pay for this, and how it will be funded. Commissioner Santana-Woodall commented that we have to make sure that we let people know about this; because at one time there was a gas leak from a pipe that broke; and there were many people upset about it.

- **Update on the community meeting at Sunset Lakes** – The District was asked by the Sunset Lakes management company to attend a meeting and talk to some of the Board members and residents. Commissioner Mersinger and District Director Hart attended the meeting and spoke to those present. District Director Hart said that it was a positive meeting. He said that Commissioner Mersinger covered many of the points in regard to their concerns on erosion, and what was done after hurricane Wilma, and now with hurricane Irma. District Director Hart said that he did a follow-up, and sent them information they had requested, and that he hasn’t heard anything since.

Commissioner Mersinger commented that she hasn’t received any calls or seen anything more from the “next door neighbors”, where some of the residents posted their complaints. She said that one of the things that came out of this meeting was that they now understand that SBDD does not maintain what was done; that it was done as a favor. She said that the only thing SBDD gave them was their expertise. She commented that SBDD is looking into possibly getting them a grant to do some work; and they are also looking into maybe getting their community to pay for it. She said that she is more than happy to go with them, as we move into the next legislation session, to try and get some money for a local project. We said that it was quite clear that it wasn’t within our purview to do this work, nor did we have the funding to do it. She felt that everyone was heard and they left content.

- **Legislation** – District Director Hart stated that there were no bills that had impacts on Special Districts or SBDD. There are still bills that may come back next year; and he will be keeping an eye on it.
- **Maintenance Building** – SBDD has received all of the building finals, (electrical, roof, mechanical, etc.). He said that once SBDD moves into the building, he will put together an event.
- **Cinemark Conversations** – District Director Hart has had continuing conversations with Cinemark to purchase surplus land. He expects to bring this forward to the Board for review and discussion in April. He is working with Cinemark so that they may submit their formal offer to purchase the surplus land by that time.
- **Calusa Corners, Dykes Road Drainage Project** – District Director Hart commented that this is the project where SBDD is working with the Town of SWR on a cooperative grant with SFWMD. He said that SBDD did the design in-house and it's gone out to bid twice, and the bids came in very high; and they went out to bid one more time, and the bids came in within the budget. He said that it was going to the Town of SWR Council for approval. It is the Town of SWR's project, and SBDD is just cost-sharing on it.
- **Grapple Truck** - SBDD is still working on getting pricing and making a final decision on a second grapple truck.
- **Audit Committee** – District Director Hart said that for next month, SBDD needs to establish an Audit Committee to request proposals for professional services for the annual audit. SBDD's contract from the previous selection has expired; and under statute, the District has to go back out for RFP.
- **Updates on Rainfall** – Chair Hodges asked District Director Hart to give the Board an update on the lack of rain, drought, etc. District Director Hart said that at the last Water Advisory Committee meeting they gave a report and that we are below average on rainfall now for the dry season; but because we were above average last year for rain, Lake Okeechobee, which is our barometer, is still at a higher level than it was last year at this time, and so we are not in a drought, but that was three weeks ago. He has not been told that we are in any kind of a drought situation, but as always at this time of year, the levels have really dropped. He said that right now we are about 8" to 1' below control elevation.

05. ATTORNEY'S REPORT:

Attorney Bell commented that he is a member of the Broward County Water Advisory Board to the Broward County Commission of which he was appointed by the Surface Water Management Coordination Committee; and as a member he is supposed to appoint an alternate who is also an elected Drainage District Board Member; and he wanted to know if anyone was interested. He said they meet every other Friday at the Broward County Government Center from 10 to noon.

Attorney Bell discussed the options the Board has regarding the vacant seat on the SBDD Board. He said that they can appoint someone today, or at the next meeting, or they can advertise for anyone who

may be interested in the position.

In discussion, Chair Hodges asked if the Board decides to advertise for applicants what is the time line for doing that. Attorney Bell replied that it's flexible; it's at the Board's discretion. He said you may want to advertise a week or two ahead of time. The other option is waiting until the next election in November.

Chair Hodges asked the Board if they wanted to leave it for the next Board meeting, and place it on the Agenda, and suggest nominations; or advertise to the public for anyone that may be interested; or wait until the next election.

Vice Chair Ryan commented that SBDD has two wonderful candidates. One who has vast experience, not only with a municipality, but he also has experience as a Board member to SBDD. He said that even if the Board advertises, we will not get anyone with the experience and knowledge that Mr. McClusky has, and he would have no problem appointing Jack McClusky to Tom Good's seat.

Commissioner Goggin suggested that we utilize people that have come forth, and place it on the agenda for next month.

Commissioner Santana-Woodall commented that she would also like to wait until the next board meeting.

Commissioner Mersinger commented that even if we do this next month, we still have time within the next month to advertise for anyone else who wants to fill the seat. She said that she doesn't see why it can't be done in conjunction with voting on it next month. She said she would like to be as transparent as possible.

Commissioner Minnaugh said that as she keeps going to these meeting, she keeps hearing the word "transparency". A part of her says that we should advertise, so that way, it can't be said that SBDD did not attempt to notify the public or its constituents; and if the Board get candidates that's fine, and if not, that's fine too; but at least SBDD has done their due diligence. Commissioner Goggin agreed with Commissioner Minnaugh regarding transparency. Chair Hodges also commented that this is a big decision; and although they have two fine candidates this morning, they should not take it lightly or rush into it, because it's a big decision. Commissioner Minnaugh commented that everyone presumes that anyone in government or decision making; makes these decisions without anyone knowing about it. Commissioner Mersinger said that it may not change the outcome one iota, but you should at least make the attempt to do it properly.

Vice Chair Ryan commented that he thinks that is an exercise in futility; that in all the years he's been on this Board, the attendance at these meeting has been dismal. He doesn't believe that they will get any other candidates, and that he is ready to make a motion.

Vice Chair Ryan made a motion to nominate Jack McClusky to be appointed to Tom Good's seat as

Zone 6 Commissioner. Commissioner Goggin seconded the motion.

Commissioner Mersinger asked if they vote this motion down does it stop the process. Attorney Bell replied no. She said all she wants to do is to be transparent so no one comes back and says we did this in a vacuum. If she votes no on this motion, does it still allow us to move forward, and have Mr. McClusky still be in the mix. Attorney Bell and Chair Hodges replied absolutely.

Vice Chair Ryan commented that he believes in transparency also, and the mere fact that we have a meeting every month, same time, same place, and the attendance we get at these meetings are non-existing; we can't be any more transparent than we are right now. He said if someone is interested in this Board they would show up to this meeting and find out what we do and take some interest in it. He feels that this is a delay in the appointment of a very qualified individual, and he feels they should go ahead with it.

Commissioner Minnaugh said that the transparency part is the fact that we have the meeting; we are not telling people don't come, but if someone wants to come we are transparent every month. The last Thursday of every month we are here from 8am to maybe 9:30 -10am. We advertise the meeting and everyone knows about it. The fact that they are not here does not mean that they don't care. We just haven't pushed their button, or they don't need anything from us. It's the same thing as when we do bids for culvert work. As long as Mr. McClusky can still stay in the mix, and we can do this when we are comfortable with it, that's all that she needs to be assured of.

The question to appoint Jack McClusky as the Zone 6 Commissioner for the vacant seat was called, and the motion failed by a 5-1 vote (with Vice Chair Ryan voting in favor of the motion).

The direction of the Board is to place a 1/8 page ad in the paper, and on the SBDD website, and place this item on next month's agenda.

06. APPROVAL OF LEGAL BILLS

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

07. BOARD MEMBERS QUESTIONS/COMMENTS

Vice Chair Ryan asked District Director Hart if he had any idea what the District's cost will be for the joint project that SBDD has with the Town of SWR. District Director Hart replied yes; the cost-share is \$50,000, and that this project is in the District's CIP which has been approved for this fiscal year. In addition to that, SBDD performed the design and permitting for the project. He said that the total cost for the project will be over \$400,000. He said that the biggest benefit to the project is that SBDD modified that sluice gate at Griffin Road that's connecting the Ivanhoe lake to the C-11 Canal. The concrete weir was replaced with a sluice gate and it can now be lowered and that will be a huge benefit.

Vice Chair Ryan asked what will SWR contribute towards this. District Director replied whatever the difference will be from the amount of the grant. He said their cost-share was higher than SBDD; it was

over \$100,000. The Town received another grant from the state for \$500,000 for drainage improvements for the Green Meadows area.

Commissioner Mersinger commented that she would like SBDD to do more grants for some of the bigger projects. District Director Hart said that the City of Pembroke Pines contacted him for projects to be submitted as a joint project through the local mitigation improvement grant through the state as well; and he submitted four projects to the city, and he hopes they submit that to the state for SBDD. He added both of the secondary pump stations and some other slip-lining projects.

Commissioner Minnaugh asked District Director Hart if SBDD has easements in the Green Meadows area. District Director Hart replied, some. He said SBDD will be having a planning meeting with the Town. Commissioner Minnaugh also asked if they asked SBDD for a cost-share. District Director Hart said no.

Commissioner Santana-Woodall invited the Board to the Relay for Life Race on April 13th, 2018 at 6:00 p.m and goes on the next morning until 9:00 a.m. She said they will have some great events this year.

08. MEETING DATE(S)

- A. NEXT REGULAR BOARD MEETING WILL BE HELD ON **THURSDAY, APRIL 26th, 2018 AT 8:00 A.M.**

Adjournment at 9:12 A.M.

Respectfully submitted,

Robert E. Goggin IV, Secretary
South Broward Drainage District

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MEMORANDUM

DATE: April 19, 2018

TO: South Broward Drainage District Commissioners

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

Subject: Request from Southwest Broward Theaters Holdings, Ltd. to Purchase Approximately 1.7 Ares of Surplus Land (Lake) from SBDD

Comments:

SBDD has received a formal offer from Southwest Broward Theaters Holdings, Ltd. (Buyer) to purchase approximately 1.7 acres of surplus land from the District. The land in question is part of an existing lake within the Coquina Plaza development located on the northeast corner of Dykes Road and Sheridan Street. The site is bordered by I-75 to the east.

The purchase price from the Buyer is \$75,000, which equates to \$1.01 per square foot (SF).

Attached to the Director's memo is an Appraisal Report of the subject property dated, 1/2/2018 prepared by Roe Minor Realty Consultants, Inc.

The highest and best use of the surplus land would be as a commercial shopping center or business use. Based upon the appraisal report, SBDD staff has determined that the average comparable value for similar properties (commercial/business uses) within SBDD is \$18.93/SF. The value is based on a commercial/business zoned property that is filled to grade and "ready to build". Based upon the \$18.93/SF value, the surplus land (lake) would be valued at \$1,401,804.

However, the subject property currently exists as a lake and there is a cost associated with filling this land and bringing it up to grade to a "ready to build" condition. The estimated cost to fill the lake areas is \$1,249,500 (with no contingency). With a 5% contingency, the cost to fill is \$1,311,975. Engineering, permitting and administrative costs are estimated at \$85,278, bringing the total estimated cost to fill the lake to \$1,379,253.

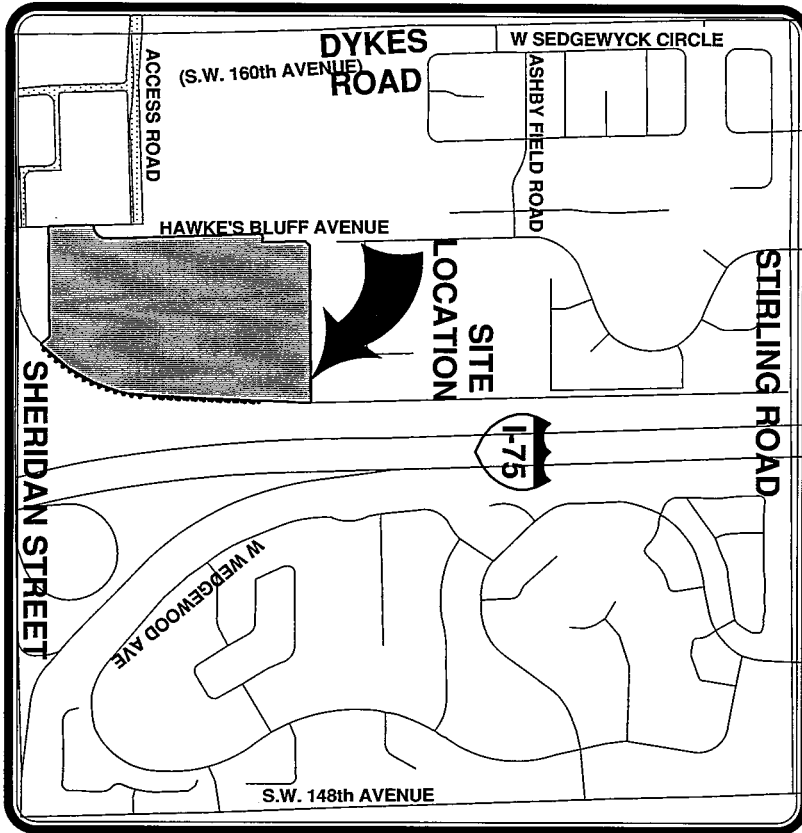
After deducting the cost to bring the land to a "ready to build" condition, the value of the land is:
 $\$1,401,804 - \$1,379,253 = \$4,551$ or \$0.06/SF.

According to Broward County property Appraiser's webpage, the value of the surplus land as a lake is \$0.10/SF or \$7,405.

Financial Impacts to this Agenda item: There are no financial impacts to this agenda item. All costs associated with the purchase of the surplus land shall be paid for by the Buyer, including, but not limited to: surveying, engineering, testing, legal, permitting, inspections, closing costs, recording costs, and doc stamps. Any revenues generated from the sale of the surplus land will be incorporated into the District's 2017-2018 General Operating budget.

This is to request consideration by the Board on an offer to purchase approximately 1.7 acres of surplus land from the District consisting of an existing lake located within the Coquina Plaza shopping center on the northeast corner of Dykes Road and Sheridan Street, Town of Davie, Fl. Said purchase would be contingent upon the land be sold "as is" and for all costs associated with the purchase and sale of the land to be paid for by the Buyer.

KH
Attachments



SECTION 4 , TOWNSHIP 51 SOUTH , RANGE 40 EAST
LOCATION MAP
 N.T.S.

LOCATION SKETCH

DATE	12/7/12
SCALE	AS SHOWN
PROJECT NO.	16-00083
DRAWN BY	CJO

MILLER LEGG
 South Florida Office: 2547 N. Andrews Way
 Ft. Lauderdale, Florida 33329-2264
 854-430-7020 / Fax 854-430-8804
www.millerlegg.com

SOUTHWEST BROWARD THEATERS HOLDINGS, LTD
 TOWN OF DAVIE, BROWARD COUNTY, FLORIDA

NO.	REVISIONS

March 6th 2018

By hand

South Broward Drainage District
6591 SW 160 Avenue
Southwest Ranches, FL 33331
Attn: Mr. Kevin Hart, PE
E-Mail: kevin@sbdd.org

Re: Purchase of approximately 1.7 acres of submerged real property, more or less (the "Property") by Southwest Broward Theaters Holdings, Ltd. ("Buyer") from South Broward Drainage District ("SBDD").

Dear Mr. Hart:

The purpose of this letter of intent ("Letter of Intent") is to outline the following material terms of the proposed purchase of the Property by Buyer from SBDD:

1. **Property.** The Property is located in Davie, Florida, and is described on Exhibit A attached hereto and made a part hereof. Buyer intends to fill and develop the Property.
2. **Purchase Price.** The purchase price ("Purchase Price") for the Property will be Seventy-Five Thousand and 00/100 Dollars (\$75,000.00), subject to customary and standard prorations. The Purchase Price will be paid in cash at closing.
3. **Deposit.** Buyer has paid to SBDD an initial deposit in the amount of Five Thousand and 00/100 Dollars (\$5,000.00) (the "Initial Deposit") which SBDD shall be entitled to use to pay for attorney's fees incurred by SBDD in connection with this transaction. Upon execution of a Purchase Agreement (as hereinafter defined), Buyer shall pay an additional deposit ("Additional Deposit") in the amount of Five Thousand and 00/100 Dollars (\$5,000.00) to James P McCrory Co., Inc. ("Escrow Agent"). At closing, Escrow Agent shall deliver the Additional Deposit to SBDD, whereupon Buyer shall receive a credit against the Purchase Price in an amount equal to the Initial Deposit and the Additional Deposit. The Initial Deposit and the Additional Deposit shall be refundable to Buyer upon specific terms and conditions to be set forth in the Purchase Agreement, including, but not limited to, in the event of a default by SBDD under the Purchase Agreement.
4. **Closing Date:** The closing of the purchase of the Property shall occur on a date (the "Closing Date") to be agreed upon by SBDD and Buyer. The Closing Date will be set forth in the Purchase Agreement.
5. **Easement:** The Property is currently a portion of a lake (the "Lake") owed by the SBDD. At closing, SBDD shall convey to Buyer the additional submerged real property (the "Additional Property") which constitutes the remainder of the Lake. The Additional Property is described on Exhibit B attached hereto and made a part hereof. At the closing of the purchase of the Property, Buyer shall grant an easement to SBDD which allows SBDD the right to continue to locate water on the Additional Property. The easement shall

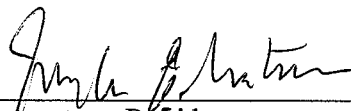
of the purchase of the Property, Buyer shall grant an easement to SBDD which allows SBDD the right to continue to locate water on the Additional Property. The easement shall provide, in part, that the Buyer will maintain the lake located on the Additional Property, at Buyer's cost and expense.

6. **Fees and Expenses.** Except for the Initial Deposit, each party will pay its own fees and expenses incurred in connection with the negotiations and consummation of the transaction, whether or not the transaction closes.
7. **Brokers' Fees.** SBDD and Buyer acknowledge and agree that there are no brokers involved in this transaction; therefore, there will be no brokerage fees due and payable in connection therewith.
8. **Purchase Agreement; Non-Binding.** The transaction contemplated by this Letter of Intent will be subject to the negotiation and execution of a purchase and sale agreement (the "Purchase Agreement") with terms satisfactory to both SBDD and Buyer. Upon acceptance of this Letter of Intent by SBDD, Buyer shall cause the Purchase Agreement to be prepared and delivered to SBDD. This Letter of Intent does not set forth all of the terms of the Purchase Agreement, and all terms are subject to further negotiation. Neither SBDD nor Buyer shall have any obligation, duty or liability on account of this Letter of Intent or the negotiations that led to the development of this Letter of Intent. A binding Purchase Agreement for the transaction described in this Letter of Intent shall not exist until a final and complete Purchase Agreement has been fully executed and delivered by SBDD and Buyer.

If the foregoing is acceptable to SBDD, kindly execute a copy of this Letter of Intent in the place set forth below and return it to Paul Lepine via e-mail to jpmccrory@msn.com. If you have any questions, or if you need additional information, please do not hesitate to contact me.

Sincerely yours,

SOUTHWEST BROWARD THEATERS HOLDINGS,
LTD.

By: 
Joseph C. Amatur, President

The undersigned hereby accepts this Letter of Intent
on _____, 2017:

SOUTH BROWARD DRAINAGE DISTRICT

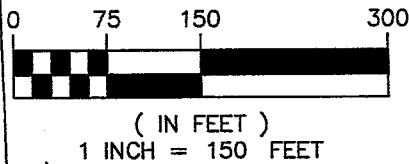
By: _____
Print Name: _____
Its: _____

Exhibit A

Description of the Property

[to be attached by Buyer]

GRAPHIC SCALE

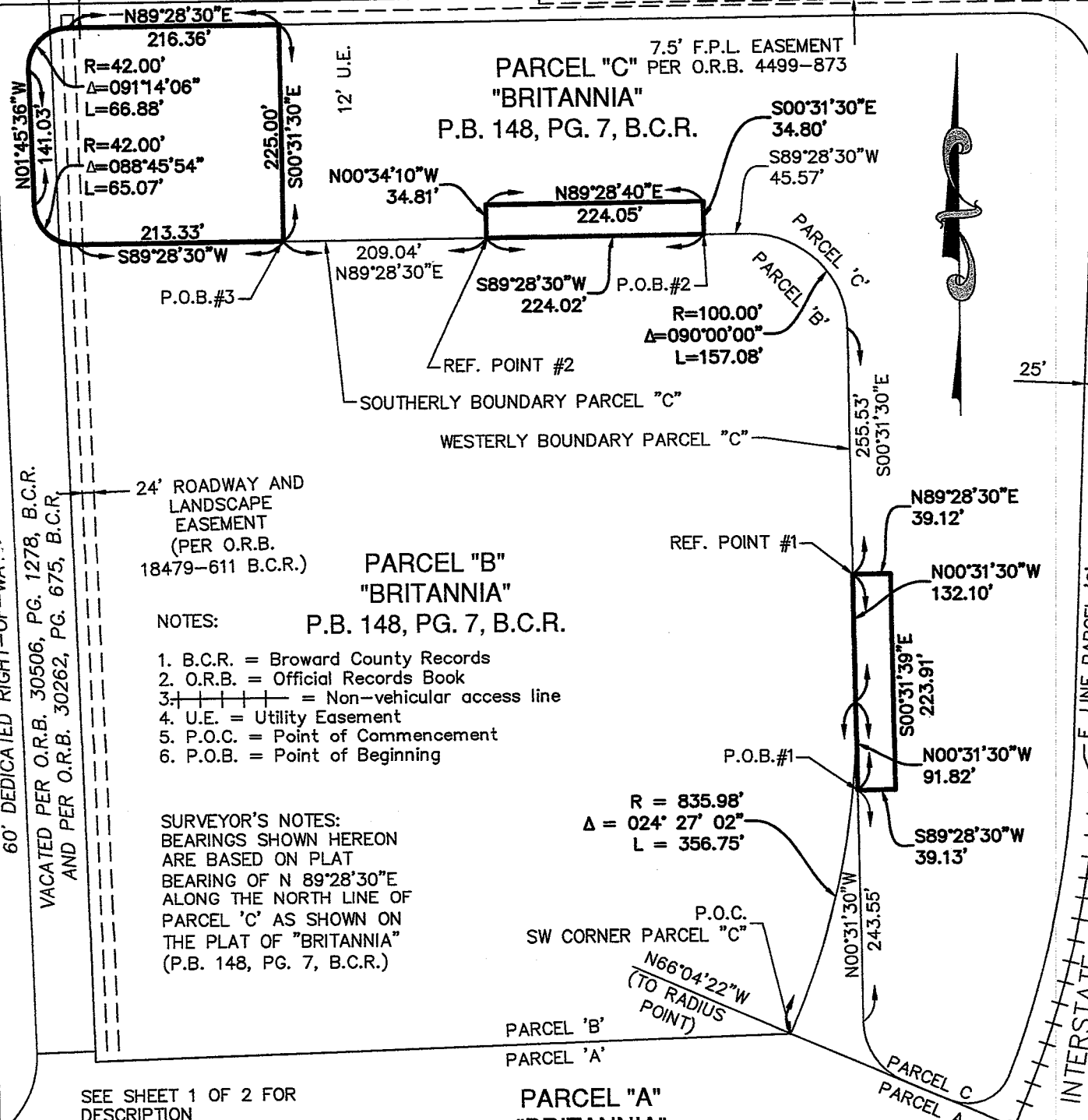


PARCEL 'F'
"WAVERLY HUNDRED"
(141-40 B.C.R.)

"FLORIDA POWER & LIGHT COMPANY EASEMENT"
(PER O.R.B. 3148-588 B.C.R.)

(BEARING BASIS)
S89°28'30"W

NORTH LINE PARCEL "C"



7.5' F.P.L. EASEMENT
PARCEL "C" PER O.R.B. 4499-873
"BRITANNIA"
P.B. 148, PG. 7, B.C.R.

PARCEL "B"
"BRITANNIA"
P.B. 148, PG. 7, B.C.R.

PARCEL "A"
"BRITANNIA"
P.B. 148, PG. 7, B.C.R.

NOTES:

1. B.C.R. = Broward County Records
2. O.R.B. = Official Records Book
3. + + + + = Non-vehicular access line
4. U.E. = Utility Easement
5. P.O.C. = Point of Commencement
6. P.O.B. = Point of Beginning

SURVEYOR'S NOTES:

BEARINGS SHOWN HEREON
ARE BASED ON PLAT
BEARING OF N 89°28'30"E
ALONG THE NORTH LINE OF
PARCEL 'C' AS SHOWN ON
THE PLAT OF "BRITANNIA"
(P.B. 148, PG. 7, B.C.R.)

SEE SHEET 1 OF 2 FOR
DESCRIPTION

60' DEDICATED RIGHT-OF-WAY
VACATED PER O.R.B. 30506, PG. 1278, B.C.R.
AND PER O.R.B. 30262, PG. 675, B.C.R.

24' ROADWAY AND
LANDSCAPE
EASEMENT
(PER O.R.B.
18479-611 B.C.R.)

INTERSTATE - 75
E. LINE PARCEL 'C'

MILLER LEGG

South Florida Office: 5747 N. Andrews Way
Ft. Lauderdale, Florida - 33309-2364
954-436-7000 · Fax: 954-436-8664
www.millerlegg.com

Certificate of Authorization LB. 6680

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

SKETCH & DESCRIPTION

PROJECT NO.
16-00093

FILE NO.
SH-2

DESCRIPTION :

A PORTION OF PARCEL 'C' ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 148, PAGE 7 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID PARCEL "C" BEING A CURVE CONCAVE TO THE WEST WHOSE RADIUS POINT BEARS NORTH 66°04'22" WEST; THENCE NORTHERLY ALONG SAID CURVE ALSO BEING THE WESTERLY BOUNDARY OF SAID PARCEL "C" THROUGH A CENTRAL ANGLE OF 24°27'02" AN ARC DISTANCE OF 356.75 FEET TO THE POINT OF BEGINNING #1 AND BEING A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY BOUNDARY NORTH 00°31'30" WEST 132.10 FEET TO A POINT HEREINAFTER REFERRED TO AS A REFERENCE POINT #1; THENCE NORTH 89°28'30" EAST 39.12 FEET; THENCE SOUTH 00°31'39" EAST 223.91 FEET; THENCE SOUTH 89°28'30" WEST 39.13 FEET; THENCE NORTH 00°31'30" WEST 91.82 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING, AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA AND CONTAINING 8760 SQUARE FEET (0.201 ACRES) MORE OR LESS.

TOGETHER WITH A PORTION OF SAID PARCEL "C" OF SAID PLAT OF "BRITANNIA" MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE AFORESAID REFERENCE POINT #1; THENCE ALONG THE WESTERLY AND SOUTHERLY BOUNDARIES OF SAID PARCEL "C" THE NEXT THREE COURSES (1) NORTH 00°31'30" WEST 255.53 FEET TO A POINT OF CURVATURE OF A 100.00 FOOT RADIUS TANGENT CURVE CONCAVE TO THE SOUTHWEST; (2) NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF 157.08 FEET TO A POINT OF TANGENCY; (3) SOUTH 89°28'30" WEST 45.57 FEET TO THE POINT OF BEGINNING #2; THENCE CONTINUE ALONG SOUTHERLY BOUNDARY OF SAID PARCEL "C" SOUTH 89°28'30" WEST 224.02 FEET TO THE POINT HEREINAFTER REFERRED TO AS A REFERENCE POINT #2; THENCE NORTH 00°34'10" WEST 34.81 FEET; THENCE NORTH 89°28'40" EAST 224.05 FEET; THENCE ALONG SAID SOUTHERLY BOUNDARY SOUTH 00°31'30" EAST 34.80 FEET TO THE POINT OF BEGINNING #2.

SAID LANDS SITUATE, LYING, AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA AND CONTAINING 7797 SQUARE FEET (0.179 ACRES) MORE OR LESS.

TOGETHER WITH A PORTION OF SAID PARCEL "C" AND A PORTION OF HAWKE'S BLUFF AVENUE AS SHOWN ON SAID PLAT OF "BRITANNIA" MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE AFOREMENTIONED REFERENCE POINT #2; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL "C" SOUTH 89°28'30" WEST 209.04 FEET TO THE POINT OF BEGINNING #3; THENCE CONTINUE ALONG SAID SOUTHERLY BOUNDARY SOUTH 89°28'30" WEST 213.33 FEET TO A POINT OF CURVATURE OF A 42.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 88°45'54" AN ARC DISTANCE OF 65.07 FEET TO A POINT OF TANGENCY; THENCE NORTH 01°45'36" WEST 141.03 FEET TO A POINT OF CURVATURE OF A 42.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 91°14'06" AN ARC DISTANCE OF 66.88 FEET TO A POINT OF TANGENCY; THENCE NORTH 89°28'30" EAST 216.36 FEET; THENCE SOUTH 00°31'30" EAST 225.00 FEET TO THE POINT OF BEGINNING #3.

SAID LANDS SITUATE, LYING, AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA AND CONTAINING 57034 SQUARE FEET (1.309 ACRES) MORE OR LESS.

SEE SHEET 2 OF 2 FOR SKETCH

SKETCH AND DESCRIPTION

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

Table with 4 columns: DATE, REVISIONS, DWN., CHK. (Empty table)

CERTIFIED TO: SOUTHWEST BROWARD THEATERS HOLDINGS, LTD

I HEREBY CERTIFY THAT THIS SKETCH MEETS STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES. DATED THIS 17th DAY OF JULY, 2017 A.D.

Martin P. Rossi signature



South Florida Office: 5747 N. Andrews Way Ft. Lauderdale, Florida · 33309-2364 954-436-7000 · Fax: 954-436-8664 www.millerlegg.com

MARTIN P. ROSSI PROFESSIONAL SURVEYOR AND MAPPER STATE OF FLORIDA REGISTRATION No. 5857 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER CERTIFICATE OF AUTHORIZATION: 1B6680

DRAWN BY: LP CHECKED BY: MR

PROJECT NO. 16-00093 FILE NO. SH-1

Exhibit B

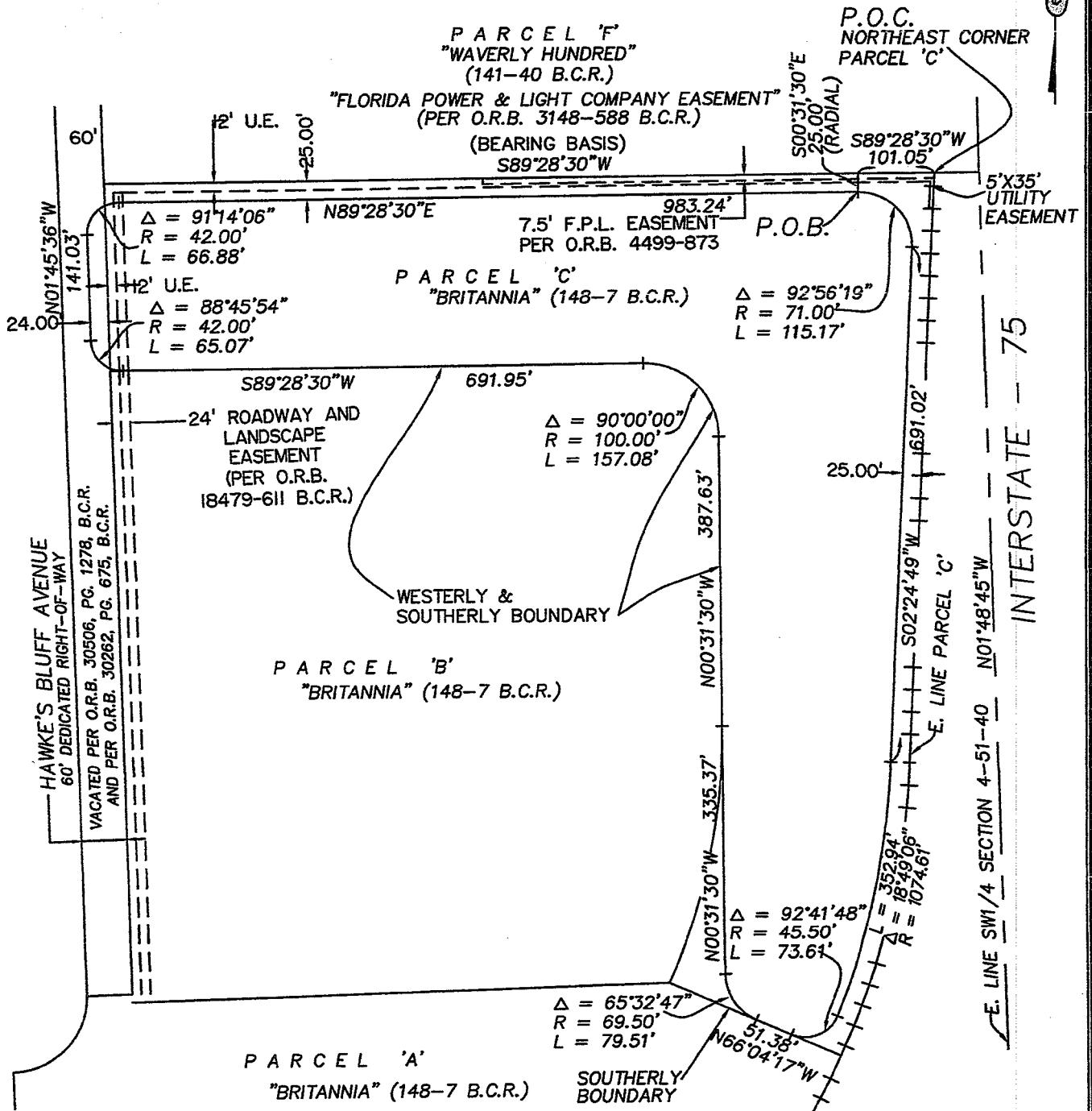
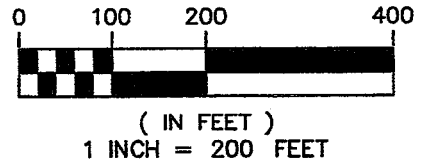
Description of the Additional Property

[to be attached by Buyer]

NOTES:

1. B.C.R. = Broward County Records
2. O.R.B. = Official Records Book
3. = Non-vehicular access line
4. U.E. = Utility Easement
5. P.O.C. = Point of Commencement
6. P.O.B. = Point of Beginning
7. S.B.D.D. = South Broward Drainage District

GRAPHIC SCALE



SEE SHEET 1 OF 2 FOR DESCRIPTION

SURVEYOR'S NOTES:

BEARINGS SHOWN HEREON ARE BASED ON PLAT BEARING OF N 89°28'30"E ALONG THE NORTH LINE OF PARCEL 'C' AS SHOWN ON THE PLAT OF "BRITANNIA" (P.B. 148, PG. 7, B.C.R.)

Certificate of Authorization L.B. 6680

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

MILLER LEGG

South Florida Office: 5747 N. Andrews Way
 Ft. Lauderdale, Florida - 33309-2364
 954-436-7000 • Fax: 954-438-8684
 www.millerlegg.com

SKETCH & DESCRIPTION

PROJECT NO.
16-00093

FILE NO.
SH-2

DESCRIPTION:

A portion of Parcel 'C' together with a portion of Hawke's Bluff Avenue as shown on the Plat of "BRITANNIA" according to the Plat thereof as recorded in Plat Book 148, Page 7 of the Public Records of Broward County, Florida, more particularly described as follows:

COMMENCE at the Northeast corner of said Parcel 'C'; thence along the North line of said Parcel 'C', South 89°28'30" West (Plat bearing) 101.05 feet; thence towards the radius point of the next described curve South 00°31'30" East 25.00 feet to the POINT OF BEGINNING, said point being on a 71.00 foot radius curve concave to the Southwest; thence Southeasterly along said curve through a central angle of 92°56'19" an arc distance of 115.17 feet to a point of tangency on a line parallel with and 25.00 feet Westerly of the Easterly line of said Parcel 'C'; thence along said parallel line for the following two (2) described courses; (1) South 02°24'49" West 691.02 feet to a point of curvature of a 1074.61 foot radius curve concave to the West; (2) Southerly along said curve through a central angle of 18°49'06" an arc distance of 352.94 feet to a point of compound curvature of a 45.50 foot radius curve concave to the North; thence Westerly along said curve through a central angle of 92°41'48" an arc distance of 73.61 feet to a point of tangency on the Southerly line of said Parcel 'C'; thence along said Southerly line North 66°04'17" West 51.38 feet to a point of curvature of a 69.50 foot radius curve concave to the Northeast; thence Northwesterly along said curve through a central angle of 65°32'47" an arc distance of 79.51 feet to a point of tangency; thence North 00°31'30" West 335.37 feet; thence along the Westerly and Southerly boundary of said Parcel 'C' for the following three (3) described courses; (1) North 00°31'30" West 387.63 feet to a point on of curvature of a 100.00 foot radius curve concave to the Southwest; (2) Northwesterly along said curve through a central angle of 90°00'00" an arc distance of 157.08 feet to a point of tangency; (3) South 89°28'30" West 691.95 feet to a point of curvature of a 42.00 foot radius curve concave to the Northeast; thence Northwesterly along said curve through a central angle of 88°45'54" an arc distance of 65.07 feet to a point of tangency on a line parallel with and 24.00 feet West of the Westerly line of said Parcel 'C'; thence along said parallel line, North 01°45'36" West 141.03 feet to a point of curvature of a 42.00 foot radius curve concave to the Southeast; thence Northeasterly along said curve through a central angle of 91°14'06" an arc distance of 66.88 feet to a point of tangency on a line parallel with and 25.00 feet South of the North line of said Parcel 'C'; thence along said parallel line, North 89°28'30" East 983.24 feet to the POINT OF BEGINNING.

Said lands situate, lying, and being in the Town of Davie, Broward County, Florida and containing 443004 square feet (10.170 acres) more or less.

SEE SHEET 2 OF 2 FOR SKETCH

SKETCH AND DESCRIPTION

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

CERTIFIED TO:
SOUTHWEST BROWARD THEATERS HOLDINGS, LTD



MILLER LEGG
 South Florida Office: 5747 N. Andrews Way
 Ft. Lauderdale, Florida • 33309-2364
 954-438-7000 • Fax: 954-438-8684
 www.millerlegg.com

I HEREBY CERTIFY THAT THIS SKETCH MEETS STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
DATED THIS 17th DAY OF JULY, 2017, A.D.

Martin P. Rossi
MARTIN P. ROSSI
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA REGISTRATION No. 5857
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
CERTIFICATE OF AUTHORIZATION: L86650

DATE	REVISIONS	DWN.	CHK.

DRAWN BY: LP CHECKED BY: MR

PROJECT NO. 16-00093 FILE NO. SH-1

Exhibit B

Description of the Additional Property

[to be attached by Buyer]

memo

McCrorry

To: Kevin Hart, P.E. CFM, South Broward Drainage District.
From: James P McCrorry Co., Inc., broker/developer
CC: Joseph C Amaturio
Date: 2/23/2018
Re: Hawk's Bluff Land valuation

Kevin:

I have revised our land valuation estimate based on Ryan's cut and fill estimate based on the soil test report, Miller Legg's calculation and my own estimates. The first and third estimates are close in value. The second estimate by Miller Construction was might but it was based on importing much of the fill material. Ryan's estimate is also based on importing a large quantity of fill.

Values:

Before I go into Ryan's numbers, I want to review the land comparable sales for the purpose of setting a land value for commercial entitled and serviced land. You had suggested a value of \$18 per square foot based on your own research. Our latest appraisal for the main site was done in August 2017. On page 33 of the appraisal, it shows a six comparable sales ranging from \$13.53 to \$24.33 per square foot that were ready to build parcels with ready access and frontage on a major roadway. As you know the subject parcels don't have the above mentioned characteristics and they are not contiguous.

In addition, I researched the sale of the Bokamper's property on a lake in Miramar. The land sale took place in 2010 at \$2,800,000 by Seller's Warranty Deed and it was zoned B-2 with all of its development rights included. The parcel is 119,520 square feet of upland or 2.74 acres. The price per square foot for the finished and fully entitled land with ingress/egress was therefore \$23.43 per square foot. This parcel was also ready to build at the time the current owner closed on the purchase which is a major factor in setting the price. The Broward County Property Appraiser has valued the land at \$8.00 per square foot, or 119,520 square feet for a land value of \$956,160.

So we have a set of values for improved to grade sites with entitlements, frontage on major roads with ingress and egress that runs for \$13.43 to \$24.33. The average is

memo

\$18.93. The square footage of the parcels we wish to acquire from South Broward Drainage District is 75,794 square feet or an unadjusted total of \$1,434,780. From this value we must adjust the figure to match the condition of the comparable sites. I have taken into account the cost to fill the proposed parcels to grade, allow for absence of frontage on a major road, absence of ingress/egress or buildable entitlements.

Costs

The construction cost to fill the 1.74 acres to grade I presented last year was \$1,100,000 based on 84,000 cubic yards (or \$13.10 per cubic yard). This estimate was based on using only the material from the site.

The cost estimate to fill the site according to Miller Construction's estimate was \$1,800,000 (or \$21.43 per cubic yard) plus other general condition costs.

The Ryan Companies and Joseph M. Burke submitted a cost to fill the lake is based on the soil conditions found in the soil test report rounded to \$1,400,000 (or \$17.07 per cubic yard).

I've added the other costs and values which are direct expenses any developer would have to spend to accomplish the same engineering job. See attached schedule. The numbers in the green shaded lines are direct costs. These items are engineering, legal costs, general conditions and the cost of perfecting development rights, ingress/egress and an adjustment factor for the parcels not being located on a major roadway.

If the value of the unimproved land is:	\$1,434,780
Less adjusted value for location, less 25%: A	\$1,076,159
Less cost to fill, owner's development rights and other costs: B	\$2,775,571
A less B	-\$1,699,412
The adjusted land value of Hawk's Bluff 1.74 acres is therefore:	-\$1,699,412

Paul Lepine, CCIM

2/1/2018

Southwest Broward Theaters Holdings, Ltd.
Total Estimated Cost for land improvement
Cut and Fill 1.74 acres of Bottom Land.

Architectural and MEP		\$38,000			
Estimated Value of SBTH Development Rights		\$500,000			
Add parking land and improvements		\$1,365,000	300	\$3,000	\$465,000
Civil Engineering		\$89,000			
Import Clean Fill		\$600,000	64,589	CY	1.5
Site Prepatation		\$91,377			
Excavation of lake area		\$234,000			
Fill and compact 1.74 acres		\$1,162,606	\$12	CY	
Underground Unutilites		\$162,975			
Paving, curbs and walks		\$35,000			
Project Staff		\$59,840			
Project Development		\$15,000			
Labor		\$40,944			
Sub Total		\$4,393,742			
Overhead	5.00%	\$219,687.10			
Contractor Profit	3.00%	\$131,812.26			
Sub Total		\$351,499.36			
MCC Contigency	5.00%	\$219,687.10			
MCC Peformance Bond					
General Liability Insurance	1.25%	\$54,921.78			
Sub Total		\$54,921.78			
Total Estimated Construction		\$4,800,163.14			

A. Z MILLER

	\$	N	\$	Land cost	CY	PL
Architectural and MEP	\$38,000					
Estimated Value, Cost of SBTH Development Rights	\$500,000					PL
Add parking land and improvements	\$1,412,500	379	\$2,500	\$465,000		PL
Civil Engineering	\$89,000					MCC
Import Clean Fill	\$142,500	15,000	\$9.50			MCC
Site Preparation	\$91,377					MCC
Excavation of lake area	\$234,000					MCC
Fill and compact 1.74 acres (Ryan)	\$1,400,000	\$17.07			82,000	Ryan
Underground Utilities	\$162,975					MCC
Paving, curbs and walks	\$65,000					MCC
Project Staff	\$59,840					MCC
Project Development	\$15,000					MCC
Labor	\$40,944					MCC
Sub Total	\$4,251,136					
Overhead	5.00%		\$212,556.80			MCC
Contractor Profit	3.00%		\$127,534.08			MCC
Sub Total	\$340,090.88					
MCC Contingency	5.00%		\$212,556.80			MCC
MCC Performance Bond						
General Liability Insurance	1.25%		\$53,139.20			MCC
Sub Total	\$265,696.00					
Total Estimated Construction	\$4,856,922.88					PSF
Total calculation for value adjustment	\$2,775,570.88					\$64.08
	\$1,375,570.88					18.149

P.J.'S Land Clearing & Excavating, Inc.

P.O. Box 540517
 Greenacres, Fl. 33454
 (561)740-9938 Office
 (561)740-9981 Fax

PROPOSAL

Date	Proposal No.
9/15/2017	2132

Name/address
Capital Construction 90 SW 5th Crt Pompano Beach Fl. 33060

Job Address
I75 and Sheridan St

Description	Rate	Per	Qty	Total
Bringing in fill	11.00	CY	110,000	1,210,000.00
1/3 of the total contract amount is due upon mobilization onto project site.				
Thank you for your business.			Total	\$1,210,000.00
There will be a 1.5% finance charge after 30 days of invoicing for project if proposal is granted.				

Signature _____
 P.J's Land Clearing & Excavating, Inc.

Client Signature _____

Improving Communities. Creating Environments.

From: Joe Burke [mailto:JBurke@ryanfl.com]
Sent: Thursday, February 15, 2018 1:55 PM
To: Dylan Larson
Cc: William Schipske; 16-00093 Cinemark At Davie
Subject: RE: cinemark

Hey Dylan,
I was out of the office most of the day yesterday and am just seeing your email. My apologies. I would be available later this afternoon and could give you a call. Does that work for you guys?
Sincerely,
Joe

Joseph M. Burke
The Ryan Companies
1700 South Powerline Road, Suite H
Deerfield Beach, FL 33442
Phone: (954) 427-5599
Fax: (954) 427-5504
Mobile: (954) 410-0024



Building tomorrow's infrastructure since 1884

From: Dylan Larson [mailto:DLarson@millerlegg.com]
Sent: Wednesday, February 14, 2018 8:25 AM
To: Dylan Larson <DLarson@millerlegg.com>; Joe Burke <JBurke@ryanfl.com>
Cc: William Schipske <WSchipske@millerlegg.com>; 16-00093 Cinemark At Davie <16-00093@millerlegg.com>
Subject: RE: cinemark

Joe – following up. Give us a call today if you can please
Thanks

From: Dylan Larson
Sent: Friday, February 9, 2018 2:29 PM
To: Joe Burke (jburke@ryanfl.com)
Cc: William Schipske; 16-00093 Cinemark At Davie
Subject: cinemark

Joe – can you give Bill or I call on this. Wanted to follow up on your revisions. Thanks.

Dylan Larson
Vice President



Improving Communities. Creating Environments.

FW: Cinemark

William Schipske <WSchipske@millerlegg.com>

Fri 2/16/2018 6:05 PM

To: Paul Lepine CCIM <jpmccrory@msn.com>;

Cc: 16-00093 Cinemark At Davie <16-00093@millerlegg.com>; Dylan Larson <DLarson@millerlegg.com>; Nectaria Chakas <NChakas@lochrielaw.com>; Joe Burke <JBurke@ryanfl.com>;

1 attachments (274 KB)

schipske 2.pdf;

Paul,

Joe Burke from Ryan (Kevin's info source) has been kind enough to review the preliminary project info and the soil borings. He's determined that the most cost effective way to fill the proposed lake areas is from off-site borrow material. His reasoning is the cost of mobilization and demobilization of the required equipment would be too prohibitive for the size of this earthwork project. He considers the soil strata's at the depth of excavation too hard, as evidenced from the blow counts from the soil borings, to make on-site excavation worthwhile.

Joe has calculated costs based upon truck yardage and a minor amount of on-site excavating in the expansion area. Joe, in estimating, uses a 50% compaction (fluff) factor when working with truck yardage.

Required in-place fill required = 83,966 cy / 1.3 (30% compaction factor) = 64,589 cy say 65,600cy

Fill required = 64,600 cy x 1.5 = 96,884 cy say 97,000 cy

Anticipated fill from on-site excavation of the lake expansion areas = 15,000cy

On-site excavate, place and slope = 15,000 cy x \$ 9.50/cy = \$142,500 (Kevin won't allow this item as part of the cost evaluation)

Required Truck yards = 97,000-15,000 = 82,000 cy

Cost of truck yards = \$11.00/cy

Placement and sloped = \$2.50/cy

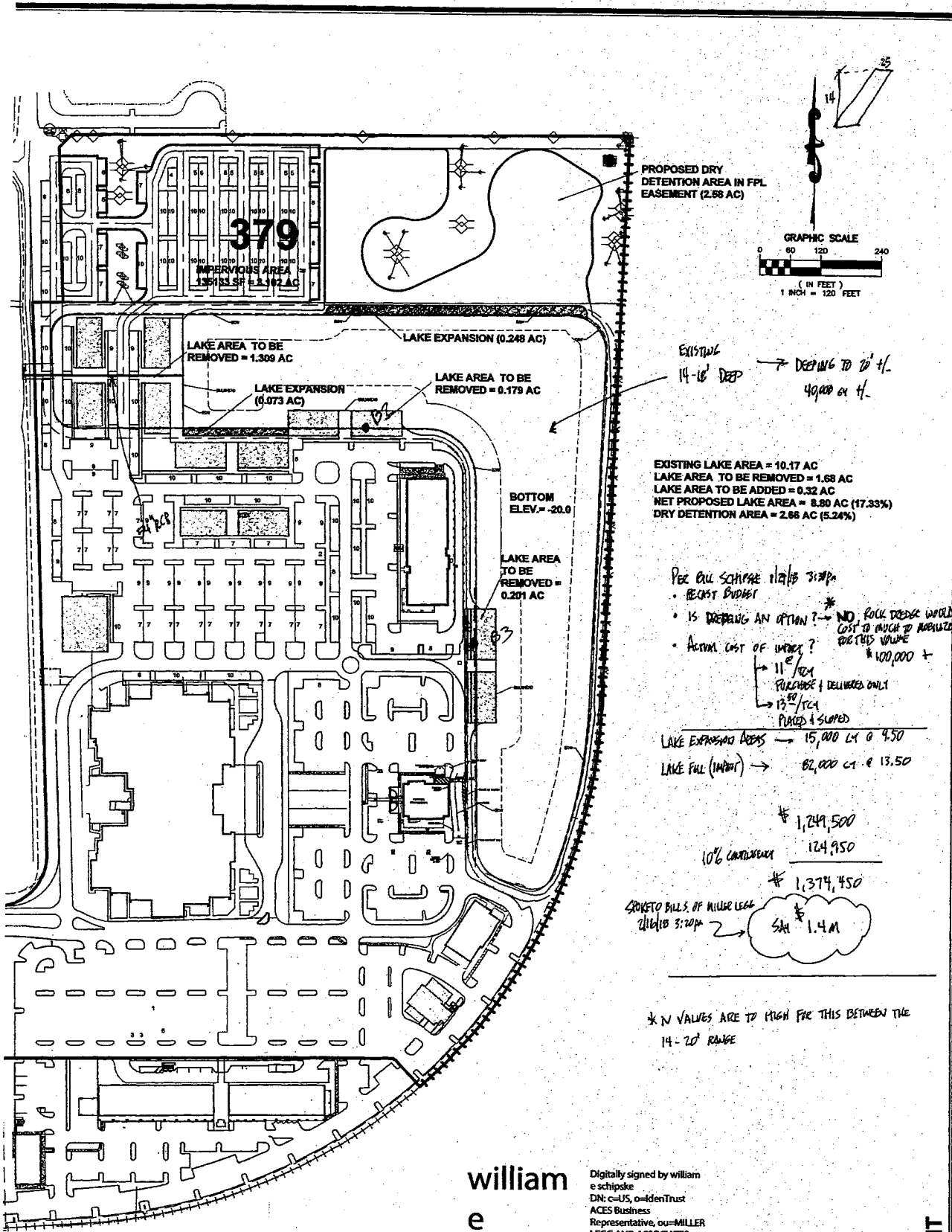
SubTotal = 82,000 cy x \$13.50/ cy = \$1,107,000

Add 10% contingency = \$ 110,700

Total \$1,217,700

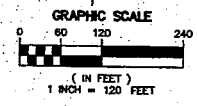
Let me know if you need anything else or further clarification

Bill



NO.	DATE	REVISIONS

PROPOSED DRY DETENTION AREA IN FPL EASEMENT (2.68 AC)



EXISTING 14'-16" DEEP → DEEPEN TO 20' ± 4'-4900 cu ft.

EXISTING LAKE AREA = 10.17 AC
 LAKE AREA TO BE REMOVED = 1.68 AC
 LAKE AREA TO BE ADDED = 0.32 AC
 NET PROPOSED LAKE AREA = 8.80 AC (17.33%)
 DRY DETENTION AREA = 2.66 AC (5.24%)

PER BILL SCHIPKE 11/21/17 3:20pm
 • BEST BUDGET
 • IS DEEPENING AN OPTION? → NO, ROCK DEBRIS WOULD COST TO MUCH TO REMOVE
 • Actual cost of water? → THIS VALUE \$100,000 +

→ 11¢/CY PURCHASE + DELIVERED ONLY
 → 13¢/CY PLACED + SLOPED
 LAKE EXPANSION PIPES → 15,000 CY @ 4.50
 LAKE FILL (IMPORT) → 82,000 CY @ 13.50

\$ 1,249,500

10% CONTINGENCY 124,950

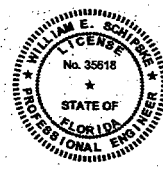
\$ 1,374,450

SKETCHED BILLS OF MATERIAL 11/21/17 3:20pm → \$1.4M

* N VALVES ARE TO HIGH FOR THIS BETWEEN THE 14'-20' RANGE

william
e
schipsk
e

Digitally signed by william e schipke
 DN: c=US, o=idenTrust ACES Business Representative, ou=MILLER LEGG AND ASSOCIATES, cn=william e schipke, 0.9.2342.19200300.100.1.1=A01098000001580750861 B000133AE
 Date: 2017.10.12 18:01:46 -0400



This item has been electronically signed and sealed by WILLIAM E. SCHIPKE, P.E. on 10/12/2017 using a Digital Signature.
 Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

WILLIAM E. SCHIPKE, P.E.
35618 10/12/2017

SOUTHWEST BROWARD THEATERS HOLDINGS, LTD
 TOWN OF DAVIE, BROWARD COUNTY, FLORIDA

MILLER LEGG
 South Florida Office: 2127 N. Andrews Way
 Ft. Lauderdale, Florida 33309-2284
 954-498-7000 • Fax: 954-498-8864
 www.millerlegg.com

CERTIFICATE OF AUTHORIZATION		
EB7318 1B6680 L03357		
DES.	WES	CHK.
DRAWN		
PROJECT / FILE NO.		
16-00093		
DRAWING NO.		
DATE CHANG.		
10-12-17		

CUT/FILL EXHIBIT

MEMORANDUM

DATE: April 19, 2018
TO: South Broward Drainage District Commissioners
FROM: Kevin M. Hart, P.E.
District Director
Subject: Request to Establish a SBDD Audit Committee for the Selection of an Accounting Firm to Perform SBDD's Annual Financial Audit

Comments:

SBDD's current contract for annual Financial Auditing Services has expired. Therefore, SBDD will be advertising for "Request for Proposals for Annual Financial Services" (RFP) in accordance with Section 218.391, Florida Statutes and SBDD Resolution No. 2012-07.

Section 218.391(2), F.S requires that the governing body establish an audit committee to assist the District in selecting an auditor to conduct the annual financial audit. SBDD passed Resolution No. 2012-07 and followed these same procedures back in 2012 when the District last selected its accounting firm to provide annual auditing services. The audit committee that was established in 2012 consisted of the SBDD Board Treasurer, SBDD District Director, and SBDD's in-house bookkeeper/administrative coordinator.

A copy of the draft RFP for 2018 is attached. Upon the appointment of the audit committee, the committee will review and adopt the criteria for the selection of the accounting firm; advertise for the RFP; review and rank the RFP submittals; and submit a recommendation the Board for the approval and selection of the highest ranked firm. It is anticipated that compensation will be one of the factors in the evaluation of the firms, as was the case in the 2012 selection process.

Financial Impacts to this Agenda item: There are no financial impacts to this agenda item. All costs associated with the advertisement and selection process for an accounting firm to provide annual financial auditing services will be funding under the District current Operating Budget; and the cost for future professional accounting/auditing services will included in District's annual budget.

This is to request the appointment of an audit committee to assist the District in selecting an auditor to conduct the District's annual financial audit.

KH
Attachments

Select Year:

The 2017 Florida Statutes

Title XIV
TAXATION AND
FINANCE

Chapter 218
FINANCIAL MATTERS PERTAINING TO POLITICAL
SUBDIVISIONS

[View Entire
Chapter](#)

218.391 Auditor selection procedures.—

(1) Each local governmental entity, district school board, charter school, or charter technical career center, prior to entering into a written contract pursuant to subsection (7), except as provided in subsection (8), shall use auditor selection procedures when selecting an auditor to conduct the annual financial audit required in s. 218.39.

(2) The governing body of a charter county, municipality, special district, district school board, charter school, or charter technical career center shall establish an audit committee. Each noncharter county shall establish an audit committee that, at a minimum, shall consist of each of the county officers elected pursuant to s. 1(d), Art. VIII of the State Constitution, or a designee, and one member of the board of county commissioners or its designee. The primary purpose of the audit committee is to assist the governing body in selecting an auditor to conduct the annual financial audit required in s. 218.39; however, the audit committee may serve other audit oversight purposes as determined by the entity's governing body. The public shall not be excluded from the proceedings under this section.

(3) The audit committee shall:

(a) Establish factors to use for the evaluation of audit services to be provided by a certified public accounting firm duly licensed under chapter 473 and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy. Such factors shall include, but are not limited to, ability of personnel, experience, ability to furnish the required services, and such other factors as may be determined by the committee to be applicable to its particular requirements.

(b) Publicly announce requests for proposals. Public announcements must include, at a minimum, a brief description of the audit and indicate how interested firms can apply for consideration.

(c) Provide interested firms with a request for proposal. The request for proposal shall include information on how proposals are to be evaluated and such other information the committee determines is necessary for the firm to prepare a proposal.

(d) Evaluate proposals provided by qualified firms. If compensation is one of the factors established pursuant to paragraph (a), it shall not be the sole or predominant factor used to evaluate proposals.

(e) Rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the factors established pursuant to paragraph (a). If fewer than three firms respond to the request for proposal, the committee shall recommend such firms as it deems to be the most highly qualified.

(4) The governing body shall inquire of qualified firms as to the basis of compensation, select one of the firms recommended by the audit committee, and negotiate a contract, using one of the following methods:

(a) If compensation is not one of the factors established pursuant to paragraph (3)(a) and not used to evaluate firms pursuant to paragraph (3)(e), the governing body shall negotiate a contract with the firm ranked first. If the governing body is unable to negotiate a satisfactory contract with that firm, negotiations with that firm shall be formally terminated, and the governing body shall then undertake negotiations with the second-ranked firm. Failing accord with the second-ranked firm, negotiations shall then be terminated with that firm and undertaken with the third-ranked firm. Negotiations with the other ranked firms shall be undertaken in the same manner. The

governing body, in negotiating with firms, may reopen formal negotiations with any one of the three top-ranked firms, but it may not negotiate with more than one firm at a time.

(b) If compensation is one of the factors established pursuant to paragraph (3)(a) and used in the evaluation of proposals pursuant to paragraph (3)(d), the governing body shall select the highest-ranked qualified firm or must document in its public records the reason for not selecting the highest-ranked qualified firm.

(c) The governing body may select a firm recommended by the audit committee and negotiate a contract with one of the recommended firms using an appropriate alternative negotiation method for which compensation is not the sole or predominant factor used to select the firm.

(d) In negotiations with firms under this section, the governing body may allow a designee to conduct negotiations on its behalf.

(5) The method used by the governing body to select a firm recommended by the audit committee and negotiate a contract with such firm must ensure that the agreed-upon compensation is reasonable to satisfy the requirements of s. [218.39](#) and the needs of the governing body.

(6) If the governing body is unable to negotiate a satisfactory contract with any of the recommended firms, the committee shall recommend additional firms, and negotiations shall continue in accordance with this section until an agreement is reached.

(7) Every procurement of audit services shall be evidenced by a written contract embodying all provisions and conditions of the procurement of such services. For purposes of this section, an engagement letter signed and executed by both parties shall constitute a written contract. The written contract shall, at a minimum, include the following:

(a) A provision specifying the services to be provided and fees or other compensation for such services.

(b) A provision requiring that invoices for fees or other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the contract.

(c) A provision specifying the contract period, including renewals, and conditions under which the contract may be terminated or renewed.

(8) Written contracts entered into pursuant to subsection (7) may be renewed. Such renewals may be done without the use of the auditor selection procedures provided in this section. Renewal of a contract shall be in writing.

History.—s. 65, ch. 2001-266; s. 1, ch. 2005-32.

**SOUTH BROWARD DRAINAGE DISTRICT
RESOLUTION N° 2012-07**

RESOLUTION OF THE SOUTH BROWARD DRAINAGE DISTRICT ESTABLISHING, APPROVING AND ADOPTING PROCEDURES FOR EVALUATING AND SELECTING A QUALIFIED ACCOUNTING FIRM FOR PROVIDING ANNUAL FINANCIAL AUDITING SERVICES IN ACCORDANCE WITH FLORIDA STATUTES SECTION 218.391; 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 and water management within its geographical boundaries; and

WHEREAS, the District is an independent special district; and

WHEREAS, the District's annual revenues and the District's total of expenditures and expenses both exceed \$100,000; and

WHEREAS, Section 218.39 Florida Statutes requires any special district with revenues or the total of expenditures and expenses in excess of \$100,000, as reported on the fund financial statements to have an annual financial audit of its accounts and records completed within 9 months after the end of its fiscal year by an independent certified public accountant retained by it and paid by its public funds; and

WHEREAS, the District's Board of Commissioners (Board) have determined that the District should issue a Request for Proposals for selecting an independent certified public accountant to perform the District's annual financial audit; and

WHEREAS, Florida Statutes Section 218.391 outlines Auditor Selection Procedures; and

WHEREAS, the Board has determined that the following procedures shall be followed in selecting a qualified independent certified public accountant to perform the District's annual financial audit, and that such procedures shall be in accordance with Florida Statutes Section 218.391:

1. The Board shall establish and appoint an Audit Committee, comprised of a designated Board Commissioner, the District Director and one other person to assist the Board in selecting an auditor to conduct the annual financial audit.
2. The Audit Committee shall establish factors for the evaluation of audit services to be provided by a certified public accounting firm duly licensed under Florida Statutes Chapter 473 and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy. Such factors shall include, but are not limited to, ability of personnel, experience, ability to furnish the required services, and such other factors as may be determined by the audit committee to be applicable to its particular requirements.
3. The Audit Committee shall publicly announce in a local daily newspaper on at least 2 separate days, seven (7) days apart, the last day which shall be at least 10 days prior to the date the proposals are due, the Request for Proposals. Public announcements must include, at a minimum, a brief description of the audit and indicate how interested firms can apply for consideration. The Request for Proposals shall also be included on the District's internet web site.
4. The Audit Committee shall provide interested firms with a copy of the Request for Proposals. The Request for Proposals shall include information on how proposals are to be evaluated and such other information the audit committee determines is necessary for the firm to prepare a proposal.
5. The Audit Committee shall evaluate the proposals provided by qualified firms. If compensation is one of the factors established pursuant to paragraph 2 above, it shall not be the sole or predominant factor used to evaluate proposals.

6. The Audit Committee shall rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the factors established pursuant to paragraph 2 above. If fewer than three firms respond to the Request for Proposals, the Audit Committee shall recommend such firms as it deems to be the most highly qualified. The Audit Committee may elect to interview up to five firms in order to rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services.
7. The Board will interview the recommended firms, shall inquire as to the basis of compensation, and shall select one of the firms recommended by the audit committee, and negotiate a contract, using one of the following methods:
 - a. If compensation is not one of the factors established pursuant to paragraph 2 above and not used to evaluate firms pursuant to paragraph 6 above, the Board shall negotiate a contract with the firm ranked first. If the Board is unable to negotiate a satisfactory contract with that firm, negotiations with that firm shall be formally terminated, and the Board shall then undertake negotiations with the second-ranked firm. Failing accord with the second-ranked firm, negotiations shall then be terminated with that firm and undertaken with the third-ranked firm. Negotiations with the other ranked firms shall be undertaken in the same manner. The Board, in negotiating with firms, may reopen formal negotiations with any one of the three top-ranked firms, but it may not negotiate with more than one firm at a time.
 - b. If compensation is one of the factors established pursuant to paragraph 2 above and used in the evaluation of proposals pursuant



to paragraph 5 above, the Board shall select the highest-ranked qualified firm or must document in its public records the reason for not selecting the highest-ranked qualified firm.

c. The Board may select a firm recommended by the audit committee and negotiate a contract with one of the recommended firms using an appropriate alternative negotiation method for which compensation is not the sole or predominant factor used to select the firm.

d. In negotiations with firms under this Florida Statutes, Section 218.391, the Board may allow the District Director to conduct negotiations on its behalf.

8. The method used by the Board to select a firm recommended by the audit committee and negotiate a contract with such firm must ensure that the agreed-upon compensation is reasonable to satisfy the requirements of Florida Statutes Section 218.39 and the needs of the governing body.

9. If the Board is unable to negotiate a satisfactory contract with any of the recommended firms, the audit committee shall recommend additional firms, and negotiations shall continue in accordance with this Florida statute Section 218.391 until an agreement is reached.

; and

WHEREAS, a public hearing was held at 8:00 A.M. on Thursday, June 28, 2012 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 the procedures for evaluating and selecting a qualified, independent certified public accountant to perform the District's annual financial audit; and

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

1. The foregoing statements are incorporated herein in their entirety as if fully



stated herein.

2. The procedures for evaluating and selecting a qualified, independent certified public accountant to perform the District's annual financial audit shall be in accordance with Florida Statutes Section 218.391 and with the procedures contained within this Resolution.

3. If one or more of the covenants, agreements or provisions of this Resolution, or the procedures contained herein, 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, or procedures contained herein.

4. 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 the _____ day of _____, 2012.

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° 2012-07 was acknowledged before me this ____ day of _____, 2012 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 _____, 2012.

(NOTARY SEAL OR STAMP)

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Notary Public - State of Florida at Large

THE FOREGOING PROCEDURES FOR EVALUATING AND SELECTING AN ACCOUNTING FIRM TO PREPARE THE DISTRICT'S ANNUAL FINANCIAL REPORT WERE APPROVED AND ADOPTED BY SOUTH BROWARD DRAINAGE DISTRICT RESOLUTION NO. 2012-07 ON THE 28TH DAY OF JUNE, 2012.

**SOUTH BROWARD DRAINAGE DISTRICT (SBDD)
REQUEST FOR PROPOSALS FOR ANNUAL FINANCIAL AUDITING SERVICES**

SBDD is accepting proposals for Annual Financial Auditing Services. Sealed proposals must be received by **3:00 P.M. Thursday, July 5, 2018**, in the SBDD Headquarters, 6591 SW 160th Avenue, SW Ranches, FL 33331. Proposals will be opened in the SBDD Board Room at 3:15 P.M.

All sealed proposals that are timely received will be publicly opened. Proposals received after the cut-off date and time will not be considered.

The SBDD Audit Committee will review the proposals and rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services on Wednesday, July 11, 2018 at 9:00 A.M. and may then interview those firms on Tuesday, July 17, 2018 at 9:00 A.M. If fewer than three firms respond to the Request for Proposals, the committee shall recommend such firms as it deems to be the most highly qualified. On Thursday, July 26th at 8:00 A.M. the SBDD Board of Commissioners will select one of the recommended firms. All meetings will be held at SBDD Headquarters and will be open to the public.

SCOPE OF SERVICES: SBDD is soliciting the services of an independent certified public accounting firm to provide annual independent financial auditing services to the SBDD for a period of up to five (5) years beginning with an audit of the financial statements of the SBDD for its fiscal year ending September 30, 2018.

The Request for Proposals packet is available for pick-up at SBDD Headquarters. Questions should be submitted in writing to SBDD Headquarters, Attn: Kevin Hart or via e-mail at kevin@sbdd.org.

SBDD reserves the right to reject any or all proposals, to waive informalities, and to readvertise.

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a Bid on a Contract to provide any goods or services to a public entity, may not submit a Bid on a Contract with a public entity for the construction or repair of a public building or public work, may not be awarded or perform Work as a Contractor, Supplier, Subcontractor, or Consultant under a Contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

BY _____

Kevin Hart, P.E., Director
South Broward Drainage District

SOUTH BROWARD DRAINAGE DISTRICT
BOARD OF COMMISSIONERS
REQUEST FOR PROPOSALS – ANNUAL FINANCIAL AUDITING SERVICES

South Broward Drainage District (“SBDD”) is requesting qualification proposals from certified public accounting firms duly licensed under Chapter 473, Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy to audit its financial statements for its fiscal years ending September 30, 2017, 2018, 2019, 2020, and 2021. These audits are to be performed in accordance with generally accepted auditing standards including the following:

- A. Section 218.39, Florida Statutes
- B. Rules of the Florida Department of Financial Services
- C. Rules of the Florida Auditor General (Chapter 10.550, Local Government Entity Audits)
- D. AICPA Audit and Accounting Guide - Audits of State and Local Governmental Units
- E. Federal and Florida Single Audit Acts (if applicable)
- F. *Government Auditing Standards* issued by the Comptroller General of the United States
- G. Circular No. A-133, Executive Office of the President, Office of Management and Budget, Washington D.C. (if applicable)

I. General Information

- 1) Written questions regarding the Request for Proposals (RFP) are to be addressed to:

Kevin Hart, Director
South Broward Drainage District
6591 SW 160 Avenue
Southwest Ranches, FL 33331
Telephone: (954) 680-3337, Extension 206
Fax: (954) 680-3339
Email: Kevin@sbdd.org

Each firm should carefully examine the RFP, including the RFP Packet, and may make a written request to SBDD’s Director for interpretations or corrections of any ambiguity, inconsistency or error. Only written responses issued by the Director should be relied upon, and reasonable efforts will be made to distribute all written responses issued by the Director to everyone who obtains a RFP Packet from SBDD.

- 2) All responses to this RFP must be delivered to the above address no later than 3:00 p.m. E.S.T. on July 5, 2018. Ten signed copies of the proposal shall be submitted in one sealed package, clearly marked on the outside "Proposal for SBDD Annual Financial Auditing Services." Qualifications must be typed or printed in ink. A single disc pdf file of the entire transmittal should also be included with the Qualifications Package. Any responses received after the deadline will be returned to the proposer unopened. All costs incurred by the responding firms in preparing proposals in response to this request will not be reimbursed by SBDD.
- 3) SBDD reserves the right to reject any and all proposals submitted and to request additional information from the proposers. At the discretion of the SBDD Audit Committee, firms submitting proposals may be requested to make oral presentations to the SBDD Audit Committee as part of the evaluation process.
- 4) SBDD reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in this RFP, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between SBDD and the firm selected.
- 5) Firms submitting proposals may subcontract portions of the engagement. If this is to be done, the name of the proposed subcontracting firms must be clearly identified in the proposal. Following the award of the audit contract, no additional subcontracting will be allowed without the express prior written consent of the SBDD Board of Commissioners.
- 6) The SBDD Audit Committee will recommend and rank in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services to the Board. The Board may interview the ranked firms and shall select one of the firms recommended by the SBDD Audit Committee and negotiate a contract with the firm in accordance with Section 218.391, Florida Statutes. It is anticipated that the Board will enter into a one year contract starting with the fiscal year beginning October 1, 2018 and ending September 30, 2019 and the contract will include an option to extend the contract for four (4) additional one (1) year periods through September 30, 2023.
- 7) If the Board is unable to negotiate a satisfactory contract with any of the recommended firms, the SBDD Audit Committee will recommend additional firms, and negotiations will continue in accordance with Section 218.391, Florida Statutes, until an agreement is reached.
- 8) Anticipated RFP Calendar:

June 4, 2018

RFP to be advertised.

June 11, 2018	RFP to be advertised.
July 5, 2018	Responses to RFP due by 3:00 p.m E.S.T.
July 11, 2018	SBDD Audit Committee meeting to recommend and rank firms. Meeting will be held in SBDD's Board Room at 9:00 a.m.
July 17, 2018	SBDD Audit Committee to meet at 9:00 a.m. to listen to oral presentations and interview firms, if applicable. Develop final list of ranked firms. Thereafter, the SBDD Audit Committee recommendations will be submitted for the Board's consideration at the August 24, 2017 Board meeting.
July 26, 2018	Board of Commissioners will interview ranked firms and shall select one of the firms.
August 30, 2018	Board to approve contract for annual financial auditing services.

9) Audits for the last ten fiscal years were completed by Margolies, Fink and Wichrowski, P.A.

10) SBDD does not have an internal audit department.

11) The audit fees for the past five fiscal years are as follows:

- a. 2013 - \$24,250
- b. 2014 - \$24,500
- c. 2015 - \$24,750
- d. 2016 - \$25,000
- e. 2017 - \$22,500

12) There have been no Federal or State single audits performed in the prior five years. The proposed fees should not include a Federal or State audit. If a Federal or State audit becomes necessary, a separate fee for that additional service will be negotiated at that time.

13) A copy of the SBDD Audited Financial statements for the Fiscal Year ending 9/30/2017 and Management Letter are included as an Appendix to this RFP Package. In addition, a copy of the SBDD Audited Financial statements for the Fiscal Year ending 9/30/2017 can be viewed on the District's web page at www.sbdd.org.

14) The fiscal year for SBDD runs from October 1st to September 30th.

15) All requirements and conditions set forth in this RFP shall be incorporated into the contract between SBDD and the selected firm unless otherwise specified in the contract.

II. Description of South Broward Drainage District and Records to be Audited

- 1) SBDD is located in the southwestern corner of Broward County and encompasses approximately 73 square miles. SBDD is an independent special district originally created by the Florida Legislature in 1927 as the Hollywood Reclamation District (Chapter 12049, Laws of Florida). The original Hollywood Reclamation District was abolished in 1967 and the new Hollywood Reclamation District was created in 1967 by Chapter 67-904, Laws of Florida. In 1986, the name of the District was changed to South Broward Drainage District by Chapter 86-362, Laws of Florida. In 1998, the SBDD's charter and all amendments thereto were repealed and along with minor revisions were included in a codification of the SBDD's Charter approved by Florida Legislature by Chapter 98-524, Laws of Florida. SBDD has powers primarily in the areas of stormwater management and flood control. Its powers include the right to borrow money and issue bonds or other evidence of indebtedness, assess and impose upon the lands in SBDD annual drainage, water management, administrative, operation and maintenance taxes, and SBDD has the ability to install and foreclose special assessment liens.
- 2) For reporting purposes, the Annual Financial Report (Audited Financial Statements) will include the General Fund and Capital Project Fund. SBDD has no component units.
- 3) Accounting records for the Board include the general fund, 1 capital projects fund and 1 fiduciary fund. The FY 2017-2018 total budget is approximately \$3.8 million dollars.
- 4) As of the date of this proposal, SBDD has no bond issues, no loans, and no line of credit outstanding.
- 5) SBDD's main source of revenue consists of non-ad valorem tax assessments. These assessments are collected by the Broward County Revenue Collector together with all other governmental entity's non-ad valorem assessments and ad valorem taxes. Parcels within SBDD are taxed based upon their applicable Property Designation. SBDD's adopted budget for FY 2017-2018 included revenue generated from seven (7) unique non-ad valorem tax rates.
- 6) Fiscal year ending September 30, 2011 was the first year of its reporting under GASB Statement No. 54.
- 5) All accounting records are maintained on the modified accrual basis. The accounting records of SBDD are prepared in conformity with generally accepted accounting principles as applied to government units.

- 6) Budgets are integrated with the accounting records.
- 7) SBDD is progressive in its attitude toward new accounting standards. Early implementation is practiced when recommended.
- 8) SBDD is currently utilizing QuickBooks Pro (2015 edition) for maintaining its accounting records. SBDD uses an outside payroll vendor to prepare its monthly, quarterly and annual payroll filings.

III. Services Required

- 1) An audit and an opinion on the basic financial statements of SBDD. The auditor is not required to audit the Management's Discussion and Analysis.
- 2) The audit is to be done in accordance with the Rules of the Auditor General, Chapter 10.550; the Federal and Florida Single Audit Acts (if applicable); OMB Circular A-133 (if applicable); *Government Auditing Standards* issued by the Comptroller General of the United States; and the AICPA Auditing Standards.
- 3) Following completion of the audit for each fiscal year's financial statements, the auditor shall issue:
 - a. A report on the fair presentation of the financial statements in conformity with generally accepted accounting principles.
 - b. A report on compliance and on internal control over financial reporting, which will include any significant deficiencies or material weaknesses found during the audit (if applicable).
 - c. A report on bond compliance (if applicable).
 - d. Reports on compliance with specific requirements applicable to Federal awards and State financial assistance programs (if applicable).
 - e. The auditor shall communicate in a letter to management any significant deficiencies or material weaknesses found during the audit.
- 4) An Independent Auditors' Management Letter required by Chapter 10.550, Rules of the State of Florida Office of the Auditor General.
- 5) The auditor will prepare one electronic copy (required in pdf) and twenty bound copies of the Annual Financial Report for SBDD.

- 6) The auditor will provide assistance in providing guidance and implementing changes in governmental accounting standards.
- 7) Irregularities and illegal acts. Auditors shall be required to make an immediate, written report of all irregularities and/or illegal acts to the District Director, the Board of Commissioners and to SBDD's General Counsel.
- 8) The auditor shall submit a draft copy of the Annual Financial Report by no later than January 11, 2019 and shall be present at the District's January 31, 2019 Board meeting to present the draft report to the Board of Commissioners and to answer any questions.
- 9) The auditor shall submit the final copy of Annual Financial Report by no later than February 15, 2019 and shall be present at the District's February 28, 2019 Board meeting to present the final report to the Board of Commissioners and to answer any questions.

IV. Additional Professional Services

SBDD may request additional professional services during the term of the contract. The proposer shall, upon receipt of a written request from the District Director, perform such additional services. The proposer must be able to provide, at a minimum, the following services:

- 1) Extended audit services or special audits.
- 2) Miscellaneous accounting services.
- 3) If SBDD does issue debt, for which the official statement in connection with the debt contains basic financial statements and the report of independent auditors, the firm shall be required to issue a "consent and citation of expertise" as auditor and any necessary "comfort letters".

Such services will be billed according to the rates agreed upon as a result of the RFP. The total amount for additional services shall be separately negotiated at the time of the engagement for a not-to-exceed amount calculated in accordance with the rates of the awarded contract.

V. Qualifications of the Auditor

The RFP proposal must include the following information:

- 1) Experience of the firm with special districts within the last five years.
- 2) Information describing personnel with training and experience appropriate to the

nature of the project. The RFP shall include:

- a) The names and positions of each professional to be assigned to this audit, including familiarity with projects of a similar nature.
 - b) The estimated amount of involvement expressed as a percentage of time, of each of the staff members.
 - c) Willingness and ability to complete the project within the time and budget constraints, considering the firm's current and projected workload.
 - d) Resumes of those assigned to this audit reflecting academic training and employment in the applicable fields.
 - e) Evidence of possession of required licenses or business permits.
 - f) Evidence of any previous experience in projects of a similar nature-provide contact names and phone numbers along with project names and appropriate agency contacts.
- 3) Reference listing, including contact names and phone numbers.
 - 4) A list of all lawsuits in which the firm has been named as a defendant in the past five (5) calendar years.
 - 5) The firm must have been established in Florida and performed continuous CPA services for a minimum of five (5) years.
 - 6) The firm shall be a member of the American Institute of Certified Public Accountants and the Florida Institute of Certified Public Accountants.
 - 7) The firm shall indicate its approach to peer review and provide a report of the two most recent peer reviews. Indicate whether the peer reviews included a review of local government client activities.
 - 8) The firm shall indicate any disciplinary actions that have been instituted or proposed during the last five (5) calendar years against the firm or any of the firm's professionals assigned to the audit.
 - 9) The firm shall describe the results of any State or Federal reviews during the past three calendar years of the firm's governmental client audit work.
 - 10) Technological Expertise. Must demonstrate up-to-date administrative, spreadsheet (Excel) and database (Access) expertise as well as training and staff expertise with each type of software. Technological expertise may be tested or require verification satisfactory to SBDD.

VI. Information to be Included in the Proposal

- 1) Title page showing the RFP subject, the name of the firm, address, telephone number, the name of the contact person, and the date.
- 2) A table of contents providing a clear identification of the material by section and by page number.
- 3) A statement setting forth the proposer's understanding of the work to be done and a positive commitment to perform the work within the specified time period.
- 4) A statement as to whether the firm is local, regional, or national.
- 5) The location of the office from which the work is to be done and the number of personnel in that office who would be working on the audit.
- 6) An identification of the partners, managers and supervisors who will work on the audit, including staff from other than the local office if necessary for this audit. Resumes for each managerial and supervisory person to be assigned to the audit should be submitted and include the following information:
 - a. Formal education
 - b. Supplemental education relative to governmental accounting and auditing
 - c. Experience in public accounting in general
 - d. Experience in private business or government
 - e. Experience in auditing governmental units
 - f. Membership in various national and state governmental accounting boards, committees, or associations (past and present)
 - i. Professional recognition, such as Certified Public Accountant licenses, awards, etc.
- 7) A description of the proposer's experience in preparing governmental financial statements.
- 8) A listing of Florida counties, municipalities, and special districts for which the proposer is currently providing or within the last five years has provided audit services.
- 9) The proposal should set forth a work plan, including an explanation of the audit methodology to be followed in order to perform the services required in Section III of this RFP.

Proposers will be required to provide the following information on their audit approach:

- a. Proposed segmentation of the engagement scope.
- b. Level of staff and number of hours to be assigned to each proposed segment of the engagement.
- c. Sample size and the extent to which statistical sampling is to be used in the engagement.
- d. Type and extent of analytical procedures to be used in the engagement.
- f. Approach to be taken to gain and document an understanding of the internal control structure.
- g. Approach to be taken in determining laws and regulations that will be subject to audit work.
- h. Approach to be taken in drawing audit samples for purposes of tests of compliance (single audit procedures, if applicable).

10) Firm promotional material may be included as supplemental information.

11) A fee for providing auditing services during the first year of the Contract and estimates for each subsequent year up to a total of 5 years. Said fees shall include:

- Total All-Inclusive Maximum Price
- Lump Sum Price for professional auditing services
- Rates by Partner, Specialist, Supervisory and Staff Levels with Estimated Hours for Each Category
- Out-of-pocket Expenses and Reimbursement Rates (to be included in the Total All-inclusive Maximum Price)
- Rates for Additional Professional Services
- Manner of Payment

Said fees shall be provided in a separate, sealed envelope titled "Fee for SBDD Annual Financial Auditing Services". The sealed envelope will only be opened for those proposals that meet the Mandatory Elements noted in Section VIII.(A) and the minimum Technical Quality standard as established by the SBDD Audit Committee. Any sealed envelope that is not opened will be returned to the respective Proposer.

12) Insurance - Each response should contain a statement regarding the amount of the firm's general liability insurance and errors and omissions (i.e. professional) insurance.

13) Business Ethics - Disclose (i) any circumstance where conduct of your firm or that of its Principal's are being investigated by any legal or administrative agency; (ii) any adverse decision or settlement with any legal or administrative body; and (iii) identify any

substantive failure in the proper performance of any award or delivery on time of contracts of a similar nature as described above.

- 14) Firm Ethics - Disclose firm policies and procedures to prevent ethical violations. Discuss specific staff responsibilities and management commitment.
- 15) Other Disclosure - Applicants must answer the following question: "Has the firm ever been asked to resign, voluntarily resigned or withdrew from a project, contract or agreement within the past five (5) years? If so, where and why?"
- 16) Anti-Kickback Affidavit - The attached affidavit must be completed, signed and included in each applicant's submittal.
- 17) Non-Collusion Affidavit - The attached affidavit must be completed, signed and included in each applicant's submittal.

VII. Annual Financial Report

1) Calendar

August 30, 2018	SBDD Board approval of contract & engagement letter; audit procedures begin
September 30, 2019	Fiscal year end for SBDD
Oct – Dec, 2019	Review of SBDD financial records; completion of final trial balance for audit; and preparation of draft financial statements by auditor
January 11, 2019	Submit Draft Annual Financial Report to SBDD
January 31, 2019	Present Draft Annual Financial Report to SBDD Board
February 15, 2019	Submit Final Annual Financial Report to SBDD
February 28, 2019	Present Final Annual Financial Report to SBDD Board

2) Contents

Title Page

Introductory Section

Board of Commissioners

Financial Section

a) Independent Auditors' Report

- b) Management's Discussion and Analysis
- c) Basic Financial Statements
 - 1) Government-Wide Financial Statements
 - 2) Fund Financial Statements

Required Supplementary Information other than M,D&A (unaudited)

Budgetary Comparison Statement – General Fund

Other Reports Section

- a) Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

Management Letter Section

- a) Independent Auditors' Management letter Required by Chapter 10.550, rules of the State of Florida Office of the Auditor General

3) Support

- a) SBDD's Staff will perform the year-end closing of the books.
- b) SBDD's Staff will prepare the Management's Discussion and Analysis.
- c) SBDD's Staff will prepare the Annual Local Government Financial Report (Form DBF AA-401 and DBF AA-403) as required by the Florida Department of Banking and Finance.
- d) SBDD's Staff will prepare work schedules, notes and related materials as requested by the selected firm.
- e) SBDD's Staff will provide paid invoices, canceled checks and other supportive documentation as requested by the firm.

VIII. Evaluation Procedures

1. All responses will be reviewed by the Selection Committee.
2. The responses will be evaluated using three sets of criteria. Firms meeting the mandatory criteria will have their proposals evaluated and scored on technical qualifications. The following represent the principal criteria which will be considered during the evaluation process.

(A) Mandatory Elements – Qualifications and Experience

- (i) Whether the audit firm is independent and licensed under Chapter 473, Florida Statutes, to practice in Florida.
- (ii) Whether the firm has any conflicts of interest with regard to any

- other work performed by the firm for SBDD.
- (iii) Whether the firm adheres to the instructions in this RFP on preparing and submitting the proposal.
- (iv) Whether the firm submits a copy of its last external quality control review report and has a record of quality audit work.
- (v) Whether the RFP is submitted in proper form.

(B) Technical Quality:

- (i) General government audit experience
- (ii) Special district audit experience
- (iii) Qualifications of individuals assigned to audit
- (iv) Size and organization structure of firm
- (v) Demonstrated understanding of SBDD's requirements
- (vi) Audit approach
- (vii) Technological proficiency of individuals assigned to audit

(C) Compensation:

Compensation will be considered as an evaluation factor, but will not be the sole or predominant factor used to evaluate proposals. Compensation will only be considered for those proposals that meet the Mandatory Elements noted above and the minimum Technical Quality standard as established by the SBDD Audit Committee.

IX. Working Paper Retention and Access to Working Papers

All working papers and reports must be retained, at the auditor's expense, for a period of three (3) years after completion of any herein identified services unless the firm is notified in writing by SBDD of the need to extend the retention period. SBDD's management and their representatives shall be entitled at any time during the contract period to inspect and reproduce such documents as deemed necessary.

In addition, the firm shall respond to the reasonable inquiries of successor auditors and allow successor auditors to review working papers relating to matters of continuing accounting significance. As requests for copies of working papers are fulfilled, the auditors will be required to notify the District Director of the request, as appropriate.

ANTI-KICKBACK AFFIDAVIT

STATE OF FLORIDA)
) SS
COUNTY OF _____)

I, the undersigned, hereby duly sworn, depose and say that no money or contributions have or will be paid to any officer(s) or employee(s) of the South Broward Drainage District as a commission, kickback, reward of gift, directly or indirectly by me or any member of my firm or by an officer of the firm, as a result of or in connection with my Firm's submittal of its affixed submittal.

By: _____
Name – Signature

Print _____
Name

Title

Sworn and subscribed before me this _____ day of _____, 20__

NOTARY PUBLIC, State of Florida at Large

“OFFICIAL NOTARY STAMP”

THIS PAGE TO BE SUBMITTED ALONG WITH RESPONSE IN ORDER FOR PACKAGE TO BE CONSIDERED COMPLETE AND ACCEPTABLE.

NON-COLLUSION AFFIDAVIT

STATE OF FLORIDA)
) SS
COUNTY OF _____)

_____, being first duly sworn, deposes and says that:

- 1) He/She is _____ of _____, which
 (Title) (Name of Corporation or Firm)
has submitted the attached Qualifications Package;
- 2) He/She is fully informed respecting the preparation and contents of the attached Qualifications Package and of all pertinent circumstances respecting such submittal;
- 3) Said Qualifications Package is genuine and is not a collusive or sham Qualifications Package;
- 4) Further, the Firm nor any of the Firm’s officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly with any other qualifier, firm or person to submit a collusive or sham Qualifications Package in connection with providing the District with Auditing and Accounting Services for which the attached Qualifications Package has been submitted or to refrain from bidding in connection with such District Auditing and Accounting Services, or has in any manner, directly or indirectly, sought by agreement or collusion or communications or conference with any other qualifier, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the South Broward Drainage District.

By: _____
 Name – Signature

Print _____
 Name

 Title

Sworn and subscribed before me this _____ day of _____, 20__

NOTARY PUBLIC, State of Florida at Large

“OFFICIAL NOTARY STAMP”

**THIS PAGE TO BE SUBMITTED ALONG WITH RESPONSE IN ORDER FOR
PACKAGE TO BE CONSIDERED COMPLETE AND ACCEPTABLE.**

****MEMORANDUM****

DATE: April 19, 2018
TO: South Broward Drainage District Commissioners
FROM: Kevin M. Hart, P.E.
District Director
Subject: Open SBDD Commission Seat for Zone 6

Comments:

At the request of the Board, South Broward Drainage District placed an advertisement in the Sun-Sentinel notifying the public that there was a vacant SBDD Commission seat in Zone 6; and also put a similar notice on the District's webpage. Any person interested in being considered for an appointment to fill this open seat by the SBDD Board of Commissioners were asked to submit a Letter of Interest and qualifications to the District Director.

To date, the District has a Letters of Interest from the following individuals:

- Jack McCloskey
- Elwood "Woody" Fisher
- Mark O'Loughlin

A copy of the each person's qualifications is attached for the Board's information and use.

Financial Impacts to this Agenda item: There are no financial impacts to this agenda item.

KH
Attachments

**NOTICE OF SOUTH BROWARD DRAINAGE DISTRICT OF A VACANT
SEAT FOR THE ZONE 6 COMMISSIONER**

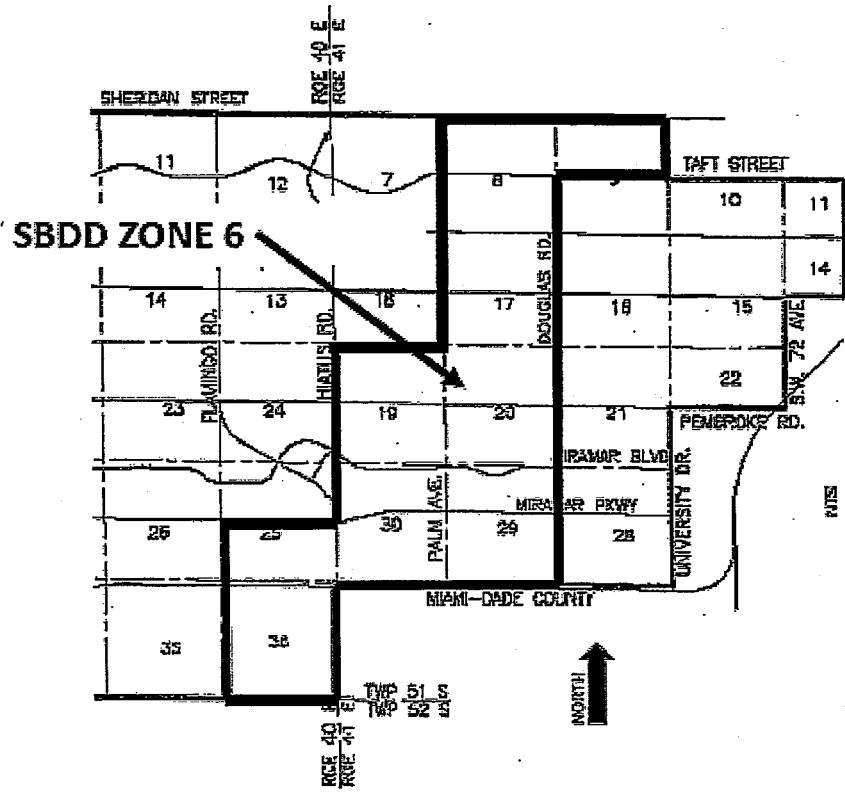
To: All Interested Qualified Persons:

The South Broward Drainage District Board of Commissioners (“Board”) hereby gives notice that the Commission Seat for Zone 6 of the District is vacant and that at the Board’s monthly meeting on Thursday, the 26th day of April, 2018 at approximately 8:15 am the Board will consider the appointment of a new Commissioner to represent Zone 6 until the Zone 6 Election of November 2020. See map below for location and boundaries of Zone 6.

Candidates for Zone 6 Commissioner must meet the following qualifications:

1. Continuously reside in Zone 6 of the District for a minimum of 60 days prior to qualifying for office and until inducted into office.
2. Be a qualified elector of the District (registered voter)
3. Be prepared to attend all Board Meetings at 6591 Dykes Road, Southwest Ranches, Florida which currently begin at 8:00 am, usually on the last Thursday of each month.

Interested persons should submit their qualifications to the District Director, Kevin Hart, on or before 3:00 pm on Wednesday, April 18, 2018. All questions should be directed to the District Director at 954-680-3337 or Kevin@SBDD.org.

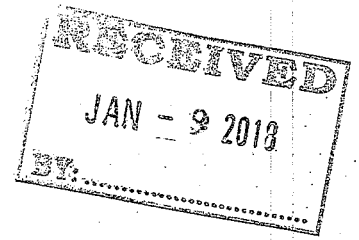


SOUTH BROWARD DRAINAGE DISTRICT

By: _____
 Scott Hodges, District Chairperson

By: _____
 Kevin Hart, P.E., CFM, District Director

January 5, 2018



Kevin Hart, District Director,
South Broward Drainage District,
6591 SW 160th Avenue,
Southwest Ranches, FL 33331

Dear Kevin,

Please forward this to each member of the Board of Commissioners of the District.

Since Tom Good is running for the City Commission in District 1 in the upcoming municipal election in Pembroke Pines to be held on March 13, 2018, I assume that he has submitted an irrevocable letter of resignation from the South Broward Drainage District board, effective that date. This of course, creates a vacancy on said board and since I live in the same zone (6) as Tom, I would like to be considered for appointment by the board to fill that vacancy. I am sure that most of the board members know my qualifications, in particular, that I served for eight years from 2000 until 2008 as a SBDD board member, the last couple as chair. I have enclosed a copy of my resume for those that may not be familiar with all of my qualifications.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Jack McCluskey".

Jack McCluskey,

2241 NW 82 Way,
Pembroke Pines, FL 33024-3528
mjackmcc@bellsouth.net
(954) 432-7370

enclosure: 1

Resume for Jack McCluskey (aka John F. McCluskey)

Personal:

Resident of Broward County since 1969 in Pasadena Lakes. Grew up in Dade (born in NYC moved to Dade from Philadelphia with family in 1945), married to Gloria for 59 years, three adult children (Scot, a retired Hallandale Beach Firefighter; Christopher, a FPL supervisor; Kevin, a retired Pembroke Pines police officer), 4 grandchildren, 1 great grandchild, present age: 80.

Education:

Florida Atlantic University, Masters Degree (Public Administration), 1997
Florida Atlantic University, Bachelors Degree (Political Science), 1993
Miami Dade Community College, Associates Degree (Liberal Arts), 1966

Employment:

Broward County (FL): Research Analyst (1999-2000) for the Broward County Management and Efficiency Study Committee.

Sun-Sentinel (Tribune Company): Various Management Positions (1974-1996) in Advertising, Production and Circulation Divisions.

Eckerd Drugs (Jack Eckerd Corporation): Advertising/Public Relations Manager for Monroe, Dade, Broward, Palm Beach and Martin Counties (1968-1974)

Miami News and Atlanta Journal and Constitution (Cox Newspapers): Department Manager (1954-1968) in Production Division.

Civic Activities:

Pembroke Pines City Historian: (2017-present)
Pembroke Pines Environmental Advisory Board: Member (2017-present)
Pembroke Pines Police and Fire Pension Board: Member (2013-present)
Pembroke Pines Planning & Zoning Board: Vice Chair/Member (1975-1978, 2012-2017)
Broward County Water Resources Task Force: Member (2008-2012)
Broward County Leaders Water Academy: Member (2011)
Pembroke Pines Voting Delegate: Broward League of Cities (1979, 2012)
Pembroke Pines/Chamber Streetscape Committee: Member (2005-2007)
Pembroke Pines Voting Delegate: Florida League of Cities (1979-1980)
Pembroke Pines Voting Delegate: National League of Cities (1979-1980, 2010)
Pembroke Pines Charter Review Board: Chairman and Member (1998-1999)
Pembroke Pines Board of Adjustment: Alternate Member (2001-2004)
Pembroke Pines Code Enforcement Board: Alternate Member and Member (2002-2007)
Pembroke Pines Disciplinary Action Board: Chairman and Member (2000-2003)
Pembroke Pines Citizens Crime Watch: Secretary (1982), Vice President (1983)
Pembroke Pines Building Permit Fee Committee: Member (1973-1974)
Pembroke Pines Jaycees: Charter Member (1970-1978), External Vice President (1974-1975), State Director (1975-1976)
Lakes Homeowners Association: Charter Member (1969-1985), Board of Trustees (1976-1982), President (1982-1985)

Elective Offices:

City of Pembroke Pines: City Commissioner and Vice Mayor (1978-1982, 2008-2012)
Broward League of Cities: Member, Board of Directors (1980-1982, 2008-2012)
South Broward Drainage District: Member, Secretary, Chairman (2000-2008)

Kevin Hart

From: goodt
Sent: Wednesday, March 28, 2018 5:07 PM
To: kevin@sbdd.org
Subject: Fwd: Letter of Interest

This was meant for you Levin. Thanks. Tom

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone

----- Original message -----

From: Woody Fisher <woodyfisher@gmail.com>
Date: 3/27/18 6:58 PM (GMT-05:00)
To: goodt@comcast.net
Subject: Letter of Interest

I would like to apply for appointment to the vacant position on the South Broward Drainage District.

Here is my background information:

I was born and raised in the Pennsylvania Dutch area of Pennsylvania, between Reading and Hershey Pa. I attended Harrisburg Area Community College and the Electronic Computer Programming Institute in Harrisburg Pa.

I started my computer career as a Computer Operator at Bethlehem Steel Corporation in Pa. in 1970. In 1972 I transferred into their Computer Programming Department. By 1978 I had advanced to the position of Senior Systems Analyst and was the Project Leader on the Bearings and Spare Parts Inventory System and the Cost Analysis System.

In January 1979 I went to work for Computer Horizons Corporation, a Computer Consulting Company headquartered in NYC. My first client was General Public Utilities, the company that owns the Three Mile Island Nuclear plant. When the nuclear accident happened in March 1979, GPU shelved all the new projects, froze their IT Budget and released all the consultants.

I was then transferred by Computer Horizons Corp to be their first Consultant and Lead Person for their expansion into the Tulsa market. My clients in Tulsa were BC/BS of Oklahoma, Bank of Oklahoma, The Williams Companies and Oral Roberts University.

By 1984 I started my own Consulting Business - Software Systems Services. My clients varied -
Pennsylvania Blue Shield in Camp Hill Pa
AT&T in Orlando FL
Cinn. Bell Info. Systems in Orlando
Orange County Government in Orlando
BC/BS of Florida in Jacksonville FL
Middle South Services (the Utility Company in New Orleans)
Miles Laboratories in Elkhart, Indiana

Cummins Engine Company in Charleston, S.C.
Burger King Corp in Miami FL
Norwegian Cruise Lines in Miami
and JM Family Enterprises in Deerfield, FL

I received my MCSE and A+ Certifications from the Microsoft Corporation before retiring in 2005.

I have been politically active at various levels since 1972. In 2007 my good friend Elaine Schwartz asked me to manage her political campaign for State Representative. After winning the election I was State Rep. Schwartz's Legislative Aide, performing mainly Constituent Services in the Hollywood Office, until finally retiring in Nov 2017.

My wife, Norma, and I moved into Hollybrook Golf and Tennis Condominiums in Pembroke Pines in 2005. Since moving to Hollybrook in April 2005, I have been very active within the community as Building Captain for Building 3, Chairman of the We Care Committee (delivering wheelchairs and walkers to residents as needed), and currently Chair of the Hollybrook Library and since December 2017 Phase 1 Director on the Hollybrook Board of Directors.

If I am so honored as to be appointed to serve on the South Broward Drainage District Board, I will give it my All to help make Broward County a great place to live!

Elwood "Woody" Fisher
9711 N Hollybrook Lake Dr #104
Pembroke Pines, Florida 33025
954-478-7586

Kevin Hart

From: Mark O'Loughlin
Sent: Tuesday, April 10, 2018 3:03 PM
To: Kevin Hart
Subject: Letter of Interest for Appointment to Drainage Board
Attachments: Zone 6 - Mark O'Loughlin.pdf

Mr. Hart:

It was a pleasure to speak with you last week regarding the upcoming appointment to fill the open seat for Zone 6 on the Board. As we discussed, I respectfully request to be considered for this position. Attached, please find my letter of interest as a candidate for appointment to the open seat.

As a resident of South Broward my entire life, I have great respect for the work the Drainage Board is doing, and believe my qualifications are well-suited to the position. Should you need any additional information or have any questions at all, please do not hesitate to ask.

Thank you,

Mark O'Loughlin

2030 NW 93 Ave.
Pembroke Pines, FL 33024
954.609.8100

Mark O'Loughlin
954-609-8100
2030 NW 93rd Ave. • Pembroke Pines, FL 33024

Kevin Hart
District Director
South Broward Drainage District
6591 Dykes Road
Southwest Ranches, FL 33331

Dear Mr. Hart,

Living in Florida is unlike any other place in the world and comes with a unique set of resource management issues, many of which the average resident rarely considers. And yet, water management and drainage is one area that impacts our day-to-day life more than many others.

That's why I am officially requesting to be considered for appointment to the vacant Commissioner seat for Zone 6 of the South Florida Drainage District.

With strong leadership experience in infrastructure management, my background is well-suited for this position. As the Vice Chair for the Broward Housing Authority Board of Commissioners, my team and I are working constantly to ensure appropriate asset management and promote long-term sustainable options for affordable housing. Additionally, for more than 5 years, I served on the Broward Schools Facilities Task Force, where we frequently faced tough decisions to support aging infrastructure in schools across the county. And as the current Vice Chair of the Economic Development Board for Pembroke Pines, I am working at the municipal level to ensure proper planning, regulations and infrastructure to foster an attractive business climate that promotes the long-term economic health for Pembroke Pines.

As a native South Floridian born right here in South Broward, I have witnessed the extreme weather conditions that can wreak havoc on management and planning for water and drainage, and I understand how these challenges are only intensified with ongoing population growth and building expansion. I have the utmost respect for the important work the Board of Commissioners is doing, and believe my expertise would serve the Commission well.

Please let me know what other information I can provide to assist with your consideration efforts. I would welcome an interview with the current Board, and look forward to discussing my qualifications and the requirements of the position in more detail.

Sincerely,



Mark O'Loughlin

South Broward Drainage District
Comparative Statement of Revenues and Expenses
General Fund (Budgetary Basis)

	<u>Oct '17 - Mar 18</u>	<u>Annual Budget</u>
Ordinary Income/Expense		
Income		
1402 · Maintenance	3,324,384.32	3,562,677.30
1404 · Permit Fees	42,779.50	45,000.00
1405 · 5 Year Recertification Program	52,137.00	35,000.00
1406 · Residential and Lot Permit Fees	16,638.00	25,000.00
1407 · Telecommunications Annual Fee	3,500.00	3,500.00
1408 · Appropriation of Fund Balance	0.00	114,169.15
1410 · Interest Income	10,927.67	6,500.00
1416 · Miscellaneous Income	6,508.25	1,000.00
Total Income	3,456,874.74	3,792,846.45
Expense		
1412 · South Broward Collection Fee	63,587.62	71,253.55
1414 · Discounts (Early Tax Payments)	127,845.62	128,256.38
1501 · Administrative - Office	175,837.08	354,311.36
1503 · Board of Supervisors	18,900.00	37,800.00
1505 · Field Operations	224,018.12	488,101.12
1506 · Inspectors/Project Coord.	129,684.97	261,797.12
1507 · Payroll Taxes - FICA	43,252.07	92,236.24
1509 · Pension	59,846.47	120,940.68
1513 · Payroll Other	59,333.89	65,000.00
1520 · Accounting Fees	22,500.00	25,000.00
1535 · Engineer/Consult Fees/Spec Proj	9,921.25	30,000.00
1540 · Legal Fees	14,831.66	60,000.00
1543 · Legal Fees Special Proj.	0.00	25,000.00
1544 · Other Expense	32.96	1,000.00
1550 · Commercial Property Package	29,494.00	32,800.00
1555 · General/Hazard Liability	30,884.84	34,000.00
1560 · Group Health, Life & Dental	143,687.35	395,000.00
1570 · Workers Compensation	24,531.00	25,000.00
1575 · Advertising	1,490.95	6,500.00
1585 · Computer Supplies - Upgrades	2,710.80	10,000.00
1590 · Dues & Subscriptions	4,445.00	5,800.00
1600 · FPL - Electric	6,317.97	13,000.00
1603 · Gas (LP) Auxiliary Power	0.00	5,000.00
1605 · Janitorial Service	894.00	2,000.00
1610 · Licenses & Fees	175.00	1,100.00
1615 · Maintenance Contracts	4,418.06	10,200.00
1620 · Uniforms	1,898.99	2,800.00
1625 · Office Supplies - Postage	1,422.10	5,000.00
1630 · Payroll Service	1,656.92	3,800.00
1635 · Printing - Stationary	144.90	1,800.00
1640 · Public Records Storage/Filing	7,517.50	35,000.00
1645 · Telephone - Misc. Communication	6,827.57	15,000.00

**South Broward Drainage District
Comparative Statement of Revenues and Expenses
General Fund (Budgetary Basis)**

	<u>Oct '17 - Mar 18</u>	<u>Annual Budget</u>
1650 · Water & Sewer	1,055.31	2,100.00
1655 · Buildings & Grounds	93,859.63	112,000.00
1660 · Equipment Rental/Outside Svcs.	420.35	6,000.00
1665 · Equip/Vehic/Boats/Hvy Equip	11,479.92	35,000.00
1670 · Fuel/Oil/Lubric. (Pump Stat)	7,824.47	50,000.00
1675 · Fuel/Oil/Lubric. (Vehic/Equip)	17,503.56	40,000.00
1677 · Hazardous Mat./Spill Cont.	0.00	5,000.00
1680 · Janitorial Supplies - Carp. Clg	0.00	1,000.00
1683 · Hurricane Preparedness Supp.	14.95	1,500.00
1685 · Landscaping & Mowing	12,118.50	35,000.00
1690 · Photography - VCR Equip. & Phot	88.00	250.00
1695 · Pump Stations - Flood Gates	6,007.29	70,000.00
1700 · Safety/SCUBA - Inspect Equip.	897.84	3,000.00
1705 · Sanitat. - Exterminating Serv.	9,125.30	12,000.00
1710 · Small Tools - Shop Supplies	3,247.55	9,000.00
1715 · Water Recorder/Elev Gge/Telemetry	0.00	8,000.00
1720 · CanaL/Swale Cleaning/Renovation	7,878.85	30,000.00
1725 · Culvert Cleaning/Inspection	9,700.00	50,000.00
1730 · Culvert Repair - Flapper Gates	0.00	40,000.00
1735 · Endwall Repair - Replace./Upgrd	0.00	5,000.00
1740 · Erosion Control	0.00	25,000.00
1745 · Gates/Barrier/Fence/Ramp/Sign	1,198.85	5,000.00
1747 · Outfall Structures	2,972.00	2,000.00
1750 · Trash Rack/Piling/Tank Upgr.	0.00	10,000.00
1755 · Tree Removal	0.00	40,000.00
1765 · Herbicides	67,217.11	330,000.00
1770 · Triploid Carp/Fsh Guards/Maint	13,500.00	25,000.00
1775 · Water Testing	490.00	8,000.00
1780 · Seminars/Meetings/Conferences	4,629.51	8,500.00
1785 · Equip./Vehicle Replace./Upgrd	11,853.00	50,000.00
1795 · Capital Improvements	379,460.95	400,000.00
1797 · Contingency/Misc Expense	0.00	10,000.00
Total Expense	<u>1,880,651.60</u>	<u>3,792,846.45</u>

SOUTH BROWARD DRAINAGE DISTRICT
SUMMARY OF DISTRICT FUNDS
April 18, 2018
SBDD ASSET ACCOUNTS

Fund	Cash on Hand	Subtotals	Institution	Investment Accounts	Fund Totals
UNASSIGNED					
General	\$2,674,540	\$2,674,540	Suntrust AdvantageNow	\$114,883 CD-Bank United	\$2,789,423
Payroll	\$13,235	\$13,235	Suntrust		\$13,235
COMMITTED					
Capital Improvements	\$627,438	\$627,438	Suntrust Reserve	\$81,569 CD-Bank United	\$1,388,507
				\$247,500 CD-Legacy Bank	
				\$184,500 CD-TD Bank	
				\$247,500 CD-FL Community	
Emergency	\$2,707,290	\$2,707,290	Suntrust Reserve		\$2,707,290
Separation	\$160,668	\$160,668	Suntrust Reserve	\$51,048 CD-Bank United	\$274,716
				\$63,000 CD-TD Bank	
Totals	\$6,183,171	\$6,183,171		\$990,000	\$7,173,171

SBDD LIABILITY ACCOUNT

Fund	Cash on Hand	Subtotals	Institution	Investment Accounts	Fund Totals
As-Built	\$206,540	\$206,540	Suntrust Paying		\$206,540
Total	\$206,540	\$206,540			
FUND TOTALS					\$7,379,711

SBDD INVESTMENT SUMMARY

Investment	Recommendation	Investment Amount	Interest Rate	Issue Date	Maturity Date
Legacy Bank		\$247,500	1.50%	11/28/2017	12/28/2018
Bank United		\$247,500	1.55%	11/30/2017	12/30/2018
TD Bank		\$247,500	1.73%	2/22/2018	2/22/2019
FL Community Bank CD		\$247,500	1.87%	2/25/2018	2/25/2019
TOTAL OF INVESTMENTS		\$990,000			

Dec-18	Feb-19
\$495,000	\$495,000

DOUGLAS R. BELL
ATTORNEY AT LAW
CUMBERLAND BUILDING, SUITE 505
800 E BROWARD BOULEVARD
FORT LAUDERDALE, FLORIDA 33301
(954) 524-8526

April 19, 2018

South Broward Drainage District
6591 Southwest 160th Avenue
Southwest Ranches, Florida 33331

INVOICE

Legal services rendered on behalf of South Broward Drainage District from March 21, 2018 through April 18, 2018:

1. Coordination regarding Zone 6 Commission Vacancy;
Prepare Advertisement:

Attorney's Fees:	3 hrs. 20 min.	@ \$250.00/hr.	= \$ 833.33
Paralegal Fees:	50 minutes	@ \$100.00/hr.	= \$ 83.33

2. Coordination regarding Background Checks:

Attorney's Fees:	30 minutes	@ \$250.00/hr.	= \$ 125.00
Paralegal Fees:	50 minutes	@ \$100.00/hr.	= \$ 83.33

TOTAL DUE THIS INVOICE: \$ 1,124.99