

*****MEMORANDUM*****

DATE: September 18, 2017

TO: South Broward Drainage District Commissioners

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

Subject: SBDD Resolution Nos. 2017-09 – Use of SBDD Emergency Account for Hurricane Irma Damages

Comments:

Attached for the Board's review and discussion is SBDD Resolution No. 2017-09, which will grant approval to fund up to \$315,000 from the SBDD Emergency Account for emergency work related to damages sustained during Hurricane Irma.

The following is a brief summation of the current state of SBDD facilities, damages sustained during the storm and clean-up and recovery efforts to date:

- Water levels throughout the District have recovered back to normal operating ranges.
- The District facilities operated in an exceptional manner before, during and after the storm.
- All District primary canals are open and unrestricted for the flow of stormwater.
- One gear drive sustained damage at the S-7 pump station and may need to be re-built.
- An initial assessment by District staff of the majority of the District's water bodies has revealed that there are numerous fallen trees and storm-related debris within District water bodies. These damages are evident throughout the entire District and will require extensive clean-up efforts. Most of this damage is within SBDD secondary canals and lateral canals, and have the potential to restrict flow and otherwise impact drainage.
- SBDD has initiated the use of its 70-Hour Post Storm Debris/Tree Removal Services contract to assist in the removal of fallen trees and storm-related debris from water bodies that the District maintains.
- It is estimated that the total cost for repairs and emergency work related to Hurricane Irma damages will exceed \$560,000.
- The estimated time frame to complete all repairs and emergency work is 4 – 6 months, with the majority of the work being completed within the first 90 days.

Due to extent of damages and emergency work required, I am requesting approval to expend up to \$315,000 from the SBDD Emergency Account to complete this work. The SBDD General Operating Account can fund up to \$250,000 for the emergency repair and clean-up work.

Approval and adoption of the SBDD Resolution No. 2017-09 will authorize and approve the expenditure of up to \$315,000 from the SBDD Emergency Account for emergency repairs and clean-up work related to Hurricane Irma.

KH
Attachments

SOUTH BROWARD DRAINAGE DISTRICT
RESOLUTION N° 2017-09

RESOLUTION OF THE SOUTH BROWARD DRAINAGE DISTRICT APPROVING THE EXPENDITURE OF FUNDS FROM THE SOUTH BROWARD DRAINAGE DISTRICT EMERGENCY ACCOUNT FOR EMERGENCY PURPOSES RELATED TO DAMAGES SUSTAINED FROM HURRICANE IRMA AND NECESSARY TO MAINTAIN STORMWATER MANAGEMENT AND DRAINAGE WITHIN THE BOUNDARIES OF THE DISTRICT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the South Broward Drainage District, a political subdivision of the State of Florida (hereinafter referred to as "District") is charged with the responsibility of maintaining canals and other facilities within the area of its jurisdiction in Broward County, Florida; and

WHEREAS, on September 4, 2017 Florida Governor Rick Scott declared a State of Emergency for all 67 counties within the State of Florida in response to Hurricane Irma – a major Category 4 storm approaching Florida.; and

WHEREAS, on September 10, 2017 the Federal Emergency Management Agency (FEMA) issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act related to damages resulting from Hurricane Irma; and

WHEREAS, the FEMA declaration designated all 67 counties in the State of Florida as being adversely affected by this major disaster for debris removal and emergency protective measures, including federal assistance, under the Public Assistance program, and declaring that all areas within the State of Florida are eligible for assistance under the Hazard Mitigation Grant Program; and

WHEREAS, the jurisdictional boundaries of the District suffered significant damages from Hurricane Irma, including, but not limited to: numerous fallen trees and storm-related debris within canals, lakes, waterbodies, ditches and swales; minor erosion, and miscellaneous equipment damage; and

WHEREAS, the District incurred other abnormal and extraordinary costs related to the storm for the purpose of maintaining stormwater management and drainage

including, but not limited to: over-time; fuel; advertising; debris monitoring services; and legal services; and

WHEREAS, the District Director has estimated that the total cost of Hurricane Irma post-storm debris removal and recovery efforts could exceed \$560,000; and

WHEREAS, the District established an Emergency Fund under SBDD Resolution No. 2008-08 for the purpose of providing a source of funds for emergency purposes necessary to maintain stormwater management and drainage within the boundaries of the District, and that stipulated that the emergency funds could only be used for damage caused by "acts of god" or "out-of-ordinary" events or other such events as determined by the District's Board of Commissioners; and

WHEREAS, SBDD Resolution No. 2008-08 requires approval of a super-majority of the entire Board (minimum of 5 Board members) for monies to be expended from the Emergency Account; and

WHEREAS, the District Director is hereby requesting approval of the Board by a super-majority vote to allocate up to \$315,000 for emergency purposes related to Hurricane Irma to include, but not be limited to: removal of fallen trees from SBDD maintained water bodies; removal of storm-related debris from SBDD maintained water bodies; debris monitoring services; repair of equipment; over-time pay; fuel; erosion repairs; advertising; and legal expenses; and

WHEREAS, a public meeting was held at the offices of the South Broward Drainage District, located at 6591 S.W. 160th Avenue, Southwest Ranches, Florida 33331 at 8:00 A.M. on Wednesday, September 20, 2017, for the purpose of approving the use of the District's emergency funds for emergency purposes related to Hurricane Irma;

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 by reference as if fully stated herein.
2. The District's Board of Commissioners have determined that the damages resulting from Hurricane Irma qualify for funding from the District's Emergency Account as stipulated under SBDD Resolution No. 2008-08.
3. The District's Board of Commissioners, by a super-majority vote, hereby

approve the funding of up to \$315,000 from the SBDD Emergency Account for Hurricane Irma related damages to include, but not be limited to the removal of fallen trees from SBDD maintained water bodies; the removal of storm-related debris from SBDD maintained water bodies; debris monitoring services; repair of equipment; over-time pay; fuel; erosion repairs; advertising; and legal expenses.

4. Any monies expended from the SBDD Emergency Account that is reimbursed by either the State of Florida or FEMA shall be re-deposited back into the SBDD Emergency Account.

4. If any one or more of the covenants, agreements or provisions of this Resolution 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.

WHEREAS, this resolution shall take effect immediately upon its adoption.

IN WITNESS WHEREOF, the Chairperson of the Board of Commissioners of the District has hereunto set his hand and the Secretary of the Board of Commissioners of the District has caused to be set its seal.

ADOPTED and DATED the _____ day of September, 2017.

	<u>YES</u>	<u>NO</u>	ABSENT	ABSTAIN
Commissioner Minnaugh	_____	_____	_____	_____
Commissioner Mersinger	_____	_____	_____	_____
Commissioner Good	_____	_____	_____	_____
Commissioner Goggin	_____	_____	_____	_____
Commissioner Santana-Woodall	_____	_____	_____	_____
Vice-Chair Ryan	_____	_____	_____	_____
Chair Hodges	_____	_____	_____	_____

TOTALS

Yes	_____
No	_____
Absent	_____
Abstain	_____

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° 2017-09 was acknowledged before me this _____ day of September, 2017, 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 September, 2017.

Notary Public - State of Florida at Large

[NOTARY SEAL OR STAMP]

SOUTH BROWARD DRAINAGE DISTRICT
ESTIMATE OF HURRICANE IRMA POST-STORM DEBRIS REMOVAL AND RECOVERY COSTS
September 18, 2017

STORM-RELATED DEBRIS REMOVAL FROM WATER BODIES

<u>Description</u>	<u>Number of Hours/Day</u>	<u>Contract Unit Price - Reg Time /Hr</u>	<u>Sub-Total Per Day</u>	<u>Number of Crews</u>	<u>Total Cost Per Day</u>	<u>Number of Days</u>	<u>Total Cost</u>
<u>Initial Crews Under 70-Hour Contract</u>							
Tree Cutting Crew with Chipper & Chipper Truck	8	\$325.00	\$2,600.00	6	\$15,600.00	8	\$124,800.00
Supervisor	8	\$60.00	\$480.00	1	\$480.00	8	\$3,840.00
BobCat	8	\$60.00	\$480.00	1	\$480.00	7	\$3,360.00
Grapple Truck	8	\$200.00	\$1,600.00	1	\$1,600.00	7	\$11,200.00
Sub-Total - Initial Crews Under 70-Hour Contract							\$143,200.00
<u>Additional Crews Under 70-Hour Contract (As Needed)</u>							
Tree Cutting Crew with Chipper & Chipper Truck	8	\$325.00	\$2,600.00	2	\$5,200.00	7	\$36,400.00
Supervisor	8	\$60.00	\$480.00	1	\$480.00	7	\$3,360.00
Grapple Truck	8	\$200.00	\$1,600.00	1	\$1,600.00	5	\$8,000.00
Sub-Total - Additional Crews							\$47,760.00
Total Debris Removal Services Under 70-Hour Contract							\$190,960.00

SOUTH BROWARD DRAINAGE DISTRICT
ESTIMATE OF HURRICANE IRMA POST-STORM DEBRIS REMOVAL AND RECOVERY COSTS
September 18, 2017

Debris Monitoring Services	\$20,000.00
----------------------------	-------------

Additional Tree Removal & Debris Removal Work Needed Under Separate Contracts (Post 70-Hour Contract Work)

Removal of Fallen Trees & Storm-Related Debris From Water Bodies (Estimate)	\$150,000.00
--	--------------

OTHER STORM-RELATED RECOVERY COSTS

Over-Time By SBDD Staff (Estimate)	\$7,500.00
------------------------------------	------------

Fuel For SBDD Pump Stations	\$24,000.00
-----------------------------	-------------

Advertising	\$600.00
-------------	----------

Legal	\$2,000.00
-------	------------

Debris Removal from Temporary SBDD Debris Disposal Yard to Landfill	\$30,000.00
--	-------------

Erosion Restoration	\$25,000.00
---------------------	-------------

Repair to SBDD Gear Drive	\$20,000.00
---------------------------	-------------

Sub-Total Other Storm-Related Recovery Costs	\$109,100.00
--	--------------

SOUTH BROWARD DRAINAGE DISTRICT
ESTIMATE OF HURRICANE IRMA POST-STORM DEBRIS REMOVAL AND RECOVERY COSTS
September 18, 2017

Sub-Total for All SBDD Storm-Related Recovery Costs	\$470,060.00
Contingency @ 20%	\$94,012.00
Total Estimate for All SBDD Storm-Related Recovery Costs	\$564,072.00
Available Funds Under 2016-2017 Budget	\$250,000.00
Funds Needed from Emergency Account	\$314,072.00

SOUTH BROWARD DRAINAGE DISTRICT
SUMMARY OF DISTRICT FUNDS
September 5, 2017

SBDD ASSET ACCOUNTS

Fund	Cash on Hand	Subtotals	Institution	Investment Accounts	Fund Totals
UNASSIGNED					
General	\$1,230,762	\$1,230,762	Suntrust AdvantageNow	\$114,883 CD-Bank United	\$1,345,645
Payroll	\$42,824	\$42,824	Suntrust		\$42,824
COMMITTED					
Capital Improvements	\$627,438	\$627,438	Suntrust Reserve	\$81,569 CD-Bank United	\$1,388,507
				\$247,500 CD-Landmark	
				\$184,500 CD-PNC Bank	
				\$247,500 CD-FL Community	
Emergency	\$3,246,697	\$3,246,697	Suntrust Reserve		\$3,246,697
Separation	\$160,668	\$160,668	Suntrust Reserve	\$51,048 CD-Bank United	\$274,716
				\$63,000 CD-PNC Bank	
Totals	\$5,308,389	\$5,308,389		\$990,000	\$6,298,389

SBDD LIABILITY ACCOUNT

Fund	Cash on Hand	Subtotals	Institution	Investment Accounts	Fund Totals
As-Built	\$649,580	\$649,580	Suntrust Paying		\$649,580
Total	\$649,580	\$649,580			
FUND TOTALS					\$6,947,969

SBDD INVESTMENT SUMMARY

Investment	Recommendation	Investment Amount	Interest Rate	Issue Date	Maturity Date
Landmark Bank CD		\$247,500	1.01%	8/15/2016	11/15/2017
Bank United CD		\$247,500	1.10%	9/30/2016	11/30/2017
PNC Bank CD		\$247,500	0.40%	1/24/2017	2/24/2018
FL Community Bank CD		\$247,500	1.00%	2/25/2017	2/25/2018
TOTAL OF INVESTMENTS		\$990,000			

Nov-17	Feb-18
\$495,000	\$495,000

**SOUTH BROWARD DRAINAGE DISTRICT
RESOLUTION Nº 2008-08**

RESOLUTION OF THE SOUTH BROWARD DRAINAGE DISTRICT
AUTHORIZING THE CREATION OF AN EMERGENCY FUND; AUTHORIZING
PAYMENTS FROM SAID FUND FOR EMERGENCIES AS SO DETERMINED BY
THE DISTRICT BOARD OF COMMISSIONERS; REQUIRING A SUPER
MAJORITY OF THE DISTRICT BOARD OF COMMISSIONERS TO AUTHORIZE
PAYMENTS OUT OF THE EMERGENCY FUND; PROVIDING FOR
SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the South Broward Drainage District is a political subdivision of the State of Florida, (hereinafter referred to as "District") charged with the responsibility of stormwater management and drainage of property within the area of its jurisdiction in Broward County, Florida; and

WHEREAS, the District Board of Commissioners (hereinafter after referred to as "Board") has determined that monies designated for emergencies shall be placed in a separate emergency fund (hereinafter referred to as "Fund") and to be designated as "South Broward Drainage District Emergency Fund" and that the monies placed in said Fund shall only be used for emergency purposes necessary to maintain stormwater management and drainage within the boundaries of the District; and

WHEREAS, a public hearing was held at the offices of the South Broward Drainage District, located at 6591 S.W. 160th Avenue, Southwest Ranches, Florida 33331 at 9:30 A.M. on Thursday, August 28, 2008, for the purposes of creating a designated emergency fund to authorize the funding of an emergency fund and to provide for payments from said emergency fund for designation emergencies;

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 true and correct and are incorporated herein by reference as though set forth verbatim.
2. That a separate fund to be designated and identified as South Broward Drainage District Emergency Fund is hereby created for the purpose of providing a source of funds for emergency purposes necessary to maintain stormwater management and drainage within the boundaries of the District including, but not limited to, payment for repairing damage to property owned by the District or which the District has the authority to maintain.
3. That it is the intent of this Resolution that the monies placed in the fund shall only be used for damage caused by "acts of god", damage resulting from out of the ordinary events and such other events as determined by the Board.
4. That monies may only be expended from the Fund only upon approval of a super majority of the entire Board (majority plus one) (currently minimum of 5 Board members) and for any emergency activity as so determined by the Board by said super majority.
5. If the Board determines that work is necessary to repair property as stated herein and to effect said work it is necessary to do work outside of said property, the work

so completed outside of the easement must be paid for by the underlying property owner. In this event, the property owner will be required to place a sufficient deposit with the District to cover the cost of the work outside of said property. In this event, the property owner shall be required to execute a recordable document acknowledging that the property owner is responsible for repairs to property owner's property, that the property owner will pay to the District within thirty (30) days of receiving a bill all costs and expenses in excess of the deposit and that the District shall be entitled to file a lien against the property owner's property if said bill is not paid within thirty (30) days of receipt by the property owner.

6. That the District Board shall fund the Fund with money from sources which may be designated and approved by the Board from time to time.

7. Any amendment to this Resolution will require a super majority of the Board.

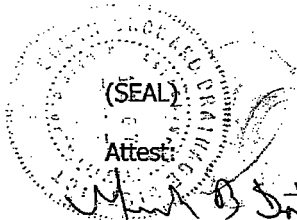
8. If any one or more of the covenants, agreements or provisions of this Resolution shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited or against public policy, or shall for any reason whatsoever be held invalid, then such 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.

9. 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 Acting Secretary of the Board of Commissioners of the SOUTH BROWARD DRAINAGE DISTRICT has caused to be set its seal.

ADOPTED and DATED the 28th day of August, 2008.

SOUTH BROWARD DRAINAGE DISTRICT



[Signature]
 Acting Secretary

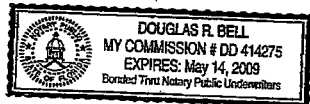
By: *[Signature]*
 James M. Ryan, Chairperson

STATE OF FLORIDA)
)§
 COUNTY OF BROWARD)

The foregoing Resolution N° 2008-08 was acknowledged before me this 28th day of August, 2008, by JAMES M. RYAN and *[Signature]*, as Chairperson and Acting 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 28th day of August, 2008.

[NOTARY SEAL OR STAMP]



[Signature]
 Notary Public: