

**SOUTH BROWARD DRAINAGE DISTRICT
GOVERNING BOARD MEETING MINUTES
APRIL 26, 2012**

Present:

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

Kevin M. Hart, District Director
Douglas R. Bell, Legal Counsel
Reina Maniz, Recording Secretary
Freddie Fisikelli, Council Member, SWR
General Public: See Attached List

Absent:

Vicki Minnaugh, Treasurer

01. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Meeting called to order at 8:11 A.M., followed by the Pledge of Allegiance.

02. PUBLIC COMMENT

Mr. Freddie Fisikelli, Council Member, SWR, briefed the Board on a committee meeting that was recently held at the Town of SWR regarding drainage. He said that a motion was made to move forward in preparing a master drainage plan for the west side of SWR; starting at Volunteer Road and going west to US 27. He said that the Town's engineer will be working together with the SBDD Director and Engineer on this matter. He thanked District Director Hart for his help.

Vice Chair Ryan asked Mr. Fisikelli how much money the Town was planning to set aside for this project. Mr. Fisikelli responded \$88,000, and noted that the work that SBDD has already done is helping to keep the cost down.

03. APPROVAL OF MINUTES

Commissioner Goggin moved for approval of the minutes of the March 29, 2012, South Broward Drainage District Board meeting. Motion was seconded by Commissioner Mersinger and was carried unanimously.

04. DIRECTOR'S REPORT

A. RESOLUTION 2012-04; FOR AUTHORIZATION AND APPROVAL OF THE INDEMNIFICATION AND HOLD HARMLESS AGREEMENT FOR THE LENIS PROPERTY

Through the Chair, it was agreed to move item # 05-A up for discussion.

Attorney Bell said that an agreement on the Lenis property has finally been established. All of the items that needed to be removed from the easement area, have been removed, including the electrical. The deck is the only thing remaining in the Lake Maintenance Easement (LME) as depicted on the exhibit.

District Director Hart briefed the Board on where the District stands with the Lenis property. He said that a Variance was approved by the Board at a previous meeting; a permit was issued and work has been completed; the permit has been signed off ; and that prior to the last Board meeting, a follow-up inspection was done to confirm that everything was in order. He said that upon approval of the Agreement, a letter will be issued to the City notifying them that the District is satisfied with all the work under the permit.

Commissioner Goggin moved for approval of Resolution 2012-04; for Authorization and Approval of the Indemnification and Hold Harmless Agreement for the Lenis Property as submitted. Motion was seconded by Commissioner Santana-Woodall and was carried unanimously.

B. RESOLUTION 2012-06; MAINTENANCE AGREEMENT FOR RED ROAD RESIDENCES

This project is located south of Miramar Parkway and west of Red Road in the City of Miramar. District Director Hart said that it is a residential community; and that as part of a permit issued by SBDD the developer is required to enter into a Maintenance Agreement which specifies that the property owner is required to do the following:

- Dedicate certain drainage easements.
- Acknowledge that off-site properties are able to connect and flow through their drainage system to the outfall to the C-9 canal.
- Required to be responsible for the maintenance of the water management system.
- To Indemnify and Hold Harmless the District.

District Director Hart said these items are included under the Maintenance Agreement. Chair Hodges asked if the easements have been dedicated to SBDD. District Director Hart replied that all easements have been provided to SBDD and will be recorded upon approval by the District Attorney.

Commissioner Goggin moved for approval of Resolution 2012-06; Maintenance Agreement for Red Road residences as submitted. Motion was seconded by

Commissioner Santana-Woodall and was carried unanimously.

C. RELEASE AND VACATION OF SURFACE WATER MANAGEMENT AREA DESIGNATION FOR NECUZE PROPERTY IN SWR

District Director Hart said that the owner of the property located at 5100 S.W. 198th Terrace, SWR, FL is requesting that SBDD vacate a portion of the Surface Water Management Area (SWMA) previously recorded in the Broward County public records. All properties in the SWR are required to set aside 20% of their property at elevation 5.0' (or an equivalent storage area) as a SWMA.

The property owners, Mr. and Mrs. Necuze, will dedicate a new SWMA over another portion of the property to compensate for the area to be vacated. They are requesting to vacate 4,134.6 sf of SWMA and rededicate an equivalent SWMA of 4,134.6 sf. with the proposed change, the total SWMA property will remain at 21,197.4 sf. SBDD staff has reviewed the request and has no objections.

Commissioner Mersinger moved for approval of the release and vacation of the surface water management area designation for the Necuze property in SWR. Motion was seconded by Vice Chair Ryan and was carried unanimously.

D. REQUEST TO VACATE A PORTION OF A LAKE MAINTENANCE EASEMENT IN THE PROPERTY OWNED BY MAGILLA AT ENCANTADA COMMUNITY, PEMBROKE PINES, FLORIDA

District Director Hart said that the owner of the property located at 755 S.W. 189th Avenue, Pembroke Pines, FL is requesting that SBDD vacate a portion of the 20-foot LME that runs along their east property line. The property is located in the Encantada residential community and borders an existing lake owned by the District. The entire LME as currently dedicated within the property is not needed for SBDD to access and maintain the lake, as the existing lake borders only a portion of the lot. Based on the limits of the proposed vacation, SBDD will maintain a minimum of 20 feet outside the existing edge of water for LME purposes. District Director Hart said that SBDD staff has reviewed the request and has no objections.

Commissioner Goggin moved for approval to vacate a portion of the lake maintenance easement in the Encantada Community as submitted. Motion was seconded by Commissioner Santana-Woodall and was carried unanimously.

E. UPDATE ON THE BROWARD COUNTY WATER PRESERVE AREAS PROJECT (C-11/C-9 IMPOUNDMENT AREAS)

District Director Hart presented an update on the Broward County Water Preserve Areas Project, also referred to as the C-11/C-9 Impoundment area. He said that this is a joint project by the US Army Corp of Engineers (COE) and SFWMD as part of the Comprehensive Everglades Restoration Plan (CERP). He briefed the Board on what this project entails. He said that this is a very comprehensive, far reaching project and he

believes it could have potential impacts on the District.

District Director Hart said that in April 2007, a Final Integrated Broward County Water Preserve Areas Project Implementation Report (PIR) and Environmental Impact Statement (EIS) for the project was approved by the US Army COE's Civil Works Review Board and it was coordinated with the public. It went through a full public hearing process where comments were submitted and was presented to the public on various occasions. The project never received a signed Chief of Engineer's Report or a Record of Decision. He said that back in 2007 there were some language issues and some policy issues that prevented the report from moving forward. However, earlier this year, those policy issues were finalized; the language was revised; and the report was updated to allow it to go through the final review and approval by the US Army Corp of Engineers, and on to Congress for funding. He explained further and said that since the final report was revised, it went back out to the public for review and final comments. He said the public comment review period ends on April 30, 2012.

District Director Hart said that quite a few changes have been made to the drainage facilities in the western C-11 and western C-9 basins that may have some impact. He said since 2007, the EPA's Numeric Nutrient Criteria has been implemented. Also, the District installed some control structures along the C-11 specifically aimed at improving water quality and to reduce the nutrient loads going into the C-11. SFWMD also placed a control structure on the C-11 to help control seepage.

District Director Hart gave the Board an overview of the project. He said that this project meets the planning goals set forth in the CERP and includes the construction of the C-11 and C-9 above-ground impoundment areas.

The Broward County Water Preserve Areas Project includes the following water management and environmental features:

- C-11 Impoundment Area located north of the C-11 Canal, east of US Highway 27. This is an above-ground impoundment area with an effective interior storage area of 1,068 acres.
- C-9 Impoundment Area located north of the C-9 Canal, east of US Highway 27. This is an above ground impoundment area with an effective interior storage area of 1,641 acres and is located within SBDD Basin 5.
- Canal conveyance improvements to connect the impoundments.
- A 4,553-acre Seepage Management Area (SMA) east of Water Conservation Areas 3A and 3B.
- A series of dikes (berms) and seepage canals surrounding the new impoundment areas.
- Miscellaneous culverts, control structures, gates and pump stations.

The project is aimed at addressing the loss of ecosystem function within the Everglades resulting from:

- Damaging discharges of runoff from developed areas in western Broward County into the Everglades
- Excessive nutrient loading to the Everglades
- Excessive seepage of water out of the Everglades to developed areas in western Broward County

The project also addresses insufficient quantities of water available in the regional water management system during dry periods to meet municipal, agricultural and environmental water supply demands.

The goals and objectives of the project include:

- Aid in reducing seepage
- Reduce nutrient loading and improve water quality in the Everglades
- Improve fish and wildlife habitat in the Everglades, including habitat for threatened and endangered species
- Provide groundwater recharge
- Provide water supply to urban areas
- Help prevent saltwater intrusion

Specific benefits of the project components are as follows:

- The SMA will reduce seepage from WCA 3A and WCA 3B by allowing higher water levels in the L-33 and L-37 borrow canals.
- The C-11 Impoundment will direct runoff from the western C-11 drainage basin into an impoundment area in lieu of pumping untreated water into WCA 3A via the S-9 pump station.
- The C-9 Impoundment will allow storage from the western C-9 drainage basin and diverted water from the C-11 drainage basin and assist in reducing seepage.

Due to the specific nature of the proposed improvements and the proximity of the proposed impoundment areas to SBDD facilities and drainage basins, District Director Hart generated a list of comments/questions related to the report.

District Director Hart said that it is his intention to submit the final comment letter from SBDD to the COE on Friday, April 27, 2012.

In discussion, District Director Hart said that the price tag for the project is close to \$750 million and that the funding is on a 50/50 cost share between SFWMD and COE. SFWMD's share is primarily on acquisition of property. He said that SFWMD owns the property in both impoundment areas. Commissioner Mersinger had concerns that there has finally been progress in SWR where the bulk of the problem has been alleviated, and from what she gathered, the problem can return if the level of the ground water is brought up. District Director Hart replied that this is one of the questions on the list; what the impact would be to stages in the C-11 and C-9 Canals. He said that the project calls for a seepage canal between the C-9 Impoundment area and Sunset Lakes, and as

the water migrates to the east, it will be intercepted in the canal and pumped back. He said extensive modeling was performed and there are many engineering elements incorporated into this.

Commissioner Goggin and other Board members commented on concerns with other CERP projects that are not completed because of loss of funds, or because of a change of mind, or because the project failed. He feels that this has been done before where a project was started and never completed. Vice Chair Ryan agreed with Commissioner Goggin and mentioned the status of the dike around Lake Okeechobee. He also had concerns on the East Coast Protective Levee.

Commissioner Good said that as soon as the money is appropriated this project is ready to go, and that it may take years; but that will allow the Board the opportunity to return and mitigate some of the problems that may arise. He suggested that the District ask the municipalities that are impacted by this for any questions/comments that they may have.

Chair Hodges suggested that in addition to what Commissioner Good suggested that the District invite SFWMD to discuss this further and to make the District more aware of the project.

Mr. Fisikelli had concerns regarding the Everglades Conservation Area and how this project can affect that area. Commissioner Good addressed some of Mr. Fisikelli's concerns by explaining that there will be no digging; that the only excavation will be the resource extraction for the berms.

In conclusion, there are many questions that still need answering and hopefully, the responses to these questions will give the District some comfort as to the impacts of this project on the District.

F. REQUEST TO TRANSFER FUNDS FROM CAPITAL IMPROVEMENTS COMMITTED ACCOUNT TO GENERAL OPERATING ACCOUNT FOR THE PURCHASE OF A GRAPPLE TRUCK

This item is to transfer funds from the Capital Improvement Committed Account to the General Operating Account for a grapple truck that was recently purchased. District Director Hart discussed the uses planned for the grapple truck. He said that this is a one-of-a-kind piece of equipment and that the staff has been trained on how to use it. He said that certain certifications are needed to operate this equipment and that the staff is working on those. He commended the staff for their research on the truck. He said that the Employee Safety Manual will be updated with the proper safety protocol for the operation of the grapple truck.

Commissioner Goggin moved for approval to transfer funds from Capital Improvements Committed Account to General Operating Account for the purchase of a grapple truck as submitted. Motion was seconded by Commissioner Mersinger and was carried unanimously.

Commissioner Goggin had concerns on theft and suggested that a LoJack or GPS device

be installed in the truck.

G. OTHER

District Director Hart thanked the representatives from the Town of SWR for attending this meeting. He said that he met recently with representatives from the Broward County Environmental Protection Department and that they have grant funding for implementing Best Management Practices for nurseries in the Town of SWR area. He said he thinks this is important and offered to assist them. District Director Hart said it is consistent with the MOA the District has in place with the Town, SFWMD, and the Department of Agriculture. He said the purpose of the program is to conduct on-site visits with the nurseries within SWR to discuss BMPs and help promote improvements in water quality which is part of the MOA. He suggested that the Town of SWR be included in those meetings.

Finally, District Director Hart said that SBDD was nominated through the District's Insurance Loss Prevention Consultant for the FASD Safety Award for 2012. He said that he is very proud to be recognized for the District's efforts in safety by an outside source.

05. ATTORNEY'S REPORT:

A. OTHER

Attorney Bell said that the Grand Palm's Agreement has been turned over to the 15500 Pines Boulevard's attorney and that he is waiting for their signature on it. He will then give it to Grand Palms for signature. He and the 15500 Pines Boulevard attorney are working on the language for the releases and hopes to have it all wrapped up by the end-of-the-week.

06. APPROVAL OF LEGAL FEES

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

07. BOARD MEMBER'S QUESTIONS/COMMENTS

Commissioner Santana-Woodall said that Commissioner Mersinger will be speaking at the Everglades High School on May 16, 2012 at the PTSA Legislation Meeting.

Commissioner Goggin asked District Director Hart on an update on the improvements to the East Coast Protective levee in Broward County. District Director Hart said from everything he has been told, it should take about two years to improve, modify and obtain a full certification for the levee.

08. MEETING DATE

A. Next Regular Board Meeting will be held on **Thursday, May 31st at 8:00 A.M.**

Adjournment at 9:40 A.M.

Respectfully submitted,

Robert E. Goggin IV, Secretary
South Broward Drainage District

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DRAFT

MEMORANDUM

DATE: May 24, 2012
TO: South Broward Drainage District Commissioners
FROM: Kevin M. Hart, P.E.
District Director
Subject: Annual Contract for Accounting Services

Comments:

SBDD received a quote for accounting services from the accounting firm Margolies, Fink and Wichrowski, Certified Public Accounts (MFW). MFW has been providing accounting services to the District for the past 17 years.

The quote submitted by MFW is for \$25,000 and includes complete accounting services for the next fiscal year, including the preparation of the annual, audited financial statements for the year ending September 30, 2012. The proposed quote represents a decrease in fees from the previous year of \$1,000.00. This decrease is attributed to additional responsibilities performed in-house by Susan Iratzoqui.

I am recommending that the District award the contract for the annual accounting services to Margolies, Fink and Wichrowski, Certified Public Accounts in the amount of \$25,000.00.

This is to request action by the Board to award the contract for annual accounting services to Margolies, Fink and Wichrowski, Certified Public Accounts in the amount of \$25,000.00.

KH
Attachments

MEMORANDUM

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

Comments:

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

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

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

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

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

KH
Attachment

**FINAL BID TABULATION
SOUTH BROWARD DRAINAGE DISTRICT**

**B-3 PUMP STATION DEMOLITION & CULVERT REPLACEMENT
PROJECT**

Thursday, May 17, 2012

(BID RESULTS HAVE NOT BEEN FULLY EVALUATED)

<u>COMPANY NAME</u>	BID AMOUNTS	
	BASE BID	ALTERNATE BID
WESTWIND CONTRACTING, INC.	\$152,069.00	\$157,852.00
JOHNSON-DAVIS INC.	\$190,000.00	\$209,600.00
WILLIAMS PAVING CO. INC.	\$219,572.11	\$217,630.50
Foster Marine Contractors, Inc.	\$310,041.00	\$331,633.00
Coreland Construction	\$342,839.00	\$308,985.89

MEMORANDUM

DATE: May 24, 2012
TO: South Broward Drainage District Commissioners
FROM: Kevin M. Hart, P.E.
District Director
Subject: Contract Award for SBDD Site Lighting & Electrical Improvements Project

Comments:

SBDD advertised for bids for the SBDD Site Lighting & Electrical Improvements Project located at the District headquarters in the Town of Southwest Ranches. We received a total of six (6) bids. The bid included a Base Bid for the installation of new site lighting and lighting improvements, and an Alternate Bid for the conversion of the District's existing electrical service from overhead to underground. The Base Bid amounts ranged in price from \$39,304.90 to \$124,108.00; and the Alternate Bid amounts ranged in price from 13,977.50 to 26,516.00. Each bidder was required to attend a mandatory pre-bid meeting as a prerequisite to submitting a bid. A copy of the Bid Summary is attached.

The bid documents allow the District the option of awarding the contract on a split basis.

The lowest Base Bid was submitted by Electrical Contracting Service, Inc. in the amount of \$39,304.90. SBDD has reviewed the bid submitted by Electrical Contracting Service, Inc. and has determined that the Contractor is qualified to perform the work and that the bid meets all requirements. SBDD also checked references for Electrical Contracting Service, Inc. and all references provided a positive response. I am recommending that the District award the contract for the Base Bid for the SBDD Site Lighting & Electrical Improvements Project to Electrical Contracting Service, Inc. in the amount of \$39,304.90 as the lowest responsive, responsible bidder.

The lowest Alternate Bid was submitted by Imperial Electrical, Inc. in the amount of \$13,977.50. SBDD has reviewed the bid submitted by Imperial Electrical, Inc. and has determined that the Contractor is qualified to perform the work and that the bid meets all requirements. SBDD also checked references for Imperial Electrical, Inc. and all references provided a positive response. I am recommending that the District award the contract for the Alternate Bid for the SBDD Site Lighting & Electrical Improvements Project to Imperial Electrical, Inc. in the amount of \$13,977.50 as the lowest responsive, responsible bidder.

This is to request approval to award the Base Bid contract for the SBDD Site Lighting & Electrical Improvements Project to Electrical Contracting Service, Inc in the amount of \$39,304.90; and the Alternate Bid for the SBDD Site Lighting & Electrical Improvements Project to Imperial Electrical, Inc. in the amount of \$13,977.50. Funding for this project will come from the SBDD Capital Improvement Committed Account.

KH
Attachment

FINAL BID TABULATION
SOUTH BROWARD DRAINAGE DISTRICT

SITE LIGHTING & ELECTRICAL IMPROVEMENT PROJECT

Thursday, May 17, 2012

(BID RESULTS HAVE NOT BEEN FULLY EVALUATED)

COMPANY NAME	BID AMOUNTS		
	BASE BID	ALTERNATE BID	TOTAL FOR BOTH
ELECTRICAL CONTRACTING SVC., INC.	\$39,304.90	\$15,200.00	\$54,504.90
IMPERIAL ELECTRIC	\$44,675.00	\$13,977.50	\$58,672.50
CBF Electric, Inc.	\$49,770.00	\$18,770.00	\$68,540.00
AGW Electric	\$59,040.00	\$19,000.00	\$78,040.00
Tirone Electric	\$67,235.00	\$20,405.00	\$87,640.00
Coreland Construction	\$124,108.00	\$26,516.00	\$150,624.00

MEMORANDUM

DATE: May 24, 2012
TO: South Broward Drainage District Commissioners
FROM: Kevin M. Hart, P.E.
District Director
Subject: Request to Transfer Funds from SBDD Capital Improvements Committed Account to the SBDD General Operating Account

Comments:

SBDD recently completed the CIP project to rebuild two pumps in the amount of \$25,965.00. This project included the rebuilding of the #1 pump at the S-2 pump station and the #2 pump at the S-8 pump station and was previously approved by the Board with funding through the Capital Improvement Committed Account.

This is to request approval to transfer \$25,965.00 from the SBDD Capital Improvement Committed Account to the SBDD General Operating Account to fund the CIP project to rebuild two pumps.

KH
Attachments

MEMORANDUM

DATE: May 24, 2012
TO: South Broward Drainage District Commissioners
FROM: Kevin M. Hart, P.E.
District Director
Subject: Re-Investment of District Funds

Comments:

The following investment funds are scheduled to mature during the month of June, 2012:

- | | |
|---|---------------------------|
| 1. Federal Home Loan Banks Bond - \$155,000 | Maturity Date - 6/20/2012 |
| 2. Freddie Mac (Medium Term Note) - \$475,000 | Maturity Date - 6/15/2012 |

Upon maturity of these investments, the District will have approximately \$631,304 of cash-on-hand. The actual amount of cash-on-hand will depend upon the final payout amounts from each investment fund.

On May 22, 2011, the Finance and Investment Committee met to discuss the District options for re-investing the cash-on-hand that will be available after 6/20/12. The recommendation from the Finance and Investment Committee is to re-invest \$247,500 in a new CD under the best terms and interest rates available, and to deposit the remaining cash-on-hand (approximately \$383,804) into the Capital Improvement Committed Account in order to fund current and future CIP projects.

This is to request approval to re-invest the monies that will become available in June 2012 from two maturing investment funds as follows: purchase one 12-month CD in the amount of \$247,500 under the best terms and interest rate available; and deposit the remaining monies in the Capital Improvement Committed account.

KH
Attachment