

# Broward Soil and Water Conservation District Performance Review

Prepared for:  
The Florida Legislature's  
Office of Program Policy Analysis  
and Government Accountability  
(OPPAGA)

August 19, 2024



# Table of Contents

<b>Key Takeaways</b> .....	<b>2</b>
<b>I. Background</b> .....	<b>3</b>
I.A: District Description .....	3
I.B: Creation and Governance .....	5
I.C: Programs and Activities .....	6
I.D: Intergovernmental Interactions .....	7
I.E: Resources for Fiscal Year 2022 – 2023.....	7
<b>II. Findings</b> .....	<b>9</b>
II.A: Service Delivery .....	9
II.B: Resource Management.....	11
II.C: Performance Management.....	13
II.D: Organization and Governance.....	14
<b>III. Recommendations</b> .....	<b>16</b>
<b>IV. District Response</b> .....	<b>19</b>

## Key Takeaways

- The Broward Soil and Water Conservation District’s Board of Supervisors was increasingly active during the review period (October 1, 2020, through April 30, 2024), meeting quarterly in FY21 and FY22 and meeting most months in FY23.
- The Broward Soil and Water Conservation District does not provide or conduct services or programs of its own. The District participates in outreach events hosted by other local public entities.
- The Broward Soil and Water Conservation District did not employ any staff members during the review period due to a lack of funding.
- The Broward Soil and Water Conservation District does not have a strategic plan in place as the District does not provide services.
- The Broward Soil and Water Conservation District may experience challenges with long-term growth. The District asserted there are restrictions in sponsoring or hosting programs due to a prior contractual arrangement that expired before the review period of this report.

# I. Background

Pursuant to s. [189.0695\(3\)\(b\)](#), *Florida Statutes*, Mauldin & Jenkins (“M&J”) was engaged by the Florida Legislature’s Office of Program Policy Analysis and Government Accountability to conduct performance reviews of the State’s 49 independent soil and water conservation districts. This report details the results of M&J’s performance review of Broward Soil and Water Conservation District (“Broward SWCD” or “District”), conducted with a review period of October 1, 2020, through April 30, 2024.

## I.A: District Description

### Purpose

Chapter [582](#) of the *Florida Statutes* concerns soil and water conservation within the State of Florida. The chapter establishes the processes for creation, dissolution, and change of boundaries of districts; the qualifications, election, tenure, and mandatory meetings of District Supervisors; the oversight powers and duties of the Florida Department of Agriculture and Consumer Services (“FDACS”); and the powers and purpose of the districts. The District’s statutory purpose, per s. [582.02](#), *Florida Statutes*, is “to provide assistance, guidance, and education to landowners, land occupiers, the agricultural industry, and the general public in implementing land and water resource protection practices. The Legislature intends for soil and water conservation districts to work in conjunction with federal, state, and local agencies in all matters that implement the provisions of [ch. [582](#), *Florida Statutes*].”

The District’s website states, “The Broward Soil & Water Conservation District mission is to build stronger, healthier communities while conserving natural resources. This is accomplished through educating local homeowners and businesses on agricultural Best Management Practices and championing environmental stewardship through direct community engagement.”

### Service Area

Since the District was established in 1964, the service area has included the entirety of Broward County. The District’s service area includes unincorporated Broward County; the County’s 24 cities, five towns, and two villages;<sup>1</sup> and part or all of Everglades and Francis S. Taylor Wildlife Management Area, Dr. Von D. Mizell-Eula Johnson State Park, Hugh Taylor Birch State Park, and Miccosukee Indian Water Conservation Area. The District is bounded on the north by Palm Beach County, east by the Atlantic Ocean, south by Miami-Dade County, and west by Collier and Hendry Counties. The total area within the District is 1,323 of square miles, with 1,210 square miles of land and 113 square miles of water. The District’s primary office is located at 401 East Las Olas Boulevard, Suite 1510, Fort Lauderdale, Florida 33301. The District meets at 1255 West Atlantic Boulevard, Pompano Beach, Florida – the Edward L. Myrick State Farmers Market, owned by the Florida Department of Agriculture and Consumer Services.

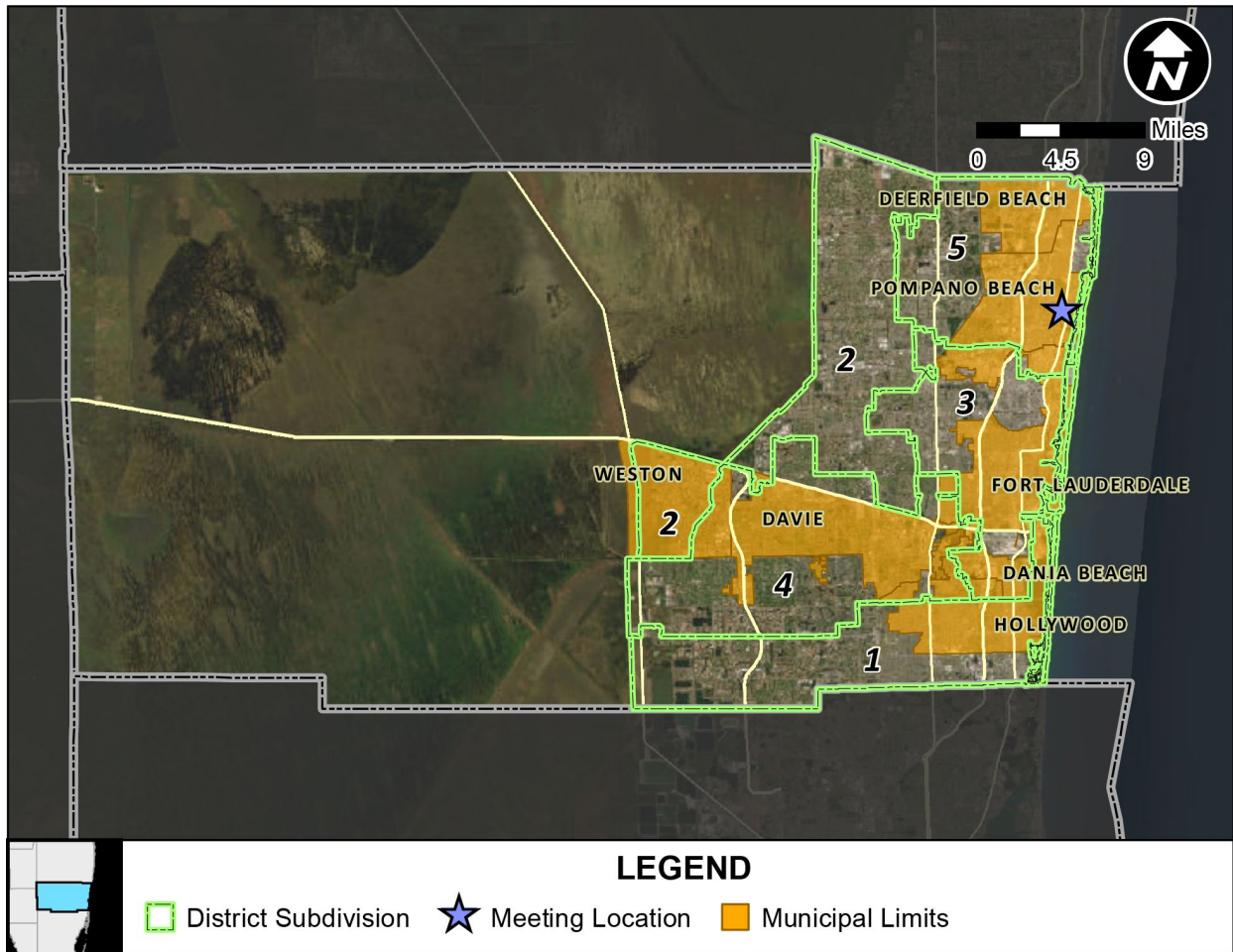
Figure 1 is a map of the District’s service area, based on the map incorporated by reference in Rule [5M-20.002\(3\)\(b\)1](#), *Florida Administrative Code*, showing the District’s boundaries, electoral subdivisions, major municipalities within the service area, and the District’s meeting location.

---

<sup>1</sup>Cities: Coconut Creek, Cooper City, Coral Springs, Dania Beach, Deerfield Beach, Fort Lauderdale, Hallandale Beach, Hollywood, Lauderdale Lakes, Lauderhill, Lighthouse Point, Margate, Miramar, North Lauderdale, Oakland Park, Parkland, Pembroke Pines, Plantation, Pompano Beach, Sunrise, Tamarac, Weston, Wilton Manors. Towns: Davie, Hillsboro Beach, Lauderdale-By-The-Sea, Pembroke Park, Southwest Ranches. Villages: Lazy Lake, Sea Ranch Lakes.



**Figure 1: Map of Broward Soil and Water Conservation District**



(Source: Broward County GIS, Florida Commerce Special District Profile)

### Population

Based on the Florida Office of Economic and Demographic Research population estimates, the population within the District’s service area was 1,973,579 as of April 1, 2023.

### District Characteristics

Broward SWCD is located in the southeastern part of Florida. The economy of the service area is supported by construction, trade, tourism, manufacturing, and aviation.<sup>2</sup> The eastern third of the District is densely populated among 31 municipalities, while the remaining service area is conservation land.<sup>3</sup> According to the 2022 Census of Agriculture, the District includes 13,007 acres of farmland and the District’s most popular crops include nursery and greenhouse stock crops and forage crops. Broward County represents one of the most vulnerable counties in Florida to tropical disturbances which can cause destructive winds that can damage crops.

<sup>2</sup> Broward County, Florida. 2021. *Targeted Industries*. June 7. Accessed May 13, 2024. <https://www.broward.org/EconDev/WhyBroward/Pages/TargetedIndustries.aspx#t2>.

<sup>3</sup> Broward County, Florida. 2022. *30 Quick Facts*. Accessed May 25, 2024. <https://www.broward.org/Planning/Demographics/Pages/QuickFacts.aspx>.

The District’s topography includes a flat landscape with low land elevations averaging five to 25 feet which increase the District’s exposure to flood risk and sea level rise.<sup>4</sup> The service area encompasses 24 miles of beaches, the majority of which are critically eroded. The Broward County Natural Resources Division implements beach renourishment projects to distribute sand, place shore protective dunes, and build mitigation reef units to help mitigate erosion.<sup>5</sup> Furthermore, the District’s main source of water is the Biscayne Aquifer, which is heavily recharged from the surface and rainfall which is influenced by its coastal boundary with the Atlantic Ocean. Wellfields and canals allow for groundwater to provide direct recharge to the Biscayne Aquifer; therefore, it is important to protect wellfields from saltwater contamination. Stressors to the District’s water system include urban development, wellfield pumping, and sea level rise. Issues pertaining to the continued use of compromised home septic systems also pose a threat to the District’s water quality as septic systems may cause algae blooms in canals that flow into the Biscayne Aquifer.

## I.B: Creation and Governance

Broward SWCD was chartered on June 1, 1964, as the Broward Soil Conservation District, following a successful referendum of local landowners and subsequent petition to the Florida State Soil Conservation Board.<sup>6</sup> The District was created under the authority of the State Soil Conservation Districts Act (herein referred to as “ch. [582](#), *Florida Statutes*”).<sup>7</sup>

The District is governed by a Board of Supervisors. Supervisors are unpaid, nonpartisan public officials elected by the voters within the service district. M&J analyzed the Supervisors’ elections, appointments, and qualifications within the in-scope period pursuant to applicable *Florida Statutes*.<sup>8</sup>

Section [582.19\(1\)](#), *Florida Statutes*, requires Supervisors to sign an affirmation that they met the residency and qualification requirements. M&J requested the affirmations as part of a public records request to the Broward County Supervisor of Elections but has not received any documentation in response to this request. However, the District Chair provided a written statement detailing the current Supervisors’ qualifications, which are consistent with the residency and agricultural experience qualifications in s. [582.19\(1\)](#), *Florida Statutes*. During the review period (October 1, 2020, through April 30, 2024), there have been three vacancies on the Board, as illustrated in Figure 2, from January 2023 to August 2023, from August 2023 to November 2023, and from March 2024 through the culmination of the review period. Additional assessment of the District’s electoral patterns is detailed in the Election and Appointment of Supervisors section. The District has not conducted any performance reviews or collected any performance feedback from District residents or other stakeholders during the review period.

---

<sup>4</sup> Resilient Cities Network. 2023. *Broward County’s Resilience Journey*. Accessed May 13, 2024. <https://resilientcitiesnetwork.org/broward-county-united-states/>.

<sup>5</sup> Broward County, Florida. *Beach Renourishment Projects*. Accessed May 14, 2024. <https://www.broward.org/Beaches/Pages/Projects.aspx>.

<sup>6</sup> Florida Department of Commerce. 2024. “Official List of Special Districts.”

<sup>7</sup> Ch. 582, *Florida Statutes* (1939), available online as ch. [19473](#), *Laws of Florida*

<sup>8</sup> Including s. [582.15](#), *Florida Statutes*, s. [582.18](#), *Florida Statutes*, s. [582.19](#), *Florida Statutes*, Rule [5M-20.002](#), *Florida Administrative Code*, and ch. [2022-191](#), *Laws of Florida*.

Figure 2: Supervisor Terms

Seat	FY21				FY22				FY23				FY24			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
1	Emma Collum											Bonny Hajducko				
2	Richard DeNapoli								Jessie Bastos					Noreen Abrams		
3	Jelani Harvey								Richard DeNapoli							
4	Alissa Shafer								Mike Solley				Jessie Bastos			
5	Fred Segal															

(Source: Board meeting minutes)

During the review period, the District met 17 times<sup>9</sup> and met the mandatory meeting requirement of s. 582.195, Florida Statutes, to meet at least once per calendar year with all five Supervisors for both 2022 (April) and 2023 (December). M&J has determined that the District did not properly notice Board meetings. Additional assessment of the District’s pattern of providing meeting notices and adherence to relevant statutes is detailed in the Notices of Public Meetings section. The District has not conducted any performance reviews or collected any performance feedback from District residents or other stakeholders during the review period. Additional assessment of the District’s pattern of providing meeting notices and adherence to relevant statutes is detailed in section II.D (Organization and Governance) of this report.

Neither Broward County nor the in-district municipalities have adopted any local regulations for the District.

### I.C: Programs and Activities

The following is a list of programs and activities conducted by the District within the review period (October 1, 2020, through April 30, 2024), along with a brief description of each program or activity. The District’s programs and activities will be described in detail in the II.A (Service Delivery) section of this report.

- Envirothon
  - Envirothon is an outdoor competition in which students develop hands-on skills related to aquatic ecology, forestry, soil and land use, wildlife, and other current environmental issues.
- Poster and Photo Contests
  - The Poster and Photo Contests are opportunities to produce educational posters and photos related to conservation topics. Winners at the District level can advance to compete at the regional, State, and national levels.

<sup>9</sup> Meetings occurred in Meetings occurred in October 2020; March, June, July, and September 2021; March, April, and June 2022; January, February, March, June, August, September, November, and December 2023; and March 2024.

- Outreach Events
  - The District supports community events as an opportunity to provide outreach to local landowners and agricultural stakeholders by explaining the programs offered by various local entities. During the review period, the outreach events participated in by the District are the Orange Blossom Festival, Unity in Community in Pompano Beach, Water Matters Day, Florida Farm Bureau Day, and Garden Matters Day.
- Advocacy and Information
  - The District advocates for or against various projects or developments that are proposed within its service area that affect soil and water conservation. The District also serves as a conduit of information for the public to refer producers to local organizations to serve agricultural needs.

### **I.D: Intergovernmental Interactions**

The following is a summary of federal agencies, State agencies, and/or public entities with which the District interacts, including the means, methods, frequency, and purpose of coordination and communication.

#### **Broward County Farm Bureau**

The District periodically collaborates with Broward County Farm Bureau and participates in events such as the Florida Farm Bureau Day, Unity in the Community, and Water Matters Day.

#### **City of Pompano Beach**

The District collaborates with the City of Pompano Beach on the Unity in the Community event on an annual basis. The District also attends select Pompano City Commission meetings to advocate for or against proposed projects within the City of Pompano Beach.

#### **Davie Area Land Trust**

The District collaborates with the Davie Area Land Trust on the Water Matters Day on an annual basis.

#### **Florida Department of Agriculture and Consumer Services**

Since May 2022, the District has utilized a conference room located in a building owned by the Florida Department of Agriculture and Consumer Services for Board meetings. The District does not have a written agreement in place for use of the space.

#### **Town of Davie**

The District collaborates with the Town of Davie on the Garden Matters Day and Orange Blossom Festival on an annual basis.

### **I.E: Resources for Fiscal Year 2022 – 2023**

The following figures quantify and describe the District’s resources for Fiscal Year 2022 – 2023 (October 1, 2022, through September 30, 2023, herein referred to as “FY23”). Figure 3 shows the total amount of revenues, expenditures, and long-term debt maintained by the District in FY23. Figure 4 shows the number of paid full-time and part-time staff, contracted staff, and volunteers by employer. Figure 5 shows the number and type of vehicles, number and type of major equipment, and number and type of facilities owned, leased, and used by the District.

**Figure 3: FY23 Finances**

	Revenues	Expenditures	Long-term Debt
<b>Total for Year</b>	\$0	\$0	\$0

*(Source: Bank Statements and Annual Financial Reports from FY23)*

**Figure 4: FY23 Program Staffing**

	Full-time Staff	Part-time Staff	Contracted Staff	Volunteers
<b>District-employed Staff</b>	0	0	0	0
<b>Board of County Commissioners-employed staff</b>	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

*(Source: Bank Statements and Annual Financial Reports from FY23)*

**Figure 5: FY23 Equipment and Facilities**

	Number	Ownership Status	Type(s)
<b>Vehicles</b>	0	N/a	N/a
<b>Major Equipment</b>	0	N/a	N/a
<b>Facilities</b>	1	1 owned by the Florida Department of Agriculture and Consumer Services	1 meeting space

*(Source: Bank Statements and Annual Financial Reports from FY23)*



## II. Findings

The Findings sections summarize the analyses performed, and the associated conclusions derived from M&J's analysis. The analysis and findings are divided into the following four subject categories:

- Service Delivery
- Resource Management
- Performance Management
- Organization and Governance

### II.A: Service Delivery

The following is a list of programs and activities conducted by the District within the review period (October 1, 2020, through April 30, 2024), along with a description of each program or activity.

#### Overview of Services

The following list identifies and describes programs and activities the District participated in during the review period (October 1, 2020, through April 30, 2024).

#### *Envirothon*

Envirothon is an outdoor competition encouraging student interest in natural resource conservation and environmental management. Students in grades 9-12 work in teams to compete at a local or regional level and develop hands-on skills related to five core environmental subjects. Winning teams have the opportunity to advance to the Statewide and national competitions. The District Supervisors help to advertise the event to local schools.

#### *Poster and Photo Contests*

The Poster and Photo Contests provide students with a chance to compete and have their art displayed nationally. The contests are open to kindergarten through 12th grade students from the District's service area, separated into two- or three-grade divisions. These contests use a common conservation-related prompt set by the National Association of Conservation Districts. The winners of the District-level contests advance to compete at the regional, State, and national levels. The District Supervisors help to advertise the event to local schools and will assist with the contest in 2024.

#### *Outreach Events*

The District participated in outreach events during the review period to provide information and education to members of the community. The Florida Farm Bureau Day is a program in which Florida Farm members advocate at the State Capitol on behalf of Florida Farm Bureau priority issues during the legislative session. The Garden Matters Day is hosted by the Town of Davie as a celebration of the art of gardening. The event includes workshops by gardening experts on topics such as water management and Florida-friendly landscaping. District Supervisors attended and provided interactive activities, answered questions, and provided details to attendees on the poster contest in 2023. The Orange Blossom Festival is hosted by the Town of Davie and includes vendors, live music and entertainment, and kids' activities. District Supervisors attended the event and participated in a booth rented by the Broward County Farm Bureau to provide information to attendees.

The Unity in Community is hosted by the City of Pompano Beach and is designed for families and provides demonstrations by the Pompano Beach Fire Rescue and Broward County Sherriff's Office and agricultural groups in addition to entertainment from cultural groups. District Supervisors attended the event and participated in a booth rented by the Broward County Farm Bureau to provide information to attendees. The Water Matters Day is hosted by the Town of Davie and provides interactive educational displays to help residents learn about water conservation techniques, smart irrigation, and native landscaping. The District Supervisors attended the event to assist the Davie Land Area Trust and distribute information to attendees.

### *Advocacy and Information*

The District advocates for or against various projects or developments that are proposed in its service area that affect soil and water conservation. The District also serves as a conduit of information for the public to refer producers to local organizations to serve their agricultural needs. The District attends local events to distribute information regarding best management practices and to assist local agricultural organizations. The District also submitted a resolution in support of the Pompano Wahoo Bay Park which is an underwater marine park designed to educate residents about the ocean and beaches and the role they play in the environment. The District presented the resolution at a Pompano Beach City Commission meeting. The District also submitted a resolution regarding a Davie agricultural property seeking assistance to resolve an issue with erosion and runoff from a neighboring property. The resolution encouraged all agricultural properties in Broward County to make every effort to utilize adopted best management practices. The District submitted a resolution opposing a proposed private condominium complex on public land in Fort Lauderdale which includes green space, a community center, public beach access, and dunes.

### *Analysis of Service Delivery*

The Broward Soil and Water Conservation District may experience challenges with long-term growth. The District asserted there are restrictions in sponsoring or hosting programs due to a prior contractual arrangement that expired before the review period of this report. Prior to the review period, the District maintained a contract with an independent contractor to serve as a project manager/administrator for District contracts. Based on a memorandum provided to M&J by the District, the contract was executed in 2006 and was in effect until it expired in 2016. The contract allowed the independent contractor to collect an administrative fee in addition to net proceeds from any District grant. During M&J's interview with the current District Chair, the Chair asserted that after the independent contractor separated from the District, the District was advised that future contracts would remain the independent contractor's property in perpetuity. The Chair further asserted that if the District attempted to pursue projects that were within the former independent contractor's perpetuity, the District was advised that the former independent contractor would receive more than 90% of the revenues for any program that the District would host or sponsor. Therefore, the District has not hosted or sponsored any program that may be subject to the perpetuity of the former independent contractor's agreement. The District was unable to provide any documentation for M&J to confirm the assertion that the agreement limits the District's provision of services. . As such, the District does not incur expenditures or receive revenues related to the following programs. District Supervisors attend and participate in various local events to spread the mission of the District and take part in agricultural education and outreach.

The programs and activities conducted by the District align with the District's statutory authority. Envirothon, the Poster and Photo Contests, and participation in outreach events align with soil and water conservation districts' statutory purpose and authority described in s. [582.20\(7\)](#), *Florida Statutes*. The District's advocacy and information activities align with the soil and water conservation districts' statutory purpose and authority described in ss. [582.20\(1-2\)](#), *Florida Statutes*. M&J has not identified any alternative methods for the District to provide services that would reduce costs as the District does not incur costs related to programs and activities. To improve performance and increase the District's programs or services, the District should research opportunities to increase revenues that may be used to administer services/programs and to employ staff that is not subject to financial recoupment by the former independent contractor.

**Recommendation:** The District should develop a funding strategy for conducting programs and activities of its own. The District could consider identifying grant opportunities from the U.S. Department of Agriculture, the Florida Department of Agriculture and Consumer Services, the National Association of Conservation Districts, or another public or private conservation-related entity to increase revenues that may be used to administer additional programs or to employ staff.

### Comparison to Similar Services/Potential Consolidations

Although the District and the Broward County Farm Bureau serve similar community needs by serving producers, the Broward County Farm Bureau addresses the need for farmers to be represented and advocated for, while the District's purpose is to assist producers with water and soil conservation. As such, the District may refer producers to the Broward County Farm Bureau depending on the producer's needs.

The District and the Davie Land Area Trust serve similar community needs related to conservation. The Davie Area Land Trust provides distinct services from the District as it is a nonprofit organization that works directly with interested property owners to preserve land through purchase, donation, and establishment of conservation easements.

The District and the University of Florida's Institute of Food and Agricultural Sciences Extension office in Broward County ("UF/IFAS Extension") share a similar mission. While the District and UF/IFAS Extension serve similar needs, UF/IFAS Extension addresses the need for technical expertise and research in the agricultural field while the District focuses on providing programs related to the conservation of soil and water.

## II.B: Resource Management

### Program Staffing

During the review period (October 1, 2020, through April 30, 2024), the District did not employ any staff, contracted staff, or volunteers. As such, the District did not experience any turnover or vacancies during the review period. The Board Supervisors complete all administrative duties associated with the District such as seeking out new opportunities for programs/activities, scheduling, noticing, and publishing agendas and minutes for Board meetings. Due to not employing any staff, the District did not incur costs associated with compensation.

**Recommendation:** Upon obtaining sources of revenue, the District should explore options to employ low-cost staff in the form of an intern or part-time Administrative Assistant to help the District expand operations by searching for grant and other funding opportunities.

**Equipment and Facilities**

The District did not own or lease major equipment or vehicles during the review period. The District utilized two different office buildings to serve as meeting spaces for the District’s Board meetings. From the beginning of the review period until April 2022, the District utilized a meeting room owned by the City of Pompano Beach. From May 2022 to the time of this report, the District utilizes a conference room owned by the Florida Department of Agriculture and Consumer Services. Figure 6 shows the ownership status of the meeting spaces for the District’s Board meetings during the review period.

**Figure 6: Ownership Status of District Facilities by Type**

Facility Type	Ownership Status			
	FY21	FY22	FY23	FY24
Meeting Space	Space owned by the City of Pompano Beach	Space owned by the City of Pompano Beach	N/a	N/a
Meeting Space	N/a	Space owned by the Florida Department of Agriculture and Consumer Services	Space owned by the Florida Department of Agriculture and Consumer Services	Space owned by the Florida Department of Agriculture and Consumer Services

(Source: District Board meeting minutes)

**Current and Historic Revenues and Expenditures**

During the review period, the District did not generate revenues or expend funds. During Board meetings, Supervisors expressed interest in pursuing opportunities to generate revenue to expand District operations. Due to the absence of revenues and expenditures, the District does not conduct financial planning in the form of budgeting or forecasting. As recommended in the Analysis of Service Delivery section, the District should consider seeking out funding sources to establish recurring annual revenue sources.

**Recommendation:** The District could consider identifying new revenue sources and developing an annual budget that meets the requirements of s. 189.016(3), *Florida Statutes*, in order to determine the level of programs and activities the District can fund with future revenue sources.

**Trends and Sustainability**

During the review period, the District maintained zero revenues and zero expenditures. As such, the District’s revenues and expenditures remained consistent during the review period. Because Board Supervisors have expressed wishes to expand the District’s footprint and operations, if revenues and expenditures continue to be nonexistent, the District will not be able to achieve this goal.

## II.C: Performance Management

### Strategic and Other Future Plans

The District does not have a strategic plan or other plans for the District's future operations. Based on interview notes and March 2024 Board meeting minutes, the District is in the process of developing such a plan. Considering that the District plans on expanding operations and programs offered, the development of a strategic plan would benefit the District by identifying action steps needed to achieve goals.

**Recommendation:** The District should consider continuing to develop and then adopt a strategic plan that builds on the District's purpose and vision. The strategic plan should not simply describe the District's current programs or contracts, but rather reflect the District's long-term and short-term priorities based on the needs of the community and in response to changing land use patterns within the District's service area.

### Goals and Objectives

Meeting minutes indicate that the District specified goals for 2024 at the Board of Supervisors meeting in December 2023. The first goal applies to general operations and is to explore easements as a means of preserving open space within Broward County. The second goal applies to outreach activities and is to host a fundraising event in honor of Local Champions of Conservation. Supervisors did not approve these goals, as the Board did not vote on whether or not to accept the goals. Aside from goals identified in Board meeting minutes from December 2023, the District does not have adopted goals or objectives.

**Recommendation:** The District should consider writing and then adopting a set of goals and objectives that align with the District's statutory purpose, as defined in s. [582.02\(4\)](#), *Florida Statutes*, and the Board's vision and priorities as established in the District's strategic plan. The goals and objectives should contemplate measurable progress, capturing the results of the District's efforts and ensuring a consistent direction forward for the District's future prioritization of programs and activities.

### Performance Measures and Standards

The District does not have performance measures or standards.

**Recommendation:** The District should consider identifying performance measures and standards as part of the development of a strategic plan.

### Analysis of Goals, Objectives, and Performance Measures and Standards

The District's goals identified for 2024 do not adequately address the District's statutory purpose or provide sufficient direction for the District's programs and activities as they do not provide actionable steps the District can take to achieve goals. Also, the District's 2024 goals cannot be achieved with a lack of revenues.



## Annual Financial Reports and Audits

The District is required per s. [218.32](#), *Florida Statutes*, to submit an annual financial report to the Florida Department of Financial Services within nine months of the end of the District's fiscal year. The District follows a fiscal year end date of June 30 according to the Florida Department of Financial Services and therefore must submit an annual financial report by March 30. According to Annual Financial Reports sourced from the Florida Department of Financial Services' online database, the District submitted the FY21 Annual Financial Report by the required deadline. The District submitted the FY22 Annual Financial Report approximately three months and one week past the deadline on July 7, 2023. The District did not submit the FY23 Annual Financial Report prior to the compliance deadline of March 31, 2024. The District has until March 31, 2025, to submit the FY24 Annual Financial Report. The District is not required to submit an annual financial audit report as its revenues or combined expenses and expenditures did not exceed \$100,000 during the review period, as per s. [218.39](#), *Florida Statutes*. The District did not receive annual audits during the review period.

**Recommendation:** The District should consider refining its timeline for preparing and submitting the Annual Financial Report to the Florida Department of Financial Services to ensure that the District is meeting the requirements of s. [218.32\(1\)\(a\)](#), *Florida Statutes*.

## Performance Reviews and District Performance Feedback

The District has not conducted any performance reviews or collected any performance feedback from District residents or other stakeholders during the review period.

## II. D: Organization and Governance

### Election and Appointment of Supervisors

Supervisors are required by s. [582.19\(1\)\(b\)](#), *Florida Statutes*, to sign an affirmation that they meet certain residency and agricultural experience requirements. These signed affirmations are required of both elected and appointed Supervisors. Current Supervisors whose seats were up for election in November 2022 were elected to the Board in 2018 and 2020. Starting with the November 2022 Supervisor elections, Chapter [2022-191](#), *Laws of Florida*, amended s. [582.19\(1\)](#), *Florida Statutes*, and required that candidates for election to a Supervisor seat had to live in the district and have agricultural experience, as defined by the Florida Legislature. Per ch. [2022-191](#), *Laws of Florida*, all five of the District's Supervisor seats were up for election in November 2022. In November 2022, the District had two current Supervisors that qualified for election unopposed.

M&J requested affirmations from the Broward County Supervisor of Elections as part of a public records request but was not provided with affirmations in response to the request. As a result, M&J cannot verify whether the elected Supervisors signed an affirmation of qualifications. However, the District Chair provided a written statement detailing the current Supervisors' qualifications, which are consistent with the residency and agricultural experience qualifications in s. [582.19\(1\)](#), *Florida Statutes*.

Since the start of the January 2023 term, two current Supervisors were appointed. As mentioned in reference to elected Supervisors, M&J has not received affirmations from the Broward County Supervisor of Elections, and so is unable to confirm if any of the appointed Supervisors signed an affirmation of qualifications. These signed affirmations are required to ensure that both elected and appointed Supervisors meet the residency and qualification requirements of s. [582.19\(1\)](#), *Florida Statutes*. Four Supervisor seats are up for election in November 2024.

**Recommendation:** The District should consider collaborating with the Broward Supervisor of Elections to ensure that all Supervisors, whether elected or appointed, complete the affirmations necessary to document each Supervisor’s compliance with the requirements of s. [582.19\(1\)](#), *Florida Statutes*.

### Notices of Public Meetings

Section [189.015](#), *Florida Statutes*, requires that all Board meetings be publicly noticed in accordance with the procedures listed in ch. [50](#), *Florida Statutes*. This chapter has been amended twice during the review period, and M&J reviewed for compliance with the governing statute in effect at the time of each meeting date and applicable notice period. Notices of the Broward SWCD Board meetings are posted to the District’s website and Facebook page. Additionally, the Association of Florida Conservation Districts notices the District’s meetings in the *Florida Administrative Register* for the entire year. M&J reviewed the *Florida Administrative Register* for Broward SWCD meeting notices and found that meeting notices existed for 2023 and 2024 meetings. M&J could not find notice of meetings for the 2021 or 2022 Board meetings.

M&J’s review concluded that the district notices did not meet the requirements for the version of ch. [50](#), *Florida Statutes*, in effect at the time of each meeting date and applicable notice period. Prior to January 2023, ch. [50](#), *Florida Statutes*, required any board located in a county with a county-wide newspaper to publish meeting notices in that newspaper. The District did not meet this requirement for meetings held in 2021 and 2022. Since January 2023, ch. [50](#), *Florida Statutes*, has permitted publication of meeting notices on a publicly accessible website (such as the Florida Administrative Register) as long as the board publishes a notice once a year in the local newspaper identifying the location of meeting notices and stating that any resident who wishes to receive notices by mail or e-mail may contact the board with that request. The District did not meet this requirement for meetings held in 2023 and 2024.

Failure to provide appropriate notice in full accordance with ch. [50](#), *Florida Statutes*, may deny the public an opportunity to attend meetings and participate in District business. Violation of this chapter of the Florida Statutes may subject District Supervisors and staff to penalties, including fines, fees, and misdemeanor charges, as outlined in s. [286.011](#), *Florida Statutes*. Additionally, business conducted at such meetings may be invalidated.

**Recommendation:** The District should consider improving its meeting notice procedures to ensure compliance with s. [189.015](#) and ch. [50](#), *Florida Statutes*. The District should retain records that document its compliance with the applicable statutes.

### Retention of Records and Public Access to Documents

The District maintains a record of meeting agendas and minutes from October 2020 through the most recent meetings and was able to provide agendas and minutes to M&J on request. The District was able to provide the other existing records and documentation requested by M&J for this performance review and includes the appropriate link to the District’s Annual Financial Reports on its website. M&J concludes that there are no notable issues with the District’s records retention and public access to information as required s. [119.021](#), *Florida Statutes*.

### III. Recommendations

The following table presents M&J’s recommendations based on the analyses and conclusions in the Findings sections, along with considerations for each recommendation.

Recommendation Text	Associated Considerations
<p>The District should develop a funding strategy for conducting programs and activities of its own. The District could consider identifying grant opportunities from the U.S. Department of Agriculture, the Florida Department of Agriculture and Consumer Services, the National Association of Conservation Districts, or another public or private conservation-related entity to increase revenues that may be used to administer additional programs or to employ staff.</p>	<ul style="list-style-type: none"> <li>● Potential Benefit: Benefits include receiving revenues to help expand the operations and footprint of the District.</li> <li>● Potential Adverse Consequences: Adverse consequences of the recommendation include the increased time and effort to search/apply for different funding sources.</li> <li>● Costs: M&amp;J has not identified any additional funding needed to implement this recommendation.</li> <li>● Statutory Considerations: M&amp;J has not identified any legal, operational, or other issues that may arise from the proposed change.</li> </ul>
<p>Upon obtaining sources of revenue, the District should explore options to employ low-cost staff in the form of an intern or part-time Administrative Assistant to help the District expand operations by searching for grant and other funding opportunities.</p>	<ul style="list-style-type: none"> <li>● Potential Benefit: Benefits include additional assistance to expand programs and services offered and to research funding opportunities.</li> <li>● Potential Adverse Consequences: M&amp;J has not identified any adverse consequences.</li> <li>● Costs: Additional funding through grant opportunities is required to implement the recommendation.</li> <li>● Statutory Considerations: M&amp;J has not identified any legal, operational, or other issues that may arise from the proposed change.</li> </ul>
<p>The District could consider identifying new revenue sources and developing an annual budget that meets the requirements of s. <a href="#">189.016(3), Florida Statutes</a>, in order to determine the level of programs and activities the District can fund with future revenue sources.</p>	<ul style="list-style-type: none"> <li>● Potential Benefit: Benefits of the change include the implementation of financial planning to ensure the financial health of the District.</li> <li>● Potential Adverse Consequences: Adverse consequences of the recommendation include the increased time and effort to develop a budget.</li> <li>● Costs: M&amp;J has not identified any additional funding needed to implement this recommendation.</li> <li>● Statutory Considerations: M&amp;J has not identified any legal, operational, or other issues that may arise from the proposed change.</li> </ul>

Recommendation Text	Associated Considerations
<p>The District should consider continuing to develop and then adopt a strategic plan that builds on the District’s purpose and vision. The strategic plan should not simply describe the District’s current programs or contracts, but rather reflect the District’s long-term and short-term priorities based on the needs of the community and in response to changing land use patterns within the District’s service area.</p>	<ul style="list-style-type: none"> <li>• Potential Benefit: Benefits of the change include planning the expansion of the District and the District’s programs to ensure success.</li> <li>• Potential Adverse Consequences: Adverse consequences of the recommendation include the increased time and effort to develop a strategic plan.</li> <li>• Costs: M&amp;J has not identified any additional funding needed to implement this recommendation.</li> <li>• Statutory Considerations: M&amp;J has not identified any legal, operational, or other issues that may arise from the proposed change.</li> </ul>
<p>The District should consider writing and then adopting a set of goals and objectives that align with the District’s statutory purpose, as defined in s. <a href="#">582.02(4), Florida Statutes</a>, and the Board’s vision and priorities as established in the District’s strategic plan. The goals and objectives should contemplate measurable progress, capturing the results of the District’s efforts and ensuring a consistent direction forward for the District’s future prioritization of programs and activities.</p>	<ul style="list-style-type: none"> <li>• Potential Benefit: Benefits of the change include providing direction for the District’s future operations and activities.</li> <li>• Potential Adverse Consequences: Adverse consequences of the recommendation include the increased time and effort to develop goals.</li> <li>• Costs: M&amp;J has not identified any additional funding needed to implement this recommendation.</li> <li>• Statutory Considerations: M&amp;J has not identified any legal, operational, or other issues that may arise from the proposed change.</li> </ul>
<p>The District should consider identifying performance measures and standards as part of the development of a strategic plan.</p>	<ul style="list-style-type: none"> <li>• Potential Benefit: Benefits include the implementation of a method for the District to measure progress towards goals and performance to ensure accountability.</li> <li>• Potential Adverse Consequences: Adverse consequences of the recommendation include the increased time and effort to develop performance measures.</li> <li>• Costs: M&amp;J has not identified any additional funding needed to implement this recommendation.</li> <li>• Statutory Considerations: M&amp;J has not identified any legal, operational, or other issues that may arise from the proposed change.</li> </ul>

Recommendation Text	Associated Considerations
<p>The District should consider refining its timeline for preparing and submitting the Annual Financial Report to the Florida Department of Financial Services to ensure that the District is meeting the requirements of s. <a href="#">218.32(1)(a)</a>, <i>Florida Statutes</i>.</p>	<ul style="list-style-type: none"> <li>• Potential Benefit: Benefits of the change include compliance with s. <a href="#">218.32(1)(a)</a>, <i>Florida Statutes</i>.</li> <li>• Potential Adverse Consequences: Adverse consequences of the recommendation include the increased time and effort to develop performance measures.</li> <li>• Costs: M&amp;J has not identified any additional funding needed to implement this recommendation.</li> <li>• Statutory Considerations: M&amp;J has not identified any legal, operational, or other issues that may arise from the proposed change.</li> </ul>
<p>The District should consider collaborating with the Broward Supervisor of Elections to ensure that all Supervisors, whether elected or appointed, complete the affirmations necessary to document each Supervisor’s compliance with the requirements of s. <a href="#">582.19(1)</a>, <i>Florida Statutes</i>.</p>	<ul style="list-style-type: none"> <li>• Potential Benefit: Benefits of the change include compliance with laws governing Special Districts.</li> <li>• Potential Adverse Consequences: M&amp;J has not identified any adverse consequences.</li> <li>• Costs: M&amp;J has not identified any additional funding needed to implement this recommendation.</li> <li>• Statutory Considerations: M&amp;J has not identified any legal, operational, or other issues that may arise from the proposed change.</li> </ul>
<p>The District should consider improving its meeting notice procedures to ensure compliance with s. <a href="#">189.015</a> and ch. <a href="#">50</a>, <i>Florida Statutes</i>. The District should retain records that document is compliance with the applicable statutes.</p>	<ul style="list-style-type: none"> <li>• Potential Benefit: Benefits of the change include compliance with s. <a href="#">189.015</a> and ch. <a href="#">50</a>, <i>Florida Statutes</i>.</li> <li>• Potential Adverse Consequences: M&amp;J has not identified any adverse consequences.</li> <li>• Costs: M&amp;J has not identified any additional funding needed to implement this recommendation.</li> <li>• Statutory Considerations: M&amp;J has not identified any legal, operational, or other issues that may arise from the proposed change.</li> </ul>



## IV. District Response

Each soil and water conservation district under review by M&J was provided the opportunity to submit a response letter for inclusion in the final published report. Broward SWCD provided M&J with an initial response letter that included items for correction in the report. M&J made corrections to inaccurate information in the final report based on the response letter. Due to timing, Broward SWCD was unable to provide M&J with an updated response letter after inaccuracies were corrected in the report. As such, items in the following response letter related to inaccurate information have been corrected in the final report. Broward SWCD's response letter is provided on the following pages.



## Broward Soil & Water Conservation District

Conference Room at State Farmer's Market, 1255 West Atlantic Boulevard, Pompano Beach, FL 33069

July 26, 2024

Dear Mr. Jahosky,

Thank you for preparing the June 17, 2024 Draft Report of the Broward Soil & Water Conservation District (BSWCD) Performance Review, which was discussed in length at our most recent meeting on July 25, 2024. As Vice Chair and Secretary I have summarized the following response from the board:

- The BSWCD does not have a primary office- the info on page 3 should be changed/omitted.
- The district map on page 4 is not clear as to delineating the seats of the BSWCD district, and again has a principal office designated where there isn't one. Upon further research the map appears to show County Commission Districts rather than BSWCD seat boundaries.
- On page 6 Bonny Hajducko's name is incorrectly listed as Bobby. Supervisors Bastos, Foley, and DeNapoli began their terms in Q1 2023, not Q2. Seat 1 was also vacant in Q1 2023.
- Page 13- The board has already begun developing a Strategic Plan to include a funding strategy and intends to have it adopted by the end of the calendar year. This will reflect the District's long-term and short-term priorities based on the needs of the community and in response to changing land use patterns within the District's service area, as well as satisfy adopting a set of goals and objectives that align with the District's statutory purpose, as defined in s. 682.024. Strategic Plan discussions have taken place during our March 28, 2024, April 25, 2024 and July 25, 2024 meetings. Agendas and Minutes referencing those discussions are posted to our website for your review.
- Page 14- We have attempted to review affirmations and when they have found to be not in compliance have notified the Supervisor of Election's office to that effect so that they can administer the consequences. For the 2024 election we had notified them that one candidate had failed to fill out the form properly and the Supervisor of Election's office removed that individual from the ballot.
- Page 15- It was our understanding that the Association of Florida Conservation Districts was handling the annual notice requirements, so we did not place anything in the local newspaper. In the future we will be in compliance.



Again, thank you for the time to review the performance of the Broward Soil & Water Conservation District. We look forward to implementing the suggestions provided in order to better serve our community and thank you in advance for incorporating our responses into the final document. Should you have any questions or require additional information, please reach out to Chair Fred Segal.

Respectfully,

Jessie Bastos  
Vice Chair & Secretary  
Broward Soil & Water Conservation District  
Supervisor, Seat 4  
954-600-3061  
bastos.bswcd@gmail.com