

APPROVED

MINUTES OF THE MEETING

Governing Board Southwest Florida Water Management District

Brooksville, Florida

May 27, 2008

The Governing Board of the Southwest Florida Water Management District (SWFWMD) met at 9:00 a.m. on May 27, 2008, at Brooksville headquarters. The following persons were present:

Board Members Present

Judith C. Whitehead, Chair
Neil Combee, Vice Chair
Todd Pressman, Secretary
Jennifer E. Closshey, Treasurer
Bryan Beswick, Member
Hugh Gramling, Member
Albert G. Joerger, Member
Ronald E. Oakley, Member
Sallie Parks, Member
Maritza Rovira-Forino, Member
H. Paul Senft, Member

Staff Members Present

David L. Moore, Executive Director
William S. Bilenky, General Counsel
Lou Kavouras, Deputy Executive Director
Richard S. Owen, Deputy Executive Director
Eugene A. Schiller, Deputy Executive Director
Bruce C. Wirth, Deputy Executive Director

Recording Secretary

Annette D. Zielinski, Senior Admin. Assistant

Board Members Absent

Patricia M. Glass, Member

A list of others present who signed the attendance roster is filed in the permanent files of the District. Approved minutes from previous meetings can be found on the District's Web site (www.WaterMatters.org).

Public Hearing

1. Call to Order

Chair Whitehead called the meeting to order and opened the public hearing. Mr. Pressman noted a quorum was present. (CD 1/Track 01 – 00:00/00:38)

2. Pledge of Allegiance and Invocation

Chair Whitehead led the Pledge of Allegiance to the Flag of the United States of America. Mr. Bilenky offered the invocation. (CD 1/Track 02 – 00:00/03:38)

Public Hearing

Chair Whitehead noted that this Governing Board meeting was being broadcast to the Bartow, Sarasota, and Tampa Service Offices. Public input was only taken during the meeting onsite. The Governing Board's meeting was recorded for broadcast on government access channels.

Chair Whitehead stated that anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should fill out and submit a speaker's card. To assure that all participants have an opportunity to speak, a member of the public may submit a speaker's card to comment on one agenda item only during today's meeting. If additional time is needed or if the speaker wishes to address the Board on an issue not on today's agenda, a speaker's card may be submitted for comment at the end of the meeting during "Public Input." Chair Whitehead stated that comments would be limited to three minutes per speaker, and, when appropriate, exceptions to the three-minute limit may be granted by the Chair. She also requested that several individuals wishing to speak on the same issue/topic designate a spokesperson.

3. **Additions/Deletions to Agenda**

According to Section 120.525(2), Florida Statutes, additions or deletions to the published agenda will only be made for "good cause" as determined by the "person designated to preside." Mr. Moore noted the items deleted from the agenda were deleted after publication of the regular agenda. (CD 1/Track 03 – 00:00/02:08)

Meeting and Public Hearing

The following item was deleted from consideration:

4. Oath of Office for Newly Appointed Board Member

Consent Agenda

The following item was deleted from consideration:

36. Initiation of Litigation – Well Construction - License No. 7317 - Allen Rhodes – Citrus County

4. **Oath of Office for Newly Appointed Board Member**

This item was deleted from the agenda.

5. **Ceremony to Honor Former Board Member Patsy C. Symons**

Chair Whitehead said Ms. Symons was appointed to the Governing Board in 2004 and has championed causes for agriculturalists and her local community. Her support has been critical in establishing the Facilitating Agricultural Resource Management Systems (FARMS) Program in DeSoto and Charlotte counties. Ms. Symons also served as the Governing Board's secretary. Chair Whitehead presented Ms. Symons with a plaque and a resolution honoring her service.

6. **Ceremony to Honor Former Board Member and Chair Heidi B. McCree**

Chair Whitehead noted that Ms. McCree was initially appointed to the Governing Board in 2000 and reappointed in March 2004. Ms. McCree has a long history of public service and environmental causes. In 2005, she was elected the first female chair of the Governing Board. During her tenure, she was instrumental in helping the District renegotiate terms for the desalination plant. Chair Whitehead presented Ms. McCree with a plaque and a resolution honoring her service, and a framed article commemorating her service as Governing Board chair.

7. **Ceremony to Honor Former Board Member and Chair Thomas G. Dabney**

Chair Whitehead said Mr. Dabney was also appointed to the Governing Board in 2000 and reappointed in March 2004. He served as chair and two terms as vice chair of the Governing Board. During his tenure, he lent his support to the regulation community. He served on the Well Drillers Advisory Committee and was involved in the development of online permitting. Mr. Dabney was instrumental in the settlement with Weeki Wachee Springs. Chair Whitehead presented Mr. Dabney with a plaque and a resolution honoring his service, and a framed article commemorating his service as Governing Board chair. (CD 1/Track 04 – 00:00/17:48)

Mr. Stuart Anderson, representing the Well Drillers Advisory Committee, presented Mr. Dabney with a plaque commemorating his service to the Committee. Mr. Dabney said it was phenomenal experience working with the well drilling contractors, and noted they are a professional and progressive group.

Governing Board members expressed their gratitude to their departing fellow Board members and thanked them for their leadership and service. Mr. Moore said the Governing Board's leadership is a key factor to the success of this District. He noted some milestones and accomplishments that took place during the past eight years. This fall staff plans to invite current and past Governing and Basin Board members to an annual meeting which will be the first of this type. (CD 1/Track 04 – 17:48/35:55)

8. **District Recognition – Best Places to Work Award**

Ms. Elaine Kuligofski, Director, Human Resources and Risk Management Department, said the District has received, for the second consecutive year, the annual Best Places to Work® Award for large employers in Hernando County. Best Places to Work®, sponsored by the Pasco Hernando Jobs and Education Partnership, places a spotlight on local businesses who exhibit extraordinary focus on and investment in their employees.

Organizations in three separate size categories were judged by an independent consultant on such metrics as diversity, turnover, training, compensation and benefits, and growth percentages. The District competed against 64 local employers in Hernando and Pasco counties for this prestigious award. Ms. Kuligofski said she was happy to report that the District's turnover was the lowest of any of the organizations that participated in this program. She said staff works very hard to make the District's work environment enjoyable for all of its employees. Another interesting fact is that 94 percent of the District's employees received some form of training last year, which was also higher than any of the other participating organizations. Ms. Kuligofski thanked Board members for their continued support of programs and benefits for staff.

This item was presented for the Board's information, and no action was required. (CD 1/Track 05 – 00:00/02:47)

9. **District Recognition – Florida Public Relations Association Image Awards**

Mr. David T. Rathke, Director, Community and Legislative Affairs (CLA), said each year the Florida Public Relations Association holds an Image Award competition at both the local level and statewide level. The District won five awards, four from the Central West Coast Chapter and one from the Tampa Bay Chapter. An Award of Distinction for the 20th Anniversary Events of the District's Surface Water Improvement and Management (SWIM) Program was received which included three events celebrating the program's history and successes and all took place at SWIM project locations. Several positive press hits resulted from the events and the District was able to recognize and thank project partners and legislators who have supported SWIM funding. Mr. Rathke commended staff members Karen Kobil, Susan Kessel, Robyn Felix and Carrieann Adkins for their hard work.

In the category of Public Relations Programs, Public Affairs, CLA won an Award of Distinction for the West-Central Florida Water Restoration Action Plan (WRAP) legislative initiative which included gathering community and legislative support for the WRAP and an objective to secure \$25 million in the Governor's Recommended Budget. Ms. Colleen Thayer's work was instrumental in this project.

District staff won an Image Award for their work in successfully advocating for new mining ordinances in Charlotte and DeSoto counties that would give special consideration to the District's Facilitating Agricultural Resource Management Systems (FARMS) program. Mr. Rathke said Eric DeHaven and Terri Behling were responsible for this award.

The District won an Award of Distinction and a Judges' Award for the WRAP booklet. This booklet gave a comprehensive description of the projects included in the WRAP and was used to raise awareness and educate the community and legislators about the program. Mr. Rathke congratulated Pati Twardosky, Karen Kobil and Colleen Thayer for the distinction.

This item was presented for the Board's information, and no action was required. (CD 1/Track 06 – 00:00/04:38)

10. **Employee Recognition**

Mr. Moore made presentations to the Board for the employees who had achieved milestones of 20 years or greater to specially acknowledge and commend the contributions of these individuals. The following individuals celebrated 20-year milestones: Ms. Susan Caye, Senior Regulatory Systems Analyst, Regulation Performance Management; and Mr. Michael Beach, Senior Professional Engineer, Resource Projects Department.

Ms. Susie Holton, Senior Administrative Assistant, Operations Department, celebrated 25 years of service. Mr. Manny Lopez, Senior Environmental Scientist, Resource Projects Department, celebrated 30 years of service.

This item was presented for the Board's information, and no action was required. (CD 1/Track 07 – 00:00/03:55)

11. **Election of Officers**

In accordance with Board Policy 110-7, the Governing Board members participated in Election of Officers, which occurs in May. During this process, a Chair, Vice Chair, Secretary and Treasurer would be elected. The newly elected officers will assume their duties at the end of today's meeting.

Chair Whitehead entertained nominations for the position of Chair. Chair Whitehead nominated Mr. Combee. **A motion was made by Mr. Senft to close nominations, and Mr. Oakley seconded the motion. The Board voted unanimously to close nominations and cast their ballots.** Mr. Moore collected the ballots and tallied the results. Chair Whitehead announced a unanimous vote for Mr. Combee.

Chair Whitehead entertained nominations for the position of Vice Chair. Mr. Oakley nominated Mr. Pressman. Ms. Rovira-Forino nominated Ms. Closshey. Mr. Joerger nominated Ms. Parks. **A motion was made by Ms. Parks to close nominations, and Ms. Closshey seconded the motion. The Board voted unanimously to close nominations and cast their ballots.** Mr. Moore collected the ballots and tallied the results. Chair Whitehead announced a majority vote for Mr. Pressman.

Chair Whitehead entertained nominations for the position of Secretary. Mr. Gramling nominated Ms. Parks. Mr. Joerger nominated Ms. Closshey. **A motion was made by Mr. Gramling to close nominations, and Mr. Combee seconded the motion. The Board voted unanimously to close nominations and cast their ballots.** Mr. Moore collected the ballots and tallied the results. Chair Whitehead announced a majority vote for Ms. Closshey.

Chair Whitehead entertained nominations for the position of Treasurer. Ms. Closshey nominated Ms. Rovira-Forino. Mr. Gramling nominated Mr. Oakley. Mr. Beswick nominated Mr. Gramling. **A motion was made by Mr. Oakley to close nominations, and Mr. Gramling seconded the motion. The Board voted unanimously to close nominations and cast their ballots.** Mr. Moore collected the ballots and tallied the results. Chair Whitehead announced a majority vote for Mr. Oakley. (CD 1/Track 8 – 00:00/12:23)

12. **Public Input for Issues Not Listed on the Published Agenda**

No person(s) came forward to speak at this time.

Consent Agenda

Item 36 was deleted from consideration.

Regulation Committee -- Environmental Resource Permits

13. ERP No. 46030727.000 - Precision Custom Homes Commercial Building (**DENIAL**) – Charlotte County
14. ERP No. 49028609.002 - Hickory Hill – Hernando County
15. ERP No. 43032551.000 - Hernando County - Deltona Boulevard, from Spring Hill Drive to Forest Oaks Boulevard – Hernando County
16. ERP No. 43027847.008 - Maury Carter Site - 19th Avenue Improvements – Hillsborough County
17. ERP No. 43033407.000 - Rosedale Addition – Manatee County
18. ERP No. 43033070.000 - Pinch-A-Penny Headquarters - Phase One – Pinellas County

Regulation Committee -- Water Use Permits

19. WUP No. 20006413.005 - Alafia North Prong/Hillsborough County (**DENIAL**) – Hillsborough County
20. WUP No. 20005514.008 - Duette Farm/McClure Properties, Ltd. – Manatee County
21. WUP No. 20013048.000 - Pasco County Master Reuse Water System - Supplemental Wells –Pasco County
22. WUP No. 20000097.005 - Gapway - Fort Meade Grove/Gapway Grove Corporation – Polk County
23. WUP No. 20004658.011 - City of Lake Wales – Polk County

Regulation Committee -- Other

24. **Approve Initiation of Rulemaking to Revise the Small General Water Use Permit Category and Application Processing Requirements**

Staff recommended to approve the initiation of rulemaking to amend Rules 40D-1.607, 40D-1.659, 40D-021, 40D-2.041 and 40D-2.091, F.A.C., and the District's Water Use Permit Information Manual Part B, "Basis of Review" to revise the small general water use permit category and the application processing and permit requirements for small general water use permits.

Resource Management Committee

25. **Declaration and Conveyance of Surplus Lands, SWF Parcel No. 21-477-107S, and Permanent Easement, SWF Parcel No. 21-477-108X, to Sarasota County for Fruitville Road Widening – Sarasota Service Office**

Staff recommended to (1) declare SWF Parcel No. 21-477-107S surplus and approve conveyance of the property to Sarasota County; (2) approve conveyance of a permanent easement over SWF Parcel No. 21-477-108X to Sarasota County; (3) accept the appraised value of \$315,126 for fee title to SWF Parcel No. 21-477-107S and the appraised value of \$210,503 for a permanent easement over SWF Parcel No. 21-477-108X; and (4) authorize the transfer of \$10,000 from the General Fund Contingency Reserves to the General Services Department's fiscal year 2008 operating budget for relocation of improvements within the road right-of way.

26. **Resolution Requesting Funds from the Water Management Lands Trust Fund for Payment in Lieu of Taxes to Charlotte, Citrus, DeSoto, Hernando and Sumter Counties**

Staff recommended to approve a resolution requesting funds from the Water Management Lands Trust Fund for payments in lieu of taxes to Charlotte, Citrus, DeSoto, Hernando, and Sumter Counties in the total amount of \$315,565.25.

27. **Transfer Unused Funds from the Tampa Bay Regional Reclaimed Water Project to Water Supply and Resource Development Reserves**

Staff recommended to approve the transfer of \$14,713,530, recently liquidated from the Tampa Bay Regional Reclaimed Water Projects (H300-H310) to the Governing Board's Water Supply and Resource Development Reserves (H100) for allocation to future projects consistent with the District's Long Range Water Supply and Water Resource Development Funding Plan.

28. **District's Watershed Management Program and Federal Emergency Management Agency Map Modernization – Hernando County Cooperative Funding Agreements**

Staff recommended to approve the amendments and authorize the Executive Director to execute the Amendments to the Cooperative Funding Agreements with Hernando County to allow the funds originally budgeted for alternatives analysis to be used to update the watershed models for the Oman Quarry (\$38,000), Indian Creek (\$25,000), Blue Sink (\$179,000), Little Withlacoochee River (\$83,500), and Wiscon (\$163,000) watersheds.

Finance & Administration Committee

29. **Board Travel**

No action was required at this time

30. **Budget Transfer Report**

Staff recommended to approve the Budget Transfer Report covering all budget transfers for April 2008.

31. **Planned Storage Area Network**

Staff recommended to (1) authorize the District's Executive Director to execute a lease-purchase agreement with a vendor chosen through the competitive process for the financing of a Storage Area Network (SAN) including associated hardware, software, warranty and services for a total financing cost not to exceed \$2,062,350 contingent upon the annual appropriation of the lease purchase payment by the Governing Board as part of the District's annual adopted budget for fiscal years 2009, 2010 and 2011; and (2) authorize the District's Executive Director to execute an escrow agreement to open an escrow account for the deposit of the funds from the financing vendor and authorize the escrow agent to make disbursements to the SAN manufacturer in accordance with the terms of the escrow agreement. General Fund contingency reserves (\$106,500) will be required to accomplish both objectives.

General Counsel's Report

32. **Consent Order – Surface Water Activity - Edward Renna, Fran B. Renna, and Robert J. Renna – Polk County**

Staff recommended to approve the proposed Consent Order and authorize the initiation of litigation in the event that Edward Renna, Fran B. Renna, or Robert J. Renna fails to comply with the Consent Order.

33. **Consent Order – WUP Nos. 20009791.005 and 20002842.006 – Citrus County Board of County Commissioners (Sugar Mill Woods & Citrus Springs/Pine Ridge Service Areas) – Citrus County**

Staff recommended to approve the proposed Consent Order and authorize the initiation of litigation against Citrus County to obtain compliance with the Consent Order.

34. **Initiation of Litigation – Surface Water Activity - AJ & J Property Investment Corporation - Hernando County**

Staff recommended to authorize the initiation of litigation against AJ & J Property Investment Corporation and any other appropriate parties, to obtain compliance, a monetary penalty and recovery of District enforcement costs, litigation costs and attorney's fees.

35. **Initiation of Litigation – WUP No. 20010923.000 - Spruce Creek Development Company of Ocala, Inc. – Sumter County**

Staff recommended to authorize the initiation of litigation against Spruce Creek Development of Ocala, Inc. and any other appropriate parties to obtain compliance, a monetary penalty, and recovery of District enforcement costs, court costs, and attorney's fees.

36. **Initiation of Litigation – Well Construction - License No. 7317 - Allen Rhodes – Citrus County** - This item was deleted from consideration.

37. **Initiation of Litigation – Well Construction - License No. 9376 - Robert Barfield – Polk County**

Staff recommended to authorize the initiation of litigation against Mr. Barfield to take disciplinary action against his license, recover an administrative fine/civil penalty, and recover District enforcement costs, court costs and attorney's fees.

38. **Interagency Agreement – Southwest Florida Water Management District and South Florida Water Management District for Designation of Regulatory Responsibility - Delray Plants, Inc. – Highlands County**
Staff recommended to approve the Interagency Agreement between the Southwest Florida Water Management District and the South Florida Water Management District for Designation of Regulatory Responsibility for the Delray Plants Project.
39. **Amendment of Conservation Easement – ERP No. 44026192.004 - Maconi-Crosland Oak Creek, L.L.C. – Pasco County**
Staff recommended to approve and to execute the First Amendment to Conservation Easement in order to correct the incorrect legal description contained in the original Conservation Easement.
40. **Denial of Deborah A. Kos Petition for Waiver of Section 4.4 of the District ERP Basis of Review – Highlands County**
Staff recommended to approve the denial of Deborah A. Kos Petition for Waiver of Section 4.4 of the District Environmental Resource Permitting Information Manual Part B, Basis of Review.

Executive Director's Report

41. **Approve April 29, 2008 Governing Board Meeting Minutes**
Staff recommended to approve the minutes as presented.

Following consideration, **Ms. Parks moved, seconded by Mr. Combee, to approve the Consent Agenda as amended. Motion carried unanimously.** (CD 1/Track 09 – 00:00/01:25)

Chair Whitehead relinquished the gavel to Outreach and Planning Committee Chair Combee.

Outreach and Planning Committee

Discussion Items

42. **Tampa Bay Estuary Program Update**
Ms. Jennette Seachrist, SWIM Program Manager, Resource Data and Restoration Department, introduced Ms. Holly Greening, the new Executive Director of the Tampa Bay Estuary Program (TBEP). Ms. Greening provided a short presentation outlining her history with the TBEP, the contributions local agencies have made to Bay recovery, the benefits the TBEP provides to the region and the challenges the partners face.

In 1987, the Florida Legislature established the Surface Water Improvement and Management Program (SWIM) Act having recognized that water quality and habitat in surface waters throughout the state have degraded or are in danger of being degraded. The Act requires the District maintain a priority list of waterbodies of regional or statewide significance within their boundaries. The Act listed Tampa Bay as the District's number one priority. The District prepared the first SWIM Plan for Tampa Bay in 1988 with updates in 1992 and 1999. A fourth update is underway.

In 1990, the United States Environmental Protection Agency (USEPA) identified Tampa Bay as an estuary of Federal Significance and included it in the National Estuary Program. As a result of this designation, the Tampa Bay National Estuary Program was established in 1991 to assist the region in developing a comprehensive plan for the restoration and protection of Tampa Bay. The first Comprehensive Conservation and Management Plan (CCMP) for Tampa Bay, entitled "Charting the Course," was prepared in 1996 and updated in 2006. The Federal government provided the majority of funding during the first five years. The members of the original effort decided to continue with the program and in 1998, through an Interlocal Agreement, formed the Tampa Bay Estuary Program (TBEP) (dropping the Federal designation) as a partnership of federal, state, and local agencies and governments including several private industries. These entities include the USEPA, Florida Department of Environmental Protection, the District, Hillsborough, Manatee, and

Pinellas counties and the cities of St. Petersburg, Tampa, and Clearwater. The Interlocal Agreement identified a long-term commitment to the program, which for the District requires annual funding approval at the Basin Board level. Since 1998 the District and other partners have completed numerous stormwater retrofit and habitat restoration projects toward achieving the goals of the CCMP and the SWIM Plan.

This item was for the Board's information only; no action was required. (CD 1/Track 10 – 00:00/14:09)

43. **Legislative Summary**

Mr. David Rathke, Director, Community and Legislative Affairs Department, said the Legislature concluded its session on May 2, 2008 and statewide, the environment and natural resources fared well. The District also succeeded on several fronts this year with regards to the budget. The state maintained the Water Management Lands Trust Fund at \$59 million and fully funded Florida Forever at \$105 million. The Legislature also funded Everglades Restoration at \$50 million.

The Water Protection and Sustainability Trust Fund was substantially reduced to a total of \$7.7 million statewide. Additionally, a total of \$66.5 million in water projects were funded statewide. The District will receive funding for two projects: \$1 million to continue efforts to restore Tampa Bay and \$1 million to continue the Myakka River Watershed Initiative. A number of water projects were also funded for District cooperators.

The District received \$15 million for the West-Central Florida Water Restoration Action Plan, a significant amount given the current budget climate.

The Florida Forever program will continue for another ten years with the passage of Senate Bill 542 this Session. The legislation moves the program forward and adds new provisions including the establishment of a funding mechanism for working waterfronts. Of particular interest to water management districts is the redirection of five percent of the 35 percent that water management districts receive in funding to the Department of Agriculture and Consumer Services (DACS) and Florida Communities Trust (FCT).

This item was presented for the Board's information; no action was required. (CD 1/Track 11 – 00:00/10:47)

44. **Fiscal Year 2010 Strategic Plan Update**

Mr. Roy Mazur P.E., Director, Planning Department, said the purpose of this agenda item was to apprise the Governing Board on the progress of the Fiscal Year (FY) 2010 Strategic Plan Update, and to communicate the significant discussion items deliberated in the process.

The presentation informed the Governing Board on the progress of the Strategic Plan update process, and in particular, highlighted the three points of emphasis: Building Upon Last Year's Success, Inclusive Process, and Refined Success Indicators. Examples of discussion items derived from the Subject Matter Expert and Strategic Team meetings were featured, such as the enhancement of strategic alignments and the continued integration of the Strategic Plan into District operations. Mr. Mazur pointed out that the latest version of the Five-Year Technology Plan is a perfect example of this strategic planning process. In addition, the presentation informed the Governing Board on the project milestones reached and the planned objectives on target to be achieved.

This item was presented for the Board's information; no action was required. (CD 1/Track 12 – 00:00/13:41)

Routine Reports

The following items were provided for the Committee's information, and no action was required.

45. **Comprehensive Plan Amendment and Related Reviews Report**

46. **Review of Developments of Regional Impact**

47. **Speakers Bureau**

48. **Significant Activities Report**

Outreach and Planning Committee Chair Combee relinquished the gavel to Chair Whitehead.

Chair Whitehead said to accommodate those who came to today's meeting to hear items on the Resource Management Committee the Board would take those items up next.

Chair Whitehead relinquished the gavel to Resource Management Committee Chair Pressman.

Resource Management Committee

Discussion Items

58. **Consent Item(s) Moved for Discussion** – None

59. **Cooperative Funding Initiative Project Status Report – Water Partners, Inc. Reclaimed Water Project**

Mr. Moore reviewed the parties involved in the Water Partners, Inc. (WPI). They included: Hillsborough County, Mosaic, and TECO. Other organizations that have been included in meetings and conversations with the WPI include: the City of Tampa, Lakeland, Polk County, Tampa Bay Water, and the Florida Department of Environmental Protection. He said this project has great potential to maximize the beneficial use of reclaimed water. It furthers the District's legislative mandate to promote the availability of sufficient water supply for all existing and future reasonable and beneficial uses and natural systems. It is consistent with the Southern Water Use Caution Area Recovery Strategy and eliminates nitrogen loading to Tampa Bay.

Details of the different components for the project were presented using aerial maps of the region. Future meetings will focus on governance, infrastructure sizing, regulation, and recharge. Mr. Moore said as this project unfolds and is further investigated the Board will be updated on a regular basis; at this point he said he plans to address the Board in July with a project proposal. Board members discussed the project and expressed their collective desire to be kept informed. Ms. Closshey suggested that a historical report regarding the District's use of recharge, one that includes scientific and technological advances, be prepared for the Governing Board well in advance of the July Governing Board meeting. Mr. Combee said he hopes Lake Wales Ridge can benefit from any potential recharge project. Mr. Senft concurred with Mr. Combee's comments. He said since this project is so large he hopes it can benefit many. Mr. Gramling said he hopes this is the beginning of a regional reclaimed project.

This item was presented for the Board's information; no action was required. (CD 1/Track 13 – 00:00/28:38)

60. **Lower Hillsborough River Recovery Strategy Implementation Annual Update**

Martin H. Kelly, Ph.D., Minimum Flows and Levels Program Director, Resource Projects Department, provided the annual update to the Board regarding the implementation of the various projects outlined in the recovery strategy needed to meet the adopted minimum flow for the Lower Hillsborough River (LHR). Dr. Kelly reviewed progress on individual projects and outlined the various phases that have been implemented to date and summarized progress on various elements currently underway.

Projects to be jointly funded by the District and the City of Tampa and their timelines for implementation were as follows:

- (1) Sulphur Springs weir modifications and pump station, October 1, 2010,
- (2) Blue Sink Project, October 1, 2011,
- (3) Transmission Pipe, October 1, 2013, and
- (4) Investigation of Storage Options, October 1, 2016.

In addition, the District was to construct three temporary pump stations to transfer water from the Tampa Bypass Canal to the base of the Hillsborough River Dam and to explore the feasibility of developing and implementing a project to transfer water from Morris Bridge Sink to the base of the dam.

This item was presented for the Committee's information, and no action was required. (CD 1/Track 13 – 28:38/49:42)

61. **Tampa Bay Water System Overview**

Chair Pressman and Mr. Moore introduced Mr. Gerald J. Seeber, General Manager, Tampa Bay Water. Mr. Seeber said this year marks the ten-year anniversary of the reorganization of Tampa Bay Water and its historic partnership with the Southwest Florida Water Management District in the development of new water supplies for the metropolitan region. Over the past decade, together, amazing strides have been made in the development of a diverse potable water supply system that balances surface water from the rivers, desalinated seawater from Tampa Bay and groundwater from the three county service area.

Mr. Seeber provided an overview and update of the current water supply system; a review of the current operations at the seawater desalination plant; a progress report regarding the milestones in the desalination funding agreement; the current status of operations at the northern Tampa Bay area central-system well fields; and an update on the initiative to reclassify the Alafia River as a Class 1 waterway. In 2007, Tampa Bay Water and the District partnered a second time by expanding the successful surface water system to provide drinking water to the region through 2017. Construction projects are underway to expand the Regional Surface Water Treatment Plant and add pumping and piping where necessary to fully utilize the available surface water and further enhance reliability and flexibility of the regional drinking water supply system.

Mr. Seeber also updated the Governing Board on the status of the agency's efforts on the Long-Term Water Supply Plan. The Tampa Bay Water Board approved a list of 16 potential projects and approved inter-regional coordination to meet those future water demands, including a Future Surface Water Expansion Study to look more closely at additional Alafia River withdrawals, downstream augmentation of the Hillsborough River or Alafia River, a potential second reservoir and a potential second surface water treatment plant.

This item was presented for the Committee's information, and no action was required. (CD 1/Track 14 – 00:00/18:58)

62. **Withlacoochee Regional Water Supply Authority Transition**

Mr. Kenneth R. Herd, Water Supply Program Director, Resource Projects Department, said this action item addresses the Withlacoochee Regional Water Supply Authority's funding request to expand the efforts of the Authority to meet the growing need for regional water supplies.

The Authority has requested the District provide \$400,000 annually to the Authority for the next five years to support administrative costs associated with staff, office and operation elements. After the five-year period, it is the Authority's goal to be self supporting through the sale of water from existing and new sources. In April, Mr. Sullivan presented an

overview of the request to the Withlacoochee River and Coastal Rivers Basin Boards for consideration as part of their FY2009 budget. A similar presentation was made at the joint meeting between the Authority and the District Governing Board in Ocala on March 24, 2008. The Authority also requested the District consider amending the Charles Black wellfield agreement to allow revenue generated by the sale of water to be used for the Authority's administrative costs.

Based upon District staff discussions with members of the Authority and feedback from District basins, and in light of the economic environment affecting local governments, the District is proposing the following:

- No funding from the District to the Authority at this time; and
- District will provide in-kind services for administrative support including:
 - Office and storage space at the District's Brooksville complex
 - Technical support from existing District staff
 - Clerical support from existing District staff
 - Miscellaneous communication support including phone service, computer services, etc.

Staff recommended approval of the proposed plan to support WRWSA's administrative requirements by providing the in-kind services outlined above and providing no additional funding at this time.

Committee Chair Pressman heard public comment at this time.

Commissioner Rose Rocco, Hernando County, encouraged Governing Board members to approve the staff recommendation to continue moving forward with a regional approach to water management.

Committee Chair Pressman asked Mr. Jack Sullivan why the Authority used a five-year planning period. Mr. Sullivan said the five-year period was the proper timeframe for them at this point.

Ms. Janey Baldwin, Withlacoochee River Basin Board Member, said she believes there are benefits to a regional water supply authority; however, she is not in favor of one at this time. She believes it is premature and not the right economic climate.

Following consideration, **Mr. Combee moved, seconded by Ms. Whitehead, to approve the staff recommendation as outlined above. Motion carried unanimously.** (CD 1/Track 15 – 00:00/29:23)

Committee Chair Pressman recessed the public hearing for a short lunch break.

63. **District Hurricane Preparedness Overview**

Mr. Michael L. Holtkamp, Director, Operations Department, provided an overview of District emergency preparedness for the 2008 hurricane season which included a discussion of the operation of the District's Emergency Operations Center (EOC). Following District staff's presentation, representatives from Tampa Bay Water and the Peace River/Manasota Regional Water Supply Authority made brief presentations on their respective hurricane preparedness plans.

The District operates and maintains 78 water control structures ranging in size from major flood control structures capable of discharging 26,700 cubic feet per second to small water conservation structures consisting of a simple culvert and riser with stop logs. To date 28 of the District's structures have been instrumented to be operated by remote control to improve upon response time in the event of a pending hurricane or other emergency

situation. Three additional structures are currently in the process of being instrumented for remote control in fiscal year 2008. All major flood control structures are remotely controllable.

The District has developed a Comprehensive Emergency Management Plan. The Plan provides guidance to District staff on procedures, organization, and responsibilities of an "all hazards" approach to emergency planning. In the event of an emergency, the District Emergency Operations Center (EOC) is activated. The EOC is the facility through which the District provides direction and control during all emergency events. All emergency response efforts and resource deployment is coordinated through the EOC.

District emergency management activities revolve around a four-phased cycle of preparedness, response, recovery and mitigation. District preparedness activities include: Incident Command System (ICS) and National Incident Management Systems (NIMS) training, updates to emergency action plans, increased monitoring and data acquisition, pre-storm structure operations to increase storage levels, and structure remote control installations. State and local governments provide recovery assistance to citizens and businesses. The District is signatory to two mutual aid agreements – the "Statewide Mutual Aid Agreement" and the "Florida Water Management Districts Mutual Aid Agreement for Catastrophic Emergency Response/Recovery." These agreements provide reciprocal emergency aid and assistance during an emergency or disaster.

This item was presented for the Committee's information, and no action was required. (CD 1/Track 16 – 00:00/23:17; CD 1/Track 17– 00:00/05:49; CD 1/Track 18 – 00:00/06:09)

Submit & File Report

This item was submitted for the Committee's information, and no action was required.

64. **Report from the Peer Review Panel of the Proposed Minimum Flows and Levels for the Lower Peace River and Shell Creek**

Routine Reports

The following items were provided for the Committee's information, and no action was required.

65. **Florida Forever Funding Status Report**
66. **Minimum Flows and Levels Status Report**
67. **Structure Operations Status Report**
68. **Watershed Management Program and Federal Emergency Management Agency Map Modernization Status Report**
69. **Significant Water Supply and Resource Development Projects**

Committee Chair Pressman relinquished the gavel to Regulation Committee Chair Rovira-Forino.

Regulation Committee

Discussion Items

49. **Consent Item(s) Moved for Discussion** – None

50. **Hydrologic Conditions Status Report**

Mr. Granville Kinsman, Manager, Hydrologic Data Section, provided information on the general state of the District's hydrologic conditions, by comparing rainfall, surface water, and groundwater levels for the current month to comparable data from the historical record. The month of May revealed some setbacks to recent improvements. The fire danger remains elevated. In light of these current conditions the District is not recommending any changes to the restrictions. The precipitation forecast for the upcoming month is promising with an above normal rainfall prediction. Staff will continue

to closely monitor conditions in accordance with the District's updated Water Shortage Plan, including any necessary supplemental analysis of condition data.

This item was provided for the Committee's information, and no action was required. (CD 1/Track 19 – 00:00/07:40)

51. **Per Capita and Enhanced Water Conservation Rulemaking Status Report**

Mr. Bobby Lue, P.E., Director, Brooksville Regulation Department, provided a status report of the ongoing activities to develop rules to expand the Southern Water Use Caution Area (SWUCA) per capita requirements Districtwide and adopt rules that will enhance water conservation requirements in the District. In addition, staff sought Board concurrence with no longer pursuing the establishment of new water use caution areas in the northern portions of the District.

Mr. Lue provided a status report on each of these initiatives: Water Conservation Summit, Potential Establishment of a Water Use Caution Area in Portions of Marion and Sumter Counties, Expansion of the NTBWUCA, Potential Establishment of a Water Use Caution Area in Portions of Citrus and Hernando Counties, and Enhanced Water Conservation Requirements.

The Governing Board approved adoption of rule revisions at its August 28, 2007 meeting to implement the SWUCA per capita requirements Districtwide. Subsequent to this action, a number of stakeholders expressed concerns with the requirements, particularly for utilities with low persons-per-household. District staff have been working with these stakeholders to develop options to address these concerns. At its September 25, 2007 meeting, the Board authorized additional changes to the proposed rules; however several parties have continued to request further changes. Staff are scheduled to return to the Board at the June 2008 meeting with additional rule revisions.

Because of the breadth of the proposed water conservation requirements and the fact that they will be implemented Districtwide, staff believes that these proposed rules will negate the need for the designation of any additional Water Use Caution Areas in the northern District, at this time. Hence, staff is recommending that the establishment of Water Use Caution Areas be removed from consideration as a Northern District strategy.

Staff recommended to remove from further consideration the establishment of Water Use Caution Areas in portions of Marion-Sumter and Citrus-Hernando counties as part of the management strategies to address water resource concerns in the northern portions of the District.

Following consideration, **Ms. Parks moved, seconded by Mr. Oakley, to approve the staff recommendation as amended by adding the language "at this time" to the end of the staff recommendation. Motion carried unanimously.** (CD 1/Track 20 – 00:00/37:48)

Submit & File Reports – None

Routine Reports

The following items were provided for the Committee's information, and no action was required.

- 52. **Southern Water Use Caution Area Quantities**
- 53. **Water Production Summary**
- 54. **Public Supply Benchmarks**
- 55. **Overpumpage Report**
- 56. **Resource Regulation Significant Initiatives Report**

Committee Chair Rovira-Forino relinquished the gavel to Finance and Administrative Committee Chair Closshey.

Finance and Administration Committee

Discussion Items

70. **Consent Item(s) Moved for Discussion**

71. **Fiscal Year 2009 Budget Update**

Treasurer Closshey said we are now at the point in the fiscal year 2009 budget development process, where the first components of the budget are brought to this Committee for review and initial approval. This review process will continue from now until the end of September when the budget is adopted, effective October 1. The Recommended Annual Service Budget will be presented at the Annual Budget Workshop which will be held as a part of the Board's next meeting on June 24, 2008.

Treasurer Closshey said it has been a pleasure working with staff these past two years and a very interesting time period for the function of Treasurer.

Ms. Linda Pilcher, Assistant Director, Finance Department, reviewed the FY2009 Budget Calendar and highlighted the critical dates. Ms. Pilcher said the Basin Boards will be asked to adopt proposed millage rates at the June Basin Board meetings and presented an example of the millage rate options that would be considered by the Basins in compliance with the 2007 tax reform legislation Section 200.185, Florida Statutes, as amended in 2008. She also explained how the 2008 Legislative actions will impact the budget. (CD 1/Track 21 - 00:00/25:38)

Mr. Terry Redman, Director, Information Resources Department, said staff aligns the Draft Information Resources Five-Year Technology Plan FY2009 through FY2013 with the projects outlined in the District's Strategic Plan. He reviewed the Data Management and IT Governance Framework in detail and Ms. Rita Harrod presented information on the Project Information Management System.

Ms. Linda Pilcher, Assistant Finance Director, said the Five-Year Capital Improvements Plan (CIP) is updated annually and must be included in the Consolidated Annual Report due March 1st of each year pursuant to section 373.036(7), Florida Statutes. Ms. Pilcher highlighted the planned expenditures for land acquisition, basin construction costs and other related capital project costs.

Staff recommended to (1) accept for budget planning purposes, the draft FY2009 through FY2013 Information Resources Five-Year Technology Plan forecasts and Computer Renewal and Replacement Sinking Fund Investment and expenditure schedule, and the draft FY2009 through FY2013 Capital Improvements Plan; and (2) authorize the inclusion of these plans into the Recommended Annual Service Budget for presentation at the Annual Budget Workshop on June 24.

Following consideration, Mr. Combee moved, seconded by Mr. Oakley, to approve the staff recommendation. Motion carried unanimously. (CD 1/Track 22 - 00:00/25:26)

Submit & File Report

This item was submitted for the Committee's information, and no action was required.

72. **Treasurer's Report, Payment Register, and Contingency Reserves Report**

Mr. Schiller reported that, regarding the State Board of Administration issue, \$36.9 million have been released from Fund A. In June, he anticipates another \$8 million being released as funds mature from Fund B. (CD 1/Track 23 - 00:00/02:14)

Routine Reports

This item was provided for the Committee's information, and no action was required.

73. **Management Services Status Report**

Finance and Administration Committee Chair Closshey relinquished the gavel to Chair Whitehead.

General Counsel's Report

Discussion Items

74. **Consent Item(s) Moved for Discussion** - None

Submit & File Reports – None

Routine Reports

The following items were provided for the Committee's information, and no action was required.

75. **Litigation Report**
76. **Rulemaking Update**

Reports

77. **Executive Director's Report**

Mr. Moore said the District is trying a new and more formalized approach to helping new Board members get acquainted with the policies, processes, and current issues. Governing Board members received a copy of the *New Governing Board Member(s) Briefing Schedule*. Mr. Moore asked Board members to review the hand-out and provide their comments to Ms. Kavouras.

Governing Board members also received a ONE BAY Fact Sheet hand-out. Mr. Moore called the Board's attention to the Scenario Guide and encouraged the Board to provide comments.

The Senior Staff Workshop was held offsite over a two-day period. Mr. Moore said it was productive, and discussions covered current topics and management philosophies. Staff members thought the meeting was valuable and asked that they be held quarterly rather than annually.

On behalf of the entire staff, Mr. Moore thanked Chair Whitehead for her service leading the Board for the past year. He said staff looks forward to planning an event to honor her service in that leadership role.

78. **Chair's Report**

Chair Whitehead said the Volunteer Appreciation Day event went well and was inspirational. She also thanked her fellow Board members for their dedication and cooperativeness; she said it was an honor to serve as the Board's chair.

There being no further business to come before the Board, **Ms. Parks moved, seconded by Mr. Combee, to adjourn the meeting. Motion carried unanimously.**

The meeting was adjourned at 3:52 p.m. (CD 1/Track 24 - 00:00/09:50)

Attest:

Chairman

The Southwest Florida Water Management District does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the District's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation, as provided for in the Americans with Disabilities Act, should contact the Executive Department, telephone 1-800-423-1476 (Florida only), extension 4610; TDD ONLY 1-800-231-6108 (Florida only); FAX 352-754-6874.