

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

SARASOTA, FLORIDA

FEBRUARY 24, 2015

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m. on February 24, 2015, at the District's Sarasota Service Office. The following persons were present:

Board Members Present

Michael A. Babb, Chair
Randall S. Maggard, Vice Chair
David W. Dunbar, Treasurer
H. Paul Senft, Member
Bryan Beswick, Member
Carlos Beruff, Member
George Mann, Member
Wendy Griffin, Member
Michael A. Moran, Member
Ed Armstrong, Member

Board Members Absent

Jeffrey M. Adams, Secretary
Tommy Bronson, Member

Staff Members

Robert R. Beltran, Executive Director
Brian Armstrong, Assistant Executive Director
David T. Rathke, Chief of Staff
Kurt P. Fritsch, Inspector General
Laura J. Donaldson, General Counsel
John J. Campbell, Division Director
Ken Frink, Division Director
Mark A. Hammond, Division Director
Alba E. Más, Division Director

Board's Administrative Support

Cara Martin, Board & Executive Services Manager
Lori Manuel, Administrative Assistant

A list of others present who signed the attendance roster is filed in the permanent records of the District. This meeting was available for viewing through Internet streaming. Approved minutes from previous meetings can be found on the District's Web site (www.WaterMatters.org).

PUBLIC HEARING (Audio – 00:00)

1. **Call to Order**

Chair Michael Babb called the meeting to order and opened the public hearing. Treasurer David Dunbar noted a quorum was present.

2. **Pledge of Allegiance and Invocation**

Treasurer Dunbar offered the invocation. Chair Babb led the Pledge of Allegiance to the Flag of the United States of America.

Chair Babb introduced each member of the Governing Board. He noted that the Board's meeting was recorded for broadcast on government access channels, and public input was only taken during the meeting onsite.

Chair Babb 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 agenda items only during today's meeting. 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 during "Public Input." Chair Babb 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. He also requested that several individuals wishing to speak on the same issue/topic designate a spokesperson.

3. **Additions/Deletions to Agenda**

Section 120.525, Florida Statutes, allows the District to change the published agenda for good cause shown, as determined by the presiding officer.

Board Member Beruff asked that the following agenda items be moved from consent to discussion:

Operations, Lands and Resource Monitoring Committee

7. **Resolution Requesting Encumbrance of Funds within the Florida Forever Trust Fund for Fiscal Year 2015 Preacquisition Costs**

Resource Management Committee

9. **2015 FDOT Mitigation Program Plan**

Mr. Beltran, Executive Director, noted the following changes requested to the agenda.

The following item was deleted from the agenda:

Operations, Lands and Resource Monitoring Committee

39. **Declare Land Surplus and Approve Conveyance, Hernando County Fire Rescue District Station -- Annutteliga Hammock Project, SWF Parcel No. 15-228-1342S**

Chair Babb said there is good cause to amend the published agenda as allowed by Section 120.525, Florida Statutes. A motion was made to approve the amendments to the published agenda, as amended, which was seconded. The motion carried unanimously. (Audio 05:21)

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

Chair Babb noted at this time, the public is given an opportunity to comment on any topic not listed on the agenda. There were no *Request to Speak* cards submitted.

CONSENT AGENDA (Audio 05:41:00)

Chair Babb asked that before the Board considers action on the Consent Agenda whether there is anyone in the audience who wishes to address the Board regarding an item listed on the Consent Agenda.

Chair Babb stated he received no *Request to Speak* cards for any agenda items.

Regulation Committee

5. **Individual Water Use Permits Referred to the Governing Board** - None

Operations, Lands and Resource Monitoring Committee

6. **Tampa Bypass Canal - Renewal of Management Agreement with City of Temple Terrace for Youth Sports Complex – SWF Parcel 13-004-280X**

Staff recommended the Board approve the Management Agreement with the City of Temple Terrace for the Youth Sports Complex and dog park on the Tampa Bypass Canal (SWF Parcel 13-004-280X) and authorized the Board to execute the agreement and delegate the authority to the Executive Director to execute amendments to this agreement when consistent with the Governing Board's approval herein, and renewals as needed.

7. Resolution Requesting Encumbrance of Funds within the Florida Forever Trust Fund for Fiscal Year 2015 Preacquisition Costs

This item was moved to discussion.

Resource Management Committee

8. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, Florida Administrative Code, to Adopt Minimum and Guidance Levels for Bird and Crystal Lakes in Hillsborough County

Staff recommended the Board:

- a. Accept the reports entitled, "Proposed Minimum and Guidance Levels for Bird Lake in Hillsborough County, Florida," both dated January 27, 2015.
- b. Authorize staff to make any necessary minor clarifying edits that may result from the rulemaking process and to complete report finalization.
- c. Initiate and approve rulemaking to amend Rule 40D-8.624, F.A.C., to replace the previously adopted minimum and guidance levels with the proposed minimum and guidance levels for Bird and Crystal lakes in Hillsborough County as shown in the Exhibit.

9. 2015 FDOT Mitigation Program Plan

This item was moved to discussion.

Finance/Outreach & Planning Committee

10. Approval of the 2015 Consolidated Annual Report

Staff recommended the Board approve the 2015 Consolidated Annual Report and its transmittal.

11. Budget Transfer Report

Staff recommended the Board approve the Budget Transfer report covering all budget transfers for January 2015.

General Counsel's Report

12. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval

- a. **Revisions to Board Policy 160-3, Legal – Proposals for Settlement in Civil Cases, and Board Policy 160-4, Legal – Delegation of Authority to General Counsel for Certain Administrative Hearing Matters**

Staff recommended the Board approve the proposed revisions to the following Board Policies:

- 160-3, Legal - Proposals for Settlement in Civil Cases
- 160-4, Legal - Delegation of Authority to General Counsel for Certain Administrative Hearing Matters

- b. **Approve Partial Release of Conservation Easement and Quitclaim Deed – State Road 54 – Pasco County**

Staff recommended the Board approve and accept the Partial Release of Conservation Easement and Quitclaim Deed.

- c. **Consent Order – Overpumpage – Charlotte County Board of County Commissioners (O'Donnell Park) – WUP Nos. 20012309.003 and .004 – Charlotte County**

Staff recommended the Board approve the proposed Consent Order and authorize the initiation of litigation against Charlotte County Board of County Commissioners and any other necessary parties if necessary to obtain compliance with the Consent Order.

- d. **Consent Order – Permit Condition Violation – City of Wildwood – WUP 20008135.009 – Sumter County**

Staff recommended the Board approve the Consent Order and authorize to initiate litigation against the City of Wildwood to enforce the terms of the Consent Order.

- e. **Initiation of Litigation – Bank of America, N.A. – CT No. 363273 – Flowing Well and Failure to Properly Abandon Well – Charlotte County**

Staff recommended the Board authorize the initiation of litigation against Bank of America, and any other appropriate parties to obtain compliance, to recover an administrative fine/civil penalty, and to recover District enforcement costs, litigation costs and attorney's fees.

f. **Settlement – District Workers' Compensation Claim Settlement – Claim Number 116838**

Staff recommended the Board Approve the payment of the settlement offer in the amount of \$20,000.00 to resolve all matters related to Workers' Compensation Claim Number 116838.

13. Rulemaking

a. **Initiation and Approval of Rulemaking to Amend Rules 40D-1.1002 and 40D-1.659, F.A.C., Forms and Instructions, to Revise Form LEG-R.42.00-058, Petition for Variance or Waiver**

Staff recommended the Board approve final rule language and authorize the completion of rulemaking to amend Rules 40D-1.1002 and 40D-1.659, F.A.C., Forms and Instructions, to Revise Form LEG-R.42.00-058, Petition for Variance or Waiver, and authorize staff to make any necessary clarifying or technical changes that may result from the rulemaking process.

b. **Initiation and Approval of Rulemaking to Create Rule 40D-1.800, F.A.C., for Conducting Meetings by Communications Media Technology**

Staff recommended the Board initiate and approve rulemaking to create Rule 40D-1.800, F.A.C., for conducting meetings by communications media technology.

Executive Director's Report

14. Approve Governing Board Minutes - January 27, 2015

Staff recommended the Board approve the January 27, 2015 meeting minutes.

A motion was made, seconded to approve the Consent Agenda as amended. Motion carried unanimously. (Audio – 05:44:00)

Chair Babb relinquished the gavel to Finance Committee Chair Dunbar who called the Committee meeting to order.

Finance/Outreach & Planning Committee Discussion

15. Consent Item(s) Moved for Discussion - None

16. Investment Strategy Update

The District's financial investment advisors, Messrs. Richard Pengally (PFM) and Tom Tight (PTA) provided information that was requested from the January Governing Board meeting. This information included: an executive summary outlining the District's objectives and investment strategies; a portfolio and investment policies comparisons with other water management districts, Hillsborough County, Sarasota County and Sarasota Manatee Airport Authority; ; enhancement options that might increase return, including the impact of extending the District's portfolio benchmark; impact of callable structures, impact of mortgage backed securities (MBS), impact of corporate obligations versus MBS and Certificates of Deposit (CDS); PFM Asset Management fee calculations; and Public Trust Advisor fee calculations.

Board Member Beruff asked if the income that was presented for comparison was net of fees. Mr. Pengally responded in the negative and explained those were gross fees. Committee Chair Dunbar asked if that included funds that had external advisors. Mr. Pengally responded in the affirmative. Discussion ensued.

Board Member Beruff asked if the District is taking return risk. Mr. Tight responded in the affirmative. Discussion ensued.

Board Member Senft asked if District staff was able to provide input to measure liquidity and cash flow based on the District's needs. Chair Dunbar responded this will be addressed in the next presentation.

Committee Chair Dunbar emphasized the key to the success for investments is duration.

Board Member Moran asked for clarification of allowable investments for mortgage backed securities for South Florida Water Management District (SFWM) and Southwest Florida Water Management District (SWFWMD). He understood 30 percent is the allowable amount. Board Member Moran asked if this allowable portfolio option was presented to the Board at any time. Mr. Tight responded the Board agreed that due to risk tolerance, it was safer to stay with a certain duration strategy. Discussion ensued.

This item is presented for the committee's information and no action was required.

17. Long-Term Financial Sustainability Discussion

Mr. John Campbell, Management Services Director, provided information outlining the District's long term financial sustainability discussion. This information included: a long term funding model; funding scenarios and effect on reserves over a ten-year time frame. He focused on two components, new unit construction and project funding levels. Mr. Campbell provided two scenarios and expressed these are for informational purposes only, the District is not endorsing these models. He provided historical information regarding growth and projected outcomes.

Mr. Brian Armstrong, Assistant Executive Director, addressed the Board regarding the development of a Business Plan that the District is currently undertaking. He outlined the expectations, timeline and goals being set. A draft of the Business Plan is scheduled for presentation at the April Governing Board meeting. Discussion ensued.

Vice Chair Maggard suggested there be a discussion regarding the amount the District agrees should be in operational reserves, projections based on that amount and cooperative funding decisions based on those projects.

Committee Chair Dunbar directed Mr. Campbell to provide information based on variable criteria of reserves in terms of percentages of the annual. Mr. Campbell responded in the affirmative.

Board Member Griffin reminded the staff to give consideration for emergency preparedness, cooperative funding and springs initiatives. Discussion ensued.

Board Member Senft stated he does not want to see any policy changes that will create any long term debt.

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

18. Legislative Update

Ms. Colleen Thayer, Public Affairs Bureau Chief, presented information on the 2015 Legislative session. She outlined information on House Bill (HB) 7003, Senate Bill (SB) 918, CFWI, Amendment One and the Governor's budget priorities.

Ms. Thayer stated HB 7003 addresses: water quantity; water quality; declines in spring flows; habitat degradation and negative impact on springs and estuaries. Areas the bill addresses will include: springs; northern everglades; Central Florida Water Initiative (CFWI); and water supply planning. The focus on springs will be Florida's first and second magnitude springs which are referred to as Priority Florida Springs.

Ms. Thayer stated the proposed bill for CFWI will codify the area, define the region and require the Florida Department of Environmental Protection (FDEP) to enter into an inter-agency agreement with water management districts and the Florida Department of Agricultural and Consumer Services (FDACS). District staff is currently working on language. Board Member Beruff asked that the Board receive a copy of the language when completed. Ms. Thayer responded in the affirmative.

Ms. Thayer stated SB918 is currently being reviewed. She outlined some similarities and differences between HB 7003 and SB918. SB918 refers to springs as Outstanding Florida Springs. This legislation, like HB 7003, uses Minimum Flows and Levels (MFLs) and prevention recovery strategies to protect the springs. She pointed out there is a significant change related to MFL language from "significant harm" to "harm". This bill also requires FDEP to consult with state agencies, water managements and local governments to create a consolidated water resources work plan. This work plan will provide a geographic depiction of the total inventory of water resource projects currently under construction completed in the previous five years or beginning construction in next five years. This bill also defines the creation of the Florida Water Resources Advisory Council. This council will annually evaluate and recommend to the legislature water projects that have been prioritized by state agencies, the water management districts and local governments.

Ms. Thayer stated that SB584 provides the legislative framework for the trust funding for Amendment One.

Ms. Thayer stated that more than 500 requests were received for House water projects. Board Member Senft asked what the process is for these requests. Ms. Thayer responded they are submitted through individual legislators. Currently, detailed information has not been disseminated. Committee Chair Dunbar asked to be kept apprised of these requests. Board Member Mann asked if the District has a policy for projects that may be "double funded". Mr. Hammond responded in the affirmative.

Committee Chair Dunbar asked if there is a threshold level for the water projects that will be evaluated by the Florida Water Resources Advisory Council. Ms. Thayer responded that this information has not been provided. She stated it doesn't appear to include cooperative funding projects.

Vice Chair Maggard asked why FDEP is notified if a consumptive use permit is denied by water management districts. Mr. Rathke responded this is a requirement from FDEP that if a permit is denied due to inadequate available supply, FDEP will perform an analysis on the water management's recovery strategy plan.

Vice Chair Maggard asked if there were any changes to the regional water authorities. Ms. Thayer responded in the negative.

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

Submit & File Reports - None

Routine Reports

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

19. Treasurer's Report and Payment Register

20. Monthly Financial Statement

21. Monthly Cash Balances by Fiscal Year

22. Comprehensive Plan Amendments and Related Reports

23. Development of Regional Impact Activity Report

24. Significant Activities

Committee Chair Dunbar adjourned the Committee meeting, and relinquished the gavel to the Resource Management Committee Chair Senft, who called the Committee meeting to order.

(Audio – 1:37:00)

Resource Management Committee Discussion

25. Consent Item(s) Moved for Discussion

9. 2015 FDOT Mitigation Program Plan

Board Member Beruff stated the reason for moving this to discussion was due to some information he learned that allows the private sector to purchase private sector mitigation credits. Committee Chair Senft asked if the District can offer this to the private sector in areas where there are no privately held mitigation banks. Ms. Donaldson responded in the affirmative, under certain circumstances. Discussion ensued.

Governing Board Chair Babb asked what lands owned by water management districts can be used for mitigation. Ms. Donaldson responded there are specific constraints. The District would have to go through the mitigation bank permitting process. Discussion ensued.

Board Member Griffin stated she would like to see the impacts this would have on the District before embarking on this type of opportunity.

Committee Chair Senft stated direction may have to be given from FDEP to see how this relates to the District's core mission. Board Member Mann suggested consideration be given to surplus lands as an option. Discussion ensued.

Mr. Beltran stated the District has the ability to provide information on the current mitigation banks in the District, and where there may be a need, through use of the District Lands and Operations Overview data base. This information can be brought back to the Board at a future meeting.

Staff recommends the Board approve the District's 2015 Florida Department of Transportation Mitigation Plan.

A motion was made and seconded. Motion carried unanimously. (Audio – 1:53:00)

26. Peace River Manasota Regional Water Supply Authority Update

Mr. Pat Lehman, Executive Director for the Peace River Manasota Water Supply Authority (PRMWSA) provided a presentation. Mr. Lehman provided information which included: the funding partnership; historical information regarding the Griffin Reserve; seasonal withdrawal information; Peace River facility storage; regional water supply capacity and demand; regional water supply plans; coordination of strategic plans; future transmission lines and recognition and awards.

Board Member Beruff asked when the reservoir was fully operational and the expenses associated with it. Mr. Lehman responded since 2010 and expenses have remained constant. Board Member Beruff clarified his question asking what is the cost to operate the PRMWSA. Mr. Lehman responded this is information he would have to provide, however, costs have remained constant and there has been no increase.

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

27. Options for Recovery in the Most Impacted Areas (MIA) of the Southern Water Use Caution Area (SWUCA)

Mr. Michael Molligan, Public Affairs Assistant Bureau Chief, provided a presentation. The presentation included: a map of the SWUCA; five year recovery strategy; goals to achieve by 2025; graphed information on saltwater intrusion for minimum flows and levels; stakeholder outreach efforts, contacts and process;

Mr. Molligan stated the meetings with the stakeholders addressed four categories: conservation; the Facilitating Agricultural Resource Management Systems (FARMS); alternative water sources; and aquifer recharge/ASR. He outlined feedback from the stakeholders meetings that addressed these categories.

Board Member Beruff asked about the reference to saltwater intrusion in the MIA. Mr. Molligan responded the purpose is to reduce the rate of saltwater intrusion. Because of the hydrologic pressure that contributes to the saltwater intrusion, Board Member Beruff asked if the contributing funds being used to prevent this are being utilized appropriately. Discussion ensued.

Treasurer Dunbar asked if the science supports the additional 10-15 million gallons a day (mgd) as a way to increase the aquifer level. Mr. Molligan responded in the affirmative. Mr. Mark Hammond responded with modeling information but added that analysis is continuing.

Mr. Molligan outlined six options to achieve aquifer recharge: continue monitoring; update analytical tools, conservation initiatives, expand FARMS in the MIA, expand beneficial reuse, and explore aquifer recharge and Aquifer Storage and Recovery (ASR).

Governing Board Chair Babb commented on the importance of the SWUCA and commended the stakeholder participation. He voiced his support for options one through five as outlined by Mr. Molligan. He stated option six will require more data.

Vice Chair Maggard asked if there is information available regarding FARMS projects not submitted due to the 50/50 funding provided by the District. Mr. Molligan responded there are currently eight projects in the MIA. Stakeholder feedback from the agricultural community indicated funding was the number one concern. Vice Chair Maggard asked the number of farms in the MIA. Mr. Ed Craig responded there are currently 365 water use permits within the MIA that have a permittable quantity of 128.43 mgd. He added there is an opportunity for additional FARMS projects. Mr. Hammond clarified the District would like to focus on incentive-based funding with the agricultural community. If the Board considers this as an option, staff will present a funding option at a future Board meeting.

Board Member Griffin asked if consideration can be given to providing loans to assist with projects. Mr. Hammond responded this is an option that can be investigated and presented to the Board at a future meeting.

Board Member Mann asked if there is data available to show the difference between water use per acre for agriculture areas versus developed areas. Mr. Hammond responded in the affirmative and stated it would vary according to crop type.

Board Member Beruff asked for affirmation that the cooperative funded contracts were revised. Ms. Donaldson responded there was a refinement done to improve the legality of the contracts. Resource Management Chair Senft stated he received a Request to Speak. Ms. Becky Aych, representing the Environmental Confederation of South West Florida, addressed the Board. She stated that she felt the issue of bed prep for row crops was not being addressed by the District.

Ms. Ayech explained this is a process where the farmer raises the water table on their property from the area where the clay confining layer is to land surface area causing water to run off laterally. She also addressed the MFL that was established because of the saltwater intrusion in the Floridan aquifer. She referenced an area that was once established prior to the SWUCA called the Eastern Tampa Bay Water Use Caution Area. She indicated this area addressed the Intermediate aquifer in addition to the Floridan aquifer and water withdrawals associated with wells in that area. She asked that the Board consider the impact to the users of the Intermediate aquifer in this area.

Committee Chair Senft directed Mr. Hammond to consider Ms. Ayech's concerns. Mr. Hammond responded in the affirmative.

This item is for the Board's information only, and no action was required.

28. FARMS-Premier Citrus, LLC - County Line Grove (H720), DeSoto County

Board Member Beswick abstained from discussion and voting on this item due to conflict of interest.

There was no presentation or discussion for this item.

A motion was made and seconded. Motion carried unanimously, with the exception of abstention from Board Member Beswick. (Audio – 2:40:00)

Staff recommended the Board:

- 1) Approve the Premier Citrus, LLC - County Line Grove project for a not-to-exceed project reimbursement of \$439,900 with \$439,900 provided by the Governing Board;
- 2) Authorize the transfer of \$439,900 from fund 010 H017 Governing Board FARMS Fund to the H720 Premier Citrus, LLC - County Line Grove project fund;
- 3) Authorize the Assistant Executive Director to sign the agreement.

29. FARMS-Premier Citrus, LLC - Bay Grove (H721), DeSoto County

Board Member Beswick excused himself from discussion and voting on this item due to conflict of interest.

This was no presentation or discussion for this item.

A motion was made and seconded. Motion carried unanimously, with the exception of abstention from Board Member Beswick. (Audio – 2:40:00)

Staff recommended the Board:

- 1) Approve the Premier Citrus, LLC - Bay Grove project for a not-to-exceed project reimbursement of \$355,600 with \$355,600 provided by the Governing Board;
- 2) Authorize the transfer of \$355,600 from fund 010 H017 Governing Board FARMS Fund to the H721 Premier Citrus, LLC - Bay Grove project fund;
- 3) Authorize the Assistant Executive Director to sign the agreement.

Submit & File Reports - None

Routine Reports

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

30. Minimum Flows and Levels Status Report

31. Significant Water Resource and Development Projects

Committee Chair Senft adjourned the Committee meeting, and relinquished the gavel to the Regulation Committee Chair Moran, who called the Committee meeting to order. (Audio 2:40:00)

Regulation Committee

Discussion

32. Consent Item(s) Moved for Discussion

33. Denials Referred to the Governing Board - None

34. Individual Water Use Permits Referred to the Governing Board - WUP No. 20020449.001 - Twenty Twenty Groves, Inc. /Matheny Grove Expansion (Hardee County)

Ms. Alba Mas, Director of Regulation, explained this item was moved from consent to discussion to allow the opportunity for a presentation at the Board's request. The Board did not request a presentation be made.

Board Member Wendy Griffin abstained from discussion and voting on this item due to conflict of interest.

Board Member Beswick abstained from discussion and voting on this item due to conflict of interest.

Staff recommended the Board approve the proposed permit.

A motion was made and seconded. Motion carried unanimously, with the exception of abstention from Board Members Beswick and Griffin (Audio – 2:41:00)

Committee Chair Moran adjourned the Committee meeting, and relinquished the gavel to the Operations, Lands and Resource Monitoring Committee Chair Maggard, who called the Committee meeting to order. (Audio 2:42:00)

Submit & File Reports - None

Routine Reports

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

35. Overpumpage Report

36. Individual Permits Issued by District Staff

Operations, Lands and Resource Monitoring Committee

Discussion

37. Consent Item(s) Moved for Discussion

7. Resolution Requesting Encumbrance of Funds within the Florida Forever Trust Fund for Fiscal Year 2015 Pre-acquisition Costs

Mr. Ken Frink, Director of Operations, Lands and Resource Monitoring Bureau, provided information to the Board regarding the District's eligibility to receive reimbursement from the Florida Forever Trust Fund for capitalized pre-acquisition costs for lands within its Florida Forever Work Plan. Capitalized pre-acquisition costs may include such things as appraisals, surveys, title insurance and environmental site assessments. Currently the District has identified 37 parcels, consisting of approximately 8,700 acres, as the focus its acquisition efforts. Of that, the staff has had contact with owners of 14 parcels consisting of approximately 1,300 acres.

Board Member Beruff explained his reason for moving this item from consent to discussion. He stated he did want to encumber funds that may not be utilized in this fiscal year.

Committee Chair Maggard spoke in disagreement to Board Member Beruff's position. Discussion ensued.

Board Member Senft asked what the status of the 37 parcels. Mr. Frink responded, one parcel has an agreed purchase price; other parcels are in various stages of acquisition. He stated the Boat Springs purchase was made from these funds. The \$419,000 is based on the estimate of the 14 parcels.

Staff requested approval of a resolution requesting encumbrance of FY2015 pre-acquisition costs within the Florida Forever Trust Fund.

A motion was made and seconded. Motion carried with a majority of nine votes and one nay (Audio – 2:47:00)

38. Hydrologic Conditions Status Report

Mr. Granville Kinsman, Hydrologic Data Manager, provided a presentation. He stated 12-month rainfall remains positive and is now 3.4 inches above the long term mean. Groundwater is in the upper range of normal in the northern and southern counties, and is above normal in the central counties of the District. Lake levels have not been showing declines this dry season, and are within the normal range in the Tampa Bay area and Polk Upland regions, while approaching the base of the normal range in the northern and Lake Wales Ridge regions. Mr. Kinsman stated the rivers in the district are all flowing in the normal to above normal range, and public supplies are full. The climate forecast has shifted to above-normal rainfall for the next three months.

39. Declare Land Surplus and Approve Conveyance, Hernando County Fire Rescue District Station Annutteliga Hammock Project, SWF Parcel No. 15-228-1342S

This item was deleted from the agenda.

40. Approval of Revision to District Policies - 610-1, Land Acquisition - 610-4, Sale, Exchange or Conveyance of Interest in District Lands and 610-3, Land Management

Mr. Ken Frink, Director of Operations, Lands and Resource Monitoring Bureau, provided a presentation. He reviewed the proposed changes associated with each policy.

Board Member Griffin asked if there was a policy to assist in expediting appraisals as related to foreclosures. Mr. Frink responded in the affirmative.

Governing Board Chair Babb commended staff for their work regarding these policies.

Staff recommended the Board approve revisions to District Policies 610-1, Land Acquisition; 610-3 Land Management; and 610-4, Sale, Exchange or Conveyance of Interest in District Lands.

A motion was made and seconded. Motion carried unanimously. (2:55:00)

Submit & File Reports - None

Routine Reports

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

41. Structure Operations

42. Significant Activities

Committee Chair Maggard adjourned the Committee meeting. (Audio 2:56:00)

General Counsel's Report

Discussion

43. Consent Item(s) Moved for Discussion – None

44. Settlement Agreement – Unauthorized Construction – SWFWMD v. Danny J. Suggs, Et Al. (5th Judicial Circuit, Case No. 2003-CA-724); Fifth District Court of Appeal (Case Nos. 5D14-4641, 5D14-4643); in Re Danny J. Suggs (U.S. Bankruptcy Court, Middle District of County

Ms. Laura Donaldson, General Counsel, provided a presentation. This information included a history of the case and the settlement agreement. Ms. Donaldson stated the final judgment still has to be entered into by the bankruptcy court. She thank Ms. Kim Dionisio, Staff Attorney, for all of her efforts in ensuring the appropriate signatures were obtained for this agreement.

Board Member Mann asked for clarification regarding the easement that was requested from Mr. Suggs. Ms. Donaldson responded the District denied that request and an alternative was granted. Discussion ensued.

Staff recommended the Board delegate authority to the Executive Director to execute a settlement agreement, including the acquisition of real property, with the Suggs Associated Defendants on the above terms and conditions, and surplus the real property to be received in fee.

A motion was made and seconded. Motion carried unanimously. (3:00:00)

Ms. Donaldson made the Board aware of a potential lawsuit that will be filed against the District. This involves an adverse taking dealing for property owned by Tony's Roasted Pepper. The amount of the potential lawsuit is \$1.1 million. This is a flooding situation associated with Hillsborough County.

Ms. Donaldson also updated the staff and regarding the ongoing litigation associated with the Chassowitzka and Homosassa appeal. The outside attorney has filed the additional information that was required. Two utility groups have filed to intervene.

Board Member Beruff commended Ms. Donaldson for her service to the District and wished her well. A round of applause was given. Ms. Donaldson thanked the District, thanked her staff and Mr. Beltran.

Submit & File Reports - None

Routine Reports

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

45. Litigation Report - February 2015

46. Rulemaking Update - February 2015

Committee/Liaison Reports

47. Environmental Advisory Committee Report

Board Member Griffin provided the Board with a written summary of the February 10, 2015 meeting. She provided highlights of the meeting.

Board Member Griffin also provided an update on a Tampa Bay Estuary meeting that occurred on February 10, 2015. She stated metrics were distributed that indicated for the third year in a row the chlorophyll a target values were met. In addition, the Ph is becoming more alkaline which is in opposition to what is occurring in other parts of the country. This may be related to the restored sea grasses that may be buffering the acidification. This information is garnering world-wide attention.

48. Industrial and Public Supply Advisory Committee Report

Board Member Senft provide the Board with a written summary of the February 10, 2015. He provided highlights of the meeting.

49. Other Committee/Liaison Reports - None

Executive Director's Report

50. Executive Director's Report

Mr. Beltran reinforced the importance of some agenda items that were presented, which included the efforts of the Business Plan and the financial aspects associated with it. He also expressed the importance of the District to continue to review land assets.

Mr. Beltran asked the Board for a waiver on District Policies 160-1 District Legal Services 160-5 Counsel Roles, Responsibilities and Reporting Authority to negotiate and enter into a legal services contract with Ms. Donaldson at the conclusion of her employment with the District.

Board Member Mann asked if this is a retainer or hourly fee basis. Mr. Beltran responded the negotiations still need to occur.

A motion was made and seconded. Motion carried unanimously. (3:11:00)

Chair's Report

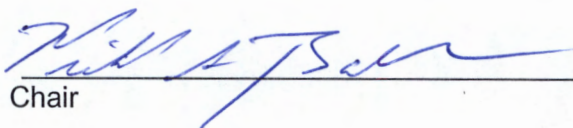
51. Employee Milestones

Chair Babb noted staff employees who have reached five-year increments in service to the District. He recognized staff members who have reached 25-year milestones, and thanked them for their service. This item was provided for the Board's information, and no action was required.

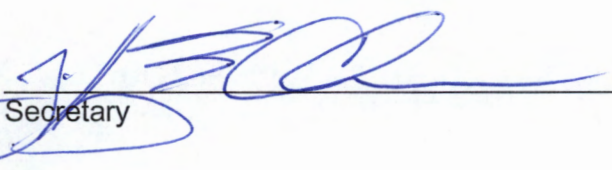
52. Other

There being no further business to come before the Board, a motion was made and seconded to adjourn the meeting. Motion carried.

The meeting adjourned at 12:12 p.m.


Chair

Attest:


Secretary