The Governing Board of the Southwest Florida Water Management District (SWFWMD) met for its regular meeting at 9:00 a.m. on February 25, 2014, at the District’s Sarasota Service Office. The following persons were present:

Board Members Present
Carlos M. Beruff, Chair
Michael A. Babb, Vice Chair
Randall S. Maggard, Secretary
Thomas E. Bronson, Member
David W. Dunbar, Member
Wendy Griffin, Member
George W. Mann, Member
Michael A. Moran, Member
Todd Pressman, Member
H. Paul Senft, Member

Board Members Absent
Jeffrey M. Adams, Treasurer
Bryan K. Beswick, Member

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

Board’s Administrative Support
Cara Martin, Board & Executive Services Manager
LuAnne Stout, Administrative Coordinator

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  (Video – 00:00)

1. Call to Order
   Chair Beruff called the meeting to order and opened the public hearing. Mr. Maggard noted a quorum was present.

2. Pledge of Allegiance and Invocation
   Mr. Babb offered the invocation. Chair Beruff led the Pledge of Allegiance to the Flag of the United States of America.

Public Hearing
Chair Beruff 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 Beruff 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 Beruff 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. (Audio – 00:00/05:55)
3. **Additions/Deletions to Agenda** (Video – 03:44)
   Section 120.525, Florida Statutes, allows the District to change the published agenda for good cause shown, as determined by the presiding officer.

   Mr. Beltran noted the following changes requested to the agenda:

   **CONSENT AGENDA – OPERATIONS & LAND MANAGEMENT COMMITTEE**
   The following item be deleted from consideration:
   6. Approve Revisions to Board Policy 610-3, Land Use and Management

   **RESOURCE MANAGEMENT COMMITTEE**
   The following item be moved from Submit & File to Discussion:
   22. Flying Eagle Nature Center Update

   There being no objection, Chair Beruff accepted the above changes to the agenda.
   (Audio – 05:55/06:20)

   At this time, the published agenda was altered slightly and Item 4 was considered following the Consent Agenda.

   **CONSENT AGENDA** (Video – 5:00)
   Item 6 was deleted from consideration as a part of additions/deletions to the published agenda.

   Chair Beruff 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 on the Consent Agenda. No one responded to the Chair’s request to speak to the Board.

   Chair Beruff then asked the Board members if they have any other items which need to be removed from the Consent Agenda for consideration on the appropriate Committee’s Discussion Agenda. No other items were moved by the Board.

   **Regulation Committee**
   5. Individual Water Use Permit (WUP) Referred to the Governing Board – None

   **Operations & Land Management Committee**
   6. Approve Revisions to Board Policy 610-3, Land Use and Management – This item was deleted from consideration.
   7. Accept Offer, and Approve Conveyance and a Lease Agreement for the Bartow Service Office, SWF Parcel No. 20-050-106S
   Staff recommended the Board (1) accept the appraisals, (2) approve the conveyance, (3) approve entering into a Lease Agreement, and (4) authorize the Chair and Secretary to execute the Quit Claim Deed and Lease Agreement.

   **Resource Management Committee**
   Staff recommended the Board (1) accept the findings of the alternatives analysis conducted by the City of Tampa; and (2) authorize the Executive Director to execute the cooperative funding agreement with the City of Tampa.

   **Finance/Outreach & Planning Committee**
   9. Budget Transfer Report
   Staff recommended the Board approve the Budget Transfer Report covering all budget transfers for January 2014.
10. **Approve 2014 Consolidated Annual Report**
   Staff recommended the Board approve the District’s 2014 Consolidated Annual Report and its transmittal.

**General Counsel’s Report**

11. **Administrative, Enforcement and Litigation Activities that Require Governing Board Approval**
   a. **Consent Order Modification – Unauthorized Construction – RMD Properties, LLC – Hardee County**
      Staff recommended the Board approve the proposed Modification to Consent Order No. SWF 13-021 and authorize the initiation of litigation against RMD Properties, LLC if necessary to obtain compliance with it.

12. **Rulemaking – None**

**Executive Director’s Report**

   Staff recommended the Board approve the minutes as presented.

Mr. Maggard moved, seconded by Mr. Senft, to approve the Consent Agenda as amended. Motion carried unanimously. (Audio – 06:20/06:35)

4. **Public Input for Issues Not Listed on the Published Agenda** (Video – 5:25)
   Chair Beruff noted that one Request to Speak card was submitted.

   Ms. Carolyn Freeland, Vice Mayor, City of Punta Gorda, spoke regarding the Cooperative Funding application for the City’s Reverse Osmosis Water Treatment Plan and Brackish Groundwater Supply Project. She noted this item was addressed at the regional meeting held two weeks ago and she read a statement into the record. (Audio – 06:35/14:21)

   Chair Beruff said the proposed project is rated low due to the Board’s policy on regional projects. Mr. Hammond and Mr. Tom Jackson, Utilities Director, City of Punta Gorda, clarified information in response to Board members’ questions. Discussion concluded with District staff is to report back to the Board following the meeting scheduled with City staff on February 28, 2014. (Audio – 14:21/35:30)

Chair Beruff relinquished the gavel to Regulation Committee Chair Mann who called the Committee meeting to order.

**REGULATION COMMITTEE** (Video – 34:25)

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

15. **Hydrologic Conditions Status Report**
   Mr. Granville Kinsman, Manager, Hydrologic Data Section, said January historically marks the fourth month of the eight-month dry season and provisional rainfall totals for the month were normal to above-normal in all regions of the District, although many hydrologic indicators continued to show declines. Analysis of the partial dry-season (October-January) rainfall indicates District-wide totals were approximately 1.6 inches below the historic long-term average. Rainfall was regionally variable during the month and associated with the passage of several cold front systems moving across the Florida peninsula. The District-wide provisional 12-month cumulative rainfall deficit improved to a surplus of 0.8 inches above the long-term historical average, while the 24-month deficit improved to 1.5 inches below the long-term average. Groundwater levels declined, but ended the month within the normal range of historic values. Streamflow in regional index rivers were at below-normal levels in the northern and southern regions, and within the normal range in the central region. Regional lake levels declined and remained at below...
normal levels in the Northern, Polk Uplands and Lakes Wales Ridge regions, and within the normal range in the Tampa Bay region.

Mr. Kinsman said, in summary, rainfall has stabilized declines, hydrologic indicators are seasonally normal, and the forecast has shifted towards normal rainfall chances. (Audio – 35:30/41:05, Video – 39:35)

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

16. **Consider Water Shortage Order Recommendations**

Ms. Más noted the Board's actions to date and said staff is recommending the Board adopt Water Shortage Order No. SWF 2014-007 to extend the Phase II Water Shortage Order pursuant to Rule 40D-2-21.631, Florida Administrative Code (F.A.C.), for Hillsborough, Pasco and Pinellas counties.

Mr. Darrin Herbst, Chief, Water Use Permit Bureau, said staff continues to monitor water resource and supply conditions to determine if any additional actions are prudent. Phase II requirements include return to twice a week watering, restricted watering hours, utilities do monthly enforcement reporting and respond to enforcement referrals, and messaging of possible worsening conditions.

Mr. Senft moved, seconded by Chair Beruff, to adopt Water Shortage Order No. SWF 2014-007 to extend the Phase II Water Shortage Order pursuant to Rule 40D-2-21.631, F.A.C. for Hillsborough, Pasco and Pinellas counties, effective March 1, 2014 through July 31, 2014. Motion carried unanimously. (Audio – 41:05/42:55, Video – 41:24)

17. **Denials Referred to the Governing Board** – None

**Submit & File Reports** – None

**Routine Reports**

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

18. **Overpumpage Report**

Mr. Maggard requested information on two golf courses and how many months into the evaluation. Mr. Herbst said staff has sent letters to further the evaluation process and staff will be provided a report.

19. **Individual Permits Issued by District Staff**

20. **Resource Regulation Significant Initiatives** (Audio – 42:55/44:00)

Committee Chair Mann adjourned the Committee meeting, and relinquished the gavel to Operations & Land Management Committee Chair Maggard who called the Committee meeting to order.

**OPERATIONS & LAND MANAGEMENT COMMITTEE** (Video – 42:50)

Item 22 was moved from Submit & File Report to Discussion Items.

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

22. **Flying Eagle Nature Center Update**

Mr. Frink said the Flying Eagle Nature Center (FENC) is located within the Flying Eagle Preserve in Citrus County, and he provided a brief history of the District’s involvement.
Mr. Frink said staff is preparing an Invitation to Solicit (ITS) which is tentatively scheduled to be released in the spring of 2014. Staff will return at next month’s meeting to request Board direction regarding the FENC. The Board will be asked to determine what types of uses the Board would like to see that are compatible with the purposes for which the land was acquired, are there uses the Board would not want on the property, are there concerns with potential liabilities of proposed uses, is there a requirement for public access, what level of public access would be considered a minimum, does the Board want to invest District funds into the facilities ($143,720 carried forward into FY2013-2014 budget), what are the Board’s revenue expectations (for-profit versus not-for-profit), and terms of lease. Staff will meet individually with each Board member to discuss the FENC. (Audio – 44:00/48:49)

Discussion ensued regarding the current condition and availability for public use, security of buildings and pool for public safety, and updating the four respondents.

Ms. Donaldson noted that staff will come back before the full Board to present each member's answers. (Audio – 48:49/56:32)

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

Submit & File Report

22. Flying Eagle Nature Center Update – This item was moved for discussion purposes.

Routine Reports

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

23. Recreation Ad Hoc Committee Update
24. Structure Operations

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

RESOURCE MANAGEMENT COMMITTEE (Video – 55:17)

Discussion Items

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

27. Peace River Manasota Regional Water Supply Authority Update
   Mr. Pat Lehman, Executive Director of the Peace River Manasota Regional Water Supply Authority, provided an update to the Board regarding the status of the Authority’s water supplies, regional pipeline interconnection projects, and vision for the future. (Audio – 00:56:45/01:13:42)

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

(Mr. Bronson arrived for meeting at 10:00 a.m.)

28. Amendment to Increase Project Budget for Big Prairie and Gant Lake Water Management Plans (L787) (Video – 72:12)
   Mr. JP Marchand, Manager, Engineering and Watershed Management, said, in response to a Cooperative Funding Request from Sumter County, the District approved funding to
develop watershed management plans (WMPs) for the Big Prairie and Gant Lake Watersheds. As the watershed evaluation was being conducted, it was determined that additional information would need to be collected to complete the stormwater system inventory and to produce accurate watershed model and floodplain information. As a result, the overall project cost would need to increase by $186,667 from $733,333 to $920,000 to complete the alternatives analyses including the level of service evaluation and water quality assessment.

The County indicated its desire to complete the alternatives analyses. It received $93,333 in additional funds from the State of Florida and will provide $46,667 in County funds for a total of $140,000 towards the $186,667 increase. The District’s share of this additional cost is $46,667. In anticipation of this need, the District budgeted funds in FY2014 in the P283 WMP-Professional Engineering and Scientific Services because it was uncertain at the time whether the County would receive additional state funds and be able to proceed with the alternatives analysis. These funds need to be transferred to the L787 Big Prairie/Gant Lake project.

The County Commission has already approved the County share of the funding. The District will initially fund this work and get reimbursed by the County as work is completed. The work is scheduled to be complete by December 2014. The overall project cost is proposed to increase by $186,667 from $733,333 to $920,000. The funding details are as follows:

<table>
<thead>
<tr>
<th>BUDGET</th>
<th>TOTAL</th>
<th>DISTRICT</th>
<th>COUNTY</th>
<th>STATE</th>
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<tbody>
<tr>
<td>Existing</td>
<td>$733,333</td>
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<td>$109,792</td>
<td>$366,667</td>
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<tr>
<td>Additional</td>
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<td>$46,667</td>
<td>$46,667</td>
<td>$93,333</td>
</tr>
<tr>
<td>Revised</td>
<td>$920,000</td>
<td>$303,541</td>
<td>$156,459</td>
<td>$460,000</td>
</tr>
</tbody>
</table>

* State grant funds were obtained by, and provided through, Sumter County.

Staff recommended the Board (1) approve transfer of funds from P283 WMP-Professional Service account to L787 WMP-Big Prairie/Gant Lake project, (2) increase the budget for L787 by $186,667 to $920,000, and (3) authorize the Executive Director or designee to execute the amendment to the L787 WMP-Big Prairie/Gant Lake agreement with Sumter County.

Discussion ensued regarding inventory of available information to model watershed, and concern for cost overrun.

Mr. Dunbar moved, seconded by Mr. Maggard, to approve the staff recommendation. Motion carried unanimously. (Audio – 01:13:42/01:28:20)

29. **Cooperative Funding Initiative Contracts**  (Video 86:50)

Mr. Hammond said the District receives more than 100 Cooperative Funding applications each year and enters into contracts with the cooperators for the projects approved by the Governing Board. The projects address District priorities in Water Supply, Flood Protection, Water Quality and Natural Systems and include conservation, reclaimed water, alternative water supplies, watershed models, stormwater retrofits, and habitat restoration projects among others. Most of the cooperative funding projects are managed by the local governments or cooperators; however, some are managed by the District.

Mr. Hammond said that, for example, conservation, reclaimed water, alternative water supplies and most stormwater retrofit projects are managed by the local governments, while most of the watershed models are managed by the District. He reviewed several projects to show different types of systems.
Mr. Hammond said, for Fiscal Year 2014 Cooperative Funding projects, staff developed and provided the Governing Board one-page evaluations of the projects for review in addition to the applications submitted by the cooperators. The new evaluation forms are part of ongoing enhancements to the District business processes related to the Cooperative Funding Program. As part of the evaluation form, each project’s resource benefits were included. The resource benefits submitted to the Governing Board were solely estimates.

Mr. Hammond stated that monitoring to determine the amount of pollutant removed by a constructed stormwater project can exceed $50,000 per year depending on the site and other factors. The monitoring costs can approach or even exceed the cost of certain projects. The District’s practice has not required cooperators to monitor water quality projects to demonstrate the pollutant removal or to monitor flood protection projects to demonstrate performance. While monitoring to demonstrate the resource benefit is achieved has not been required, District staff expectations are that the projects are designed and built following standard practices to achieve the estimated resource benefits as described in the cooperator’s application and staff evaluation form. (Audio – 01:28:20/01:47:18)

Ms. Donaldson noted that, as the Fiscal Year 2014 cooperative funding projects’ contracts were processed, a question arose regarding the Governing Board’s expectations as it relates to the resource benefits for the water quality and flood protection projects. Staff has evaluated whether the District’s practice should be to include within these types of contracts a requirement that cooperators monitor water quality and flood protection projects to demonstrate performance of the resource benefits.

(Mr. Maggard left the meeting.)

The following options are available:
(1) Do not require demonstration of performance of the resource benefit as a contractual requirement (past practice).
(2) Require monitoring as a contract requirement to demonstrate the resource benefit has been achieved.
(3) Require certification by the cooperator that the system is functioning on a specified basis similar to the Environmental Resource Permit (ERP) certification and that District staff will perform periodic inspections on whether the projects are functioning as designed and constructed.

Discussion ensued regarding contractual language to protect the District, new technology and techniques, accountability and commitment of cooperators, pilot project expectations, and monitoring to ensure project being built as designed.

Mr. Beltran summarized by clarifying that (1) only discussing water quality and flood protection type contracts, (2) reasonable option is item 3 above regarding proven technology, and (3) staff is committed to considering anything out of the norm and would identify it early as a prototype technology requiring the additional monitoring language adequate for that type of project.

Staff recommended the Board concur with Option 3 regarding contractual obligations of the Cooperative Funding Initiative water quality and flood protection projects.

Mr. Dunbar moved, seconded by Mr. Pressman, to approve the staff recommendation. Motion carried unanimously. (Audio – 01:47:18/02:05:00)
30. **Project Management Office Update**  (Video – 123:40)
Mr. James Fine, Office Chief, Project Management Office (PMO), said PMO has been in
place since November 2012. Since the update at the Board’s May 2013 meeting, the
PMO has accomplished several objectives. One objective was the establishment of a
clear mission statement which reads, “The mission of the PMO is to enhance the
consistency and efficiency of Project Management across the District, starting with the
Division of Resource Management, through a process of continuous improvement.”
Additional objectives were identified which include improvements to the Cooperative
Funding Initiative (CFI) application and evaluation process; quarterly project status
monitoring and reporting for CFI and District led projects; development of standardized bid
specifications, constructability and biddability reviews for construction bids; and
implementation and administration of the General Engineering and Professional Services
(GES) Request for Qualifications (RFQ).  (Audio – 02:05:00/02:13:14)

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

Submit & File Reports – None

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

31. **Minimum Flows and Levels**
32. **Watershed Management Program and Federal Emergency Management Agency Map Modernization**
33. **Significant Water Supply and Resource Development Projects**
   (Audio – 02:13:14/02:13:24)

Resource Management Committee Chair Babb adjourned the Committee meeting and
relinquished the gavel to Finance/Outreach & Planning Committee Vice Chair Bronson who
called the Committee meeting to order.

**FINANCE/OUTREACH & PLANNING COMMITTEE**  (Video – 131:55)

Discussion Items

34. **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.

35. **Legislative Update**
36. **Treasurer’s Report and Payment Register**
37. **Monthly Financial Statement**
38. **Monthly Cash Balances by Fiscal Year**
39. **Comprehensive Plan Amendment and Related Reviews**
40. **Development of Regional Impact Activity Report**
41. **Significant Activities**

Committee Vice Chair Bronson adjourned the Committee meeting, and relinquished the gavel to
Chair Beruff.  (Audio – 02:13:24/02:14:15)
**GENERAL COUNSEL’S REPORT**  (Video – 132:45)

*Discussion Items*

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

Ms. Donaldson provided an update regarding the lawsuit against Parsons as it relates to the services provided for Lake Hancock. Parsons has countersued the District regarding two claims. The District has hired outside counsel and mediation will be scheduled if the two parties can agree to a mediator.

**Submit & File Reports** – None

**Routine Reports**
The following items were provided for the Committee’s information, and no action was required.
43. **Litigation Report**
44. **Rulemaking Update** (Audio – 02:14:15/02:14:50)

**COMMITTEE/LIAISON REPORTS**  (Video – 133:25)

45. **Joint Industrial and Public Supply Advisory Committee Meeting**
   A written report was provided for the Board’s information.

46. **Other Committee/Liaison Reports**
   Ms. Griffin noted that last month the Board received a report regarding the Tampa Bay Estuary Program (TBEP). She said there is a TBEP car license plate that can be ordered (displayed her plate) and $15 of the yearly cost goes directly to TBEP projects. (Audio – 02:15:05/02:15:45)

**EXECUTIVE DIRECTOR’S REPORT**  (Video – 134:16)

47. **Executive Director’s Report**
   - Mr. Beltran congratulated Mr. Rathke and staff for successfully negotiating the sale of the Bartow Service Office. He thanked staff for their hard work and the Chair for his guidance during critical negotiations.
   - Regarding the Project Management Office, Mr. Beltran said the Office is a work in progress and has done great work so far with more efficiency to come such as the GES services. For example, he noted the GES has involved 93 proposals instead of staff releasing an estimated 700 proposals over five years. He said other agencies are looking to benefit from this effort.
   - Mr. Beltran said he was in Tallahassee last week and reported what the District is doing for the Springs Awareness Initiative from an education standpoint and data, as well as the expertise available and execution of projects. He noted the other districts are planning to replicate this District’s efforts.
   - Mr. Beltran said, from a statewide perspective, this District is continuing to set the bar for the other districts and commended staff for their great work. (Audio – 02:15:45/02:18:15)

Mr. Dunbar reported that, at the Cooperative Funding Tampa Bay Region public meeting, there were 55 proposals presented. He said the first criteria of the application is what is the quality of the application rated and 26 of those were rated low or medium. He said he told the
cooperators we are all in this together to help improve water quality and issues; however, it is incumbent upon them to provide a high quality application and to provide what staff needs so the Board has the information it needs. (Audio – 02:18:15/02:19:48)

**CHAIR’S REPORT** (Video – 138:18)

48. **Chair’s Report**

   a. **Employee Service Milestones**
      
      This item provided a list of employees who have reached five-year increments in service to the District. Chair Beruff noted staff who have reached 20-year and 25-year milestones, and thanked them for their service. This item was provided for the Board’s information, and no action was required.

   b. **Other**
      
      Chair Beruff noted dates of upcoming Board meetings and locations. (Audio – 02:19:48/02:20:50)

Chair Beruff recessed the public hearing.

There being no further business to come before the Board, **Mr. Babb moved to adjourn the meeting. Mr. Moran seconded the motion, and it carried unanimously.** (Audio – 02:20:50/02:21:10, Video – 139:45)

The meeting was adjourned at 11:18 a.m.

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The Southwest Florida Water Management District (District) does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the District’s functions, including access to and participation in the District’s programs and activities. Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact the District’s Human Resources Bureau Chief, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352) 796-7211, ext. 4702, or 1-800-423-1476 (FL only), ext. 4702; TDD (FL only) 1-800-231-6103; or email to ADACoordinator@swfwmd.state.fl.us.