

MINUTES OF THE MEETING
GOVERNING BOARD
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

HAINES CITY, FLORIDA

APRIL 28, 2015

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:06 a.m. on April 28, 2015, at the Lake Eva Banquet Center in Haines City, Florida. The following persons were present:

Board Members Present

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

Board Members Absent

Tommy Bronson, Member

Staff Members

Robert R. Beltran, Executive Director
Brian Armstrong, Assistant Executive Director
David T. Rathke, Chief of Staff
Karen West, Interim, 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. He noted a quorum was present.

2. Pledge of Allegiance and Invocation

Board Member Senft 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.

Ms. Karen West, Interim General Counsel, provided clarification of the following item.

6. Approval of Efficient Transportation Decision Making (ETDM) Agreement

The Florida Department of Transportation requested that the provision of the single audit act requirements be deleted. Staff's revised recommendation requests authorization for the Executive Director to sign the agreement on behalf of the District.

18. Rulemaking

a. Approve Revised Rule Language in Response to Comments by the Joint Administrative Procedures Committee Regarding Amendments to Chapter 40D-3, F.A.C., to Incorporate Changes in DEP Rules for Water Well Contractors and Construction of Water Wells and Adopt New Rule for Environmental Monitoring Wells

A copy of the revised rule language was distributed to Board Members at the meeting.

Resource Management Committee

Moved to first Committee

Finance/Outreach & Planning Committee

Moved to second Committee

The remainder of the agenda remained the same.

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 00:05:08)

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

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

6. Approval of Efficient Transportation Decision Making (ETDM) Agreement

Staff recommended the Board approve the final FDOT agreement.

Operations, Lands and Resource Monitoring Committee

7. Decline Right of First Refusal to Acquire the Remainder Fee Interest in a Conservation Easement, Upper Hillsborough Preserve, SWF Parcel No. 13-508-105C

SWF Parcel No. 13-508-105C - Foxbranch Cattle Company Conservation Easement

Staff recommended the Board authorize the Division Director of Operations, Lands and Resource Monitoring to decline the Right of First Refusal on SWF Parcel 13-508-105C.

Resource Management Committee

8. Cortez Preserve Restoration (W628), Manatee County

Staff recommended the Board:

- 1) Approve the revised measurable benefit of 1.3 acres of freshwater wetland creation, 3.97 acres of estuarine wetland creation, 4.25 acres of exotic removal and revegetation, and improved water quality through tidal connections;
- 2) Authorize amending the Cortez Preserve Restoration (W628) project agreement to reflect the acreage changes;
- 3) Authorize the Resource Management Director to sign the amendment.

9. Scope Change for Restoration – Pasco County Reclaimed Water Treatment Wetland & Aquifer Recharge – Site 1 (N666)

Staff recommended the Board approve the revised scope of work for the Pasco County Reclaimed Water Treatment and Aquifer Recharge project (N666) to include 90 percent design and permitting, and third party review of the 30 percent design.

10. Authorize Submission of Preliminary Flood Insurance Rate Maps to the Federal Emergency Management Agency for West Ocala Watershed in Marion County

Staff recommended the Board authorize submittal of the preliminary FIRMs for the West Ocala watershed in Marion County to FEMA.

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

Staff recommended the Board:

- A. Accept the report entitled, "Proposed Minimum and Guidance Levels for Crystal Lake in Hillsborough County, Florida".
- 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 approved High Minimum and High Guidance Levels with the newly proposed High Minimum and High Guidance Levels for Crystal Lake in Hillsborough County as shown in the Exhibit.

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

Staff recommended the Board:

- A. Accept the report entitled, "Proposed Minimum and Guidance Levels for Bird Lake in Hillsborough County, Florida".
- 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 approved High Minimum and High Guidance Levels with the newly proposed High Minimum and High Guidance Levels for Bird Lake in Hillsborough County as shown in the Exhibit.

13. FARMS – Initiation and Approval of Rulemaking to Amend 40D-26.401, Florida Administrative Code, to Increase Facilitating Agricultural Resource Management System Cost-Share Rates Up to 75 Percent in the Most Impacted Area of the Southern Water Use Caution Area Up through September 30, 2018

Staff recommended the Board:

- 1) Authorize staff to make any necessary minor clarifying edits that may result from the rulemaking process.
- 2) Initiate and approve rulemaking to amend Rule 40D-26.401, F.A.C., to increase Facilitating Agricultural Resource Management Systems (FARMS) cost-share rates to 75 percent in the Most Impacted Area (MIA) of the Southern Water Use Caution Area (SWUCA) through September 30, 2018.

14. FARMS – Varner Groves (H722), Charlotte County

Staff recommended the Board;

- 1) Approve the Varner Groves project for a not-to-exceed project reimbursement of \$161,600 with \$161,600 provided by the Governing Board;
- 2) Authorize the transfer of \$161,600 from fund 010 H017 Governing Board FARMS Fund to the H722 Varner Groves project fund;
- 3) Authorize the Assistant Executive Director to sign the agreement.

Finance/Outreach & Planning Committee

15. Budget Transfer Report

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

16. Water Conservation Month

Staff recommended the Board approve and sign Resolution No. 15-06 declaring April 2015 as "Water Conservation Month."

General Counsel's Report

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

- None

18. Rulemaking

a. Approve Revised Rule Language in Response to Comments by the Joint Administrative Procedures Committee Regarding Amendments to Chapter 40D-3, F.A.C., to Incorporate Changes in DEP Rules for Water Well Contractors and Construction of Water Wells and Adopt New Rule for Environmental Monitoring Wells

Staff recommended the Board approve the proposed changes in the amendments proposed to Chapter 40D-3, F.A.C., to address JAPC concerns and make other corrections.

Executive Director's Report

19. Approve Governing Board Meeting Minutes – March 31, 2015

Staff recommended the Board approve the March 31, 2015 meeting minutes.

A motion was made and seconded to approve the Consent Agenda as amended. Motion carried unanimously. (Audio 00:05:40)

Chair Babb relinquished the gavel to Resource Management Committee Chair Senft who called the Committee meeting to order. (Audio 00:06:00)

Resource Management Committee

Discussion

30. Consent Item(s) Moved for Discussion

31. Tampa Bay Estuary Program Amended and Restated Interlocal Agreement (W027)

Ms. Jennette Seachrist, Natural Systems and Restoration Bureau Chief, provided a presentation on changes to the Tampa Bay Estuary Program (TBEP) Interlocal Agreement. This information included: a history of the program; a table outlining water quality improvement from 1974 until 2014; a metric outlining seagrass recovery; funding for the agreement and projects. Ms. Seachrist outlined the funding partners who include: the Southwest Florida Water Management District (District); Hillsborough, Manatee and Pinellas Counties; cities of Tampa, St. Petersburg and Clearwater and the Florida Department of Environmental Protection. She stated the District's funding portion has remained at \$138,335 since 2000. The TBEP is requesting a change to the Interlocal Agreement, which will allow for a 2.5 percent increase per year for five years.

Ms. Holley Greening, TBEP Executive Director, stated one of the goals of the program has been to try to maintain the operating budget at less than 30 percent. In order to reduce operating costs, TBEP reduced staff, restructured leases and bank accounts and eliminated support to the Tampa Bay Atlas. The TBEP Policy Board developed strategies to reduce dependency on federal funds. A TBEP Progress Report was distributed to the Board Members.

Ms. Seachrist stated their funding partners will be presenting this agreement at each of their board meetings. The final agreement will be presented at the May Governing Board meeting for approval. The increased funding would begin in Fiscal Year 2016-17.

Board Member Senft and Board Member Beruff commended Ms. Seachrist and Ms. Greening on their efforts for keeping the funding stable in previous years.

Vice Chair Maggard asked if the use of the 2.5 percent increase is consistent with costs the District would normally cover, which may include salaries. Mr. Mark Hammond responded in the affirmative. He stated the District does fund the operating costs for the Tampa Bay, Sarasota Bay and Charlotte Harbor Estuary programs which does include salaries. This is not a common practice for other entities.

Board Member Moran asked how the British Petroleum (BP) settlement will impact the funding for the estuary. Ms. Greening responded Tampa Bay has been asked to provide additional information on projects that may be funded if funds are received. One project, East McKay Bay, would provide \$270,000 to the District. The TBEP is coordinating with their Environmental Protection Agency (EPA) partner to set up a conduit for funds that may be received.

Board Member Griffin stated that Ms. Greening has also assisted the District in establishing the Springs Coast Steering Committee.

This item is for the Board's information only; no action is required.

32. Options for Recovery in the Ridge Lakes Area of the Southern Water Use Caution Area

Mr. Michael Molligan provided a presentation on Options for Recovery for the Ridge Lakes Area of the Southern Water Use Caution Area (SWUCA). Information included: goals to achieve by 2025; lakes not meeting the Minimum Flows and Levels (MFLs); a list of stakeholders; estimate of water quantities needed; a breakdown of industries and their groundwater use; a breakdown of counties and their groundwater use; a percentage of ground water withdrawals in the Ridge Lakes area; alternative water sources; conservation; source replacement; relocate withdrawal; augmentation; options and steps moving forward.

Options moving forward included continued monitoring, reevaluation of minimum levels for lakes that were set using older methodology to ensure the correct target is set, and the identification and evaluation of management actions for each of the lakes not meeting their minimum levels.

Treasurer Dunbar asked when the top two lakes listed in the MFL list (Starr and Eagle) were evaluated. Mr. Molligan responded that he would have to follow up on that information. He indicated the lakes are being re-evaluated with the new methodology.

Vice Chair Maggard asked how is funding determined in collaboration with SWUCA, the Regional Water Supply Plan (RWSP) and the Central Florida Water Initiative (CFWI). Mr. Molligan responded the coordination is being done to ensure consistency.

Mr. Hammond clarified how agenda items 32, 33, 34 and 35 work together.

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

33. 2015 Regional Water Supply Plan Update

Mr. George Schlutermann, Senior Hydrogeologist, provided a presentation on the 2015 Regional Water Supply Plan (RWSP) Update. The presentation included: a description of the RWSP; requirements associated with the RWSP; potential sources; project options; funding mechanisms; CFWI; stakeholder input; information on public meetings; communication methods; water use demand calculations; meeting future demands; and upcoming public involvement.

Mr. Schlutermann specifically addressed the water supply demands associated with Landscape/Recreation. He stated there is an indication of a 67 percent increase, however, he stated this number may be misleading and needs to be re-evaluated. The golf course industry accounts for 25 million gallons of the 44 million gallons, but stated these values need to be re-evaluated due to some golf course closings.

Mr. Schlutermann stated that overall the increase water demand is 24 percent. He outlined options for meeting those water demands which included: conservation; reclaimed water, brackish water, increase storage for alternative water supply; and regional cooperation.

Board Member Senft asked where the lower Floridian aquifer was within these options. Mr. Schlutermann responded that is the groundwater/brackish water in Polk County.

Mr. Schlutermann gave an overview of the District web site for the RWSP and upcoming dates for public workshops.

Staff recommended the Board Approve the draft 2015 Regional Water Supply Plan Update for public review and comment. The public comment period will be approximately 90 days.

Board Member Griffin asked if the District monitoring the effects of the potential increased water use that will be occurring as a result of greening. Mr. Schlutermann responded in the affirmative.

Ms. Alba Mas responded the number of permits that are over pumping has decreased.

Vice Chair Maggard stated he would like to ensure there is outreach to the agricultural community for their comments.

A motion was made and seconded to approve staff's recommendation. Motion carried unanimously. (Audio 00:55:57)

34. Central Florida Water Initiative Planning Update

Mr. Jason Mickel, Water Supply Section Manager, provided a presentation on the Central Florida Water Initiative Planning Update (CFWI). Information presented included: outline of CFWI region; guiding principles; water use in the region; RWSP information as related to the region; 2035 Water Resources Protection & Water Supply Strategies Plan; key findings; implementation strategy; communication plan; and a schedule.

Board Member Senft expressed the importance of public and municipality attendance at the upcoming meetings.

Chair Babb asked what the estimated gallons are that will be available through conservation. Mr. Mickel responded the 150 options are more local projects that utilities could incorporate, these projects could yield approximately 350 million gallons per day. In addition, there are 16 Solutions projects. There are sufficient options available that need to be developed. Mr. Mickel stated 40 to 48 million gallons a day is considered an obtainable number.

Treasurer Dunbar asked if there are competing interests between board agenda items: 33, 34 and 35.

Mr. Mark Hammond responded part of the water supply planning is to identify sources, water conservation and water for utilization.

Vice Chair Maggard asked about if the financial demands have been identified. Board Member Senft responded that scientific-based information has been provided for the projects and rankings to assist when requesting funds.

Mr. Hammond responded the financial aspects are critical. He stated this will be an adaptive management strategy that will determine if the demands will materialize as projected. It is also critical to obtain the appropriate data to assist in making decisions.

Board Member Senft stated there are still opportunities to submit suggested projects. But any submittals must have the scientific data to support the project.

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

35. Regional Water Supply Entity for Polk County and the Municipalities within Polk County

Board Member Senft asked Chair Babb to chair this portion of the agenda to allow him to participate in the discussion.

Mr. Brian Armstrong, Assistant Executive Director, provided a presentation on the Regional Water Supply Entity for Polk County and the Municipalities within Polk County (Resolution). This presentation included: discussion on the change of scope and the resolution. The initial effort was to establish an entity and select a project. An alternative is being presented that will offer the following: creating the entity two years earlier than expected; selection of a project two years earlier than expected; less financial risk to the District; additional support from Polk County (County), and other municipalities; and funding is committed as milestones are met.

Mr. Armstrong explained the modifications of the scope of work will: assist with the establishing the entity; request a change that will allow evaluation and selection of projects; develop the necessary technical documents to support the projects; and coordinate the participation of the County and municipalities. The total cost is \$478,000. The District's share is \$189,000.

Mr. Armstrong also presented a timeline and budget commitment information.

Commissioner George Lindsey, Chairman of Polk County Commissioners introduced members in attendance, who included: Ryan Leavengood, Lake Alfred City Manager; Bobby Green, Auburndale City Manager; Amy Arrington, Davenport City Manager; Ryan Taylor, Town of Dundee Manager; Fred Hilliard, Fort Meade City Manager; Jenny Crowley, Frost proof City Manager; Tony Delgado, Lakeland City Manager; Mike Britt, City of Winter Haven Natural Resources Director; Kim Fields, Lake Wales City Manager; and David Bayhan, Winter Haven Utility Services Director.

Commissioner Lindsey provided a history of the STOPR Group. This group was comprised of St. Cloud, Tohopekaliga Water Authority, Orange County, Polk County, and Reedy Creek involvement (STOPR).

Mr. Ryan Leavengood, Lake Alfred City Manager, spoke on behalf of the City Managers in Polk County. He thanked the District and Polk County for their partnership. He addressed the coordinated efforts that have been involved.

Mr. Beltran and Board Member Senft expressed appreciation to all participants involved.

Board Member Beruff requested verbiage be added to the Resolution to include the cooperative funding amounts from all participants, not just the District. Discussion ensued. It was agreed this verbiage would be included.

Staff recommended the Board:

- 1) Approve a Resolution for the Central Florida Water Resource Development Project, and
- 2) Approve a change in scope, with no change in budget, for the Polk County Comprehensive Water Supply Plan Update project.

A motion was made and seconded to approve staff's recommendation. This motion also added an additional "Where As" clause be included to outline the cooperative funding amounts associated with each entity. Motion carried unanimously. (Audio 1:33:22)

Submit & File Reports – None

Routine Reports

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

36. Minimum Flows and Levels Status Report

37. Significant Water Resource and Development Projects

Committee Chair Senft adjourned the Committee meeting, and relinquished the gavel to the Finance/Outreach & Planning Committee Chair Dunbar, who called the Committee meeting to order. (Audio 01:34:18)

Finance/Outreach & Planning Committee

Discussion

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

21. SWFWMD Initial Business Plan Overview

Mr. Armstrong, provided a presentation on the Southwest Florida Water Management District (SWFWMD) Business Plan (Plan) Overview. He thanked staff members that were involved in developing this Plan. This presentation included: the goal and focus of the Plan; composition of teams; standards used; and metrics.

Mr. Armstrong outlined the World Class District Metrics that were set by the District. He reviewed some key drivers that initiated the Plan. These drivers included: population growth; water resource challenges; regulatory drivers; stakeholders; and social forces. He also addressed the potential future turn over at the District over the next ten years and the types of positions associated with this. Information also included: labor pool, regional educational resources; potential staffing requirements with anticipated costs associated; identified areas of focus; and next steps.

Board Members and Mr. Beltran expressed appreciation to staff for the efforts in developing this Plan.

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

22. Legislative Update

Mr. David Rathke, Chief of Staff, provided a legislative update. He stated it is anticipated that a special session will be called for budget.

Mr. Rathke outlined similarities and differences between Senate Bill 918 and House Bill 653 for Water Policy. He outlined implementation requirements associated with Amendment One.

Mr. Rathke stated the District is advocating for fifty million dollars in recurring revenue for springs and springs restoration in the budget.

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

Submit & File Reports - None

Routine Reports

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

23. **Treasurer's Report and Payment Register**
24. **Monthly Financial Statement**
25. **Monthly Cash Balances by Fiscal Year**
26. **Investment Strategy Quarterly Update**
27. **Comprehensive Plan Amendments and Related Reports**
28. **Development of Regional Impact Activity Report**
29. **Significant Activities**

Committee Chair Dunbar stated he is meeting with Mr. John Campbell, Management Services Director, to discuss increasing yield of investment portfolios, strategies to accomplish this and developing a projection for reserves. This information will be presented at the May Governing Board meeting.

Committee Chair Dunbar adjourned the Committee meeting, and relinquished the gavel to the Regulation Committee Chair Moran, who called the Committee meeting to order. (Audio – 02:01:40)

Regulation Committee

Discussion

38. **Consent Item(s) Moved for Discussion** - None
39. **Denials Referred to the Governing Board** – None

***Submit & File Reports - None
Routine Reports***

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

40. Overpumpage Report

41. Individual Permits Issued by District Staff

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 02:02:11)

Operations, Lands and Resource Monitoring Committee

Discussion

42. Consent Item(s) Moved for Discussion

43. Hydrologic Conditions Status Report

Mr. Granville Kinsman, Hydrologic Data Manager, provided a presentation on the hydrologic conditions status report. The 12-month rainfall conditions have declined as expected. Most areas within the District have received normal to above normal rainfall. Larger areas in the southwest and northwest are dry. Mr. Kinsman stated he added two years to the "Rainfall: 12-month Departure from Mean" graph to display the significant improvement over the last four years. Mr. Kinsman stated the central counties are in the above normal range. Lake conditions in the District have improved with a slight decline last month. Lakes within the Tampa Bay and Polk counties area within normal range. Lake Wales Ridge showed improvement with a slight decline last month.

The Withlacoochee and Hillsborough Rivers are still within normal range. The Alafia River has declined. The Bill Young Reservoir is at capacity at 15.2 billion gallons. The Peace River Water Supply Authority is at 11 billion gallons in storage. The climate forecast has changed. Conditions are considered favored for an El Niño cycle. Above normal rainfall is predicted for May. The three-month forecast indicates temperatures will be above normal with above normal rainfall.

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

44. Approve Office Space Lease to Florida Department of Highway Safety & Motor Vehicles – District Headquarters, SWF Parcel No. 10D-001-186X

Mr. Earl Rich, General Services Bureau Chief, provided a presentation for the approval of office space lease to the Florida Department of Highway Safety and Motor Vehicles. Mr. Rich gave a brief history of building seven. He stated the District was approached by the Florida Highway Patrol (FHP) regarding leasing this space. The projected revenue from FY2016 through FY2020 is approximately \$322,555.

Board Member Beruff asked how the monthly lease was calculated. Mr. Rich responded this is based on the standard Florida Department of Management Services (DMS) rate in the state of Florida.

Board Member Moran asked if the District is self-insured on this property. Mr. Rich responded in the affirmative since District staff are still housed in building seven. Mr. Campbell explained the District maintains property insurance on this facility. He stated the carriers have indicated there is no impact to our rates or renewals and no exclusions related to law enforcement. Mr. Rich stated the lease is still being negotiated with the State.

Board Member Moran expressed concern regarding the low liability amount. And asked that the District confirm there is no law enforcement exclusion as related to our policy.

Mr. Rich stated this office will be used for administrative staff.

Staff recommended the Board:

- Approve the leasing of office space to the Florida Department of Highway Safety & Motor Vehicles.
- Authorize the Executive Director to negotiate the final lease terms and conditions as required.
- Authorize the Executive Director to sign the lease on behalf of the District.

A motion was made and seconded to approve the staff's recommendation. Motion carried unanimously. (Audio 02:17:30)

45. Accept Appraisals, and Approve Purchase and Sale Agreement and Resolution Requesting Funds from the Florida Forever Trust Fund for the Acquisition of Tsala Apopka-Two-Mile Prairie Connector, SWF Parcel No. 19-707-103

Mr. Steve Blaschka, Real Estate Services Manager, provided a presentation on the acceptance and approval for the purchase and sale agreement and resolution requesting funds from the Florida Forever Trust Fund for the Acquisition of Tsala Apopka-Two-Mile Prairie Connector.

The District had an agreement with the prior owner to access the weirs on the property. The owner is now deceased and the current owners have agreed to a contractual term for a transaction involving the sale of the entire property.

An analysis was done on the property that determined it has the potential for surplus property.

Two independent appraisals were done. The contract amount represents 93 percent of the average appraised value.

Board Member Beruff asked the date of the appraisal comparables. Mr. Blaschka responded October 2014. Board Member Beruff asked if it takes into account the wetlands. Mr. Blaschka responded in the affirmative. Board Member Beruff asked if there are any options for this property based on the comprehensive plan. Mr. Blaschka responded in the affirmative, but it may require a comprehensive plan amendment.

Mr. Mark Hammond provided some historical information that described the District's view as to the importance of the property.

Staff recommended the Board:

- Accept the appraisals;
- Approve the Purchase and Sale Agreement and authorize the Executive Director to sign on behalf of the District;
- Approve the Resolution requesting funds for SWF Parcel No. 19-707-103 in the amount of \$1,220,875 from the Florida Forever Trust Fund;
- Authorize the transfer of \$79,125 in available FY2015 funds from N545, Port Richey Watershed BMP Implementation Project, for the purchase of SWF Parcel No. 19-707-104;
- Designate SWF Parcel No. 19-707-103 as having been acquired for conservation purposes; and
- Declare SWF Parcel No. 19-707-104 as surplus and not needed for District or conservation purposes.

A motion was made and seconded to approve the purchase of the property at 90 percent of the average appraised value. The motion failed with ten dissenting votes. (2:34:23)

A motion was made and seconded to approve staff's original recommendation. Motion carried with three dissenting votes. (Audio 2:37:04)

Submit & File Reports - None

Routine Reports

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

46. Structure Operations

47. Significant Activities

Committee Chair Maggard adjourned the Committee meeting. (Audio – 02:37:30)

General Counsel's Report

Discussion Items

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

Ms. Karen West, Interim General Counsel, informed the Board of a lawsuit that has been filed against the Florida Fish and Wildlife Conservation Commission and the District as a result of a hunting accident that occurred on the Oak Ridge Equestrian area which is part of the lower Hillsborough wilderness preserve. The District's insurance company has retained outside counsel. The suit was filed in Osceola County. The District filed motion to dismiss for improper venue.

Submit & File Reports - None

Routine Reports

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

49. Litigation Report - April 2015

50. Rulemaking - April 2015

Committee/Liaison Reports

51. Well Drillers Advisory Committee Report

Liaison report provided in the Governing Board Packet.

52. Environmental Advisory Committee Report

Board Member Griffin provided the Board with a written summary of the Environmental Advisory Committee meeting that was held on April 14, 2015. She provided highlights of the meeting.

53. Other Committee/Liaison Reports

Board Member Moran provided an update of the Sarasota Bay Estuary Program (SBEP). He indicated the Program has experienced some issues that have distracted from its mission and goals. Board Member Moran recommended the services of a previous Mote Marine Laboratory president, Dr. Kumar Mahadevan, to review personnel, policies, and procedures.. Board Member Moran asked the Board for approval to authorize the funding of an agreement with the SBEP, with the SBEP contracting for the review services. This agreement would be a fifty-fifty cooperative partnership, with District funding not to exceed fifteen thousand dollars. The findings of the review would be presented to the SBEP Policy Board.

Chair Babb asked that coordination be done between Dr. Kumar Mahadevan and Ms. Holly Greening at the Tampa Bay Estuary Program (TBEP), for consulting advice.

Secretary Adams asked for staff's opinion regarding this agreement. Ms. Jennette Seachrist responded that staff supports the agreement.

Vice Chair Maggard expressed concern regarding providing funding to resolve internal issues with the SBEP.

Board Member Beruff asked what is the funding amount currently provided to the SBEP. Mr. Hammond responded the District currently funds \$133,000 for operating expenses. Discussion ensued.

Board Member Mann asked once the findings are made will there be a consensus from the SBEP Policy Board to provide an actionable outcome. Board Member Moran stated he could not respond to that.

Board Member Mann asked how much of the District's budgeted funds have been spent. Board Member Moran responded he could not respond to that.

A motion was made and seconded to approve Board Member Moran's request to authorize a third party agreement with Dr. Kumar Mahadevan. This agreement will be cooperatively funded between the SBEP and SWFWMD, with the District's share not to exceed fifteen thousand dollars and not to exceed six months. Motion carried with one dissenting vote. (Audio 2:54:10)

Executive Director's Report

54. Executive Director's Report

Mr. Beltran, Executive Director, stated that April was approved as Water Conservation Month. He stated this District leads the state in per capita use at 107 gallons per day. Over two hundred million gallons have been saved. Mr. Beltran expressed his appreciation to staff for their efforts in conservation.

Chair's Report

55. Employee Milestones

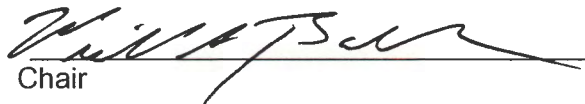
Chair Babb noted staff employees who have reached five-year increments in service to the District. He recognized staff members who have reached 25-year milestones, and thanked them for their service. This item was provided for the Board's information, and no action was required.

The next Governing Board meeting is scheduled for May 19 in Tampa. The June 23 meeting will be in Brooksville.

56. 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 11:57.


Chair

Attest:


Secretary