

APPROVED

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

BROOKSVILLE, FLORIDA

MAY 22, 2012

The Governing Board of the Southwest Florida Water Management District (SWFWMD) met for its regular meeting at 9:00 a.m. on May 22, 2012, at the District's headquarters in Brooksville. The following persons were present:

Board Members Present

Hugh Gramling, Vice Chair
Douglas B. Tharp, Secretary
Albert G. Joerger, Treasurer
Jeffrey M. Adams, Member
Michael A. Babb, Member
Carlos M. Beruff, Member
Bryan K. Beswick, Member
Jennifer E. Closshey, Member
Neil Combee, Member
Randall S. Maggard, Member
Todd Pressman, Member

Staff Members

Blake C. Guillory, Executive Director
Karen A. West, Assistant General Counsel
Robert R. Beltran, Assistant Executive Director
David T. Rathke, Chief of Staff
Kurt P. Fritsch, Division Director
Mark A. Hammond, Division Director
Michael L. Holtkamp, Division Director
Alba E. Más, Division Director

Board Member(s) participated via phone

H. Paul Senft, Chair
Judith C. Whitehead, Member

Board's Administrative Support

LuAnne Stout, Administrative Coordinator
Linda De Jonge, Senior Administrative Asst.

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 A – 00:00)

1. Call to Order

Vice Chair Gramling called the meeting to order at 9:00 a.m. and opened the public hearing. Mr. Tharp noted a quorum was present.

2. Pledge of Allegiance and Invocation

Vice Chair Gramling led the Pledge of Allegiance to the Flag of the United States of America. Mr. Rathke offered the invocation.

Public Hearing

Vice Chair Gramling 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.

Vice Chair Gramling 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." Vice Chair Gramling 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.
(Track 1 – 00:00/04:00)

3. **Additions/Deletions to Agenda**

Mr. Guillory noted that Consent Agenda Item 5 was deleted and Item 8 moved for discussion on the Regulation Committee agenda.

PUBLIC HEARING & MEETING

The following item was deleted:

5. Oath of Office for Reappointed Governing Board Member Paul Senft

Ms. Closshey moved, seconded by Mr. Maggard, to approve the amended agenda. Motion carried unanimously. (Track 1 – 04:00/05:23)

4. **Employee Recognition**

Staff members who achieved milestones of 20 years or greater for the period of January 1, 2012 to April 30, 2012, were recognized before the Board. (Track 2 – 00:00/07:34)

MILESTONE	EMPLOYEE NAME	TITLE	BUREAU	LOCATION
30 Years	Jerry Walker	Stores Keeper	Finance	Brooksville
25 Years	Mark Hammond	Director, Resource Mgt	Executive	Brooksville
	Bill Permenter	Field Technician Supervisor	Regulatory Support	Tampa
20 Years	Kelly Keck	Business Analyst	Regulatory Support	Brooksville

5. **Oath of Office for Reappointed Governing Board Member Paul Senft**

Due to Chair Senft's absence, this item was deferred to the next monthly Board meeting.

6. **Election of Governing Board Officers** (Video A – 13:36)

In accordance with Board Policy 110-7, Board members participate in an election of officers. During this process, a Chair, Vice Chair, Secretary and Treasurer are elected. The newly elected officers assume their duties at the end of meeting. Vice Chair Gramling reviewed the procedure for nominations and voting.

Chair Senft and Ms. Whitehead participated in the meeting via teleconference. Chair Senft expressed his appreciation for the opportunity to serve as the Board's chair over the past year. He commended Mr. Gramling's service as Vice Chair.

Mr. Beruff moved to nominate the current officers to serve for another year due to the transition that has occurred over the past year at the District. Ms. Closshey seconded the motion to retain the current slate of officers.

Mr. Beruff moved to include waiving the policy that officers serve for one year only. Ms. Closshey was in agreement.

Mr. Pressman said he opposed the motion because the policy gives everyone a chance at a leadership role.

Vice Chair Gramling called the question. Motion carried with a vote of eight in favor and four opposed. Mr. Combee had not yet arrived for the meeting. (Track 3 – 00:00/08:15)

Vice Chair Gramling noted that Chair Senft will have staff poll Board members during the coming month to determine committee and liaison preferences. (Track 3 – 00:00/08:15, Track 4 – 00:00/00:15)

7. **Public Input for Issues Not Listed on the Published Agenda** (Video A – 21:45)
Vice Chair Gramling called upon the public who submitted speaker cards.

Mr. Paul Crowell, resident of Odessa, addressed Lakes Horse, Raleigh, and Rogers Recovery Project (f/k/a Rocky Creek Lake Enhancement Project) and its impact on the lakes. He noted that a number of people have expressed concern and objections. (Track 4 – 00:15/04:07)

Ms. Staci Barber, resident of Odessa, addressed the Board regarding the Rocky Creek Lake Enhancement Project. She said she has never received notification of the project. (Track 5 – 00:00/00:33)

Mr. Ed Caplinger, resident of Odessa, noted he lives next to the proposed project which will negatively affect his property's value. (Track 6 – 00:00/03:36)

Mr. Scott Taylor, resident of Odessa, also addressed the Board regarding the Rocky Creek Lake Enhancement Project process and water levels. (Track 7 – 00:00/03:11)

Mr. Andres Mamontoff, resident of Odessa, provided comments regarding inundation of Lake Rock which is north of Lake Pretty. In response to Ms. Closshey's question, Mr. Mamontoff said he is opposed to the project. (Track 8 – 00:00/03:12)

Mr. Gordon Schiff, attorney representing the Oak Hammock Ranch, LLC and James P. Gills, III Custodian, addressed the Board regarding the Upper Tampa Bay Trail Extension. He noted that he is here with Mr. David Brown, representing Progressive Water Resources, discussed the "Tampa By Trail" master plan. (Track 9 – 00:00/07:32) (Video A – 36:13)

Ms. West advised the Board not to engage in discussion since there is a permit currently in-house under review for Hillsborough County regarding this trail. She noted there could be an administrative hearing if the permit is challenged. Board members voiced their opposition to not discussing this item to reach a resolution in a public forum. Discussion ensued regarding public hearing comments and project configuration. Mr. Pressman requested a meeting be scheduled between the District, County and Mr. Schiff. (Track 9 – 07:32/29:34) (Video A – 65:45)

Ms. Rhonda Culver, resident of Brooksville, said she is against the expansion of hunting on District lands since it is not compatible with horseback riding. (Track 10 – 00:00/01:48, Track 11 – 00:00/00:30)

Mr. Gary McIntosh, resident of Bushnell, said he is a member of the Florida Forever Back-Country Horsemen and requested that the organization be included in future hunting expansion discussions. He said the threshold for no-net loss for hunting has been met and exceeded at this point so further expansion would be contrary to state law. (Track 12 – 00:00/00:45)

Vice Chair Gramling said District staff will provide an explanation of Item 47, Sabal Palm Point. (Track 12 – 00:45/01:11)

Ms. Marti Moore, Assistant General Counsel, provided a brief presentation on this verified (signed and sworn to) complaint filed pursuant to the Environmental Protection Act (403.412). She noted that Ms. Rachel Wray has submitted two complaints. Ms. Moore presented a brief history of this MSSW permit. (Track 13 – 00:00/07:11)

Mr. William Tucker of Ft. Lauderdale, lawyer representing Ms. Rachel Wray, said the homeowners association wants to build a mini-marina which would impact Ms. Wray's two

lots. He said this is an injustice and spoke in opposition to Item 47, Sabal Palm Point. (Track 13 – 07:11/11:55)

Ms. West said the two verified complaints have been filed which are a pre-suit notice process and several issues exist. She noted there is a permit application currently in-house for additional docking facilities. (Track 13 – 11:55/14:30)

Ms. Rachel Wray said she owns Sabal Palm Point lots 23, 24 and 30. She said she and her husband bought those properties to live a quiet, peaceful life. She said she came to the Board because no one else has provided assistance. (Track 13 – 14:30/16:42)

Mr. Combee said he feels staff should respond to the public comments regarding Lake Rock and Lake Pretty addressing their concerns. Mr. Pressman said he has been involved with this issue, and staff held an extensive presentation and discussion with the citizens. Ms. Closshey said the public comments make it evident more communication is needed and suggested the presentation be provided at the July Board meeting to allow time to notify the citizens and their engineer. Mr. Hammond provided a brief update. (Track 14 – 00:00/09:20)

CONSENT AGENDA (Video A – 95:25)

Item 8 was moved for discussion on the Regulation Committee agenda.

Regulation Committee

8. **Consider Issuance of Any Water Shortage Order or Ratification of Any Executive Director Order in Accordance with the Water Shortage Plan**

This item was moved to Regulation Committee Discussion Items.

9. **Individual Water Use Permits (WUP) – WUP No. 20020255.000 – L. L. Hiers and Jodi Hiers / Hiers Farm (Marion County)**

Staff recommended the Board approve the proposed permit included as an exhibit in the Board's meeting materials.

Operations & Land Management Committee

10. **Florida Fish and Wildlife Conservation Commission/Cooperative Aquatic Plant Control Program – 10-Year Agreement Renewal**

Staff recommended the Board:

- (1) Approve the ten-year Cooperative Aquatic Plant Control Agreement with FWC and authorize the Operations, Maintenance & Construction Division Director to execute the agreement.
- (2) Authorize the Operations, Maintenance & Construction Division Director to execute Annual Task Assignments and Task Assignment Change Orders as required.
- (3) Authorize the Contract Manager (Vegetation Management Manager) to execute non-financial Task Assignment Change Orders to modify the annual work plan (species, acres controlled and control methods).

11. **Agreement with Hillsborough County and the Florida Fish and Wildlife Conservation Commission to Designate Edward Medard Park Reservoir a Fish Management Area (FMA), SWF Parcel No. 11-100-152X**

Staff recommended the Board approve the no-cost Agreement for a FMA with the County and the Commission at Edward Medard Park Reservoir for (SWF Parcel No. 11-100-152X); and authorize the Operations, Maintenance and Construction Division Director to execute the Agreement.

Resource Management Committee

12. **Polk County Northwest Regional Utility Service Area (NWRUSA) Reclaimed Water Storage and Pumping Station Project – First Amendment**

Staff recommended the Board authorize staff to negotiate the first amendment to the existing agreement with Polk County for the Polk County NWRUSA Reclaimed Water Storage and Pumping Station project to modify the scope of work to an ASR well project; reduce the project costs and proportionately reduce the District's funding commitment;

make the effective date January 1, 2012; extend the project construction start and completion dates, and contract termination date; update the District's contract language and change the District's project manager; and authorize the Resource Management Division Director to execute the amendment.

13. **Authorize Submission of Preliminary Flood Insurance Rate Maps (FIRMs) to the Federal Emergency Management Agency (FEMA)**
 - a. **Sarasota County – North Port/Big Slough Watershed**

Staff recommended the Board authorize staff to submit the preliminary FIRMs for the North Port/Big Slough watershed in Sarasota County to FEMA.
 - b. **Sarasota County – Roberts Bay Watershed**

Staff recommended the Board authorize staff to submit the preliminary FIRMs for the Roberts Bay watershed in Sarasota County to FEMA.
14. **Facilitating Agricultural Resource Management Systems (FARMS)**
 - a. **Arcadia JV Citrus, LLC (H665), DeSoto County**

Staff recommended the Board:

 - (1) Approve the Arcadia JV Citrus, LLC project for a not-to-exceed project reimbursement of \$200,200 with \$100,100 provided by Peace River Basin Fund and \$100,100 provided by the Governing Board;
 - (2) Authorize the transfer of \$100,100 from fund 020 H017 Peace River Basin FARMS Fund and \$100,100 from fund 010 H017 Governing Board FARMS Fund to the H665 Arcadia JV Citrus, LLC project fund; and
 - (3) Authorize the Resource Management Division Director to execute the agreement.
 - b. **Grange Hall Strawberries, LLC (H667), Hillsborough County**

Staff recommended the Board:

 - (1) Approve the Grange Hall Strawberries, LLC project for a not-to-exceed project reimbursement of \$170,116 with \$85,058 provided by the Alafia River Basin Fund and \$85,058 provided by the Governing Board;
 - (2) Authorize the transfer of \$85,058 from fund 011 H017 Alafia River Basin FARMS Funds and \$85,058 from fund 010 H017 Governing Board FARMS Funds to the H667 Grange Hall Strawberries, LLC project fund; and
 - (3) Authorize the Resource Management Division Director to execute the agreement.
 - c. **E. Wayne and Juanita Wiggins (H669), Hillsborough County**

Staff recommended the Board:

 - (1) Approve the E. Wayne and Juanita Wiggins project for a not-to-exceed project reimbursement of \$102,338 with \$102,338 provided by the Hillsborough River Basin Fund;
 - (2) Authorize the transfer of \$102,338 from fund 013 H017 Hillsborough River Basin FARMS Funds to the H669 E. Wayne and Juanita Wiggins project fund; and
 - (3) Authorize the Resource Management Division Director to execute the agreement.
 - d. **Layline Land, LLC (H668), Manatee County**

Staff recommended the Board:

 - (1) Approve the Layline Land, LLC project for a not-to-exceed project reimbursement of \$468,890 with \$379,682 provided by the Governing Board, \$79,808 provided from 2003 State Appropriations and \$9,400 provided from 2009 State Appropriations;
 - (2) Authorize the transfer of \$379,682 from fund 010 H017 Governing Board FARMS Funds, \$79,808 from 2003 State Appropriations allocated to fund 021 H017 FARMS Funds, and \$9,400 from 2009 State Appropriations allocated to fund 010 H017 FARMS Funds to the H668 Layline Land, LLC project fund; and
 - (3) Authorize the Resource Management Division Director to execute the agreement.
 - e. **CFI USA, Inc. and FLM, Inc. – Venus Grove Phase 2 (H662), Manatee County**

Staff recommended the Board:

 - (1) Approve the CFI USA, Inc. and FLM, Inc. - Venus Grove Phase 2 project for a not-to-exceed project reimbursement of \$240,000 provided by the Governing Board;
 - (2) Authorize the transfer of \$240,000 from fund 010 H017 Governing Board FARMS Funds, 010 H017 FARMS Funds to the CFI USA, Inc. and FLM, Inc. – Venus Grove Phase 2 project fund; and

- (3) Authorize the Resource Management Division Director to execute the agreement.
- f. **Heartland Farming, LLC (H670), Polk County**
Staff recommended the Board:
- (1) Approve the Heartland Farming, LLC project for a not-to-exceed project reimbursement of \$44,962 with \$44,962 provided by the Governing Board;
 - (2) Authorize the transfer of \$44,962 from fund 010 H017 Governing Board FARMS Funds to the 010 H670 Heartland Farming, LLC project fund; and
 - (3) Authorize the Resource Management Division Director to execute the agreement.
- g. **Luna Berry Farms, LLC (H671), Polk County**
Staff recommended the Board:
- (1) Approve the Luna Berry Farms, LLC project for a not-to-exceed project reimbursement of \$30,730 with \$15,365 provided by Peace River Basin Funds and \$15,365 provided by the Governing Board;
 - (2) Authorize the transfer of \$15,365 from fund 020 H017 Peace River Basin Funds and 010 H017 Governing Board FARMS funds to the H671 Luna Berry Farms, LLC project fund; and
 - (3) Authorize the Resource Management Division Director to execute the agreement.

Finance & Administration Committee

15. **Budget Transfer Report**
Staff recommended the Board approve the Budget Transfer Report covering all budget transfers for April 2012.

General Counsel's Report

16. **Administrative, Enforcement and Litigation Activities that Require Governing Board Approval**
- a. **Approval of Updated Operating Agreement between the U.S. Army Corps of Engineers (ACOE), Florida Department of Environmental Protection (DEP) and Water Management Districts (WMDs)**
Staff recommended the Board approve the Operating Agreement between the ACOE, DEP and WMDs and authorize the Executive Director to execute the Agreement on behalf of the District.
 - b. **Interagency Agreement between SWFWMD and SJRWMD for Designation of Regulatory Responsibility – Florida Department of Transportation – US 27 Improvements from Barry Road to US 192 – Polk and Lake Counties**
Staff recommended the Board approve the Interagency Agreement between the SWFWMD and the SJRWMD for Designation of Regulatory Responsibility for the US 27 Improvements from Barry Road to US 192 in Polk and Lake Counties.
 - c. **Final Order – ERP No. 43001220.011 - Tony's Roasted Pepper, LLC v. Hillsborough County Public Works and SWFWMD**
Staff recommended the Board approve the Final Order of Dismissal dismissing with prejudice Petitioner Tony's Roasted Pepper, LLC's amended petition for administrative hearing concerning ERP No. 43001220.011 issued to Hillsborough County Public Works.
17. **Initiation and Approval of Rulemaking to Amend Rule 40D-1.603, Florida Administrative Code (F.A.C.), to Specify that Requests for Notices of Agency Action Must be Made in Writing or by Electronic Mail**
Staff recommended the Board initiate and approve rulemaking to amend Rule 40D-1.603, F.A.C., to specify that requests for Notices of Agency Action must be made in writing or by electronic mail.

Executive Director's Report

18. **Approve Governing Board Minutes**
- a. Regional Cooperative Funding Public Meeting – Northern Region – April 3, 2012
 - b. Regional Cooperative Funding Public Meeting – Tampa Bay Region – April 5, 2012
 - c. Regional Cooperative Funding Public Meeting – Heartland Region – April 10, 2012
 - d. Regional Cooperative Funding Public Meeting – Southern Region – April 19, 2012
 - e. Monthly Meeting – April 24, 2012
- Staff recommended the Board approve the minutes as presented.

Mr. Tharp moved, seconded by Mr. Maggard, to approve the Consent Agenda as amended. Motion carried unanimously. (Track 14 – 09:20/09:39)

Vice Chair Gramling relinquished the gavel to Regulation Committee Chair Beswick who called the Committee meeting to order.

REGULATION COMMITTEE (Video A – 95:50)

Ms. Más noted that Item 27 will be heard before the Board considers Item 8.

Discussion Items

19. **Consent Item(s) Moved for Discussion** – Item 8 will be considered following Item 27.

27. **Hydrologic Conditions Status Report**

Mr. Granville Kinsman, Manager, Hydrologic Data Section, noted that April was the seventh month of the eight-month dry season (October-May) and was extremely dry throughout the District for the first three weeks. The passage of a cold front during the last week of April delivered most of the rainfall received during the month, bringing rainfall totals for April into the normal range in all regions of the District. Localized rainfall provided some improvement to hydrologic conditions, although most hydrologic indicators remain below-normal throughout the District in response to the long-term dry conditions. Analysis of “partial” dry-season (October through April) rainfall shows District-wide totals to be about 6.6 inches below the long-term historic average. District-wide, the provisional 12-month rainfall deficit improved slightly during April, ending the month approximately 11.4 inches below the long-term historical average, while the 24-month deficit worsened to 17.3 inches below the long-term average. Groundwater levels remain at below normal conditions in the northern and southern regions. One groundwater monitor well recorded a new period-of-record low in the northern District, while Rainbow Springs and two lakes in the northern region also set new record lows. Streamflow on the District’s major river systems remain at extremely low levels, limiting their use as water supply sources. Regional lake levels are below-normal in all regions and continue to decline. (Track 15 – 00:00/09:22)

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

8. **Consider Issuance of Any Water Shortage Order or Ratification of Any Executive Director Order in Accordance with the Water Shortage Plan** (Video A – 105:30)

Ms. Más said Tampa Bay Water activated the third level of its water shortage mitigation plan on May 7, 2012. In response, Mr. Guillory signed Executive Director Order No. SWF 2012-005 on May 9, 2012. The Modified Phase II restrictions specified by this emergency order, which went into effect immediately, include the following measures: reducing lawn watering to a once-per-week schedule, stricter watering hours, limiting fountains to four hours of operation, only washing cars once per week, limiting pressure washing for aesthetic purposes to once per year and requiring certain best management practices for other water uses.

Staff recommended the Board ratify the issuance of Executive Director Order No. SWF 2012-005 which imposed Modified Phase II water shortage restrictions for Hillsborough, Pasco and Pinellas counties through July 31, 2012.

Mr. Combee moved, seconded by Ms. Closshey, to approve ratifying issuance of Executive Director Order No. SWF 2012-005 which imposed Modified Phase II water shortage restrictions for Hillsborough, Pasco and Pinellas counties through July 31, 2012. Motion carried unanimously. (Track 16 – 00:00/01:35)

Ms. Más said, on May 15, 2012, Tampa Bay Water requested emergency District action to lower the elevation of the middle pool of the Tampa Bypass Canal to 10.0 feet NGVD from the currently permitted 12.0 feet NGVD, while not exceeding a 12.0-foot head differential across Structure S-161 of the Tampa Bypass Canal. Executive Director Order No. SWF 2012-007 declares a water shortage emergency for the Hillsborough River Reservoir, authorizes Tampa Bay Water to lower the middle pool of the Tampa Bypass Canal to elevation 10.0 NGVD, authorizes Tampa Bay Water to withdraw 40 million gallons per day, and expires July 31, 2012 or when water is flowing over or through the dam.

Discussion ensued regarding the annual average pumpage, reservoir, desalination plant and membranes, plant operation agreement, and concerns due to funds expended on plant.

Mr. Warren Hogg, Tampa Bay Water, addressed the questions about the desalination plant's status. (Video A – 133:35)

Staff recommended the Board concur with and ratify Executive Director Order SWF 2012-007 for diversion of water from the middle pool of the Tampa Bypass Canal to augment the Hillsborough River Reservoir.

Ms. Closshey moved to concur with and ratify Executive Director Order SWF 2012-007 for diversion of water from the middle pool of the Tampa Bypass Canal to augment the Hillsborough River Reservoir. (Track 16 – 01:35/26:05)

Discussion ensued regarding operational agreements, cost to taxpayers, and plant design compared to desalination plants operating around the world.

Vice Chair Gramling seconded the motion and it carried unanimously. (Track 16 – 26:05/38:39)

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

Submit & File Report

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

21. **Major Water Production Supply Report**

Routine Reports

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

22. **Southern Water Use Caution Area Quantities**

23. **Overpumpage Report**

24. **E-Permitting Metrics: Online vs. Paper Applications**

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

26. **Resource Regulation Significant Initiatives**

Resource Regulation Committee Chair Beswick adjourned the Committee meeting and relinquished the gavel to Operations & Land Management Committee Chair Babb who called the meeting to order. (Track 17 – 00:00/09:56)

OPERATIONS & LAND MANAGEMENT COMMITTEE (Video A – 144:10)

Discussion Items

27. **Hydrologic Conditions Status Report**

This item was heard earlier in the meeting as part of the Regulation Committee.

29. **Hurricane Preparedness**

Mr. Roy A. Mazur, Bureau Chief, Operations and Land Management, presented an overview of District emergency preparedness for the 2012 hurricane season. Mr. Mazur discussed the District's responsibility as a member of the State's Emergency Response Team (SERT) along with the actions taken to prepare District staff and infrastructure for the upcoming hurricane season. (Track 18 – 00:00/16:00) (Video A – 160:30)

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

Submit & File Report

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

30. **Flying Eagle Youth Center Update**

In response to Mr. Tharp's inquiries, Mr. Mazur said the Boy Scouts lease ended May 10, 2012, and will no longer use the facility. He said the District intends to continue routine maintenance, along with electrical and utility service to caretaker's cabin. Mr. Mazur said the request for proposal (RFP) is being discussed to target audience and determine requirements. Mr. Holtkamp said he is making this a priority for staff and the RFP will be released in no more than 90 days. (Track 18 – 16:00/24:50)

Routine Reports

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

31. **Structure Operations**

32. **Significant Activities**

Operations and Land Management Committee Chair Babb adjourned the Committee meeting and relinquished the gavel to Resource Management Committee Chair Gramling who called the Committee meeting to order. (Track 18 – 24:50/24:56)

RESOURCE MANAGEMENT COMMITTEE (Video A – 169:05)

Discussion Items

33. **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.

34. **Minimum Flows and Levels**

35. **Watershed Management Program and Federal Emergency Management Agency Map Modernization**

36. **Significant Water Supply and Resource Development Projects**

Resource Management Committee Committee Chair Gramling adjourned the Committee meeting and relinquished the gavel to Outreach and Planning Committee Chair Adams who called the Committee meeting to order. (Track 19 – 00:00/00:28)

OUTREACH & PLANNING COMMITTEE (Video A – 169:35)

Discussion Items – None

Submit & File Reports – None

Routine Reports

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

- 37. **Comprehensive Plan Amendment and Related Reviews**
- 38. **Development of Regional Impact Activity Report**
- 39. **Significant Activities**

Outreach and Planning Committee Chair Adams adjourned the Committee meeting and relinquished the gavel to Finance and Administration Committee Chair Joerger. (Track 19 – 00:28/00:50)

The meeting recessed to provide a lunch break at 11:53 a.m. (Track 19 – 00:50/01:45, Video A – 170:59) and reconvened at 12:30 p.m. (Video B – 00:00)

Mr. Beruff requested Ms. West to email the Board a copy of Attorney Frank Hearne's opinion letter on the Tampa Bay Water contract. Vice Chair Gramling noted that there is an original opinion and reaffirmation.

Finance and Administration Committee Chair Joerger called the Committee meeting to order. (Track 20 – 00:00/01:14)

FINANCE & ADMINISTRATION COMMITTEE (Video B – 01:16)

Discussion Items

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

- 41. **Fiscal Year 2012-13 Budget Development Update**

Mr. Fritsch provided an update on the development of the non-recurring or project portion of the District's fiscal year (FY) 2012-13 budget. He provided details of the project portion of the draft FY2012-13 budget including District-led contracted projects and cooperative funding/grants categories. The separate exhibit booklet contains summaries and detailed project descriptions of every project proposed for inclusion in the draft FY2012-13 budget.

The order of consideration was altered slightly during the presentation.

- c. **Final Results of Cooperative Funding Encumbrance Review**

With the District Governing Board's support, staff is reviewing \$386 million worth of projects to ensure the continued viability and priority of these projects. During March and April, Mr. Fritsch said staff completed reviews of projects totaling \$118 million including \$96 million of cooperative funding projects. Approximately \$5 million has been recovered this month bringing total encumbrance review savings to \$20 million. Mr. Beruff suggested the cooperators provide an audit each year. Mr. Fritsch noted that staff continues to evaluate remaining encumbered balances and expect to complete the review by the July Governing Board meeting. (Track 20 – 01:14/14:40, Video B – 13:55)

- a. **May 22, 2012 Budget Update**

Mr. Fritsch summarized revenue and expenditure graphics showing potential changes in the proposed budget compared to the current budget. (Track 20 – 14:40/23:57, Video B – 23:50)

- b. **District Project Requests**

Mr. Fritsch provided a brief report on each project request. Within the separate exhibit packet, a chart shows a year-to-year comparison in the level of the funding for each subcategory. Overall, staff is recommending increases for the FARMS, Florida Department of Transportation (FDOT) Mitigation, Dover/Plant City Water Use Caution Area (WUCA) Meters, Watershed Management, and Structures – Levee Safety Rehabilitation programs.

- (1) Water Resource Education – Mr. Molligan briefly reviewed the individual aspects of this program. (Track 20 – 23:57/36:50)
- (2) Restoration and Water Quality
- (3) Facilitating Agricultural Resource Management Systems (FARMS)
- (4) Florida Department of Transportation Mitigation
- (5) Institute of Food and Agricultural Sciences Research (IFAS)
- (6) Dover/Plant City Water Use Caution Area Meters
- (7) Watershed Management Program
- (8) Water Resource Development – Lower Floridan Aquifer, Polk County
- (9) Data – Studies & Assessment
- (10) Mapping Conversion NGVD29 to NAVD88
- (11) Well Abandonment
- (12) Structures – Levee Safety Rehabilitation Program

Board members requested to see the progression of actual budget figures. (Track 20 – 36:50/46:14)

Due to the level of information provided this month, staff requested the Governing Board to identify project(s) or category(s) of projects for which additional information should be presented in June. (Track 20 – 46:14/55:00)

d. **Cooperative Funding Requests – Subcommittees' Recommendations**

Mr. Fritsch reviewed a summary listing and detailed description of all projects ranked medium or greater. The summary provides funding levels required to fund all 1A, High and Medium ranked projects. Discussion ensued regarding ranks, criteria and funding scenarios.

Mr. Fritsch reviewed the budget development calendar and detailed June, July, August and September 2012 events. (Track 20 – 00:55:00/01:20:25, Video B – 80:28)

Committee Chair Joerger said that one speaker card was submitted for this item.

Mr. Todd Boyle, representing Manatee County, spoke in support of Project N151, Benchmarks – Manatee County, as well as survey and floodplain benchmarks. He provided each Board member with a letter from the Manatee County Administrator. (Track 20 – 01:20:25/01:23:40)

Mr. Hammond noted that Project N151 was ranked low. Mr. Pressman requested a copy of the staff reports for this project. (Track 20 – 01:23:40/01:25:14)

Submit & File Reports

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

42. **May 2012 Report on Workforce and Vendor Diversity**

Routine Reports

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

43. **Treasurer's Report, Payment Register and Contingency Funds Report**
44. **Monthly Financial Statement**
45. **Monthly Cash Balances by Fiscal Year**

Finance and Administration Committee Chair Joerger recessed the Committee meeting and relinquished the gavel to Vice Chair Gramling. (Track 20 – 01:23:40/01:25:26)

GENERAL COUNSEL'S REPORT (Video B – 85:25)

Discussion Items

46. **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.

47. **Litigation Report**
48. **Rulemaking Update** (Track 21 – 00:00/00:16)

COMMITTEE/LIAISON REPORTS (Video B – 85:40)

The following reports were provided in a handout at each Board member's seat.

49. **Joint Industrial/Public Supply Advisory Committee Meeting**
50. **Tampa Bay Regional Planning Council Meeting**
51. **Other Liaison Reports** – None (Track 22 – 00:00/00:38)

EXECUTIVE DIRECTOR'S REPORT (Video B – 86:22)

52. **Executive Director's Report** – None

CHAIR'S REPORT (Video B – 86:30)

53. **Chair's Report**
- Vice Chair Gramling said that Mr. Combee has resigned from the Board and thanked him for his service. Mr. Combee expressed his appreciation of the Board and staff. Vice Chair Gramling noted that formal recognition of Mr. Combee's service will take place at a later time.
 - Vice Chair Gramling announced that the Board's next meeting is at The Villages on June 26, 2012, and the start time has changed to 10:00 a.m.

There being no further business to come before the Board, Vice Chair Gramling recessed the public hearing and adjourned the meeting at 2:01 p.m. (Track 23 – 00:00/04:22, Video B – 91:01)