

APPROVED

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

THE VILLAGES, FLORIDA

JUNE 26, 2012

The Governing Board of the Southwest Florida Water Management District (SWFWMD) met for its regular meeting at 10:05 a.m. on June 26, 2012, at the Savannah Center (1545 N. Buena Vista Boulevard) located within The Villages. The following persons were present:

Board Members Present

H. Paul Senft, Chair
Hugh Gramling, Vice Chair
Douglas B. Tharp, Secretary
Jeffrey M. Adams, Member
Carlos M. Beruff, Member
Bryan K. Beswick, Member
Neil Combee, Member
Randall S. Maggard, Member
Judith C. Whitehead, Member

Staff Members

Blake C. Guillory, Executive Director
Laura J. Donaldson, 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

Albert G. Joerger, Treasurer
Michael A. Babb, Member
Jennifer E. Closshey, Member
Todd Pressman, Member

Board's Administrative Support

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 Senft called the meeting to order at 10:05 a.m. and opened the public hearing. Mr. Tharp noted a quorum was present.

Public Hearing

Chair Senft 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 Senft 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 Senft 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.

The order of consideration was altered.

3. **Additions/Deletions to Agenda**

Mr. Guillory noted that items that have been added to the agenda were received by the District or deleted after publication of the regular agenda. The Board has been provided with information and District staff's analyses of these matters. District staff recommends that good cause has been demonstrated, and these items should be considered during this Board meeting.

CONSENT AGENDA

General Counsel's Report

The following item is deleted from consideration:

17.a. Initiation of Litigation – Surface Water Activity - Robert J. Colvin and Mary A. Colvin – Lake County

The following item is added for the Board's consideration:

➤ Settlement Agreement – SWFWMD v. Steven P. Coscia and Becky G. Coscia, et. al (Parcel No. 20-503-117-P)

GENERAL COUNSEL'S REPORT

The following item is moved to the Resource Management Committee for consideration:

51. Central Florida Water Resource Development Project Partnership

The following item is deleted from consideration:

50. Lake Region Lakes Management District Request to Transfer Ownership of the P-5, P-6, P-7 and P-8 Water Control Facilities in Polk County

The Board had no objections to the amended agenda.

2. **Pledge of Allegiance and Invocation**

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

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

Ms. Lou Kavouras, Bureau Chief, Board and Executive Services, administered the Oath of Office to Mr. Paul Senft who was reappointed by Governor Scott to continue serving his term on the District's Governing Board. (Track 1 – 00:00/03:29)

5. **Welcoming Comments and Overview of The Villages**

Mr. Tharp introduced Mr. Trey Arnett, Utility Engineer for The Villages, who provided an overview of water conservation and community outreach. Ms. Whitehead noted that The Villages is a great success story and encouraged Board members to tour the area. Chair Senft voiced his appreciation of the hospitality shown. (Track 2 – 00:00/11:46)

6. **Public Input for Issues Not Listed on the Published Agenda** (Video A – 21:45)

Chair Senft noted that one speaker card was submitted.

Mr. Jim Stickel, resident of The Villages, asked about enforcement regarding sinkholes and homeowners' responsibility to repair homes. He also questioned the regulation of pressure washing during a water shortage. (Track 3 – 00:00/03:00)

Ms. Más responded that the District does not have jurisdiction over sinkholes and residents pressure washing their homes is restricted to once per year. She noted that commercial pressure washing businesses are not restricted since they typically use less water. Mr. Guillory said that pressure washing is allowed if there is a health issue involved. (Track 3 – 03:00/05:45)

CONSENT AGENDA (Video – 24:52)

Item 17.a. was deleted from consideration and a settlement agreement (Parcel No. 20-503-117-P) was added to the General Counsel's Report.

Finance & Administration Committee

7. **Budget Transfer Report**

Staff recommended the Board approve the Budget Transfer Report covering all budget transfers made during the month of May 2012.

8. **Facilitating Agricultural Resource Management Systems (FARMS) Program – Budget Transfer**

Staff recommended the Board approve the transfer of \$2,000,000 from the cancelled City of Punta Gorda's Brackish Groundwater Reverse Osmosis project (H087) budgeted in Governing Board funds to the FARMS Program (H017) for future funding of agricultural best management practices consistent with FARMS Rule 40D-26, Florida Administrative Code.

9. **Amend the Fiscal Year 2011-12 Annual Service Budget to Merge the Former Basin Budgets into the District's General (Operating) Fund Budget**

Staff recommended the Board approve Resolution No. 12-06, Amendment of the Fiscal Year 2011-12 Annual Service Budget, to eliminate the individual FY2011-12 Basin budgets totaling \$283,132,462 and to increase the District's FY2011-12 General Fund (Operating Fund) budget by the same amount, \$283,132,462, to reflect the 2011 merger of the seven Basins with the District.

10. **Information Technology Bureau (ITB) – Computer Network Infrastructure Upgrades**

Staff recommended to authorize a transfer of \$178,300 of prior year encumbrances originally allocated to expanding Business Objects reporting software and \$18,700 of the \$95,000 in FY2012 funds originally intended to upgrade the Bartow Service Office Governing Board video equipment to purchase the hardware required to support the upgrade of existing wireless network and core network switch equipment. These funds will supplement available existing ITB hardware and software maintenance funds. Total amount to be transferred is \$197,000 and total cost for the upgrades is \$233,600.

Regulation Committee

11. **Consider Fourth Amendment to Districtwide Modified Phase I Restrictions**

Staff recommended the Board approve the Fourth Amendment to Water Shortage Order No. SWF 2010-022, extending the terms of the Order through December 31, 2012.

12. **Consider First Amendment to Modified Phase III Restrictions in Northern Counties**

Staff recommended the Board approve the First Amendment to Water Shortage Order No. SWF 2012-003, extending the terms of the Order through July 31, 2012.

13. **Individual Water Use Permits (WUPs)**

a. **WUP No. 20011167.006 - Layline Land, LLC / Coffee Pond Farm (Manatee County)**

This is a renewal with modification of an existing water use permit for agricultural use. The annual average quantity increases from 1,208,900 gallons per day (gpd) to 2,941,400 gpd; the peak month quantity increases from 2,187,200 gpd to 6,793,500 gpd; and a crop protection quantity of 1,344,000 gpd is added. There is no change in Use Type from the previous revision. Staff recommended the Board approve the proposed permit included as an exhibit in the Board's meeting materials.

b. **WUP No. 20012018.007 - McClure Properties, Ltd. / McClure Rutland (Manatee County)**

This is a renewal with modification of an existing Individual water use permit (WUP) for agriculture. The annual average quantity increases from 2,101,900 gpd to 2,258,900 gpd, and the peak month quantity is reduced from 4,108,700 gpd to 4,103,500 gpd.

There is no change in Use Type from the previous revision. Staff recommended the Board approve the proposed permit included as an exhibit in the Board's meeting materials.

c. **WUP No. 20020281.000 - TDM Enterprises, LLC / TDM Sumter County (Sumter County)**

This is a new water use permit for agricultural use for irrigation of 190 acres of sod. The standard annual average quantity is 508,900 gpd and the peak month quantity is 1,399,900 gpd. Quantities are based on calculations using the District irrigation allotment calculation program (AGMOD). The Permittee is not using Alternative Water Supply sources because none are available at this location at this time. Staff recommended the Board approve the proposed permit included as an exhibit in the Board's meeting materials.

d. **WUP No. 20002981.018 - City of Clearwater / City of Clearwater Public Supply (Pinellas County)**

This is a modification of an existing public supply water use permit for the development of a new brackish groundwater source for a second reverse osmosis facility at the City of Clearwater's Water Treatment Plant No. 2 (RO2). The RO2 Facility is an Alternative Water Supply (AWS) project under a Cooperative Funding Agreement (N176) with the District. As provided for in Section 373.236(5) of the Florida Statutes, this permit extends the permit duration to coincide with the City's funding of the AWS project through 30-year capital improvement bonds. There is no change in Use Type from the previous revision. Staff recommended the Board approve the proposed permit included as an exhibit in the Board's meeting materials.

Resource Management Committee

14. **Englewood Reclaimed Water Supply – First Amendment**

Staff recommended the Board approve the first amendment to the existing agreement with the Englewood Water District to modify the scope by eliminating the supplemental reclaimed water supply well; reduce the total cost of the project from \$260,000 to \$100,000 and proportionately reduce the District's obligation from \$130,000 to \$50,000; extend the contract termination date from June 30, 2012, to December 31, 2012; and authorize the Resource Management Division Director to execute the amendment.

15. **Authorize Submission of Preliminary Flood Insurance Rate Maps (FIRMs) to the Federal Emergency Management Agency (FEMA)**

a. **Sarasota County**

Staff recommended the Board authorize submission of the preliminary Sarasota County Flood Insurance Rate Maps (FIRMS) to the Federal Emergency Management Agency (FEMA).

b. **Manatee County – Gamble Creek**

Staff recommended the Board authorize submission of the preliminary Flood Insurance Rate Maps (FIRMs) for the Gamble Creek watershed in Manatee County to the Federal Emergency Management Agency (FEMA).

16. **Facilitating Agricultural Resource Management Systems (FARMS)**

Staff recommended the Board:

a. **Family Dynamics, Inc. (H663), DeSoto County**

- (1) Approve the Family Dynamics, Inc. project for a not-to-exceed project reimbursement of \$574,724 with \$32,609 provided by Peace River Basin Funds and \$542,115 provided by the Governing Board;
- (2) Authorize the transfer of \$32,609 from fund 020 H017 Peace River Basin FARMS Funds and \$542,115 from fund 010 H017 Governing Board FARMS Funds to the H663 Family Dynamics, Inc. project fund; and
- (3) Authorize the Director, Resource Management Division to execute the agreement.

- b. **FLM, Inc. – Prairie River Ranch – Phase 3 (H673), DeSoto County**
 - (1) Approve the FLM, INC. - Prairie River Ranch - Phase 3 project for a not-to-exceed project reimbursement of \$225,000 provided by the Governing Board;
 - (2) Authorize the transfer of \$225,000 from fund 010 H017 Governing Board FARMS Funds, to the H673 FLM, INC. – Prairie River Ranch – Phase 3 project fund; and
 - (3) Authorize the Director, Resource Management Division to execute the agreement.
- c. **Keysville Road Plant City, LLC – Phase 2 (H672), Hillsborough County**
 - (1) Approve the Keysville Road Plant City, LLC – Phase 2 project for a not-to-exceed project reimbursement of \$41,370 with \$10,966 provided by Alafia River Basin Fund and \$30,404 provided by the Governing Board;
 - (2) Authorize the transfer of \$10,966 from fund 011 H017 Alafia River Basin FARMS funds and \$30,404 from fund 010 H017 Governing Board FARMS funds to the H672 Keysville Road Plant City, LLC – Phase 2 project fund; and
 - (3) Authorize the Director, Resource Management Division to execute the agreement.
- d. **CPM2, Inc. – Amendment (H658), Pasco County**
 - (1) Approve the CPM2, Inc. project for an increase in the not-to-exceed project reimbursement of \$9,685 with \$9,685 provided by the Hillsborough River Basin Fund;
 - (2) Authorize the transfer of \$9,685 from fund 013 H017 Hillsborough River Basin FARMS funds to the H658 CPM2, Inc. project fund; and
 - (3) Authorize the Director, Resource Management Division to execute the agreement.
- e. **Luna Berry Farm, LLC – Amendment (H671), Polk County**
 - (1) Approve the Luna Berry Farm, LLC project for an increase in the not-to-exceed project reimbursement of \$236,250 with \$236,250 provided by the Governing Board;
 - (2) Authorize the transfer of \$236,250 from fund 010 H017 Governing Board FARMS funds to the H671 Luna Berry Farms, LLC project fund; and
 - (3) Authorize the Director, Resource Management Division to execute the agreement.

General Counsel's Report

- 17. **Administrative, Enforcement and Litigation Activities that Require Governing Board Approval**
 - a. **Initiation of Litigation – Surface Water Activity - Robert J. Colvin and Mary A. Colvin – Lake County** – This item was deleted from consideration.

ADD-ON ITEM:

Settlement Agreement – SWFWMD v. Steven P. Coscia and Becky G. Coscia, et al (Parcel No. 20-503-117-P)

Staff recommended the Board approve the settlement agreement whereby the District will pay the owners \$845,493 for the easement necessary for implementation of the Project.

- 18. **Rulemaking** – None

Executive Director's Report

- 19. **Approve Governing Board Meeting Minutes – May 22, 2012**
Staff recommended the Board approve the minutes as presented.

Mr. Gramling moved, seconded by Mr. Tharp, to approve the Consent Agenda as amended. Motion carried unanimously. (Track 4 – 00:00/00:47)

Chair Senft relinquished the gavel to Regulation Committee Vice Chair Tharp who called the Committee meeting to order.

FINANCE & ADMINISTRATION COMMITTEE (Video – 25:42)

Discussion Items

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

21. **Independent Auditor Selection**

Mr. Daryl Pokrana, Finance Bureau Chief, said the purpose of this request is to initiate the process to obtain proposals, evaluate firms, and select an independent auditor to perform the agency's annual financial audit in accordance with Florida Statutes and industry best practices.

Staff recommended the Board approve issuance of Request for Proposal with modifications, if necessary, for negotiations to be made pursuant to state statute.

Mr. Tharp moved, seconded by Mr. Maggard, to approve the staff recommendation as presented. Motion carried unanimously. (Track 5 – 00:00/03:16)

Chair Senft appointed three Board members to serve as the Audit Subcommittee to review, evaluate and rank proposals: Mr. Joerger, Mr. Tharp and Ms. Closshey. Chair Senft noted that these Board members volunteered to serve on the Subcommittee.

Chair Senft then asked Mr. Beruff to serve as the Board's representative to conduct negotiations with qualified firms. Mr. Beruff accepted and Chair Senft appointed him as the Board's representative. (Track 5 – 03:16/05:23)

22. **Presentation of Fiscal Year (FY) 2012-13 Recommended Annual Service Budget**

Mr. Fritsch noted that staff has submitted the FY2012-13 Recommended Annual Service Budget (RASB) for consideration by the Governing Board as required by statute. He provided an overview of the RASB for FY2012-13, and an update on the changes that have been made since the May 22, 2012 meeting.

In response to Mr. Beruff's inquiry, Mr. Fritsch said there is a statute to choose relatively risk-free investments and the Treasurer's Report shows current balances. He said staff will analyze options for interest earnings and report to the Board next month.

Staff recommended the Board authorize preparation of the Standard Format Tentative Budget Submission based on the RASB, adjusted for any modification made by the Governing Board on June 26 and changes in estimated ad valorem revenue based on the July 1 certifications of taxable value.

Following discussion, **Mr. Gramling moved, seconded by Mr. Maggard, to approve the staff recommendation as presented. Motion carried unanimously.** (Track 6 – 00:00/23:57)

23. **Board Travel**

Ms. Kavouras said Governing Board Members Senft, Joerger and Closshey have requested to attend the July 17-20, 2012 Environmental Permitting Summer School. Chair Senft noted there is a Florida Department of Environmental Protection and water management districts meeting on July 16.

Following consideration, **Mr. Gramling moved, seconded by Mr. Adams, to approve travel expenses to attend the Environmental Permitting Summer School. Motion carried unanimously.**

Submit & File Reports – None

Routine Reports

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

24. **Treasurer's Report, Payment Register and Contingency Funds Report**
25. **Monthly Financial Statement**
26. **Monthly Cash Balances by Fiscal Year**

Finance and Administration Committee Vice Chair Tharp adjourned the Committee meeting and relinquished the gavel to Outreach and Planning Committee Chair Adams who called the Committee meeting to order. (Track 7 – 00:00/01:40)

OUTREACH & PLANNING COMMITTEE (Video – 56:44)

Discussion Item

27. **Water Resources Education Update**

Mr. Rathke said that, at the Board's May meeting, staff proposed funding \$1.3 million in Water Resource Education Grants and Contracted Services, a reduction of 18 percent from the current year. Following discussion by the Board, District staff continued to look for opportunities to reduce costs in the program. As a result of those efforts, Mr. Rathke said staff is recommending eliminating funding for B726 Adopt-A-Pond Hillsborough County (\$37,500), reducing funding in P268 Public Water Resources Education from \$111,251 to \$6,000 by eliminating the Community Education Grant Program (\$100,000), and reducing funding in P259 Youth Water Resources Education by an additional \$60,000, from \$608,525 to \$548,525, for programs covering 15 counties. Total recommended savings from these reductions is \$202,751.

Discussion ensued regarding education program effectiveness, new ways of doing business through social media, and examining each program for efficiency. (Track 8 – 00:00/15:20)

Regarding Florida-Friendly Landscaping (FFL), Mr. Rathke said the District currently funds portions of 13 FFL positions in partnership with 11 county governments (Charlotte, Citrus, Hernando, Hillsborough, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota and Sumter). In May, \$508,298 was the proposed Fiscal Year 2012-2013 budget for support for Grants and Contract Services. Some concerns were expressed about funding these education programs and the appropriateness of funding positions at other agencies. Staff has re-evaluated the program to look at both the level and the type of funding support being provided to promote FFL.

Mr. Rathke said staff has developed four alternative options to the FFL status quo and each option has a different level of funding commitment. The four options are as follows:

- (1) Promote the program through non-paid media such as news releases, social media, website. This would save the District \$508,298.
- (2) Similar to option one, but it would budget \$100,000 for a short-duration advertising campaign. This option would save the District \$408,298.

- (3) Budget \$180,000 to secure the services of two regional coordinators. These regional coordinators could be used to focus and target promotions to areas most in need, and to especially focus on homeowner associations, where water-saving successes have been documented. This option would save the District \$328,298.
- (4) Reduce funding by 50 percent per county for those counties willing to continue to fund the remaining portion of the program. This option would save the District \$254,149. (Track 8 – 15:20/20:45)

Chair Senft said he received a personal note from the Florida Department of Environmental Protection congratulating the District for its per capita use being the lowest in the state. He commended staff for their efforts, and challenged them to look at the education program to find more efficient ways to do business a little differently.

Discussion ensued about achieving goals through media communication with District staff, outsourcing services, community-based social marketing, moving in a new direction to change with the times, and more information on the utilization of social media to save tax dollars and safeguarding water.

Following discussion, Committee Chair Adams recognized meeting attendees who had submitted speaker cards for this item. (Track 8 – 20:45/39:05)

Ms. BJ Jarvis, Pasco County Extension Service Director, representing the University of Florida Institute of Food & Agricultural Sciences (IFAS), provided information on FFL measurable impacts and how the program is effecting behavior change. She said this program is cost effective and asked, on behalf of the University of Florida, for the Board to continue support. (Track 8 – 39:05/44:05)

Mr. Eric Knudsen, landscaper for The Villages, said that a reduction in FFL would mean a cut in training for contractors who provide landscaping services. (Track 8 – 44:05/46:47)

Mr. Trey Arnett, Utility Engineer for The Villages, noted that at local event booths, extension agents are trusted by residents to provide education about plants and landscaping. (Track 8 – 46:47/49:08)

Mr. Ed Bull, President of Sumter County Master Gardeners, said members have reached as many as 600 people per day to provide education for new residents. (Track 8 – 49:08/50:13)

Ms. Kathleen Patterson, a program coordinator in Citrus County, said during one four-week program, over 250 people participated every week. She said coordinators saw changes that had already begun when they visited homes and saw homeowners were implementing what they had learned. She said change starts through information. (Track 8 – 50:13/51:38)

Mr. Richard Lambrecht spoke on behalf of his wife who is president of The Villages Garden Club. He said his wife avails herself of the information on websites and tells others about the sites. He asked the Board not to cut funding for the FFL program. (Track 8 – 51:38/53:25)

Following further discussion, **Mr. Gramling moved, seconded by Mr. Tharp, to continue the FFL program at full funding for current budget year; and, prior to the next budget cycle, direct staff to analyze and examine the program to garner the same services.**

Discussion ensued regarding University of Florida analysis and measurable outcomes, level of service goal to the public is to continue improvements, use of technology to do the job better, and investment of cost versus water saved.

Committee Chair Adams called the question. **The motion carried unanimously.** (Track 8 – 00:53:25/01:05:48)

Committee Chair Adams said staff is recommending to eliminate funding for B726 Adopt-A-Pond Hillsborough County (\$37,500); reduce funding in P268 Public Water Resources Education from \$111,251 to \$6,000 by eliminating the Community Education Grant Program (\$100,000); and reduce funding in P259 Youth Water Resources Education by \$60,000, from \$608,525 to \$548,525.

Mr. Maggard moved, seconded by Mr. Beruff, to approve the staff recommendation for reductions as presented.

Discussion ensued about duplicative activities, continuing same level of service, reaching more students through social media, and increasing use of other technologies to target specific markets.

Committee Chair Adams called the question. **The motion carried with Mr. Tharp voting in opposition.** (Track 8 – 01:05:48/01:14:00)

Submit & File Reports – None

Routine Reports

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

28. **Comprehensive Plan Amendment and Related Reviews**
29. **Development of Regional Impact Activity Report**
30. **Significant Activities**

Outreach and Planning Committee Chair Adams adjourned the Committee meeting and relinquished the gavel to Chair Senft.

Chair Senft recessed the meeting at 12:16 p.m. for a lunch break (Track 8 – 01:14:00/01:14:25) and reconvened the meeting at 1:01 p.m. Chair Senft relinquished the gavel to Regulation Committee Chair Beswick who called the Committee meeting to order.

REGULATION COMMITTEE (Video – 131:38)

Discussion Items

31. **Consent Item(s) Moved for Discussion** – None
32. **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.

33. **Southern Water Use Caution Area Quantities**
34. **Overpumpage Report**
35. **E-Permitting Metrics: Online vs. Paper Applications**
36. **Individual Permits Issued by District Staff**
37. **Resource Regulation Significant Initiatives**

Resource Regulation Committee Chair Beswick adjourned the Committee meeting (Track 9 – 00:00/01:35) and relinquished the gavel to Resource Management Committee Chair Gramling who called the meeting to order.

RESOURCE MANAGEMENT COMMITTEE (Video – 133:08)

Item 51 was moved from the General Counsel's Report to be considered as a Discussion Item.

Discussion Items

38. **Consent Item(s) Moved for Discussion** – None
51. **Central Florida Water Resource Development Project Partnership**
Mr. Brian Armstrong, Water Supply Manager, provided a brief historical overview of the development of the partnership. The ultimate goal of this effort is to help develop cost-effective alternative water supply options for the County and municipalities.

Ms. Donaldson said staff received approval at the February 28, 2012, Governing Board meeting to develop a framework for the Central Florida Water Resource Development Project Partnership. The framework for this effort will be comprised of four components: (1) Central Florida Water Resources Development Agreement, (2) regional participation agreements between Polk County Government and municipalities, (3) water supply authority (WSA) developed, and (4) Central Florida Partnership between the District and WSA. The Partnership Agreement will include identifying eligible projects for District approval, the District funding at least \$160 million over 20 years (30 million gallons per day), allowing for increased funding based on additional Water Supply Authority (WSA) members and quantities developed, eligibility to access funds contingent on WSA creation, and minimum WSA requirements. Mr. Armstrong reviewed the projected time table for the four components.

Discussion ensued regarding counties included in the WSA and allowing municipalities to enter at a later point, learning from past efforts, money spent on a baseline facility and not a peaking one, and the timeline.

(Mr. Beruff left the meeting.)

Staff recommended the Board authorize staff to continue to work with Polk County to develop the Central Florida Water Resource Development Agreement. If authorized, the agreement will be presented to the Governing Board later this year for the Board's consideration.

Following discussion, **Mr. Tharp moved, seconded by Chair Senft, to approve the staff recommendation as presented. Motion carried unanimously.** (Track 10 – 00:00/35:44)

39. **Funding Request – Hillsborough County and City of Tampa Duck Pond Best Management Practices Implementation – Second Amendment**

Mr. Ken Herd, Bureau Chief, Water Resources, Resource Management Division, said this is a multiyear cooperatively funded project with the County and City for implementation of best management practices (BMPs) within the Duck Pond watershed. Based on an updated construction cost estimate, the City has requested a funding increase to incorporate the relocation of the pump station site and associated engineering fees. In addition, the County has requested additional funding due to an increase in engineering and construction cost of the Duck Pond pump station and 36-inch force main.

Staff recommends the Board approve the second amendment to the agreement with Hillsborough County and the City of Tampa for the Duck Pond BMPs Implementation to increase the total project budget to \$27,230,864, increasing the District's share by \$1,622,168 to the total amount of \$8,722,168 which includes \$300,000 of state funding from the Water Protection and Sustainability Trust Fund, and extend the agreement expiration date from November 1, 2012 to November 1, 2013; and authorize the Resource Management Division Director to execute the amendment. The additional funding to be included in the FY2012-13 budget from the Hillsborough River Basin reserves.

Following consideration, **Mr. Tharp moved, seconded by Mr. Maggard, to approve the staff recommendation as presented. The motion carried with Chair Senft voting in opposition.** (Track 11 – 00:00/12:44)

Submit & File Report

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

40. **Lower Hillsborough River Recovery Strategy Implementation – Annual Update**

Routine Reports

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

41. **Minimum Flows and Levels**

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

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

Resource Management Committee Chair Gramling adjourned the Committee meeting (Track 11 – 12:44/12:57) and relinquished the gavel to Operations and Land Management Committee Vice Chair Maggard who called the Committee meeting to order.

OPERATIONS & LAND MANAGEMENT COMMITTEE (Video – 181:46)

Discussion Item

44. **Hydrologic Conditions Status Report**

Mr. Granville Kinsman, Manager, Hydrologic Data Section, Data Collection Bureau, said May was the last month of the eight-month dry season (October-May) and rainfall during the first three-weeks of the month saw scattered showers/thunderstorm activity, while the last week saw abundant rainfall in the northern region from Tropical Storm Beryl. 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 provisional rainfall data for the "dry-season" 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 during May, ending the month approximately

9.6 inches below the long-term historical average, while the 24-month deficit improved to 16.3 inches below the long-term average. Groundwater levels remain at below-normal conditions throughout the District. Five groundwater monitor wells, three lakes, three streamflow sites and one springflow site set new record low levels in May. In summary, Mr. Kinsman said extreme rainfall, both beneficial and detrimental, for sustainability of improvements will require continued rains through summer months, and above-normal rainfall will be needed to fully reset lake levels.

Mr. Kinsman provided an update on Tropical Storm Debby. (Track 12 – 00:00/09:34)

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

Submit & File Reports

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

45. **Surplus Lands Assessment Update**

46. **Flying Eagle Nature Center Update**

- Ms. Cheryl Hill, Land Program Coordinator, Operations and Land Management Bureau, noted that District staff have formed a multi-disciplinary project team that is developing a marketing plan and website, researching organizations to target, scheduling site visits with interested parties, preparing the facilities for marketing, and drafting a Request for Proposal for eventual release to the marketplace. Staff has also engaged the Florida Fish and Wildlife Conservation Commission to patrol the property through the end of the fiscal year or until a partner has been retained. (Track 13 – 00:00/02:40)

Routine Reports

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

47. **Structure Operations**

48. **Significant Activities**

- Mr. Holtkamp noted the Field Operations Section completed two projects: wetlands restoration for the Hampton Tract and habitat restoration in Palmetto. He provided an update on refurbishment of water control structure S-11 which is located southwest of Webster on the Big Gant Canal.

Operations and Land Management Committee Vice Chair Maggard adjourned the Committee meeting and relinquished the gavel to Chair Senft. (Track 13 – 02:40/05:05)

GENERAL COUNSEL'S REPORT (Video – 196:32)

Item 50 was deleted from consideration and Item 51 was moved to Resource Management Committee Discussion Items.

Discussion Items

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

50. **Lake Region Lakes Management District (LRLMD) Request to Transfer Ownership of the P-5, P-6, P-7 and P-8 Water Control Facilities in Polk County**

This item was deleted from consideration.

51. **Central Florida Water Resource Development Project Partnership**

This item was heard earlier in the meeting during the Resource Management Committee meeting.

52. **Approve District's Annual Regulatory Plan Required by Executive Order Number 11-211 and subsection 120.74(3), Florida Statutes (F.S.)**

Ms. Donaldson said Executive Order Number 11-72 and Section 120.74(3), F.S., required agencies under the direction of the Governor to submit to the Governor's Office of Fiscal Accountability and Regulatory Reform (OFARR) "an annual regulatory plan that shall identify and describe each rule that the agency expects to begin promulgating during the next twelve-month period" by July 1, 2011 (and every July 1 thereafter).

Staff recommended the Board approve the District's Annual Regulatory Plan for July 2012 – June 2013; and authorize staff to revise the Plan, if necessary, and submit the Plan to the Governor's OFARR, President of the Senate, Speaker of the House, and Joint Administrative Procedures Commission.

Ms. Whitehead moved, seconded by Mr. Gramling, to approve the staff recommendation as presented. Motion carried unanimously. (Track 14 – 00:00/03:40)

Submit & File Reports – None

Routine Reports

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

53. **Litigation Report**

54. **Rulemaking Update**

Ms. Donaldson reminded Board members that their financial statements are due by July 2. During the last Board meeting, she noted that there several questions regarding the Board's involvement in permit issues and decisions. She briefly reviewed the statutory requirements which oversee the Board member's roles.

Ms. Donaldson noted that, as of June 8, there are 115 enforcement cases, down from 189. She said she is expecting an increase due to a number of overpumpage cases. (Track 14 – 03:40/10:10)

COMMITTEE/LIAISON REPORTS (Video – 206:28)

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

55. **Joint Agricultural and Green Industry Advisory Committee Meeting**

56. **Tampa Bay Regional Planning Council Meeting**

57. **Other Liaison Reports** – None (Track 15 – 00:00/00:35)

EXECUTIVE DIRECTOR'S REPORT (Video B – 207:10)

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

- Mr. Guillory thanked operations and maintenance staff who worked so hard and overtime the past couple of days due to the storm. He also commended permitting and information technology staff for their progress with the E-Permitting system.
- Mr. Guillory noted that, at the July Board meeting, staff will present a one-page dashboard as a measurement of the District's status for the Board's information.

- Mr. Guillory suggested the Board may want to consider changes in the cooperative funding process and policies, such as (1) starting the process earlier to allow staff more time for evaluation, (2) requiring more data for larger projects over a specific threshold to assist with decision making, and (3) reviewing policies for changes to the level of funding for certain types of projects. (Track 15 – 00:35/05:00)

CHAIR'S REPORT (Video – 212:14)

59. **Approve Resolution 12-08 Commending C. A. “Neil” Combee, Jr. for His Service on the Board**

Staff recommended the Board approve Resolution 12-08 for presentation to Mr. Combee at a future meeting.

Mr. Gramling moved, seconded by Mr. Tharp, to approve Resolution 12-08 as presented. Motion carried unanimously. (Track 15 – 05:00/06:58)

60. **Chair’s Report** – None

There being no further business to come before the Board, Chair Senft recessed the public hearing and adjourned the meeting at 2:23 p.m. (Track 15 – 06:58/07:09, Video B – 91:01)