

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

BROOKSVILLE, FLORIDA

JUNE 27, 2017

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m. on June 27, 2017, at the Brooksville Office. The following persons were present:

Board Members Present

Randall S. Maggard, Chair
Jeffrey M. Adams, Vice Chair
Bryan Beswick, Secretary
Ed Armstrong, Treasurer
H. Paul Senft, Member
John Henslick, Member
Kelly S. Rice, Member
Michelle Williamson, Member
Mark Taylor, Member
Joel Schleicher, Member
Rebecca Smith, Member

Board Members Absent

Michael A. Babb, Member

Staff Members

Brian J. Armstrong, Executive Director
Amanda Rice, Assistant Executive Director
Karen E. West, General Counsel
Kurt P. Fritsch, Inspector General
John J. Campbell, Division Director
Ken L. 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 Maggard called the meeting to order and opened the public hearing. Secretary Beswick stated a quorum was present.

2. Invocation and Pledge of Allegiance

Board Member Maggard offered the invocation. Chair Maggard led the Pledge of Allegiance to the Flag of the United States of America.

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

Chair Maggard 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 "Request to Speak" 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 Maggard 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. Employee Recognition

Chair Maggard recognized staff from the Operations, Lands & Resource Monitoring Division for their effort in combating 23 wildfires that impacted nearly 7,000 acres of District lands.

Chair Maggard recognized employees who have reached at least 20 years of service with the District and thanked them for their service. The following staff were recognized: Jerry Mallams, Vito Morolla and Dave DeWitt.

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

4. Oath of Office for Appointed or Re-Appointed Board Members – John Henslick, Mark Taylor & Michelle Williamson

Ms. Cara Martin, Board and Executive Services Manager, administered the Oath of Office for newly appointed Board Member Rebecca Smith and re-appointed Board Members John Henslick, Mark Taylor and Michelle Williamson.

5. Additional/Deletions to Agenda

Mr. Brian Armstrong, Executive Director, stated there were no additions or deletions to the agenda.

Please note, agenda items four and five were switched during the meeting.

6. Public Input for Issues Not Listed on the Published Agenda

Chair Maggard stated he received one Request to Speak card.

Mr. David Ballard Geddis, Jr., spoke regarding the water testing for mercury. Treasurer Armstrong asked Mr. Geddis if he has presented his concerns to Pinellas County. Mr. Geddis responded in the affirmative. Board Member Henslick asked why mercury is not included in monitoring as related to potable water. Ms. Alba Mas, Regulation Director, responded that the Florida Department of Environmental Protection is responsible for monitoring drinking water.

CONSENT AGENDA

Chair Maggard 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.

Secretary Beswick declared a conflict of interest for the following items:

15. FARMS – West Vero Farms, LLC (H753), DeSoto County

16. FARMS – L.D. Hancock Company, LLC - Hancock Grove Phase 5 (H754), DeSoto County

17. FARMS – Southeast Groves, LLC – County Line Grove Phase 2 (H755), DeSoto County

Chair Maggard said there is good cause to approve the published agenda as allowed by Section 120.525, Florida Statutes. A motion was made to approve agenda items 7-14 and agenda items 18-26 in the published agenda, which was seconded. The motion carried unanimously. (Audio 00:15:54)

A motion was made to approve agenda items 15-17 in the published agenda, which was seconded. The motion carried with 11 unanimous votes and Secretary Beswick abstaining. (Audio 00:16:10)

CONSENT AGENDA

General Counsel's Report

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

a. Interagency Agreement Between SFWMD and SWFWMD – Designation of Regulatory Responsibility – Providence Golf Course – Polk County

Staff recommended the Board approve the Interagency Agreement Between the South Florida Water Management District and the Southwest Florida Water Management District for Designation of Regulatory Responsibility for Providence Golf Course in Polk County.

b. Consent Order – Failure to Submit Statement of Completion and As-Built Drawings and Permit Deviations – Conhagen Properties, LLC – CT No. 371504 – Polk County

Staff recommended the Board approve the Consent Order and authorize the initiation of litigation against any parties if necessary in order to obtain compliance with the Consent Order.

8. Rulemaking - None

Resource Management Committee

9. Authorize Submission of Preliminary Flood Insurance Rate Maps for the Northwest Five Watershed Update in Hillsborough County to the Federal Emergency Management Agency (N400)

Staff recommended the Board authorize submittal of the preliminary FIRMs for the Northwest Five Watershed in Hillsborough County to FEMA.

10. Sun City Golf Course Reclaimed Water Expansion Project (N804) – Scope Change

Staff recommended the Board approve the revised project scope to increase the pipeline length from 15,500 to 20,000 feet of reclaimed water line and delete the rehabilitation of an existing supply line, and reduce the measurable benefit from 2.0 mgd to 1.6 mgd to provide a reclaimed water supply for the irrigation of five golf courses and residential and common areas located at the Sun City Center in Hillsborough County.

11. FARMS – KLM Farms, LLC (H743), Polk County

Staff recommended the Board:

1. Approve the KLM Farms, LLC project for a not-to-exceed project reimbursement of \$43,578 with \$43,578 provided by the Governing Board;
2. Authorize the transfer of \$43,578 from fund 010 H017 Governing Board FARMS Fund to the H743 KLM Farms, LLC project fund;
3. Authorize the Division Director to sign the agreement.

12. FARMS – Blueberry Hill, LLC Phase 2 (H748), Lake County

Staff recommended the Board:

1. Approve the Blueberry Hill, LLC project for a not-to-exceed project reimbursement of \$262,651 with \$262,651 provided by the Governing Board;
2. Authorize the transfer of \$262,651 from fund 010 H017 Governing Board FARMS Fund to the H748 Blueberry Hill, LLC project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

13. FARMS – Jack Paul Properties, Inc. – Redwing Grove (H749), DeSoto County

Staff recommended the Board:

1. Approve the Jack Paul Properties, Inc. – Redwing Grove project for a not-to-exceed project reimbursement of \$701,700 with \$701,700 provided by the Governing Board;
2. Authorize the transfer of \$701,700 from fund 010 H017 Governing Board FARMS Fund to the H749 Jack Paul Properties, Inc. – Redwing Grove project fund;

3. Authorize the Assistant Executive Director to sign the agreement.

14. FARMS – QC DeSoto Grove Ventures, LLC – Prairie River Ranch (H756), DeSoto County

Staff recommended the Board:

1. Approve the QC DeSoto Grove Ventures, LLC – Prairie River Ranch project for a not-to-exceed project reimbursement of \$436,448 with \$436,448 provided by the Governing Board;
2. Authorize the transfer of \$436,448 from fund 010 H017 Governing Board FARMS Fund to the H756 QC DeSoto Grove Ventures, LLC – Prairie River Ranch project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

15. FARMS – West Vero Farms, LLC (H753), DeSoto County

Staff recommended the Board:

1. Approve the West Vero Farms, LLC project for a not-to-exceed project reimbursement of \$34,500 with \$34,500 provided by the Governing Board;
2. Authorize the transfer of \$34,500 from fund 010 H017 Governing Board FARMS Fund to the H753 West Vero Farms, LLC project fund;
3. Authorize the Division Director to sign the agreement.

16. FARMS – L.D. Hancock Company, LLC - Hancock Grove Phase 5 (H754), DeSoto County

Staff recommended the Board:

1. Approve the Hancock Grove Phase 5 project for a not-to-exceed project reimbursement of \$21,450 with \$21,450 provided by the Governing Board;
2. Authorize the transfer of \$21,450 from fund 010 H017 Governing Board FARMS Fund to the H754 Hancock Grove Phase 5 project fund;
3. Authorize the Division Director to sign the agreement.

17. FARMS – Southeast Groves, LLC – County Line Grove Phase 2 (H755), DeSoto County

Staff recommended:

1. Approve the Southeast Groves Phase 2 project for a not-to-exceed project reimbursement of \$8,400 with \$8,400 provided by the Governing Board;
2. Authorize the transfer of \$8,400 from fund 010 H017 Governing Board FARMS Fund to the H755 Southeast Grove Phase 2 project fund;
3. Authorize the Bureau Chief to sign the agreement

Finance/Outreach & Planning Committee

18. Budget Transfer Report

Staff recommended the Board approve the Budget Transfer Report covering all budget transfers for May 2017.

19. Governing Board Travel

Staff recommended the Board approve Governing Board travel as presented.

Operations, Lands and Resource Monitoring Committee

20. Amendment to the 2017 Update of the Florida Forever Work Plan

Staff recommended the Board amend the Florida Forever Work Plan to include approximately 357 acres within the Lake Panasoffkee project for protection via conservation easement(s).

21. Right of First Refusal to Acquire the Remainder Fee Interest in a Conservation Easement, Bright Hour Watershed, SWF Parcel No. 20-780-101C

Staff recommended the Board authorize the Executive Director to decline the Right of First Refusal on SWF Parcel 20-780-101C.

22. Amendment of the Perpetual Easement with Polk County and the First Amendment of the Marshall Hampton Management Agreement for the Lake Hancock Recreation Trail and Boat Ramp Projects, SWF Parcel Numbers 20-503-254X and 20-503-240X

Staff recommended the Board:

- Approve Amendment to the Non-Exclusive Perpetual Easement with Polk County for SWF Parcel Number 20-503-254X.
- Approve the First Amendment to the Management Agreement Between the District and Polk County for the Marshall Hampton Reserve, SWF Parcel Number 20-503-240X.

Regulation Committee

23. Approve and Execute Amendment to Conservation Easement – Hardee County

Staff recommended the Board approve and execute the Amended and Restated Conservation Easement for the property.

24. Concurrence with Emergency Order No. SWF 17-026 – Tampa Bay Water – WUP No. 20006675.006 - Lowering of Tampa Bypass Canal Middle Pool

Staff recommended the Board concur with Emergency Order No. SWF 17-026.

25. Individual Water Use Permits Referred to the Governing Board

a. WUP No. 20013370.001 - Red Wing Groves/Jack Paul Properties, Inc. (DeSoto County)

Staff recommended the Board approve the proposed permit attached as an exhibit.

Executive Director's Report

26. Approve Governing Board Meeting Minutes - May 23, 2017

Staff recommended the Board approve the minutes as presented.

Chair Maggard began the meeting with the General Counsel's Report. (Audio 00:16:24)

General Counsel's Report

Discussion

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

28. Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, Florida Administrative Code, to Adopt a Minimum Flow for the Rainbow River System and Accept Reports

Please note that agenda items 28 and 29 were discussed collectively, but voted on separately (see Item 29, below).

29. Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, Florida Administrative Code, to Adopt a Minimum Flow for the Crystal River/Kings Bay System and Accept Reports

Please note that agenda items 28 and 29 were discussed collectively, but voted on separately.

Ms. Amy Brennan, Office of General Counsel, provided a presentation that explained the amendment to the rule language for this item. Ms. Brennan stated that at the March and May Board meetings, respectively, the proposed minimum flows for the Rainbow River System and Crystal River/Kings Bay (CR/KB) System were presented as a percent of natural flow rather than in cubic feet per second (cfs).

Ms. Brennan outlined the rulemaking procedures, which included the initiation of rulemaking, public hearings that were requested and held, and a petition challenging the proposed minimum flow for the Rainbow River System that was subsequently filed. She explained that the overwhelming majority of comments concerned the science used by District staff in developing the minimum flows. However, at the public hearing for the Rainbow River System, staff heard concerns

regarding clarity of the rule language; specifically, it was unclear what the minimum flow was in actual flow numbers. The rule challenge petition also contained an allegation of vagueness. District staff evaluated the allegation and determined that although the original rule language was most reflective of natural conditions, a legitimate concern had been raised and that it was necessary and appropriate to amend the rule language to better explain what the minimum flow is. In light of that decision, staff withdrew the original proposed rule language and the rule challenge petition was voluntarily dismissed.

Ms. Brennan explained the revised rule language did not change the substance of the minimum flow that the Board approved in March and May, and that the level of protection will remain the same. The revised rule language (1) expresses the minimum flows in cfs; (2) explains how the minimum flows were developed; and (3) explains how the District evaluates the status of the minimum flows.

For the Rainbow River System, the revised rule language states that the minimum flow is the long-term average flow of 649 cfs, measured at the USGS Rainbow River at Dunnellon gage. The minimum flow is based on a 5% percent reduction from long term average flow of 683 cfs adjusted for groundwater withdrawals for the period of record from 1965-2015. The revised rule language also explains in detail how the status of the minimum flow will be assessed, requiring assessments annually and every five years. The rule continues to require that the minimum flow be reevaluated within 10 years.

For the CR/KB System, the revised rule language states that the minimum flow is the long-term tidally-filtered average flow of 406 cfs, measured at the USGS Bagley Cove at Crystal River gage. The minimum flow is based on an 11% reduction from the long term tidally-filtered average flow of 456 cfs adjusted for groundwater withdrawals for the period of record from 2002-2015. The revised rule language also explains in detail how the status of the minimum flow will be assessed, requiring assessments annually and every five years. The rule continues to require that the minimum flow be reevaluated within 10 years.

For Item 28, Staff recommended the Board:

1. Accept the report entitled, "Recommended Minimum Flow for the Rainbow River System, Revised Final Draft, June 2017";
2. Initiate rulemaking and approve adoption of amendments for Rule 40D-8.041, Florida Administrative Code, to establish a minimum flow for the Rainbow River System;
3. Authorize staff to make any necessary clarifying or minor technical changes that may result from the rulemaking process; and
4. Initiate the emergency rulemaking process set forth in Section 120.54(4), F.S., and approve adoption of an emergency rule to establish a minimum flow for the Rainbow River System to ensure that the District will be able to meet the July 1, 2017 statutory deadline.

For Item 29, Staff recommended the Board:

1. Accept the report entitled, "Recommended Minimum Flow for the Crystal River/Kings Bay System, Revised Final Draft, June 2017";
2. Initiate rulemaking and approve adoption of amendments for Rule 40D-8.041, Florida Administrative Code, to establish a minimum flow for the Crystal River/Kings Bay System;
3. Authorize staff to make any necessary clarifying or minor technical changes that may result from the rulemaking process; and
4. Initiate the emergency rulemaking process set forth in Section 120.54(4), F.S., and approve adoption of an emergency rule to establish a minimum flow for the Crystal River/Kings Bay System to ensure that the District will be able to meet the July 1, 2017 statutory deadline.

Chair Maggard stated he received 14 Request to Speak Cards for Items 28 and 29.

Mr. Michael Dennis spoke in opposition of setting of the minimum flows.

Mr. Dan Hilliard spoke in opposition of setting of the minimum flows.

Mr. Britton Cottrell spoke in opposition of setting of the minimum flows.

Mr. Kathryn Taubert spoke in opposition of setting of the minimum flows.

Mr. Sid Flannery spoke in opposition of setting of the minimum flows.

Mr. Andy Auner spoke in opposition of setting of the minimum flows.

Ms. Anne Harvey Holbrook spoke in opposition of setting of the minimum flows.

Mr. Gordon Hart spoke in opposition of setting of the minimum flows.

Ms. Cynthia McWilliams spoke in opposition of setting of the minimum flows.

Mr. Bill Vibbert spoke in opposition of setting of the minimum flows.

Dr. Burt Eno spoke in opposition of setting of the minimum flows.

Ms. Meagan Siegfried spoke in opposition of setting of the minimum flows.

Mr. David Koger spoke in opposition of setting of the minimum flows.

Ms. Janet Barrow spoke in opposition of setting of the minimum flows.

Mr. Mark Hammond, Resource Management Director, explained the process that was used in determining the MFLs for both the Rainbow River and Crystal River/Kings Bay systems. He stated factors are evaluated to determine how the systems are affected and the data is then reviewed by a Public Employees for Environmental Responsibility (PEER) group. He stated that groundwater withdrawals, both current and future, are included in the determination. Mr. Hammond stated that the minimum flow is established using science. Once an MFL is established, it is reviewed annually to determine trends. A comprehensive assessment must be completed every five years.

Board Member Senft suggested the District provide more education regarding the review process that is associated with the MFLs.

Board Member Williamson asked for clarification regarding the setting of the benchmark.

Mr. Hammond responded the benchmark has been established and each year the next year's flow would be added. He stated that in the five-year assessment, evaluations are done to determine if groundwater withdrawals in the next twenty years would impact the MFL.

Board Member Taylor asked for clarification regarding the reference to assessment in the amended rule language. Mr. Hammond explained how MFLs are re-evaluated based on projected groundwater water use and prevention strategies associated with this. Board Member Taylor asked for a summarization of how the evaluation process is completed. Mr. Hammond responded that the District is statutorily obligated, on an annual basis, to report on MFLs. If it is determined that impacts have or will occur, the District is statutorily obligated to notify the Florida Department of Environmental Protection (FDEP) and the Board.

Mr. Armstrong explained the District has a responsibility to evaluate groundwater withdrawals on the flow. The District recognizes reduced flow and represents this mostly through impacts from declining rainfall. Mr. Armstrong stated MFLs are evaluated on an annual basis for groundwater withdrawal impacts. He also stated that every five-years staff will evaluate the 20 year projections. Mr. Armstrong explained that groundwater permits are issued on the following: is it reasonable and beneficial, does it impact an existing legal user and what is the impact on the resource.

Board Member Smith asked why the MFL was set at 11 percent. Mr. Hammond responded that each MFL is established based upon individual science associated with that specific water body.

Board Member Rice asked how many MFLs have been set and how many is the District required to set. Mr. Hammond responded the District has set approximately 207 MFLs, including rivers, estuaries, lakes and wetlands. The District has a priority list of setting approximately 30-40 over the next three to five years.

A motion was made and seconded to approve the staff recommendation for Item 28 as presented. Motion carried unanimously. (Audio 01:57:32)

A motion was made and seconded to approve the staff recommendation for Item 29 as presented. Motion carried unanimously. (Audio 01:58:30)

Submit & File Reports - None

Routine Reports

30. June 2017-Litigation Report

31. June 2017-Rulemaking Update

Chair Maggard, relinquished the gavel to the Resource Management Committee Vice Chair Rice who called the meeting to order. (Audio 02:00:53)

Resource Management Committee

Discussion

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

33. Final Proposed Revisions to the Cooperative Funding Initiative (CFI) Policy (130-4)

Mr. Eric DeHaven, Resource Management Assistant Bureau Chief, provided a presentation that included an overview of the original proposed updates and additional updates to the cooperative funding initiative policy (130-4). Mr. DeHaven explained that outreach was completed and those comments have been incorporated into the revised policy update. He outlined the changes in the revised policy update.

Chair Maggard asked if the cooperative partners were accepting of these revisions. Mr. Hammond responded in the affirmative.

Treasurer Armstrong asked why this policy only applies to potable alternative water and not all water supplies. Mr. DeHaven responded the because the cooperator can utilize both traditional and alternative water supplies. Mr. Hammond responded the District recognizes the emerging use of alternative water sources for potable water and anticipates modifications to this policy based upon that.

Committee Vice Chair Rice expressed concern regarding the removal of the policy language that allows for the Board to approve the third-party review before the project can proceed to final design. Mr. DeHaven explained the intent is to have every third-party review presented to the Board.

Staff recommended approval of the proposed changes to Governing Board Policy 130-4 Cooperative Funding Initiative.

A motion was made and seconded to approve the staff recommendation. Motion carried unanimously. (Audio 02:20:52)

Submit & File Reports - None

Routine Reports

34. Minimum Flows and Levels Status Report

35. Significant Water Resource and Development Projects

Committee Vice Chair Rice relinquished the gavel to the Finance/Outreach & Planning Committee Chair Ed Armstrong who called the meeting to order. (Audio 02:21:18)

Finance/Outreach & Planning Committee

Discussion

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

37. Presentation of Fiscal Year (FY) 2017-18 Recommended Annual Service Budget

Mr. John Campbell, Management Services Director, provided a presentation on the FY2018 recommended annual service budget. This presentation included: budget development calendar; CFI funding changes; expenditures by category; expenditure goals and outcomes; expenditures by program; expenditures by areas of responsibility; and revenues by source.

Mr. Campbell stated the total budget for FY2018 is \$182.3 million dollars, which is an increase of \$2.2 million dollars or 1.2 percent compared to FY2017. He stated there are two major components of the budget: the first is the operating or recurring budget which totals \$76.3 million dollars for FY2018, an increase of \$0.9 million dollars or 1.1 percent compared to FY2017. Mr. Campbell stated this increase is approximately a third of the 2.3 percent projected increase in ad valorem revenue. The second component is projects or the non-recurring budget which is \$10 million dollars for FY2018, an increase of \$1.3 million dollars or 1.3 percent compared to FY2017.

Mr. Campbell explained the Ad valorem totals \$108.4 million dollars, using a 2.3 percent estimate for new construction. The budget will be adjusted to the rolled-back millage rate after final property values are received on July 1. He stated licenses and permits are projected at \$1.9 million dollars. This is an increase of \$389 thousand dollars, compared to FY2017 reflecting higher permit volume.

The District is proposing to use reserves of \$16.3 million dollars with this budget. All basin reserves will be utilized after FY2018 projects are funded. The actual reserves needed will be adjusted in July to include any modifications made by the Governing Board on June 27 and any changes in ad valorem revenue based on the July 1 certifications of taxable value.

Chair Maggard announced there will be a workshop in August regarding prioritization of future funding.

Board Member Henslick asked about the minus 67 percent change from FY2017 that was indicated in the State/Federal/Local row on the Revenues by Source slide in the presentation. Mr. Campbell responded that is related to springs projects. He stated the District will receive springs funding, however, it is unclear what that amount will be. In addition, the minus 67 percent includes a reduction for the land budget. The information will be presented at the August meeting.

Staff recommended the Board authorize staff to prepare the Standard Format Tentative Budget Submission for FY2018 based on the recommended budget as presented, adjusted for any modifications made by the Governing Board on June 27, changes in estimated ad valorem

revenue based on the July 1 certifications of taxable value and any additional funding provided by the state.

A motion was made and seconded to approve staff's recommendation. Motion carried unanimously. (Audio 0:02:37:46)

38. Independent Auditing Services

Mr. Kurt Fritsch, Auditor General, provided a presentation regarding selection of independent auditing services. He explained the committee was comprised of: Vice Chair Jeff Adams; Treasurer Ed Armstrong and Board Member Michael Babb. Mr. Fritsch stated the Committee has selected three vendors: KPMG; James Moore and Moore, Stephens & Lovelace.

Mr. Fritsch outlined the negotiation methodologies: option a) commence negotiations with the highest ranked firm and if a satisfactory contract is not able to be negotiated with the firm, formally terminate negotiations with the first ranked firm and commence negotiations with the second ranked firm. This process will continue with the next ranked firm until a satisfactory contract can be negotiated. After completing negotiations with the firms as described above, the District may reopen formal negotiations with any one of the top ranked firms, but it may not negotiate with more than one firm at a time; and option b) Select a firm recommended by the Committee and negotiate a contract with one of the firms using an appropriate alternative negotiation method for which compensation is not the sole or predominant factor used to select the firm.

Chair Maggard asked Treasurer Armstrong if he accepted the responsibilities associated with negotiating with the three firms selected. Treasurer Armstrong responded in the affirmative.

Board Member Smith expressed concerns regarding the selection of option b which involves not using the Consultants Competitive Negotiation Act (CCNA) selection process.

Board Member Schleicher asked about the criteria involved in the rankings. Mr. Fritsch stated there were two qualifications, the primary qualification was on the qualification of the firms and the other was the methodology.

Staff recommended the Board:

1. If the highest ranked firm submits the lowest overall cost proposal, direct staff to contract with the highest ranked firm.
2. If the highest ranked firm does not submit the lowest overall cost proposal, approve the Committee's recommended negotiation methodology and direct the Treasurer to negotiate with the selected firms and obtain best and final offers.
3. Direct the Office of General Counsel and District Procurement personnel to assist the Treasurer with procedural matters during the negotiations.

A motion was made and seconded to approve staff's recommendation. Motion carried with eleven in favor and one dissenting. (Audio 02:42:24/3:08:12)

Submit & File Reports - None

Routine Reports

39. Treasurer's Report and Payment Register

40. Monthly Financial Statement

41. Monthly Cash Balances by Fiscal Year

42. Comprehensive Plan Amendment and Related Reviews Report

Committee Chair Armstrong relinquished the gavel to the Operations, Lands & Resource Monitoring Committee Chair Bryan Beswick who called the meeting to order. (Audio 03:08:29)

**Operations, Lands & Resource Monitoring Committee
Discussion**

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

44. Hurricane Preparedness

Mr. Jerry Mallams, Operations Bureau Chief, provided an overview of the District's hurricane preparedness for 2017.

This presentation included: predictions from the National Oceanic and Atmospheric Administration (NOAA); supporting responsibilities of the District; overview of the State Emergency Response Team (SERT); primary responsibilities of the District; preparedness activities; organizational chart of the District's emergency operations; and overview of basic operation of the lower Hillsborough flood detention area and the Tampa Bypass Canal facilities.

Chair Maggard asked about the availability of pumps that may be requested. Mr. Frink stated the District has three pumps available. He added there is criteria in the flood preparedness guideline as to how the pumps are deployed.

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

45. Hydrologic Conditions Report

Mr. Granville Kinsman, Hydrologic Data Manager provided a presentation on the hydrologic conditions. Mr. Kinsman stated rainfall for May was within the normal range. However, there is a ten-inch deficit over an eight-month period and the region is approximately seven inches below normal.

Mr. Kinsman stated groundwater levels in the northern counties, central and southern counties are within the normal range. Polk Upland and Lake Wales Ridge lakes are in the low normal range. The Withlacoochee is in the critically low range but improving. The Hillsborough River is above normal. The City of Tampa Reservoir is full. Alafia River has improved to normal range. The Bill Young Reservoir is being refilled. Peace River is at above normal range. The climate forecast indicates the development of El Niño conditions is less certain. Although, rainfall has eased the impact of drought, a lingering rainfall deficit remains.

This routine report provides information on the general state of the District's hydrologic conditions, by comparing rainfall, surface water, and groundwater levels for the current month to comparable data from the historical record.

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

Submit & File Reports

46. Response to Mr. David Glogowski Comments to the May 23, 2017 Governing Board

Mr. Frink stated a copy of the response to Mr. Glogowski's concerns is in the submit and file report.

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

Routine Reports

47. Surplus Lands Update

48. Structure Operations

49. Significant Activities

Operations, Lands & Resource Monitoring Committee Chair Beswick relinquished the gavel to the Regulation Committee Chair Jeff Adams who called the meeting to order. (Audio 03:33:22)

Regulation Committee

Discussion

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

51. Consider Water Shortage Order(s) as Necessary

Ms. Alba Mas, Regulation Director, stated there is no modification to the Phase Three Water Shortage Order that was issued June 5.

52. Denials Referred to the Governing Board - None

Submit & File Reports - None

Routine Reports

53. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program

54. Overpumpage Report

55. Individual Permits Issued by District Staff

Committee Chair Adams relinquished the gavel to Chair Maggard. (Audio 03:37:36)

Committee/Liaison Reports

56. Agricultural and Green Industry Advisory Committee

A written report was provided for the June 9 meeting.

57. Other Committee/Liaison Reports

Vice Chair Adams stated the Tampa Bay Estuary Program selected a new logo.

Executive Director's Report

58. Executive Director's Report

Mr. Armstrong stated the Regulation Division has applied for certification with the Florida Sterling Council.

Chair's Report

59. Chair's Report

60. Other

The July 25 Governing Board meeting will be at Tampa Bay Water in Clearwater, the August 29 will be in the Brooksville Office and the September 26 meeting will be in the Tampa Office.

61. Employee Milestones

The meeting was adjourned at 12:42 p.m.


Chair

Attest:


Secretary