

APPROVED

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

TAMPA, FLORIDA

SEPTEMBER 27, 2011

The Governing Board of the Southwest Florida Water Management District (SWFWMD) met for its regular meeting at 2:30 p.m. on September 27, 2011, at the District's Tampa Service Office. The following persons were present:

Board Members Present

H. Paul Senft, Chair
Hugh Gramling, Vice Chair
Douglas B. Tharp, Secretary
Albert G. Joerger, Treasurer
Jeffrey M. Adams, Member
Carlos Beruff, Member
Bryan K. Beswick, Member
Jennifer E. Closshey, Member
Neil Combee, Member
Todd Pressman, Member
Judith C. Whitehead, Member

Staff Members

William S. Bilenky, Interim Executive Director
Lou Kavouras, Deputy Executive Director
Richard S. Owen, Deputy Executive Director
Bruce C. Wirth, Deputy Executive Director
Kurt P. Fritsch, Acting Deputy Executive Director
Karen West, Deputy General Counsel

Board's Administrative Support

LuAnne Stout, Administrative Coordinator
Linda De Jonge, Senior Administrative Assistant

Board Member(s) Absent

Michael A. Babb, Member

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

Chair Senft called the meeting to order and opened the public hearing. Mr. Tharp noted a quorum was present.

2. Pledge of Allegiance and Invocation

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

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.

3. **Additions/Deletions to Agenda**

Chair Senft noted for the record that there are no additions or deletions to today's agenda. (Track 1 – 00:00/02:58)

4. **Employee Recognition**

Mr. Bilenky recognized the following four employees who have reached service milestones:

MILESTONE	EMPLOYEE NAME	TITLE	DEPARTMENT	OFFICE LOCATION
25 YEARS	Mark Haberman	Professional Geologist/Engineer	Brooksville Regulation	Brooksville
	Granville Kinsman	Hydrologic Data Manager	Operations	Brooksville
	Mark Luchte	Agricultural Reg Program Manager	Sarasota Regulation	Sarasota
20 YEARS	Chris Tomlinson	Field Technician Supervisor	Res Data & Restoration	Tampa

Mr. Michael Holtkamp, Director, Operations Department, presented Mr. Randy Hinkle with a retirement plaque recognizing his 31 years of service. (Track 1 – 02:58/19:30)

Mr. Fritsch welcomed and congratulated Mr. Steve Dicks for his promotion to the District's management team as Director of the Information Resources Department. (Track 1 – 19:30/28:30)

Chair Senft introduced Mr. Blake Guillory who begins next week as the District's Executive Director.

5. **Public Input for Issues Not Listed on the Published Agenda** – None

CONSENT AGENDA (Video 31:30)

Chair Senft noted that a speaker request card was submitted for Item 12.

Mr. Hilton Meadows of Jacksonville complimented Messr. Bilenky and Owen for communicating with him, and noted he wants to speak if opposition occurs for Item 12. (Track 1 – 28:30/30:37)

Finance & Administration Committee

6. **Budget Transfer Report**

Staff recommended to approve the Budget Transfer Report covering all budget transfers for August 2011.

7. **Board Encumbrances**

Staff recommended to approve prior year and current year funds encumbrances, without an agreement, for the projects listed below:

- Construction of a Tie-back Berm at Structure S-353 (S012) - \$150,000
- Lake Panasoffkee Restoration (W481) - \$51,477
- Palm River Restoration Project (W367) - \$499,310
- Terra Ceia Restoration Project (W348) - \$956,306
- FARMS – Wells with Poor Water Quality in the SWUCA Back-Plugging Program (H015) - \$40,000
- Wetland Monitoring Network Expansion (P277) - \$52,356
- Districtwide Flow Meter Replacements - \$50,000
- Office of Inspector General – Consultant Services - \$61,660

8. **General Services Department – Fleet Services – Replace Truck Lift**

Staff recommended to approve the replacement purchase of a four-post 30,000-pound lift which will accommodate heavier trucks and provide a safe working environment for Fleet Services Section technicians.

Regulation Committee

9. **Water Shortage Order No. SWF 2010-022 – Consider Current and Projected Conditions**

Staff recommended to maintain the current Water Shortage Order.

10. **Approve Revised District Regulatory Plan for July 2011 – June 2012**

Staff recommended to approve submittal to the Governor's Office of Fiscal Accountability and Regulatory Reform of the District's Revised Annual Regulatory Plan for July 2011 – 2012.

11. **Initiation and Approval of Amendments to 40D-1.6105, 40D-1.659, 40D-2.091, 40D-2.101 and 40D-2.801, Florida Administrative Code (F.A.C.), to Correct the Legal Descriptions and Maps and Figures of the Boundaries of the Southern Water Use Caution Area (SWUCA), the Most Impacted Area of the SWUCA and the Northern Tampa Bay Water Use Caution Area**

Staff recommended to authorize initiation of rulemaking and approve amendments to rules 40D-1.6105, 40D-1.659, 40D-2.091, 40D-2.101, 40D-2.351 and 40D-2.801, F.A.C., and Part B, Basis of Review, Water Use Permit Information Manual, including and maps and figures referenced or incorporated therein and in permit applications and forms to correct the legal description and related maps and figures of the boundaries of the SWUCA, the Most Impacted Area of the SWUCA and the Northern Tampa Bay Water Use Caution Area.

12. **Initiation and Approval of Amendments to Rules 40D-1.659, 40D-4.091, 40D-4.101, 40D-4.331 and 40D-4.351, F.A.C.; Environmental Resource Permit Application Forms and Information Manual Part B, Basis of Review, to Clarify Submission of Permit-Related Documents by Licensed or Registered Professionals**

Staff recommended to approve the proposed amendments and authorize staff to proceed with rulemaking to amend Rules 40D-1.659, 40D-4.021, 40D-4.091, 40D-4.101, 40D-4.331 and 40D-4.351, F.A.C., the Environmental Resource Permitting Manual Part B, Basis of Review, Joint Application for Environmental Resource Permit/Authorization to Use State Owned Submerged Lands/Federal Dredge and Fill Permit, Statement of Completion and Request for Transfer to Operation Entity, Statement of Inspection for Proper Operation and Maintenance Form, Environmental Resource Permit Modification Short Form and General Environmental Resource Permit Application for Modification Related to Outparcel Construction Within Permitted Commercial/Industrial Projects Form and Petition for a Formal Determination of the Landward Extent of Wetlands and Other Surface Waters, to clarify that such forms may be submitted by licensed or registered professionals when appropriate to their profession and as prescribed by law and make other clarifying changes to the forms.

13. **Individual Water Use Permit 20002981.017 - City of Clearwater / City of Clearwater – Pinellas County**

Staff recommended to approve the proposed permit as presented in the Board's meeting materials.

Resource Management Committee

14. **Initiation and Approval of Rulemaking to Amend Rule 40D-9.230, F.A.C., to Conform to Legislation Preempting All Firearms Regulation**

Staff recommended to approve the proposed amendments and authorize staff to proceed with rulemaking to amend Rule 40D-9.230, F.A.C., to eliminate references to firearms or ammunition regulation.

15. **Peace River Manasota Regional Water Supply Authority Regional Integrated Loop System Phase 2 Interconnect – First Amendment (H051)**

Staff recommended to approve the Authority's request to amend the agreement's effective start date; approve a no-cost change first amendment to the cooperative funding agreement with the Authority to amend the effective contract period start date from October 1, 2009 to June 1, 2007; and authorize the Interim Executive Director to execute the amendment.

General Counsel's Report

16. **Consent Order – Surface Water Activity - James A. Lanius and Lois A. Lanius (Lanius Warehouse) – Polk County**

Staff recommended to approve the proposed Consent Order and authorize the initiation of litigation against James A. Lanius, Lois A. Lanius, or other responsible parties to obtain compliance with the Consent Order if necessary.

17. **Settlement Agreement – SWFWMD v. Margrette Kennedy Satterfield & Lenore Crosland Stuart, et al, Case No. 2010-CA-009204, 10th Judicial Circuit - Lake Hancock Project, SWF Parcel No. 20-503-123P – Polk County**

Staff recommended to approve the Settlement Agreement in the total amount of \$267,193.28.

Executive Director's Report

18. **Approve Governing Board Minutes**

- a. **August 29, 2011 Special Meeting**
- b. **August 30, 2011 Monthly Meeting**

Staff recommended to approve the minutes as presented.

Mr. Gramling moved, seconded by Ms. Whitehead, to approve the Consent Agenda as presented. Motion carried unanimously. (Track 1 – 30:37/31:10)

Chair Senft relinquished the gavel to Outreach and Planning Committee Chair Adams who called the Committee meeting to order. (Track 1 – 31:10/31:16)

OUTREACH AND PLANNING COMMITTEE (Video 33:30)

Discussion Items – None

Submit & File Report

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

19. **Legislative Overview**

Routine Reports

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

20. **Comprehensive Plan Amendment and Related Reviews**

21. **Development of Regional Impact Reviews**

22. **Significant Activities**

- Ms. Kavouras said the Florida Water StarSM Program event at On Top of the World Development Company announced all future homes built in that community will be built to Florida Water StarSM standards.
- Ms. Kavouras noted that the District has a team of landscape professionals who took first place in a recent challenge. The team consists of Jeff Toth, Roger Rutter, Chris Miller and Silas Rooker.

Outreach and Planning Committee Chair Adams adjourned the Committee meeting and relinquished the gavel to Regulation Committee Chair Beswick who called the Committee meeting to order. (Track 2 – 00:00/03:14, Track 3 – 00:00/00:12)

REGULATION COMMITTEE (Video 36:45)

Discussion Items

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

24. **Streamlined Permitting Discussion**

Mr. Owen said, several months ago, Mr. Pressman contacted staff to investigate a way some projects might be handled in a short-time period. He noted that several water management districts are looking at similar initiatives. Mr. Owen said it will necessitate a change in the District's business process and staff perception of how to handle some of these applications. He said staff is facilitating that change now and this presentation is to inform the Board about how District staff are streamlining some projects.

Ms. Alba Más, P.E., Director, Tampa Regulation Department, said Chapter 120 of the Florida Administrative Code sets out the maximum review times of permit applications for District staff. Staff has 30 days to notify an applicant of errors or omissions in the submittal. Once complete, staff has 90 days to issue a permit. The development of e-permitting and its wider use by applicants has afforded the District an opportunity to more readily expedite the review and issuance of permits. Select Environmental Resource Permits lend themselves to an expedited review process. The types of permits included are Minor Systems, Noticed Generals and exemptions that do not have wetland impacts, discharges to impaired waters, works within sovereign submerged lands or fill within the 100-year floodplain. Staff has begun to triage application submittals once received to assess if they qualify for the process. If the application is complete upon initial submittal, staff issues a permit within two work days or less. The process requires that a complete application be submitted for review. The District is encouraging pre-application meetings and submittal of the permit application on-line through the District's ePermitting web interface. The requirement for a request for additional information to address errors and omissions excludes the project from the expedited review process.

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

Board members commended staff for their efforts. (Track 4 – 00:00/11:09)

For Items 25, 26 and 27, Mr. Owen noted that the District's Regulatory Plan for July 2011 – June 2012 identifies rulemaking initiatives that are intended to reduce regulatory burdens, eliminate duplication of statutory language, update or remove outdated rule provisions and otherwise help streamline permitting requirements. District staff is proposing to move forward with amendments to three rules regulating the construction of water wells, to expand allowable permit extensions and eliminate outdated rule provisions. A copy of the proposed rule amendments was included in the Board's meeting materials. Mr. Owen noted that three items are unique to this water management district.

25. **Initiation and Approval of Amendments to Rules 40D-3.321, 40D-3.502 and 40D-3.517, F.A.C., to Allow Well Construction Permit Extensions and Eliminate Outdated Provisions**

Currently, well construction permits are valid for 90 days unless extended pursuant to Rule 40D-3.321, F.A.C., and may be extended only once for a period up to 90 days. An exception is well construction permits for public supply wells, which may be extended as needed for a total period of not more than one year, in 90-day increments. District staff proposes to amend Rule 40D-3.321, Florida Administrative Code (F.A.C.), to allow all well construction permits to be extended up to one year, in increments of 90 days, as is allowable for public supply wells. This will eliminate the necessity to reapply and pay an additional permit fee for those situations where a well requires a considerable length of time to complete construction due to unusual factors or due to the necessity to await issuance of a related water use permit. Amendments are also proposed to Rules 40D-3.502 and 40D-3.517, F.A.C., to delete outdated references to soil borings and foundation holes. These construction activities, which involve activities similar to construction of a well hole, previously were regulated under the District's well construction rules but are no longer intended to be included in such regulations.

Staff recommended to approve the proposed amendments and authorize staff to proceed with rulemaking to amend Rules 40D-3.321, 40D-3.502 and 40D-3.517, F.A.C., to allow well construction permit extensions for all wells and to eliminate outdated rule provisions.

26. **Initiation and Approval of Amendments to Rules 40D-1.607, 40D-1.659, 40D-4.091 and 40D-4.351, F.A.C., and Environmental Resource Permitting Information Manual Part B, Basis of Review, to Eliminate Fees for and Simplify Transfers of Environmental Resource Permits and Clarify Fees for Resubmitted Applications**

District staff identified several initiatives for amending the Environmental Resource Permit (ERP) rules. One such initiative is to eliminate the \$91 fee currently charged for transferring permits to new owners upon the sale or other conveyance of property on which a permitted system is located. Staff believes it would be beneficial to both the District and the regulated public to eliminate this fee and allow permit transfers at no cost. The current fee, while minimal, is a disincentive to transferring permits and results in compliance cases which are not cost-effective for the District to pursue. Rule language which limits permit transfers upon change in ownership to properties where the land use remains the same will also be eliminated as unnecessarily burdensome to new owners. Another initiative is to clarify the exemption from fees for withdrawn or denied permit applications and petitions for formal determinations of wetlands and other surface waters that are resubmitted within 12 months. Under the current rule language, resubmittals within 12 months are exempt from repayment of the fee, but only if the same type of application with a substantially similar design is submitted or a substantially similar petition is submitted. Amendments will eliminate these restrictions that may be unnecessarily burdensome for applicants.

To accomplish these changes, staff is proposing amendments to Rules 40D-1.607, 40D-1.659, 40D-4.091 and 40D-4.351, F.A.C., and the Notification and Request for Transfer of ERP form, to allow the transfer of ERPs to new owners of property on which a permitted system is located without payment of a fee and without restriction as to current land use. As to resubmitted applications, Rule 40D-1.607, F.A.C., is further amended to clarify that if resubmitted within 12 months, a withdrawn or denied application does not require repayment of the same fee. If the resubmitted application requires a larger fee than what was previously submitted, only the increase in fee will be required, if resubmitted within 12 months. A section of the ERP Basis of Review that refers to the Notification and

Request for Transfer of ERP form and Rule 40D-4.091, F.A.C., which incorporates the Basis of Review by reference, will also be accordingly amended.

Staff recommended to approve the proposed amendments and authorize staff to proceed with rulemaking to amend Rules 40D-1.607, 40D-1.659, 40D-4.091, and 40D-4.351, F.A.C., the Notification and Request for Transfer of Environmental Resource Permit Form, and the ERP Basis of Review, to eliminate the fee for transferring permits and the restriction that the land use remain the same, and to clarify the fee exemption for resubmitted permit applications and petitions for formal determination of wetlands and other surface waters.

27. **Initiation and Approval of Amendments to Rule 40D-4.331, F.A.C., to Authorize Reactivation of Expired Environmental Resource Permits**

Accordingly, staff proposes amendments to Rule 40D-4.331, F.A.C., to authorize the reactivation and extension of expired construction and conceptual ERPs for durations up to five years. Permit reauthorization and extension would be allowable provided the activities to be undertaken during the extended period will be in compliance with the District's rules in effect at the time the application seeking reauthorization and extension is submitted. Application would be made using the existing ERP Modification Short Form, as this is the form used by permittees to obtain a permit extension, which does not require submittal of a fee. The amendments also eliminate the current language that prohibits permittees from submitting a permit extension request sooner than 180 days prior to the permit expiration date, as unnecessarily burdensome.

Staff recommended to approve the proposed amendments and authorize staff to proceed with rulemaking to amend Rule 40D-4.331, F.A.C., to allow reauthorization and extension of expired Environmental Resource Permits.

Following consideration, **Ms. Closshey moved, seconded by Mr. Beswick, to approve Items 25, 26 and 27 as presented.** (Track 5 - 00:00/02:05)

Chair Senft noted these changes are customer friendly and commended staff. In response to Mr. Tharp's questions, Mr. Owen said excellent cooperation is occurring among the districts and Department of Environmental Protection, and progress is being made in collaboration efforts.

Committee Chair Beswick called for the vote and the motion carried unanimously.
(Track 5 - 02:05/04:10)

28 **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.

29. **Southern Water Use Caution Area Quantities**
30. **Overpumpage Report**
31. **E-Permitting Metrics: Online vs. Paper Applications**
32. **Individual Permits Issued by District Staff**

33. **Resource Regulation Significant Initiatives**

- Mr. Owen said that Florida Governmental Utility Authority (FGUA), formerly known Aloha Utilities, has completed all infrastructure improvements needed to reduce pumpage. It will take some time for the 12-month average to come down within permitted quantities. Staff has a Consent Order to bring FGUA back into permitted pumpage quantities. FGUA has completed all treatment improvements needed and all interconnects with Pasco County; therefore, compliance should occur within the next six to twelve months.

Resource Regulation Committee Chair Beswick adjourned the Committee meeting and relinquished the gavel to Resource Management Committee Chair Gramling who called the Committee meeting to order. (Track 5 – 04:10/05:35)

RESOURCE MANAGEMENT COMMITTEE (Video 53:45)

Discussion Items

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

35. **Hydrologic Conditions Status Report**

Mr. Granville Kinsman, Manager, Hydrologic Data Section, said regional rainfall totals for August, the third month of the four-month annual wet season, were normal to above-normal throughout the District, with most hydrologic indicators showing improvement. Below-average rainfall for the previous four months resulted in a delayed hydrologic response and only moderate rainy season improvement to water levels and flow. The District-wide 12-month and 36-month cumulative rainfall deficits worsened in August, ending the month at 7.93 inches and 14.32 inches, respectively, below the long-term historic average, while the 24-month deficit improved, ending the month approximately 5.56 inches below average. NOAA climate forecasts indicate above-normal rainfall conditions for September and uncertainty (i.e., equal chances for normal, above-normal or below-normal) regarding rainfall for October and November, based on the remainder of the previously forecast above-normal Hurricane Season and the on-going ENSO-neutral conditions in the Pacific Ocean. Forecasts also indicate the probability for a return to La Niña conditions during the winter and spring months, which could result in drier-than-normal conditions during those months. Below-average rainfall during the fall, winter or spring months would worsen existing hydrologic conditions. (Track 6 – 00:00/09:31)

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

36. **Minimum Flows and Levels Priority List and Schedule Update**

Martin H. Kelly, Ph.D., Minimum Flows and Levels Program Director, Resource Projects Department, noted that, pursuant to Sections 373.036(7) and 373.042(2), Florida Statutes, the District is required to annually update its priority list and schedule for the establishment of minimum flows and levels (MFLs), submit it to the Department of Environmental Protection (DEP) for review and approval, and include the approved list in the District's consolidated annual report. Although the proposed list incorporates a number of schedule changes, no new water body additions are being proposed. This list now projects out for four years instead of five as had previously been done, since all proposed MFLs are to be completed by 2015.

Dr. Kelly presented a status of Current 2011 Priority List. As indicated in the "Proposed 2012 Minimum Flows and Levels Priority List and Schedule" (Priority List), the District has established minimum flows and levels on 9 freshwater river segments, 7 estuarine

segments, 9 springs, 106 lakes, and 41 wetlands. Nine minimum aquifer levels have also been established for a number of well sites. As shown in the "Projected MFL Timeline and Budget," MFLs remain to be set on 71 waterbodies; however, it is anticipated that contractual funding will only be needed on 23 waterbodies over the course of the next four years. Four public workshops (one in Lecanto and one at each of the District's service offices) have been scheduled for early October to receive public comment and input on the proposed Priority List. Staff will distribute the draft "Proposed 2012 Minimum Flows and Levels Priority List and Schedule" for purposes of receiving public input prior to returning to the Governing Board in October for approval of the list that will be submitted to the DEP by November 15, 2011, as required by statute. (Track 6 – 09:31/17:38)

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

37. **Surplus Lands Assessment Program Update**

Mr. Roy Mazur, Director, Planning Department, said the purpose of this item is to update the Governing Board on the District's Surplus Lands Assessment Program. The proposed objectives are to identify lands which no longer meet original acquisition purpose, identify lands which do not provide conservation benefits as defined by statute (259.101, 259.105 and 373.139, Florida Statutes), and provide the Governing Board with surplus options. The project strategies include use of the Suwannee River Water Management District as a model and the Florida Department of Environmental Protection's Surplus Checklist to focus the staff analysis, engaging public stakeholders, and review and recommendations by the Governing Board Surplus Lands Subcommittee.

Mr. Mazur reviewed the proposed methodology for the program including the functionality of the Geographic Information System (GIS) based model. He said the process will begin with lands solely owned in fee and managed by the District (no partners). District staff will conduct an analysis and create recommendations which will be presented to the Subcommittee. The Subcommittee will evaluate staff's analysis, consider stakeholder input, and develop recommendations for the Governing Board to make final decisions on lands to surplus. The final step will be to market the surplus parcels.

Mr. Mazur said first quarter actions are to schedule the first Subcommittee meeting, initiate the analysis, and outreach to stakeholders. Issues to consider are statutes and bond covenants versus state direction, partnerships, influence of public use/access, and market conditions. Discussion ensued regarding the intended function of the Subcommittee appointed at last month's Board meeting, ensuring that it functions as intended, and that the entire District is represented by members of the Subcommittee.

Discussion ensued regarding purpose for lands being acquired and determination that reason no longer exists, addressing stakeholder and public concerns, obligation to the public to review the inventory, purpose is not to liquidate lands to replace funds in the budget, and determination needed about where the money goes—whether back to the state or if available to purchase additional lands. It was requested that these meetings be held in various locations around the District, and former Basin Board members be invited in order to provide local input, as they are a valuable resource.

Mr. Mazur indicated that meetings will be advertised in the *Florida Administrative Weekly* so it would be publicly noticed. The Board requested a Subcommittee meeting be held before the stakeholder meetings to further review the process and methodology, and to assist in identifying stakeholders. Timing for the stakeholder meetings was discussed to coincide with Subcommittee members' schedules so that the maximum number of Subcommittee members may attend. (Track 7 – 00:00/35:10, Video 01:46:36)

Mr. Charles Lee, representing the Florida Audubon Society, addressed the Board, noting that most properties were purchased for conservation, and expressed his concerns. (Track 7 – 35:10/39:11)

Submit & File Reports – None

Routine Reports

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

38. **Florida Forever Funding**
39. **Minimum Flows and Levels**
40. **Structure Operations**
41. **Watershed Management Program and Federal Emergency Management Agency Map Modernization**
42. **Significant Water Supply and Resource Development Projects**
 - In response to Mr. Wirth's inquiry, the Board consensus was to post the Florida Forever Report to the District's internet site and inform the Board if an issue occurs.

Resource Management Committee Chair Gramling adjourned the Committee meeting and relinquished the gavel to Finance and Administration Committee Chair Joerger who called the Committee meeting to order. (Track 7 – 39:11/43:44)

FINANCE AND ADMINISTRATION COMMITTEE (Video 01:54:15)

Discussion Items

43. **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.

44. **Treasurer's Report, Payment Register and Contingency Reserves**
45. **Monthly Financial Statement**
46. **Management Services Significant Activities**

Finance and Administration Committee Chair Joerger adjourned the Committee meeting and relinquished the gavel to Chair Senft. (Track 8 – 00:00/00:30)

GENERAL COUNSEL'S REPORT (Video 01:55:40)

Discussion Items

47. **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.

48. **Litigation Report**
 - Ms. West provided an update on the Davis' litigation regarding the Clam Bayou Restoration Project, noting the case has been dismissed. (Track 8 – 00:30/02:10)
49. **Rulemaking Update**

EXECUTIVE DIRECTOR'S REPORT (Video 01:57:12)

50. Executive Director's Report

- Mr. Bilenky requested Board concurrence for Mr. Fritsch to continue in his current capacity until the end of the calendar year. **Mr. Gramling moved, seconded by Mr. Beruff, for Mr. Fritsch to continue as Deputy Executive Director on a month-to-month basis as determined by the District's Executive Director. Motion carried unanimously.** (Track 8 – 02:10/03:30)
- Mr. Bilenky provided an update on the status of Building 4 renovation activities due to the water damage that occurred on July 3, 2011. (Track 8 – 03:30/05:20)

CHAIR'S REPORT (Video 01:58:00)

57. Chair's Report

a. Liaison Reports

- Mr. Pressman provided a brief update on the topics of discussion during September's Tampa Bay Regional Planning Council meeting.

b. Other

- Mr. Senft informed the Board that relationship changes will be occurring among the regional planning councils, water management districts and growth management at the state level. He suggested Board members read as much as possible and have staff forward any information about changes that are evolving as items are streamlined. (Track 8 – 05:20/06:28)

Chair Senft recessed the public hearing at 4:35 p.m. to provide for a workshop session.

WORKSHOP (Video 02:02:00)

52. Property Insurance Overview

Ms. Lucy Petruccelli, Manager, Human Resources and Risk Management Department, provided an overview of the District's property insurance coverage. Discussion ensued regarding coverage of damage to Building 4 and reimbursements. (Track 8 – 06:28/25:00)

53. Other – None

Chair Senft recessed the workshop session to provide a break before the Final Fiscal Year 2012 Budget Hearing begins at 5:01 p.m. **Mr. Gramling moved, seconded by Mr. Adams, to adjourn the Board's monthly meeting. Motion carried unanimously.**

The meeting was adjourned at 4:53 p.m. (Track 8 – 25:00/25:40), Video 02:20:38)