

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

TAMPA, FLORIDA

SEPTEMBER 30, 2014

The Governing Board of the Southwest Florida Water Management District (SWFWMD) met for its regular meeting at 1:00 p.m. on September 30, 2014, at the District's Tampa Service Office. The following persons were present:

Board Members Present

Michael A. Babb, Chair
Randall S. Maggard, Vice Chair
Jeffrey M. Adams, Secretary
David W. Dunbar, Treasurer
H. Paul Senft, Member
Carlos Beruff, Member
Wendy Griffin, Member
George W. Mann, Member
Bryan K. Beswick, Member
Tommy Bronson, Member
Michael A. Moran, Member

Board Member(s) Present via Phone

Ed Armstrong, Member

Staff Members

Robert R. Beltran, Executive Director
Brian Armstrong, Assistant Executive Director
David T. Rathke, Chief of Staff
Kurt P. Fritsch, Inspector General
Laura J. Donaldson, General Counsel
John J. Campbell, Division Director
Ken Frink, Division Director
Mark A. Hammond, Division Director
Alba E. Más, Division Director

Board's Administrative Support

Cara Martin, Board & Executive Services Manager
Linda De Jonge, 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 Michael Babb called the meeting to order and opened the public hearing. Secretary Jeffrey Adams noted a quorum was present.

2. Pledge of Allegiance and Invocation

Ms. Wendy Griffin offered the invocation. Chair Babb led the Pledge of Allegiance to the Flag of the United States of America.

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

Chair Babb stated that anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should fill out and submit a speaker's card. To assure that all participants have an opportunity to speak, a member of the public may submit a speaker's card to comment on agenda items only during today's meeting. If the speaker wishes to address the Board on an issue not on today's agenda, a speaker's card may be submitted for comment during "Public Input." Chair Babb stated that comments would be limited to three minutes per speaker, and, when appropriate, exceptions

to the three-minute limit may be granted by the chair. He also requested that several individuals wishing to speak on the same issue/topic designate a spokesperson.

3. **Ceremony to Honor Todd Pressman for His Service on the Governing Board**

The Board honored Mr. Pressman for service from April 2005 to June 2014.

4. **Additions/Deletions to Agenda**

Section 120.525, Florida Statutes, allows the District to change the published agenda for good cause shown, as determined by the presiding officer.

Mr. Beltran noted the following changes requested to the agenda. The following items were added for consideration:

Operations & Land Management Committee

Consent Item

61. FY2013-14 Budget Transfer and Board Designated Encumbrance for Contracted Services Associated with Hauling Shell Material from Lake Panasoffkee Spoil Site

Finance/Outreach & Planning

Consent Agenda

62. Board Travel - AIF Water Forum – Oct. 10, 2014

The following item was deleted from consideration:

Resource Management Committee

Consent Agenda

13. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, Florida Administrative Code, to Adopt Minimum and Guidance Levels for Starvation Lake in Hillsborough County (P256)

General Counsel's Report

Consent Agenda

24. Rulemaking

b. Rulemaking – Initiation and Approval of Amendments to Chapter 40D-3, F.A.C. to Incorporate Changes in DEP Rules for Water Well Contractors and Construction of Water Wells

A motion was made to approve the amendments to the published agenda, as amended, which was seconded. The motion carried. (Video – 15:37)

5. **Public Input for Issues Not Listed on the Published Agenda**

Chair Babb noted at this time, the public is given an opportunity to comment on any topic not listed on the agenda. There were no *Request to Speak* cards submitted.

CONSENT AGENDA (Video 15:54)

Chair Babb asked that, before the Board considers action on the Consent Agenda, whether there is anyone in the audience who wishes to address the Board regarding an item listed on the Consent Agenda. No one responded to the Chair's request to speak to the Board.

Regulation Committee

6. **Individual Water Use Permits Referred to the Governing** - None

7. **Executive Director Authority to Approve Specified District Initiated Variances with the Dover/Plant City Water Use Caution Area**

Staff recommended the Board approve request for Executive Director Authority to approve specified District initiated variances within the Dover/Plant City Water Use Caution Area.

Operations & Land Management Committee

8. Declare Lands Surplus and Approve Conveyance – Joe’s Creek Project, SWF Parcel No. 16-040-123S

Staff recommended the Board declare SWF Parcel No. 16-040-123S surplus and authorize execution of the Quit Claim Deed to convey the property.

61. FY2013-14 Budget Transfer and Board Designated Encumbrance for Contracted Services Associated with Hauling Shell Material from Lake Panasoffkee Spoil Site

Request Governing Board approval to transfer \$300,000 and authorize the Fiscal Year (FY) 2014 funds to roll into FY2015 under a board designated encumbrance. These funds will be used for the hauling of shell from the Lake Panasoffkee Restoration Project shell spoil area to various District conservation and project lands to be used for maintenance activities.

Resource Management Committee

9. City of North Port’s Potable Water ASR System Change in Scope (K120)

Staff recommended the Board 1) approve the scope change to obtain the necessary permits, develop an institutional control, continue monitoring, design and construct the treatment plant modifications for ASR, and perform a cycle test; 2) increase the project budget by increasing the City’s share \$67,500 while maintaining the District’s original share; and 3) authorize the executive director or designee to execute the agreement for the City of North Port ASR project.

10. Plant City Reclaimed Water Sydney and Park Road Transmission and Pumping Project Agreement Replacement (L816)

Staff recommended the Board approve the agreement replacement and change in scope to slightly modify project routing and sizing; enable the City to utilize an existing pipeline segment; reduce the District’s share by \$40,000 to \$2,549,100 ad valorem and \$603,630 WPSTF; extend the termination date from December 31, 2014 to December 31, 2016; and authorize the executive director or designee to execute the agreement replacement for the City of Plant City Sydney and Park Road Transmission and Pumping Project.

11. Florida Governmental Utility Authority Wet Weather Reclaimed Water Interconnect, Storage and Pumping Project First Amendment (N370)

Staff recommended the Board approve the first amendment change in scope to modify project components and pipeline sizing; reduce the District’s share by \$26,404 to \$1,173,596; extend the construction completion date from June 30, 2014 to November 30, 2014; and authorize the executive director or designee to execute the first amendment to the Florida Governmental Utility Authority Wet Weather Reclaimed Water Interconnect, Storage and Pumping Project.

12. Scope Change for the City of Bradenton’s Potable Water ASR System (N435)

Staff recommended the Board approve the reduced scope of the City’s FY2014 CFI project to 30 percent design with a third party review of the total project costs.

13. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, Florida Administrative Code, to Adopt Minimum and Guidance Levels for Starvation Lake in Hillsborough County (P256)

This item was deleted from consideration.

14. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, Florida Administrative Code, to Adopt Minimum and Guidance Levels for Lakes Hanna, Keene and Kell in Hillsborough County (P256)

Staff recommended the Board 1) accept the reports entitled, “Proposed Minimum and Guidance Levels for Lake Hanna in Hillsborough County, Florida,” “Proposed Minimum and Guidance Levels for Lake Keene in Hillsborough County, Florida,” and “Proposed Minimum and Guidance Levels for Lake Kell in Hillsborough County, Florida,” dated July 29, 2014; July 28, 2014; and July 30, 2014, respectively; 2) authorize staff to make any necessary minor clarifying edits that may result from the rulemaking process and to complete report finalization; and 3) initiate and approve rulemaking to amend Rule 40D-8.624, F.A.C., to delete the previously adopted guidance levels and add minimum and guidance levels for lakes Hanna, Keene, and Kell in Hillsborough County.

15. City of St. Petersburg Beach Egan Park BMPs (W294)

Staff recommended the Board approve to reduce the project budget from \$487,500 to \$332,160, to reduce the measurable benefit treatment area from 6.6 acres to 5.2 acres, remove the pervious pavement from the scope, and reduce the resource benefit (TSS removal) from 1,116 lbs/yr to 1,103 lbs/yr.

16. Lake Seminole Watershed Stormwater Pollution Project (P902)

Staff recommended the Board approve to reduce the scope of work, delete the sub basin 7 treatment system, and reduce the project budget from \$9,530,290 to \$7,876,108 for the Lake Seminole Watershed Stormwater Pollution Reduction Project.

17. Five-Year Water Resource Development Work Program

Staff recommended the Board authorize submittal of the proposed Five-Year Water Resource Development Work Program to the Florida Department of Environmental Protection for review.

18. Board Designated Encumbrance-Hydrogeological Investigation of the Lower Floridan Aquifer in Polk County (P280)

Staff recommended the Board approve the encumbrance of \$2 million in current year funds, without a contract, to roll into FY2015 for the Hydrogeological Investigation of the Lower Floridan aquifer in Polk County.

Finance/Outreach & Planning Committee

19. Budget Transfer Report

Staff recommended the Board approve the Budget Transfer Report covering all budget transfers for August 2014.

20. FY 2013-14 Board Designated Encumbrance for Consultant Services for Inspector General Support

Staff recommended the Board approve the encumbrance of FY2013-14 funds in the amount of \$15,000 for consultant services, without a contract, for use in FY2014-15 as part of the OIG FY2104-15 Audit Plan.

21. Fiscal Year (FY) 2013-14 Board Designated Encumbrance

Staff recommended the Board approve the encumbrance of \$1.3 million to roll into FY2014-15 for staff merit increases and performance incentives for Strong or Top Performers.

22. Approval of Resolution No. 14-14 Requesting Encumbrance of Fiscal Year 2013-14 Budgeted Funds within the Water Management Lands Trust Fund

Staff recommended the Board approve Resolution Number 14-14 requesting the encumbrance of \$125,927.19 of budgeted funds for land management, land maintenance and capital improvements within the WMLTF, and authorize staff to request reimbursements for FY2013-14 costs not to exceed the budgeted amounts.

62. Board Travel - AIF Water Forum – Oct. 10, 2014

Staff recommended the Board approve Governing Board travel as designated below.

<i>Name(s)</i>	<i>Purpose</i>	<i>Estimated Cost</i>	
Paul Senft	Associated Industries of Florida 2014 Water Forum	Registration (\$75 x 2)	\$150
		Mileage	\$98
Tommy Bronson	Friday, October 10, 2014 Orlando	Total	\$248

General Counsel's Report

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

- a. Approval of Revisions to District Policies – 110-3, Governing Board Committee Responsibilities; 110-3A, Governing Board Committee Responsibilities – Finance and Administration Committee; 110-3B, Governing Board Committee Responsibilities – Regulation Committee; 110-3C, Governing Board Committee Responsibilities – Resource Management and Development Committee; 110-3E, Governing Board Committee Responsibilities – Outreach and Planning Committee;

and the Repeal of District Policy 110-3D, Governing Board Committee Responsibilities – Diversity Committee

Staff recommended the Board approve the proposed revisions to the following District Policies:

- 110-3 – Governing Board Committee Responsibilities;
- 110-3A – Governing Board Committee Responsibilities – Finance and Administration Committee;
- 110-3B – Governing Board Committee Responsibilities – Regulation Committee;
- 110-3C – Governing Board Committee Responsibilities – Resource Management and Development Committee; and
- 110-3E – Governing Board Committee Responsibilities – Outreach and Planning Committee.

Repeal District Policy 110-3D – Governing Board Committee Responsibilities – Diversity Committee; and allow staff to correct any scrivener's errors.

b. Interagency Agreement between the SWFWMD and the SFWMD –Designation of Regulatory Responsibility – Kickin Tires Ranch – Polk County

Staff recommended the Board approve the Interagency Agreement between the Southwest Florida Water Management District and the South Florida Water Management District for Designation of Regulatory Responsibility for Kickin Tires Ranch in Polk County.

c. Amendment to Perpetual Conservation Easement – Bronson Property – Lake County

Staff recommended the Board approve and accept the Amendment to Perpetual Conservation Easement for the Bronson Property in Lake County.

d. Consent Order – Overpumpage Penalties – Water Use Permit No. 20012514.007 – Colding Loop Road Wimauma, LLC – CT No. 366376 – Hillsborough County

Staff recommended the Board approve the Consent Order and authorize the initiation of litigation against the Colding Loop Road Wimauma, LLC to enforce the terms of the Consent Order.

e. Board Designated Encumbrance Legal Services, Expert Testimony/Analysis, and Administrative Law Judge

Staff recommended the Board approve the encumbrance of up to \$218,400 of FY2013-14 funds to be added to the prior year funds currently encumbered providing a total of up to \$618,400 for use in FY2104-15 for outside legal services, expert testimony/analysis and administrative law judge costs.

24. Rulemaking

a. Rulemaking – Initiation and Approval of Amendments to Chapter 40D-1, F.A.C., to Make District Procedural Rules Consistent with Statewide Environmental Resource Permitting Procedural Rules in Chapter 62-330, F. A. C.

Staff recommended the Board authorize the initiation of rulemaking to amend Chapter 40D-1, F.A.C., to make the District's procedural rules relating to ERP matters consistent with the SWERP rules contained in Chapter 62-330, F.A.C., and in SWERP Applicant's Handbook Volume I, and approve the amendments to Chapter 40D-1, F.A.C.

b. Rulemaking – Initiation and Approval of Amendments to Chapter 40D-3, F.A.C., to Incorporate Changes in DEP Rules for Water Well Contractors and Construction of Water Wells

This item was deleted from consideration.

c. Approval of Final Rule Language and Authorization to Complete Rulemaking to Create Rule 40D-1.700, Florida Administrative Code (F.A.C.), to Establish Procedures and Adopt Forms for the Registration of Lobbyists that Lobby the District

Staff recommended the Board approve final rule language and authorize the completion of rulemaking to adopt Rule 40D-1.700, F.A.C., to provide definitions, procedure and forms for the registration of lobbyists, and authorize staff to make any necessary clarifying or

technical changes that may result from the rulemaking process.

Executive Director's Report

25. Approve Resolution No. 14-13, Commending Todd Pressman for His Service as a Member of the Southwest Florida Water Management District Governing Board

Staff recommended the Board approve Resolution No. 14-13, as presented.

26. Approve Governing Board Meeting Minutes – August 26, 2014

Staff recommended the Board approve the Governing Board Minutes – August 26, 2014, as presented.

Mr. Senft moved to approve the consent agenda, which was seconded by Mr. Maggard. The motion carried. (Video 16:27)

Chair Babb then relinquished the gavel to Mr. Moran who called the Regulation Committee to order.

REGULATION COMMITTEE (Video 16:44)

Discussion Items

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

28. **Denials Referred to the Governing Board** - None

Submit & File Reports – None

Routine Reports

29. **Overpumpage Report – September 2014**

30. **Individual Permits Issued by District Staff – September 2014**

Chair Moran then relinquished the gavel to Mr. Maggard who called the Operations & Land Management Committee to order.

OPERATIONS & LAND MANAGEMENT COMMITTEE (Video – 17:20)

Discussion Items

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

32. **Hydrologic Conditions Status Report**

Mr. Granville Kinsman, Manager, Hydrologic Data Section, stated it has been an average rainy season, with August below normal. The central region has received normal rainfall, the northern region has received more than average rainfall and the southern region has received less than average rainfall resulting in dryer than normal conditions. The 12-month difference of the mean declined approximately 2.7-inches below normal. Mr. Kinsman stated the following: groundwater levels are improving; lakes have improved throughout the District; Polk uplands and lake ridge areas shown improvement; the Withlacoochee River declined during the eight-week mean, however, the daily mean indicates improvement due to rainfall; the Hillsborough River is still within normal range; the City of Tampa Reservoir remains full; the Alafia River has improved; 7.4 billion gallons has been put into the Bill Young Reservoir; the Peace River was declining but is showing improvement. He stated there is a potential for cooler temperatures due to El Nino conditions. Mr. Kinsman stated the long term indicators are showing improvement for lakes and the regional reservoir capacity has improved. The climate forecast is for El Nino conditions.

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

33. Accept Appraisals and Approve Purchase and Sale Agreement and Resolution Requesting Funds from the Florida Forever Trust Fund for the Acquisition of Weeki Wachee Preserve, SWF Parcel No. 15-773-144

Mr. Charles Lee, Director of Advocacy of Audubon Florida, spoke in favor of the acquisition of Weeki Wachee Preserve.

Mr. Beltran made the Board aware of several letters that were received in support of this purchase. Copies were provided to the Board Members.

Mr. Steve Blaschka provided information regarding the purchase of the Weeki Wachee Preserve. He indicated there were two independent appraisals done for the property and the final purchase price is at 9 percent the average of the two appraised values.

Staff recommended the Board accept the appraisals; approve the Purchase and Sale Agreement and authorize the Executive Director to sign on behalf of the District; approve the Resolution requesting funds from the Florida Forever Trust Fund; and designate SWF Parcel No. 15-773-144 as having been acquired for conservation purposes.

Mr. Senft moved to accept staff recommendation, which was seconded. The motion carried. (Video 33:37)

Submit & File Reports

34. Summary of FY 2014 Interagency Land Management Reviews

Routine Reports

35. Structure Operations

Mr. Ken Frink informed the Board the Peace Creek Structures have been automated which allows real time control which helps keep costs down.

Board Member Griffin asked about implementation of suggestions/comments that have not been addressed regarding the Cypress Creek and Lower Hillsborough River. Mr. Frink responded all suggestions/comments are reviewed and relevant comments will be addressed. Ms. Griffin stated she would like the District to respond to the people who took the time to provide suggestions/comments. Mr. Frink responded in the affirmative.

36. Significant Activities

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

Chair Maggard then relinquished the gavel to Mr. Senft who called the Resource Management Committee to order.

RESOURCE MANAGEMENT COMMITTEE (Video 36:06)

Discussion Items

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

38. Tampa Bay Water Update

Mr. Mark Hammond, Director, Resource Management Division, introduced Mr. Matt Jordan, General Manager, Tampa Bay Water (TBW). Mr. Jordan provided an update from TBW which included information regarding an assets management system currently being implemented. He also provided general information on TBW and a breakdown of water sources: 60% groundwater, 32% surface and 8% desalination. He noted that in 1998 the agency provided 100% from the groundwater which is now reduced to 60%. The surface water plant produces approximately 55 mgd/day with the remainder made up from the groundwater and the desalination of seawater. Mr. Jordan provided an update on the regional reservoir which began filling on July 25, indicating 7.3 billion gallons are in the reservoir. He stated that before

2008, the water demand was approximately 180 mgd, currently the demand is 150/160 mgd range. TBW is proactively identifying projects that will provide reliable and affordable options for the region. Mr. Jordan commended the working relationship TBW has experienced with the District. Mr. Beltran reaffirmed this. Board Member Senft asked if there were any problems during construction. Mr. Jordan responded in the negative. A Board Member asked about the expansion of capacity. Mr. Jordan responded the reservoir has not changed from its initial capacity. Board Member Senft asked what will be the use and schedule for operation of the desal plant. Mr. Jordan responded current demands don't warrant running the desal plant at full capacity, but that could change in the future. Board Member Jeff Adams asked what the projections are for water usage once the reservoir is back on-line. Mr. Jordan responded TBW meets regularly to discuss an operational plan and review on a regular basis.

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

39. District Project Management Office

Mr. James Fine, Chief, Project Management Office, provided an update on the Project Management Office (PMO), which included background and accomplishments. He provided a background of the PMO department and outlined the accomplishments which included: improvement of the application process; providing guidelines to cooperators; enhancement of the evaluator form; developing standard scopes of work to assist in streamlining the process; development of the tracking system; monitoring and quarterly reporting; development of an in-house construction group to assist with bids; project management certifications; combined seven master agreements into one; developed a standardized classification system; and developed a monitoring process; and standardized reporting of projects. Mr. Fine also made reference to the Green, Yellow, and Red Project Health (GYR) which is a tracking system that involves interviewing staff.

A Board Member asked who would be responsible for monitoring the metrics associated with this system and has a policy been set for addressing such issues. Mr. Fine responded a guideline has been set and the PMO will be responsible.

A Board Member asked the budgeted cost of the PMO Department. Mr. Fine responded in FY2014, the budget was \$840,000 with an operating budget of less than \$11,000. Staff was reassigned so no new positions were created.

A Board Member asked during the process of GYR when would the Board be notified of issues or concerns. Mr. Fine responded during the Red stage.

A Board Member asked if a project is submitted that will not be successful is there a procedure set up to notify the cooperator. Mr. Fine responded in the affirmative.

A Board Member commended staff on the development of the pre-qualification list.

A Board Member requested, for a future Governing Board meeting, a review of projects associated with the Withlacoochee Regional Planning Council to assist with future planning. It was also suggested an item be placed on monthly Governing Board meetings to update members on project status and projection in the northern region.

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

Submit & File Reports

40. Minimum Flows and Levels Priority List and Schedule Update

This item was presented for the Committee's information only; no action was required.

Routine Reports

41. **Minimum Flows and Levels**

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

42. **Significant Water Resource and Development Projects**

This item was presented for the Committee's information only; no action was required.

Chair Senft then relinquished the gavel to Mr. Dunbar, who called the Finance/Outreach & Planning Committee to order.

FINANCE/OUTREACH & PLANNING COMMITTEE (Video 1:09:01)

Discussion Items

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

Submit & File Reports

44. **Office of Inspector General – Six Month Progress Report to Auditor General Report 2014-082**

In accordance with Section 20.055(5)(h), Florida Statutes, the inspector general shall monitor the implementation of the District's response to any report on the District issued by the Auditor General. Six months after the Auditor publishes a report on the state agency, the inspector general shall provide a written response on the status of corrective actions taken.

The required written response from the inspector general to the Florida Auditor General was provided to the Board.

Staff recommended the Board accept and place on file the letter from the inspector general to the Florida Auditor General; no further action was required.

45. **Strategic Plan 2014-2018 Update**

Mr. David Rathke stated the information in this month's board meeting outlined the proposed methodology used for the development of the Strategic Plan, which will be approved as part of the Consolidated Annual Report.

He also informed the Governing Board of a correction to page 334 in the significant activities report.

Mr. Rathke introduced the new Finance Bureau Chief, Linda Howard.

Routine Reports

46. **Treasurer's Report and Payment Register**

47. **Monthly Financial Statement**

48. **Monthly Cash Balances by Fiscal Year**

49. **Comprehensive Plan Amendment and Related Reviews Report**

50. **Development of Regional Impact Activity Report**

51. **Significant Activities**

Chair Dunbar then relinquished the gavel to Chair Babb.

GENERAL COUNSEL'S REPORT (Video 1:11:50)

Discussion Items

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

Submit & File Reports – None
Routine Reports

53. **Litigation Report**

Ms. Laura Donaldson pointed out that the District had an active month. The new activities in the litigation report are bolded.

54. **Rulemaking Update** - None

COMMITTEE/LIAISON REPORTS (Video 1:12:27)

55. **Agricultural and Green Industry Advisory Committee Report**

Board Member George Mann indicated he provided copies for the Board.

56. **Other Committee/Liaison Report**

Board Member Michael Moran commended staff member, Jennette Seachrist, on her representation at the Sarasota Bay Estuary Program.

EXECUTIVE DIRECTOR'S REPORT (Video 1:13:50)

57. **Executive Director's Report**

No report was provided, however, Mr. Beltran thanked the board and staff for their work.

CHAIR'S REPORT (Video 1:14:17)

58. **Executive Director's and Inspector General's Annual Reports**

Chair Babb informed the Board Members they were provided a report that outlined the achievements for the Executive Director and the Inspector General for FY2014. He indicated Ms. Elaine Kuligofski will be in contact with each Board Member. Board Members will have two weeks to provide their evaluations of the Executive Director and the Inspector General. These evaluations will be used during the contract negotiation process for the Executive Director. Chair Babb did bring attention to some major items which included: Southern Water Use Caution Area (SWUCA) Recovery; Central Florida Water Initiative (CFWI); Springs Initiative; natural systems and enhanced coordination internally and between other agencies; finding efficiencies within the budget; internal communications between the board, staff and through the Executive Office; project management and technical leadership. He stressed SWUCA Recovery.

This item was presented for the board's information only; and no action was required.

59. **Employee Milestones**

Chair Babb recognized and thanked the employees who have reached their 20-year, 25-year and 30-year milestones.

60. **Other**

Due to time constraints, Ms. Donaldson asked if the Board Members could be seated and ready to begin the closed door hearing scheduled for 3:30 p.m. She indicated it is a complicated litigation issue and only an hour has been scheduled. Chair Babb agreed.

Mr. Dunbar commented that with the pending election and votes on Amendment One, it is important for the Board Members to be aware the District controls over 250,000 acres in 16 counties which includes 450,000 acres by easements.

Mr. Babb did not state whether he is for against it, but he did advise everyone to be sure to read all of the amendments very clearly and move forward with a good conscience.

The meeting was recessed at 2:20 p.m., to reconvene for the closed-door attorney-client session at 3:25 p.m. (Video 1:20:53).

Chair Babb reconvened the Governing Board meeting at 3:28 p.m.

Ms. Donaldson stated that pursuant to section 286.011(8), Florida, Statutes, she was advising

the Governing Board that she desired advice regarding settlement negotiations strategy in SWFWMD v. Danny J. Suggs, et al. (5th Judicial Circuit, Case No. 2003-CA-724), and In re Danny J. Suggs (U.S. Bankruptcy Court, Case No. 3:12-bk-6997-PMG and Adversary Proceeding No. 13-ap-272). The subject matter will be confined to the pending litigation. Notice of the closed-door attorney-client session has been provided.

Chair Babb stated that as requested by the District's General Counsel, there will be a closed-door attorney-client meeting to discuss settlement negotiations strategy related to the litigation against Danny Suggs, which should last no more than one hour. The attendees of the session are:

Governing Board Members:	Michael Babb
	Randall Maggard
	Jeffrey Adams
	David Dunbar
	Carlos Beruff
	H. Paul Senft, Jr.
	Bryan Beswick
	Thomas Bronson
	Wendy Griffin
	George Mann
	Michael Moran
Executive Director:	Robert Beltran
General Counsel:	Laura Donaldson
District Staff Attorney:	Kim Dionisio
and a court reporter.	

The session will be closed to the public pursuant to Section 286.011(8), Florida Statutes. Mr. Babb stated that at the conclusion of the closed-door attorney-client session, he will reopen the public meeting and announce the termination of the private session. He asked that if he did not read your name, to please leave the Governing Board meeting at this time.

Closed-door attorney-client session

SWFWMD v. Danny J. Suggs, et al. (5th Judicial Circuit, Case No. 2003-CA-724), and In re Danny J. Suggs (U.S. Bankruptcy Court, Case No. 3:12-bk-6997-PMG and Adversary Proceeding No. 13-ap-272)

At 4:30 p.m., Chair Babb reopened the public meeting and terminated the closed-door attorney-client session. He reminded the Board that there is a final budget hearing today at 5:01 p.m. Also, he reminded the Board that the upcoming meeting locations are listed at the end of today's agenda (October 28 - Governing Board Meeting in The Villages, November 18 Governing Board Meeting in Tampa and December 16 Governing Board Meeting in Tampa).

The meeting was recessed at 4:32 p.m., to reconvene for the final budget hearing at 5:01 p.m.

Chair Babb reconvened the Governing Board meeting at 5:01 p.m.

MINUTES OF THE MEETING

PUBLIC HEARING FOR THE FINAL FISCAL YEAR 2014-15 MILLAGE RATE AND ANNUAL SERVICE BUDGET

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

TAMPA, FLORIDA

SEPTEMBER 30, 2014

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Board Members Present

Randall S. Maggard, Vice Chair
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David W. Dunbar, Treasurer
H. Paul Senft, Member
Wendy Griffin, Member
George W. Mann, Member
Bryan K. Beswick, Member
Tommy Bronson, Member
Michael A. Moran, Member

Board Member(s) Absent

Michael A. Babb, Chair
Carlos Beruff, Member
Ed Armstrong, Member

Staff Members Present

Robert R. Beltran, Executive Director
Brian Armstrong, Assistant Executive Director
Laura J. Donaldson, General Counsel
David T. Rathke, Chief of Staff
Mark A. Hammond, Division Director
John Campbell, Division Director
Alba E. Más, Division Director
Kenneth L. Frink, Division Director
Linda Howard, Finance Bureau Chief
Cathy A. Linsbeck, Budget Manager, Finance
Cara S. Martin, Manager, Board & Executive Services

Administrative Support:

Linda De Jonge, Administrative Coordinator

A list of others present who signed the attendance roster is filed in the permanent records of the District. This meeting was conducted using communications media technology in order to permit maximum participation of Board members, and available for viewing through internet streaming. Approved minutes from previous meetings can be found on the District's Web site (www.WaterMatters.org).

1. Call to Order and Open Public Hearing (Video 1:21:21)

Vice Chair Maggard called the meeting to order and opened the public hearing. Vice Chair Maggard requested Cara Martin, Manager, Board & Executive Services, to call the roll. Vice Chair Maggard stated that the hearing was for the purpose of adopting a final millage rate and budget for the Southwest Florida Water Management District, pursuant to Sections 373.536 and 200.065, Florida Statutes.

Vice Chair Maggard stated that anyone wished 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. Vice Chair Maggard stated that comments would be limited to three minutes per speaker.

Vice Chair Maggard relinquished the gavel to Mr. Dunbar, Treasurer, and Chair of the Finance/Outreach and Planning Committee. (Video 1:23:26)

2. Opening Comments

Mr. Dunbar said the purpose of this hearing today is to provide an opportunity for the public

to speak and ask questions prior to the Governing Board's taking any actions regarding the budget. Following this, the Board will adopt a final millage rate and budget for fiscal year 2014-15.

Mr. Dunbar said this budget was developed based on current fiscal goals to ensure the long-term sustainability of our region's water resources. The tentative budget is \$166.3 million, which includes \$102.3 million in ad valorem property tax revenue and is based on reducing the millage rate from 0.3818 mill to 0.3658 mill, which is a reduction of over 4 percent. This millage rate is at the rolled-back millage rate. The rolled-back rate is the millage rate that would give the District the same amount of revenue as the current year plus taxes on new construction.

Mr. Dunbar said that the District has not received written disapproval of any provision in the tentative budget from the Executive Office of the Governor or the Legislative Budget Commission.

Mr. Dunbar said that since there are no proposed changes to the fiscal year 2014-15 tentative budget as adopted by the Governing Board on September 16, 2014, Mr. Dunbar requested Mr. John Campbell to proceed to the required portion of the hearing beginning with agenda item 4. (Video - 1:25:00)

3. **Budget Overview**

The Board was provided this information in its meeting materials.

4. **Public Announcement of the Name of the Taxing Authority, Rolled-Back Rate, Percentage Increase, and Millage Rate to be Levied for Fiscal Year 2014-15**

Mr. Campbell presented the required public announcement of the name of the taxing authority, the rolled-back rate, the percentage of increase below the rolled-back rate, and the millage rate to be levied for fiscal year 2014-15, and read into the record as required for the District.

TAXING AUTHORITY	ROLLED-BACK RATE	PERCENTAGE OF DECREASE BELOW ROLLED-BACK RATE	MILLAGE RATE
Southwest Florida Water Management District	0.3658	0.00%	0.3658

5. **Reconciliation of Tentative to Final Fiscal Year 2014-15 Budget**

Mr. Campbell said there have been no changes to the budget since the tentative budget hearing held September 16, 2014. (Video - 1:26:15)

6. **Public Comments**

a. **Letters/Resolutions Received**

Mr. Dunbar noted that the District has not received any letters or resolutions regarding the final millage rate and budget. If there were any, they would be compiled in Exhibit "A"

b. **Persons Wishing to Address the Board**

Mr. Dunbar requested that anyone wishing to address the budget come forward, and state their name, address, and group affiliation, if any. No one came forward. (Video - 1:26:33)

7. **Adopt Final Fiscal Year 2014-15 Millage Rate**

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
RESOLUTION NO. 14-12
ADOPTION OF FINAL MILLAGE RATE AND
CERTIFICATION OF LEVY TO THE COUNTY PROPERTY APPRAISERS
FOR FISCAL YEAR 2014-15**

This resolution is made a part of these minutes as if set forth in full but, for convenience, is filed in the permanent resolution files of the District.

Following consideration, **Mr. Senft moved to adopt Resolution No. 14-12, Adoption of Final Millage Rate and Certification of Levy to the County Property Appraisers for Fiscal Year 2014-15, of 0.3658 mill. Mr. Maggard seconded the motion. The motion carried unanimously.** (Video 1:27:03)

8. **Adopt Final Fiscal Year 2014-15 Budget**

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
RESOLUTION NO. 14-13
ADOPTION OF FINAL BUDGET FOR FISCAL YEAR 2014-15**

This resolution is made a part of these minutes as if set forth in full but, for convenience, is filed in the permanent resolution files of the District.

Following consideration, **Mr. Bronson moved to adopt Resolution No. 13-18, Adoption of Final Budget for Fiscal Year 2014-15, in the amount of \$166,338,619. Ms. Griffin seconded the motion. The motion carried unanimously.** (Video – 1:27:32)

9. **Introduce All Materials as Composite Exhibit**

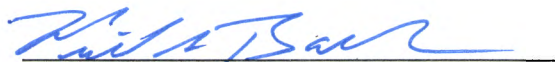
Mr. Dunbar introduced all budget materials as a composite exhibit. He stated that the record should reflect that all materials presented here this afternoon are part of the permanent record of the public hearing. The exhibit includes a list of newspapers publishing notices.

Mr. Dunbar relinquished the gavel to Vice Chair Maggard. (Video – 1:27:52)


10. **Adjournment**

There being no further business to come before the Board, **Ms. Griffin moved, and there was a second, to adjourn the meeting. The motion carried unanimously** and Vice Chair Maggard adjourned the meeting. (Video – 1:28:08)

The meeting was adjourned at 5:10 p.m.


Chair

Attest:



The Southwest Florida Water Management District (District) does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact the District's Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352) 796-7211, ext. 4702, or 1-800-423-1476 (FL only), ext. 4702; TDD (FL only) 1-800-231-6103; or email to ADACoordinator@swfwmd.state.fl.us.