

# APPROVED

## MINUTES OF THE MEETING

### GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

PINELLAS PARK, FLORIDA

OCTOBER 26, 2010

The Governing Board of the Southwest Florida Water Management District (SWFWMD) met for its regular meeting at 9:05 a.m. on October 26, 2010, at the Tampa Bay Regional Planning Council's office in Pinellas Park. The following persons were present:

#### Board Members Present

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

#### Staff Members

David L. Moore, Executive Director  
William S. Bilenky, General Counsel  
Lou Kavouras, Deputy Executive Director  
Richard S. Owen, Deputy Executive Director  
Bruce C. Wirth, Deputy Executive Director

#### Board's Administrative Support

LuAnne Stout, Administrative Coordinator

#### Board Member(s) Absent

Bryan K. Beswick, 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](http://www.WaterMatters.org)).

## Public Hearing

### 1. Call to Order

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

### 2. Pledge of Allegiance and Invocation

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

## Public Hearing

Chair Oakley 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 Oakley 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 Oakley 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**

Mr. Moore said there was one deletion to the agenda.

**Consent Agenda**

The following item was deleted from consideration:

21. Office of Inspector General – Information Technology Procurement Audit – Part II

Chair Oakley noted for the record that the deletion was accepted for today's agenda.  
(Track 1 – 00:00/05:00)

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

Chair Oakley noted that no requests to speak were submitted.

**Consent Agenda**

Item 21 was deleted from consideration.

**Regulation Committee**

5. **Individual Water Use Permits Referred to the Governing Board – WUP No. 20001635.009, Bethel Farms, LLP/DeSoto Farms – DeSoto County**

Staff recommended to approve Permit No. 20001635.009.

6. **Partial Release of Conservation Easement and Quit Claim Deed for Florida Department of Transportation I-75 Road Construction**

Staff recommended to execute the Quit Claim Deed to release 0.238-acre of land, as described in the Quit Claim Deed and Description Sketch, from the Conservation Easement.

**Resource Management Committee**

7. **Five-Year Water Resource Development Work Program**

Staff recommended to approve the proposed Five-Year Water Resource Development Work Program for submittal to the Florida Department of Environmental Protection (FDEP) for review.

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

Staff recommended to approve the Minimum Flows and Levels Priority List and Schedule for submission to FDEP for review and approval as required by Chapter 373, Florida Statutes.

9. **Authorize Submission of Preliminary Flood Insurance Rate Maps (FIRMs) for the Buffalo Canal/Frog Creek Watershed in Manatee County to the Federal Emergency Management Agency (FEMA)**

Staff recommended to authorize staff to submit the preliminary FIRMs for the Buffalo Canal/Frog Creek Watershed in Manatee County to FEMA.

10. **Lower Hillsborough River Minimum Flows Recovery Plan – Reconfirm Approval of Cooperative Funding Agreement with City of Tampa to Implement the Blue Sink Project**

Staff recommended to reconfirm the Board's earlier approval to enter into a cooperative agreement with the City of Tampa to implement the Blue Sink Project and authorize the Executive Director to execute the agreement.

11. **Clearwater Skycrest Reclaimed Water Project – First Amendment**

Staff recommended to approve the no-cost change first amendment to the agreement with the City of Clearwater for the Skycrest Reclaimed Water project to modify the scope of work and modify the project timeline, and authorize the Executive Director to execute the amendment.

12. **Implementation of Best Management Practices in the Duck Lake Watershed – Tank Lake Improvement Area – First Amendment**

Staff recommended to approve the first amendment to the agreement with Pasco County for \$602,000, with the Withlacoochee River Basin Board's share not to exceed \$301,000; and authorize the Executive Director to execute the amendment.

13. **Implementation Best Management Practices in the Brooker Creek Watershed in Improvement Areas 1, 2, 11 and Toniwoods South Outfall**  
Staff recommended to approve the agreement with Pinellas County for an out-of-cycle funding request and authorize the Executive Director to execute the agreement.
14. **Non-Exclusive Drainage Easement to Polk County – Green Swamp Wilderness Preserve, SWF Parcel No.10-200-1268X**  
Staff recommended to approve conveyance of the non-exclusive drainage easement for SWF Parcel No.10-200-1268X to Polk County.
15. **Veteran’s Park Lease Agreement with Hillsborough County – Tampa Bypass Canal, SWF Parcel No. 13-002-751X**  
Staff recommended to approve the Veteran’s Memorial Park Lease Agreement with Hillsborough County for Parcel 13-002-751X, and authorize the Land Resources Director to execute the lease agreement and any amendment thereto.
16. **First Amendment to the Agreement for the Management of the Chassahowitzka River Campground, SWF Parcel No. 15-347-105X**  
Staff recommended to approve the First Amendment to the Agreement for the Management and Operation of the Chassahowitzka River Campground between the District and Citrus County, SWF Parcel No. 15-347-105X; and authorize the Land Resources Director to execute the Amendment.
17. **Third Amendment to Agreement with Pasco County – Starkey Wilderness Preserve, SWF Parcel No. 16-010-017X**  
Staff recommended to approve the Third Amendment to the Agreement with Pasco County for SWF Parcel No. 16-010-017X and authorize the Land Resources Director to execute the Amendment.
18. **Non-Exclusive Easement Agreement to Polk County Utilities for a Force Main Line – Lake Hancock Project, SWF Parcel No. 20-502-110X**  
Staff recommended to accept the appraisal of the non-exclusive easement agreement, and execute purchase agreement and easement agreement for SWF Parcel No. 20-502-110X.
19. **Facilitating Agricultural Resource Management Systems (FARMS)**
  - a. **Bethel Farms, LLLP – Charlotte County** – Staff recommended to (1) approve the Bethel Farms, LLLP-Charlotte County project for a not-to-exceed project reimbursement of \$82,500, with \$40,731 provided by the Peace River Basin Board, \$40,732 provided by the Governing Board, and \$1,037 provided from State Appropriations; (2) authorize the transfer of \$40,731 from fund 020 H017 Peace River Basin Board FARMS funds, \$40,732 from fund 010 H017 Governing Board FARMS funds, \$1,037 from State Appropriations allocated to fund 010 H017 FARMS funds, to H610 Bethel Farms, LLLP Charlotte County project fund; and (3) authorize the Executive Director to execute the agreement.
  - b. **Orange-Co, LP - Phase 1 Amendment – DeSoto County** – Staff recommended to (1) approve the Orange-Co, LP amendment for a not-to-exceed project reimbursement of \$349,870 with \$87,467 provided by the Peace River Basin Board, \$87,467 provided by the Governing Board, and \$174,936 provided from State Appropriations; (2) authorize the transfer of \$87,467 from fund 020 H017 Peace River Basin Board FARMS funds, \$87,467 from fund 010 H017 Governing Board FARMS funds, and \$174,936 from State Appropriations allocated to fund 010 H017 FARMS funds to H606 Orange-Co, LP project fund; and (3) authorize the Executive Director to execute the agreement.
  - c. **JWCD-Dr. Waters Grove – DeSoto County** – Staff recommended to (1) approve the JWCD-Dr. Waters project for a not-to-exceed project reimbursement of \$88,162, with \$21,165 provided by the Peace River Basin Board, \$21,165 provided by the Governing Board, and \$45,832 provided by State Appropriations; (2) authorize the transfer of \$21,165 from fund 020 H017 Peace River Basin Board FARMS funds, \$21,165 from fund 010 H017 Governing Board FARMS funds, \$3,503 from State Appropriations allocated to fund 020 H017 FARMS funds, and \$45,832 from State Appropriations allocated to fund 010 H017 FARMS funds, to H608 JWCD-Dr. Waters Grove project fund; and (3) authorize the Executive Director to execute the agreement.

- d. **Oak Creek Farms, LLC - Bentley Ranch Amendment – Hardee County** – Staff recommended to (1) approve the Oak Creek Farms, LLC project amendment to add \$93,750 to the proposed project reimbursement, with \$46,875 provided by the Peace River Basin Board, and \$46,875 provided by the Governing Board; (2) authorize the transfer of \$46,875 from fund 020 H017 Peace River Basin Board FARMS funds, and \$46,875 from fund 010 H017 Governing Board FARMS funds, to H586, Oak Creek Farms, LLC, project fund; and (3) authorize the Executive Director to execute the agreement.
- e. **Windmill Farms Nursery, Inc. – Hardee County** – Staff recommended to (1) approve the Windmill Farms Nursery, Inc. project for a not-to-exceed project reimbursement of \$175,000 with \$87,500 provided by the Peace River Basin Board, and \$87,500 provided by the Governing Board; (2) authorize the transfer of \$87,500 from fund 020 H017 Peace River Basin Board FARMS funds, and \$87,500 from fund 010 H017 Governing Board FARMS funds, to H614 Windmill Farms Nursery, Inc. project fund; and (3) authorize the Executive Director to execute the agreement.
- f. **Alafia Berry Farms, LLC – Hillsborough County** – Staff recommended to (1) approve the Alafia Berry Farms, LLC project for a not-to-exceed project reimbursement of \$60,000 with \$15,000 provided by the Alafia River Basin, \$15,000 provided by the Governing Board, and \$30,000 provided from State Appropriations; (2) authorize the transfer of \$15,000 from fund 011 H017 Alafia River Basin Board FARMS funds, \$15,000 from fund 010 H017 Governing Board FARMS funds, and \$30,000 from State Appropriations allocated to fund 010 H017 FARMS funds, to H611 Alafia Berry Farms, LLC project fund; and (3) authorize the Executive Director to execute the agreement.
- g. **Porter Hare-Berry Patches, Inc. – Hillsborough County** – Staff recommended to (1) approve the Porter Hare-Berry Patches, Inc. project for a not-to-exceed project reimbursement of \$88,500 with \$44,250 provided by the Alafia River Basin Board, and \$44,250 provided by the Governing Board; (2) authorize the transfer of \$44,250 from fund 011 H017 Alafia River Basin Board FARMS funds, and \$44,250 from fund 010 H017 Governing Board FARMS funds to the Porter Hare-Berry Patches, Inc. project fund; and (3) authorize the Executive Director to execute the agreement.
- h. **Circle G Farm and Ranch, LLC – Hillsborough County** – Staff recommended to (1) approve the Circle G Farm and Ranch, LLC project for a not-to-exceed project reimbursement of \$141,000 with \$70,500 provided by the Hillsborough River Basin Board and \$70,500 provided by the Governing Board; (2) authorize the transfer of \$70,500 from fund 013 H017 Hillsborough River Basin Board FARMS funds, and \$70,500 from fund 010 H017 Governing Board FARMS funds to H613, Circle G Farm and Ranch, LLC project fund; and (3) authorize the Executive Director to execute the agreement.
- i. **FLM, Inc. - Blossom Grove – Manatee County** – Staff recommended to (1) approve the FLM, Inc.-Blossom Grove project for a not-to-exceed project reimbursement of \$225,000 with \$112,500 provided by the Manasota Basin Board, \$112,500 provided by the Governing Board; (2) authorize the transfer of \$112,500 from fund 021 H017 Manasota Basin Board FARMS funds, \$112,500 from fund 010 H017 Governing Board FARMS funds, to H615 FLM, Inc.-Blossom Grove project fund; and (3) authorize the Executive Director to execute the agreement.
- j. **Mixon Family Farms, Inc. Phase 2 – Polk County** – Staff recommended to (1) approve the Mixon Family Farms–Phase 2 project for a not-to-exceed project reimbursement of \$64,740 with \$16,185 provided by the Peace River Basin Board, \$16,185 provided by the Governing Board, and \$32,370 provided from State Appropriations; (2) authorize the transfer of \$16,185 from fund 020 H017 Peace River Basin Board FARMS funds, \$16,185 from fund 010 H017 Governing Board FARMS funds, \$32,370 from the State Appropriations allocated to fund 010 H017 FARMS funds to H607 Mixon Family Farms–Phase 2 project fund; and (3) authorize the Executive Director to execute the agreement.

### Finance & Administration Committee

20. **Budget Transfer Report**  
Staff recommended to approve the Budget Transfer Report covering all budget transfers for September 2010.
21. **Office of Inspector General – Information Technology Procurement Audit – Part II**  
This item was deleted from consideration.

### General Counsel's Report

22. **Stipulation for Order of Taking – SWFWMD v. Elia Quintana-Alcocer, et al, Case No. 53-2010-CA-005262, 10<sup>th</sup> Judicial Circuit - Lake Hancock Project, SWF Parcel No. 20-503-177P – Polk County**  
Staff recommended to authorize the agreement to a minimum amount for full compensation of \$64,875.00 in exchange for a Stipulated Order of Taking.
23. **Initiation of Litigation – Surface Water Activity - George V. Tagaras – Pinellas County**  
Staff recommended to authorize the initiation of litigation against George V. Tagaras and any other appropriate parties to obtain compliance, a monetary penalty, and recovery of District enforcement costs, court costs, and attorney's fees.
24. **Initiation of Litigation – Surface Water Activity - Pete Geraci – Manatee County**  
Staff recommended to authorize the initiation of litigation against Peter A. Geraci and any other appropriate parties to obtain compliance, a monetary penalty, and recovery of District enforcement costs, court costs, and attorney's fees.
25. **Initiation of Litigation – Well Construction - License No. 9247 - Waylon Howard, Jr. – Hillsborough County**  
Staff recommended to authorize the initiation of litigation against Waylon Howard, Jr. to take disciplinary action against his license, recover an administrative fine/civil penalty, and recover District enforcement costs, court costs and attorney's fees.
26. **Initiation of Litigation Well Construction - License No. 9376 (expired) - Robert Barfield – Hillsborough County**  
Staff recommended to authorize the initiation of litigation against Robert Barfield to take disciplinary action against his license, recover an administrative fine/civil penalty, and recover District enforcement costs, court costs and attorney's fees.

### Executive Director's Report

27. **Approve Governing Board Minutes**
  - a. **September 14, 2010 First Public Budget Hearing for the Tentative Fiscal Year 2011 Annual Service Budget**
  - b. **September 28, 2010 Meeting**
  - c. **September 28, 2010 Workshop**
  - d. **September 28, 2010 Second Public Budget Hearing for the Final Fiscal Year 2011 Annual Service Budget**

Staff recommended to approve the minutes.

Following consideration, **Mr. Senft moved, seconded by Ms. Closshey, to approve the Consent Agenda as amended. Motion carried unanimously.** (Track 1 – 05:00/06:59)

Chair Oakley relinquished the gavel to Regulation Committee Chair Beruff.

## Regulation Committee

### Discussion Items

28. **Consent Item(s) Moved for Discussion** – None
29. **Hydrologic Conditions Status Report**  
Mr. Granville Kinsman, Manager, Hydrologic Data Section, said September historically marks the last month of the four-month rainy season and this year's September rainfall totals were significantly below-normal. Rainfall during the month was scattered, regionally variable, and associated with tropical moisture from the Gulf or Atlantic Ocean moving over the Florida peninsula interacting with lessening convective (afternoon/evening) rain

showers. There were 15 days during September that no appreciable rainfall fell throughout the District. Rainfall during the 2010 rainy season (June through September) was within the normal range in the central and southern regions, while it was below-normal in the northern region and on a District-wide basis. The rainy season totals were disappointing as it did not bring the above-normal rainfall conditions that national weather forecasts had predicted. The District-wide rainy season totals were approximately 4.6 inches below the long term mean. The provisional District-wide 12-month rainfall accumulation declined during the month but maintained a surplus of approximately 0.02 inch above the long-term average. The 24- and 36-month cumulative rainfall deficits ended the month approximately 5.1 and 7.3 inches, respectively, below the historic average. Hydrologic indicators were mixed during September. Groundwater levels declined in all regions, but ended the month within the normal range. Regional streamflow conditions improved in the northern and southern regions, while they declined in the central region. Regional lake levels improved in the Northern, Polk Uplands and Lake Wales Ridge regions, and declined in the Tampa Bay region, ending the month in the annual normal range in the Tampa Bay region, while remaining at below-normal levels in the Northern, Polk Uplands and Lake Wales Ridge regions. NOAA climate forecasts indicate above-normal rainfall conditions for October 2010 and below-normal rainfall for November 2010 and the coming winter and spring due to La Niña conditions in the Pacific Ocean. Declines in hydrologic conditions are likely should below-normal rainfall conditions occur during the coming winter and spring. (Track 2 – 00:00/07:15)

Ms. Closshey noted that the 48-month supply forecast is dire and the Board needs to address that issue. Mr. Senft said the District is alerting water suppliers that it does not look good with a dry season coming. Mr. Granville said the water suppliers are notified through coordination with the Demand Management Section. Mr. Gramling said conservation is key in preparing for dry seasons and the District's messaging needs to be ready. Mr. Moore said the Communications Department's spring campaign was to focus on water quality and he has asked Mr. Molligan, Communications Director, to discuss messaging during the Outreach and Planning Committee meeting later in the meeting. (Track 2 – 07:15/09:44)

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

30. **Amendments to Chapter 40D-21, Florida Administrative Code (F.A.C.), Water Shortage Plan**

Ms. Lois Ann Sorensen, Demand Management Program Manager, noted, that in September 2009, the Governing Board authorized initiation of rulemaking to incorporate additional rule modifications that were identified during the District's experience with recent water shortage orders. Staff has held two focus group meetings on November 5, 2009 and January 14, 2010, two public workshops on November 20, 2009 and April 29, 2010, and one special joint meeting of the Green Industry Advisory Committee and Agricultural Advisory Committee on July 8, 2010. Participants in these forums to develop and refine appropriate amendment language included: the air conditioning industry, University of Florida Institute of Food and Agricultural Sciences agents, public supply water conservation specialists, sod farmers, local government attorneys, plant nursery representatives, and other subject matter experts.

Ms. Sorensen reviewed the basic format of four phases of water shortage responses, including nomenclature and water use classifications required by the Department of Environmental Protection, retained from the 2006 version of the Plan. Significant proposed changes include:

- Streamline data collection and declaration noticing processes
- Modify decision making process to include 24-month rainfall and 7-day streamflow data
- Clarify and enhance local enforcement and water utility reporting responsibilities
- Simplify lawn irrigation hours and car washing limits for ease of enforcement
- Remove problematic air conditioning and percentage-reduction restrictions

- Incorporate an exemption that was first used in recent water shortage orders for inconsequential fountains
- Clarify that splash parks and other interactive fountains are restricted as recreational, not aesthetic, water uses
- Modify provisions for “hot spot” watering so that the majority of a lawn is not overwatered during a Phase IV event for the sake of adequately watering a limited area
- Update restrictions to specifically allow annual pressure washing in Phase II and require use of professional-grade equipment in Phase IV
- Clarify the applicability of low-volume irrigation and the relationship of HOA standards to District restrictions
- Institute once-per-week lawn watering, regardless of month, in Phase III instead of Phase IV

Ms. Sorensen noted that staff did receive last-minute input from two local governments and the Peace River Manasota Regional Water Supply Authority. She presented the changes staff proposed to address the last-minute input, which were characterized as additional definitions and other clarifications that will enhance the rule's effectiveness. The staff recommendation was to approve the amendments, including changes to address last-minute input, subject to consulting with the Authority regarding final wording to address its most recent input. Upon Board approval of amendments to Chapter 40D-21, F.A.C., Ms. Sorensen noted that staff will complete the rulemaking process without further Governing Board action, unless substantive public comment is received or material substantive changes are proposed. (Track 3 – 00:00/08:27)

Mr. Owen said that staff has extensively vetted these changes with the advisory committees and work groups. Staff recommended to approve proposed amendments to Chapter 40D-21, F.A.C., Water Shortage Plan, as presented; authorize staff to finalize changes discussed in response to comments received; and authorize staff to complete the rule adoption process.

An opportunity was offered for public comment to be received; no one requested to speak.

Following consideration, **Mr. Gramling moved, seconded by Mr. Senft, to approve the staff recommendation as presented. Motion carried unanimously.** (Track 3 – 08:27/11:34)

**Submit & File Reports – None**  
**Routine Reports**

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

31. **Public Supply Production Report**

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

33. **Overpumpage Report**

- Mr. Owen reviewed the report to explain the tables for the members' information. In response to questions received about permits under review by the Bartow Regulation Department, Mr. Owen said the number of permits is due to the unique characteristics of the permits issued by the Bartow Service Office which has a disproportionate share of metering requirements for permits issued. Staff is investigating and many will be resolved as not truly an overpumpage.

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

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

36. **Resource Regulation Significant Initiatives**

- Ms. Closshey noted that she has been contacted by concerned citizens about frost-freeze issues and said she feels there may be misinformation occurring. Mr. Gramling said those issues were discussed at the October 25 technical group meeting in Plant City. Mr. Owen said there is continuing concern over certain components of the management strategy and there was significant discussion. Mr. Owen said staff is requesting the Board to concur with removing provisions that limit new average annual groundwater quantities in the Dover-Plant City area and on limits for lower quantities for

crop establishment; and allow staff more time to adequately vet these issues with the community. He said at the Board's November meeting, the rule will focus on the other components of the management strategy. **Mr. Gramling moved to proceed with the Dover-Plant City rule and exclude the average annual quantities and the crop establishment quantities, and move ahead with the rule without those components and anything tied to those components until staff has adequate time to vet those issues with local residents. Ms. Closshey seconded the motion and requested a copy of the recording of yesterday's meeting. Committee Chair Beruff called the question and it carried unanimously.** (Track 4 – 00:00/12:20) Mr. Owen said there was significant discussion yesterday on other issues as well, such as the design freeze event for how the District permits frost-freeze quantities. Ms. Closshey requested a summary of the applications that are pending to understand the quantity and magnitude, as well as it would impact the modeling that had been done. Committee Chair Beruff said it is important to send a message that staff is cognizant of the fact that, until the rule is completely implemented, people should be able to permit under the previously existing rules and not be subject to the rules that may change in the future. **Mr. Gramling moved that each permit be reviewed on a case-by-case basis between now and the December Board meeting, accept all reasonable applications and issue those permits if appropriate and in line with the guidelines existing today. Ms. Closshey seconded the motion and it carried unanimously.** (Track 4 – 12:20/19:30)

Regulation Committee Chair Beruff relinquished the gavel to Chair Oakley.

Chair Oakley said the Board will now consider the General Counsel's Report. He noted that former Governing Board Member Ronnie Duncan has been delayed due to a car accident. He said that Mr. Duncan wishes to address Consent Agenda Item 24. **Ms. Closshey moved to reconsider Consent Agenda Item 24 at a later time as appropriate. Mr. Gramling seconded the motion and it carried unanimously.** (Track 4 – 19:30/19:57; Track 5 – 00:00/00:38)

## General Counsel's Report

### *Discussion Items*

#### 59. Consent Item(s) Moved for Discussion – Item 24

#### 24. Initiation of Litigation – Surface Water Activity - Pete Geraci – Manatee County Chair Oakley said that a speaker card has been submitted.

Mr. Mark Linsky, on behalf of Peter Geraci, said he was here at Mr. Duncan's request. He said that earlier in today's proceedings, the Board approved the initiation of litigation against Mr. Geraci involving surface water activities on property in Manatee County. He said he understands staff's position and every good faith attempt is being made to come to terms with staff to reach a resolution.

Mr. Bilenky said staff will continue negotiations and the authorization is in the event resolution cannot be reached.

**Ms. Closshey moved to approve the staff recommendation to authorize the initiation of litigation against Peter A. Geraci and any other appropriate parties to obtain compliance, a monetary penalty, and recovery of District enforcement costs, court costs, and attorney's fees. Mr. Gramling seconded the motion and it carried with Mr. Pressman voting in opposition.** (Track 5 – 00:38/05:14)



### ***Submit & File Report***

In response to Mr. Gramling's query, Mr. Bilenky said the District has a conservation easement on this property. He noted the District has had eight mitigation banks and said it is a policy discussion for the Board. Mr. Bilenky provided a brief overview of conservation easements. Mr. Gramling requested that conservation easements and mitigation banks be discussed at the November or December Board meeting. Ms. Closshey requested that the November Board meeting be a learning point from a policy standpoint. (Track 5 – 00:38/09:00)

60. **Petition for Relief Pursuant to the Florida Land Use and Environmental Dispute Resolution Act – ERP No. 43034658.000 - Hillsborough River Mitigation Bank – Pasco County**

Mr. Bilenky noted that this proceeding has been resolved through a mediation process. Ms. Amy C. Wells, Staff Attorney, said on September 20, 2010, the District received a Petition for Relief pursuant to Section 70.51, Florida Statutes, known as the Florida Land Use and Environmental Dispute Resolution Act. She provided an overview of the Petition submitted on behalf of Saddlewood Estates Homeowners' Association, Inc.; SWE, LLC; Hillsborough River Mitigation Bank, LLC (HRMB); and Dennis K. Benbow, Trustee. The Act provides an informal mechanism by which a property owner can mediate a dispute regarding a development order with a state, regional or local governmental entity without resorting to litigation. (Track 5 – 09:00/14:30)

Ms. Closshey requested that the discussion should be broad enough for a good overview of mitigation banks available in the District and to understand the cash flow. She also requested a map of where the properties are and an illustration of the technical questions. Mr. Senft asked that staff check with some of the counties to understand what is being done in their environmental land programs. Mr. Gramling said the discussion should include the District's policy and how is it going to be applied in the future to other similar situations. Ms. Closshey said the discussion also needs to include the District's policy concerning county programs. (Track 5 – 14:30/23:58)

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

### ***Routine Reports***

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

- 61. **Litigation Report**
- 62. **Rulemaking Update**

Chair Oakley relinquished the gavel to Resource Management Committee Chair Joerger.

## **Resource Management Committee**

### ***Discussion Items***

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

- 38. **Northern Tampa Bay Recovery Plan**

Mr. Michael C. Hancock, Senior Professional Engineer, Resource Projects Department, provided the Board with a background and overview of the District's Northern Tampa Bay (NTB) Recovery Plan including efforts to monitor water level recovery in the area.

In 1998, the Governing Board approved a recovery strategy for the NTB area, including the Partnership Agreement, issuance of Tampa Bay Water's (TBW) water use permit for its 11 regional wellfields (the Consolidated Permit), adoption of minimum flows and levels, and changes to its water use and environmental resource permitting rules. Implementation of the Partnership Plan and issuance of the Consolidated Permit have brought alternative sources on-line and enabled TBW to reduce and better optimize withdrawals from the wellfields to minimize impacts. Throughout the second phase of the recovery strategy (approved by the Board in December 2009), the wellfields will continue

to be operated at or below 90 million gallons per day (mgd) which is based on science and an adaptive management approach, and monitoring of the withdrawal's effects on the water resources will be continued and evaluated. Minimum levels for 41 cypress wetlands, 15 lakes, and seven Floridan aquifer wells were adopted in 1998, and minimum levels for an additional 54 lakes in the NTB area have been adopted to date. In addition, data relating to the health of approximately 500 wetlands and water levels in over 1,000 wells in the NTB area are routinely collected by both the District and TBW. The assessment of this data over the next ten years will be a critical component of the second phase of the recovery plan.

Since the inception of the first phase of the recovery strategy, District and TBW staffs have been monitoring the water levels, flows, and biologic data in the area's water resources to assess changes in conditions as groundwater withdrawals in the area are reduced. Significant data and staff resources will be required for next phase of recovery. While implementation of the second phase of recovery will continue through 2020 and assessment is ongoing, there are clear indications that progress toward recovery in the area has occurred. (Track 6 – 00:00/42:30)

Ms. Closshey requested an additional report that shows distinctions about the tools in the tool box and to see the physical actuals versus the illustrated actuals. In response to Ms. Closshey's questions, Mr. Hancock said the tools are any other management tools, besides withdrawal reductions, that can be used to improve water conditions. Ms. Closshey said her other questions include whether some of the tools in the tool box have already been implemented, can the dollars spent be quantified, and what are the future plans for each of these types of areas. She asked now that alternative water supplies are available, could staff provide a chart depicting the opposite way just for contrast to be able to show the alternative sources available and then how much ground water would actually be needed to meet the needs. She suggested the Board schedule a tour of the wellfields and perhaps a corresponding workshop.

Mr. Pressman said the staff report was great and he does not need a Board presentation, tour or workshop. Ms. Closshey said it would be at the pleasure of the Board. Committee Chair Joerger said it would be interesting to see if permits could be aligned to look holistically at the Tampa Bay region. Mr. Owen said the Consolidated Permit is in-house and staff's goal is to bring the permit to the Board at its December meeting while continuing to work to resolve outstanding issues with Tampa Bay Water. In response to Committee Chair Joerger's comment, Mr. Owen said staff views the permit in the perspective of being in synch and wholistic. Ms. Closshey said it is presented to the Board in fragments. Mr. Owen said staff can provide that perspective. Ms. Closshey said this is the first time she understood the financial impact being invested above and beyond Tampa Bay Water, and the Board should see the total dollars invested for all the needs of this area. In response to Committee Chair Joerger's query, Mr. Owen said he would have to confer with staff about the amount of time needed to prepare. Discussion ensued regarding positive impacts by smart use (conservation and alternative water supplies), permit renewal, synching the permits, possibly issuing less than the 90 mgd, importance to test the 90 mgd, and appropriateness of ten-year renewal period. (Track 6 – 42:30/53:20)

Mr. Beruff suggested deferring the permit renewal until January so staff has time to provide the requested information. Mr. Pressman noted he has always heard ten years to test the science. Mr. Owen said, for clarification, a year ago this Board approved rule amendments. At that time, all water use permits were still mandatorily delegated to staff; therefore, staff could not discuss water use permits with the Board. Staff felt there were policy issues associated with renewal of this consolidated permit that needed Board guidance. Staff put those issues in a draft rule for the Board; staff negotiated and worked with the community on the aspects on that rule extensively before presenting it to the Board and the Board approved the rule providing for approval of this permit at 90 mgd at an average annual quantity for a ten-year period. Staff has been working in good faith with the applicant and other interested parties to bring this permit for renewal before it

expires at the end of this year. Mr. Owen said the applicant has the permit in-house so it can continue to operate under that permit if not approved by the end of this year. (Track 6 – 53:20/55:20)

Ms. Whitehead asked that staff explain to her at some point why the District would not want to issue all the permits at one time. Mr. Owen noted the District has a permit in-house from Tampa Bay Water for the Alafia River. He said staff has been dealing with Tampa Bay Water about how do other sources relate to the need for any additional quantities from the Alafia. It is very important in that respect to have that comprehensive understanding when looking at that one application. Mr. Owen said Tampa Bay Water has a number of permits and the only for groundwater in proximity to the Consolidated Wellfield is the Carrollwood permit which is less than one mgd and was just renewed for 20 years. He noted staff continues to operate under the rules approved by the Board. Mr. Moore said the South-Central permit came in for renewal, was issued to be in synch with the Consolidated permit, and expires in 2020. He said staff saw this issue coming and began working to synch the permits.

Committee Chair Joerger said the District has made incredible strides and it appears 90 mgd is working. As the District moves forward, the Board and staff need to look wholistically at the entire water needed since it is from the same aquifer. (Track 6 – 55:20/59:08)

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

39. **Facilitating Agricultural Resource Management Systems Program Overview**

Mr. Eric C. DeHaven, Director, Resource Data and Restoration Department, provided the Governing Board an update on the staffing, completed and ongoing projects, historic funding and trends associated with the Facilitating Agricultural Resource Management Systems (FARMS) Program. The District's FARMS Program, developed in 2003 by the District and the Florida Department of Agriculture and Consumer Services, is a public/private agricultural Best Management Practice (BMP) cost-share reimbursement program.

As of October 1, 2010, there are currently 87 Board approved FARMS projects located in the following areas: 72 in the SWUCA, one in the Northern Tampa Bay Water Use Caution Area, eight in the proposed Dover/Plant City Water Use Caution Area (DPCWUCA), and six not in a Water Use Caution Area. The projected offset of groundwater pumping for the 87 projects is 14.53 million gallons per day (mgd), with 63 operational projects totaling 9.70 mgd of actual offset over the period of record. The average total cost per projects is \$305,285 with an average groundwater offset of 169,450 gpd. Project funding since the FARMS Program inception in fiscal year 2003 totals \$21.8 million, of which 56 percent represents FARMS Program funding and 44 percent represents grower contributions.

The October Governing Board consent agenda contained eight new FARMS projects and two project amendments, all located within the Southern Water Use Caution Area (SWUCA) and three within the DPCWUCA. These projects will provide \$1.37 million in FARMS funding and are projected to offset 1.20 mgd of groundwater pumping. Of significance, three of these projects are the first projects specifically brought to the Board in response to the January frost/freeze event within the proposed DPCWUCA. Two projects are for the installation of crop cloth to replace Upper Floridan aquifer withdrawals for cold protection, with a combined projected offset of 17.90 mgd over a three-day freeze event. The other project will use a tailwater recovery system to offset approximately 15.50 mgd over a three-day freeze event, as well as offset an average of 71,100 gallons per day on supplemental irrigation and bed preparation.

FARMS Program accomplishments have been achieved through the reallocation of staff resources from other areas of the District. At the inception of the Program in 2003, one staff member was dedicated to FARMS Program project management. Currently, the

FARMS Program consists of seven full-time, regular positions and two part-time, temporary contract employees.

Board members asked Mr. DeHaven a number of questions for clarification and additional information. Mr. Gramling praised Mr. DeHaven for his leadership which has been instrumental in the success of this program. (Track 7 – 00:00/57:36)

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

The meeting recessed to provide a lunch break and reconvened at 1:00 p.m.

40. **Lake Hancock Outfall Treatment Project Construction Bid Process**

Mr. Eric DeHaven, Director, Resource Data & Restoration Department, provided an overview of the construction bid process for the Lake Hancock Outfall Treatment Project. There has been a change in approach as compared to the information provided in the Board's meeting materials and this item is no longer an action item. Instead, staff will identify actual costs for Alternative Bid Proposal review and bring that cost back to the Board for approval at a later date. Therefore, this item no longer requires Board action.

The objective of the Project is to construct a water quality treatment wetland to reduce annual nitrogen loads up to 27 percent from flow discharging from Lake Hancock. The Project will be constructed on approximately 1,000 acres of the former Old Florida Plantation Property located on the south shoreline of the lake. The Project is currently in the final design phase. The next step is to procure a contractor for construction of the Project. The final step will be to secure construction inspection and as needed construction engineering services.

The Request for Bid (RFB) will solicit bids based on the final design and will allow for the submittal of Alternative Bid Proposals and associated cost adjustments to the baseline bid price. The objective of incorporating Alternative Bid Proposals is to maximize the potential for cost savings and performance benefits associated with bid submittals. District staff will conduct the initial review of the bids received to determine the apparent low bid inclusive of bid cost reductions due to Alternative Bid Proposals. Any Alternative Bid Proposals will first be reviewed by staff for validity. Valid Alternative Bid Proposals will be referred to the design consultant who will provide a recommendation to accept or reject each Alternative Bid Proposal included in the apparent low bid. District staff will make the final determination if the Alternative Bid Proposal(s) will be accepted to reduce the base bid amount. If this process results in a change to the apparent low bid, the process will be repeated with the new lowest bid until a recommendation for award is reached. Depending upon the nature of the Alternative Bid Proposals, design modifications or permit revisions may be needed and costs associated with those revisions will be counted against the Alternative Bid Proposal cost.

Services related to the review of potential Alternative Bid Proposals are not included in the current design consultant's budget of \$27,457 for bidding services, previously approved by the Board. Once bids are submitted, any Alternative Bid Proposals that need to be reviewed by the design consultant will be identified and a cost for those services determined. Staff will then bring those costs to the Board for approval to amend the contract. In addition to including the option for submittal of Alternative Bid Proposals, the RFB will contain an additional clause that allows for Value Engineering after the contract is executed. This allows for Value Engineering Proposals, from the contractor throughout the construction period, to potentially lower the overall project construction cost. The construction cost savings would be shared by both the District and contractor.

Regarding construction inspection and engineering services, negotiations will commence with the design consultant for these services after award of the construction bid. Depending upon the outcome of negotiations, two options are possible: (1) if negotiations are successful, then the existing design consultant will be retained for construction

inspection and engineering services; (2) if negotiations are not successful, then a third party consultant will be procured for construction inspection and engineering. This will require the District to advertise a formal Request for Proposals. This process will take approximately three months to review proposals, negotiate a budget, and enter into an agreement. For either option, the existing design consultant will perform engineer-of-record services that will need to be negotiated.

Following consideration, **Mr. Gramling moved to authorize staff to spend funds necessary to evaluate any changes that are proposed. Mr. Combee seconded the motion and it carried unanimously.** (Track 8 – 00:00/17:05)

41. **Youth Center at Flying Eagle Preserve, SWF Parcel No. 19-334-135X**

Mr. Eric Sutton, Director, Land Resources Department, informed the Board of staff's progress in establishing a partnership for a sustainable youth recreation and education center on the McGregor Smith tract within the Flying Eagle Preserve. The District acquired the McGregor Smith Scout Reservation, consisting of approximately 4,694 acres, in 2004 as a significant addition to the Flying Eagle Preserve. The South Florida Council of the Boy Scouts of America (BSA), the previous owner, operated a Boy Scout camp on the property for more than 40 years. Following acquisition, the camp's facilities remained intact and the District opted for the continued operation of the camp for youth education and recreation. The District granted a ten-year lease to the Gulf Ridge Council (GRC) of the BSA, covering 580 acres, to manage the camp beginning in 2006. Since then, funding for BSA programs has significantly decreased. At present, the District and the GRC are cooperatively seeking alternative strategies to create a more robust partnership for the site.

The Florida Fish and Wildlife Conservation Commission will discuss the Florida Youth Conservation Centers Network (FYCCN) Initiative at its Commission meeting in December 2010. The Commission is expected to hear a presentation on the Foundation's progress and provide further direction in the interest of prioritizing potential sites for the first phase of the FYCCN project. District staff is planning to attend the meeting. (Track 8 – 17:05/31:41)

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

**Submit & File Reports – None**

**Routine Reports**

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

42. **Florida Forever Funding**

43. **Minimum Flows and Levels**

44. **Structure Operations**

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

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

- Mr. Wirth said there was a follow-up meeting of District staff, Polk County, Mosaic, Clear Springs and the Florida Department of Environmental Protection. He said he communicated the Governing Board's position and that the District stands ready to participate if there is a potential for a water supply project associated with the property.

(Track 8 – 31:41/33:38)

Resource Management Committee Chair Joerger relinquished the gavel to Finance and Administration Committee Chair Tharp. The Outreach and Planning Committee will be heard following the Finance and Administration Committee.

## Finance and Administration Committee

Ms. Closshey requested that Item 55 be heard before Item 54.

### *Discussion Items*

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

55. **Office of Inspector General – Risk Assessment for Fiscal Year 2011**

Mr. Kurt P. Fritsch, Inspector General, noted that in accordance with Board Policy 140-1 and Section 20.055, Florida Statutes, the Office of Inspector General performed its annual risk assessment based on District strategies and operations. Risk assessment allows the District to consider how potential events might affect the achievement of objectives and is the basis for developing the Office's annual work plan.

Mr. Fritsch provided a handout to review with Board members. He presented the results of the annual risk assessment and received comments from the Board in preparation for presenting the Office work plan for approval at the Board's November meeting. (Track 9 – 00:00/16:12)

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

54. **Request for Proposals for Workload and Staffing Analysis**

Committee Chair Tharp said during the September 2010 Governing Board workshop, the Board instructed staff to develop a draft Request for Proposals (RFP) and options for pursuing a review by an external management consultant. The purpose of this review will be to evaluate whether District staffing levels remain aligned with workloads in view of current economic conditions and trends. The Governing Board Chair has asked the Governing Board Finance and Administration Committee Chair, Vice Chair, Second Vice Chair, along with the Governing Board Chair, to take the lead as a RFP Screening Committee for development of the draft RFP for Board consideration.

Committee Chair Tharp said the Screening Committee met on October 22, 2010 and reviewed a draft timeline and RFP. He said the Screening Committee discussed three areas of major concern. The first issue was the scope of work and should it include the entire organization or portions. Following discussion, the consensus was to study the entire organization. The second concern was how to rank the respondents. It was agreed that it was appropriate for staff to make a recommendation for how to narrow the number of respondents to make potential presentations to the Board for final selection. The third item was how to advertise the RFP by using state recognized companies who were already qualified by the state or just advertise in general. It was decided to advertise it to the general public due to the economic conditions being able to provide a better price for the project.

Mr. Beruff said he thought the staff would evaluate the proposals and do the analysis, but oral presentations will be determined by the number of RFPs received if say only five respond. He provided a memorandum he wrote over the weekend of his thoughts for this analysis and it is strictly up to the Board if any comments are pertinent.

Mr. Moore said it is a two-step ranking process: (1) staff will do the analysis and initial ranking to short list the respondents, and (2) then bring to the Board for ranking for oral presentations before the Board. He said there are three major initiatives moving forward simultaneously: (1) staffing analysis, (2) ongoing staffing review, and (3) review of District initiatives by the Board. He suggested that District initiatives, such as FARMS and MFLs, be brought before the Board to show how everything fits into the big picture. (Track 9 – 16:12/26:40)

Mr. Combee said he feels a salary study update should be included. He said the last study recommends a market study be done in three-year intervals. He noted that it will be

difficult to justify raises over the next few years and staff deserves to know where the District stands relative to private sector counterparts. Committee Chair Tharp said the question is whether to do as part of the staffing analysis RFP or separately. Mr. Combee said it should be as comprehensive as possible and done together. Ms. Whitehead said during the last study, the private sector was hiring away valuable District staff, but now that situation has reversed. She said the District has loyal staff that stayed but they have sacrificed at various times. Mr. Combee said the District periodically needs to review where it is relative to the rest of the world. Mr. Pressman said he agrees with Mr. Combee and it should be done comprehensively. Mr. Adams said he also agreed with doing it comprehensively.

Committee Chair Tharp asked staff what is the practicality of adding the salary and benefits to the staffing analysis. Mr. Steve Long, Contracts Manager, Finance Department, agreed with him that it is just adding a line item to the scope of work. Mr. Senft said this may require a firm that specializes in salary and benefits, and there probably are a few comprehensive firms that cross over. Ms. Elaine M. Kuligofski, Director, Human Resources & Risk Management, said it probably would reduce the number of firms responding. In response to Mr. Combee's question, Ms. Kuligofski said the RFP does allow for subcontracting. (Track 9 – 26:40/32:40)

Ms. Closshey said the two components she wants included are consultants and outsourcing. She said the Board needs to ensure those three elements are tied out and if there are other ways the organization's structure allows for those funds to be allocated. Ms. Kuligofski said that programmatic outsourcing was not contemplated in the RFP. Ms. Closshey said the budget has shifted and can be identified by different names. Mr. Moore provided examples of staffing for District initiatives and said a better definition would be needed. Ms. Closshey asked whether there are any functions in that \$80 million that had previously been performed by staff that was moved to an outsource contract relationship and was staffing number modified or not. Mr. Moore said, as an example, there is some money in that \$80 million for outside legal services just as if the District hired a consultant. Ms. Linda Pilcher, Assistant Director, Finance Department, said about \$5 million was identified for staff that provide a staffing function (temporary staff position); above that there are contracts for services which are consulting contracts. Mr. Pressman said he wants an analysis of the organization's human resources and a third-party entity reviewing all human resources—whether paid, on contract, outsourced, etc. Discussion ensued. (Track 9 – 32:40/48:55)

Ms. Closshey said this analysis is not about how much somebody gets paid but about a comprehensive overview of whether the District has the right organizational structure in place to fit the activities to accomplish the District's goals and strategic plan. Mr. Senft said the Board is not micromanaging but providing a management tool to give to the Executive Director and staff assistance with day-to-day operations and a frame of reference. He said he does not support combining the staffing analysis with a salary and wage study since there is risk in firms bidding which may have the expertise for one activity but not the other. Mr. Joerger said, while he supports a comprehensive review, the District has checks and balances in place for procurement and bids. (Track 9 – 48:55/54:10)

Mr. Moore said he has heard three studies being discussed—operational study, staffing and workload analysis, and salary survey. Mr. Gramling said he does not support doing this comprehensively under a staffing workload analysis. Ms. Whitehead suggested that perhaps the Board first decide what the District's mission is and where funds should be spent, and then determine staff needs. She said she suggests delaying the study and do a comprehensive study, but it cannot be done by July 2011. (Track 9 – 54:10/59:25)

Committee Chair Tharp said the Committee has a RFP written for a staffing workload analysis. He said it was decided at the Board workshop last month to do a staffing study and staff has provided a RFP. He said the recommendation of the Screening Committee

is to release this RFP and a timeline to do this by the first of July 2011. He agrees that a staffing analysis and salary/benefits study are separate but interconnected, and noted that skills sets of the RFP respondents are different. Discussion ensued. (Track 9 – 00:59:25/01:04:19)

**Mr. Beruff moved to approve a RFP for a workload and staffing analysis, consistent with the timeline established by the Governing Board; and authorize staff to evaluate and rank the responsive consultant proposals and authorize the Screening Committee to develop a short list of three or more respondents for oral presentations to the Governing Board for the Board's selection of the successful respondent. Mr. Gramling seconded the motion.** (Track 9 – 01:04:19/01:05:26)

Chair Oakley said he trusts and supports staff, and feels the study will reaffirm what he already knows—staff are doing their jobs. Mr. Adams said he agrees with Chair Oakley that the District has a tremendous staff, and the study will be money well-spent and be positive for staff. Mr. Pressman voiced his support of the superb job staff is doing.

**Committee Chair Tharp called the question and it carried with Ms. Whitehead voting in opposition.** (Track 9 – 01:04:19/01:08:45)

**Mr. Beruff moved for staff to prepare another RFP for the salary and benefits study. Mr. Senft seconded the motion.** In response to Committee Chair Tharp's question, Ms. Kuligofski said the RFP scope of work can be created using the language from the last time this study was done.

**Committee Chair Tharp called the question and it carried with Mr. Gramling, Chair Oakley and Ms. Whitehead voting in opposition.** (Track 9 – 01:08:45/01:12:10)

Mr. Moore said staff will attempt to bring the salary and benefits RFP by the November Board meeting.

### ***Submit & File Report***

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

56. **Office of Inspector General – Annual Report for Fiscal Year 2010**

### ***Routine Reports***

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

57. **Treasurer's Report, Payment Register, and Contingency Reserves**
58. **Management Services Significant Activities**

(Track 9 – 01:12:10/01:13:10)

Finance and Administration Committee Chair Tharp relinquished the gavel to Outreach and Planning Committee Vice Chair Closshey.

## **Outreach and Planning Committee**

### ***Discussion Items***

47. **2012 – 2016 Strategic Plan Update**

Mr. Roy A. Mazur, Director, Planning Department, provided an update on the progress of the FY 2012 – 2016 Strategic Plan and communicated the significant discussion items deliberated in the process. The mission of the Strategic Plan update is to provide the overarching direction, from which all of the District's strategies evolve: Superior Stewardship of Florida's Precious Water Resources. With that responsibility, the goals of FY 2012 – 2016 update are to revise the Natural Systems and Water Quality Strategic Initiatives, update and graphically enhance the Strategic Planning Scorecard, and create the Annual Work Plan Report. The Strategic Plan is scheduled to come before the Governing Board for acceptance in November 2010, and the Strategic Planning Scorecard is also scheduled to be finalized in the same month. The Annual Work Plan Report will be



contained within the statutorily mandated Consolidated Report which will come before the Board in January.

Mr. Mazur requested the Board to provide direction to enhance the Plan. Discussion ensued regarding format; connection between categories and budgeting; recognition that District is the authority for data collection, research, analysis and verification; staffing and financial structures do not reflect the Plan; and strategic alignment. (Track 9 – 01:13:10/01:46:10)

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

Mr. Michael Molligan, Director, Communications Department, discussed the messaging being planned for the spring. He said the topics planned are water quality and appropriate fertilizer use; however, with the dry weather occurring, a potential action is radio spots about conservation message during January, February and March. He said staff is developing an evergreen water conservation message. (Track 9 – 01:46:10/01:51:05)

48. **"Get Outside!" Potts Preserve Event Highlights**

Mr. Molligan provided highlights of the "Get Outside!" Day held on October 23, 2010 at Potts Preserve in Citrus County. Expenses for the Potts Preserve event were estimated at \$3,900 and included costs for nature hike facilitators; guided boat tours; and rental of tents, tables, chairs, and a portable toilet and hand washing station. (Track 9 – 01:51:05/01:58:40)

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

***Submit & File Reports*** – None

***Routine Reports***

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

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

50. **Development of Regional Impact Reviews**

51. **Speakers Bureau**

52. **Significant Activities**

Outreach & Planning Committee Vice Chair Closshey relinquished the gavel to Chair Oakley.

**Committee/Liaison Reports**

63. **Environmental Advisory Committee Meeting**

Mr. Adams said the meeting was held on September 13, 2010. Topics discussed included updates on hydrologic conditions, Water Shortage Plan, rulemaking, minimum flows and levels (MFLs), Southern Water Use Caution Area (SWUCA) Recovery Strategy, and Myakka River Watershed Initiative. The next meeting is scheduled for December 6, 2010.

64. **Industrial Advisory Committee Meeting**

Ms. Closshey said the meeting was held on October 19, 2010. Topics discussed included updates on rulemaking, January 2010 Freeze Event Management Plan, hydrologic conditions, and MFLs Priority List and Schedule. Staff provided a broad overview of the purpose and goals of the Economic Feasibility of Reclaimed Water Use by Non-Utility End Users study. The next meeting is scheduled for January 11, 2011.

65. **Public Supply Advisory Committee Meeting**

Mr. Senft said the meeting was held on October 19, 2010. Topics discussed included updates on rulemaking, January 2010 Freeze Event Management Plan, staff delegation and Governing Board action on Individual Permits, hydrologic conditions, and MFLs Priority List and Schedule. Staff provided an overview of statewide regional planning efforts. The next meeting is a joint Green Industry Advisory Committee and Public Supply Advisory Committee meeting scheduled for January 11, 2011. (Track 9 – 01:58:40/02:02:10)

## **Executive Director's Report**

66. **Executive Director's Report**

- Mr. Moore said he and Mr. Senft attended the MyRegion.org meeting to discuss the planning strategy for water supply in central Florida. Staff provided comments on the draft report and, when the draft white paper is available, the Board will be provided with copies.
- Regarding the Central Florida Coordination Area, Mr. Moore said Mr. Senft has agreed to serve as the Board's liaison. Mr. Owen noted that the meeting tomorrow is to seek stakeholder input, and share progress on groundwater modeling and environmental assessments in the area. (Track 9 – 02:02:10/02:04:08)

## **Chair's Report**

67. **Chair's Report**

- Chair Oakley said issues and proposed actions from the October workshop were provided at the Board members' seats. He requested Board members to be prepared to discuss these items at the next meeting.
- Mr. Gramling said Item 10 was discussed at the last Board meeting regarding a request to the Legislature to change ERP rules. He said substantial progress has been made toward that goal and staff has completed language for the Legislature.
- Ms. Whitehead suggested the Board consider holding separate committee meetings occasionally.
- Mr. Pressman provided an update on the October Tampa Bay Regional Planning Council meeting.

There being no further business to come before the Board, Chair Oakley adjourned the meeting. (Track 9 – 02:04:08/02:09:00)

The meeting was adjourned at 3:46 p.m.