

# APPROVED

## MINUTES OF THE MEETING

### HILLSBOROUGH RIVER BASIN BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

Tampa, Florida

July 26, 2007

The Hillsborough River Basin Board of the Southwest Florida Water Management District convened for a regular meeting at 8:35 a.m. on July 26, 2007, at the Tampa Service Office.

#### **Board Members Present**

Heidi B. McCree, Chair Ex Officio  
George R. Burt, Vic Chair  
Hugh M. Gramling, Secretary  
Hung T. Mai, Member

#### **Members Absent**

Gary P. Reckart, Member  
Renee Benton, Member

#### **Staff Members Present**

Bruce C. Wirth  
Lou Kavouras  
Mark Hammond  
Eric DeHaven  
Roy Mazur  
Marty Kelly  
Miki Renner  
Maya Burke

Rand Baldwin  
Karen Kobil  
Mike Holtkamp  
Linda Pilcher  
Beth Putnam  
Scott Harbison

#### **Recording Secretary**

Annette D. Zielinski

A list of others who attended and signed the attendance roster is filed in the permanent files of the Basin. Compact disks of the audio and copies of materials and handouts, as set forth in full herein, are also filed in the permanent files of the District.

#### 1. **Call to Order and Roll Call**

Chair McCree called the meeting to order at 8:35 a.m. Ms. Zielinski called the roll and noted a quorum was present.

#### 2. **Pledge of Allegiance to the American Flag**

Chair McCree led the Pledge of Allegiance to the American Flag.

#### 3. **Additions/Deletions to Agenda**

Ms. Kavouras, Deputy Executive Director, Outreach, Planning and Board services stated no gubernatorial appointments or Senate confirmations concerning this Board had been received; therefore, Agenda Item 4 will be carried over to the next meeting.

#### 4. **Oath of Office for Appointed/Re-Appointed Board Members**

This item was deleted from the agenda.

#### 5. **Consent Items:**

##### a. **June 15, 2007, Meeting Minutes**

Staff recommended approval of the June minutes, as presented.

##### b. **Board Encumbrances:**

##### i. **Hillsborough River Watershed Education Program (W310)**

This item was pulled for discussion.

##### ii. **Stormwater Implementation Reserves (Z969)**

Staff recommended approval of the encumbrance of \$1,000,000, without a contract for the Stormwater Implementation Reserves to be used in FY2008.

iii. **Tampa Bay Regional Reclaimed Water and Downstream Augmentation Projects (H300 – H310)**

Staff recommended approval of the encumbrance of \$1,106,117, without a contract, for the Tampa Bay Regional Reclaimed Water Project to be used in fiscal years 2007-2014.

iv. **Tampa By-Pass Canal (B630)**

Staff recommended approval of the encumbrance of \$200,000 from FY2007 funds, without a contract, to be used for the replacement of deteriorated culverts along the TBC.

Following consideration, **Mr. Mai moved, seconded by Mr. Gramling, to approve the staff recommendation for approval of the Consent Agenda as amended. Item 5 b (i) was moved from Consent Items to Discussion Items. Motion carried unanimously.** (CD 1 /Track 1 – 00:00/01:55)

6. **Discussion Items:**

This item was moved from the Consent Agenda.

5. b. **Board Encumbrances:**

i. **Hillsborough River Watershed Education Program (W310)**

Mr. Mai inquired why this project has not moved forward and said he thought the funds should be kept in reserves. Ms. Putnam, Communications Manager, Communications Department, responded that the reason the project did not move forward was because the cooperator was not ready. She said District staff is still interested in doing watershed education in the Hillsborough River Watershed. Ms. Putnam described in detail the type research and plans necessary for developing an educational program District staff has in mind. Staff was requesting to keep the money available by encumbering the funds for FY2008 so there is time necessary to commit to a particular vendor. Mr. Mai said he supports the educational aspect of staff's request but not the open contract. Ms. Kavouras suggested that District staff bring this item back to the Board before any money was disbursed; this led to a question and answer session regarding board encumbrances. Board members debated the issue of approving an encumbrance without a contract and inquired how not approving the staff recommendation would affect plans for the preliminary research.

Staff recommended approval of the encumbrance of \$43,130 without a contract to be used in FY2008 for Hillsborough River Watershed Education.

Following consideration, **Mr. Mai moved, seconded by Mr. Gramling, to not approve the staff recommendation as presented. It was suggested staff come back to the Board when plans are more defined for this project. Motion carried unanimously.**

Mr. Wirth said the Hillsborough River Basin Board's share of that money is \$21,565; therefore, if the money is not encumbered, it will lapse. He said he would advise the Board regarding this money during the Budget discussion of today's meeting. (CD 1 /Track 1 – 01:55/14:40)

a. **Minimum Flows for Tampa Bypass Canal, Sulphur Springs and the Lower Hillsborough River and Recovery Strategy for Lower Hillsborough River and Approval of Joint Funding Agreement with City of Tampa**

Martin H. Kelly, Ph.D., Manager, Resource Conservation and Development Department, presented the proposed minimum flows for the Tampa Bypass Canal (TBC), Sulphur Springs, and the Lower Hillsborough River (LHR), discussion of the proposed recovery strategy for LHR, and funding agreement with City of Tampa for joint funding of recovery strategy projects.

Dr. Kelly said the District has prepared and had peer review minimum flow documents for the three watercourses. At the request of several interested parties, the Board agreed to delay adoption of minimum flow rules until all the proposed minimum flows had been developed and peer reviewed for all three water bodies.

The minimum flow recommended for the Lower Hillsborough River is the equivalent of 20 cfs of fresh water for the months of July through March and the equivalent of 24 cfs of fresh water for the months of April through June.

The recommended minimum flow for routine use at Sulphur Springs is 18 cfs. It was proposed, however, that the minimum flow can be reduced to 10 cfs during low tides, as this will not cause the incursion of high-salinity river water into the spring run.

Based on the peer review findings, staff is recommending a minimum flow of zero cfs at the Tampa Bypass Canal.

The proposed recovery strategy for Lower Hillsborough River and Funding Agreement with City of Tampa was included in the Basin Board information notebook. Total maximum costs to fund all projects as outlined in the recovery strategy is \$45.5 million. As outlined, project costs are expected to be split on a 50/50 basis with the City. The District's share is expected to be split evenly between the Governing Board and the Hillsborough River Basin Board. Depending on the outcome of diagnostic/feasibility studies for several of the proposed projects, and assuming the full implementation of the proposed recovery strategy projects as outlined, the Basin Board's funding contribution is potentially 25 percent of the \$45.5 million total or \$11.375 million. Currently, there is \$75,000 in the Basin Board's proposed FY2008 budget to begin work on the Sulphur Springs weir modification. It is anticipated that approximately \$2 million will be requested each year over the six-year period beginning in FY2009 and extending to FY2014 in order to secure the Basin Board's projected match for full implementation of the recovery strategy as presented. The proposed funding agreement between the City and the District was included in the Basin Board information notebook. Chair McCree suggested that staff may want to present this information to the Northwest Hillsborough Basin Board in the future.

Staff recommended to approve the joint funding agreement with the City of Tampa and authorize the Executive Director to enter into agreement pending approvals of the Governing Board and City of Tampa.

Following consideration, **Mr. Gramling moved, seconded by Mr. Burt, to approve the staff recommendation for Item 6.a. Motion carried unanimously.** (CD 1 /Track 2 – 00:00/42:54)

b. **FY2008 Budget Discussion and Approval of Final Millage Rate and Budget for Governing Board Approval**

Mr. Bruce C. Wirth, Deputy Executive Director, Division of Resource Management and Development, said staff is seeking adoption of the final FY2008 millage rate in compliance with the new tax reform legislation, House Bill 1B (HB 1B), which was signed into law on June 21, 2007; and adopt the final FY2008 budget for Governing Board approval. The Florida Department of Revenue has determined that the District and Basins must certify compliance with HB 1B when the proposed millage rates are certified to the County property appraisers by August 4. Following these meetings, the Governing Board will meet on July 31 to adopt the proposed FY2008 millage rates for the Basins and District. The proposed millage rates will be certified by August 4 to the county property appraisers for the Truth in Millage (TRIM) noticing to all taxpayers.

The Basin's proposed budget for FY2008 has been updated to reflect ad valorem tax revenue at the maximum millage rate for FY2008, which is equal to 97 percent of the rolled-back rate in compliance with HB 1B. This rate was computed based on the

Certifications of Taxable Value received from the County property appraisers. In June, the Basin Board adopted a proposed millage rate of 0.285 for FY2008, the same level of FY2007. This means ad valorem revenue for FY2008 will be equal to prior year revenue (FY2007) adjusted for new construction, additions and deletions, then reduced by three percent.

Staff recommended to:

- (1) Approve and adopt the final required millage rate of 0.2547 for FY2008;
- (2) Approve and adopt the final FY2008 budget as amended for Governing Board approval; and
- (3) Approve Resolution No. 143 -- Affirming the Required Final Millage Rate and Budget for Fiscal Year 2008.

Following consideration, **Mr. Gramling moved, seconded by Mr. Mai, that the money from the Hillsborough River Watershed Education Program (W310) (\$21,565) will be kept in the Stormwater Implementation Reserves (Z969). Motion carried unanimously.**

Ms. Kavouras read the three-part staff recommendation into the record.

Following consideration, **Mr. Gramling moved, seconded by Mr. Mai, to approve the staff recommendation for Item 6.b. Motion carried unanimously.** (CD 1 /Track 3 – 00:00/23:25)

7. **Announcements**

Chair McCree suggested staff share with the Basin Board members the summary from the joint meeting of the Basin Board Land Resources Committee and the Basin Board Education Committee.

Ms. Kavouras said September 11, 2007 will be the Joint Governing and Basin Boards Workshop to discuss the District's Strategic Plan.

The next Hillsborough River Basin Board Meeting and Annual Workshop is set for October 15, 2007.

8. **Adjournment**

The day's business being complete, Chair McCree adjourned the meeting at 10:05 a.m. (CD 1/Track 4 – 00:00/02:05)

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★ ★ ★ Information Items ★ ★ ★

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The item(s) listed below are for the Board's information, intended to keep the Board apprised of completed projects, cancelled projects, and projects that have executed contracts and are ready to begin. The item(s) did not require Board action at this time. Formal presentations were not made, but staff will make presentations and/or answer questions at the next Board meeting, if requested.

1. Crop Coefficients and Water Use for Peppers in Southwest Florida (B238) – Execution Notice
2. Dale Mabry: Neptune to Henderson Stormwater Improvements (L741) - Execution Notice

Attest:

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Chairman

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