

Approved

Minutes of the Meeting

MANASOTA BASIN BOARD Southwest Florida Water Management District

Sarasota, Florida

August 13, 2008

The Manasota Basin Board of the Southwest Florida Water Management District convened for a regular meeting on August 13, 2008, at 9:07 a.m., in the Sarasota Service Office, Sarasota, Florida.

Board Members Present

Patricia M. Glass, Co-Chair Ex Officio
Albert G. Joerger, Co-Chair Ex Officio
Frank E. Strelec, Vice Chair
J. Mac Carraway, Secretary
Dora Maria C. Thomas, Member
Paul J. "Jack" Bispham

Staff Present

| | |
|---------------|-----------------|
| Bruce Wirth | Lou Kavouras |
| Mike Heyl | Lisann Morris |
| Matt Preston | Dr. Marty Kelly |
| Eric DeHaven | David Rathke |
| Terri Behling | Dianne Davies |
| Randy Emberg | |

Member Absent

Elizabeth "Betsy" O. Benac, Member
Richard H. Meyers, Member

Via Video Conference

Linda Pilcher Beth Putnam

Recording Secretary: Phyllis Young

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

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

Ms. Glass called the meeting to order at 9:07 a.m. Ms. Young called the roll and noted a quorum was present. (CD 1/Track 1)

2. **Pledge of Allegiance**

Co-Chair Glass led the Pledge of Allegiance to the American Flag. (CD 1/Track 1)

3. **Additions and Deletions to the Agenda**

- Since no gubernatorial appointments or Senate confirmations concerning this Board had been received, Deputy Executive Director Lou Kavouras stated Agenda Item 4 was deleted from the agenda.
- A ceremonial check presentation by Representative Mike Grant was added to the agenda.
- At the request of Board Member Dora Thomas, a report of water conditions at Siesta Key was also added to the agenda. (CD 1/Track 1)

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

This item was deleted from the agenda, as stated above. (CD 1/Track 1)

Community and Legislative Affairs Director David Rathke introduced Representative Mike Grant, primary sponsor of the West Central Florida Water Restoration Action Plan (WRAP) legislation. Representative Grant spoke briefly of the success in obtaining the appropriation, which brought \$15 million to this District to address regional water issues. He thanked the

Board for extending the invitation and taxpayers for their support during difficult times. A brief photo session followed. (CD 1/Track 1)

5. **Consent Items:**

After consideration, **Mr. Carraway moved, seconded by Mr. Strelec, to approve the Consent Items, as follow:**

- a. **Minutes of the June 11, 2008, Meeting** – Approve the June minutes, as presented.
- b. **Board Encumbrances:**
 - i. **Facilitating Agricultural Resource Management Systems (FARMS) Program (H017)** - Approve the encumbrance of up to \$100,000, or the remaining dollars available, from the FY2008 budget for future year FARMS projects.
 - ii. **Lake Hancock Lake Level Modification Project (H008)** - Approve the encumbrance of \$2,329,624, without a contract, of which \$279,703 is from the Manasota Basin Board, to be used in FY2009 for implementation of the Lake Hancock Lake Level Modification Project.
 - iii. **Lower Lake Manatee (Edward W. Chance Reserve) Upland Restoration Project (SA19)** - Approve encumbrance of \$60,990 for the continuation of upland restoration on the Edward W. Chance Reserve at Gilley Creek.

Motion carried unanimously. (CD 1/Track 1)

6. **Discussion Items:**

- a. **Update on Activities Related to Dona Bay Minimum Flows and Levels (MFL) Development and Sarasota County's Fiscal Year 2009 Cooperative Funding Request**

Chief Environmental Scientist Mike Heyl and Senior Professional Engineer Lisann Morris provided an informational presentation to update the Board on (1) recommended minimum flows for Dona Bay/Shakett Creek below Cow Pen Slough and (2) an update on Sarasota County's Fiscal Year (FY) 2009 Dona Bay/Cow Pen Slough Cooperative Funding request, respectively.

1) **Recommended Minimum Flows**

Mr. Heyl reviewed the MFL rule, the MFL timeline and process, and history of the Dona Bay/Cow Pen Slough area. Alterations and hydrological changes within the watershed through the years resulted in significantly more freshwater entering Dona Bay and Shakett Creek than has occurred historically, damaging the ecology and degrading water quality in Shakett Creek and Dona Bay. During the presentation, Mr. Heyl used a graph to show comparative current, historical, and MFL flows in the area. His part of the presentation included the steps to setting the recommended minimum flow; the next step is a peer review by an independent scientific panel, which will provide its report to the Governing Board.

2) **Dona Bay Cooperative Funding Request**

Ms. Morris gave a brief report of the Dona Bay Watershed Implementation project (L927), which was submitted for the FY2009 Cooperative Funding cycle. Staff did not recommend the project for funding, as submitted, due to the project being an environmental restoration project; the critical water supply elements were not

submitted in the funding request. Without those elements, the environmental benefits are diminished. Staff and the Peace River/Manasota Regional Water Supply Authority (Authority) have always recognized the potential of the Dona Bay project as a water supply project with environmental benefits. Sarasota County presented a revision to the Basin Board at its June 2008 meeting; the Board requested staff to work with the County to evaluate changes to determine if the project's ranking should be modified. In July, the County presented another revision, which included mitigation credits for use at other projects. Historically, the District has not supported or funded wetland restoration projects where the District's funds would be used to mitigate for impacts from other projects.

Ms. Morris briefly highlighted three options District staff provided for the County's consideration.

- Option 1: Submit the project with an environmental benefit only and one that does not include a water supply component (how the project was originally submitted).
- Option 2: Submit the Project with both an environmental and water supply benefit where the water supply component is solely owned and operated by the County.
- Option 3: Submit the Project with both an environmental and water supply benefit where the water supply component is owned, controlled, or perpetually controlled by the Authority.

Due to the project being submitted in December 2007 for the 2009 Cooperative Funding Cycle, and due to the necessity for intense coordination, the County decided to bring the project back to the Board as an out-of-cycle funding request.

Topics of discussion among the Board and staff included other possible options, timing of the project, a chart of the various project and funding options, Southern Water Use Caution Area concerns, and saltwater intrusion.

This item was presented for the Board information; no action was required. (CD 1/Track 2)

b. FY2009 Budget Discussion and Approval of Final Millage Rate and Budget

Deputy Executive Director Bruce Wirth, Division of Resource Management, reported that the Basin's proposed budget for FY2009 had been updated to reflect ad valorem revenue based on the proposed millage rate adopted by the Basin Board during the June meeting (0.1484) and the 2008 Certifications of Taxable Value received from county Property Appraisers, resulting in an additional decrease to ad valorem dollars of \$1 million; \$1.7 million less than last year. Funds allocated to the cancelled Peace River/Manasota Regional Water Supply Authority (Authority) pipeline project (\$1.5 million) were rolled into the Basin's balance forward. This Basin also received \$2.4 million of the \$15 million of WRAP funds. Since the amount necessary for this fiscal year for the Authority's Facility Expansion Project was reduced, those funds were used to fund other projects and help balance the budget.

Mr. Wirth briefly highlighted significant changes to the budget since the June meeting. During this presentation, Basin Board members participated in discussion of topics including the potential shortfall for future years, the importance of planning for 2010 and beyond, incentive-based funding, where the "cut" line for Cooperative Funding projects should be, budget objectives, and funding for area education centers and the need for partners for those projects.

The Authority's Executive Director Pat Lehman briefly addressed the Board regarding demands, growth, plans for the future, and continuing to work with the District on water supply issues.

After consideration, **Mr. Carraway moved, seconded by Mr. Strelec, to approve and adopt the required final millage rate of 0.1484 mill for FY2009. Motion carried unanimously.**

Mr. Carraway recused himself from voting on the Aqua Utilities project, L874, which was removed from consideration during the vote on the FY2009 budget.

After consideration, **Ms. Thomas moved, seconded by Mr. Strelec, to approve and adopt the final FY2009 budget, without the Aqua Utilities project, L874. Motion carried unanimously.**

After consideration, **Mr. Strelec moved, seconded by Mr. Bispham, to include Project L874, the Aqua Utilities project, in the FY2009 budget. Motion carried with Mr. Carraway abstaining.**

After consideration, **Mr. Carraway moved, seconded by Ms. Thomas, to approve Resolution No. 72 -- Resolution Affirming the Required Final Millage Rate and Budget for Fiscal Year 2009. Motion carried unanimously. (CD 1/Track 3)**

7. **Reports:**

a. **Basin Board Land Resources Committee**

Board Member Dora Thomas provided highlights of the July 10, 2008, Basin Board Land Resources Committee meeting held at Nature's Classroom, Thonotosassa. Topics included land acquisition, extension of the Florida Forever program, conservation easements, and the District's master recreation strategy. (CD 1/ Track 4)

ADD-ON

Due to concerns expressed by Ms. Thomas, about the recent closing of the beach at Siesta Key, Professional Engineer Matt Preston, Surface Water Improvement and Management section, provided information on Project W617, Sarasota Implementation of Best Management Practices-Coastal Basin Beach Road. The project is designed to improve water quality standards and reduce street flooding on Beach Road, which is located in the Sarasota Bay Coastal Basin. Water quality in the drainage piping system along Beach Road near the Siesta Key Public Beach does not meet water quality standards and has impacted the public beach through a ditch outfall system to the Gulf of Mexico. The project includes the design and construction of a stormwater treatment system to protect the public health and safety to meet recreational water quality standards. (CD 1/Track 4)

b. **Basin Board Education Committee (BBEC)**

Mr. Carraway, the Board's primary representative to the BBEC, began by stating that Governing Board Member Maritza Rovira-Forino, the BBEC chairperson, is very passionate about the efforts of the District with regard to water resource and natural resource education.

A report on the July 10, 2008, BBEC meeting was included as an exhibit in the meeting notebook, as was a copy of "Criteria for Staff Evaluation of Landscape Demonstration Projects." These topics were included in Mr. Carraway's report, which also included other highlights of the meeting including an update on the Water Conservation Hotel and Motel Program (Water CHAMP), the new restaurant outreach program (Water PRO), the

Florida Water Starsm Gold Certification program, and Splash Mini-Grant Sharing Days.
(CD 1/Track 4)

ADD-ON Since the Authority is in the process of building a reservoir in DeSoto County, Mr. Wirth provided an update on problems with the soil cement erosion barrier at the C. W. Bill Young Regional Reservoir in Hillsborough County. Mr. Lehman reported that the Authority's reservoir will have a similar barrier, but will be built utilizing a different process.

c. **Governing Board Activities**

At Co-Chair Glass's request, staff played pre-recorded highlights of the July 29 Governing Board meeting, which was narrated by Communications Manager Robyn Felix. (CD 1/Track 6)

8. **Announcements**

Ms. Kavouras brought the Board's attention to announcements listed on the agenda. (CD 1/Track 6)

9. **Adjournment**

The day's business being complete, Co-Chair Glass adjourned the meeting at 11:15 a.m.

******INFORMATION ITEMS******

The items listed below were 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. These items did not require Board action.

1. Budget Transfer Report
2. Manatee County Water Conservation Program (L949) – Execution Notice
3. Construction of the Catfish Creek Regional Stormwater Facility - First Amendment (W613) - Execution Notice