

Approved

Minutes of the Meeting

MANASOTA BASIN BOARD

Southwest Florida Water Management District

Sarasota, Florida

December 12, 2007

The Manasota Basin Board of the Southwest Florida Water Management District convened for a regular meeting on December 12, 2007, at 9:04 a.m. in the Sarasota Service Office, Sarasota, Florida.

Board Members Present

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

Staff Members Present

Bruce Wirth Lou Kavouras
Eric DeHaven Eric Sutton
Dianne Davies Ross Morton
Terri Behling Scott Harbison

Recording Secretary

Phyllis Young

Member Absent:

Richard H. Meyers, Member

A list of others who were present and signed the attendance roster 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**

Co-Chair Glass called the meeting to order at 9:04 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. (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)

5. **Consent Items:**

After consideration, **Mr. Carraway moved, seconded by Ms. Thomas, to approve the Consent Items, as follows:**

- a. **October 17, 2007, Meeting and Workshop Minutes** – Approve the October minutes, as presented.

b. **Facilitating Agricultural Resource Management Systems – McClure Properties, Ltd., Manatee County (H503)**

1. **Approve the McClure Properties, Ltd, FARMS Project funding amendment for a not-to-exceed project reimbursement of \$36,133, provided from State Appropriations;**
2. **Authorize the transfer of \$36,133 from the 2003 State Appropriations allocated to Fund 021 H017 Manasota Basin State Appropriations to H503 McClure Properties, Ltd, FARMS project fund;**
3. **Authorize the Executive Director to sign the agreement.**

Motion carried unanimously. (CD 1/Track 1)

6. **Discussion Items:**

a. **Changes to the Governing Board's Cooperative Funding Initiative Policy 130-4**

Deputy Executive Director Bruce Wirth provided an overview and status of changes to the Cooperative Funding Initiative Policy 130-4. In April 2007, the Pinellas-Anclote River Basin Board requested the Governing Board revisit its "long-standing" position on funding brackish groundwater desalination projects. During discussion of this issue at the May 2007 Governing Board session, it was noted that the District did not have a formal written policy regarding the Board's position. Mr. Wirth highlighted actions taken and input gathered during the past several months that resulted in the Governing Board directing staff to incorporate five recommendations into the proposed policy changes. An exhibit to this item, which showed the recommended changes in a strikethrough/underline format, was provided in the information notebook for this meeting; however, an updated version was e-mailed to Board members, and copies were provided at the meeting.

Peace River/Manasota Regional Water Supply Authority (Authority) Executive Director Pat Lehman briefly addressed the Board to compliment the District on the direction provided by the policy changes. He brought a request from the recent Authority Board meeting to add language (the words "or capacities") to Paragraph 13, if the Basin Board agreed. Paragraph 13 would then begin, "Consistent with 373.1961(3), Florida Statutes, the District shall prioritize funding for alternative water supply projects "or capacities." Co-Chair Dabney stated it would be difficult to define "capacity," and the addition of that language would open the opportunity to fund only a portion of a project. The Board concurred and was not supportive of the request. Mr. Lehman said he understood the reasoning and would relay it to his Board.

Under Paragraph 17, Co-Chair Dabney suggested changes to the policy regarding the use of "per capita water use rates" and "per capita water use." The changes, he said, would make the policy more "timeless."

This topic will be part of the December 18, 2007, Governing Board agenda; staff recommendation is adoption of the changes to Policy 130-4.

Mr. Wirth expressed thanks to Co-Chair Dabney for his efforts in developing changes to the policy.

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

During this presentation, Board Member Frank Strelec arrived.

b. **Peace River Regional Reservoir Expansion and Peace River Facility Expansion - Second Amendment (F032 & F033)**

Mr. Wirth presented this item for Brian Armstrong, Water Supply and Resource Development Section Manager, to request additional funding for the two projects.

Members were provided a revised recap for this agenda item; copies were also available at the sign-in table. The two revisions to the recap in the meeting notebook were as follow:

1. The title was changed to **Peace River Regional Reservoir Expansion and Peace River Facility Expansion – Amendment** and
2. In the third paragraph under *Background/History*, \$17.2 million was changed to \$3.6 million.

Mr. Wirth noted that the involved Boards have already met their obligations for the projects. He then gave a brief report on the background and history of the projects, including the following:

- a. Contract changes made in 2005 as a result of concerns of arsenic mobilization in aquifer storage and recovery (ASR) wells; District funding increased \$3.6 million.
- b. Bids for the facility and reservoir expansion projects were higher than anticipated, resulting in the Authority's request that the District increase its contribution.

Mr. Wirth reported that staff has reviewed the Authority's request and feel it is warranted, but do not feel it is appropriate to commit funding for the entire increase at this time. He explained the Manasota and Peace River Basin Boards face challenges in meeting future financial demands of new alternative water supply projects. He reviewed recommended funding and extended completion dates.

Topics of discussion during this presentation included timeframe of the Basin Board's payment, re-negotiation of cost of materials, and the arsenic issue.

After consideration, **Ms. Benac moved, seconded by Mr. Carraway, to approve the staff recommendation, as follows:**

1. **Approve the transfer of \$1,351,852 in FY2008 out-of-cycle funding from the Manasota Basin Board's Water Supply and Resource Development Reserves for the Peace River Regional Reservoir Expansion (F032) project;**
2. **Recommend the Governing Board approve changes to both project budgets to reflect approval of the out-of-cycle funding, additional FY2008 Water Protection and Sustainability Trust Fund dollars and the increased project costs to be paid by the Authority;**
3. **Recommend the Governing Board extend the substantial completion date for both expansion projects from October 31, 2008, to October 31, 2009, and the final completion date for both projects from March 31, 2009, to March 31, 2010; and authorize the Executive Director to sign the amendments.**

Motion carried unanimously. (CD 1/Track 3)

c. **Appraisals, Purchase/Sale Agreement and Resolution Requesting Funds, Myakkahatchee Creek, SWF Parcel Nos. 21-694-102 and 21-694-103C**

Assistant Land Resources Director Eric Sutton gave a summary of this project, which was presented to the November 26, 2007, Governing Board and, subsequently,

approved. He provided background, partnership opportunities, a description and maps of the property, the acquisitions process, and funding for the purchase/sales agreement and conservation easement of both 4,746 acres in fee and a perpetual conservation easement on approximately 7,630 acres owned by Mabry Carlton Ranch, Inc., as part of the District's Myakkahatchee Creek project.

This item was presented for the Board's information; no action was required. (CD 1/Track 4)

At 10:40 a.m., Co-Chair Glass requested a brief recess; the meeting reconvened at 10:47 a.m.

7. **Reports:**

a. **Basin Board Land Resources Committee Meeting**

Basin Board Land Resources Committee (BBLRC) Primary Representative Frank Strelec gave a brief report on the BBLRC meeting held immediately following the Public Land Acquisition and Management Partnership Conference in Sarasota on December 7. Basin Board Member Betsy Benac and Alternate BBLRC Representative Dora Thomas also attended the committee meeting. Mr. Strelec expressed thanks to Eric Sutton and Video Production Specialist Scott Harbison for their part in making the conference a success. He commented on problems facing land managers and the use of prescribed burns.

Ms. Thomas stated the conference was very informative, and Ms. Benac added that attending the conference is a good way to keep up with land issues. (CD 1/Track 5)

b. **Basin Board Education Committee**

Basin Board Education Committee (BBEC) Primary Representative Mac Carraway shared highlights of the November 13 BBEC meeting held in the Tampa Service Office. Topics included an update on the Water Conservation Hotel and Motel Program (Water C.H.A.M.P.) and how that program satisfies one of criteria for receiving certification as a DEP Green Lodge; Florida Yards and Neighborhoods homeowner and association outreach; media messaging; Community Education Grants applications that would be presented to the Basin Board in February 2008, and a new Watershed Education Resource Box developed for kindergarten through third grade students.

Co-Chair Glass provided Board members copies of *A Maintenance Checklist for a Water-Efficient Landscape* and *Landscape Water Conservation Calendar*, which she obtained at a recent seminar. (CD 1/Track 5)

c. **Sarasota Bay Estuary Program Policy Board**

Basin Representative Jack Bispham gave a brief report on the November 9 Sarasota Bay Estuary Program (SBEP) Policy Board meeting, which was held in the Dan McClure Auditorium at the Sarasota-Bradenton Airport. The main agenda item was approval of the 2008 budget. Mark Alderson, SBEP Executive Director, provided a brief update on the SBEP's possible move into a building next to the Mote Marine facility. (CD 1/Track 5)

d. **Report on Governing Board Activities**

Staff played pre-recorded highlights of the November 26 Governing Board meeting, which was narrated by Communications Manager Robyn Hanke. The brief recap included the Sarasota/Manatee area water emergency, conservation lands in the Carlton Preserve, the Lake Hancock Lake Level Modification project, Peace River/Manasota Regional Water Supply Authority Expansion projects, Facilitating Agricultural Resource

Management Systems (FARMS) projects, the Land Acquisition Volunteer of the Year, and presentation of an Audubon Society award to Land Resources Director Fritz Musselmann. (CD 1/Track 5)

8. **Announcements:**

- Ms. Kavouras brought the Board's attention to announcements listed on the agenda.
- Co-Chair Dabney mentioned a recent Mote Marine Policy Institute meeting where many threats to coastal waters were discussed. The Co-Chair suggested that, even though there are issues to be resolved, Sarasota and Manatee counties should "celebrate their accomplishments" and "do a better job of emphasizing their successes." (CD 1/Track 5)

9. **Adjournment:**

When there was no further business to come before the Board, Co-Chair Glass wished everyone Happy Holidays and adjourned the meeting at 11:25 a.m. (CD 1/Track 5)

*****Information Items*****

The item(s) 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. The item(s) did not require Board action.

1. City of North Port for North Port Water Enhancement Program (W437) - Execution Notice
2. Peace River/Manasota Regional Water Supply Authority Regional Resource Development Feasibility Study (H063) - Execution Notice
3. Sarasota Bay Spoil Islands Restoration Project – Second Amendment (W611) - Execution Notice
4. Sarasota County – Coastal Fringe Watershed Management Plan (L618) - Execution Notice