



**GOVERNING BOARD MEETING
TUESDAY, FEBRUARY 22, 2022 – 9:00 A.M.
7601 US 301 NORTH, TAMPA, FL 33637
(813) 985-7481**

MINUTES

Board Members Present

Kelly Rice, Chair
Joel Schleicher, Vice Chair
Ed Armstrong, Treasurer*
Michelle Williamson, Secretary
Jack Bispham, Member
Seth Weightman, Member
John Mitten, Member
Ashley Bell Barnett, Member
John E. Hall, Member
William Hogarth, Member*

*attended via electronic media

Staff Members

Brian J. Armstrong, Executive Director
Amanda Rice, Assistant Executive Director
Chris Tumminia, General Counsel
Brian Werthmiller, Inspector General
John Campbell, Division Director
Michelle Hopkins, Division Director*
Brian Starford, Division Director
Michael Molligan, Division Director
Jennette Seachrist, Division Director

Board Administrative Support

Virginia Singer, Board & Executive Services Manager
Lauren Vossler, Administrative Coordinator

1. Convene Public Meeting

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m., January 25, 2022, at the Tampa Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

This meeting was available for live viewing through Internet streaming. An attendance roster is archived in the District's permanent records. Approved minutes from meetings can be found on the District's website at WaterMatters.org.

1.1 Call to Order

Chair Rice called the meeting to order. He noted that the Board meeting was being recorded for broadcast on government access channels, and public input would be provided in person. Chair Rice 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 complete and submit a "Request to Speak" card. To assure that all participants have an opportunity to speak, members of the public may submit a Request to Speak card to comment on agenda items only during the meeting. If someone wishes to address the Board on an issue not on the agenda, a Request to Speak card may be submitted for comment during "Public Input." Chair Rice 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 topic designate a spokesperson.

Chair Rice introduced each member of the Governing Board and staff present at the dais (this served as roll call). A quorum was confirmed.

1.2 Invocation and Pledge of Allegiance

Board Member Jack Bispham led the invocation and the Pledge of Allegiance.

1.3 Employee Recognition

Chair Rice recognized employees that have reached at least 20 years of service. Mr. Will Vangelder was recognized.

1.4 Additions/Deletions to Agenda

Mr. Brian Armstrong, Executive Director, stated there were no changes to the agenda.

1.5 Public Input for Issues Not Listed on the Published Agenda

Mr. David Ballard Geddis, spoke against water jurisdictions.

CONSENT AGENDA

Finance/Outreach and Planning Committee

2.1 Resolution No. 22-01, Commending James G. Murphy for His Service as a Member of the Southwest Florida Water Management District Governing Board

Staff recommended the Board approve Resolution No. 22-01 commending James G. Murphy for his service as a member of the Southwest Florida Water Management District Governing Board.

2.2 Resolution No. 22-02, Commending Roger Germann for His Service as a Member of the Southwest Florida Water Management District Governing Board

Staff recommended the Board approve Resolution No. 22-02 commending Roger Germann for his service as a member of the Southwest Florida Water Management District Governing Board.

2.3 Office of Inspector General Calendar Year 2022 Audit Plan

Staff recommended the Board approve the Office of Inspector General Calendar Year 2022 Audit Plan.

2.4 Budget Transfer for Retiring End of Life Systems

Staff recommended the Board approve the budget transfer of \$300,000 from Hidden Lake/Yellow Lake Flood Protection (N967) for the procurement of software and services for retiring end of life systems.

2.5 FARMS – Lykes Bros. Inc., Lake Placid Grove Phase 3 (H799), Highlands County

Staff recommended the Board:

1. Approve the Lykes Bros. Inc., Lake Placid Grove Phase 3 project for a not-to-exceed project reimbursement of \$100,300 with \$100,300 provided by the Governing Board.
2. Authorize the transfer of \$100,300 from fund 010 H017 Governing Board FARMS Fund to the H799 Lykes Bros. Inc., Lake Placid Grove Phase 3 project fund.
3. Authorize the Assistant Executive Director to sign the agreement.

2.6 Corrected Deed of Conservation Easement for Horse Creek Mitigation Bank – Environmental Resource Permit No. 43041539.000 - DeSoto County

Staff recommended the Board approve, accept, and execute the attached Corrected Deed of Conservation Easement for the Horse Creek Mitigation Bank.

2.7 Authorization to Issue Administrative Complaint and Order - Inverness Village 4 Residential Subdivision - Unauthorized Construction Activities - CT No. 415879 - Citrus County

Staff recommended the Board:

1. Authorize District staff to issue an Administrative Complaint and Order to the Entities, and any other necessary party, to obtain compliance with District rules.
2. Authorize District staff to initiate an action in Circuit Court against the Entities, and any other necessary party, to obtain compliance with District rules and recover a civil penalty or administrative fine, enforcement costs, litigation costs, and attorneys' fees, if appropriate.
3. Authorize District staff to initiate an action in Circuit Court to enforce the Administrative Complaint and Order, if necessary.

2.8 Approve Governing Board Minutes - December 14, 2021

Staff recommended the Board approve minutes as presented.

A motion was made and seconded to approve the Consent Agenda. The motion passed unanimously. (Audio - 00:08:55)

Finance/Outreach and Planning Committee

Board Member Ashely Bell Barnett called the Committee meeting to order. (Audio - 00:09:17)

3.1 Consent Item(s) Moved to Discussion - None

3.2 Investment Strategy Quarterly Update

Mr. John Grady, Public Trust Advisors, provided information on GDP, inflation, the Bloomberg forecast, labor market, current and forecasted interest rates, yield curve information, and portfolio strategy updates. Mr. Grady responded to questions from the Board Members.

Mr. Grady provided an overview of the quarterly investment report for the period ending December 31, 2021.

Staff recommended the Board accept and place on file the District's Quarterly Investment Reports for the quarter ended December 31, 2021.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio - 00:20:34)

3.3 2022 Consolidated Annual Report

Ms. Trisha Neasman, Planning Lead, provided an overview and status update regarding the 2022 Consolidated Annual Report (CAR). She explained that water management districts are statutorily mandated to provide this report. Ms. Neasman provided an overview of information that is compiled in the CAR. Ms. Neasman outlined updates to the 2022-2026 Strategic Plan. She provided a timeline associated with finalizing the CAR.

This item was for information only. No action was required.

3.4 Budget Transfer Report

This item was for information only. No action was required.

3.5 Office of Inspector General Quarterly Update – October 1, 2021, to December 31, 2021

This item was for information only. No action was required.

Resource Management Committee

Board Member Seth Weightman called the Committee to order. (Audio – 00:33:35)

4.1 Consent Item(s) Moved to Discussion – None

4.2 McIntosh Park Integrated Water Management Plan - Third-Party Review (Q125)

Mr. Randy Smith, Natural Systems & Restoration Bureau Chief, provided information that included a project description, resource benefits, cost estimates, conclusions from the third-party review and staff evaluations of the project.

Mr. Smith explained that when the information was initially sent to the Board, there was a scrivener's error. A correction was provided to the Board and posted on the District's website.

Treasurer Joel Schleicher stated that although he supports the project, he does not encourage the District to provide funding for cost increases.

Secretary Michelle Williamson stated that she agrees that the District should not provide additional funding for cost increases. However, she stated that she did not consider this a cost increase as the Board only approved 30 percent design and third-party review. The Board is now considering the final cost of the project based on the 30 percent design and third-party review.

Staff recommended the Board authorize continuation of the project and approve amending the Cooperative Funding Agreement to include a total project cost of \$11,163,343 with the District's share of \$5,581,671.50 for third-party review, design, permitting and construction of the McIntosh Park Integrated Water Management Plan project (Q125).

A motion was made and seconded to approve staff's recommendation. The motion passed with nine in favor and one opposed. Treasurer Schleicher expressed his concern regarding the additional costs associated with the project. (Audio - 00:39:40)

4.3 Five-Year Water Resource Development Work Program

This item was for information only. No action was required.

Ms. Jennette Seachrist, Resource Management Director, stated the Board has been provided a revised Cooperative Funding Initiative (CFI) Process Overview and CFI Project Evaluations for the upcoming meetings in February.

Operations, Lands and Resource Monitoring Committee

Board Member Jack Bispham called the Committee to order. (Audio – 00:46:11)

5.1 Consent Item(s) Moved to Discussion – None

Regulation Committee

Vice Chair Schleicher called the Committee meeting to order. (Audio – 00:46:37)

6.1 Consent Item(s) Moved to Discussion - None

6.2 Denials Referred to the Governing Board

No denials were presented.

6.3 Water Use Permit No. 20011771.002, Consolidated Permit/Tampa Bay Water (Hillsborough, Pasco, Pinellas Counties)

Mr. Darrin Herbst, Water Use Permitting Bureau Chief, presented information that outlined the creation of the Northern Tampa Bay Water Use Caution Area (NTBWUCA). He provided an historical overview of the development of the Tampa Bay Water (TBW) Consolidated Permit. Mr. Herbst acknowledged the successful environmental recovery strategy that has occurred with the partnership between the District and TBW.

Mr. Herbst reminded the Board that because of the success environmental recovery, the Board determined the recovery strategy was no longer necessary and it was repealed in March of this year. However, the NTBWUCA requirements are still in place.

Mr. Herbst provided an overview of the Consolidated Permit which included an extensive monitoring plan, an optimized regional operational plan, and the option, if necessary, of well complaint mitigation area submittals.

Board Member Jack Bispham asked about projected growth and future sources. Mr. Herbst responded that the District has a five-year regional water supply plan and TBW has a 20-year water supply plan that is updated every five years. Ms. Jennette Seachrist stated TBW has identified an additional need for water over the next 20 years and many options are being evaluated.

Mr. Warren Hogg, Tampa Bay Water General Manager, thanked the District for its partnership with TBW. He stated that TBW will continue to explore alternative sources. Board Member Bispham asked if there are any plans for a deep well project as in the eastern part of Polk County. Mr. Hogg responded that it is not in the master plan.

Staff recommended the Board approve the proposed permit provided.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:06:33)

General Counsel's Report

7.1 Consent Item(s) Moved to Discussion - None

Committee/Liaison Reports

8.1 Agricultural and Green Industry Advisory Committee

Executive Director's Report

9.1 Executive Director's Report

Mr. Brian Armstrong, Executive Director, commended the District and TBW for its continuing partnership.

Mr. Armstrong recognized the upcoming retirement of Mr. JP Marchand, Water Resources

Bureau Chief.

Chair's Report

10.1 Chair's Report

Chair Kelly Rice recognized Mr. Adam Blalock, Florida Department of Environmental Protection Deputy Secretary, who attended the meeting.

Chair Rice stated the next Governing Board meeting is scheduled for February 22 at 9:00 a.m., in the Brooksville Service Office. Chair Rice also reminded the Board of the upcoming FY2022 Cooperative Funding Initiative meetings.

10.2 Employee Milestones

Chair Rice recognized the following staff for their employee milestones: Dennis Cockrell, Lizanne Garcia and Brian Walker.

Adjournment

The meeting adjourned at 10:12 a.m.