



**GOVERNING BOARD MEETING
TUESDAY, MARCH 28, 2023 – 9:00 AM
2379 BROAD STREET, BROOKSVILLE, FL 34604
(352) 796-7211**

MINUTES

Board Members Present

Joel Schleicher, Chair
Ed Armstrong, Vice Chair
Michelle Williamson, Secretary
John Mitten, Treasurer
Kelly Rice, Former Chair
Jack Bispham, Member
Ashley Bell Barnett, Member*
John Hall, Member
James Holton, Member
Dustin Rowland, Member
Robert Stern, Member

*Attend via electronic media

Staff Members

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

Board Administrative Support

Virginia Singer, Board & Executive Services Manager
Lori Manuel, 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., March 28, 2023, at the Brooksville Office, 2379 Broad Street, Brooksville, Florida 34604.

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 Joel Schleicher 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 Schleicher 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. Chair Schleicher 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 Schleicher 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 offered the invocation and Pledge of Allegiance.

1.3 Employee Recognition

None were presented.

1.4 Additions/Deletions to Agenda

Mr. Brian Armstrong, Executive Director, stated the following item was being deleted from the agenda:

Operations, Lands and Resource Monitoring Committee

2.6 Amended and Restated Site Agreement for Land – Cell Phone Tower, SWF Parcel No. 20-503-257X.”

Board Member Ashley Bell Barnett requested the following item be moved from Consent to Discussion:

Finance/Outreach & Planning Committee

2.3 Knowledge Management: Election of Governing Board Officers Policy

Chair Schleicher stated there was good cause to approve the amended agenda as allowed by Section 120.525, Florida Statutes.

1.5 Public Input for Issues Not Listed on the Published Agenda

Mr. Sean Fitzgerald spoke regarding his opinion of circumstances related to former District employees.

Mr. David Ballard Geddes spoke regarding Senate Bill 1240.

Consent Agenda

Finance/Outreach & Planning Committee

2.1 Springs Protection Awareness Month

Staff recommended the Board approve and execute Resolution No. 23-01 declaring April 2023 as “Springs Protection Awareness Month.”

2.2 Water Conservation Month

Staff recommended the Board approve and execute Resolution No. 23-02 declaring April 2023 as “Water Conservation Month.”

~~2.3 Knowledge Management: Election of Governing Board Officers Policy~~

~~Staff recommended the Board approve the proposed changes to the policy.~~

2.4 Brooksville Building 3 Roof Replacement Budget Transfer

Staff recommended the Board approve the budget transfer of \$250,000 from Facilities Districtwide Window Replacements (C217) to Facilities Districtwide Roof Replacements (C224).

Operations, Lands and Resource Monitoring Committee

2.5 Right of First Refusal – Modica Conservation Easement, SWF Parcel No. 10-200-1144C

Staff recommended the Board:

- Approve declining the right of first refusal to purchase the remainder fee simple interest for SWF Parcel No. 10-200-1144C that is subject to a District conservation easement; and

- Authorize the Executive Director to execute the necessary documents to decline the first right of refusal on SWF Parcel No. 10-200-1144C.

2.6 Amended and Restated Site Agreement for Land – Cell Phone Tower, SWF Parcel No. 20-503-257X

~~Staff recommended the Board:~~

- ~~• Approve the Amended and Restated Site Agreement for Land with T-Mobile USA Tower LLC for the operation and maintenance of a cell phone tower on District lands, SWF Parcel 20-503-257X.~~
- ~~• Authorize the Executive Director to sign the Amended and Restated Site Agreement for Land, SWF Parcel 20-503-257X.~~

Executive Director's Report

2.7 Approve Governing Board Minutes - February 28, 2023

Staff recommended the Board approve the minutes as presented.

A motion was made and seconded to approve the Consent Agenda. The motion carried unanimously. (Audio - 00:12:31/14:20)

Finance/Outreach and Planning Committee

Treasurer John Mitten called the committee to order. (Audio - 00:12:56)

3.1 Consent Item(s) Moved to Discussion

2.3 Knowledge Management: Election of Governing Board Officers Policy

Mr. Brian Armstrong, Executive Director, stated that due to technical issues with audio communication via remote access with Board Member Barnett, he recommended tabling this item until the April Board meeting.

A motion was made and seconded to table this item for the April 25 Governing Board meeting. The motion carried unanimously. (Audio - 00:40:56)

3.2 Fiscal Year 2021-22 Annual Comprehensive Financial Report

Mr. James Halleran, CPA, James Moore & Company, provided an overview of the independent audit for the year ending September 30, 2022. He outlined the information in the Independent Auditor's Reports. Mr. Halleran stated that the District received a "pass" rating from the last Financial Statement opinion in 2021 and anticipates the same rating this year. Mr. Halleran provided an overview of the financial statements provided by the District and the audit reports prepared by James Moore & Company. He summarized any changes that occurred in the District's General Fund, Florida Forever Capital Fund and Capital Projects Fund. Mr. Halleran provided a comparison table from FY2020 through FY2022 for specific fund balances. He provided information concerning pensions and other post-employment benefits.

Staff recommended the Board accept and place on file the District's Annual Comprehensive Financial Report pursuant to Chapter 10.550, Rules of the Auditor General. The report also included the Management Letter and Independent Accountants' Report for fiscal year ended September 30, 2022.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio - 00:26:30)

3.3 Financial Systems Upgrade

Mr. Brandon Baldwin, Business and IT Services Director, presented information outlining the current financial systems, reasons concerning the need for upgrading, scope of the project, benefits, implementation and costs, and a timeline. Mr. Baldwin responded to questions.

This was for information only. No action was required.

3.4 Budget Transfer Report

Resource Management Committee

Secretary Michelle Williamson called the committee to order. (Audio: 00:41:27)

4.1 Consent Item(s) Moved to Discussion - None

4.2 Knowledge Management: Cooperative Funding Initiative Governing Board Policy

Mr. Kevin Wills, CFI Program Lead, presented the proposed changes to the Cooperative Funding Initiative (CFI) Governing Board Policy. He explained that under the current CFI Policy and practice, grant funds received by a cooperator proportionally reduce each party's share of the total project cost. Based on the Board's direction, staff proposed revisions to the CFI Policy that would allow cooperators to use state or federal appropriations or grant monies to cover cost increases. Mr. Wills provided three examples of how the proposed changes to the policy would be demonstrated. These three examples included: 1) a project with no cost increase; 2) a project with a cost increase; and 3) grant exceeding project cost increases.

Staff recommended the Board approve the changes to the Cooperative Funding Initiative Governing Board Policy.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio - 00:50:35)

4.3 2022 Storm Debris Assessments for Peace Creek Canal and Flint Creek

Ms. Nicole Mytyk, P.E., Engineering & Watershed Management Supervisor, presented an overview of waterway conveyance debris management activities for the Peace Creek Canal and Flint Creek due to Hurricane Ian impacts. She stated the District has applied for federal funding assistance through the Natural Resources Conservation Services (NRCS) Emergency Watershed Protection Program. This program may reimburse up to 75 percent of debris removal costs. Ms. Mytyk explained how storm debris has affected the conveyance of these waterways. She summarized the process, benefits, and costs of debris removal. Ms. Mytyk provided a timeline for future tasks.

Ms. Mytyk stated that staff intends to present updated cost and funding information at the April Governing Board meeting.

Board Members discussed the prudence of securing contracts with vendors prior to the hurricane season.

Board Members asked if arrangements for debris removal could be made in absence of funding from the NRCS. Ms. Jennette Seachrist, Resource Management Director, explained that staff will be presenting recommendations at the April Board meeting.

This was for information only. No action was required.

4.4 FY2023 Springs Projects Selected for Funding by FDEP

Mr. Jay Hoecker, Water Resources Bureau Chief, presented an overview of the four FY2023 Springs Projects selected for funding by the FDEP. He stated the projects are located in the coastal area of Citrus County, near Homosassa Springs, within the Priority Focus Area (PFA) of the Chassahowitzka/Homosassa Basin Management Action Plan (BMAP). These projects included: WH04 Old Homosassa West Septic to Sewer, Old Homosassa East Septic to Sewer, Old Homosassa North Septic to Sewer and WH07 Old Homosassa Park Septic to Sewer. Mr. Hoecker provided a summary of each project that included benefits, costs and funding.

Staff recommended the Board:

- a. Approve applying 2022 and 2023 state appropriations from the Land Acquisition Trust Fund (LATF) for Springs Water Quality Improvements and for Springs Restoration to the WH04, Q134, WH06, and WH07 projects selected by the Florida Department of Environmental Protection as outlined above.
- b. Approve applying state appropriations toward the project cost increases for Citrus County Old Homosassa West Septic to Sewer (WH04) and Citrus County Old Homosassa East Septic to Sewer (Q134) projects, consistent with the proposed CFI Policy revisions under agenda item 4.2.
- c. Approve a budget transfer from the Springs Initiative Grant Program (H104) to the selected projects in the amount of \$14,416,750, of which \$11,440,500 is from the FDEP and \$2,976,250 is the required District match, as outlined above.

A motion was made and seconded to approve staff's recommendation. The motion passed with ten in favor and one opposed. Chair Schleicher expressed concern regarding the cost of the project. (Audio - 01:17:55)

Operations, Lands & Resource Monitoring Committee

Board Member Jack Bispham called the committee to order. (Audio - 01:19:00)

5.1 Consent Item(s) Moved to Discussion - None

Regulation Committee

Board Member John Hall called the committee to order. (Audio - 01:19:37)

6.1 Consent Item(s) Moved to Discussion - None

6.2 Denials Referred to the Governing Board

No denials were presented.

General Counsel's Report

7.1 Consent Item(s) Moved to Discussion - None

Mr. Chris Tumminia, General Counsel, provided an update of the Inverness Village Unit IV development. He stated communication from Citrus County (County) was received that deviated from the direction provided by the Citrus County Commissioners. Staff is evaluating and will continue to communicate with the County. In addition, the Florida Department of Environmental Protection has initiated an enforcement action for non-compliance with the National Pollutant Discharge Elimination System Program as related to this project.

Committee/Liaison Reports

8.1 Industrial Advisory Committee

A written summary of the February 17 tour of the Port of Tampa was provided.

8.2 Public Supply Advisory Committee

A written summary of the February 14 meeting was provided.

Executive Director's Report

9.1 Executive Director's Report

Mr. Brian Armstrong, Executive Director, acknowledged appreciation to Governor DeSantis and the Florida Legislature for continuing to allocate funding for the protection of the springs.

Mr. Armstrong informed the Board that the State Auditor General's Office will be performing a scheduled audit at the District during the next several months starting in April.

Mr. Armstrong stated that he recently spoke at the Annual WateReuse Symposium. In addition, the District was presented with an Award of Excellence for The One Water Florida Outreach and Education campaign initiative. This campaign was a collaboration with the Florida Department of Environmental Protection (DEP), the state's five water management districts, WateReuse Florida, utilities and other stakeholders.

Chair's Report

10.1 Chair's Report

Chair Schleicher stated the next meeting is scheduled for April 25 at 9:00 a.m., in the Tampa office.

10.2 Employee Milestones

Chair Schleicher recognized staff that had reached milestones.

Adjournment

The meeting adjourned at 10:41 a.m.