MINUTES OF THE MEETING

GOVERNING BOARD
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

CLEARWATER, FLORIDA JUNE 25, 2019

The Governing Board of the Southwestern Florida Water Management District (District) met for its regular meeting at 9:00 a.m., on June 25, 2019 at Tampa Bay Water, 2575 Enterprise Road, Clearwater, Florida. The following persons were present:

Board Members Present
Bryan Beswick, Chair
Michelle Williamson, Secretary
H. PaulSenft, Member *Via Phone
Kelly S. Rice, Member
Mark Taylor, Member
Joel Schleicher, Member
Rebecca Smith, Ph.D., Member
James G. Murphy, Member

Board Members Absent
John Henslick, Member

Staff Members
Brian J. Armstrong, Executive Director
Amanda Rice, Assistant Executive Director
Karen E. West, General Counsel
Brian Werthmiller, Inspector General
John J. Campbell, Division Director
Brian Starford, Acting Division Director
Alba E. Már, Division Director
Michael Molligan, Division Director
Jennette Seachrist, Division Director

Board Administrative Support
Caroline Browning, Board & Executive Services Manager
Lori Manuel, Administrative Assistant

A list of others in attendance, who signed the attendance roster, is filed in the permanent records of the District. This meeting was available for viewing through Internet streaming. Approved minutes from previous meetings can be found on the District’s website (www.WaterMatters.org).

PUBLIC HEARING (00:00)

1. Call to Order
Chair Beswick called the meeting to order and opened the public hearing. Secretary Williamson stated a quorum was present.

2. Invocation and Pledge of Allegiance
Board Member Smith offered the invocation and led the Pledge of Allegiance to the Flag of the United States of America.

Chair Beswick introduced each member of the Governing Board. He noted that the Board meeting was recorded for broadcast on government access channels, and public input was only taken during the meeting onsite.

Chair Beswick 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 fill out and submit a “Request to Speak” card. To assure that all participants have an opportunity to speak, a member of the public may submit a speaker’s card to comment on agenda items only during today’s meeting. If the speaker wishes to address the Board on an issue not on today’s agenda, a speaker’s card may be submitted for comment during “Public Input.” Chair Beswick 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 issue/topic designate a spokesperson.
3. **Employee Recognition**
Chair Beswick recognized employees who have reached at least 20 years of service with the District and thanked them for their service. The following staff were recognized: Adam Hange, Teri Rhodes, Lisann Morris, Xinjian Chen, William Overstreet and Alan Saxton.

4. **Election of Governing Board Officers**
Chair Beswick reminded the Board that the May elections for officers were delayed until this Board meeting due to vacancies.

Ms. Karen West, general counsel, provided an overview of the nomination and election process.

Chair Beswick made a motion to slate the nomination for officers as followed: Chair, Mark Taylor; Vice Chair, Michelle Williamson; Secretary, Joel Schleicher; and Treasurer, Kelly Rice. The motion was seconded and carried unanimously. (00:06:25)

5. **Additions/Deletions to Agenda**
Mr. Brian Armstrong, executive director, stated the following items were deleted from the agenda:

13. **Individual Water Use Permits Referred to the Governing Board**
   b. WUP No. 20020376.002 - Bennett Road / Pebbledale Farms, Inc. (Hardee County)

14. **Administrative, Enforcement and Litigation Activities that Require Governing Board Approval**
   b. Authorization to Issue Administrative Complaint and Order - Water Well Construction Violations - Ryan Etheridge – License No. 9467 – CT No. 403619 – Hillsborough County, Florida

   Board Member Schleicher asked that the following item be moved:

11. **District Agricultural - Type Tractor Replacement**
Chair Beswick said there is good cause to approve the amended agenda as allowed by Section 120.525, Florida Statutes. A motion was made to approve the amendments to the published agenda, which was seconded. The motion carried unanimously. (00:08:30)

6. **Public Input for Issues Not Listed on the Published Agenda**
Mr. David Ballard Geddes spoke regarding constitutional treason.

Mr. Neil Combee, representing Crosby & Associates, Inc., spoke regarding a potential property exchange with the District

**Resource Management Committee**

7. **FY2019 Springs Septic and Package Plant Conversion Projects Update**
Staff recommended the Board approve the revised project evaluations for W430, W432, W434, and WH04 provided as Exhibit 1.

**Finance/Outreach & Planning Committee**

8. **Independent Auditing Services Contract**
Staff recommended the Board:
   • Exercise the renewal option within the current contract and approve the second amendment to the agreement engaging James Moore & Company (JMCO) to perform the fiscal year 2018-19 auditing services, and
   • Authorize the Executive Director to execute the second amendment to the current contract with JMCO to perform the fiscal year 2018-19 auditing services.
9. Knowledge Management: Travel Governing Board Policy
   Staff recommended the Board approve the Travel Governing Board Policy as revised.

10. Governing Board Travel - Annual Environmental Permitting Summer School
    Staff recommended the Board approve Governing Board travel as presented.

11. District Agricultural - Type Tractor Replacement
    Staff recommended the Board authorize to purchase a replacement agricultural-type tractor
    with a Kubota Model M6-141, or equivalent, for $94,891.40 utilizing the Capital Field
    Equipment Replacement Fund and to approve the disposition of the existing Massey
    Ferguson tractor at public auction.

12. Budget Transfer Report
    Staff recommended the Board approve the Budget Transfer Report covering all budget
    transfers for May 2019.

Operations, Lands and Resource Monitoring Committee – None

Regulation Committee
13. Individual Water Use Permits Referred to the Governing Board
    a. WUP No. 20020818.000 - Longino Ranch - Flint Farm Southern / Longino Ranch, Inc.
       (Sarasota County)
       Staff recommended the Board approve the proposed permit attached as an exhibit.

    b. WUP No. 20020376.002 - Bennett Road / Pebbledale Farms, Inc. (Hardee County)
       Staff recommended the Board approve the proposed permit attached as an exhibit.

General Counsel's Report
14. Administrative, Enforcement and Litigation Activities that Require Governing Board
    Approval
    a. Authorization to Issue Administrative Complaint and Order – Well Construction
       Violations – James L. Barfield – License Number 9387 – CT No. 403417 – Hillsborough
       County, Florida
       Staff recommended the Board:
       1. Authorize District staff to issue an Administrative Complaint and Order to James
          L. Barfield to obtain compliance, recover an administrative fine/civil penalty, and
          recover any District costs and fees, if appropriate.
       2. Authorize District staff to obtain compliance with the terms of the Administrative
          Complaint and Order in Circuit Court, if necessary.

    b. Authorization to Issue Administrative Complaint and Order – Water Well Construction
       Violations – Ryan Etheridge – License No. 9467 – CT No. 403619 – Hillsborough County,
       Florida
       Staff recommended the Board:
       1. Authorize District staff to issue an Administrative Complaint and Order to Ryan
          Etheridge to obtain compliance, recover an administrative fine/civil penalty, and
          recover any District costs and fees, if appropriate.
       2. Authorize District staff to obtain compliance with the terms of the Administrative
          Complaint and Order in Circuit Court, if necessary.

    c. Authorization to Issue Administrative Complaint and Order – Water Use Without a
       Permit – the Links at River Ridge – WUP No. 20008118.003 (EXPIRED) – CT No. 400298 –
       Pasco County, Florida
       Staff recommended the Board:
Minutes of the Meeting  
SWFWMD Governing Board  
June 25, 2019  
Page 4 of 9

1. Authorize District staff to issue an Administrative Complaint and Order to The Links, and any other necessary parties, to obtain compliance with state law and District rules.
2. Authorize District staff to initiate an action in Circuit Court to prevent the unauthorized withdrawal of water until The Links obtains a water use permit.
3. Authorize District staff to initiate an action in Circuit Court to obtain compliance with the Administrative Complaint and Order, recover an administrative fine/civil penalty, and recover District enforcement costs, litigation costs, and attorneys’ fees, if appropriate.

15. Rulemaking - None

Executive Director’s Report
16. Approve CFI Southern Region Meeting Minutes – April 3, 2019  
Staff recommended the Board approve the minutes as presented.

17. Approve CFI Heartland Region Meeting Minutes – April 4, 2019  
Staff recommended the Board approve the minutes as presented.

18. Approve CFI Northern Region Meeting Minutes – April 10, 2019  
Staff recommended the Board approve the minutes as presented.

19. Approve CFI Tampa Bay Region Meeting Minutes - April 11, 2019  
Staff recommended the Board approve the minutes as presented.

20. Approve Governing Board Minutes - May 21, 2019  
Staff recommended the Board approve the minutes as presented.

A motion was made and seconded to approve the Consent Agenda as amended. The motion carried unanimously. (00:12:30/00:21:29)

Chair Beswick relinquished the gavel to the Resource Management Committee Chair Rice, who called the meeting to order. (00:12:49)

Resource Management Committee Discussion
21. Consent Item(s) Moved for Discussion - None

22. Tampa Bay Water Update  
Mr. Matt Jordan, Tampa Bay Water (TBW) general manager, provided an update regarding TBW. Mr. Jordan stated the partnership with the District has helped develop a regional system that has been serving the Tampa Bay region for twenty years.

Mr. Jordan stated the TBW Board approved a long-term master water plan. TBW will continue to study three projects that will evaluate expanding desalinated sea water, evaluate expanding surface water and develop new ground water using the South Hillsborough Aquifer Recharge Program (SHARP).

This item was for the Board’s information and no action was required.

23. City of Punta Gorda Reverse Osmosis (RO) Water Treatment Facility (N780) - Cost Change  
Mr. Eric DeHaven, Resource Management assistant director, provided a presentation regarding the request to amend the cooperative funding agreement for the City of Punta Gorda (City) reverse osmosis water treatment facility.
Mr. DeHaven provided historical information regarding the City's RO water treatment facility. He explained that the City has issues with secondary drinking water standards. To address the marginal water quality issue, the City is constructing a 4.0 million gallons a day (mgd) RO facility, co-funded by the District, to treat mineralized ground water that will be blended with surface water provided from the Shell Creek surface water treatment plant. Mr. DeHaven outlined the benefits of this project.

Mr. DeHaven outlined the cost changes associated with this project. He explained the total project cost remains at 39.4 million dollars, but the City is only requesting an increase of 36.6 million dollars. He stated the District's share will be 2.2 million dollars.

Mr. DeHaven stated that Lower Shell Creek Estuary is scheduled to adopt a minimum flows and level (MFLs) by 2020. He stated that MFLs are not being met 20 percent of the time. He stated this project, in addition to the construction of an interconnect pipeline, will assist with a recovery strategy for this system.

Mr. DeHaven stated the project was originally ranked medium but has been moved to a high ranking because of the project necessity to meet the MFLs.

Board Member Schleicher asked if the project will proceed without the additional funding from the District. Mr. DeHaven responded in the affirmative. Discussion ensued regarding third-party review.

Staff recommended the Board:
1. Authorize staff to amend the cooperative funding agreement with the City of Punta Gorda for the RO Water Treatment Facility Project (N780) to increase the total eligible project cost from $32,200,000 to $36,600,000 and increase the District's funding share from $15,650,000 to $17,850,000.
2. Authorize staff to include the District's share of the cost increase ($2,200,000) in the draft Standard Format Tentative Budget Submission for FY2020 which will be presented to the Board for approval at the July meeting.

A motion was made and seconded to approve staff's recommendation. The motion carried with seven in favor and one opposed. (00:51:13)

Submit & File Reports – None

Routine Reports
The following items were provided for the Committee's information, and no action was required.

24. Minimum Flows and Levels Status Report
25. Significant Water Resource and Development Projects

Committee Chair Rice relinquished the gavel to the Finance/Outreach & Planning Committee Chair Williamson, who called the meeting to order. (00:51:43)

Finance/Outreach & Planning Committee Discussion
26. Consent Item(s) Moved for Discussion

11. District Agricultural - Type Tractor Replacement
Board Member Schleicher commended staff for purchasing an American-made product which he stated is more efficient.

Mr. John Campbell, Director of Management Services, provided a suggested edit to the staff
recommendation:

Staff recommended the Board authorize the transfer of funds from Capital Field Equipment Replacement account and purchase a replacement agricultural-type tractor with a Kubota Model M6-141, or equivalent, for $94,891.40, and approve the disposition of the existing Massey Ferguson tractor at public auction.

Staff recommended the Board authorize to purchase a replacement agricultural-type tractor with a Kubota Model M6-141, or equivalent, for $94,891.40, utilizing the Capital Field Equipment Replacement Fund and to approve the disposition of the existing Massey Ferguson tractor at public auction.

A motion was made and seconded to approve staff’s recommendation. The motion carried unanimously. (00:53:30)

27. Fiscal Year (FY) 2020 Recommended Annual Service Budget

Mr. John Campbell, Resource Management director, provided a presentation outlining the FY2020 Recommended Annual Service Budget (RASB). The presentation included a budget development calendar, expenditure goals and outcomes, expenditures by category, expenditures by program, expenditures by areas of responsibility and revenues by source.

Ms. Seachrist, Resource Management director, provided an overview of the Resource Management Division proposed FY2020 budget. She stated the overall budget has increased by approximately 17.5 percent and outlined the reasons for the increase.

Mr. Brian Starford, Operations, Lands and Resource Monitoring acting director, provided an overview of the Operations, Lands and Resource Monitoring Division proposed FY2020 budget. He stated the overall budget increased by approximately 15.1 percent and outlined the reasons for the increase.

Ms. Alba Más, Regulation director, provided an overview of the Regulation Division proposed FY2020 budget. She stated the budget has increased by approximately 1.3 percent and outlined the reasons for the increase.

Mr. Michael Molilligan, Employee and External Relations director, provided an overview of the Employee and External Relations Division proposed FY2020 budget. He stated the budget has increased by approximately four percent and outlined the reasons for the increase.

Mr. Campbell provided an overview of the Management Services Division proposed FY2020 budget. He stated the budget has decreased by approximately 6.6 percent and outlined the reasons for the decrease.

Mr. Campbell provided an overview of the budget allocation by program area and area of responsibility.

Staff recommended the Board authorize staff to prepare the Standard Format Tentative Budget Submission for FY2020 based on the recommended budget as presented, adjusted for any modifications made by the Governing Board on June 25, changes in estimated ad valorem revenue based on the July 1 certifications of taxable value and any additional funding provided by the state.

A motion was made and seconded to approve staff’s recommendation. The motion carried with seven in favor and one opposed. (01:40:40)
Submit & File Reports

28. Knowledge Management: Legislative Coordination
   Mr. Molligan stated this is an update to a Governing Board policy. He explained the only change to
   the policy is the bureau name and formatting. Mr. Molligan stated the policy will be submitted at
   the July Board meeting for approval.

Routine Reports
The following items were provided for the Committee’s information, and no action was required.
29. Treasurer’s Report and Payment Register
30. Monthly Financial Statement
31. Monthly Cash Balances by Fiscal Year
32. Comprehensive Plan Amendment and Related Reviews Report

Committee Chair Williamson relinquished the gavel to the Operations, Lands and Resource
Monitoring Acting Committee Chair Murphy, who called the meeting to order. (01:41:58)

Operations, Lands and Resource Monitoring Committee
Discussion
33. Consent Item(s) Moved for Discussion - None

34. 2019 Hurricane Preparedness
   Mr. Kawika Bailey, Emergency Coordinating officer, provided a presentation. This included a
   review of the 2018 hurricane season, 2019 hurricane forecast, overview of the District’s
   responsibilities as related to State Management Response Team (SERT), the District’s primary
   responsibilities, emergency operations organizational chart, preparedness activities and canal
   debris management performed on Peace Creek canal.

   This item was provided for the Board’s information only, and no action was required.

35. Knowledge Management: New Construction, Refurbishment or Replacement of District
   Flood Control and Water Conservation Structures
   Mr. Jerry Mallams, Operations and Lands Bureau chief, provide a presentation. He presented an
   overview of the recommended changes to the policy. Mr. Mallams stated that approval of the
   revised policy will be requested on the consent agenda at the July Board.

   This item was presented for the Board’s information and no action was requested.

Submit & File Reports
36. Hydrologic Conditions Report

Routine Reports
The following items were provided for the Committee’s information, and no action was required.
37. Surplus Lands Update
38. Structure Operations
39. Significant Activities

Acting Committee Chair Murphy relinquished the gavel to the Regulation Committee Chair
Taylor, who called the meeting to order. (01:46:46)

Regulation Committee
Discussion
40. Consent Item(s) Moved for Discussion - None
41. **Denials Referred to the Governing Board**
   No denials were submitted to the Board.

**Submit & File Reports - None**

**Routine Reports**
The following items were provided for the Committee's information, and no action was required.

42. **DPWUCA Flow Meter AMR Implementation Program Update**
44. **Individual Permits Issued by District Staff**

Committee Chair Taylor relinquished the gavel to Chair Beswick. (01:57:27)

**General Counsel's Report**

**Discussion**
45. **Consent Item(s) Moved for Discussion - None**

Ms. Karen West, general counsel, provided an update regarding the rule challenge filed by the Rainbow River Group for the Rainbow River Minimum Flows and Levels (MFLs). The Department of Administrative Hearing (DOAH) will issue a final order by September.

**Submit & File Reports - None**

**Routine Reports**
The following items were provided for the Committee's information, and no action was required.

46. **June 2019 Litigation Report**
47. **June 2019 Rulemaking Report**

**Committee/Liaison Reports**

48. **Agricultural & Green Industry Advisory Committee**
   A written summary was provided for the June 6 meeting.

49. **Other Committee/Liaison Reports**

**Executive Director's Report**

50. **Executive Director's Report**
    Mr. Brian Armstrong, executive director, thanked the Governor and the Legislature for the approval of approximately 12 million dollars in springs funding that has been allocated to the District for FY2020.

    Mr. Armstrong stated that Board Member Maggard has resigned after being elected to the Florida House of Representatives.

**Chair's Report**

51. **Chair's Report**
    Chair Beswick stated the next meeting is on July 23 at 9:00 a.m. at the District's Tampa office.

52. **Other**
53. **Employee Milestones**
The meeting was adjourned at 11:14 a.m.

Attest:

[Signature]

Chair

[Signature]

Secretary