MINUTES OF THE MEETING

GOVERNING BOARD

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

BROOKSVILLE, FLORIDA

JULY 23, 2019

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m., on July 23, 2019, at the District’s Brooksville Office, 2379 Broad Street Brooksville, Florida. The following persons were present:

**Board Members Present**
- Mark Taylor, Chair
- Michelle Williamson, Vice Chair
- Joel Schleicher, Secretary
- Kelly S. Rice, Treasurer* via phone
- H. Paul Senft, Member
- Rebecca Smith, Ph.D., Member* via phone
- 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. Más, 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 Mark Taylor called the meeting to order and opened the public hearing. Secretary Schleicher stated a quorum was present.

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

Chair Taylor 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 Taylor 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 Taylor 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.
2a. Oath of Office for Appointed or Reappointed Board Members
Ms. Caroline Browning, Board and Executive Services manager, administered the Oath of Office for Secretary Joel Schleicher.

3. Employee Recognition
Chair Taylor 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: Butch DeVary, Shellie Ferreira-Lee, and James Beasley.

4. Additions/Deletions to Agenda
Chair Taylor stated the following item was added to the agenda:

2a. Oath of Office for Appointed or Reappointed Board Members

Mr. Brian Armstrong, executive director, stated there were no other changes to the agenda.

Board Member Schleicher asked that the following item be moved to discussion:

11. Individual Water Use Permits Referred to the Governing Board
c. WUP No. 20020376.002 - Bennett Road/Pebbledale Farms, Inc. (Hardee County)
   Staff recommended the Board approve the proposed permit attached as an exhibit.

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

5. Public Input for Issues Not Listed on the Published Agenda
Mr. David Ballard Geddes spoke regarding concerns as related to government.

Board Member Paul Senft expressed his personal objection as to the characterization stated by Mr. Geddes. Chair Taylor reaffirmed this objection.

Ms. Taren Wadley spoke regarding unwanted fish harvesting. Ms. Jennette Seachrist provided an update regarding assistance staff has provided to Ms. Wadley.

Consent Agenda

Finance/Outreach & Planning Committee
6. Adopt Resolutions to Identify New Slate of Officers for Financial Documents
Staff recommended the Board:
1. Authorize the new slate of officers to apply their signatures to the required financial documents and;
2. Adopt Resolution No. 19-10 authorizing the signatures of the newly elected officers of the Governing Board of the District and the use of facsimile or manual signatures on all warrants or checks of the District.
3. Adopt the SunTrust Deposit Account Resolution and Authorization for Business Entities document to identify the new slate of officers as authorized signers on existing accounts and give the officers the authority to give direction or confirmation to the Bank on all matters regarding the District's deposit accounts.
4. Adopt the SunTrust Corporate Resolution document to identify the new slate of officers as authorized signers on existing accounts and give the officers the authority to give direction or confirmation to the Bank on all matters regarding the District's custody accounts.
7. Final Liquidation of the Network Storage Replacement Fund
   Staff recommended the Board approve the transfer of $280,715 from the Network Storage
   Replacement Fund to procure hardware, software, warranty and services associated with
   the replacement of the District’s enterprise network hardware.

8. Knowledge Management: Legislative Coordination Governing Board Policy
   Staff recommended the Board approve the Legislative Coordination Policy as presented.

9. Budget Transfer Report
   Staff recommended the Board approve the Budget Transfer Report covering all budget
   transfers for June 2019.

Resource Management Committee – None

Operations, Lands and Resource Monitoring Committee

10. Knowledge Management: New Construction, Refurbishment or Replacement of District
    Flood Control and Water Conservation Structures Governing Board Policy
    Staff recommended the Board approve the Policy for New Construction, Refurbishment or
    Replacement of District Flood Control and Water Conservation Structures as revised.

Regulation Committee

11. Individual Water Use Permits Referred to the Governing Board
    a. WUP No. 20002164.011 - C. R. Melar Corporation/Debra and Thomas S. Watkins, Et Al
       (Hardee County)
       Staff recommended the Board approve the proposed permit attached as an exhibit.

    b. WUP No. 20009419.009 - South Patrick Grove/Alico, Inc. (Polk County)
       Staff recommended the Board approve the proposed permit attached as an exhibit.

    c. 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

12. Administrative, Enforcement and Litigation Activities that Require Governing Board
    Approval
    a. Authorization to Issue Administrative Complaint and Order – Violation of Permit
       Conditions for Construction – Farrell Homes, Inc. and Van Buren Land Holdings, Inc. –
       ERP No. 44033097.000 (EXPIRED) – CT No. 384019 – Pinellas County, Florida
       Staff recommended the Board:
       1. Authorize District staff to issue an Administrative Complaint and Order to Farrell
          Homes, Inc. and Van Buren Land Holdings, Inc., 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 obtain compliance with
          the terms of the Administrative Complaint and Order, recover an administrative
          fine/civil penalty, and recover District enforcement costs, litigation costs, and
          attorneys’ fees, if appropriate.

    b. Interagency Agreement Between SWFWMD and SJRWMD – Designation of Regulatory
       Responsibility – The Villages of West Lake – Lake County
       Staff recommended the Board approve the Interagency Agreement designating regulatory
       responsibility for The Villages of West Lake to the Southwest Florida Water Management
       District.

13. Rulemaking – None
Executive Director’s Report

   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. (00:19:45)

Chair Taylor asked the Finance/Outreach and Planning Committee Chair Rice, if he preferred that he chair the committee since he was attending by telephone. Committee Chair Rice responded in the affirmative. Chair Taylor called the meeting to order. (00:20:30)

Finance/Outreach & Planning Committee Discussion

15. Consent Item(s) Moved for Discussion - None

16. Investment Strategy Quarterly Update
   Mr. John Grady, Public Trust Advisors, provided a presentation on the quarterly investment strategy from April 1, 2019 through June 30, 2019. This presentation provided an economic update and yield curve analysis. Mr. Grady stated housing prices have maintained a slow upward trend and unemployment is at an historic low at 3.7 percent. He provided a graph that displayed the federal funds rate hike current cycle and Federal Open Market Committee (FOMC) rate projections. Mr. Grady stated an interest rate cut is anticipated. Inflation remains slightly lower than the FOMC’s 2.0 percent target.

   Mr. Grady provided a comparison summary of all District short-term and long-term aggregate investment assets.

   Staff recommended the Board accept and place on file the District’s Quarterly Investment Reports for the quarter ended June 30, 2019.

   A motion was made and seconded to approve staff’s recommendation. The motion carried unanimously. (00:35:54)

17. Fiscal Year 2020 Budget Development
   Mr. John Campbell, Management Services director, provided a presentation that included: budget development calendar; expenditure goals and outcomes; expenditures by category; expenditures by program; summary of revenue budget changes since the Recommended Annual Service Budget (RASB); summary of Ad Valorem and millage rate; and revenues by source.

   Mr. Campbell stated that Cooperative Funding Initiative (CFI) project N780 was approved at the June Board meeting. This increased the budget by $2.2 million. The tentative FY2020 total budget is approximately $198.7 million dollars. He stated the proposed millage rollback-back rate is 0.2801. Mr. Campbell stated the proposed Ad Valorem budget is $113.54 million which uses an actual new construction growth rate of 2.54 percent.

   Board Member Smith stated that because of population growth, she was concerned that the District will not be able to maintain zero impact Ad Valorem revenue. She suggested the Board address this concern. Chair Taylor responded in the affirmative and stated this could be addressed at the October Board meeting.

   Board Member Schleicher suggested the District communicate with the Florida Department of Environmental Protection (FDEP) regarding their perspective on the District sustaining debt.
Staff recommended the Board:
   a) Approve the proposed budget changes that have been made since the June 25, 2019 Governing Board meeting.
   b) Approve Resolution No. 19-09, Adoption of Proposed Millage Rate for Fiscal Year 2020.
   c) Approve the August 1 submittal of the Standard Format Tentative Budget Submission report for FY2020, with the budget modifications approved by the Governing Board on July 23, 2019.

A motion was made and seconded to approve staff's recommendation. The motion carried with six in favor and one opposed. (00:48:40)

18. Knowledge Management: Capital Assets Governing Board Policy
Ms. Melisa Lowe, Finance Bureau chief, provided a presentation outlining information for the update to the capital assets Governing Board policy. Ms. Lowe provided background regarding the policy. She stated additional language was added to include intangible assets such as software and interest regarding land (covenants). The title was revised to reflect this. In addition, duplicative language was removed.

This item was presented for the Board's information and no action was requested. The attached revised Capital Assets Policy will be included as a consent item in the August 2019 Board packet and approval will be requested at that time.

Mr. Brian Werthmiller, inspector general, provided a presentation outlining information for the update to Office of Inspector General Governing Board policy. He explained this policy combines two existing policies, Inspector General Charter and Inspector General Roles and Responsibilities. He explained the revised policy and outlined any changes.

Chair Taylor stated he would like to add language to the inspector general quarterly reports that would provide status updates on open items from the Auditor General's report. He also suggested the addition of language outlining the inspector general's responsibilities indicated in the Florida State Statute.

Mr. Werthmiller stated in addition to the language outlined from the Florida Statute, the Board may consider adding additional language that requires compliance with the Association of Inspector General's Green Book.

This item was presented for the Board's information and no action was requested. The Office of Inspector General Charter will be included as a consent item in the August 2019 Board packet and approval will be requested at that time.

Submit & File Reports
20. Inspector General Quarterly Update – April 1, 2019 to June 30, 2019

Routine Reports
The following items were provided for the Committee's information, and no action was required.
21. Treasurer's Report and Payment Register
22. Monthly Financial Statement
23. Monthly Cash Balances by Fiscal Year
24. Comprehensive Plan Amendment and Related Reviews Report

Chair Taylor asked the Resource Management Committee Chair Smith, if she preferred that he chair her committee since she was attending by telephone. Committee Chair Smith responded in the affirmative. Chair Taylor called the meeting to order. (01:00:45)
Resource Management Committee
Discussion
25. Consent Item(s) Moved for Discussion – None

26. Knowledge Management: Cooperative Funding Initiative Governing Board Policy
Mr. Eric DeHaven, Resource Management assistant director, provided a presentation that outlined updates to the Cooperative Funding Initiative (CFI) Governing Board policy. Mr. DeHaven provided a history of the initial policy and outlined the updated language to the policy.

Ms. Jennette Seachrist, Resource Management director, clarified that a reference made to indirect and direct potable reuse projects in this presentation pertained to potable alternative water supply.

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

Submit & File Reports – None

Routine Reports
The following items were provided for the Committee’s information, and no action was required.
27. Minimum Flows and Levels Status Report
28. Significant Water Resource and Development Project

Chair Taylor relinquished the gavel to Operations, Lands & Resource Monitoring Committee
Chair Murphy, who called the meeting to order. (01:12:27)

Operations, Lands & Resource Monitoring Committee
Discussion
29. Consent Item(s) Moved for Discussion – None

30. Hydrologic Conditions Report
Mr. Granville Kinsman, P.G., Hydrologic Data manager, provided a presentation on the hydrologic conditions. Mr. Kinsman stated the District received above average rainfall in the northern and central counties. Groundwater levels throughout the District were considered in the normal to above normal range. Lake levels remained In the normal range in the northern, Tampa Bay and Polk Upland regions. Lake levels in the Lake Wales Ridge area were below the base of the annual normal range. Flows on the Withlacoochee, Hillsborough, Alafia and Peace rivers were in the above normal range. The Bill Young and the Peace River reservoirs remain at healthy levels.

Mr. Kinsman stated that the mild El Niño conditions are deteriorating. Forecasts project normal rainfall during through the upcoming winter and spring months.

This routine report provided information on the general state of the District’s hydrologic conditions, by comparing rainfall, surface water, and ground water levels for the current month to comparable dates from the historical record.

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

Submit & File Reports – None

Routine Reports
The following items were provided for the Committee’s information, and no action was required.
31. Surplus Lands Update
32. Structure Operations
33. Significant Activities
Committee Chair Murphy relinquished the gavel to Regulation Committee Chair Schleicher, who called the meeting to order. (01:19:05)

Regulation Committee
Discussion
34. Consent Item(s) Moved for Discussion

11. Individual Water Use Permits Referred to the Governing Board
c. WUP No. 20020376.002 - Bennett Road/Pebbledale Farms, Inc. (Hardee County)
   Mr. Darrin Herbst, Water Use Permit Bureau chief, provided a presentation that included
   background information regarding the permit and an overview of the request for quantity
   increases. Mr. Herbst stated the application meets the conditions for issuance.

   Discussion ensued regarding the root zone depth evaluation and freeze protection.
   Chair Taylor suggested a presentation be provided to the Board at a future meeting to
   assist in educating Board Members on these types of topics.

   Vice Chair Williamson asked about the Facilitating Agricultural Resource Management
   Systems (FARMS) project associated with this WUP. Mr. Chris Zajac, FARMS Program
   manager responded to questions.

   Staff recommended the Board approve the proposed permit attached as an exhibit.

   A motion was made and seconded to approve staff’s recommendation. The motion
   carried unanimously. (01:30:24)

35. Denials Referred to the Governing Board
   No denials were referred to the Board.

Submit & File Reports - None

Routine Reports
The following items were provided for the Committee’s information, and no action was required.
36. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR)
    Equipment Implementation Program Update
37. Overpumpage Report
38. Individual Permits Issued by District Staff

Regulation Committee Chair Schleicher relinquished the gavel to Chair Taylor. (01:30:49)

General Counsel
Discussion
39. Consent Item(s) Moved for Discussion - None

Submit & File Reports – None

Routine Reports
The following items were provided for the Committee’s information, and no action was required.
40. July 2019 Litigation Report
41. July 2019 Rulemaking Report

Committee/Liaison Reports
42. Environmental Advisory Committee
   A written report for the July 9 meeting was provided.
43. **Other Committee/Liaison Reports**
   A written report for the July 10 Well Construction meeting was provided.

44. **Executive Director’s Report**
    Mr. Brian Armstrong, executive director, informed the Board the alternative water supply workshop planned for the August Board has been rescheduled to the October Board meeting due to pending Board member appointments.

    Mr. Armstrong stated Board Member Beswick has resigned from the Board.

    Mr. Armstrong reminded the Board this was the last Board meeting for Regulation Division director, Ms. Alba Más. Ms. Michelle Hopkins has been selected as her replacement.

45. **Chair’s Report**
    Chair Taylor stated the Fiscal Year 2020 Board meeting calendar and liaison appointments will be finalized shortly.

    Chair Taylor outlined his goals to be accomplished during his tenure as Governing Board Chair, these included: financial stewardship, staff empowerment, emphasis on customer service, problem solving and communication. He stated that it is the Board members responsibility to set policy, prioritize the budget to ensure funding is equitable and support staff. Chair Taylor stated he would like to see the District continue its role as a mediator when necessary and continue its representation for all citizens.

    The next Board meeting is August 27 at 9:00 a.m., in the Brooksville Office.

46. **Other**

47. **Employee Milestones**

    The meeting was adjourned at 10:53 a.m.

Attest:

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[Signature]
Chair

[Signature]
Secretary
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