

Governing Board Meeting

Agenda and Meeting Information

June 21, 2022

9:00 a.m.

Brooksville Office

2379 Broad Street • Brooksville, Florida
(352) 796-7211 • 1-800-423-1476

Southwest Florida
Water Management District

WATERMATTERS.ORG • 1-800-423-1476



2379 Broad Street, Brooksville, Florida 34604
(352) 796-7211 or 1-800-423-1476 (FL only)
WaterMatters.org

An Equal
Opportunity
Employer

The Southwest Florida Water Management District (District) does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs, services and activities. Anyone requiring reasonable accommodation, or who would like information as to the existence and location of accessible services, activities, and facilities, as provided for in the Americans with Disabilities Act, should contact the Human Resources Office Chief, at 2379 Broad St., Brooksville, FL 34604-6899; telephone (352) 796-7211 or 1-800-423-1476 (FL only), ext. 4747; or email ADACoordinator@WaterMatters.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice). If requested, appropriate auxiliary aids and services will be provided at any public meeting, forum, or event of the District. In the event of a complaint, please follow the grievance procedure located at WaterMatters.org/ADA.

Final Agenda GOVERNING BOARD MEETING

**JUNE 21, 2022
9:00 AM**

**2379 BROAD STREET, BROOKSVILLE, FL 34604
(352) 796-7211**

All meetings are open to the public

- › Viewing of the Board meeting will be available through the District's website at www.WaterMatters.org.
- › Public input will be taken only at the meeting location.
- › Public input for issues not listed on the published agenda will be heard shortly after the meeting begins.

Pursuant to Section 373.079(7), Florida Statutes, all or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

The Governing Board may take official action at this meeting on any item appearing on this agenda and on any item that is added to this agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

The order of items appearing on the agenda is subject to change during the meeting and is at the discretion of the presiding officer.

Public Comment will be taken after each presentation and before any Governing Board action(s) except for Governing Board hearings that involve the issuance of final orders based on recommended Orders received from the Florida Division of Administrative Hearings.

Unless specifically stated, scheduled items will not be heard at a time certain.

The current Governing Board agenda and minutes of previous meetings are available at WaterMatters.org.

Bartow Office
170 Century Boulevard
Bartow, Florida 33830
(863) 534-1448 or 1-800-492-7862 (FL only)

Sarasota Office
78 Sarasota Center Boulevard
Sarasota, Florida 34240
(941) 377-3722 or 1-800-320-3503 (FL only)

Tampa Office
7601 Hwy 301 N (Fort King Highway)
Tampa, Florida 33637
(813) 985-7481 or 1-800-836-0797 (FL only)

MEETING NOTICE

1. CONVENE PUBLIC MEETING

- 1.1 Call to Order
- 1.2 Invocation and Pledge of Allegiance
- 1.3 Employee Recognition
- 1.4 Additions/Deletions to Agenda
- 1.5 Public Input for Issues Not Listed on the Published Agenda

2. CONSENT AGENDA

- 2.1 **Finance/Outreach and Planning Committee:** Governing Board Travel - Annual Environmental Permitting Summer School
- 2.2 **Finance/Outreach and Planning Committee:** Approval of Memorandum of Understanding Between Sarasota County Property Appraiser and Southwest Florida Water Management District
- 2.3 **Finance/Outreach and Planning Committee:** Adopt Resolutions to Identify New Slate of Officers for Financial Documents
- 2.4 **Resource Management Committee:** Approve the Updated Silver Twin Lake Watershed Management Plan Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps in Hillsborough County (N872)
- 2.5 **Regulation Committee:** Water Use Permit No. 20 011963.004, SCF Farms Inc. / SCF Farms Inc, Handcart Citrus and Cattle, Inc, et al. (Manatee County)
- 2.6 **Executive Director's Report:** Approve Governing Board Minutes - May 24, 2022

3. FINANCE/OUTREACH AND PLANNING COMMITTEE

- 3.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 3.2 **Discussion:** Information Item: Knowledge Management: Governing Board Member Duties and Responsibilities Policy
- 3.3 **Discussion:** Action Item: Fiscal Year 2023 Recommended Annual Service Budget
- 3.4 **Submit & File:** Information Item: Budget Transfer Report

4. RESOURCE MANAGEMENT COMMITTEE

- 4.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 4.2 **Discussion:** Information Item: Knowledge Management: Cooperative Funding Initiative Governing Board Policy

5. OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

- 5.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 5.2 **Discussion:** Information Item: Hydrologic Conditions Report

6. REGULATION COMMITTEE

6.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion

6.2 **Discussion:** Action Item: Denials Referred to the Governing Board

7. GENERAL COUNSEL'S REPORT

7.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion

7.2 **Discussion:** Information Item: Knowledge Management: Proposals For Settlement in Civil Cases
Governing Board Policy

8. COMMITTEE/LIAISON REPORTS

8.1 **Discussion:** Information Item: Industrial Advisory Committee

8.2 **Discussion:** Information Item: Public Supply Advisory Committee

9. EXECUTIVE DIRECTOR'S REPORT

9.1 **Discussion:** Information Item: Executive Director's Report

10. CHAIR'S REPORT

10.1 **Discussion:** Information Item: Chair's Report

10.2 **Discussion:** Information Item: Employee Milestones

ADJOURNMENT

GOVERNING BOARD OFFICERS, COMMITTEES AND LIAISONS

Approved June 6, 2022

OFFICERS	
Chair	Joel Schleicher
Vice Chair	Ed Armstrong
Secretary	Michelle Williamson
Treasurer	John Mitten

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE
Jack Bispham
Kelly Rice
John Hall

RESOURCE MANAGEMENT COMMITTEE
Ashley Bell Barnett
Michelle Williamson
William Hogarth

REGULATION COMMITTEE
John Hall
Seth Weightman
Ashley Bell Barnett

FINANCE/OUTREACH AND PLANNING COMMITTEE
John Mitten
Jack Bispham
Ed Armstrong

** Board policy requires the Governing Board Treasurer to chair the Finance Committee.*

STANDING COMMITTEE LIAISONS	
Agricultural and Green Industry Advisory Committee	Kelly Rice
Environmental Advisory Committee	Michelle Williamson
Industrial Advisory Committee	Ashley Bell Barnett
Public Supply Advisory Committee	Ed Armstrong
Well Drillers Advisory Committee	Seth Weightman

OTHER LIAISONS	
Central Florida Water Initiative	John Hall
Spring Coast Steering Committee	Kelly Rice
Coastal & Heartland National Estuary Partnership Policy Committee	Jack Bispham
Sarasota Bay Estuary Program Policy Board	Joel Schleicher
Tampa Bay Estuary Program Policy Board	William Hogarth
Tampa Bay Regional Planning Council	Vacant

**Southwest Florida Water Management District Schedule of Meetings
Fiscal Year 2022**

4/14/2022

Governing Board Meeting

October 19, 2021 – 9:00 a.m., Brooksville Office
November 16, 2021 – 9:00 a.m., Tampa Office
December 14, 2021 – 9:00 a.m., Brooksville Office
January 25, 2022 – 9:00 a.m., Tampa Office
February 22, 2022 – 9:00 a.m., Brooksville Office
March 22, 2022 – 9:00 a.m., Tampa Office
April 26, 2022 – 9:00 a.m., Brooksville Office
May 24, 2022 – 9:00 a.m., Tampa Office
June 21, 2022 – 9:00 a.m., Brooksville Office
July 26, 2022 – 9:00 a.m., Tampa Office
August 23, 2022 – 9:00 a.m., Brooksville Office
September 20, 2022 – 3:00 p.m., Tampa Office

Governing Board Public Budget Hearing – 5:01 p.m., Tampa Office
2022 – September 6 & 20

Agricultural & Green Industry Advisory Committee – 10:00 a.m.
2021 – December 7
2022 – March 8, June 7, September 13

Environmental Advisory Committee – 10:00 a.m.
2021 – October 12
2022 – January 11, April 12, July 12

Industrial Advisory Committee – 10:00 a.m.
2021 – November 9
2022 – February 8, May 10, August 9

Public Supply Advisory Committee – 1:00 p.m.
2021 – November 9
2022 – February 8, May 10, August 9

Springs Coast Management Committee – 1:30 p.m.
2021 – October 20, December 8
2022 – January 5, February 23, May 25, July 13

Springs Coast Steering Committee – 2:00 p.m.
2021 – November 10
2022 – January 26, March 9, July 27

Well Drillers Advisory Committee – 1:30 p.m., Tampa Office
2021 – October 6
2022 – January 12, April 6, July 13

Cooperative Funding Initiative – all meetings begin at 10:00 a.m.

2022 – February 2 – Northern Region, Brooksville Office (Audio Visual Communication)
2022 – February 3 – Southern Region, Sarasota County Commission Chambers (Audio Visual Communication)
2022 – February 9 – Heartland Region, Bartow City Hall
2022 – February 10 – Tampa Bay Region, Tampa Office (Audio Visual Communication)
2022 – April 6 – Northern Region, Brooksville Office
2022 – April 7 – Southern Region, Sarasota County Commission Chambers
2022 – April 13 – Heartland Region, Bartow City Hall (Audio Visual Communication)
2022 – April 14 – Tampa Bay Region, Tampa Office

Meeting Locations

Brooksville Office – 2379 Broad St., Brooksville, FL 34604
Tampa Office – 7601 US Highway 301 North, Tampa, FL 33637
Sarasota County Commission Chambers – 1660 Ringling Blvd., Sarasota, FL 34236
Bartow City Hall – 450 N. Wilson Ave., Bartow, FL 33830

Governing Board Meeting
June 21, 2022

1. CONVENE PUBLIC MEETING

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1.5 Public Input for Issues Not Listed on the Agenda 8

CONVENE PUBLIC MEETING

June 21, 2022

Call to Order

The Board Chair calls the meeting to order. The Board Secretary confirms that a quorum is present. The Board Chair then opens the public meeting. 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 speaker's card. Comments will be limited to three minutes per speaker, and, when appropriate, exceptions to the three-minute limit may be granted by the Chair. Several individuals wishing to speak on the same issue/topic should designate a spokesperson.

Presenter:

Joel A. Schleicher, Chair

CONVENE PUBLIC MEETING

June 21, 2022

Invocation and Pledge of Allegiance

An invocation is offered. The Board Chair conducts the Pledge of Allegiance to the Flag of the United States of America.

Presenter:

Joel A. Schleicher, Chair

CONVENE PUBLIC MEETING

June 21, 2022

Employee Recognition

Staff that have reached 20 or more years of service at the District will be recognized.

Staff Recommendation:

- Kelly Keck
- Garry Flood
- Corey Denninger
- Dave DeWitt
- Vito Morolla

Presenter:

Joel A. Schleicher, Chair

CONVENE PUBLIC MEETING

June 21, 2022

Additions/Deletions to Agenda

According to Section 120.525(2), Florida Statutes, additions to the published agenda will only be made for "good cause" as determined by the "person designated to preside." Based upon that authority, the Chair has determined that good cause exists to make certain changes to the agenda. These changes are being made in order to permit the Governing Board to efficiently accomplish necessary public business at this meeting and to reflect the items on the agenda that have been requested or suggested to be deleted, revised, supplemented or postponed.

ADDITIONS: The items that have been added to the agenda were received by the District after publication of the regular agenda. The Board was provided with the information filed and the District staff's analyses of these matters. Staff has determined that action must be taken on these items prior to the next Board meeting. Therefore, it is the District staff's recommendation that good cause has been demonstrated and should be considered during the Governing Board's meeting.

Staff Recommendation:

Approve the recommended additions and deletions to the published agenda if necessary.

Presenter:

Brian J. Armstrong, P.G., Executive Director

CONVENE PUBLIC MEETING

June 21, 2022

Public Input for Issues Not Listed on the Published Agenda

At this time, the Board will hear public input for issues not listed on the published agenda.

Presenter:

Joel A. Schleicher, Chair

Governing Board Meeting

June 21, 2022

2. CONSENT AGENDA

All matters listed under the Consent Agenda are considered routine and action will be taken by one motion, second of the motion and approval by the Board. If discussion is requested by a Board member, that item(s) will be deleted from the Consent Agenda and moved to the appropriate Committee or Report for consideration.

2.1	Finance/Outreach and Planning Committee: Governing Board Travel - Annual Environmental Permitting Summer School	9
2.2	Finance/Outreach and Planning Committee: Approval of Memorandum of Understanding Between Sarasota County Property Appraiser and Southwest Florida Water Management District.....	10
2.3	Finance/Outreach and Planning Committee: Adopt Resolutions to Identify New Slate of Officers for Financial Documents	14
2.4	Resource Management Committee: Approve the Updated Silver Twin Lake Watershed Management Plan Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps in Hillsborough County (N872).....	20
2.5	Regulation Committee: Water Use Permit No. 20011963.004 - SCF Farms Inc./SCF Farms Inc., Handcart Citrus & Cattle Inc, et al. - Manatee County	22
2.6	Executive Director's Report: Approve Governing Board Minutes - May 24, 2022	34

CONSENT AGENDA**June 21, 2022****Finance/Outreach and Planning Committee: Governing Board Travel - Annual Environmental Permitting Summer School**

District policy states that in accordance with Chapters 112 and 373, Florida Statutes, travel expenses may be incurred for official District business or for a public purpose beneficial to the District. Travel to any conference or convention requires prior approval. Within the geographic boundaries of the District, Governing Board members may incur travel expenses to attend Governing Board meetings or for other purposes beneficial to the District, excluding conferences and conventions. Scheduled travel for Governing Board members outside the District or to attend conferences or conventions requires prior approval through the consent agenda of a regular monthly Governing Board meeting. Non-scheduled travel outside the District or to attend any conference or convention requires prior approval of the Governing Board Chair, or in his absence, the Vice Chair.

Request for Attendance to the Florida Environmental Permitting Network Summer School at 400 South Collier Boulevard, Marco Island, Florida.

36th Annual Florida Environmental Permitting Summer School**Marco Island****July 18 - July 22, 2022***These are approximate costs**Prices for registration may vary based on when the registration was done*

Name	Registration	Lodging \$192/Night	Mileage Cost	Meals
Joel Schleicher	\$550	\$1,108	\$116	\$98
Michelle Williamson	\$600	\$1,108	\$164	\$98
John Hall	\$650	\$1,108	\$134	\$98
John Mitten	\$650	\$1,108	\$155	\$98

Staff Recommendation:

Approve Governing Board travel as presented.

Presenter:

Virginia Singer, Board and Executive Services Manager

CONSENT AGENDA

June 21, 2022

Finance/Outreach and Planning Committee: Approval of Memorandum of Understanding Between Sarasota County Property Appraiser and Southwest Florida Water Management District

Purpose

The Sarasota County Property Appraiser is responsible for preparing an annual assessment roll that meets all legal requirements of State law, including the proper administration of property tax exemptions. The Property Appraiser's office intends to contract with a third-party vendor to assist with the determination of facts related to the tax exemption or assessment limitation, for which the vendor will be compensated.

Background

In May 2015, the Governing Board approved a similar Memorandum of Understanding with the Sarasota County Property Appraiser to investigate potential homestead fraud. The agreement term was for three years, with 30% of collections being withheld by the Tax Collector to pay the vendor and the remaining 70% being received by the District as part of the regular tax distribution.

Similar to the prior Memorandum of Understanding, the Property Appraiser's office does not collect any money and does not have funding to out-source this project. As a result, the Property Appraiser's office would like to contract with a third-party vendor on a contingency basis, whereby the vendor would retain 23.5% of all money collected, which would include the underlying tax, accrued interest and penalties. The District, along with the other taxing authorities, would receive 76.5% of the monies owed to them.

The Property Appraiser's office is asking each taxing authority to execute a Memorandum of Understanding, whereby the taxing authority agrees to forgo 23.5% of any taxes, interest, and penalties that it would be entitled to receive as a result of an improper homestead tax exemption or assessment limitation, not to exceed \$25,000 per satisfied tax lien.

The grant of homestead affects the tax liability on real property in two ways. First, the homestead cap limits the amount the assessed value can increase from year to year by 3%. Second, the exemption reduces the assessed value used to calculate the tax liability. The District's ad valorem taxes are based on the property's assessed value, after any applicable homestead reductions.

Therefore, assuming there are improper homestead exemptions occurring, the District is losing out on revenue it is otherwise entitled to receive. However, if the improper exemption is never detected, the District cannot collect that lost revenue.

Staff Recommendation:

Approve the Memorandum of Understanding between the Sarasota County Property Appraiser and the Southwest Florida Water Management District.

Presenter:

Melisa J. Lowe, Bureau Chief, Finance

**MEMORANDUM OF UNDERSTANDING
BETWEEN
SARASOTA COUNTY PROPERTY APPRAISER
AND
TAXING AUTHORITY(IES)**

THIS MEMORANDUM OF UNDERSTANDING is entered into by and between the SARASOTA COUNTY PROPERTY APPRAISER, a Constitutional Officer of the State of Florida (“APPRAISER”) and the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (“TAXING AUTHORITY”).

WITNESSETH

WHEREAS, the APPRAISER, is a Constitutional Officer elected by the residents of the County of Sarasota and has the responsibility of preparing an annual assessment roll that meets all legal requirements of State law, including the proper administration of property tax exemptions; and

WHEREAS, the TAXING AUTHORITY levies ad valorem taxes for public benefit; and

WHEREAS, the APPRAISER has the duty under Art. VII, § 6, Fla. Constitution and Chapters 196, and 193, Florida Statutes, to determine any year or years within the prior 10 years of the then-current tax year, persons who were not entitled to, but were granted, a tax exemption or assessment limitation on their real property located in Sarasota County, Florida. Upon such determination, the APPRAISER serves a notice of intent to lien the owner’s real property to recover the unpaid taxes, penalty of 50 percent of the unpaid taxes, and 15 percent interest per year on the unpaid taxes; and

WHEREAS, the APPRAISER intends to contract with a third-party vendor to assist the APPRAISER in the determination of facts related to the tax exemption or assessment limitation, for which the vendor shall be compensated.

NOW, THEREFORE, the APPRAISER and the TAXING AUTHORITY, in consideration of the mutual covenants contained herein, do agree as follows:

I. PROPERTY APPRAISER’S RESPONSIBILITIES

- A. The APPRAISER is responsible for ensuring a fair, equitable tax roll for all citizens of Sarasota County.
 - 1. To that end, in his efforts to review exemption eligibility, the APPRAISER is contracting with a vendor to assist in locating and reviewing all facts related to tax exemptions and assessment limitations previously granted in Sarasota County.
 - 2. The APPRAISER intends to contract with a vendor to perform such work beginning with the tax year 2022.
- B. The vendor will use publicly available ownership and exemption records maintained by the APPRAISER, other public record data sources obtained by the vendor at their cost, and the vendor’s proprietary system to notify the APPRAISER of the identity of property owners that the vendor believes may be improperly benefitting from the tax exemption or assessment limitation described in Art. VII, § 6, Fla. Const., and all applicable statutes.

- C. The APPRAISER shall provide data to the vendor and the APPRAISER will analyze all applicable facts returned from the vendor to determine that all statutory obligations for maintaining an exemption or assessment limitation are or are not being met before making the final determination as to any particular exemption or assessment limitation and the filing of a tax lien.

II. VENDOR COMPENSATION. 23.5% of any tax, penalty, and interest due to the TAXING AUTHORITY and collected to satisfy a tax lien, not to exceed \$25,000 per satisfied tax lien.

III. TAXING AUTHORITY'S RESPONSIBILITIES

The TAXING AUTHORITY agrees to forgo twenty-three and one-half percent (23.5%) of all taxes, penalties, and interest from its share of any monies recovered, not to exceed twenty-five thousand (\$25,000) per lien satisfied

- a. The 23.5% will be withheld by the Tax Collector for distribution to the vendor, per terms of the contract between the APPRAISER and the vendor.
- b. The TAXING AUTHORITY will receive the remaining taxes, penalties, and interest from the Tax Collector as part of the regular tax distribution, as applicable to them.

IV. GENERAL PROVISIONS

1. All notices required hereunder shall be by the United States mail, postage paid. Any notice hereunder shall be addressed to the party intended to receive same at the following addresses:

TAXING AUTHORITY's Representative:

NAME: Melisa Lowe

TITLE: Finance Bureau Chief

ADDRESS: 2379 Broad Street
Brooksville, FL 34604-6899

PHONE: 352-796-7211

EMAIL: Melisa.Lowe@swfwmd.state.fl.us

APPRAISER's Administrative Agent

NAME: Brian Loughrey

TITLE: Chief Deputy Property Appraiser

ADDRESS: Sarasota County Property Appraiser
2001 Adams Ln
Sarasota, FL 34237

PHONE: (941) 861-8299

EMAIL: bloughrey@sc-pa.com

2. The parties acknowledge that the terms and conditions hereof constitute the entire understanding and agreement of the parties with respect hereto. No modification hereof shall be effective unless in writing and executed with the same formalities as this Memorandum of Understanding is executed.
3. This Memorandum of Understanding shall terminate on December 31, 2027, unless sooner terminated.

IN WITNESS WHEREOF, the parties have agreed to the terms and provisions of this Memorandum of Understanding as of the last signature hereto.

ATTEST:

KAREN E. RUSHING,

Clerk of the Circuit Court and Ex Officio
Clerk of the Board of County
Commissioners of Sarasota County,
Florida

By: _____
Deputy Clerk

**SARASOTA COUNTY PROPERTY
APPRAISER**

BY: _____
Bill Furst, Property Appraiser

DATE: _____

Approved as to form and correctness:

County Attorney

ATTEST:

John Mitten, Treasurer

**SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT**

BY: _____
Joel A. Schleicher, Chair

DATE: _____

Approved as to form and correctness:

District Attorney

CONSENT AGENDA**June 21, 2022****Finance/Outreach and Planning Committee: Adopt Resolutions to Identify New Slate of Officers for Financial Documents***Purpose*

1. Authorize the new slate of officers to apply their signatures to the required financial documents and;
2. Request that the Governing Board adopt District *Resolution No. 22-10* 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 and;
3. Adopt the *Truist Resolution for Deposit Account* 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 account(s) and;
4. Adopt the *Truist 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.

Background

Following its annual election of officers in May, the elected officers assume their offices twenty-four (24) hours prior to the June Governing Board meeting. Resolutions must be adopted to give the new slate of officers the authority to sign and countersign all District warrants or checks. Section 373.553, Florida Statutes, requires District funds to be disbursed by check or warrant signed by the Treasurer or Assistant Treasurer (Secretary) and countersigned by the Chair or Vice chair of the board. The newly elected officers for Chair, Vice Chair, Secretary/Assistant Treasurer, and Treasurer/Assistant Secretary are identified by adoption of the resolutions, which will provide their signatures to Truist.

The District's Custody Agreement retains and employs Truist Bank, through its Private Wealth Management Division, to act as custodian of certain securities and funds of the District. Following the annual election of officers, a new *Corporate Resolution* must be adopted to give the new slate of officers the authority to give direction or confirmation to the Bank on all matters regarding the Custody Agreement and Account. The newly elected officers for Chair, Vice Chair, Secretary and Treasurer are identified by adoption of the resolution, which will provide their signatures to the Private Wealth Management Division of Truist Bank.

Staff Recommendation:

1. Authorize the new slate of officers to apply their signatures to the required financial documents and;
2. Adopt *Resolution No. 22-10* 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 and;
3. Adopt the *Truist Resolution for Deposit Account* 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 and;

4. Adopt the *Truist 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.

Presenter:

Melisa J. Lowe, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 22-10

**AUTHORIZING THE SIGNATURES OF OFFICERS OF THE GOVERNING BOARD
OF THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND THE USE OF FACSIMILE OR MANUAL SIGNATURES
ON ALL WARRANTS OR CHECKS OF THE DISTRICT**

WHEREAS, the Southwest Florida Water Management District is a public corporation organized and existing under the laws of the State of Florida; and

WHEREAS, Section 373.553, Florida Statutes, requires District funds to be disbursed by check or warrant signed by the Treasurer or Assistant Treasurer and countersigned by the Chair or Vice Chair of the Governing Board to effect payment of money in the name of the Southwest Florida Water Management District.

NOW THEREFORE, BE IT RESOLVED, by the Governing Board of the Southwest Florida Water Management District that the following officers of the Governing Board have assumed their offices effective June 20, 2022, and shall have the authority, pursuant to Section 373.553, F.S., to sign all warrants or checks of the District:

_____, Treasurer and Assistant Secretary SIGNS

_____, Secretary and Assistant Treasurer SIGNS

_____, Chair COUNTERSIGNS

_____, Vice Chair COUNTERSIGNS

BE IT FURTHER RESOLVED that the Governing Board of the Southwest Florida Water Management District hereby authorizes the use of either facsimile or manual signatures of the officers designated above for all warrants or checks of the District; and

BE IT FURTHER RESOLVED that the Secretary of the Governing Board of the Southwest Florida Water Management District is hereby authorized and directed to deliver to the designated depositories of the District, specimens of the facsimile and manual signatures as described above.

APPROVED AND ADOPTED this 21st day of June 2022, by the Governing Board of the Southwest Florida Water Management District.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

SEAL

By: _____
Chair

Attest:

Secretary

CORPORATE RESOLUTION

I, the undersigned Secretary of the below named Corporation, which is organized and existing under the laws of the State of Florida and having its principal place of business at the below named address, hereby certify to Truist Bank (the "Bank") that the following is a true copy of a Resolution adopted by the governing authority of this entity in accordance with its By-Laws, at a meeting held on June 21st, 2022, and not subsequently modified.

RESOLVED:

- 1) That the Private Wealth Management Division of Truist Bank (the "Bank") is designated as a depository for funds and securities of this entity, under an Agreement signed on behalf of this entity:
- 2) That any of the officers or representative whose titles are listed below are hereby authorized on behalf of this entity:
 - To sign and execute Bank Documents with the Bank and to establish the appropriate account(s) (the "Account(s)"); and
 - To deposit, transfer or withdraw funds; to agree to the purchase, sale or exchange of any funds or assets held in the Account(s); to provide instructions, when needed, to the Bank with respect to the management or investment of such funds or assets; and to sign checks, drafts, stock powers, bond powers or other orders with respect to assets of, or being added to, the Account(s); and
 - To transact any and all other business relating to the Accounts(s), which at any time may be deemed desirable pursuant to the provisions of the Agreement; and
- 3) That the Bank may rely upon the authority conferred by this Resolution until it is revoked or modified and the Bank receives written notice thereof.

I further certify that the following officers or representatives are currently authorized to act on behalf of this entity in accordance with the terms of this Resolution as outlined.

<u>Officer or Representative Title</u>	<u>Name</u>	<u>Signature</u>
<u>Chair</u>	<u>Joel Schleicher</u>	_____
<u>Vice Chair</u>	<u>Elijah D. Armstrong</u>	_____
<u>Treasurer</u>	<u>John Mitten</u>	_____
<u>Secretary</u>	<u>Michelle Williamson</u>	_____

Number of signatures required, if applicable: 1

IN WITNESS WHEREOF, I have hereunder subscribed my name and affixed the seal of this entity if applicable.

Southwest Florida Water Management District
Entity Name
2379 Broad Street
Address
Brooksville FL 34604-6899
City, State and ZIP

Secretary

Date (Corporate Seal)

TRUIST

RESOLUTION FOR DEPOSIT ACCOUNT

Name of Entity _____

TIN _____

☐ Corporation☐ Unincorporated Association☐ Limited Liability Company☐ Government Entity☐ General Partnership☐ Limited Partnership☐ Sole Proprietorship☐ Non-Profit Corporation☐ Other

The undersigned, acting in the capacity as corporate secretary or custodian of records for the above-named Entity, organized and existing under the laws of _____, represents to Truist Bank ("Bank") that I have reviewed the governing documents and relevant records of the Entity and certify that resolutions or requirements similar to those below are adopted by and are not inconsistent with the governing documents or records of the Entity, and that such resolutions or requirements are current and have not been amended or rescinded.

I. That the Bank is designated as a depository institution for the Entity and that by execution and delivery of this Resolution for Deposit Account the Entity will be bound by the Bank's deposit account agreement now existing or as may be amended. Any officer, agent or employee of the Entity is authorized to endorse for deposit any check, drafts or other instruments payable to the Entity, which endorsement may be in writing, by stamp or otherwise, with or without signature of the person so endorsing.

II. That any one individual named below (a "Designated Representative") is authorized to open accounts on behalf of the Entity, to close any account or obtain information on any account. Any one Designated Representative may appoint others (an "Authorized Signer") to conduct transactions on an account by authorizing them to sign their name to the signature card.

Designated Representative (Signature)

Printed Name

Title

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

III. That the Bank is authorized upon the signature of any one signer on a signature card to honor, pay and charge the account of the Entity, all checks, drafts, or other orders for payment, withdrawal or transfer of money for whatever purpose and to whomever payable.

IV. That any one Designated Representative may appoint, remove or replace an Authorized Signer, enter into a night depository agreement, enter into an agreement for cash management services, lease a safe deposit box, enter into an agreement for deposit access devices, enter into an agreement for credit cards, enter into an agreement relating to foreign exchange and obtain online foreign exchange services related thereto, or enter into any other agreements regarding an account of the Entity.

FOR BANK USE ONLY

Prepared By _____

Date _____

Center _____

Bank No. _____

State _____

Forward to:
Centralized Document Scanning Operations
M/C 100-99-15-11

V. That any prior resolutions or requirements have been revoked or are no longer binding, and that this Resolution for Deposit Account applies to all accounts at the Bank and will remain in full force and effect until rescinded, replaced or modified in writing in a form acceptable to the Bank and after the Bank has had a reasonable time to act on such change.

VI. That any transaction by an officer, employee or agent of the Entity prior to the delivery of this Resolution for Deposit Account is hereby ratified and approved.

DATED: _____

SIGNATURE

PRINTED NAME

EXHIBIT

CONSENT AGENDA

June 21, 2022

Resource Management Committee: Approve the Updated Silver Twin Lake Watershed Management Plan Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps in Hillsborough County (N872)

Purpose

Request the Board's approval to use the updated Silver Twin Lake Watershed Management Plan (WMP) floodplain information for regulatory purposes and to update Flood Insurance Rate Maps (FIRMs) in Hillsborough County (the County). The WMP evaluates the capacity of the watershed in achieving flood protection primarily through computer modeling. The watershed model and floodplain information have gone through the District's process that includes internal review and external peer review by experienced licensed professional engineers. The WMP floodplain information serves as the basis for updating the FIRMs for the Federal Emergency Management Agency (FEMA). The County may coordinate with FEMA to produce the preliminary FIRMs at a future date. This coordination may include additional public meetings to present the preliminary floodplain information, provide an opportunity for additional comments, and incorporate this information into FEMA's mapping specifications.

Background/History

Flood protection and floodplain information have been a priority at the District since the inception of the organization. To improve the floodplain information, the District has partnered with local governments for the past two decades to develop regional scale flood routing models to identify flood prone areas, improve local government's understanding of their flood protection level of service, and plan for implementation projects to reduce flood risk. Since November 2008, District staff have obtained Governing Board approval to use WMP floodplain information for updating FIRMs for 91 watersheds throughout the District. Implementing the Environmental Resource Permitting (ERP) program using WMP floodplain information to maintain current levels of flood protection is identified as a strategic initiative in the District's Strategic Plan 2021-2025. Upon the Governing Board's approval, WMP floodplain information for these watersheds is typically used as best information available by the ERP program.

Floodplain information for the Silver Twin Lake watershed was prepared by a County hired consultant LAGO Consulting & Services LLC, Engineering Firm of Record, reviewed by District and County staff, and then reviewed by County's independent peer review consultant, Wood Environment Infrastructure Solutions Inc. Floodplain information for the watershed was presented virtually for review and comment through a public engagement website hosted by the County. During the outreach period the website received more than 120 unique pageviews but no residents submitted comments. The watershed model and preliminary floodplain data reasonably reflect recent significant storm events and currently represent most accurate floodplain information available for the watershed.

Staff Recommendation:

Approve use of the updated Silver Twin Lake Watershed Management Plan floodplain information for best information available by the District ERP program and to update Flood Insurance Rate Maps in Hillsborough County.

Presenter:

Terese Power, P.E., CFM, Engineering & Watershed Management Section Manager

CONSENT AGENDA

June 21, 2022

**Regulation Committee: Water Use Permit No. 20011963.004 - SCF Farms Inc./SCF Farms Inc.,
Handcart Citrus & Cattle Inc, et al. - Manatee County**

This is a renewal with modification of an existing water use permit for agricultural use. The authorized quantities have changed from the previous permit. This permit authorizes an increase in the annual average quantity from 2,502,300 gallons per day (gpd) to 2,607,000 gpd, and a decrease in the peak month quantity from 5,457,000 gpd to 4,863,000 gpd. The change in quantities is due to change in crop types from 1,323 acres of citrus, melons, potatoes and tomatoes to 1,323 acres of solely tomatoes. Quantities are based on information provided by the Applicant and the District's irrigation allotment calculation program, AGMOD. This permit is located in the Southern Water Use Caution Area (SWUCA). Alternative water supplies are not currently available for this permit.

Special Conditions include those that require the Permittee to record and report monthly meter readings from all withdrawal points, submit seasonal crop reports, cap any wells not in use, submit well completion reports, modify the permit to reflect incorporation of any new alternative sources of water, implement water conservation and best management practices, and submit an updated AWS feasibility report when notified by the District.

The permit application meets all Rule 40D-2 Conditions for Issuance.

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter:

Darrin W. Herbst, P.G., Water Use Permit Bureau Chief

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 011963.004**

PERMIT ISSUE DATE: June 21, 2022

EXPIRATION DATE: June 21, 2032

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

TYPE OF APPLICATION: Renewal

GRANTED TO: SCF Farms Inc, Handcart Citrus & Cattle Inc, et al.
P.O. Box 817 / Attn: Terry Schrader
San Antonio, FL 33576

PROJECT NAME: SCF Farms Inc.

WATER USE CAUTION AREA(S): SOUTHERN WATER USE CAUTION AREA

COUNTY: Manatee

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)

ANNUAL AVERAGE	2,607,000 gpd
PEAK MONTH ¹	4,863,000 gpd

1. Peak Month: Average daily use during the highest water use month.

ABSTRACT:

This is a renewal with modification of an existing water use permit for agricultural use. The authorized quantities have changed from the previous permit. This permit authorizes an increase in the annual average quantity from 2,502,300 gallons per day (gpd) to 2,607,000 gpd, and a decrease in the peak month quantity from 5,457,000 gpd to 4,863,000 gpd. The change in quantities is due to change in crop types from 1,323 acres of citrus, melons, potatoes and tomatoes to 1,323 acres of solely tomatoes. Quantities are based on information provided by the Applicant and the District's irrigation allotment calculation program, AGMOD. This permit is located in the Southern Water Use Caution Area (SWUCA). The Permittee is not using Alternative Water Supply (AWS) sources at this location as none are available at this time.

Special Conditions include those that require the Permittee to record and report monthly meter readings from all withdrawal points, submit seasonal crop reports, cap any wells not in use, submit well completion reports, modify the permit to reflect incorporation of any new alternative sources of water, implement water conservation and best management practices, and submit an updated AWS feasibility report when notified by the District.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>
Agricultural	2,607,000	4,863,000

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>	<u>DROUGHT IRRIGATION RATE</u>
Tomatoes (Fall)	726.40	Drip With Plastic	27.30"/yr.	
Tomatoes (Spring)	596.60	Drip With Plastic	25.50"/yr.	
Animals				
Personal Sanitary Use				

WITHDRAWAL POINT QUANTITY TABLE

Water use from these withdrawal points are restricted to the quantities given below :

<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>
1 / 1	10	1,361 / 232	Irrigation	169,500	316,000
2 / 2	10	1,300 / 200	Irrigation	169,500	316,000
5 / 5	12	1,288 / 208	Irrigation	304,900	568,800
6 / 6	12	1,300 / 200	Irrigation	304,900	568,800
11 / 11	12	1,500 / 350	Irrigation	304,900	568,800
12 / 12	12	1,340 / 577	Irrigation	304,900	568,800
16 / 16	5	250 / 150	Irrigation	1,000	2,000
17 / 17	16	1,200 / 600	Irrigation	523,700	976,900
18 / 18	16	1,400 / 600	Irrigation	523,700	976,900

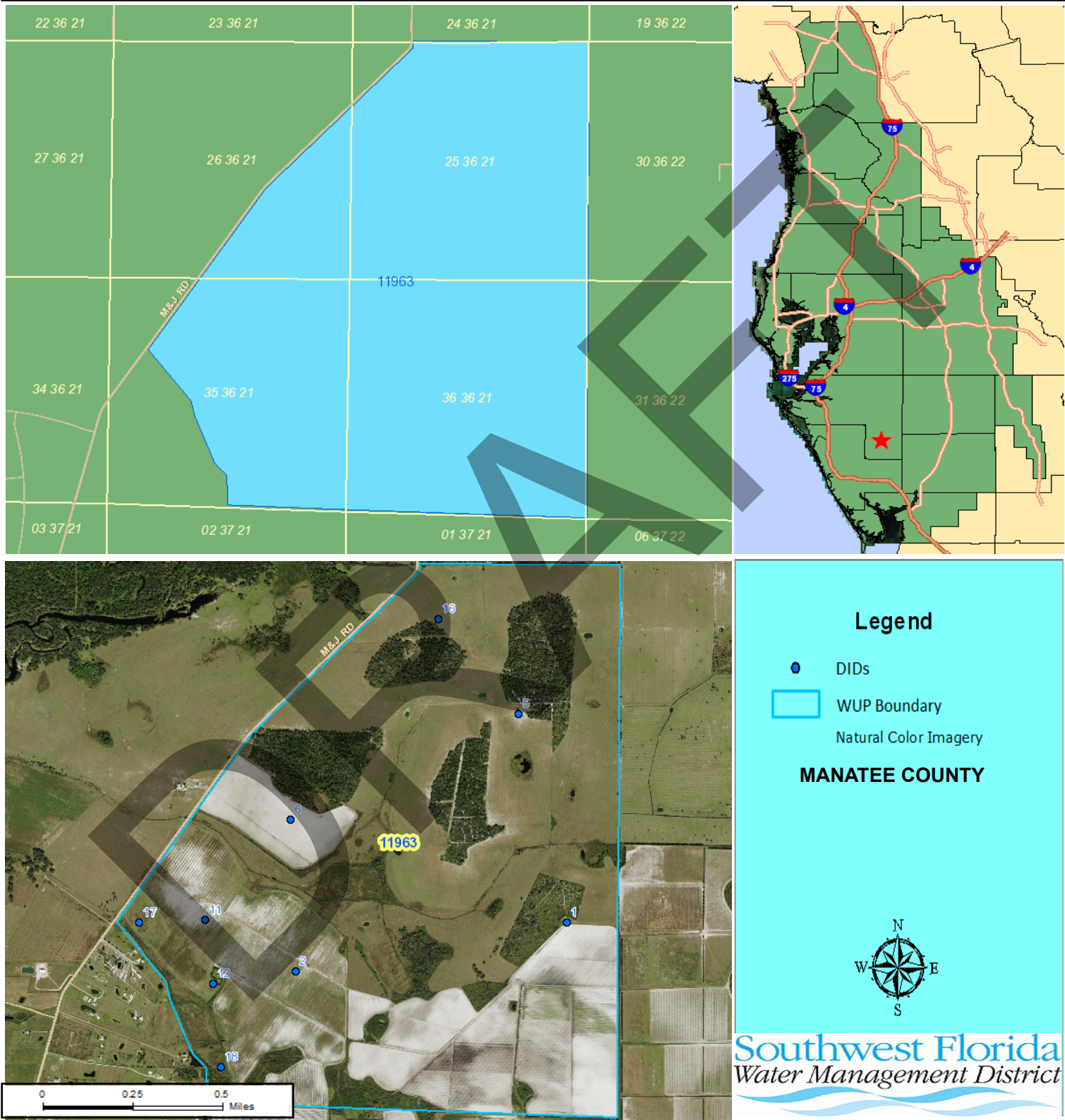
WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	27° 18' 20.44"/82° 09' 28.36"
2	27° 18' 11.16"/82° 10' 26.26"
5	27° 18' 59.92"/82° 09' 38.78"
6	27° 18' 39.88"/82° 10' 27.41"
11	27° 18' 20.80"/82° 10' 45.60"
12	27° 18' 08.82"/82° 10' 43.82"
16	27° 19' 17.94"/82° 09' 55.93"
17	27° 18' 20.30"/82° 10' 59.72"
18	27° 17' 53.03"/82° 10' 42.24"

Location Map

SCF Farms Inc, Handcart Citrus & Cattle Inc, et al.

WUP No. 20 011963.004



STANDARD CONDITIONS:

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit A and made a part hereof.

SPECIAL CONDITIONS:

1. All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center (www.swfwmd.state.fl.us/permits/epermitting/) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal.

All mailed reports and data are to be sent to:

Southwest Florida Water Management District
Tampa Service Office, Water Use Permit Bureau
7601 U.S. Hwy. 301 North
Tampa, Florida 33637-6759

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level, evapotranspiration, or water quality data.
(499)

2. The Permittee shall construct the proposed wells according to the surface diameter and casing depth specifications below. The casing shall be continuous from land surface to the minimum depth stated and is specified to prevent the unauthorized interchange of water between different water bearing zones. If a total depth is listed below, this is an estimate, based on best available information, of the depth at which high producing zones are encountered. However, it is the Permittee's responsibility to have the water in the well sampled during well construction, before reaching the estimated total depth. Such sampling is necessary to ensure that the well does not encounter water quality that cannot be utilized by the Permittee, and to ensure that withdrawals from the well will not cause salt-water intrusion. All depths given are in feet below land surface. For Well Construction requirements see Exhibit B, Well Construction Instructions, attached to and made part to this permit.

District ID No. 17, Permittee ID No. SCF-17 having a surface diameters of 16 inches, with minimum casing depths of 600 feet; drilled to estimated total depths of 1,200 and 1,400 feet, respectively.

District ID No. 18, Permittee ID No. SCF-18 having a surface diameters of 16 inches, with minimum casing depths of 600 feet; drilled to estimated total depths of 1,200 and 1,400 feet, respectively.
(240)

3. The Permittee shall evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.(296)
4. The Permittee shall implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.(309)
5. The Permittee shall incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.(312)

6. The Permittee shall limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices. (331)
7. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available. (363)
8. Permittee shall not exceed the quantity determined by multiplying the total irrigated acres by the total allocated acre-inches per irrigated acre per season for each crop type. For all crops except Citrus, an irrigated acre, hereafter referred to as "acre," is defined as the gross acreage under cultivation, including areas used for water conveyance such as ditches, but excluding uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches. For Citrus, an irrigated acre is based on 74% shaded area, equivalent to 89.4% of the gross acreage minus uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches.

An applicant or permittee within the Southern Water Use Caution Area may obtain the total allocated acre-inches per acre per season for their crops, plants, soil types, planting dates, and length of growing season by completing the "Irrigation Water Allotment Form" and submitting it to the District. The District will complete and return the form with the calculated total allocated acre-inches and water conserving credit per acre per season per crop, if applicable, based on the information provided. The "Irrigation Water Allotment Form" is available upon request. (427)
9. The Permittee shall immediately implement the District-approved water conservation plan dated February 9, 2022 that was submitted in support of the application for this permit. Conservation measures that the Permittee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan. Progress reports on the implementation of water conservation practices indicated as proposed in the plan as well as achievements in water savings that have been realized from each water conservation practice shall be submitted February 1, 2027. (449)
10. The Permittee shall investigate the feasibility of increasing the use of or using reclaimed water for irrigation when notified by the District that reclaimed water may be available in sufficient supply to be utilized for this permit. The Permittee shall submit a report documenting the feasibility investigation within six months of the notification. The report shall contain an analysis of reclaimed water sources for the area, including the relative location of these sources to the Permittee's property, the quantity of reclaimed water available, the projected date(s) of availability, costs associated with obtaining the reclaimed water, and an implementation schedule for reuse, if feasible. Infeasibility shall be supported with a detailed explanation. If the use of reclaimed water is determined to be feasible by the Permittee or by the District, then the Permittee shall submit an application to modify this water use permit to include reclaimed water as a source of water. The modification application shall include a date when the reclaimed water will be available and shall indicate a proposed reduction in permitted quantities. If the permit application is not submitted by the Permittee, the District may reduce, following notice to the Permittee, the quantities authorized with this permit to account for the availability of reclaimed water. (458)
11. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for seasonal crops for each permitted irrigation withdrawal point, District ID. No 1, 2, 5, 6, 11, 12, and 16, Permittee ID Nos. SCF-1, SCF-2, SCF-5, SCF-6, SCF-11, SCF-12, and SCF-16, respectively:
 1. Crop type
 2. Irrigated acres per crop for the appropriate season,
 3. Dominant soil type or acres by dominant soil type,
 4. Use or non-use of plastic mulch,
 5. Planting dates, and
 6. Season length.This information shall be submitted by February 1 of each year documenting irrigation for the previous

summer/fall seasonal crops, and by September 1 of each year documenting irrigation for the previous winter/spring crops. Strawberry irrigation information shall be submitted as a winter/spring crop.(476)

12. By February 1, 2023, the Permittee shall provide a document to the Water Use Permit Bureau, which states that the lease agreement for this property has been renewed and is still current. The document must be signed by both the owner (lessor) and the lessee, and must indicate the extent of the lease agreement period and renewability of the lease. Subsequent documents will be due by February 1st, of each year thereafter or on some other appropriate frequency as dictated by the duration of the renewed lease, for the remaining period of this permit. If the lease agreement extends beyond the expiration date of this Permit, then subsequent documents are not necessary. If the required document is not received at the District by the required date, this permit may be revoked.(506)
13. The Permittee shall submit a copy of all well completion reports as filed with Environmental Action Commission of Manatee County to the Water Use Permit Bureau within 30 days of each well completion.(508)
14. The Permittee shall comply with allocated irrigation quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per actual crop grown. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.(651)
15. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules.(652)
16. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID Nos. 17 and 18, Permittee ID Nos. SCF-17 and SCF-18, respectively. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(718)
17. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID Nos. 1, 2, 5, 6, 11 and 12, Permittee ID Nos. SCF-1, SCF-2, SCF-5, SCF-6, SCF-11, and SCF-12, respectively. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

1. With advance notice to the Permittee, District staff with proper identification shall have permission to enter, inspect, collect samples, take measurements, observe permitted and related facilities and collect and document any information deemed necessary to determine compliance with the approved plans, specifications and conditions of this permit. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.
3. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
4. The Permittee shall mitigate any adverse impact to environmental features or offsite land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Examples of adverse impacts include the following:
 - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - B. Damage to crops and other vegetation causing financial harm to the owner; and
 - C. Damage to the habitat of endangered or threatened species.
5. The Permittee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District may require the Permittee to mitigate the impacts. Adverse impacts include:
 - A. A reduction in water levels which impairs the ability of a well to produce water;
 - B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.
6. Permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and / or related facilities from which the permitted consumptive use is made. Where Permittee's control of the land subject to the permit was demonstrated through a lease, the Permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system / project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40D-1.6105, F.A.C. Alternatively, the Permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
7. All withdrawals authorized by this WUP shall be implemented as conditioned by this permit, including any documents submitted as part of the permit application incorporated by reference in a permit condition. This permit is subject to review and modification, enforcement action, or revocation, in whole or in part, pursuant to Section 373.136 or 373.243, F.S.
8. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
9. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.
10. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.

11. A Permittee may seek modification of any term of an unexpired permit. The Permittee is advised that section 373.239, F.S., and Rule 40D-2.331, F.A.C., are applicable to permit modifications.
12. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.
13. The District may establish special regulations for Water-Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.
14. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to chapter 373, F.S. In the event of a declared water shortage, the Permittee must adhere to the water shortage restrictions, as specified by the District. The Permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
15. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that a statement in the application and in the supporting data are found to be untrue and inaccurate, the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing, pursuant to sections 373.136 or 373.243, F.S. The Permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
16. Within the Southern Water Use Caution Area, if the District determines that significant water quantity or quality changes, impacts to existing legal uses, or adverse environmental impacts are occurring, the District, upon reasonable notice to the Permittee, including a statement of facts upon which the District based its determination, may reconsider the quantities permitted or other conditions of the permit as appropriate to address the change or impact, but only after an opportunity for the Permittee to resolve or mitigate the change or impact or to request a hearing.
17. All permits are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Water Use Permit Bureau on or before the tenth day of the following month for monthly reporting frequencies. For bi-annual reporting, the data shall be recorded on a monthly basis and reported on or before the tenth day of the month following the sixth month of recorded data. The Permittee shall submit meter readings online using the Permit Information Center at www.swfwmd.state.fl.us/permits/epermitting/ or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Water Use Permit Bureau in Tampa at (813) 985-7481 if difficulty is encountered.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

1. The meter(s) shall be non-resettable, totalizing flow meter(s) that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring device(s) are proposed, prior to installation, approval shall be obtained in writing from the Water Use Permit Bureau Chief.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
 - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
 - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
 - C. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
 - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
 - E. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.
6. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.
7. Broken or malfunctioning meter:
 - A. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
 - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
 - C. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.
8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted

by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

9. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

FLOW METER ACCURACY TEST INSTRUCTIONS

1. **Accuracy Test Due Date** - The Permittee is to schedule their accuracy test according to the following schedule:
- A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.
 - B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.
 - C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.
 - D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Water Use Permit Bureau Chief for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.
 - E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

January	Hillsborough
February	Manatee, Pasco
March	Polk (for odd numbered permits)*
April	Polk (for even numbered permits)*
May	Highlands
June	Hardee, Charlotte
July	None or Special Request
August	None or Special Request
September	Desoto, Sarasota
October	Citrus, Levy, Lake
November	Hernando, Sumter, Marion
December	Pinellas

* The permittee may request their multiple permits be tested in the same month.

2. **Accuracy Test Requirements:** The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:
- A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
 - B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.
 - C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.
 - D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.
3. **Accuracy Test Report:** The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:
- A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.101.00 (5/14) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

- B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;
- C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;
- D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.
- E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.
- F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

WELL CONSTRUCTION INSTRUCTIONS

All wells proposed to be constructed shall be drilled and constructed as specified below:

- 1. All well casing (including liners and/or pipe) must be sealed to the depth specified in the permit condition.
- 2. The proposed well(s) shall be constructed of materials that are resistant to degradation of the casing/grout due to interaction with the water of lesser quality. A minimum grout thickness of two (2) inches is required on wells four (4) inches or more in diameter.
- 3. A minimum of twenty (20) feet overlap and two (2) centralizers is required for Public Supply wells and all wells six (6) inches or more in diameter.
- 4. Any variation from estimated, maximum or minimum total depths; maximum or minimum casing depths; well location or casing diameter specified in the condition requires advanced approval by the Water Use Permit Bureau Chief, or the Well Construction Section Manager.
- 5. The Permittee is notified that a proposal to significantly change any of these well construction specifications may require permit modification if the District determines that such a change would result in significantly greater withdrawal impacts than those considered for this Permit.
- 6. The finished well casing depth shall not vary from these specifications by greater than ten (10) percent unless advance approval is granted by the Water Use Permit Bureau Chief, or the Well Construction Section Manager.

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. The permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

CONSENT AGENDA

June 21, 2022

Executive Director's Report: Approve Governing Board Minutes - May 24, 2022

Staff Recommendation:

Approve minutes as presented.

Presenter:

Brian J. Armstrong, P.G., Executive Director



**GOVERNING BOARD MEETING
TUESDAY, MAY 24, 2022 – 9:00 AM
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
William Hogarth, Member*
John E. Hall, 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
Jennette Seachrist, Division Director
Michelle Hopkins, Division Director
Brian Starford, Division Director
Michael Molligan, 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., May 24, 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 Ashley Bell Barnett led the invocation and the Pledge of Allegiance.

1.3 Election of Governing Board Officers

Chair Rice provided an overview of his tenure as Chair including recent successes, ongoing activities, and future challenges.

Mr. Chris Tumminia, General Counsel, outlined the process for the election of officers.

Board Member Seth Weightman made a motion to nominate a slate of officers as follows: Chair, Joel Schleicher; Vice Chair, Ed Armstrong; Secretary, Michelle Williamson; and Treasurer, John Mitten. The motion was seconded and passed with nine in favor and one opposed.

1.4 Additions/Deletions to Agenda

Mr. Brian Armstrong, Executive Director, stated the following item was being removed and will be rescheduled. Ms. Rebecca Smith was unable to attend.

3.1 Recognition of Former Governing Board Member Rebecca Smith

Vice Chair Schleicher recognized PRMRWSA for their fiscal conservativeness related to Item 2.1.

Vice Chair Schleicher recognized staff for their prudence related to the review of cooperative funding items. He referenced Item 2.4

Vice Chair Schleicher requested the following items be moved to Discussion:

2.2 FARMS - Spanish Trails Farming and Land Company, LLC (H803), DeSoto County

2.9 Water Use Permit No. 20009492.007 - Bay Grove / T & T Environmental, LLC and Kimworth Investments, LLC (DeSoto County)

1.5 Public Input for Issues Not Listed on the Published Agenda

Mr. David Ballard Geddis spoke regarding his concerns related to beach erosion at Honeymoon Island.

Consent Agenda

Finance/Outreach and Planning Committee

2.1 Hammock Creek Watershed Management Plan (Q013) - Budget Transfer

Staff recommended the Board approve the budget transfer of \$398,021.32 from PRMRWSA Regional Loop System – Phase 1 Interconnect Design and Construction (N416) CFI project to the Hammock Creek Watershed Management Plan (Q013) District-led CFI project.

Resource Management Committee

~~2.2 FARMS - Spanish Trails Farming and Land Company, LLC (H803), DeSoto County~~

~~Staff recommended the Board:~~

- ~~1. Approve the Spanish Trails Farming and Land Company, LLC project for a not-to-exceed project reimbursement of \$529,000 with \$529,000 provided by the~~

~~Governing Board:~~

- ~~2. Authorize the transfer of \$529,000 from fund 010 H017 Governing Board FARMS Fund to the H803 Spanish Trails Farming and Land Company, LLC project fund.~~
- ~~3. Authorize the Assistant Executive Director to sign the agreement.~~

2.3 Approve the Haines City Watershed Management Plan Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps in Polk County (N813)

Staff recommended the Board approve use of the Haines City Watershed Management Plan floodplain information for best information available by the District ERP program and to update Flood Insurance Rate Maps in the watershed.

2.4 Pasco County PHSC Berm/Boggy Creek Flood Protection Implementation Project (Q042)

Staff recommended the Board authorize staff to amend the project Cooperative Funding Agreement to eliminate the third-party review and reduce the total project budget to \$210,000 (District Share of \$105,000).

Operations, Lands and Resource Monitoring Committee

2.5 Assignment of Easement to the District, Green Swamp (GSE-3), SWF Parcel No. 10-200- 1307P

Staff recommended the Board:

- Accept the donation of an Assignment of Easement.
- Authorize the Chairman of the Governing Board to execute the Assignment of Easement.
 - Authorize the Division Director or his assignee to acknowledge and sign the donation through use of IRS Form 8283.
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

2.6 Sale of Easement to Pasco County at Cypress Creek Preserve for CR 54 Widening Project, SWF Parcel No. 13-500-404S

Staff recommended the Board:

- Accept the offer of \$39,950.00.
- Approve the Purchase/Sale Agreement and authorize the Executive Director to execute on behalf of the District
- Approve the Non-Exclusive Perpetual Easement and authorize the Chair and Secretary to execute on behalf of the District.
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

2.7 Easement and Access for ROMP 34 Data Collection Site – SWF Parcel No. 21-020-024

Staff recommended the Board approve the Easement Agreement and authorize the Executive Director to sign on behalf of the District.

2.8 Donation of Right of Way to Polk County - Marshall Hampton Reserve, SWF Parcel No. 20-503-265S

Staff recommended the Board:

- Approve the donation of right-of-way and authorize the Chair and Secretary to execute the Quit Claim Deed on behalf of the District.
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

Regulation Committee

2.9 Water Use Permit No. 20009492.007 - Bay Grove / T & T Environmental, LLC and Kimworth Investments, LLC (DeSoto County)

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

General Counsel's Report

2.10 Approval of Settlement Agreement between SWFWMD and Holloway Park Foundation, Inc. - Unauthorized Construction Activities - CT No. 376309 - Polk County

Staff recommended the Board:

1. Approve the Settlement Agreement.
2. Authorize District staff to pursue additional enforcement measures to obtain compliance with the terms and conditions of the Settlement Agreement, including filing any appropriate actions in circuit court, if necessary.

2.11 Amended Corrected Deed of Conservation Easement for Horse Creek Mitigation Bank - ERP No. 43041539.000 - DeSoto County

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

2.12 Approval of Settlement Agreement Between SWFWMD and Arthur L. Schaer Revocable Trust - Unauthorized Construction - CT No. 383658 - Pasco County

Staff recommended the Board:

1. Approve the Settlement Agreement.
2. Authorize District staff to pursue additional enforcement measures to obtain compliance with the terms and conditions of the Settlement Agreement, including filing any appropriate actions in circuit court, if necessary.

Executive Director's Report

2.13 Approve Governing Board Minutes - April 26, 2022

Staff recommended the Board approve minutes as presented.

Recognition of Former Governing Board Member

3.1 Recognition of Former Governing Board Member Rebecca Smith

Former Board Member Rebecca Smith was recognized for her service on the Governing Board.

A motion was made and seconded to approve the Consent Agenda as amended. The motion carried unanimously. (00:23:33)

Finance/Outreach and Planning Committee

Treasurer Ed Armstrong called the Committee to order. (Audio – 00:24:22)

4.1 Consent Item(s) Moved to Discussion - None

4.2 Fiscal Year 2020-21 Annual Comprehensive Financial Report

Ms. Jane Lastinger, James Moore & Company, provided an overview of the annual independent audit for Fiscal Year 2020-21. She outlined the information in the Independent Auditor's Reports. Ms. Lastinger stated that a "pass" rating was received for her firm's latest peer review report. This is the highest rating that can be obtained. She summarized any changes that occurred in the District's General Fund, Florida Forever Capital Fund and Capital Project Fund. Ms. Lastinger provided a comparison table from FY2019 through FY2021 for specific fund balances. She provided information regarding the pensions and other post-employment benefits. Overall, the results were an unmodified opinion, a determination of no material weaknesses in controls and no recommendations for improvement.

Staff recommended the Board accept and place on file the District's Annual Comprehensive Financial Report, including a Single Audit pursuant to Chapter 10.550, Rules of the Auditor General, the Management Letter and the Independent Accountants' Examination Report for fiscal year-ending September 30, 2021.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 00:30:21)

4.3 Overview of Independent Auditing Services Selection Process

Ms. Amanda Rice, Assistant Executive Director, provided an overview of the ongoing Independent Auditing Services Selection process. This included the Florida Statute requirements, the selection committee obligations, the evaluation criteria, and ranking process for the Request for Proposal (RFP), negotiation methods and the timeline associated with the selection process.

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

4.4 Budget Transfer Report

Resource Management Committee

Board Member Seth Weightman called the meeting to order. (Audio – 00:35:47)

5.1 Consent Item(s) Moved to Discussion

2.2 FARMS - Spanish Trails Farming and Land Company, LLC (H803), DeSoto County

Vice Chair Joel Schleicher asked for Board Member Jack Bispham to provide his expertise to assist in discussion of this item.

Board Member Bispham explained that water consumption for sod farms is greater than farms that grow fruits or vegetables due to evapotranspiration.

Staff recommended the Board:

1. Approve the Spanish Trails Farming and Land Company, LLC project for a not-to-exceed project reimbursement of \$529,000 with \$529,000 provided by the Governing Board.
2. Authorize the transfer of \$529,000 from fund 010 H017 Governing Board FARMS Fund to the H803 Spanish Trails Farming and Land Company, LLC project fund.
3. Authorize the Assistant Executive Director to sign the agreement.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 00:38:15)

5.2 Fiscal Year 2023 Cooperative Funding Update

Mr. Scott Letasi, P.E., PMP, Engineering and Project Management Bureau Chief, provided an update of the FY2023 Cooperative Funding Initiative.

Mr. Jay Hoecker, PMP, Water Resources Bureau Chief, provided presentations for the Polk Regional Water Cooperative (PRWC) projects Q184, Q216, Q308 and Q309. He also provided a presentation for Tampa Bay Water project Q241.

Mr. Letasi provided presented information for flood protection projects Q190 and Q327. He stated that Q327 is a new CFI request. Mr. Letasi outlined the changes since the April subcommittee meetings. He stated that updated information has been provided to the Board Members.

Staff recommended the Board:

1. Approve budget transfer from H094 Polk Partnership for a total amount of \$8,090,782 to:
 - a. Q184 - Brackish - Polk Regional Water Cooperative Southeast Wellfield Implementation for \$2,359,987, and
 - b. Q216 - Interconnects - Polk Regional Water Cooperative Regional Transmission Southeast Phase 1 for \$3,438,487.
 - c. Q308 - Brackish - Polk Regional Water Cooperative West Polk Wellfield for \$1,064,308. d. Q309 - Brackish - Polk Regional Water Cooperative Test Production Well #2 West Polk Wellfield for \$1,228,000.
2. Approve staff recommendation to remove from funding consideration flood protection projects Q321, Q327, and Q328.
3. Approve staff recommendation to include AWS, 1A, and CFI ranked projects in the District's FY2023 RASB in the amount of \$43,953,559.
4. Approve staff recommendation to eliminate all Not Recommended projects from further funding consideration.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 00:59:29)

- 5.3 Existing Validated and New Proposed Wetland-Based Criteria for Minimum Wetland and Lake Level Development and an Update on the Ongoing Peer Review of the Criteria**
This item was for information. No action was required.

Operations, Lands and Resource Monitoring Committee

Board Member Jack Bispham called the Committee to order. (Audio – 1:01:18)

- 6.1 Consent Item(s) Moved to Discussion** - None

6.2 2022 Hurricane Preparedness

Mr. Tim Fallon, Emergency Coordinating Officer, presented the 2022 Hurricane Preparedness. He explained the role of District's Emergency Coordinating Officer and alternates. Mr. Fallon provided the 2022 Atlantic Basin Hurricane Forecast. The projections included 19 named storms, 9 hurricanes and 4 major hurricanes. He provided a recap of the 2021 storm season. Mr. Fallon outlined the primary responsibilities of the District during emergency operations. He stated the District is a member of the State Emergency Response Team (SERT). Mr. Fallon outlined the activities the District practices for emergency preparedness. Mr. Fallon informed the Board that the District is prepared for the hurricane season.

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

Regulation Committee

Vice Chair Joel Schleicher called the Committee to order. (Audio – 01:14:10)

- 7.1 Consent Item(s) Moved to Discussion**

2.9 Water Use Permit No. 20009492.007 - Bay Grove / T & T Environmental, LLC and Kimworth Investments, LLC (DeSoto County)

Vice Chair Joel Schleicher asked for Board Member Jack Bispham to provide his expertise to assist in discussion of this item.

Board Member Bispham reiterated that water consumption for sod farms is greater than farms that grow fruits or vegetables due to evapotranspiration.

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 passed unanimously. (Audio – 01:16:17)

7.2 Denials Referred to the Governing Board

No denials were presented.

7.3 Spruce Creek Golf, LLC (WUP No. 20010923.002) Water Use Permit

Ms. April Breton, Water Use Permit Manager, presented information regarding overpumpage associated with the Spruce Creek Golf Course. She explained the process when identifying an overpumpage violation and the steps the District takes to work with the permit holder to resolve the issue. Ms. Breton outlined a timeline and the steps that have been and are currently being taken to assist Spruce Creek Golf Course to come into compliance.

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

7.4 Water Use Permit No. 20008836.015 - Sarasota County Utilities Consolidated Permit/Sarasota County BOCC (Sarasota and Manatee Counties)

Ms. April Breton, stated this is a modification of an existing water use permit for public supply. She stated this permit is partially located in the most impacted area of the Southern Water Use Caution Area (SWUCA) and outlined the special conditions associated with the permit.

Board Member Bispham asked if the minimum flows had been set for the Manatee River. Ms. Jennette Seachrist responded in the affirmative. And stated it is currently being met. This was incorrectly responded to and clarified under the Executive Director's Report. (See Item 10.1)

Vice Chair Schleicher asked what the water capacity is for the Carlton Water Treatment facility.

Mr. Mike Mylett, Sarasota County Utilities, responded that once the Carlton Water Treatment facility has completed rehabilitation the treatment capacity will be approximately 15 million gallons per day. He stated that it currently pumps between three and six million gallons as a peaking facility to offset supply from Manatee County and the Peace River Manasota Regional Water Supply Authority. Mr. Mylett responded to questions. He reassured the Board that Sarasota County will not have a deficit of drinking water if this permit is approved.

Staff recommended the Board approve the proposed permit as presented.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:28:58)

General Counsel's Report

8.1 Consent Item(s) Moved to Discussion - None

Committee/Liaison Reports

9.1 Environmental Advisory Committee

Board Member John Mitten provided a summary of the April 12 meeting. A written summary of the meeting was also provided.

9.2 Well Drillers Advisory Committee

Board Member Seth Weightman provided a summary of the April 6 meeting. A written summary of the meeting was also provided.

Executive Director's Report

10.1 Executive Director's Report

Mr. Brian Armstrong, Executive Director, clarified a response for item 7.4. He stated that Ms. Seachrist's response erroneously referenced the Myakka River not the Manatee River. The District has not set minimum flows and levels for the Manatee River.

Mr. Armstrong informed the Board that Colonel James Booth from the United States Army Corp of Engineers (ACOE) toured the Four River Basins projects. Commander Booth presented Lead Structure Controls Analyst Patrick Casey with a Commander's coin. This was done in recognition of the District's efforts for flood protection.

Mr. Armstrong thanked Chair Rice for his mentorship as Chair and his service to the Board.

Vice Chair Schleicher thanked the Board for electing him to serve as the next Chair. He thanked Chair Rice for his service.

Chair's Report

11.1 Chair's Report

Chair Rice expressed his appreciation for serving as Chair.

The next Board meeting is scheduled for June 21 at 9:00 a.m., in the Brooksville Office.

11.2 Employee Milestones

Chair Rice recognized staff members Gary Flood and Kelly Keck for their service to the District.

Adjournment

The meeting adjourned at 10:49 a.m.

Governing Board Meeting

June 21, 2022

3. FINANCE/OUTREACH AND PLANNING COMMITTEE

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FINANCE/OUTREACH AND PLANNING COMMITTEE

June 21, 2022

Discussion: Information Item: Consent Item(s) Moved to Discussion

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Michael Molligan, Division Director, Employee Outreach and General Services

FINANCE/OUTREACH AND PLANNING COMMITTEE

June 21, 2022

Discussion: Information Item: Knowledge Management: Governing Board Member Duties and Responsibilities Policy

Purpose

As part of the District's Knowledge Management initiative, all the District's Governing Board Policies are being reviewed by the respective divisions.

Background/History

The District's Knowledge Management initiative was launched in FY2016 and is now a Core Business Process in the District's Strategic Plan. Knowledge Management is the practice of systematically and actively collecting, managing, sharing and leveraging the organization's data, information and processes. The focus since FY2018 has been on improving the organization of governing documents to facilitate knowledge sharing, ensure the alignment of division and bureau practices with Governing Board Policies and Executive Director Procedures, and allow for timely retrieval and review of existing governing documents.

The Governing Board Member Duties and Responsibilities Policy outlines the duties and responsibilities of the four Governing Board Officers, the Chairs of the four Governing Board Committees and the general duties of all Governing Board members. Minor formatting, wording and clarification changes have been made to the policy. The proposed revised policy is shown in the attached exhibit.

Benefits

Updating existing Governing Board Policies increases efficiencies and ensures organizational alignment.

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Robyn Felix, Bureau Chief, Communications & Board Services

DRAFT

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: Governing Board Member Duties and Responsibilities

Document Owner: Communications and Board Services

Bureau Chief

Approved By: Board Chair

Effective Date: MM/DD/YY

Supersedes: 05/20/2014

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PURPOSE

The purpose of this policy is to outline the ~~Governing Board's~~ duties and responsibilities of the Governing Board members and the committee approach that is used to conduct much of the District's business.

SCOPE

This Policy applies to ~~the members of the~~ Governing Board.

AUTHORITY

~~Chapter 40D, Florida Administrative Code~~

~~Chapter 62-40, Florida Administrative Code~~

~~Chapter 373, Florida Statutes~~

Chapter 112, Florida Statutes

Section 200.065, Florida Statutes

Chapter 286, Florida Statutes

Chapter 373, Florida Statutes

DEFINITIONS

N/A

GOVERNING BOARD POLICY

Title: Governing Board Member Duties and Responsibilities

Effective Date: MM/DD/YYYY

Page 2 of 7

STANDARDS

N/A

POLICY

The District's Governing Board is ~~comprised~~ composed of thirteen (13) members who are appointed by the Governor of Florida subject to confirmation by the Florida Senate. Annually in May, members of the Governing Board elect four officers: Chair, Vice Chair, Secretary and Treasurer, who serve in their respective offices for one year. In addition, the Governing Board has approved an optional committee approach as the appropriate forum in which to conduct much of its business and convenes, when appropriate, four Governing Board Committees: the Finance/Outreach & Planning Committee, ~~t~~The Operations, & Lands and Resource Monitoring~~anagt~~ Committee, ~~the Finance/Outreach & Planning Committee~~, the Regulation Committee, and the Resource Management Committee. The following is an outline of the duties and responsibilities of the four Governing Board Officers, the Chairs of the four Governing Board Committees and the general duties of all Governing Board members.

CHAIR

The Governing Board Chair has the duties and responsibilities historically associated with the presiding officer in an organizational setting, ~~as governed by~~ described in Robert's Rules of Order (as revised), as well as certain other specific duties established by Governing Board Policy. The duties of the Governing Board Chair include, but may not be limited to, the following:

- 1) Presiding over all meetings of the Governing Board, which includes keeping order, being fair and impartial, enforcing the rules and decorum of debate, and protecting the rights of all Governing Board members.
- 2) Being familiar with the basic rules of calling a meeting to order and declaring a meeting adjourned, establishing, and following an agenda, and the proper steps in making, debating and voting on motions.
- 3) Recognizing Governing Board members who wish to speak; no member may speak to a subject under discussion or introduce a motion without recognition by the Chair. When more than one member requests recognition at the same time, the order of speakers will be determined as fairly as possible by the Chair.
- 4) ~~Using the Chair's prerogative, when appropriate, to limit~~ Limiting member debate, ~~when reasonably necessary,~~ by enacting time limits in accordance with Board Policy Conduct of Board Meetings.
- 5) Using the Chair's prerogative, when appropriate, ~~to~~ grant exception to the three-minute time limit allowed to members of the public wishing to address the Governing Board.
- 6) ~~Ruling "out of order" any member of the public who speaks out of order, who fails to address the Governing Board according to Board Policy, or who is making profane, irrelevant, or inflammatory~~ coercive, threatening, or intimidating statements.
- 6) ~~Prior to the presiding over the annual elections, the chair will discuss Board priorities, successes, and any unresolved issues, as provided for in h), disclose~~ disclosing during such meeting, at a minimum:
~~The priorities of the Governing Board that were not met during his or her term, status of such priorities, and the plan to satisfy such priorities.~~

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~~Status report for ongoing projects.~~

~~Lessons learned.~~

~~8)7) Issues/matters that will require attention within the next year.~~

~~9)8) Presiding over annual elections by accepting nominations and motions to nominations, putting the nominations to vote, and announcing the results in accordance with Board Policy Election of Governing Board Officers 110-7.~~

~~10)9) Annually appointing members, committee chairs, committee vice chairs and Board liaisons to the various Governing Board and other committees, including advisory committees, ad hoc committees, planning committees and sub-committees as appropriate, and for major District initiatives, after seeking input from Board members.~~

~~11)10) Assigning, as required, Board Policies to appropriate Governing Board Committees for review and update.~~

~~12)11) Signing the official minutes of Board meetings, Board Policies and other documents.~~

~~13)12) Counter-signing (along with the Governing Board Treasurer) District checks, either manually or by electronic facsimile signature.~~

~~14)13) Approving non-scheduled travel outside the District or travel to attend conferences or conventions outside the District by Governing Board members or the Executive Director, as required by the District's Travel Policy when travel is expected to occur prior to the Governing Board's ability to approve such travel.~~

~~15)14) Concurring with the Executive Director and General Counsel in the initiation of legal or enforcement action initiated in advance of full Board approval, if necessary, in the best interest of the District.~~

~~16)15) Consulting with the Executive Director and General Counsel in the procurement of outside legal services necessary to adequately represent the Governing Board and the District.~~

~~17)16) Approving the making or acceptance of proposals to settle legal actions in amounts greater than \$25,000 if the matter requires immediate action and cannot be delayed to the next regularly scheduled Governing Board meeting.~~

~~18)17) Executing, on behalf of the Governing Board, instruments of sale, lease, release, or conveyance of interests in land owned by the District. Such instruments must be attested to by the Governing Board Secretary.~~

~~19)18) Executing certain documents on behalf of the Governing Board, including agreements for the recruitment, selection and compensation of the Executive Director and the Inspector General, Board Policies, District Orders, Settlement Agreements, and certain other documents where signature authority has not been delegated to the Executive Director.~~

~~20)19) Approving the performance evaluations appraisals of the Executive Director and Inspector General and executing the same on behalf of the Governing Board.~~

~~21)20) Making final legislative policy decisions in the event that time frames preclude formal Governing Board action as it pertains to any pending legislation and reporting the same to the full Governing Board at the next regularly scheduled session.~~

~~22)21) Other such duties as may be required on behalf of the Governing Board.~~

VICE CHAIR

The office of the Governing Board Vice Chair generally involves assuming all the duties and responsibilities of the Chair, including presiding at Governing Board meetings, when the Chair is unable to be physically present at a meeting, when the Chair has to step down because he or she wishes to debate an issue, if a motion is being presented that concerns

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the Chair or if the office of the Chair is vacated for any reason. In the case of disability, resignation, non-reappointment or death of the Chair, the Vice Chair shall become the Chair for the remainder of the Chair's term. The Vice Chair may have other duties as assigned by the Chair on behalf of the Governing Board.

SECRETARY

The Governing Board Secretary has the duties and responsibilities historically associated with the recording officer in an organizational setting, described in Robert's Rules of Order (as revised), as well as certain other specific duties established by Governing Board Policy, as expressed by Robert's Rules of Order and by Board Policy. The duties of the Governing Board Secretary include, but may not be limited to, the following:

- 1) Confirming, and noting for the record, the presence or absence of a quorum at the beginning of every Governing Board meeting.
- 2) Attesting to certain official documents, including Governing Board meeting minutes, District Orders, District Resolutions, instruments for the sale, lease, or other conveyance of land and other official documents.
- 3) Presiding over meetings, and assuming all of the duties of the Chair, in the event that both the Chair and the Vice Chair are unable to be physically present at a meeting, if both the Chair and Vice Chair have to step down for any reason, or if the offices of both the Chair and Vice Chair are vacated for any reason.
- 4) Acting as the Governing Board Treasurer in the event that the Treasurer is unable to be physically present at a meeting or to carry out his or her duties for any reason, including execution of any necessary documents, and otherwise assisting the Treasurer in the performance of his or her duties as required.
- 5) Assuming other such duties as assigned by the Chair and on behalf of the Governing Board.

TREASURER

The Governing Board Treasurer has specific ~~the~~ duties and responsibilities historically associated with the financial officer in an organizational setting, described in Robert's Rules of Order (as revised), as well as certain other specific duties established by Governing Board Policy, as expressed by Robert's Rules of Order and by Governing Board Policy. The duties of the Governing Board Treasurer include, but may not be limited to, the following:

- 1) Serving as Chair of the Finance/Outreach & Planning Committee.
- 2) Signing, as primary signatory, either manually or by electronic ~~facsimile~~ signature, all checks issued by the District, which are counter-signed by the Chair or Vice Chair.
- 3) Signing, as primary signatory, either manually or by electronic ~~facsimile~~ signature, all District financial account documents, documents to alter account structure or close accounts, and other financial reporting documents required by statute.
- 4) Receiving the District's monthly report on cash and investments.
- 5) Consulting with the Division Director of Business and IT ~~Management~~ Services, and staff in the preparation of the annual budget and annual third-party financial audit.
- 6) Presiding over meetings, and assuming all of the duties of the Chair, in the event that the Chair, the Vice Chair and the Secretary are unable to physically be present at a meeting, if the Chair, the Vice Chair and the Secretary have to step down for any reason, or if the offices of the Chair, the Vice Chair and the Secretary are vacated

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for any reason.

- 7) Acting as the Governing Board Secretary in the event ~~that~~ the Secretary is unable to attend a meeting or to carry out his or her duties for any reason, including execution of any necessary documents, and otherwise assisting the Secretary in the performance of his or her duties as required.
- 8) Acting as the designated liaison to the Division of Business and IT Management Services and staff.
- 9) ~~Customarily presiding~~ Presiding over ~~Budget Hearings~~ budget hearings conducted pursuant to Sections 200.065 and 373.536, Florida Statutes, at the prerogative of the Chair.
- 10) Assuming other such duties as assigned by the Chair and on behalf of the Governing Board.

COMMITTEE CHAIRS

Committee Chairs preside over all separate Committee meetings, or the Governing Board serving as a committee of the whole, which includes:

- 1) Keeping order, being fair and impartial, enforcing the rules and decorum of debate and protecting the rights of all Governing Board members.
- 2) Being familiar with the basic rules of calling a meeting to order and declaring a meeting adjourned, establishing, and following an agenda, and the proper steps in making, debating and voting on motions.
- 3) Recognizing Board members who wish to speak during Committee meetings; no member may speak to a subject under discussion or introduce a motion without recognition by the Chair. When more than one member requests recognition at the same time, the order of speakers will be determined as fairly as possible by the Chair.
- 4) Using the Chair's prerogative, when appropriate, ~~to~~ limit member debate by enacting time limits in accordance with Board Policy.
- 5) Using the Chair's prerogative, when appropriate, ~~to~~ grant exception to the three-minute time limit allowed to members of the public wishing to address the Governing Board.
- 6) Ruling out of order any member of the public who speaks out of order, who fails to address the Governing Board according to Board Policy or who is making profane, irrelevant, or inflammatory statements.
- 7) Developing the Committee agenda with the assistance of Committee members and staff. Significant staffing requests made by Committees will require approval by the full Governing Board. The Governing Board Chair approves the final Committee agendas.
- 8) Initiating, and placing on the agenda, the review of ongoing initiatives in the realm of the Committee area of responsibility, as appropriate.
- 9) Referring matters to another Governing Board Committee, or to the full Governing Board, as appropriate.
- 10) Fostering Committee coordination when multiple Committees are addressing the same or related issues.
- 11) Acting as liaison to the appropriate District Division Director and his or her staff.

Committee Vice Chairs will assume the responsibilities listed above when the Committee Chair is unable to be present for any reason. In addition, the Committee Chairs and Vice

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Chairs shall provide leadership to the appropriate committees provided for in Board Policy Governing Board Committee Responsibilities ~~in Policies 110-3A, 110-38, 110-3C, and 110-3E.~~

GOVERNING BOARD MEMBERS

Each Governing Board member has ~~certain duties and responsibilities~~ the duty and responsibility to hold their position in the public trust, ~~as set forth generally in Robert's Rules of Order, and as further as well as other specific duties~~ established by Governing Board Policy, including ~~to~~ with:

- 1) Regularly attending meetings, hearings and workshops;
- 2) Adequately preparing for meetings, hearings and workshops by reviewing the Agenda and Governing Board Packet and being versed on the issues to come before the Governing Board;
- 3) Knowing the rules of order and debate, having an adequate knowledge of the various motions and parliamentary procedure, and participating in debate as appropriate;
- 4) Accepting Governing Board Committee and other committee assignments, including advisory committees, ad hoc committees, planning committees and sub-committees as appropriate, as assigned by the Chair and performing assigned tasks in a timely manner;
- 5) Complying with laws governing public service, including Florida's Government-in-the Sunshine law and the Code of Ethics for Public Officers and Employees, as well as the financial reporting requirements found in Chapter 112, Florida Statutes, and the Florida Constitution;
- 6) Calling out a Point of Order only when a serious breach of the rules of debate has taken place;
- 7) Voting on all issues before the Governing Board except in the case of a voting conflict of interest pursuant to Section 112.3143, Florida Statutes, which requires that a Governing Board member recuse him or herself in the event of conflicts of interest as outlined therein; and
- 8) Other such duties as may be assigned by the Governing Board Chair.

DISTRIBUTION

This document will be stored in the Governing Document Repository.

REFERENCES

Board Policy ~~110-5~~, Conduct of Board Meetings

Board Policy ~~110-7~~, Election of Governing Board Officers

Board Policy ~~110-3~~, Governing Board Committee Responsibilities

Robert's Rules of Order Newly Revised, ~~Eleventh~~ Twelfth Edition (~~2011~~ 2020)

REVIEW PERIOD

This Policy will be reviewed every three years.

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Title: Governing Board Member Duties and Responsibilities

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DOCUMENT DETAILS

Document Name	Governing Board Member Duties and Responsibilities
Formerly Known As	N/A
Document Type	Policy
Author(s)	
Reviewing Stakeholder(s)	
Document Owner Name	Robyn Felix
Document Owner Title	Communications and Board Services Bureau Chief
Review Period (in days)	1095
Span of Control	Governing Board
Supersedes Date	05/20/2014
Effective Date	MM/DD/YYYY

APPROVAL

Joel A. Schleicher
Chair

Date

DRAFT

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: Governing Board Member Duties and Responsibilities

Document Owner: Communications and Board Services
Bureau Chief

Approved By: Board Chair

Effective Date: MM/DD/YY

Supersedes: 05/20/2014

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PURPOSE

The purpose of this policy is to outline the duties and responsibilities of the Governing Board members and the committee approach that is used to conduct much of the District's business.

SCOPE

This Policy applies to members of the Governing Board.

AUTHORITY

Chapter 112, Florida Statutes
Section 200.065, Florida Statutes
Chapter 286, Florida Statutes
Chapter 373, Florida Statutes

DEFINITIONS

N/A

STANDARDS

N/A

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POLICY

The District's Governing Board is composed of thirteen (13) members who are appointed by the Governor of Florida subject to confirmation by the Florida Senate. Annually in May, members of the Governing Board elect four officers: Chair, Vice Chair, Secretary and Treasurer, who serve in their respective offices for one year. In addition, the Governing Board has approved an optional committee approach as the appropriate forum in which to conduct much of its business and convenes, when appropriate, four Governing Board Committees: the Finance/Outreach & Planning Committee, the Operations, Lands and Resource Monitoring Committee, the Regulation Committee, and the Resource Management Committee. The following is an outline of the duties and responsibilities of the four Governing Board Officers, the Chairs of the four Governing Board Committees and the general duties of all Governing Board members.

CHAIR

The Governing Board Chair has the duties and responsibilities historically associated with the presiding officer in an organizational setting, described in Robert's Rules of Order (as revised), as well as certain other specific duties established by Governing Board Policy. The duties of the Governing Board Chair include, but may not be limited to, the following:

- 1) Presiding over all meetings of the Governing Board, which includes keeping order, being fair and impartial, enforcing the rules and decorum of debate, and protecting the rights of all Governing Board members.
- 2) Being familiar with the basic rules of calling a meeting to order and declaring a meeting adjourned, establishing and following an agenda, and the proper steps in making, debating and voting on motions.
- 3) Recognizing Governing Board members who wish to speak; no member may speak to a subject under discussion or introduce a motion without recognition by the Chair. When more than one member requests recognition at the same time, the order of speakers will be determined as fairly as possible by the Chair.
- 4) Limiting member debate, when reasonably necessary, by enacting time limits in accordance with Board Policy Conduct of Board Meetings.
- 5) Using the Chair's prerogative, when appropriate, grant exception to the three-minute time limit allowed to members of the public wishing to address the Governing Board.
- 6) Ruling "out of order" any member of the public who speaks out of order, who fails to address the Governing Board according to Board Policy, or who is making coercive, threatening, or intimidating statements.
- 7) Prior to presiding over the annual elections, the chair will discuss Board priorities, successes, and any unresolved issues.
- 8) Presiding over annual elections by accepting nominations and motions to nominations, putting the nominations to vote, and announcing the results in accordance with Board Policy Election of Governing Board Officers.
- 9) Annually appointing members, committee chairs, committee vice chairs and Board liaisons to the various Governing Board and other committees, including advisory committees, ad hoc committees, planning committees and sub-committees as appropriate, and for major District initiatives, after seeking input from Board members.
- 10) Assigning, as required, Board Policies to appropriate Governing Board Committees for review and update.

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- 11) Signing Board Policies and other documents.
- 12) Counter-signing (along with the Governing Board Treasurer) District checks, either manually or by electronic signature.
- 13) Approving non-scheduled travel outside the District or travel to attend conferences or conventions outside the District by Governing Board members or the Executive Director, as required by the District's Travel Policy when travel is expected to occur prior to the Governing Board's ability to approve such travel.
- 14) Concurring with the Executive Director and General Counsel in the initiation of legal or enforcement action initiated in advance of full Board approval, if necessary, in the best interest of the District.
- 15) Consulting with the Executive Director and General Counsel in the procurement of outside legal services necessary to adequately represent the Governing Board and the District.
- 16) Approving the making or acceptance of proposals to settle legal actions in amounts greater than \$25,000 if the matter requires immediate action and cannot be delayed to the next regularly scheduled Governing Board meeting.
- 17) Executing, on behalf of the Governing Board, instruments of sale, lease, release, or conveyance of interests in land owned by the District. Such instruments must be attested to by the Governing Board Secretary.
- 18) Executing certain documents on behalf of the Governing Board, including agreements for the recruitment, selection and compensation of the Executive Director and the Inspector General, Board Policies, District Orders, Settlement Agreements, and certain other documents where signature authority has not been delegated to the Executive Director.
- 19) Approving the performance evaluations of the Executive Director and Inspector General and executing the same on behalf of the Governing Board.
- 20) Making final legislative policy decisions in the event that time frames preclude formal Governing Board action as it pertains to any pending legislation and reporting the same to the full Governing Board at the next regularly scheduled session.
- 21) Other such duties as may be required on behalf of the Governing Board.

VICE CHAIR

The office of the Governing Board Vice Chair generally involves assuming all the duties and responsibilities of the Chair, including presiding at Governing Board meetings, when the Chair is unable to be present at a meeting, if a motion is being presented that concerns the Chair or if the office of the Chair is vacated for any reason. In the case of disability, resignation, non-reappointment or death of the Chair, the Vice Chair shall become the Chair for the remainder of the Chair's term. The Vice Chair may have other duties as assigned by the Chair on behalf of the Governing Board.

SECRETARY

The Governing Board Secretary has the duties and responsibilities historically associated with the recording officer in an organizational setting, described in Robert's Rules of Order (as revised), as well as certain other specific duties established by Governing Board Policy. The duties of the Governing Board Secretary include, but may not be limited to, the following:

- 1) Confirming, and noting for the record, the presence or absence of a quorum at the beginning of every Governing Board meeting.
- 2) Attesting to certain official documents, including District Orders, District Resolutions, instruments for the sale, lease, or other conveyance of land and other official documents.
- 3) Presiding over meetings, and assuming all of the duties of the Chair, in the event that

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both the Chair and the Vice Chair are unable to be present at a meeting, if both the Chair and Vice Chair have to step down for any reason, or if the offices of both the Chair and Vice Chair are vacated for any reason.

- 4) Acting as the Governing Board Treasurer in the event that the Treasurer is unable to be present at a meeting or to carry out his or her duties for any reason, including execution of any necessary documents, and otherwise assisting the Treasurer in the performance of his or her duties as required.
- 5) Assuming other such duties as assigned by the Chair and on behalf of the Governing Board.

TREASURER

The Governing Board Treasurer has the duties and responsibilities historically associated with the financial officer in an organizational setting, described in Robert's Rules of Order (as revised), as well as certain other specific duties established by Governing Board Policy. The duties of the Governing Board Treasurer include, but may not be limited to, the following:

- 1) Serving as Chair of the Finance/Outreach & Planning Committee.
- 2) Signing, as primary signatory, either manually or by electronic signature, all checks issued by the District, which are counter-signed by the Chair or Vice Chair.
- 3) Signing, as primary signatory, either manually or by electronic signature, all District financial account documents, documents to alter account structure or close accounts, and other financial reporting documents required by statute.
- 4) Receiving the District's monthly report on cash and investments.
- 5) Consulting with the Division Director of Business and IT Services, and staff in the preparation of the annual budget and annual third-party financial audit.
- 6) Presiding over meetings, and assuming all of the duties of the Chair, in the event that the Chair, the Vice Chair and the Secretary are unable to be present at a meeting, if the Chair, the Vice Chair and the Secretary have to step down for any reason, or if the offices of the Chair, the Vice Chair and the Secretary are vacated for any reason.
- 7) Acting as the Governing Board Secretary in the event the Secretary is unable to attend a meeting or to carry out his or her duties for any reason, including execution of any necessary documents, and otherwise assisting the Secretary in the performance of his or her duties as required.
- 8) Acting as the designated liaison to the Division of Business and IT Services and staff.
- 9) Presiding over budget hearings conducted pursuant to Sections 200.065 and 373.536, Florida Statutes, at the prerogative of the Chair.
- 10) Assuming other such duties as assigned by the Chair and on behalf of the Governing Board.

COMMITTEE CHAIRS

Committee Chairs preside over all separate Committee meetings, or the Governing Board serving as a committee of the whole, which includes:

- 1) Keeping order, being fair and impartial, enforcing the rules and decorum of debate and protecting the rights of all Governing Board members.
- 2) Being familiar with the basic rules of calling a meeting to order and declaring a meeting adjourned, establishing and following an agenda, and the proper steps in making, debating and voting on motions.

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- 3) Recognizing Board members who wish to speak during Committee meetings; no member may speak to a subject under discussion or introduce a motion without recognition by the Chair. When more than one member requests recognition at the same time, the order of speakers will be determined as fairly as possible by the Chair.
- 4) Using the Chair's prerogative, when appropriate, limit member debate by enacting time limits in accordance with Board Policy.
- 5) Using the Chair's prerogative, when appropriate, grant exception to the three-minute time limit allowed to members of the public wishing to address the Governing Board.
- 6) Ruling out of order any member of the public who speaks out of order, who fails to address the Governing Board according to Board Policy or who is making profane, irrelevant, or inflammatory statements.
- 7) Developing the Committee agenda with the assistance of Committee members and staff. Significant staffing requests made by Committees will require approval by the full Governing Board. The Governing Board Chair approves the final Committee agendas.
- 8) Initiating, and placing on the agenda, the review of ongoing initiatives in the realm of the Committee area of responsibility, as appropriate.
- 9) Referring matters to another Governing Board Committee, or to the full Governing Board, as appropriate.
- 10) Fostering Committee coordination when multiple Committees are addressing the same or related issues.
- 11) Acting as liaison to the appropriate District Division Director and his or her staff.

Committee Vice Chairs will assume the responsibilities listed above when the Committee Chair is unable to be present for any reason. In addition, the Committee Chairs and Vice Chairs shall provide leadership to the appropriate committees provided for in Board Policy Governing Board Committee Responsibilities.

GOVERNING BOARD MEMBERS

Each Governing Board member has the duty and responsibility to hold their position in the public trust, as well as other specific duties established by Governing Board Policy, including:

- 1) Regularly attending meetings, hearings and workshops;
- 2) Adequately preparing for meetings, hearings and workshops by reviewing the Agenda and Governing Board Packet and being versed on the issues to come before the Governing Board;
- 3) Knowing the rules of order and debate, having an adequate knowledge of the various motions and parliamentary procedure, and participating in debate as appropriate;
- 4) Accepting Governing Board Committee and other committee assignments, including advisory committees, ad hoc committees, planning committees and sub-committees as appropriate, as assigned by the Chair and performing assigned tasks in a timely manner;
- 5) Complying with laws governing public service, including Florida's Government-in-the Sunshine law and the Code of Ethics for Public Officers and Employees, as well as the financial reporting requirements found in Chapter 112, Florida Statutes, and the Florida Constitution;
- 6) Calling out a Point of Order only when a serious breach of the rules of debate has taken place;
- 7) Voting on all issues before the Governing Board except in the case of a voting conflict of interest pursuant to Section 112.3143, Florida Statutes, which requires that a

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Governing Board member recuse him or herself in the event of conflicts of interest as outlined therein; and

- 8) Other such duties as may be assigned by the Governing Board Chair.

DISTRIBUTION

This document will be stored in the Governing Document Repository.

REFERENCES

Board Policy Conduct of Board Meetings

Board Policy Election of Governing Board Officers

Board Policy Governing Board Committee Responsibilities

Robert's Rules of Order Newly Revised, Twelfth Edition (2020)

REVIEW PERIOD

This Policy will be reviewed every three years.

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Title: Governing Board Member Duties and Responsibilities

Effective Date: MM/DD/YYYY

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DOCUMENT DETAILS

Document Name	Governing Board Member Duties and Responsibilities
Formerly Known As	N/A
Document Type	Policy
Author(s)	
Reviewing Stakeholder(s)	
Document Owner Name	Robyn Felix
Document Owner Title	Communications and Board Services Bureau Chief
Review Period (in days)	1095
Span of Control	Governing Board
Supersedes Date	05/20/2014
Effective Date	MM/DD/YYYY

APPROVAL

Joel A. Schleicher
Chair

Date

FINANCE/OUTREACH AND PLANNING COMMITTEE**June 21, 2022****Discussion: Action Item: Fiscal Year 2023 Recommended Annual Service Budget***Purpose*

Submit fiscal year (FY) 2023 Recommended Annual Service Budget (recommended budget) for consideration by the Governing Board as required by statute and authorize staff to prepare the *Standard Format Tentative Budget Submission* based on the recommended budget, adjusted for any modifications made by the Governing Board on June 21, changes in estimated ad valorem revenue based on the July 1 certifications of taxable value, and any additional funding provided by the state.

Background

Pursuant to Section 373.536(2), Florida Statutes (F.S.), the District shall, on or before July 15 of each year, submit for consideration by the Governing Board a tentative budget for the District covering its proposed operations and funding requirements for the ensuing fiscal year. On June 21, staff will present the recommended budget to the Governing Board.

Pursuant to Section 373.536(5)(d), F.S., by August 1 of each year, the District shall submit for review a tentative budget and a description of any significant changes from the preliminary budget submitted to the Florida Legislature, to the Executive Office of the Governor (EOG), President of the Senate, Speaker of the House of Representatives, chairs of all legislative committees and subcommittees having substantive or fiscal jurisdiction over water management districts, Secretary of the Department of Environmental Protection, and the governing body of each county in which the District has jurisdiction or derives any funds for the operations of the District. This tentative budget is known as the *Standard Format Tentative Budget Submission*.

Discussion

Staff will provide an overview of the FY2023 recommended budget including a review of proposed expenditures and revenues. Expenditures will be reviewed by category, program, and area of responsibility, and revenues will be reviewed by source. The recommended budget provided to each Governing Board member as an exhibit to the overview includes charts, variance analysis, and detailed descriptions of each project.

At the July 26 Governing Board meeting, staff will present the 16 county property appraisers' certifications of taxable value and the proposed FY2023 millage rate in compliance with Sections 373.503(4) and 200.065, F.S. The Governing Board will be requested to adopt the proposed FY2023 millage rate to ensure certification to the county property appraisers by August 4. The proposed millage rate is the rate that will be used for Truth in Millage (TRIM) Notices of Proposed Property Taxes. In addition, the Governing Board will be requested to authorize staff to submit the District's *Standard Format Tentative Budget Submission* for FY2023 to the EOG, Florida Legislature, and other parties, as required by statute, to be received by August 1, 2022.

The District's FY2023 final millage rate and budget will be adopted in September following two public budget hearings. The first hearing is scheduled for September 6, 2022 at 5:01 p.m. at the Tampa Office. Written disapproval of any portion of the Tentative Budget Submission must be received from the EOG or the Legislative Budget Commission at least five business days prior to the final budget hearing. The

second and final hearing is scheduled for September 20, 2022 at 5:01 p.m. also at the Tampa Office.

Exhibit of the recommended budget will be provided separately.

Staff Recommendation:

Authorize staff to prepare the *Standard Format Tentative Budget Submission* for FY2023 based on the recommended budget as presented, adjusted for any modifications made by the Governing Board on June 21, changes in estimated ad valorem revenue based on the July 1 certifications of taxable value, and any additional funding provided by the state.

Presenters:

Amanda Rice, Assistant Executive Director

Michelle Hopkins, Division Director, Regulation

Michael Molligan, Division Director, Employee, Outreach & General Services

Jennette Seachrist, Division Director, Resource Management

Brian Starford, Division Director, Operations, Lands & Resource Monitoring

FINANCE/OUTREACH AND PLANNING COMMITTEE

June 21, 2022

Submit & File: Information Item: Budget Transfer Report

Purpose

Provide the Budget Transfer Report covering all budget transfers made during the month of May 2022.

Background

In accordance with Board Policy, *Budget Authority Transfer of Funds*, all transfers approved by the Executive Director and Finance Bureau Chief under delegated authority are presented to the Finance/Outreach & Planning Committee of the Governing Board as a Submit and File Report at the next regular scheduled meeting. The exhibit for this item reflects all such transfers executed during the month of May 2022.

Staff Recommendation:

Present the Budget Transfer Report for the Board's information. No action required.

Presenter:

Melisa J. Lowe, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
May 2022

--- TRANSFERRED FROM ---		--- TRANSFERRED TO ---		
Item No.	Bureau / Expenditure Category	Bureau / Expenditure Category	Reason For Transfer	Transfer Amount
<u>Change from Original Budget Intent</u>				
1	Data Collection Parts and Supplies	Data Collection Equipment - Outside	Transfer of funds originally budgeted for parts and supplies associated with the Regional Observation and Monitor-well Program (ROMP) such as drill rods. The funds are no longer required due to expenditures being less than anticipated. Funds are needed to replace the trailer that is used as a ROMP field office to store core samples and hydrogeologist equipment, as well as provide water quality sample preparation space. The trailer was purchased over 14 years ago used, has deteriorated beyond repair, and is not portable without a truck and trailer. The new field office will be portable, creating a variety of efficiencies in moving it from site to site. The funds transferred are required in addition to the \$9,000 originally budgeted for the planned replacement this fiscal year.	\$ 1,735.00
Total Change from Original Budget Intent				<u>\$ 1,735.00</u>
<u>Consistent with Original Budget Intent</u>				
1	Operations Other Contractual Services	Information Technology Other Contractual Services	Funds are needed for the original purpose budgeted for consultant services to update the District's Continuity of Operations Plan (COOP). As part of the selected consultant's assistance in updating the COOP, the District will acquire a software application requiring annual maintenance. Software maintenance is budgeted and overseen by the Information Technology Bureau. This transfer is to align the budget for current and future tasks under one bureau.	\$ 50,000.00
Total Consistent with Original Budget Intent				<u>\$ 50,000.00</u>
Total Amount Transferred				<u>\$ 51,735.00</u>

This report identifies transfers made during the month that did not require advance Governing Board approval. These transfers have been approved by either the Executive Director, or designee, or the Finance Bureau Chief consistent with Budget Authority Transfer of Funds Board Policy, and are presented to the Governing Board as a Submit and File Report. This Board Policy limits transfers made for a purpose other than the original budget intent to \$75,000. However, transfers made for accounting reallocation purposes consistent with original budget intent are not limited.

Governing Board Meeting

June 21, 2022

4. RESOURCE MANAGEMENT COMMITTEE

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RESOURCE MANAGEMENT COMMITTEE

June 21, 2022

Discussion: Information Item: Consent Item(s) Moved to Discussion

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Jennette M. Seachrist, P.E., Division Director, Resource Management

RESOURCE MANAGEMENT COMMITTEE

June 21, 2022

Discussion: Information Item: Knowledge Management: Cooperative Funding Initiative Governing Board Policy

Purpose

To request approval to revise the Cooperative Funding Initiative (CFI) Governing Board Policy.

Background/History

At the January 25, 2022 Governing Board Workshop, the Board discussed several potential options for the CFI Program to reduce project uncertainty, scope changes and cost increases and requested staff further refine the following options for further discussion:

- Eliminating District-led third-party review (TPR);
- Requiring preliminary design be completed prior to CFI funding request for construction projects;
- Requiring Cooperator-led TPR prior to funding request for construction projects over \$5M;
- Allowing design and TPR costs up to 10% of total project cost to be a cooperator match;
- Eliminating District reimbursement for project cost increases

In March 2022, staff presented the FY2024 Cooperative Funding Process to the Governing Board. As part of this presentation staff further discussed the potential changes to the CFI Program and the process to implement changes through updates to the CFI Policy and CFI Guidelines. The CFI Governing Board Policy has been updated to address the items above. Other changes include adding septic conversion project requirements, refinements to the alternative water supply project requirements, and clarification regarding contract execution authority for Board-approved projects. In addition to these recommended changes, minor formatting and grammar changes have also been made. The revised language is shown in the attached exhibit. The revised Policy will be brought back to the Governing Board for consideration and approval on the July Governing Board meeting consent agenda.

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Scott Letasi, Bureau Chief, Engineering and Project Management

DRAFT

Governing Board Policy

Southwest Florida Water Management District

Title: Cooperative Funding Initiative

Document Owner: Jennette Seachrist, P.E., Resource Management Division Director

Approved By: ~~Mark Taylor, Chair~~ Joel Schleicher, Chair

Effective Date: ~~08/27/2019~~

Supersedes: ~~06/27/2017~~ 08/27/2019

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PURPOSE

In accordance with Chapter 373, Florida Statutes (F.S.), the Governing Board (Board) may participate and cooperate with ~~counties~~ iesy governments, municipalities, water supply authorities, and other interested entities in water management programs and projects of mutual benefit, provided such programs and projects are consistent with the District's statutory authority and will ensure proper development, utilization, and conservation of the water resources and ecology within the jurisdictional boundaries of the District. In addition, the Governing Board will implement the state's Water Protection and Sustainability Program through its Cooperative Funding Initiative if state funds are appropriated for this program.

SCOPE

This ~~P~~policy applies to projects submitted by cooperators as a part of the Cooperative Funding Initiative.

AUTHORITY

Chapter 373, Florida Statutes, ~~(F.S.)~~

DEFINITIONS

N/A.

POLICY GUIDELINES:

The following guidelines apply to all projects. The Board may deviate from the guidelines for a specific project if it determines that such deviation would be appropriate.

1. The Board will give priority consideration to those projects designed to further the implementation of the District Strategic Plan, Water Management Plan, Comprehensive Watershed Management Plans, Surface Water Improvement and Management Plans, and Regional Water Supply Plan.
2. The District is committed to supplier diversity in the performance of all contracts associated with District Cooperative Funding projects. The District requires the cooperator/second party to make good faith efforts to encourage the participation of minority and women-owned business enterprises, both as prime contractors and sub-contractors, in accordance with applicable laws. ~~Applicants will be required to document all contractors and sub-contractors who perform work in association with the project, including the amount spent and, to the extent such information is known, whether each contractor or sub-contractor was a minority owned or small business enterprise. The applicant will be required to provide the District a report of this information upon completion of the project prior to final payment, or within 30 days of the execution of any amendment of an agreement that increases project funding and prior to disbursement of any additional funds by the District.~~
3. The Board will consider the applicant's efforts in developing, implementing, and enforcing best water management practices, including but not limited to, conservation-oriented water rate structures and irrigation, landscape and flood protection ordinances.
4. Funding may be provided to assist with the cost of data collection, research, feasibility studies, conservation and environmental education initiatives; ecosystem restoration, water resource investigation and plan development; and design, permitting and construction of capital projects. Funding is not available for operation and maintenance, payment of debt ~~or submittal~~, and ~~responses to projects~~ required by District local, state or federal permits, unless approved by the Board.
5. Funding assistance will be contingent upon concurrent project action and commitment by the ~~applicant county, municipality, water supply authority, or other interested entity~~ to ensure the project goals will be implemented.
6. The Board will consider funding based on the applicant's ability to demonstrate that such funding is necessary to make the project economically feasible.
7. The ~~applicant cooperating entity~~ must demonstrate any matching funds have been appropriated, are contained within a Capital Improvement Plan, or otherwise committed to the project.

8. Any state or federal appropriations or grant monies ~~received-applied to a project~~ by a ~~cooperator, except for a National Estuary Program, county government, a municipality, or a water supply authority for a specific project~~ shall be first applied toward the total cost of the cooperator's proposed project. The District will ~~typically consider~~ funding up to 50% ~~percent~~ of the remaining project costs with a similar match from the cooperator.
9. Pursuant to the provisions of Section 288.06561, F.~~S.~~~~orida Statutes~~, the Board may reduce or waive requirements for matching funds when requested by rural counties or municipalities, as defined by Subsection 288.0656(2), F.S.
- ~~10.~~ All applications submitted for funding consideration ~~by the Board~~ must be signed by a single Senior Administrator acting as a coordinator for the Cooperative Funding Initiative ~~for the county, municipality, water supply authority, or interested entity~~. If an ~~applicant entity~~ submits multiple applications, an overall ranking of the projects is required. Final decisions regarding the funding of project proposals are the exclusive responsibility of the Board.
- ~~10-11.~~ ~~To be eligible for District CFI cooperative All-funding, applications for a septic conversion projects are contingent upon must receiveing at least minimum 50% match funding from the in-state or the Florida Department of Environmental Protection; the project must be located within a priority focus area of a first-magnitude spring Basin Management Action Plan boundary; and local ordinances must be in place supporting Florida Sstatutes to require connection and restrict new conventional septic systems, on lots less than one acre federal appropriations or grant monies.~~
- ~~11-12.~~ The Board will create four regional sub-committees that match the District's regional water supply planning areas. The subcommittees will consist of Governing Board members from those areas and Board members from other areas as needed to create a committee of at least three members who will be appointed by the Board Chair. The regional sub-committees will hold two public meetings to review project applications, ~~unless the Governing Board approves a deviation from the regional sub-committee review process~~. The role of the sub-committees will be to:
- Review project information, ~~prioritize~~ project ~~scorings~~ ~~rankings~~, and funding recommendations;
 - Accept cooperator and general public comments on projects;
 - Identify any projects that need to be presented for full Board consideration;
 - Provide funding recommendations to the Board for all projects in that region.

The Board will provide final funding approval on all projects.

- ~~13.~~ All funding applications for construction projects will require preliminary design plans and cost estimates be submitted at the time of application. ~~Construction projects estimated to cost more than \$5,000,000 will undergo a third-party review at the completion of the 30 percent design stage. This review is to confirm the project cost, schedule, and ability of the project to meet the proposed resource benefit. The applicant/cooperator will be required to submit the results of thean independent third-party review with the funding application if the project is estimated to cost more than \$5,000,000 exceed the threshold defined in~~

~~the CFI Guidelines. This review is to confirm the project cost, schedule, and ability of the project to meet the proposed resource benefit.~~

~~14. The Governing Board delegates contract execution authority for Board approved projects to the Executive Director who may delegate, in writing, any or all approval to one or more designee.~~

~~12-15. In determining whether, and how much funding will be provided by the District, the District will consider the project benefit and costs effectiveness metrics. Additionally, projects that cost between \$1,000,000 and \$5,000,000 that staff has determined will benefit from a third-party review will also undergo such review at the completion of the 30-percent design stage. Results of the third-party review will be presented to the Board before the project can proceed to final design.~~

The following additional guidelines apply to potable alternative water supply projects:

It is the express intent of the Board to utilize its incentive based funding to encourage the development of fully integrated, robust, multijurisdictional water supply systems composed of diverse sources (i.e., groundwater, surface water, off-stream reservoirs, desalination, etc.), managed in a manner that takes full advantage of Florida's intense climatic cycles to ensure reliable, sustainable and drought resistant systems, which maximize the use of alternative supplies to the greatest extent practicable. Alternative water supplies include indirect and direct potable reuse (IPR/DPR) projects. Multijurisdictional means two or more water utilities or local governments that have been organized into a larger entity or have entered into an interlocal agreement or contract for the purpose of more efficiently pursuing water supply development or alternative water supply development projects pursuant to a regional water supply plan. The water supply systems of the multijurisdictional entity must be interconnected and must have a formalized operational management agreement that ensures the interconnected supplies are managed in a manner consistent with the Board's intent as described herein. All operational agreements between multijurisdictional entities will be evaluated by the District and must be deemed consistent with the Board's intent as described herein.

Consistent with Section 373.707, F.S., Florida Statutes, the District shall prioritize funding for alternative water supply projects ~~as follows:~~ owned, operated and controlled, or perpetually controlled by a Regional Water Supply Authority (RWSA) or a regional entity created by an interlocal agreement that establishes a separate legal entity, with sufficient authority to fund, own, construct, operate and maintain alternative potable water supply systems. The regional entity must be recognized by the Board through a commitment of funds that assist in the establishment of the entity.

~~Highest priority – Alternative water supply projects owned, operated and controlled, or perpetually controlled by a Regional Water Supply Authority (RWSA) or a regional entity created by an interlocal agreement that establishes a separate legal entity, with sufficient authority to fund, own, construct, operate and maintain alternative potable water supply systems. The regional entity must be recognized by the Board through a commitment of funds that assist in the establishment of the entity.~~

~~Medium priority – Alternative water supply projects that are not owned, operated and controlled, or perpetually controlled by a RWSA, but meet the definition of multijurisdictional.~~

~~Lowest priority –~~

~~1) Projects that do not meet the multijurisdictional criteria will not be considered for funding.~~

~~1)~~

2) If a member government of a RWSA proposes a potable water supply project, it must be submitted by the RWSA to be considered for District funding.

3) Projects submitted by non-member governments within the service area of a RWSA will be considered for funding only if the non-member government has reviewed its plan with the RWSA to ensure the project is not inconsistent with the RWSA plan. The non-member government must submit an affirmative written statement from the RWSA indicating that the project is not inconsistent with RWSA plan.

4) All potable alternative water supply projects will be required to identify the quantity of alternative water supply that will be made available upon completion of the project. It is the intent of the Board that the quantity made available will be used as "base supply". The base supply will be clearly defined by the cooperator on a project-by-project basis and will include, but not be limited to, the overall alternative water supply system capacity, typically expressed in million gallons per day, the expected annual average use for the life of the project, as well as the frequency and timing of use of the available alternative water supply quantities. The base supply defined by the cooperator will be reviewed and approved by the Board as a part of the Cooperative Funding Initiative project review and budgeting process. The cooperative funding agreement between the District and the cooperator will include the base supply requirements approved by the Board. The Board may consider adjustments to a project's base supply quantity and definition by amendment of the cooperative funding agreement.

~~13. In determining whether, and how much funding will be provided by the District, the District will consider the project benefit and costs effectiveness metrics defined in the CFI Guidelines, project's total cost per 1,000 gallons and the cost per gallon of water supply produced. These costs shall exclude distribution system components and will be compared to, among other things:~~

- ~~a. The cost of other available potable water supply that could be purchased by the applicant from a supplier who can meet the demand.~~
- ~~b. The cost to develop other viable alternative water supplies.~~
- ~~c. The unitary rate or wholesale water cost of the RWSA in the area where the applicant is located. For applicants outside the area of a RWSA or within the service area of a RWSA that does not own, operate and control an alternative water supply project, cost information from other RWSAs with alternative water supplies can be used for comparison purposes.~~
- ~~d. The applicant's current cost of water supply and projected cost of water supply after the project is in operation.~~

~~All cost information must be certified and adjusted to reflect present values for the current fiscal year.~~

~~14. The District will consider the applicant's conservation-oriented water rate structure(s) and per capita water use as factors in its incentive-based funding. Where an applicant has not achieved the District per capita water use requirements as described in Chapter 40D-2,~~

~~Florida Administrative Code, or where they have not adopted an effective conservation rate structure, District funding may be limited to consideration of water conservation projects only.~~

DISTRIBUTION

This Policy will be stored in the Governing Board Policy Repository.

REFERENCES

Chapter 373, Florida Statutes

Chapter 40D-2, Florida Administrative Code

PERIODIC REVIEWREVIEW PERIOD

This Policy will be reviewed annually by staff. Any necessary changes will be brought to the Governing Board.

DOCUMENT DETAILS

<u>Document Name</u>	<u>Cooperative Funding Initiative</u>
<u>Formerly Known As</u>	<u>N/A</u>
<u>Document Type</u>	<u>Policy</u>
<u>Author(s)</u>	<u>Scott Letasi, P.E., Engineering and Project Management Bureau Chief</u>
<u>Reviewing Stakeholder(s)</u>	<u>Office of General Counsel, Senior Staff, and Executive Staff</u>
<u>Document Owner Name</u>	<u>Jennette Seachrist, P.E.</u>
<u>Document Owner Title</u>	<u>Resource Management Division Director</u>
<u>Review Period (in days)</u>	<u>365</u>
<u>Span of Control</u>	<u>Governing Board</u>
<u>Supersedes Date</u>	<u>08/27/2019</u>
<u>Effective Date</u>	<u>XX/XX/XXXX</u>

APPROVAL

Joel A. Schleicher
Chair

Date

DRAFT

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: Cooperative Funding Initiative

Document Owner: Resource Management Division Director

Approved By: Board Chair

Effective Date: MM/DD/YYYY

Supersedes: 08/27/2019

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PURPOSE

In accordance with Chapter 373, Florida Statutes (F.S.), the Governing Board (Board) may participate and cooperate with counties, municipalities, water supply authorities, and other interested entities in water management programs and projects of mutual benefit, provided such programs and projects are consistent with the District's statutory authority and will ensure proper development, utilization, and conservation of the water resources and ecology within the jurisdictional boundaries of the District. In addition, the Governing Board will implement the state's Water Protection and Sustainability Program through its Cooperative Funding Initiative if state funds are appropriated for this program.

SCOPE

This Policy applies to projects submitted by cooperators as a part of the Cooperative Funding Initiative.

AUTHORITY

Chapter 373, Florida Statutes

DEFINITIONS

N/A.

GOVERNING BOARD POLICY

Title: Cooperative Funding Initiative

Effective Date: MM/DD/YYYY

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POLICY GUIDELINES

The following guidelines apply to all projects. The Board may deviate from the guidelines for a specific project if it determines that such deviation would be appropriate.

- 1) The Board will give priority consideration to those projects designed to further the implementation of the District Strategic Plan, Water Management Plan, Comprehensive Watershed Management Plans, Surface Water Improvement and Management Plans, and Regional Water Supply Plan.
- 2) The District is committed to supplier diversity in the performance of all contracts associated with District Cooperative Funding projects. The District requires the cooperator to make good faith efforts to encourage the participation of minority and women-owned business enterprises, both as prime contractors and sub-contractors, in accordance with applicable laws.
- 3) The Board will consider the applicant's efforts in developing, implementing, and enforcing best water management practices, including but not limited to, conservation-oriented water rate structures and irrigation, landscape and flood protection ordinances.
- 4) Funding may be provided to assist with the cost of data collection, research, feasibility studies, conservation and environmental education initiatives; ecosystem restoration, water resource investigation and plan development; and design, permitting and construction of capital projects. Funding is not available for operation and maintenance, payment of debt, and projects required by local, state or federal permits, unless approved by the Board.
- 5) Funding assistance will be contingent upon concurrent project action and commitment by the applicant to ensure the project goals will be implemented.
- 6) The Board will consider funding based on the applicant's ability to demonstrate that such funding is necessary to make the project economically feasible.
- 7) The applicant must demonstrate any matching funds have been appropriated, are contained within a Capital Improvement Plan, or otherwise committed to the project.
- 8) Any state or federal appropriations or grant monies applied to a project by a cooperator, except for a National Estuary Program, shall be first applied toward the total cost of the cooperator's proposed project. The District will consider funding up to 50% of the remaining project costs with a similar match from the cooperator.
- 9) Pursuant to the provisions of Section 288.06561, F.S., the Board may reduce or waive requirements for matching funds when requested by rural counties or municipalities, as defined by Subsection 288.0656(2), F.S.
- 10) All applications submitted for funding consideration must be signed by a single Senior Administrator acting as a coordinator for the Cooperative Funding Initiative. If an applicant submits multiple applications, an overall ranking of the projects is required. Final decisions regarding the funding of project proposals are the exclusive responsibility of the Board.

GOVERNING BOARD POLICY

Title: Cooperative Funding Initiative

Effective Date: MM/DD/YYYY

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- 11) To be eligible for District cooperative funding, a septic conversion project must receive at least 50% funding from the state or the Florida Department of Environmental Protection; the project must be located within a first-magnitude spring Basin Management Action Plan boundary; and local ordinances must be in place supporting Florida Statutes to require connection and restrict new conventional septic systems.
- 12) The Board will create four regional sub-committees that match the District's regional water supply planning areas. The subcommittees will consist of Governing Board members from those areas and Board members from other areas as needed to create a committee of at least three members who will be appointed by the Board Chair. The regional sub-committees will hold two public meetings to review project applications, unless the Governing Board approves a deviation from the regional sub-committee review process. The role of the sub-committees will be to:
 - a) Review project information, project scoring, and funding recommendations;
 - b) Accept cooperator and general public comments on projects;
 - c) Identify any projects that need to be presented for full Board consideration;
 - d) Provide funding recommendations to the Board for all projects in that region.
 - e) The Board will provide final funding approval on all projects.
- 13) All funding applications for construction projects will require preliminary design plans and cost estimates be submitted at the time of application. The applicant will be required to submit the results of an independent third-party review with the funding application if the project is estimated to cost more than \$5,000,000. This review is to confirm the project cost, schedule, and ability of the project to meet the proposed resource benefit.
- 14) The Governing Board delegates contract execution authority for Board approved projects to the Executive Director who may delegate, in writing, any or all approval to one or more designee.
- 15) In determining whether, and how much funding will be provided by the District, the District will consider the project benefit and costs effectiveness metrics.

The following additional guidelines apply to potable alternative water supply projects:

It is the express intent of the Board to utilize its incentive based funding to encourage the development of fully integrated, robust, multijurisdictional water supply systems composed of diverse sources (i.e., groundwater, surface water, off-stream reservoirs, desalination, etc.), managed in a manner that takes full advantage of Florida's intense climatic cycles to ensure reliable, sustainable and drought resistant systems, which maximize the use of alternative supplies to the greatest extent practicable. Alternative water supplies include indirect and direct potable reuse (IPR/DPR) projects. Multijurisdictional means two or more water utilities or local governments that have been organized into a larger entity or have entered into an interlocal agreement or contract for the purpose of more efficiently pursuing water supply development or alternative water supply development projects pursuant to a regional water supply plan. The water supply systems of the multijurisdictional entity must be interconnected and must have a formalized operational management agreement that ensures the interconnected supplies are managed in a

GOVERNING BOARD POLICY

Title: Cooperative Funding Initiative

Effective Date: MM/DD/YYYY

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manner consistent with the Board's intent as described herein. All operational agreements between multijurisdictional entities will be evaluated by the District and must be deemed consistent with the Board's intent as described herein.

Consistent with Section 373.707, F.S., the District shall prioritize funding for alternative water supply projects owned, operated and controlled, or perpetually controlled by a Regional Water Supply Authority (RWSA) or a regional entity created by an interlocal agreement that establishes a separate legal entity, with sufficient authority to fund, own, construct, operate and maintain alternative potable water supply systems. The regional entity must be recognized by the Board through a commitment of funds that assist in the establishment of the entity.

- 1) Projects that do not meet the multijurisdictional criteria will not be considered for funding.
- 2) If a member government of a RWSA proposes a potable water supply project, it must be submitted by the RWSA to be considered for District funding.
- 3) Projects submitted by non-member governments within the service area of a RWSA will be considered for funding only if the non-member government has reviewed its plan with the RWSA to ensure the project is not inconsistent with the RWSA plan. The non-member government must submit an affirmative written statement from the RWSA indicating that the project is not inconsistent with RWSA plan.
- 4) All potable alternative water supply projects will be required to identify the quantity of alternative water supply that will be made available upon completion of the project. It is the intent of the Board that the quantity made available will be used as "base supply". The base supply will be clearly defined by the cooperator on a project-by-project basis and will include, but not be limited to, the overall alternative water supply system capacity, typically expressed in million gallons per day, the expected annual average use for the life of the project, as well as the frequency and timing of use of the available alternative water supply quantities. The base supply defined by the cooperator will be reviewed and approved by the Board as a part of the Cooperative Funding Initiative project review and budgeting process. The cooperative funding agreement between the District and the cooperator will include the base supply requirements approved by the Board. The Board may consider adjustments to a project's base supply quantity and definition by amendment of the cooperative funding agreement.

DISTRIBUTION

This Policy will be stored in the Governing Board Policy Repository.

REFERENCES

Chapter 373, Florida Statutes

Chapter 40D-2, Florida Administrative Code

REVIEW PERIOD

This Policy will be reviewed annually by staff. Any necessary changes will be brought to the Governing Board.

DOCUMENT DETAILS

Document Name	Cooperative Funding Initiative
Formerly Known As	N/A
Document Type	Policy
Author(s)	Scott Letasi, P.E., Engineering and Project Management Bureau Chief
Reviewing Stakeholder(s)	Office of General Counsel, Senior Staff, and Executive Staff
Document Owner Name	Jennette Seachrist, P.E.
Document Owner Title	Resource Management Division Director
Review Period (in days)	365
Span of Control	Governing Board
Supersedes Date	08/27/2019
Effective Date	XX/XX/XXXX

APPROVAL

Joel A. Schleicher
Chair

Date

Governing Board Meeting
June 21, 2022

5. OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

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OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

June 21, 2022

Discussion: Information Item: Consent Item(s) Moved to Discussion

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Brian S. Starford, P.G., Division Director, Operations, Lands and Resource Monitoring

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

June 21, 2022

Discussion: Information Item: Hydrologic Conditions Report

- May is the last month of the eight-month dry season (October through May) and rainfall totals were in the upper-end of the normal range in all three regions of the District.
- **Rainfall:** Provisional monthly rainfall totals were regionally variable and associated with seasonally transitional weather systems (i.e., decreasing frontal system, increasing convective/sea breeze rainstorms). The District-wide 12-month cumulative rainfall total improved, ending the month at a surplus of approximately 1.39 inches above the historical total. The southern region has the largest 12-month cumulative rainfall deficit at 3.97 inches below the historical total, while the northern District has the largest surplus at 11.65 inches above the historical total.
- **Streamflow:** Monthly streamflow decreased at nine of 12 monitoring stations. All 12 stations reported normal flow conditions. Regional streamflow, based on three index rivers, was within the normal range in all three regions.
- **Groundwater:** Regional aquifer level percentiles increased in all three regions. Northern counties ended the month with above-normal levels, while central and southern counties ended the month with normal levels.
- **Lake Levels:** Regional lake levels decreased in all lake regions. The Tampa Bay and Polk Uplands regions ended the month with normal levels, while the Northern and Lake Wales Ridge region ended with below-normal levels.
- **Overall:** Regional aquifer levels rose during May, while streamflow changes were mixed (i.e., some increases and decreases) and regional lake levels declined. Most regional hydrologic indicators continue to remain within their normal historical ranges, except as noted. NOAA is forecasting above-normal rainfall through August 2022, while also predicting an above-normal hurricane season (June-November). The tropics have become active.

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Tamera McBride, P.G., Hydrologic Data Manager

Governing Board Meeting

June 21, 2022

6. REGULATION COMMITTEE

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REGULATION COMMITTEE

June 21, 2022

Discussion: Information Item: Consent Item(s) Moved to Discussion

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Michelle Hopkins, P.E., Division Director, Regulation

REGULATION COMMITTEE

June 21, 2022

Discussion: Action Item: Denials Referred to the Governing Board

District Rule 40D-1.6051, Florida Administrative Code, provides that if District staff intends to deny a permit application, the applicant will be advised of the opportunity to request referral to the Governing Board for final action. Under these circumstances, if an applicant or petitioner requests their application or petition be referred to the Governing Board for final action, that application or petition will appear under this agenda item for consideration. As these items will be presented at the request of an outside party, specific information may not be available until just prior to the Governing Board meeting.

Staff Recommendation:

If any denials are requested to be referred to the Governing Board, these will be presented at the meeting.

Presenter:

Michelle Hopkins, P.E., Division Director, Regulation

Governing Board Meeting

June 21, 2022

7. GENERAL COUNSEL'S REPORT

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GENERAL COUNSEL'S REPORT

June 21, 2022

Discussion: Information Item: Consent Item(s) Moved to Discussion

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Chris Tumminia, General Counsel

GENERAL COUNSEL'S REPORT

June 21, 2022

Discussion: Information Item: Knowledge Management: Proposals For Settlement in Civil Cases Governing Board Policy

The Office of General Counsel is responsible for periodically reviewing the Governing Board's policies concerning legal matters. The existing Governing Board policy, entitled "Legal – Proposals for Settlement in Civil Cases" (Policy), sets forth the procedures for making or accepting a statutory Proposal for Settlement in a judicial proceeding. The purpose of this agenda item is to provide an overview of the proposed changes to the Policy.

Generally, the Policy provides that the Executive Director may approve the making or acceptance of a Proposal for Settlement in an amount up to and including \$25,000 without Governing Board approval. It also provides that the Governing Board Chair, or in the Chair's absence, the Vice Chair may approve the making or acceptance of a Proposal for Settlement in an amount greater than \$25,000 if the matter requires immediate action.

The proposed changes to the Policy include minor formatting changes and minor edits for clarification. District staff further recommends the addition of a stated Purpose and Scope, and a Distribution statement explaining the new policy will be stored in the Governing Document Repository. The proposed revised language is shown in the attached exhibit. The revised Policy will be brought back to the Governing Board for consideration and approval on the consent agenda for the July 2022 Governing Board meeting.

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Jennifer Soberal, Staff Attorney

DRAFT

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: ~~LEGAL~~ Proposals for Settlement in Civil Cases

Document Owner: Office of General Counsel

Approved By: Board Chair

Effective Date: MM/DD/YYYY

Supersedes: 02/24/2015

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PURPOSE

The purpose of this Governing Board Policy ("Policy") is to set forth the procedures for making or accepting proposals for settlement in a pending judicial or administrative proceeding in which the Southwest Florida Water Management District ("District") is a party.

SCOPE

This Policy applies to all District officers and employees with the authority to expend or receive District funds.

AUTHORITY

Sections 373.553(1) and 373.083(5), Florida Statutes

DISTRIBUTION

This document will be stored in the Governing Document Repository.

STATEMENT OF POLICY

~~Florida law contains provisions allowing either party to a lawsuit to make a proposal for settlement to the opposing party. This allows court cases to be resolved in a more expeditious manner.~~

The Executive Director may approve the making or acceptance of a proposal for settlement in an amount up to and including \$25,000 ~~in District funds~~ without specific Governing Board approval. The Governing Board Chair, or in the Chair's absence, the Vice Chair, on behalf of the Governing Board, may approve ~~in writing~~ the making or acceptance of a proposal for settlement in an amount greater than \$25,000 ~~in District funds~~, if the matter requires immediate action and cannot be

GOVERNING BOARD POLICY

Title: Proposal for Settlement in Civil Cases

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delayed to be presented at the next regularly scheduled Governing Board meeting. The Executive Director may reject a proposal for settlement made by the opposing party.

If a proposal for settlement ~~described in paragraph 2. Involving involving the expenditure of District funds~~ is accepted by the opposing party or by the District, the Executive Director shall certify in writing to the Governing Board Treasurer and to the Governing Board Chair, or Vice Chair if applicable, that such disbursement is proper and in order, and is within appropriated budgetary limits before the disbursement of such funds. Any such disbursement shall be reported to the full Governing Board for approval on the Consent Agenda at its next regularly scheduled meeting (which may be after the disbursement is made).

This Policy shall control over any other Board policies containing contrary provisions, including but not limited to Governing Board Policy, ~~130-8~~, Budget Authority Transfer of Funds.

This Policy is not intended, and shall not be construed, as a waiver of sovereign immunity, a waiver of any other defense or immunity to any claim or civil action, or an extension of the limits provided in section 768.28, Florida Statutes.

REFERENCES

Sections 768.79, Florida Statutes

Rule 1.442, Florida Rules of Civil Procedure

Governing Board Policy, ~~130-8~~, Budget Authority Transfer of Funds

REVIEW PERIOD

This Policy will be reviewed every two years.

GOVERNING BOARD POLICY

Title: Proposal for Settlement in Civil Cases

Effective Date: DD/MM/YYYY

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DOCUMENT DETAILS

Document Name	Legal —Proposals for Settlement in Civil Cases
Formerly Known As	Board Policy 160-3, Legal – Proposals for Settlement in Civil Cases
Document Type	Governing Document
Author(s)	Office of General Counsel staff
Reviewing Stakeholder(s)	Office of General Counsel, Executive staff
Document Owner Name	Chris Tumminia
Document Owner Title	General Counsel
Review Period (in days)	730
Span of Control	Governing Board
Supersedes Date	02/24/2015
Effective Date	DD/MM/YYYY

APPROVAL

Kelly Rice
Chair

Joel A. Schleicher

Date

DRAFT

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: Proposal for Settlement in Civil Cases

Document Owner: Office of General Counsel

Approved By: Board Chair

Effective Date: MM/DD/YYYY

Supersedes: 02/24/2015

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PURPOSE

The purpose of this Governing Board Policy ("Policy") is to set forth the procedures for making or accepting proposals for settlement in a pending judicial proceeding in which the Southwest Florida Water Management District ("District") is a party.

SCOPE

This Policy applies to all District officers and employees with the authority to expend or receive District funds.

AUTHORITY

Sections 373.553(1) and 373.083(5), Florida Statutes

DISTRIBUTION

This document will be stored in the Governing Document Repository.

POLICY

The Executive Director may approve the making or acceptance of a proposal for settlement in an amount up to and including \$25,000 without specific Governing Board approval. The Governing Board Chair, or in the Chair's absence, the Vice Chair, on behalf of the Governing Board, may approve the making or acceptance of a proposal for settlement in an amount greater than \$25,000, if the matter requires immediate action and cannot be delayed to be presented at the next regularly scheduled Governing Board meeting. The Executive Director may reject a proposal for settlement made by the opposing party.

GOVERNING BOARD POLICY

Title: Proposal for Settlement in Civil Cases

Effective Date: MM/DD/YYYY

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If a proposal for settlement involving the expenditure of District funds is accepted by the opposing party or by the District, the Executive Director shall certify in writing to the Governing Board Treasurer and to the Governing Board Chair, or Vice Chair if applicable, that such disbursement is proper and in order, and is within appropriated budgetary limits before the disbursement of such funds. Any such disbursement shall be reported to the full Governing Board for approval on the Consent Agenda at its next regularly scheduled meeting (which may be after the disbursement is made).

This Policy shall control over any other Board policies containing contrary provisions, including but not limited to Governing Board Policy, Budget Authority Transfer of Funds.

This Policy is not intended, and shall not be construed, as a waiver of sovereign immunity, a waiver of any other defense or immunity to any claim or civil action, or an extension of the limits provided in section 768.28, Florida Statutes.

REFERENCES

Section 768.79, Florida Statutes

Rule 1.442, Florida Rules of Civil Procedure

Governing Board Policy, Budget Authority Transfer of Funds

REVIEW PERIOD

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GOVERNING BOARD POLICY**Title: Proposal for Settlement in Civil Cases****Effective Date: MM/DD/YYYY****Page 3 of 3****DOCUMENT DETAILS**

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Author(s)	Office of General Counsel staff
Reviewing Stakeholder(s)	Office of General Counsel, Executive staff
Document Owner Name	Chris Tumminia
Document Owner Title	General Counsel
Review Period (in days)	730
Span of Control	Governing Board
Supersedes Date	02/24/2015
Effective Date	MM/DD/YYYY

APPROVAL

Joel A. Schleicher
Chair

Date

COMMITTEE/LIAISON REPORTS

June 21, 2022

Discussion: Information Item: Industrial Advisory Committee

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

John Hall, Board Member

COMMITTEE/LIAISON REPORTS

June 21, 2022

Discussion: Information Item: Public Supply Advisory Committee

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Ed Armstrong, Board Member

EXECUTIVE DIRECTOR'S REPORT

June 21, 2022

Discussion: Information Item: Executive Director's Report

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Brian J. Armstrong, P.G., Executive Director

CHAIR'S REPORT

June 21, 2022

Discussion: Information Item: Chair's Report

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Joel A. Schleicher, Chair

CHAIR'S REPORT

June 21, 2022

Discussion: Information Item: Employee Milestones

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Joel A. Schleicher, Chair

Years of Service	Seniority Date	Preferred Full Name	Position Title	Office Location	Bureau	Anniversary Year	Next Milestone
5	06/05/2017	Jay Mitchell	Senior Well Driller	OFF	Data Collection	2022	06/05/2022
5	06/26/2017	Beth Geurink	Engineering Supervisor	Tampa	Environmental Resource Permit	2022	06/26/2022
15	06/11/2007	James Gothreau	Senior Desktop Support Specialist	Tampa	Information Technology	2022	06/11/2022
15	06/25/2007	Jeff Toth	Compliance Inspector 4	Brooksville	Regulatory Support	2022	06/25/2022
15	06/25/2007	Tiffany Horstman	Senior Professional Geologist	Tampa	Data Collection	2022	06/25/2022
15	06/25/2007	Tim Crosby	Senior Field Technician	Tampa	Data Collection	2022	06/25/2022
20	06/17/2002	Corey Denninger	Mapping & GIS Manager	Brooksville	Data Collection	2022	06/17/2022
25	06/09/1997	Jerry Mallams	Operations Bureau Chief	Brooksville	Operations	2022	06/09/2022
30	06/22/1992	Vito Morolla	Network Services Supervisor	Brooksville	Information Technology	2022	06/22/2022
35	06/07/1987	Dave DeWitt	Chief Professional Geologist	Brooksville	Data Collection	2022	06/07/2022