

Governing Board Meeting

Agenda and Meeting Information

October 22, 2019

9:00 AM

Brooksville Office

2379 Broad Street • Brooksville, Florida
(352) 796-7211

Southwest Florida
Water Management District

WATERMATTERS.ORG • 1-800-423-1476



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Southwest Florida Water Management District

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

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Final Agenda GOVERNING BOARD MEETING

OCTOBER 22, 2019

9:00 AM

Brooksville Office

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

All meetings are open to the public.

- Viewing of the Board meeting will be available at each of the District offices and through the District's website (www.WaterMatters.org) -- follow directions to use internet streaming.
- 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 on the District's web site: www.WaterMatters.org

Bartow Office

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

Sarasota Office

6750 Fruitville Road
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

9:00 A.M. CONVENE PUBLIC HEARING AND MEETING (TAB A)

1. *Call to Order*
2. *Invocation and Pledge of Allegiance*
3. *Employee Recognition*
4. *Additions/Deletions to Agenda*
5. *Public Input for Issues Not Listed on the Published Agenda*

CONSENT AGENDA (TAB B)***Resource Management Committee***

6. Approve Use of the Lower Coastal Watershed Management Plan Floodplain Information to Update Flood Insurance Rate Maps in Pasco County (L842)
7. Minimum Flows and Minimum Water Levels Priority List and Schedule Update
8. Channel 1A2 Stormwater Quality Improvements - Scope Change (W300)

Finance/Outreach & Planning Committee

9. Budget Transfer Report
10. Cigna Employee Wellness Program Budget Transfer
11. Inspector General Performance Measures

Operations, Lands and Resource Monitoring Committee - None***Regulation Committee***

12. Partial Release of Conservation Easement for Old Florida Mitigation Bank - ERP No. 43041425.001 - Pasco County
13. Individual Water Use Permits Referred to the Governing Board
 - a. WUP No. 20020687.00 - Southeast Wildwood Water Conservation Authority (Sumter County)

General Counsel's Report

14. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
 - a. Initiation of Litigation – Breach of Contract – Jacobs Engineering Group, Inc. – Weeki Wachee State Park Canoe Launch Improvements
15. Rulemaking-None

Executive Director's Report

16. Approve Fiscal Year 2020 Final Budget Hearing Minutes – September 24, 2019
17. Approve Governing Board Minutes - September 24, 2019

RESOURCE MANAGEMENT COMMITTEE (TAB C)***Discussion***

18. Consent Item(s) Moved for Discussion
19. Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, Florida Administrative Code, to Adopt Minimum Flows for the Chassahowitzka and Homosassa River Systems and Accept Reports
20. Project Schedule Adjustments Associated with Governing Board Resolution 18-06 (Amended) – Polk Regional Water Cooperative

Submit & File Reports - None***Routine Reports***

21. Minimum Flows and Levels Status Report
22. Significant Water Resource and Development Projects

FINANCE/OUTREACH & PLANNING COMMITTEE (TAB D)***Discussion***

23. Consent Item(s) Moved for Discussion
24. Investment Strategy Quarterly Update
25. Annual Review and Approval of the District's Investment Policy
26. Development of Preliminary Budget for Fiscal Year 2021

Submit & File Reports

27. Inspector General Quarterly Update – July 1, 2019 to September 30, 2019

Routine Reports

- 28. Treasurer's Report and Payment Register
- 29. Monthly Financial Statement
- 30. Monthly Cash Balances by Fiscal Year
- 31. Comprehensive Plan Amendment and Related Reviews Report

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE (TAB E)***Discussion***

- 32. Consent Item(s) Moved for Discussion
- 33. Agreement with the City of Temple Terrace for Voluntary Annexation of Portions of District Property – Tampa Bypass Canal – SWF Parcel No. 13-004-318X

Submit & File Reports

- 34. Hydrologic Conditions Report
- 35. Exchange Agreement with Tampa Port Authority for the Expansion of Railroad Lines for Port Services – Schulz Preserve - SWF Parcel Numbers 11-709-154 and 11-709-155S

Routine Reports

- 36. Surplus Lands Update
- 37. Structure Operations
- 38. Significant Activities

REGULATION COMMITTEE (TAB F)***Discussion***

- 39. Consent Item(s) Moved for Discussion
- 40. Denials Referred to the Governing Board

Submit & File Reports - None***Routine Reports***

- 41. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading Equipment Implementation
- 42. Overpumpage Report
- 43. Individual Permits Issued by District Staff

GENERAL COUNSEL'S REPORT (TAB G)***Discussion***

- 44. Consent Item(s) Moved for Discussion

Submit & File Reports - None***Routine Reports***

- 45. October 2019 Litigation Report
- 46. October 2019 Rulemaking Update

COMMITTEE/LIAISON REPORTS (TAB H)

- 47. Environmental Advisory Committee
- 48. Other Committee/Liaison Reports

EXECUTIVE DIRECTOR'S REPORT (TAB I)

- 49. Executive Director's Report

CHAIR'S REPORT (TAB J)

- 50. 2019 Employee Evaluation and 2020 Performance Goals for the Executive Director and Inspector General
- 51. Chair's Report
- 52. Other
- 53. Employee Milestones

*** **RECESS PUBLIC HEARING** ***

ADJOURNMENT

The Governing Board may take action on any matter on the printed agenda including such items listed as reports, discussions, or program presentations. The Governing Board may make changes to the printed agenda only for good cause as determined by the Chair, and stated in the record.

If a party decides to appeal any decision made by the Board with respect to any matter considered at a hearing or these meetings, that party will need a record of the proceedings, and for such purpose that party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you wish to address the Board concerning any item listed on the agenda or an issue that does not appear on the agenda, please fill out a speaker's card at the reception desk in the lobby and give it to the recording secretary. Your card will be provided to the Chair who will call on you at the appropriate time during the meeting. When addressing the Board, please step to the podium, adjust the microphone for your comfort, and state your name for the record. Comments will be limited to three minutes per speaker. In appropriate circumstances, the Chair may grant exceptions to the three-minute limit.

The Board will accept and consider written comments from any person if those comments are submitted to the District at Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899. The comments should identify the number of the item on the agenda and the date of the meeting. Any written comments received after the Board meeting will be retained in the file as a public record.

GOVERNING BOARD OFFICERS, COMMITTEES AND LIAISONS

Effective September 24, 2019

OFFICERS	
Chair	Mark Taylor
Vice Chair	Michelle Williamson
Secretary	Joel Schleicher
Treasurer	Kelly S. Rice

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE
James G. Murphy, Chair

RESOURCE MANAGEMENT COMMITTEE
Rebecca Smith, Chair

REGULATION COMMITTEE
Joel Schleicher, Chair

FINANCE/OUTREACH AND PLANNING COMMITTEE
Kelly S. Rice, Chair

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

STANDING COMMITTEE LIAISONS	
Agricultural and Green Industry Advisory Committee	Michelle Williamson
Environmental Advisory Committee	Roger Germann
Industrial Advisory Committee	James G. Murphy
Public Supply Advisory Committee	Kelly S. Rice (Temporary)
Well Drillers Advisory Committee	Mark Taylor (Temporary)

OTHER LIAISONS	
Central Florida Water Initiative	James Murphy
Springs Coast Steering Committee	Kelly S. Rice
Charlotte Harbor National Estuary Program Policy Board	Joel Schleicher (Temporary)
Sarasota Bay Estuary Program Policy Board	Joel Schleicher
Tampa Bay Estuary Program Policy Board	Rebecca Smith
Tampa Bay Regional Planning Council	Rebecca Smith (Temporary)

**Southwest Florida Water Management District Schedule of Meetings
Fiscal Year 2020**

Governing Board Meeting

October 22, 2019 (9:00 a.m., Brooksville Office)
November 12, 2019 (9:00 a.m., Tampa Office)
December 10, 2019 (9:00 a.m., Brooksville Office)
January 28, 2020 (9:00 a.m., Tampa Office)
February 25, 2020 (TBD, Location TBD, Sarasota)
March 24, 2020 (9:00 a.m., Brooksville Office)
April 28, 2020 (10:00 a.m., Lake Eva Banquet Hall, Haines City)
May 19, 2020 (9:00 a.m., Tampa Office)
June 23, 2020 (9:00 a.m., Brooksville Office)
July 21, 2020 (9:00 a.m., Tampa Office)
August 25, 2020 (9:00 a.m., Brooksville Office)
September 22, 2020 (3:00 p.m., Tampa Office)

Governing Board Public Budget Hearings – 5:01 p.m., Tampa Office

2020 – September 8 & 22

Public Meeting for Pending Permit Applications – 9:00 a.m., Tampa Office

2019 – Oct. 2, Nov. 6, Dec. 4

2020 – Jan. 8, Feb. 5, Mar. 4, Apr. 1, May 6, Jun. 3, July 1, Aug. 5, Sept. 2

**Environmental Resource Permitting Advisory Group – 10:00 a.m., and
Water Use Permitting Advisory Group – 2:00 p.m., Tampa Office**

2019 – October 30

2020 – April 29, July 22

Agricultural & Green Industry Advisory Committee – 10:00 a.m., Tampa Office

2019 – December 3

2020 – March 10, June 9, September 15

Environmental Advisory Committee – 10:00 a.m., Tampa Office

2019 – October 8

2020 – January 14, April 14, July 14

Industrial Advisory Committee – 10:00 a.m., Tampa Office

2019 – November 5

2020 – February 11, May 12, August 11

Public Supply Advisory Committee – 1:00 p.m., Tampa Office

2019 – November 5

2020 – February 11, May 12, August 11

Well Drillers Advisory Committee – 1:30 p.m., Tampa Office

2019 – October 9

2020 – January 8, April 8, July 8

Springs Coast Management Committee – 1:30 p.m., Brooksville Office

2019 – October 23, December 11

2020 – January 8, February 26, May 27, July 15

Springs Coast Steering Committee – 2:00 p.m., Brooksville Office

2019 – November 13

2020 – January 29, March 18, July 29

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

2020 – February 5 - Northern Region, Brooksville Office

2020 – February 6 – Southern Region, Location TBD

2020 – February 12 – Heartland Region, Bartow City Hall

2020 – February 13 – Tampa Bay Region, Tampa Office

2020 – April 1 – Northern Region, Brooksville Office

2020 – April 2 – Southern Region, Location TBD

2020 – April 8 – Tampa Bay Region, Tampa Office

2020 – April 9 – Heartland Region, Bartow City Hall

Meeting Locations

Brooksville Office – 2379 Broad Street, Brooksville, FL 34604

Tampa Office – 7601 US Highway 301 North, Tampa, FL 33637

Lake Eva Banquet Hall – 799 Johns Avenue, Haines City, FL 33844

Bartow City Hall – 450 N. Wilson Avenue, Bartow, FL 33830

Executive Summary

GOVERNING BOARD MEETING

OCTOBER 22, 2019
9:00 a.m.

CONVENE PUBLIC HEARING & MEETING (TAB A)

1. Call to Order
2. Invocation and Pledge of Allegiance
3. Employee Recognition
4. Additions/Deletions to Agenda
5. Public Input for Issues Not Listed on the Published Agenda

CONSENT AGENDA (TAB B)

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, the item(s) will be deleted from the Consent Agenda and moved to the appropriate Committee or Report for consideration.

Resource Management Committee

6. **Approve Use of the Lower Coastal Watershed Management Plan Floodplain Information to Update Flood Insurance Rate Maps in Pasco County (L842)**

Request the Board's approval to use the Lower Coastal Watershed Management Plan (WMP) floodplain information to update Flood Insurance Rate Maps (FIRMs) in Pasco 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). Pasco 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.

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 twenty watersheds in Hernando County, eight watersheds in Pasco County, eight watersheds in Citrus County, four watersheds in Manatee County, six watersheds in Sarasota County, four watersheds in Polk County, two watersheds in DeSoto

County, five watersheds in Hardee County, three watersheds in Highlands County, two watersheds in Pinellas County, three watersheds in Sumter County, twelve watersheds in Marion County and three watersheds in Hillsborough County. 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 2019-2023. 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 Lower Coastal watershed was prepared by a District hired consultant, CH2M Hill (now Jacobs), Engineering Firm of Record, reviewed by District and Pasco County staff, and then reviewed by the District's independent peer review consultant, CDM Smith. Floodplain information for the watershed was presented for review and comment during a public workshop held on September 10, 2018. Affected property owners were notified of the workshop by print advertisement and media release with a total of 29 people in attendance. 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 recommends the Governing Board approve use of the Lower Coastal Watershed Management Plan floodplain information to update Flood Insurance Rate Maps in Pasco County.

7. Minimum Flows and Minimum Water Levels Priority List and Schedule Update

To request approval of the District's 2019 Priority List and Schedule for the establishment of minimum flows, minimum water levels and reservations prior to submission to the Florida Department of Environmental Protection (DEP).

Pursuant to Sections 373.036(7) and 373.042(3), Florida Statutes, the District is required to annually update and submit its minimum flows and minimum water levels priority list to the Florida DEP by November 15th, for approval, and include the approved priority list in the District's Consolidated Annual Report by March 1st.

Staff presented a draft 2019 priority list and schedule to the Governing Board as a Submit & File Report agenda item at the August 27, 2019 Board meeting. The draft list and schedule was subsequently posted to the District web site and a public workshop for soliciting comment on the draft document was held at the Tampa Service Office on August 28, 2019. Four stakeholders participated in the meeting and no specific comments on the priority list and schedule were provided.

Staff also participated in a joint public workshop with the South Florida Water Management District and St. Johns River Water Management District on September 5, 2019 in St. Cloud within the Central Florida Water Initiative Area to solicit input on each district's priority list and schedule. None of the 15 stakeholders that participated in the joint-district workshop commented on the District's priority lists and schedules.

Based on consideration of stakeholder input, guidance provided by DEP, and additional review, staff has not identified a need to modify the priority list and schedule that was presented at the August 2019 Board meeting and which is also included as an exhibit to this agenda item.

At the request of the DEP, the District's 2019 Priority List and Schedule information will be submitted to DEP in spreadsheet format by November 15, 2019. Following DEP approval, the 2019 Priority List and Schedule will be incorporated into the 2020 Consolidated Annual

Report, which will be presented to the Board for consideration and approval in January and February 2019.

The 2019 Priority List and Schedule includes all significant river segments and Outstanding Florida Springs within the District. It is anticipated that minimum flows, minimum water levels or reservations for all listed water bodies will be adopted or as indicated, reevaluated by 2029.

Staff recommends the Governing Board approve the Southwest Florida Water Management District 2019 Priority List and Schedule for submission to DEP for review and approval as required by Chapter 373, F.S.

8. Channel 1A2 Stormwater Quality Improvements - Scope Change (W300)

The Board approved the Pinellas Park Water Management District (PPWMD) Channel 1A2 Stormwater Quality Improvements project during the fiscal year (FY) 2020 cooperative funding cycle. The total estimated cost for the project is \$807,800 with the District and the PPWMD each contributing fifty percent (\$403,900). The project, as initially presented to the Board, includes design, permitting and construction of stormwater Best Management Practices (BMPs) to treat contributing drainage areas of approximately 20 acres, with pollutant reductions of 8,126 lbs./yr. of total suspended solids (TSS) and 223 lbs./yr. of Total Nitrogen (TN). BMPs will be implemented for the area along 49th Street North in Pinellas Park improving water quality discharging to Tampa Bay via Boca Ciega Bay.

The PPWMD requested a revision to the resource and measurable benefits while drafting the scope of work. The PPWMD determined that the treatment drainage area conveyance system was partially piped rather than all of the stormwater flow directed to a stormwater inlet at Channel 1A2. The PPWMD is proposing to add another BMP in the stormwater conveyance system that intercepts and treats the piped portion of the watershed, with the balance of the drainage being treated in the initial conceptual swale at the Channel 1A2 ditch. The changes to the conceptual plan increase the project costs by \$38,200 and increase the treatment area to 23.3 acres. The proposed changes to BMPs increase the TSS pollutant removal estimate to 9,300 lbs./yr. and reduce the TN estimate to 89.16 lbs./yr. The approved and revised resource and measurable benefits are included in the table below.

	Approved	Revised
Treatment Area (acres)	20	23.3
Total Suspended Solids (TSS) lbs./yr.	8,126	9,300
Total Nitrogen (TN) lbs./yr.	223	89

The project cost has increased to \$846,000 with the District's share remaining at the amount previously approved by the Board (\$403,900) and PPWMD's share increasing to \$442,100. The additional \$38,200 in project costs will be absorbed by the PPWMD. The cost effectiveness ranking has not changed. The project, as originally approved by the Board, had an overall ranking of High. The requested change from the PPWMD will not change the overall ranking.

Staff recommends the Governing Board:

1. Approve the scope revision to increase the drainage area treated from 20 acres to 23.3 acres, which is the measurable benefit in the cooperative funding agreement.
2. Approve the scope revision to increase the TSS removal from 8,126 lbs./yr. to 9,300 lbs./yr. and reduce the TN removed from 223 lbs./yr. to 89 lbs./yr., which are the resource benefits in the cooperative funding agreement.
3. Approve the increase in project cost from \$808,800 to \$846,000, with the District share remaining \$403,900 and the PPWMD's share increasing from \$403,900 to \$442,100.

Finance/Outreach & Planning Committee**9. Budget Transfer Report**

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 regularly presented to the Finance/Outreach & Planning Committee for approval on the Consent Agenda at the next scheduled meeting. The exhibit for this item reflects all such transfers executed since the date of the last report for the Committee's approval.

Staff recommends the Board approve the Budget Transfer Report covering all budget transfers for September 2019.

10. Cigna Employee Wellness Program Budget Transfer

Request the budget transfer of \$165,000 in fiscal year (FY) 2019 funds from Lake and Wetland Minimum Flows and Levels (MFLs) Criteria Review consultant services to the fully reimbursable Employee Wellness Program provided by Cigna.

For calendar year 2019, the District changed its Administrative Services Only health care provider from Blue Cross and Blue Shield of Florida to Cigna Health & Life Insurance Company (CHLIC). As part of the agreement with CHLIC, each year the District will be reimbursed up to \$165,000 for a Wellness Coordinator and/or Employer Wellness Initiatives. The Wellness Coordinator will be employed by CHLIC and work at designated District offices. Employer Wellness Initiatives will be for clinical, behavioral, and/or wellness programs (e.g. biometric screening, flu shots) offered by CHLIC for employees of the District and to reward participation in these programs.

For calendar year 2019, the District elected to distribute the \$165,000 for the Employee Wellness Program as follows:

- \$115,000 for a full-time onsite Wellness Coordinator which includes the cost of benefits, overhead, and administration.
- \$50,000 for Employer Wellness Initiatives for clinical, behavioral, and/or wellness programs.

Due to the timing of the budget development process and the solicitation of employee health benefits, funding for the Employee Wellness Program was not included in the FY2019 Adopted Budget. Although no cash transactions will be made related to this program, due to the nature of the agreement the District must record the expense and associated revenue as services are incurred, similar to a cost reimbursement grant.

The funds were originally budgeted for consultant services to assess questions identified by the District's lake and wetland MFLs criteria review team including technical or peer reviews, methodology improvements, evaluation of tools, and development of new tools. Expenditures were less than anticipated due to some work completed in-house, as well as cost savings through the procurement process.

Staff recommends the Governing Board approve the budget transfer of \$165,000 in FY2019 funds from District Lake and Wetland MFLs Criteria Review consultant services (P084) to the fully reimbursable Employee Wellness Program (Z078) provided by Cigna.

11. Inspector General Performance Measures

In accordance with the OIG Charter Governing Board Policy, the OIG shall have performance measures defined by the Finance/Outreach & Planning Committee and approved by the Governing Board. After Governing Board approval, these will be the performance measures which the OIG will report on at least a semi-annual basis.

Staff recommends the Governing Board approve the OIG performance measures.

Operations, Lands and Resource Monitoring Committee – None**Regulation Committee****12. Partial Release of Conservation Easement for Old Florida Mitigation Bank - ERP No. 43041425.001 - Pasco County**

On March 25, 2015, the District issued Environmental Resource Permit (ERP) No. 43041425.001 (Permit) to EIP Credit Co., LLC (Permittee), authorizing the establishment of a mitigation bank known as the Old Florida Mitigation Bank (Project), located in Pasco County, Florida. At the time of Permit issuance, the owner of the Project was EIP Florida, LLC (EIP), which is a related entity of the Permittee. The rules governing mitigation banks required EIP to grant a Conservation Easement (CE) over the Project to the District. On June 18, 2015, EIP granted a CE over the Project to the District. The CE excluded an approximately 2-acre parcel from the mitigation bank to be used for the construction of a house. The 2-acre parcel fronts onto SR 52.

On or about December 2, 2016, EIP conveyed its underlying fee simple interest in the Project to Old Florida Ranch, LLC (Owner). Approximately 2 acres of the property were intentionally not encumbered by the CE conveyed for the mitigation bank to allow for construction of a caretaker's residence or hunting camp for both the future management and recreational use of the property. The 2-acre site is located on the south side of State Road 52 and a portion of it is being acquired by the Florida Department of Transportation, which will reduce the size to 1.64 acres. The Owner indicated it would now like the residence/camp to be located more internal to the property for its ease of access for management and recreation uses, and has proposed a release and exchange of property to the District. The proposed transaction involves the release of the District CE on 1.34 acres located further into the interior of the property in exchange for amending the District CE to include the 1.64 acres located along State Road 52. In this case the valuation of the exchange was determined to be equal. The property encumbered by the CE is entitled for the development of a residence/camp at a single location entitlement in the before condition and the property will have the same entitlement, although slightly smaller, in the after condition.

The Owner currently has an ERP application pending to address the amendment to the CE for the Project. The amendment to the CE will be conveyed by Owner to the District and will be processed via the pending ERP application, which will also address any required adjustment to the number of credits for the Project. Because the partial release of the CE is altering an interest in land previously conveyed to the District, the District must join in with the Owner in executing the instrument. The Partial Release of Conservation Easement and Quit Claim Deed, and the First Amendment to Conservation Easement are provided for the Governing Board's review as exhibits to this recap; however, only the partial release must be executed by the Governing Board. The executed partial release will be held until the ERP application is processed, and both the partial release and the amendment to the CE will be recorded on the same day.

Staff recommends the Governing Board approve, accept, and execute the attached Partial Release of Conservation Easement and Quit Claim Deed for the Old Florida Mitigation Bank.

13. Individual Water Use Permits Referred to the Governing Board**a. WUP No. 20020687.00 - Southeast Wildwood Water Conservation Authority (Sumter County)**

This is a modification of an existing water use permit for landscape/recreation use. This modification includes the addition of nine proposed lower Floridan aquifer wells to meet additional irrigation demands and combines this permit with Water Use Permit No. 20002798.004. This permit authorizes an annual average quantity of 10,074,300 gallons per day (gpd) and a peak month quantity of 26,819,600 gpd from groundwater and onsite constructed stormwater sources. The groundwater sources for this permit are a smaller portion of the overall permit increase. The annual average quantity from groundwater increases from 2,608,800 gpd to 4,705,600 gpd and the peak month quantity from groundwater increases from 10,603,200 gpd to 24,018,200 gpd. The additional demand for the irrigation of 3,293 acres of landscape and 1,055 acres of golf course will be met by utilizing available reclaimed water and storm water. Quantities were calculated using the District's irrigation allotment calculation program, AGMOD, along with information provided by the applicant.

Special conditions include those that require the Permittee to construct wells to specifications, install flow meters on all withdrawals, record and report monthly meter readings, continue implementation of the approved environmental monitoring plan, utilize alternative water sources before groundwater, and implement the conservation plan that was submitted in support of the application.

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

Staff recommends the Governing Board approve the proposed permit attached as an exhibit.

General Counsel's Report**14. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval****a. Initiation of Litigation – Breach of Contract – Jacobs Engineering Group, Inc. – Weeki Wachee State Park Canoe Launch Improvements**

The purpose of this item is to request the Governing Board's concurrence with the authorization of the Executive Director, the Governing Board Chair and the General Counsel to file a lawsuit against Jacobs Engineering Group, Inc. (Jacobs) on September 27, 2019. Board Policy 160-1, District Legal Services, allows the Executive Director, with the written concurrence of the General Counsel and the Governing Board Chair to cause a lawsuit to be filed in advance of Governing Board approval if the Chair and the Executive Director determine it is necessary and in the best interest of the District to file suit prior to advising the Governing Board. The lawsuit filed against Jacobs was necessary to preserve the District's claims against Jacobs before the expiration of the statute of limitations on September 30, 2019. Under such circumstances, the General Counsel must advise the Governing Board and seek its concurrence no later than the next regularly scheduled Governing Board meeting.

In October 2016, the District entered into a contract with Jacobs, a professional engineering firm, to provide construction engineering and inspection services for the Weeki Wachee State Park Canoe Launch Project. The purpose of the project was to address water quality issues and improve the road pavement areas within the canoe launch area of the Weeki Wachee State Park.

The District contracted with Cardno, Inc. (Cardno), a professional engineering firm, to design the project and to sign and seal the construction drawings and technical

specifications for inclusion in the District's Request for Bids (RFB) for construction services. The construction drawings and technical specifications specified the use of porous paving materials manufactured by K.B. Industries, Inc. (KBI), or an approved equivalent. Pave-Rite, Inc. (Pave-Rite) was ultimately awarded the construction contract to install the KBI paving material.

Pursuant to its agreement with the District, Jacobs was required to provide weekly site visits subsequent to the contractor's mobilization and to notify the District of any discrepancies or deviations from the approved plans. Construction was completed in April 2017 and in May 2017 the District became aware that the KBI paving material was breaking along the edges and degrading in areas causing depressions in the pavement. The District notified Pave-Rite and KBI of the deficiencies and in December 2017 KBI proposed repair work that included removing the damaged pavement areas and relaying those areas with new KBI material. Pave-Rite and KBI completed the repair work in February 2018. Thereafter, District staff observed the continued failure of the KBI paving material including the areas that were replaced.

In January 2019, the District filed a claim against the construction bond surety. The District entered into a contract with PRI Asphalt Technologies, Inc. (PRI) to perform material testing to determine the cause of the pavement failures. On July 31, 2019, PRI provided its report concluding the KBI paving materials did not conform to the contract specifications and were not installed to the minimum installation depths required by the construction contract. District staff is currently attempting to resolve the project deficiencies with Pave-Rite and the surety.

The statute of limitations applicable to the District's claims against Cardo and Jacobs for project deficiencies was to expire in early May 2019. Cardo agreed to toll the statute of limitations until December 31, 2019. Jacobs agreed to toll the statute of limitations until September 30, 2019 and indicated it would not agree to an extension beyond that date. The District filed suit against Jacobs on September 27, 2019 for breach of contract for failing to perform construction engineering and inspection services in accordance with the terms and conditions of its agreement with the District.

Staff recommends the Board provide concurrence with the authorization of the Executive Director, the Governing Board Chair and the General Counsel to file a lawsuit against Jacobs Engineering Group, Inc. on September 27, 2019, in accordance with Board Policy 160-1.

15. Rulemaking – None

Executive Director's Report

16. Approve Fiscal Year 2020 Final Budget Hearing Minutes – September 24, 2019

Staff recommends the Board approve the minutes as presented.

17. Approve Governing Board Minutes – September 24, 2019

Staff recommends the Board approve the minutes as presented.

RESOURCE MANAGEMENT COMMITTEE (TAB C)

Discussion

18. Consent Item(s) Moved for Discussion

19. Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, Florida Administrative Code, to Adopt Minimum Flows for the Chassahowitzka and Homosassa River Systems and Accept Reports

To request the Board initiate and approve rulemaking to amend Rule 40D-8.041, Florida Administrative Code (F.A.C.), to adopt revised minimum flows for the Chassahowitzka River/Chassahowitzka Spring Group and Blind Spring, and the Homosassa River/Homosassa Spring Group that were developed as part of the reevaluations of currently established minimum flows for the two river/spring systems, and accept the reports entitled: "Reevaluation of Minimum Flows for the Chassahowitzka River System, Final Draft" and "Reevaluation of Minimum Flows for the Homosassa River System, Final Draft"

The Chassahowitzka River System includes the watercourse from the Chassahowitzka Main Springs Complex to the Gulf of Mexico, including contributing tributaries, Blind Springs and all named and unnamed springs that discharge to the river. The Chassahowitzka River and its springshed span portions of Citrus and Hernando Counties. The main stem of the Chassahowitzka River flows approximately 6 miles to the mouth in Chassahowitzka Bay, which is connected to the Gulf of Mexico. For the period of record beginning February 20, 1997 through October 15, 2018, the mean spring flow at the United States Geological Survey (USGS) Chassahowitzka River near Homosassa gage (No. 02310650) was 60 cubic feet per second or 39 million gallons per day. Current groundwater withdrawal impacts result in an approximate 1.4 percent reduction in spring discharge to the Chassahowitzka River System.

The Homosassa River System includes the watercourse from the Homosassa Main Springs Complex to the Gulf of Mexico, including the southeast fork of the Homosassa River, Halls River, Hidden River and all named and unnamed springs that discharge to these rivers. The Homosassa River is within Citrus County, while its springshed includes portions of both Citrus and Hernando Counties. The Homosassa River flows approximately 8 miles to its mouth near Shell Island in the Homosassa Bay region of the Gulf of Mexico. For the period of record beginning October 1, 2000 through October 1, 2018, the mean combined spring flows at the USGS Homosassa Springs at Homosassa Springs Gage (No. 02310678) and USGS SE Fork Homosassa Spring at Homosassa Springs Gage (No. 02310688) was 147 cubic feet per second or 95 million gallons per day. Current groundwater withdrawal impacts result in an approximate 1.9 percent reduction in spring discharge to the Homosassa River System.

District staff submitted draft reports on recommended minimum flows for the Chassahowitzka and Homosassa River Systems to the Governing Board in January 2019 prior to initiation of peer review. These initial minimum flow recommendations required that 92 percent of the natural flow in the Chassahowitzka River System and 95 percent of the natural flow in the Homosassa River System be maintained to prevent significant harm to the water resources and ecology of the area, with natural flow defined as the flow that would exist in the absence of water withdrawals.

The draft reports were subsequently voluntarily submitted to an independent peer review panel. The peer review was conducted in two phases from February through June 2019. The first phase was an initial peer review that culminated in recommendations for changes to the documentation and analyses in the draft reports. The first phase also provided initial conclusions on the technical defensibility of the minimum flow reevaluations. Following submittal of the initial peer review reports, District staff made changes to the draft minimum

flows reports and appendices along with providing additional technical documents in response to the recommendations. Three teleconferences were held following revisions, providing the peer review panel with the opportunity to confirm their support for the minimum flow recommendations. Based on the District staff's responses to the panel's comments, provision of additional technical documentation, and the updated minimum flows reports, all of the peer review panel's recommendations have been addressed and resolved, and the panel supported the conclusions presented within the minimum flows reports. All panel meetings, as well as a publicly accessible, internet-based forum set up by the District for panel communication were advertised in the Florida Administrative Register in accordance with Florida's Government-in-the-Sunshine Law. The peer review panel found that the draft reports recommending the minimum flows for the Chassahowitzka River and Homosassa River Systems met relevant statutory requirements and that the analyses were thorough, scientifically reasonable, and based on the best data and information available. As was the case in the minimum flows reports first presented to the peer review panel in January 2019, the revised minimum flows reports recommend requiring that 92 percent of the natural flow in the Chassahowitzka River System and 95 percent of the natural flow in the Homosassa River System be maintained. The revised reports on minimum flows for the Chassahowitzka River and Homosassa River Systems are provided under separate cover.

In addition to the publicly accessible scientific peer review, the District facilitated stakeholder review by hosting a public workshop on June 11, 2019 in Lecanto. District staff have also been meeting and corresponding with individual stakeholders or stakeholder groups over the last several months. All comments and questions from the public workshop and other stakeholder input were reviewed. All stakeholder input is included in an appendix to each draft minimum flows report, and additional stakeholder input received since the draft reports were completed will be provided to the Board at the Governing Board meeting on October 22, 2019.

The recommended minimum flows for the Chassahowitzka River and Homosassa River Systems are protective of all relevant environmental values identified for consideration in the Water Resource Implementation Rule when establishing minimum flows and levels. Allowable reductions from natural flows are 8 percent for the Chassahowitzka Spring Group and 5 percent for the Homosassa Springs Group. Updated groundwater modeling (Northern District Model, Version 5.0) indicates that springflow declines under 2015 pumping conditions are between approximately one and two percent for both spring groups. Therefore, the proposed minimum flows are currently being met and recovery strategies are currently not required. Similarly, projected water-use demands for 2040 are expected to result in springflow impacts of 1.9 percent for the Chassahowitzka Springs Group and 2.5 percent for the Homosassa Springs Group. Because these projected impacts are less than the allowable 8 percent for the Chassahowitzka and 5 percent for the Homosassa, implementation of additional, specific prevention strategies is also not warranted at this time.

The District is committed to the reevaluation of the minimum flows that are adopted for the Chassahowitzka River and Homosassa River Systems, as necessary, and staff recommends that the minimum flows for the river systems should be evaluated within ten years of their adoption. The proposed rule language for establishment of minimum flows for the Chassahowitzka River and Homosassa River Systems is included as Exhibit "A."

Adoption of minimum flows for the Chassahowitzka River and Homosassa River Systems will support the District's water supply planning, water use permitting, and environmental resource permitting programs. A Statement of Estimated Regulatory Costs is not required for either the Chassahowitzka River System or the Homosassa River System minimum flows, as rulemaking associated with the minimum flows is not expected to result in any direct or indirect cost increases for small businesses or increased regulatory costs in excess of \$200,000 within one year of implementation.

Upon Governing Board approval of the proposed rule language, staff will submit notice to the Governor's Office of Fiscal Accountability and Regulatory Reform (OFARR) and proceed with formal rulemaking without further Board action. If substantive changes are necessary as the result of comments received from the public or reviewing entities such as OFARR or the Joint Administrative Procedures Committee, this matter will be brought back to the Board for consideration.

Staff recommends the Board:

1. Accept the reports entitled "Reevaluation of Minimum Flows for the Chassahowitzka River System, Final Draft" and "Reevaluation of Minimum Flows for the Homosassa River System, Final Draft"
2. Authorize the initiation of rulemaking and approve the proposed rule language for the adoption of amendments to Rule 40D-8.041, Florida Administrative Code, to establish a minimum flow for the Chassahowitzka River and Homosassa River Systems.
3. Authorize staff to make any necessary clarifying or minor technical changes that may result from the rulemaking process.

20. Project Schedule Adjustments Associated with Governing Board Resolution 18-06 (Amended) – Polk Regional Water Cooperative

The purpose of this item is to request the Governing Board excuse two project schedule milestone exceedances for the Polk Regional Water Cooperative (PRWC) - West Polk Lower Floridan Aquifer Project (N882) and to excuse an anticipated schedule milestone exceedance for conducting Third-Party Reviews for projects by April 30, 2020, as identified in Governing Board Resolution 18-06.

Polk County and the municipal utilities within Polk County primarily utilize traditional groundwater supplies to meet their water supply demand. Polk County lies within the Southern Water Use Caution Area (SWUCA) and the Central Florida Water Initiative (CFWI) where traditional water sources are nearing their sustainable limits and alternative water sources need to be developed to meet the projected demands. As a result, Polk County and the municipalities within Polk County, with the District's encouragement, have created a water supply entity (PRWC) to develop future water supplies.

At the April 28, 2015 meeting, the Governing Board adopted Resolution 15-07 to promote regional cooperation between Polk County and the municipalities within Polk County in developing alternative water supply projects. Resolution No. 15-07 provided that the Governing Board would appropriate \$10,000,000 each year beginning in FY2015 through FY2018 for the development of alternative water supply projects if specific milestones were met. All the milestones contained in Resolution 15-07 were met, including the selection of three projects, and a total of \$40,000,000 was set aside for the PRWC alternative water supply projects. The three projects selected and approved by the PRWC Board and the Governing Board are the West Polk Lower Floridan Aquifer Deep Wells (N882), the Southeast Wellfield (N905), and the Peace Creek Integrated Water Supply Plan (N928). In May 2017 the District transferred \$11,500,000 from the Resolution funds to the first phase of these projects.

At the April 24, 2018 meeting, the Governing Board adopted Resolution 18-06 to continue the practice of annually appropriating funds for these three projects based on meeting certain conditions. These funds would be used for the second phase of the selected project(s) which includes final design, permitting and construction. Resolution 18-06 provides that the Governing Board will appropriate \$5,000,000 per fiscal year from 2019 to 2023 as long as project milestones for each project plan in the funding agreements were met and all milestone dates specifically identified in the resolution were met. Resolution 18-06 was amended by the Governing Board in April 2019 to add a fourth project for feasibility investigation - Peace River/Land Use Transition Treatment Facility and Reservoir Project (Q133).

Amended Resolution 18-06 indicates the following regarding the appropriation of \$5,000,000 for FY2020 funding:

For FY2020, the PRWC shall develop a long-term Conservation Plan including a needs assessment of regional water demands, potential water conservation measures, and implementation strategies. The PRWC and its Consultant Team must be meeting all scheduled milestones included in the Conservation Plan and in the three original and one additional Phase One project plans through September 30, 2019.

The PRWC and District staff have identified that two project milestones provided in the West Polk Lower Floridan Aquifer Project (N882) project plan were not met by the September 30, 2019 deadline. The two milestones are Task 2.2 - Well Construction and Task 2.3 - Aquifer Performance Testing. Both of these tasks are delayed due to more difficult drilling conditions at the West Polk project site than originally anticipated. Both tasks are now anticipated to be completed by February 28, 2020.

In addition, Amended Resolution 18-06 indicates the following regarding FY2021 funding:

For FY2021, all Phase One Work must be on schedule for each project; an initial third-party review must be conducted for each project by April 30, 2020; and all four projects must be brought to the District's Governing Board by September 30, 2020, to consider project status and further action.

As a result of the drilling conditions delay associated with the West Polk Lower Floridan Aquifer Project (N882), as well as continued water supply availability analysis being performed by the District, PRWC, and Peace River Manasota Regional Water Supply Authority on the Peace River/Land Use Transition Treatment Facility and Reservoir Project (Q133), the April 30, 2020 deadline identified in the amended resolution for conducting third-party reviews is anticipated to be missed. Third-party review for all projects is now anticipated to be completed by August 31, 2020.

To correct these schedule issues and still provide the \$5,000,000 funding incentive to the PRWC for FY2020 and anticipated to be provided in FY2021, the amended resolution indicates that the Governing Board can excuse the schedule lapses. Specifically, the resolution states:

If any action in any given year pertinent to this Amendment and upon which the Governing Board's appropriation of funding is contingent as described herein, is not completed by the date designated herein and not excused by the Governing Board, then funds appropriated pursuant to this amendment for that year will become available for re-appropriation by the Governing Board.

Therefore, staff is recommending the Governing Board excuse the five-month anticipated delay (from September 30, 2019 to February 28, 2020) in the two tasks associated with the West Polk Lower Floridan Aquifer Project (N882). In addition, staff is recommending that the Governing Board excuse the four-month anticipated delay (from April 30, 2020 to August 31, 2020) for completion of all initial third-party reviews on three projects (N882, N928, and Q133). The Southeast Wellfield Lower Floridan Aquifer Project initial third-party review was approved by the Governing Board at the September 2019 meeting. Excusal of these schedule issues will allow the FY2020 funds to be encumbered to the PRWC and keep the FY2021 funds available to the PRWC if all milestones are met by September 30, 2021.

Staff recommends the Board:

1. Excuse the schedule delay in the cooperative funding agreement project plan task 2.2 - Well Construction and task 2.3 Aquifer Performance Testing for the West Polk Lower Floridan Aquifer Deep Wells Project (N882);
2. Excuse the schedule delay for the completion of third-party reviews associated with three cooperative funding projects (N882, N928, Q133).

Submit & File Reports – None

Routine Reports

The following items are provided for the Committee's information, and no action is required.

21. **Minimum Flows and Levels Status Report**

22. **Significant Water Resource and Development Projects**

FINANCE/OUTREACH & PLANNING COMMITTEE (TAB D)
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Discussion

23. **Consent Item(s) Moved for Discussion**

24. **Investment Strategy Quarterly Update**

In accordance with Board Policy, District Investment Policy, a quarterly investment report shall include the following:

1. A listing of individual securities by class and type held at the end of the reporting period.
2. Percentage of available funds represented by each investment type.
3. Coupon, discount, or earning rate.
4. Average life or duration and final maturity of all investments.
5. Par value and market value.
6. In addition to the standard gross-of-fee-performance reporting that is presented, net-of-fee performance will be provided by the Investment Manager.
7. A summary of District's investment strategy.
8. The year-end quarterly report ended September 30th will show performance on both a book value and total rate of return basis and will compare the results to the portfolio's performance benchmarks. All investments shall be reported at fair value per GASB standards. Investment reports shall be available to the public.

Attachment will be provided under a separate cover.

Staff recommend the Board accept and place on file the District's Quarterly Investment Reports for the quarter ended September 30, 2019.

25. Annual Review and Approval of the District's Investment Policy

The Policy requires a review of the District's Investment Policy within sixty (60) days following the end of each fiscal year and approval of any modifications made thereto. Fiscal year 2018-19 ended September 30, 2019 and a review is required. The policy has been reviewed by management and its investment advisory firm and there are no recommended modifications.

By reviewing and updating the District's Investment Policy within sixty (60) days following the end of the fiscal year, the Governing Board and management will be in compliance with the Investment Policy.

Staff recommends the Board approve and accept the recommendation for no modifications to Board Policy, Investments.

26. Development of Preliminary Budget for Fiscal Year 2021

Pursuant to Section 373.535, Florida Statutes, the water management districts (WMDs) are required to submit a preliminary budget for the next fiscal year to the Florida Legislature for review by January 15. The statutory language specifies the information to be included in the preliminary budget submission. The President of the Senate and the Speaker of the House of Representatives may submit comments regarding the preliminary budgets to the WMDs on or before March 1 of each year. Each WMD must respond to those comments in writing on or before March 15 of each year.

To initiate the preliminary budget development process, staff will provide the Governing Board an overview of factors affecting budget development and recommend acceptance of the general budget assumptions necessary to prepare the District's preliminary budget for FY2021. A draft of the preliminary budget will be submitted to the Department of Environmental Protection and the Executive Office of the Governor in early December for initial review and comment. On December 10, 2019, staff will provide the draft FY2021 Preliminary Budget to the Governing Board, including any furnished comments, with a request to approve for submission to the Legislature by January 15, 2020.

Staff recommend the Board approve the general budget assumptions as outlined in the October 22, 2019 budget presentation for the development of the preliminary budget for FY2021.

Submit & File Reports**27. Inspector General Quarterly Update – July 1, 2019 to September 30, 2019****Routine Reports**

The following items are provided for the Committee's information, and no action is required.

28. Treasurer's Report and Payment Register**29. Monthly Financial Statement****30. Monthly Cash Balances by Fiscal Year****31. Comprehensive Plan Amendment and Related Reviews Report**

OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE (TAB E)**Discussion****32. Consent Item(s) Moved for Discussion****33. Agreement with the City of Temple Terrace for Voluntary Annexation of Portions of District Property – Tampa Bypass Canal – SWF Parcel No. 13-004-318X**

Inform the Governing Board of an annexation request from the City of Temple Terrace to annex portions of District-owned property within the Tampa Bypass Canal (Canal) into the municipal boundaries of the City of Temple Terrace (City). This annexation will enhance services to the District's Tampa Service Office (TSO), existing and future City parks, and multiuse trails. A general location map is included as Exhibit 1 and the proposed annexation agreement and petition are included as Exhibit 2. The City has proposed annexation in three phases as depicted in Exhibit 3.

The City operates and maintains a sports complex and a dog park adjacent to the Canal through a management agreement with the District. The City plans to partner with Hillsborough County and the City of Tampa to develop and maintain a multiuse trail along the Canal that is consistent with county greenway initiatives. The City recommends annexation of District property containing these existing and planned facilities into its municipal boundaries to provide emergency response and other support services. The City also provides water and sewer service to the TSO. The District's service arrangement was agreed to in 2002 by the District and the City due to the proximity of the City's existing infrastructure to the TSO.

The annexation agreement requires that annexation result in a "revenue neutral" arrangement. Additionally, the management agreement for the City's facilities on the Canal requires that no new taxes be assessed on Canal property as a result of the annexation approval. Services provided by the City instead of the County were evaluated. It is anticipated the District will reduce its annual water costs at the TSO and will be exempted from paying the City's Electric Franchise Fee of \$2,500 annually.

The City has established a desired potential annexation area which is approximately 1,300 acres, which would be conducted in phases, as depicted in Exhibit 3. Phase one of the annexation is 265 acres (Exhibit 1), with the rest of the acres to be verified by both parties. District and City staff prepared an annexation agreement and petition specifically for this action. The City agrees with both documents.

Subject to the Board's conceptual approval of the annexation the process will occur as follows:

The annexation process includes the following steps:

- City will present the agreement to its Board for approval and adopt a resolution.
- District staff will present the City's signed agreement to the Executive Director for approval subject to the City's written verification that there were no objections to the annexation.
- Annexation will be completed at an additional City Council meeting after public notice requirements are fulfilled.

Benefits

- Emergency services to the TSO should be quicker and more efficient. This includes police, fire and other support services.
- Anticipated reduction in annual water costs at the TSO.
- Exemption from paying the City's Electric Franchise Fee of \$2,500 annually.

- The District may transfer management of additional recreation facilities on the Canal to the City resulting in an additional cost savings to the District.
- The City has agreed to offer use of the City's recreation facilities to District employees at the City resident rate.

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

Submit & File Reports

34. Hydrologic Conditions Report

35. Exchange Agreement with Tampa Port Authority for the Expansion of Railroad Lines for Port Services – Schulz Preserve - SWF Parcel Numbers 11-709-154 and 11709-155S

Routine Reports

The following items are provided for the Committee's information, and no action is required.

36. Surplus Lands Update

37. Structure Operations

38. Significant Activities

REGULATION COMMITTEE (TAB F)

Discussion

39. Consent Item(s) Moved for Discussion

40. 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.

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

Submit & File Reports – None

Routine Reports

The following items are provided for the Committee's information, and no action is required.

41. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program Update

42. Overpumpage Report

43. Individual Permits Issued by District Staff

GENERAL COUNSEL'S REPORT (TAB G)**Discussion**44. Consent Item(s) Moved for Discussion

Submit & File Reports – None

Routine Reports

The following items are provided for the Committee's information, and no action is required.

45. October 2019 Litigation Report46. October 2019 Rulemaking Update**COMMITTEE/LIAISON REPORTS (TAB H)**47. Environmental Advisory Committee48. Other Committee/Liaison Reports**EXECUTIVE DIRECTOR'S REPORT (TAB I)**49. Executive Director's Report**CHAIR'S REPORT (TAB J)**50. 2019 Employee Evaluation and 2020 Performance Goals for the Executive Director and Inspector General51. Chair's Report52. Other53. Employee Milestones**RECESS PUBLIC HEARING**

ADJOURNMENT

Governing Board Meeting

October 22, 2019

CONVENE MEETING OF THE GOVERNING BOARD AND PUBLIC HEARING

PUBLIC HEARING AND MEETING

1. **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 hearing. 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.

2. **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.

3. **Employee Recognition**

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

- 20 years – Carol Daleo, Records Management Specialist
- 30 years – Jim Catarouch, Senior Tradesworker
- 30 years – Amy Poxson, Business Process Technician
- 30 years – Tacey Bartlett, Technology Services Manager

4. **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

5. **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: Mark Taylor, Chair

Governing Board Meeting

October 22, 2019

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.

Resource Management Committee

- 6. Approve Use of the Lower Coastal Watershed Management Plan Floodplain Information to Update Flood Insurance Rate Maps in Pasco County (L842) 6
- 7. Minimum Flows and Minimum Water Levels Priority List and Schedule Update..... 8
- 8. Channel 1A2 Stormwater Quality Improvements - Scope Change (W300).....21

Finance/Outreach & Planning Committee

- 9. Budget Transfer Report23
- 10. Cigna Employee Wellness Program Budget Transfer25
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Operations, Lands and Resource Monitoring Committee - None

Regulation Committee

- 12. Partial Release of Conservation Easement for Old Florida Mitigation Bank – ERP No. 43041425.001 – Pasco County29
- 13. Individual Water Use Permits Referred to the Governing Board
 - a. WUP No. 20020687.00 – Southeast Wildwood Water Conservation Authority (Sumter County)40

General Counsel's Report

- 14. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
 - a. Initiation of Litigation – Breach of Contract – Jacobs Engineering Group, Inc. – Weeki Wachee State Park Canoe Launch Improvements60
- 15. Rulemaking – None

Executive Director's Report

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- 17. Approve Governing Board Minutes – September 24, 2019.....66

RESOURCE MANAGEMENT COMMITTEE

October 22, 2019

Consent Agenda

Approve Use of the Lower Coastal Watershed Management Plan Floodplain Information to Update Flood Insurance Rate Maps in Pasco County (L842)

Purpose

Request the Board's approval to use the Lower Coastal Watershed Management Plan (WMP) floodplain information to update Flood Insurance Rate Maps (FIRMs) in Pasco 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). Pasco 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 twenty watersheds in Hernando County, eight watersheds in Pasco County, eight watersheds in Citrus County, four watersheds in Manatee County, six watersheds in Sarasota County, four watersheds in Polk County, two watersheds in DeSoto County, five watersheds in Hardee County, three watersheds in Highlands County, two watersheds in Pinellas County, three watersheds in Sumter County, twelve watersheds in Marion County and three watersheds in Hillsborough County. 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 2019-2023. 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 Lower Coastal watershed was prepared by a District hired consultant, CH2M Hill (now Jacobs), Engineering Firm of Record, reviewed by District and Pasco County staff, and then reviewed by the District's independent peer review consultant, CDM Smith. Floodplain information for the watershed was presented for review and comment during a public workshop held on September 10, 2018. Affected property owners were notified of the workshop by print advertisement and media release with a total of 29 people in attendance. The watershed model and preliminary floodplain data reasonably reflect recent significant storm events and currently represent most accurate floodplain information available for the watershed.

Item 6

Staff Recommendation:

Approve use of the Lower Coastal Watershed Management Plan floodplain information to update Flood Insurance Rate Maps in Pasco County.

Presenter: JP Marchand, PE, Bureau Chief, Water Resources Bureau

RESOURCE MANAGEMENT COMMITTEE

October 22, 2019

Consent Agenda

Minimum Flows and Minimum Water Levels Priority List and Schedule Update

Purpose

To request approval of the District's 2019 Priority List and Schedule for the establishment of minimum flows, minimum water levels and reservations prior to submission to the Florida Department of Environmental Protection (DEP).

Background/History

Pursuant to Sections 373.036(7) and 373.042(3), Florida Statutes, the District is required to annually update and submit its minimum flows and minimum water levels priority list to the Florida DEP by November 15th, for approval, and include the approved priority list in the District's Consolidated Annual Report by March 1st.

Staff presented a draft 2019 priority list and schedule to the Governing Board as a Submit & File Report agenda item at the August 27, 2019 Board meeting. The draft list and schedule was subsequently posted to the District web site and a public workshop for soliciting comment on the draft document was held at the Tampa Service Office on August 28, 2019. Four stakeholders participated in the meeting and no specific comments on the priority list and schedule were provided.

Staff also participated in a joint public workshop with the South Florida Water Management District and St. Johns River Water Management District on September 5, 2019 in St. Cloud within the Central Florida Water Initiative Area to solicit input on each district's priority list and schedule. None of the 15 stakeholders that participated in the joint-district workshop commented on the District's priority lists and schedules.

Based on consideration of stakeholder input, guidance provided by DEP, and additional review, staff has not identified a need to modify the priority list and schedule that was presented at the August 2019 Board meeting and which is also included as an exhibit to this agenda item.

Follow-Up Activities

At the request of the DEP, the District's 2019 Priority List and Schedule information will be submitted to DEP in spreadsheet format by November 15, 2019. Following DEP approval, the 2019 Priority List and Schedule will be incorporated into the 2020 Consolidated Annual Report, which will be presented to the Board for consideration and approval in January and February 2019.

Benefits

The 2019 Priority List and Schedule includes all significant river segments and Outstanding Florida Springs within the District. It is anticipated that minimum flows, minimum water levels or reservations for all listed water bodies will be adopted or as indicated, reevaluated by 2029.

Item 7

Staff Recommendation:

Approve the Southwest Florida Water Management District 2019 Priority List and Schedule for submission to DEP for review and approval as required by Chapter 373, F.S.

Presenter: Doug Leeper, MFLs Program Lead, Environmental Flows and Assessments

SOUTHWEST FLORIDA WATER MANAGEMENT 2019 PRIORITY LIST AND SCHEDULE

Overview

Pursuant to Sections 373.036(7) and 373.042(3), Florida Statutes (F.S.), the Southwest Florida Water Management District is required to annually update its priority list and schedule for the establishment of minimum flows and minimum water levels, submit the updated list and schedule to the Florida Department of Environmental Protection (DEP) by November 15th for approval, and include the approved list and schedule in the District's Consolidated Annual Report by March 1st. Minimum flows and minimum water levels are rules established by the state water management districts or DEP that define the limit at which further withdrawals would be significantly harmful to the water resources or ecology of the area. In addition to prioritized minimum flows and water levels, the priority list and schedule must include reservations proposed for establishment. Reservations are rules that reserve water from use by permit applications, as necessary for the protection of fish and wildlife or public health and safety.

The District prepared this 2019 priority list and schedule to address all relevant statutory directives, and guidance concerning minimum flow, minimum water level and water reservation prioritization included in Rules 62-40.473, and 62-40.474 within the State Water Resource Implementation Rule (Chapter 62-40, Florida administrative Code (F.A.C.)).

District water bodies with adopted and effective minimum flow, minimum water level or reservation rules are itemized in this 2019 priority list and schedule. These water bodies include all first magnitude springs and all second magnitude springs within the District that occur within state or federally owned lands purchased for conservation purposes. Water bodies with previously established minimum flows or water levels that have been reevaluated and revised as necessary are identified. Water bodies that may be affected by withdrawals occurring in water management districts adjacent to the Southwest Florida Water Management District are also identified to support coordination of regulatory activities among the districts and DEP. The listings provided in this document for established minimum flows, minimum water levels, and reservations do not supersede information incorporated into District Water Levels and Rates of Flow (Chapter 40D-8, F.A.C.) and Consumptive Use of Water (Chapter 40D-2, F.A.C.) rules.

Minimum flows, minimum water levels and reservations proposed for establishment and reevaluation through 2029 are provided in tabular form in this 2019 priority list and schedule. Designation of water body type (aquifer, estuary, lake, river, river-estuary, spring and as appropriate, spring magnitude, which is associated with the rate of spring discharge) are provided along with location information. Water bodies that are part of a larger system, e.g., a spring group associated with a river, are listed by water body name and system. The District's intent regarding completion of voluntary, independent, scientific peer review is identified for each water body. Voluntary scientific peer review is proposed for all prioritized spring and river segments identified for minimum flow establishment based on the expected level of complexity of the minimum flows, and the anticipated degree of public concern regarding their development. None of the prioritized lake minimum levels are expected to be subjected to voluntary scientific peer review, based on anticipated use of previously peer-reviewed methodologies for development of the minimum water levels. Prioritized water bodies that may be affected by withdrawals occurring in other water management districts, i.e., are potentially subject to cross-boundary impacts, are identified. The status of rulemaking for each prioritized water body is also provided. These listings are not intended as a request for the adoption of a minimum flow or level by the DEP.

Southwest Florida Water Management District Priority Water Bodies with Adopted and Effective Minimum Flow and Minimum Water Level Rules, Including Those That Have Been Reevaluated

- Alafia River (upper segment) ^a
- Alafia River (lower segment)/Lithia-Buckhorn Spring Group
- Anclote River (lower segment)
- Anclote River (upper segment)
- Braden River (upper segment)
- Chassahowitzka River/Chassahowitzka Spring Group (OFS) ^b and Blind Spring
- Citrus County Lakes – Ft. Cooper, Tsala Apopka – Floral City, Inverness and Hernando Pools
- Crystal River/Kings Bay Spring Group (OFS) ^b
- Crystal Springs
- Dona Bay/Shakett Creek System
- Dover/Plant City Water Use Caution Area Minimum Aquifer Level
- Gum Slough Spring Run ^a
- Hernando County Lakes – Hunters, Lindsey, Mountain, Neff, Spring, Tooke, Weekiwachee Prairie, Whitehurst
- Highland County Lakes – Angelo ^a, Anoka ^a, Damon ^a, Denton ^a, Jackson ^a (reevaluated), Little Lake Jackson ^a (reevaluated), June-in-Winter ^a, Letta ^a (reevaluated), Lotela ^a (reevaluated), Placid ^a, Tulane ^a, Verona ^a
- Hillsborough County Lakes – Alice (reevaluated), Allen (reevaluated), Barbara, Bird (reevaluated), Brant (reevaluated), Calm, Carroll, Charles, Church, Crenshaw, Crescent, Crystal (reevaluated), Cypress, Dan (reevaluated), Deer (reevaluated), Dosson (reevaluated), Echo, Ellen, Fairy [Maurine], Garden, Halfmoon, Hanna, Harvey (reevaluated), Helen, Hobbs (reevaluated), Hooker, Horse (reevaluated), Jackson, Juanita (reevaluated), Keene, Kell, Little Moon (reevaluated), Merrywater (reevaluated), Mound, Platt, Pretty, Rainbow (reevaluated), Raleigh, Reinheimer, Rogers, Round (reevaluated), Saddleback (reevaluated), Sapphire, Starvation, Stemper (reevaluated), Strawberry, Sunset (reevaluated), Sunshine (reevaluated), Taylor, Virginia (reevaluated), Wimauma
- Hillsborough County Wetland Sites – CBRWF #32, Cosme WF Wetland, CR1, CR2, CR3, CR4, CR5, CR6, EWWF NW-44, MBWF Clay Gully Cypress, MBWF Entry Dome, MBWF Unnamed, MBWF X-4, S21 WF NW-53 East
- Hillsborough River (lower segment) (reevaluated)
- Hillsborough River (upper segment)
- Homosassa River ^d /Homosassa Spring Group (OFS) ^b
- Levy County Lake – Marion
- Marion County Lakes – Bonable, Little Bonable, Tiger
- Myakka River (lower segment)
- Myakka River (upper segment)
- Northern Tampa Bay – 7 Wells – Upper Floridan aquifer/Saltwater Intrusion
- Pasco County Lakes – Bell, Big Fish (reevaluated), Bird, Buddy (reevaluated), Camp (reevaluated), Clear, Crews, Green, Hancock, Iola, Jessamine, King, King [East], Linda, Middle, Moon (reevaluated), Padgett (reevaluated), Parker aka Ann, Pasadena (reevaluated), Pasco, Pierce (reevaluated), Unnamed #22 aka Loyce
- Pasco County Wetland Sites – CBRWF Q-1, CBRWF Stop #7, CBRWF T-3, CBRWF TQ-1 West, CBRWF A, CBRWF #4, CBRWF #16, CBRWF #20, CBRWF #25, CC Site G, CCW-11, CCW-12, CCW-17, CC W-41, NPWF #3, NPWF #21, SPWF NW-49, SPWF NW-50, SPWF South Cypress, STWF Central Recorder, STWF Eastern Recorder, STWF D, STWF M, STWF N, STWF S-75, STWF Z
- Peace River (lower segment) (reevaluated)
- Peace River (middle segment)
- Peace River (three upper segments – "low" minimum flows)
- Pinellas County Wetland Site – EWWF Salls Property Wetland 10S/10D
- Pithlachascotee River (lower segment)

- Pithlachascotee River (upper segment)
- Polk County Lakes – Annie ^a, Aurora ^a, Bonnie ^a, Clinch ^a (reevaluated), Crooked ^a (reevaluated), Crystal ^a, Dinner ^a, Eagle ^a (reevaluated), Easy ^a, Eva ^a, Hancock, Lee ^a, Lowery ^a, Mabel ^a, McLeod ^a (reevaluated), North Lake Wales^a, Parker, Starr^a (reevaluated), Venus ^a, Wailes ^a (reevaluated)
- Rainbow River/Rainbow Spring Group (OFS) ^{a, b}
- Sulphur Springs
- Sumter County Lakes – Big Gant ^a, Black ^a, Deaton ^a, Miona ^a, Okahumpka ^a, Panasoffkee ^a
- Southern Water Use Caution Area – Upper Floridan aquifer ^a
- Tampa Bypass Canal
- Weeki Wachee River/Weeki Wachee Spring Group (OFS) ^b

Southwest Florida Water Management District Water Bodies with Adopted and Effective Reservation Rules

- Morris Bridge Sink (water reserved to contribute to achieving or maintaining minimum flows adopted for the lower Hillsborough River for the protection of fish and wildlife)

Southwest Florida Water Management District Minimum Flows and Levels to be Adopted in 2019

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^c	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent WMD?	Latitude	Longitude	Rulemaking Status ^d
Reevaluation	Calm Lake	Calm Lake	Lake	Hillsborough	No	No	28.1425	-82.5823	N/A
Reevaluation	Charles, Lake	Charles, Lake	Lake	Hillsborough	No	No	28.1160	-82.4809	N/A
Reevaluation	Church Lake	Church Lake	Lake	Hillsborough	No	No	28.1034	-82.6004	N/A
Reevaluation	Echo Lake	Echo Lake	Lake	Hillsborough	No	No	28.1076	-82.6036	N/A
Reevaluation	Linda, Lake	Linda, Lake	Lake	Pasco	No	No	28.1890	-82.4787	N/A
Reevaluation	Sapphire, Lake	Sapphire, Lake	Lake	Hillsborough	No	No	28.1407	-82.4815	N/A
Reevaluation	Chassahowitzka River	Chassahowitzka River	River-Estuary	Citrus, Hernando	Yes ^e	No	28.7155	82.5773	N/A
Reevaluation	Chassahowitzka Spring Group (OFS) ^b	Chassahowitzka River	Spring-1 ^f	Citrus, Hernando	Yes ^e	No	28.7155	-82.5762	N/A
Reevaluation	Blind Spring	Chassahowitzka River	Spring-2 ^f	Citrus, Hernando	Yes ^e	No	28.6579	-82.6346	N/A
Reevaluation	Homosassa River	Homosassa River	River-Estuary	Citrus	Yes ^e	No	28.7973	-82.5889	N/A
Reevaluation	Homosassa Spring Group (OFS) ^b	Homosassa River	Spring-1 ^f	Citrus	Yes ^e	No	28.799624	-82.5889	N/A
New ^c	Rainbow River ^g	Rainbow River	River	Marion	Yes ^e	Yes	29.0492	-82.4478	Rule challenge pending
New ^c	Rainbow Spring Group (OFS) ^g	Rainbow River	Spring-1 ^f	Marion	Yes ^e	Yes	29.1025	-82.4478	Rule challenge pending
Reevaluation	STWF Central Recorder	STWF Central Recorder	Wetland	Pasco	No	No	28.2444	-82.5961	N/A
Reevaluation	STWF Z	STWF Z	Wetland	Pasco	No	No	28.2372	-82.5858	N/A
Reevaluation	STWF Eastern Recorder	STWF Eastern Recorder	Wetland	Pasco	No	No	28.2458	-82.5656	N/A
Reevaluation	MBWF Entry Dome	MBWF Entry Dome	Wetland	Hillsborough	No	No	28.1161	-82.3069	N/A
Reevaluation	MBWF X-4	MBWF X-4	Wetland	Hillsborough	No	No	28.1239	-82.3372	N/A
Reevaluation	MBWF Clay Gully Cypress	MBWF Clay Gully Cypress	Wetland	Hillsborough	No	No	28.1231	-82.3456	N/A
Reevaluation	MBWF Unnamed	MBWF Unnamed	Wetland	Hillsborough	No	No	28.1056	-82.3456	N/A
Reevaluation	EWWF NW-44	EWWF NW-44	Wetland	Hillsborough	No	No	28.1681	-82.6311	N/A

Reevaluation	EWWF Salls Property Wetland 10S/10D	EWWF Salls Property Wetland 10S/10D	Wetland	Pinellas	No	No	28.1672	-82.6828	N/A
Reevaluation	SPWF NW-49	SPWF NW-49	Wetland	Pasco	No	No	28.1836	-82.5075	N/A
Reevaluation	SPWF South Cypress	SPWF South Cypress	Wetland	Pasco	No	No	28.1814	-82.5081	N/A
Reevaluation	SPWF NW-50	SPWF NW-50	Wetland	Pasco	No	No	28.1883	-82.5078	N/A
Reevaluation	CBRWF #25	CBRWF #25	Wetland	Pasco	No	No	28.2350	-82.3589	N/A
Reevaluation	CBRWF #32	CBRWF #32	Wetland	Hillsborough	No	No	28.1681	-82.3672	N/A
Reevaluation	CBRWF #20	CBRWF #20	Wetland	Pasco	No	No	28.2039	-82.3553	N/A
Reevaluation	CR1	CR1	Wetland	Hillsborough	No	No	28.1325	-82.1211	N/A
Reevaluation	CR2	CR2	Wetland	Hillsborough	No	No	28.1206	-82.1197	N/A
Reevaluation	CR3	CR3	Wetland	Hillsborough	No	No	28.1108	-82.1206	N/A
Reevaluation	NPWF #3	NPWF #3	Wetland	Pasco	No	No	28.3161	-82.5750	N/A
Reevaluation	NPWF #21	NPWF #21	Wetland	Pasco	No	No	28.2897	-82.5750	N/A

Southwest Florida Water Management District Minimum Flows and Levels to be Adopted in 2020

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^c	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent WMD?	Latitude	Longitude	Rulemaking Status ^d
Reevaluation	Cypress, Lake	Cypress, Lake	Lake	Hillsborough	No	No	28.125561	-82.564727	N/A
Reevaluation	Garden, Lake	Garden, Lake	Lake	Hillsborough	No	No	28.131751	-82.63094	N/A
Reevaluation	Halfmoon Lake	Halfmoon Lake	Lake	Hillsborough	No	No	28.097114	-82.548128	N/A
Reevaluation	Jackson, Lake	Jackson, Lake	Lake	Hillsborough	No	No	28.137542	-82.629974	N/A
Reevaluation	Strawberry (North Crystal) Lake	Strawberry (North Crystal) Lake	Lake	Hillsborough	No	No	28.139517	-82.474755	N/A
Reevaluation	Peace River (lower segment)	Peace River (lower segment)	River-Estuary	Hardee, DeSoto, Charlotte	Yes	Yes	27.2206	-81.8764	N/A
New	Shell Creek (lower segment)	Shell Creek (lower segment)	River-Estuary	Charlotte	Yes	Yes	26.9844	-81.9358	N/A
Reevaluation	CC W-41	CC W-41	Wetland	Pasco	No	No	28.3125	-82.3736	N/A
Reevaluation	CC W-11	CC W-11	Wetland	Pasco	No	No	28.2981	-82.3842	N/A
Reevaluation	CC W-12	CC W-12	Wetland	Pasco	No	No	28.2925	-82.3947	N/A
Reevaluation	CC W-17	CC W-17	Wetland	Pasco	No	No	28.2856	-82.3947	N/A
Reevaluation	CC Site G	CC Site G	Wetland	Pasco	No	No	28.2725	-82.4050	N/A
Reevaluation	STWF D	STWF D	Wetland	Pasco	No	No	28.2553	-82.6347	N/A
Reevaluation	STWF S-75	STWF S-75	Wetland	Pasco	No	No	28.2503	-82.5628	N/A
Reevaluation	STWF M	STWF M	Wetland	Pasco	No	No	28.2436	-82.5719	N/A

Reevaluation	STWF N	STWF N	Wetland	Pasco	No	No	28.2425	-82.5522	N/A
Reevaluation	S21 WF NW-53 East	S21 WF NW-53 East	Wetland	Hillsborough	No	No	28.1211	-82.5142	N/A
Reevaluation	Cosme WF Wetland	Cosme WF Wetland	Wetland	Hillsborough	No	No	28.1008	-82.5908	N/A
Reevaluation	CBRWF #16	CBRWF #16	Wetland	Pasco	No	No	28.2083	-82.3719	N/A
Reevaluation	CBRWF A	CBRWF A	Wetland	Pasco	No	No	28.2067	-82.3744	N/A
Reevaluation	CBRWF #4	CBRWF #4	Wetland	Pasco	No	No	28.2289	-82.3653	N/A
Reevaluation	CBARWF TQ-1 West	CBARWF TQ-1 West	Wetland	Pasco	No	No	28.3436	-82.4864	N/A
Reevaluation	CBARWF T-3	CBARWF T-3	Wetland	Pasco	No	No	28.3478	-82.4956	N/A
Reevaluation	CBARWF Stop #7	CBARWF Stop #7	Wetland	Pasco	No	No	28.3436	-82.4744	N/A
Reevaluation	CBARWF Q-1	CBARWF Q-1	Wetland	Pasco	No	No	28.3461	-82.4697	N/A
Reevaluation	CR4	CR4	Wetland	Hillsborough	No	No	28.1142	-82.0981	N/A
Reevaluation	CR5	CR5	Wetland	Hillsborough	No	No	28.0981	-82.0822	N/A
Reevaluation	CR6	CR6	Wetland	Hillsborough	No	No	28.1258	-82.0994	N/A

Southwest Florida Water Management District Minimum Flows and Levels to be Adopted in 2021

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^c	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent WMD?	Latitude	Longitude	Rulemaking Status ^d
New	Braden River (lower segment)	Braden River (lower segment)	River-Estuary	Manatee	Yes	No	27.4411	-82.4878	N/A
New	Manatee River (lower segment)	Manatee River (lower segment)	River-Estuary	Manatee	Yes	No	27.5133	-82.3672	N/A
Reevaluation	Helen, Lake	Helen, Lake	Lake	Hillsborough	No	No	28.1219	-82.5388	N/A
Reevaluation	Ellen, Lake	Ellen, Lake	Lake	Hillsborough	No	No	28.1214	-82.5356	N/A
Reevaluation	Barbara, Lake	Barbara, Lake	Lake	Hillsborough	No	No	28.1197	-82.5359	N/A
Reevaluation	Crenshaw, Lake	Crenshaw, Lake	Lake	Hillsborough	No	No	28.126	-82.4960	N/A
Reevaluation	Mound Lake	Mound Lake	Lake	Hillsborough	No	No	28.1474	-82.4052	N/A

Southwest Florida Water Management District Minimum Flows and Levels to be Adopted in 2022

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^c	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent WMD?	Latitude	Longitude	Rulemaking Status ^d
New	Little Manatee River (lower segment)	Little Manatee River (lower segment)	River-Estuary	Hillsborough	Yes	No	27.6708	-82.3528	N/A
New	Little Manatee River (upper segment)	Little Manatee River (upper segment)	River	Hillsborough, Manatee	Yes	No	27.6708	-82.3528	N/A

Southwest Florida Water Management District Minimum Flows and Levels to be Adopted in 2023

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^c	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent WMD?	Latitude	Longitude	Rulemaking Status ^d
New	Charlie Creek	Charlie Creek	River	Hardee, Polk	Yes	No	27.3747	-81.7967	N/A
New	Horse Creek	Horse Creek	River	Hardee, DeSoto	Yes	No	27.1992	-81.9886	N/A
Reevaluation	Southern Water Use Caution Area Saltwater Intrusion Minimum Aquifer Level (SWIMAL)	Southern Water Use Caution Area Saltwater Intrusion Minimum Aquifer Level (SWIMAL)	Aquifer	Hillsborough, Manatee, Sarasota	Yes	Yes	27.5603	-82.4013	N/A

Southwest Florida Water Management District Minimum Flows and Levels to be Adopted in 2024

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^c	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent WMD?	Latitude	Longitude	Rulemaking Status ^d
New	Withlacoochee River (lower segment)	Withlacoochee River (lower segment)	River-Estuary	Citrus, Levy	Yes	No	29.0208	-82.6381	N/A
New	Withlacoochee River (upper segment, U.S. Geological Survey Holder gage to U.S. Geological Survey Wysong gage)	Withlacoochee River (upper segment, U.S. Geological Survey Holder gage to U.S. Geological Survey Wysong gage)	River	Citrus, Marion, Sumter	Yes	Yes	28.9886	-82.3497	N/A
New	Withlacoochee River (upper segment, U.S. Geological Survey Wysong gage to U.S. Geological Survey Croom gage)	Withlacoochee River (upper segment, U.S. Geological Survey Wysong gage to U.S. Geological Survey Croom gage)	River	Citrus, Sumter, Hernando	Yes	Yes	28.8231	-82.1833	N/A
New	Withlacoochee River (upper segment, upstream of U.S. Geological Survey Croom gage)	Withlacoochee River (upper segment, upstream of U.S. Geological Survey Croom gage)	River	Hernando, Sumter, Pasco, Lake, Polk	Yes	Yes	28.5925	-82.2222	N/A

Southwest Florida Water Management District Minimum Flows and Levels to be Adopted in 2025

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^c	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent WMD?	Latitude	Longitude	Rulemaking Status ^d
Reevaluation	Peace River (upper segment, U.S. Geological Survey Zolfo Springs gage to U.S. Geological Survey Ft. Meade gage)	Peace River (upper segment, U.S. Geological Survey Zolfo Springs gage to U.S. Geological Survey Ft. Meade gage)	River	Hardee, Polk	Yes	No	27.5042	-81.8011	N/A
Reevaluation	Peace River (upper segment, U.S. Geological Survey Ft. Meade gage to U.S. Geological Survey Bartow gage)	Peace River (upper segment, U.S. Geological Survey Ft. Meade gage to U.S. Geological Survey Bartow gage)	River	Polk	Yes	No	27.7511	-81.7822	N/A
Reevaluation	Peace River (upper segment, upstream of U.S. Geological Survey Bartow gage)	Peace River (upper segment, upstream of U.S. Geological Survey Bartow gage)	River	Polk	Yes	No	27.9019	-81.8175	N/A
New	Prairie Creek	Prairie Creek	River	Charlotte, DeSoto	Yes	No	26.9903	-81.8947	N/A
New	Shell Creek (upper segment)	Shell Creek (upper segment)	River	Charlotte	Yes	No	26.9750	26.9750	N/A

Southwest Florida Water Management District Minimum Flows and Levels to be Adopted in 2026

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^c	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent WMD?	Latitude	Longitude	Rulemaking Status ^d
New	Cypress Creek	Cypress Creek	River	Hillsborough, Pasco	Yes	No	28.0889	-82.4092	N/A
Reevaluation	Gum Slough Spring Group	Gum Slough Spring Group	Spring-2 ^f	Sumter	Yes	Yes	28.9511	-82.2500	N/A

Southwest Florida Water Management District Minimum Flows and Levels to be Adopted in 2027

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^c	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent WMD?	Latitude	Longitude	Rulemaking Status ^d
Reevaluation	Crystal River	Crystal River	River-Estuary	Citrus	Yes	Yes	28.9064	-82.6239	N/A
Reevaluation	Kings Bay Spring Group (OFS) ^b	Crystal River	Spring-1 ^f	Citrus	Yes	Yes	28.9064	-82.6239	N/A
New	North Prong Alafia River	North Prong Alafia River	River	Hillsborough, Polk	Yes	No	27.8836	-82.1003	N/A
Reevaluation	Pasco Lake	Pasco Lake	Lake	Pasco	No	No	28.3842	-82.4879	N/A
New	South Prong Alafia River	South Prong Alafia River	River	Hillsborough, Polk	Yes	No	27.7965	-82.1178	N/A
Reevaluation	Rainbow River	Rainbow River	River	Marion	Yes	Yes	29.0492	-82.4478	Notice of Rule Development Published
Reevaluation	Rainbow Spring Group (OFS) ^b	Rainbow River	Spring-1 ^f	Marion	Yes	Yes	29.1025	-82.4478	Notice of Rule Development Published

Southwest Florida Water Management District Minimum Flows and Levels to be Adopted in 2029

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^c	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent WMD?	Latitude	Longitude	Rulemaking Status ^d
Reevaluation (second)	Chassahowitzka River	Chassahowitzka River	River-Estuary	Citrus, Hernando	Yes	No	28.7155	#REF!	N/A
Reevaluation (second)	Chassahowitzka Spring Group (OFS) ^b	Chassahowitzka River	Spring-1 ^f	Citrus, Hernando	Yes	No	28.7155	-82.5762	N/A
Reevaluation (second)	Blind Spring	Chassahowitzka River	Spring-2 ^f	Citrus, Hernando	Yes	No	28.6579	-82.6346	N/A
Reevaluation (second)	Homosassa River	Homosassa River	River-Estuary	Citrus	Yes	No	28.7973	-82.5889	N/A
Reevaluation (second)	Homosassa Spring Group (OFS) ^b	Homosassa River	Spring-1 ^f	Citrus	Yes	No	28.799624	-82.5889	N/A

Southwest Florida Water Management District Reservations Priority List

Waterbody Name	Waterbody Type	County(s)	Proposed Year for Reservation	Rulemaking Status ^d
Hancock, Lake/Peace River (upper segment)	Lake, River	Polk	2020	N/A

^a Water body may be affected by groundwater withdrawals in an adjacent water management district.

^b OFS = Outstanding Florida Spring.

^c System name identifies larger system that the water body is associated with for minimum flows rule development.

^d Last rulemaking action taken: Notice of Rule Development published; Notice of Proposed Rule published; Rule challenge pending; Rule adopted, Ratification not required; Rule adopted, Awaiting ratification; Rule adopted, Ratified. N/A indicates formal rulemaking has not been initiated.

^e Voluntary peer review completed.

^f Magnitude provided for springs and spring groups (Spring-1 = discharge \geq 100 cubic feet per second; Spring-2 = discharge \geq 10 to 100 cubic feet per second).

^g Emergency rule in 40DER17, F.A.C. for the Rainbow River/Rainbow Spring Group in effect until related rule proposed in rule 40D-8-041, F.A.C., becomes effective.

RESOURCE MANAGEMENT COMMITTEE

October 22, 2019

Consent Agenda

Channel 1A2 Stormwater Quality Improvements - Scope Change (W300)

Purpose

The purpose of this item is to request approval to revise the scope of work to the Cooperative Funding Agreement with the Pinellas Park Water Management District for the Channel 1A2 Stormwater Quality Improvements (W300) project.

Background/History

The Board approved the Pinellas Park Water Management District (PPWMD) Channel 1A2 Stormwater Quality Improvements project during the fiscal year (FY) 2020 cooperative funding cycle. The total estimated cost for the project is \$807,800 with the District and the PPWMD each contributing fifty percent (\$403,900). The project, as initially presented to the Board, includes design, permitting and construction of stormwater Best Management Practices (BMPs) to treat contributing drainage areas of approximately 20 acres, with pollutant reductions of 8,126 lbs./yr. of total suspended solids (TSS) and 223 lbs./yr. of Total Nitrogen (TN). BMPs will be implemented for the area along 49th Street North in Pinellas Park improving water quality discharging to Tampa Bay via Boca Ciega Bay.

The PPWMD requested a revision to the resource and measurable benefits while drafting the scope of work. The PPWMD determined that the treatment drainage area conveyance system was partially piped rather than all of the stormwater flow directed to a stormwater inlet at Channel 1A2. The PPWMD is proposing to add another BMP in the stormwater conveyance system that intercepts and treats the piped portion of the watershed, with the balance of the drainage being treated in the initial conceptual swale at the Channel 1A2 ditch. The changes to the conceptual plan increase the project costs by \$38,200 and increase the treatment area to 23.3 acres. The proposed changes to BMPs increase the TSS pollutant removal estimate to 9,300 lbs./yr. and reduce the TN estimate to 89.16 lbs./yr. The approved and revised resource and measurable benefits are included in the table below.

	Approved	Revised
Treatment Area (acres)	20	23.3
Total Suspended Solids (TSS) lbs./yr.	8,126	9,300
Total Nitrogen (TN) lbs./yr.	223	89

Item 8

Benefits/Costs

The project cost has increased to \$846,000 with the District's share remaining at the amount previously approved by the Board (\$403,900) and PPWMD's share increasing to \$442,100. The additional \$38,200 in project costs will be absorbed by the PPWMD. The cost effectiveness ranking has not changed. The project, as originally approved by the Board, had an overall ranking of High. The requested change from the PPWMD will not change the overall ranking.

Staff Recommendation:

- 1) Approve the scope revision to increase the drainage area treated from 20 acres to 23.3 acres, which is the measurable benefit in the cooperative funding agreement.
- 2) Approve the scope revision to increase the TSS removal from 8,126 lbs./yr. to 9,300 lbs./yr. and reduce the TN removed from 223 lbs./yr. to 89 lbs./yr., which are the resource benefits in the cooperative funding agreement.
- 3) Approve the increase in project cost from \$808,800 to \$846,000, with the District share remaining \$403,900 and the PPWMD's share increasing from \$403,900 to \$442,100.

Presenter: Randy Smith, PMP, Bureau Chief, Natural Systems & Restoration

FINANCE/OUTREACH & PLANNING COMMITTEE

October 22, 2019

Consent Agenda

Budget Transfer Report

Purpose

Request approval of the Budget Transfer Report covering all budget transfers made during the month of September 2019.

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 regularly presented to the Finance/Outreach & Planning Committee for approval on the Consent Agenda at the next scheduled meeting. The exhibit for this item reflects all such transfers executed since the date of the last report for the Committee's approval.

Staff Recommendation:

Request approval of the Budget Transfer Report covering all budget transfers for September 2019.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
September 2019

--- TRANSFERRED FROM ---		--- TRANSFERRED TO ---		Reason For Transfer	Transfer Amount
Item No.	Bureau / Expenditure Category	Bureau / Expenditure Category			
<u>Executive Approved</u>					
1	General Services Equipment - Outside	General Services Equipment - Outside	Transfer of funds originally budgeted for the replacement of a refrigerant recharge machine and a vertical band saw for Fleet Services. These replacements were delayed due to the greater need for a new storage shed at the Tampa Office and the replacement of two service truck tool boxes and a tool chest at the Tampa Office to maintain Fleet services tools and equipment.	\$	8,100.00
2	Data Collection Equipment - Non-Capital Outlay	Data Collection Equipment - Outside	Funds are needed for the original purpose budgeted for the purchase of water level sensor equipment to be installed by staff at existing data collection sites to replace aging equipment, as well as new data collection sites, in support of the hydrologic data programs. The funds are being transferred to the appropriate expenditure category for capitalized equipment since the cost exceeds the capital threshold of \$1,000.		30,000.00
3	Information Technology Software Maintenance	Information Technology Cloud Software Usage Fees	Transfer of funds originally budgeted for software maintenance renewals. Expenditures were less than anticipated due to discontinued software products and license reductions. The funds are needed as additional funding for a replacement Information Technology Software Management (ITSM) system that is budgeted in fiscal year (FY) 2020 for \$60,000. Current negotiations for a selected software indicate the need for these additional funds.		45,000.00
4	Water Resources Consultant Services	Water Resources Equipment - Non-Capital Outlay	Transfer of funds originally budgeted for the design of wells to be constructed for the investigation of the Lower Floridan Aquifer (LFA). Expenditures to date have been less than anticipated due to project delays. The funds are needed to purchase well monitoring equipment to allow for expansion of the LFA investigation network to two additional well sites recently constructed and made available to the District.		15,000.00
5	Information Technology Cloud Software Usage Fees General Services Rental of Other Equipment Maint/Repair of Bldgs/Structures	General Services Maintenance/Repair of Equipment	Transfer of funds originally budgeted for cloud software used by the Office of Inspector General (OIG), rental of other equipment, and maintenance and repairs of buildings and structures. Expenditures were less than anticipated due to a change in software used by the OIG. Additionally, cost-saving measures were performed by the Facilities section. The funds are needed for greater than anticipated vehicle and equipment repairs.		40,000.00
				Total Executive Approved	\$ 138,100.00
<u>Finance Bureau Chief Approved</u>					
1	Natural Systems & Restoration Consultant Services Grant - Financial Assistance	Natural Systems & Restoration Consultant Services Grant - Financial Assistance	Funds are needed for the original purpose budgeted for restoration projects on Surface Water Improvement and Management (SWIM) priority water bodies. The funds are being transferred from the Springs and Environmental Flows section to the SWIM section based on a strategic change to manage all SWIM priority water body projects within the SWIM section.	\$	486,163.83
				Total Finance Bureau Chief Approved	\$ 486,163.83
				Total Transfers for Governing Board Ratification	\$ 624,263.83

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 Board Policy 130-8, and are presented for Governing Board approval for ratification on the Consent Agenda. Executive Director or designee approved transfers are made for a purpose other than the original budget intent, but are limited to individual transfer amounts greater than \$5,000 not to exceed \$50,000. Finance Bureau Chief approved transfers are up to \$5,000 or accounting reallocations consistent with original budget intent.

FINANCE/OUTREACH & PLANNING COMMITTEE

October 22, 2019

Consent Agenda

Cigna Employee Wellness Program Budget Transfer

Purpose

Request the budget transfer of \$165,000 in fiscal year (FY) 2019 funds from Lake and Wetland Minimum Flows and Levels (MFLs) Criteria Review consultant services to the fully reimbursable Employee Wellness Program provided by Cigna.

Background

For calendar year 2019, the District changed its Administrative Services Only health care provider from Blue Cross and Blue Shield of Florida to Cigna Health & Life Insurance Company (CHLIC). As part of the agreement with CHLIC, each year the District will be reimbursed up to \$165,000 for a Wellness Coordinator and/or Employer Wellness Initiatives. The Wellness Coordinator will be employed by CHLIC and work at designated District offices. Employer Wellness Initiatives will be for clinical, behavioral, and/or wellness programs (e.g. biometric screening, flu shots) offered by CHLIC for employees of the District and to reward participation in these programs.

Benefits/Costs

For calendar year 2019, the District elected to distribute the \$165,000 for the Employee Wellness Program as follows:

- \$115,000 for a full-time onsite Wellness Coordinator which includes the cost of benefits, overhead, and administration.
- \$50,000 for Employer Wellness Initiatives for clinical, behavioral, and/or wellness programs.

Due to the timing of the budget development process and the solicitation of employee health benefits, funding for the Employee Wellness Program was not included in the FY2019 Adopted Budget. Although no cash transactions will be made related to this program, due to the nature of the agreement the District must record the expense and associated revenue as services are incurred, similar to a cost reimbursement grant.

The funds were originally budgeted for consultant services to assess questions identified by the District's lake and wetland MFLs criteria review team including technical or peer reviews, methodology improvements, evaluation of tools, and development of new tools. Expenditures were less than anticipated due to some work completed in-house, as well as cost savings through the procurement process.

Staff Recommendation:

Approve the budget transfer of \$165,000 in FY2019 funds from District Lake and Wetland MFLs Criteria Review consultant services (P084) to the fully reimbursable Employee Wellness Program (Z078) provided by Cigna.

Item 10

Presenters: John J. Campbell, Division Director, Management Services and
Michael Molligan, Division Director, Employee and External Relations

FINANCE/OUTREACH & PLANNING COMMITTEE

October 22, 2019

Consent Agenda

Inspector General Performance Measures

Background and Purpose:

In accordance with the OIG Charter Governing Board Policy, the OIG shall have performance measures defined by the Finance/Outreach & Planning Committee and approved by the Governing Board. After Governing Board approval, these will be the performance measures which the OIG will report on at least a semi-annual basis.

Staff Recommendation:

Staff recommends the Board approve the OIG performance measures.

Presenter: Brian Werthmiller, Inspector General



An Equal
Opportunity
Employer

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

WaterMatters.org

Bartow Office

170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Office

6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Office

7601 U.S. 301 North (Fort King Highway)
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

Mark Taylor

Chair, Hernando, Marion

Michelle Williamson

Vice Chair, Hillsborough

Joel Schleicher

Secretary, Charlotte, Sarasota

Kelly S. Rice

Treasurer, Citrus, Lake, Levy,
Sumter

Roger Germann

Hillsborough

James G. Murphy

Polk

Rebecca Smith

Hillsborough, Pinellas

Brian J. Armstrong, P.G.

Executive Director

October 22, 2019

MEMORANDUM

TO: Finance/Outreach & Planning Committee
Remaining Governing Board members

FROM: Brian Werthmiller, CPA, CIG, Inspector General

SUBJECT: Office of Inspector General (OIG) Performance Measures

The purpose of this memo is to fulfill a requirement of Governing Board policy and comply with the Auditor General's recommendation.

Per the Office of Inspector General Charter Governing Board Policy, the OIG shall have performance measures defined by the Finance/Outreach & Planning Committee and approved by the Governing Board. After Governing Board approval, these will be the performance measures which the OIG will report actual results of performance on at least a semi-annual basis.

Office of Inspector General			
Performance Measure	Frequency	Due Date	Goal
Audit Plan	Annual	January 2020	Submit to Board
Appropriate Time Allocated to Board Reporting	N/A	September 2020	75% of Chargeable Hours
OIG Annual Report	Annual	September 2020	Submit to Board
Advise Board of District Performance Measures	N/A	February 2020	Submit to Board
Updates to the Finance/Outreach & Planning Committee including IG Performance Measures	Quarterly	All quarters in FY	Submit all quarters to Board
Meet with the Executive Director	Monthly	Every month in FY	Meet all months
External Peer Review	Once Every 3 Years	September 2020	Complete Peer Review by September 2020
Continuing Professional Education for CPA license and professional standards	80 Hours Every Two Years	June 30, 2020	Completion of 80 CPE Hours
Attain Certified Fraud Examiner (CFE) or Certified Inspector General Investigator (CIGI)	N/A	September 2020	Certification as CFE or CIGI
Review OIG Charter Governing Board Policy	Annual	August 2020	Complete Annual Review

Attachment: Memo - Proposed Performance Measures 10.22.19 (4692 : Inspector General Performance Measures)

REGULATION COMMITTEE

October 22, 2019

Consent Agenda

Partial Release of Conservation Easement for Old Florida Mitigation Bank - ERP No. 43041425.001 - Pasco County

On March 25, 2015, the District issued Environmental Resource Permit (ERP) No. 43041425.001 (Permit) to EIP Credit Co., LLC (Permittee), authorizing the establishment of a mitigation bank known as the Old Florida Mitigation Bank (Project), located in Pasco County, Florida. At the time of Permit issuance, the owner of the Project was EIP Florida, LLC (EIP), which is a related entity of the Permittee. The rules governing mitigation banks required EIP to grant a Conservation Easement (CE) over the Project to the District. On June 18, 2015, EIP granted a CE over the Project to the District. The CE excluded an approximately 2-acre parcel from the mitigation bank to be used for the construction of a house. The 2-acre parcel fronts onto SR 52.

On or about December 2, 2016, EIP conveyed its underlying fee simple interest in the Project to Old Florida Ranch, LLC (Owner). Approximately 2 acres of the property were intentionally not encumbered by the CE conveyed for the mitigation bank to allow for construction of a caretaker's residence or hunting camp for both the future management and recreational use of the property. The 2-acre site is located on the south side of State Road 52 and a portion of it is being acquired by the Florida Department of Transportation, which will reduce the size to 1.64 acres. The Owner indicated it would now like the residence/camp to be located more internal to the property for its ease of access for management and recreation uses, and has proposed a release and exchange of property to the District. The proposed transaction involves the release of the District CE on 1.34 acres located further into the interior of the property in exchange for amending the District CE to include the 1.64 acres located along State Road 52. In this case the valuation of the exchange was determined to be equal. The property encumbered by the CE is entitled for the development of a residence/camp at a single location entitlement in the before condition and the property will have the same entitlement, although slightly smaller, in the after condition.

The Owner currently has an ERP application pending to address the amendment to the CE for the Project. The amendment to the CE will be conveyed by Owner to the District and will be processed via the pending ERP application, which will also address any required adjustment to the number of credits for the Project. Because the partial release of the CE is altering an interest in land previously conveyed to the District, the District must join in with the Owner in executing the instrument. The Partial Release of Conservation Easement and Quit Claim Deed, and the First Amendment to Conservation Easement are provided for the Governing Board's review as exhibits to this recap; however, only the partial release must be executed by the Governing Board. The executed partial release will be held until the ERP application is processed, and both the partial release and the amendment to the CE will be recorded on the same day.

Item 12

Staff Recommendation:

Approve, accept, and execute the attached Partial Release of Conservation Easement and Quit Claim Deed for the Old Florida Mitigation Bank.

Presenters: Michelle Hopkins, P.E., Division Director, Regulation and
Adrienne E. Vining, Assistant General Counsel

Prepared by and when
recorded mail to:
Laura Jacobs Donaldson
Manson Bolves Donaldson Varn, P.A.
109 North Brush Street
Suite 300
Tampa, Florida 33602

FIRST AMENDMENT TO CONSERVATION EASEMENT

This FIRST AMENDMENT TO CONSERVATION EASEMENT (First Amendment) is made this _____ day of _____, 2019 (Effective Date), by OLD FLORIDA RANCH, LLC, a Florida limited liability company, having an address of 2311 S. Lila Lane, Tampa, Florida 33629-2002 (Grantor), in favor of the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation existing under Chapter 373, Florida Statutes, having an address of 2379 Broad Street (U.S. Highway 41 South), Brooksville, Florida 32604-6899 (District).

WITNESSETH

WHEREAS, EIP Florida LLC, a foreign limited liability company (EIP), executed that certain Conservation Easement, recorded on June 18, 2015, in the Official Records Book 9214, Page 1 of the Public Records of Pasco County, Florida, as to certain real property more particularly described in such Conservation Easement and situated in Pasco County, Florida (Property); and

WHEREAS, the Conservation Easement conveyed an easement interest over the Property to the District, as described therein; and

WHEREAS, on or about December 2, 2016, EIP conveyed to Grantor the Property by General Warranty Deed recorded in the Official Records Book 9467, Page 1707 of the Public Records of Pasco County, Florida; and

WHEREAS, Grantor is the successor in interest to EIP with respect to the Property; and

WHEREAS, Grantor wishes to amend the Conservation Easement to include additional land to the Conservation Easement; and

WHEREAS, Grantor wishes to amend the Conservation Easement to also convey an easement interest to the Department over the Property and the additional land included in this First Amendment.

NOW THEREFORE, in consideration of the above recitals and the mutual covenants, terms, conditions, and restrictions contained herein, the Grantor hereby amends the Conservation Easement as follows:

1. The Grantor hereby modifies the Property encumbered by the Conservation Easement to include the real property depicted and described in Exhibit A-1 (New Easement Area), attached hereto and incorporated herein by this reference. The New Easement Area shall be subject to the covenants, terms, conditions, and restrictions contained in the original Conservation Easement.

2. The Grantor hereby conveys a conservation easement to the Florida Department of Environmental Protection (Department) over the Property and the New Easement Area.

3. The covenants, terms, conditions, and restrictions of this First Amendment and the Conservation Easement shall be binding upon, and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors, and assigns and shall continue as a servitude running in perpetuity with the New Easement Area and the Property.

3. Except as expressly modified in this First Amendment, the Conservation Easement shall continue in full force and effect according to its terms, and the Grantor hereby ratifies and affirms all of its respective rights and obligations under the Conservation Easement, as amended by this First Amendment.

4. The Grantor shall record this First Amendment in a timely fashion in the Official Records of Pasco County, Florida, and shall rerecord it at any time the District or the Department may require to preserve their rights. The Grantor shall pay all recording costs and taxes necessary to record this First Amendment in the public records. The Grantor shall hold the District and the Department harmless for any recording costs or taxes necessary to record this First Amendment in the public records.

5. In the event of any conflict between the terms of the Conservation Easement and this First Amendment, the terms of this First Amendment shall control.

IN WITNESS WHEREOF, the Grantor has by its duly authorized representative executed this First Amendment as of the Effective Date.

[Signatures continue on following page]

Signed, sealed, and delivered in
in the presence of:

OLD FLORIDA RANCH, LLC, a Florida
limited liability company

By:_____

Print Name

Print Name, Title

Print Name

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by _____, as _____ of OLD FLORIDA RANCH, LLC, a limited liability company organized under the laws of the State of Florida, on behalf of the limited liability company. He/She is ☐ personally known to me, or ☐ produced _____ as identification.

NOTARY PUBLIC-STATE OF FLORIDA

Printed Name: _____

My commission expires: _____

EXHIBIT A-1

A parcel of land lying in Section 10 Township 25 South, Range 18 East, Pasco County, Florida, and being more particularly described as follows:

BEGINNING at the Southwest corner of said Section 10, also being the Southeast corner of HAR VAL MANOR, according to the plat thereof as recorded in Plat Book 6, Page 18, of the Public Records of Pasco County, Florida; run thence along the West boundary of said Section 10, also being the East boundary of said HAR VAL MANOR, N.00°06'43"W., 1417.60 feet to a point on the Southerly right-of-way boundary for STATE ROAD No. 52, per Official Records Book 8884, Page 219, of the Public Records of Pasco County, Florida; thence along said Southerly right-of-way boundary, the following three (3) courses: 1) N.67°44'30"E., 3305.89 feet to a point of curvature; 2) Easterly, 629.07 feet along the arc of a curve to the right having a radius of 1462.02 feet and a central angle of 24°39'10" (chord bearing N.80°04'05"E., 624.22 feet) to a point of tangency; 3) S.87°36'20"E., 720.95 feet; for a Point of Beginning, thence S.06°35'58"W., 365.92 feet; thence S.88°29'33"E., 197.99 feet; thence N.06°11'50"E., 362.67 feet to a point on said Southerly right-of-way boundary for STATE ROAD No. 52; thence N.00°00'00"W., 194.25 feet to Point of Beginning. Containing 71,450.44 square feet or 1.64 acres.

Prepared by and when recorded mail to:
Laura Jacobs Donaldson
Manson Bolves Donaldson Varn, PA
109 North Brush Street
Suite 300
Tampa, Florida 33602

PARTIAL RELEASE OF CONSERVATION EASEMENT AND QUIT CLAIM DEED

THIS PARTIAL RELEASE OF CONSERVATION EASEMENT AND QUIT CLAIM DEED (the “Easement Release and Quit Claim Deed”) is made and entered into this _____ day of _____, 2019 (the “Effective Date”), by the **SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT** (“SWFWMD”), a Florida public corporation, whose address is 2379 Broad Street, Brooksville, Florida 34604-6899, in favor of **OLD FLORIDA RANCH, LLC**, a Florida Limited Liability Company (“Owner”), whose address is 2311 S. Lila Lane, Tampa, Florida 33629-2002.

WITNESSETH

WHEREAS, on or about June 18, 2015, EIP Florida, LLC (“EIP”) executed that certain Deed of Conservation Easement in favor of the SWFWMD recorded in the Official Records Book 9214 Pages 1-346 of the Public Records of Pasco County, Florida (the “Conservation Easement”), as to certain real property more particularly described in such Conservation Easement and situated in Pasco County, Florida (the “Property”); and

WHEREAS, the Conservation Easement conveyed to the SWFWMD an easement interest over the Property, as described therein, which was required by the Environmental Resource Permit associated with the Old Florida Mitigation Bank; and

WHEREAS, the Conservation Easement provided third party enforcement rights to the U.S. Army Corps of Engineers; and

WHEREAS, EIP did not include two (2) acres of the Property in the Conservation Easement to allow for a small home/camp to be developed and such parcel has subsequently been reduced in size by adjacent Florida Department of Transportation’s construction activities; and

WHEREAS, on or about December 2, 2016, by virtue of General Warranty Deed recorded in Official Records Book 9467 Pages 1707-1710 of the Public Records of Pasco County, Florida, EIP conveyed to Owner a portion of the Property; and

WHEREAS, the Owner desires that the SWFWMD agree to the partial termination and release of the Conservation Easement over approximately 1.34 acres, as described in Exhibit A (“Released Acres”), to allow for a small home/camp to be developed on the Released Acres in exchange for encumbering 1.64 acres of the Property previously excluded from the Conservation Easement; and

WHEREAS, the SWFWMD has agreed to a release of the Conservation Easement over the Released Acres for the exchange of the 1.64 acres to be included in the Conservation Easement.

NOW, THEREFORE, in consideration of the above and the mutual covenants, terms, conditions, and restrictions contained herein, the SWFWMD voluntarily releases the Owner's Released Acres from the Conservation Easement described herein, and remises, releases, and quitclaims all the right, title, interest claim, and demand conveyed to the SWFWMD by the Conservation Easement described herein.

IN WITNESS WHEREOF, SWFWMD has executed this Partial Release of Conservation Easement and Quit Claim Deed on the day and year first above written.

[Signatures continue on following page]

**SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT,**
A public corporation

By: _____
Mark Taylor, Chairman

Attest: _____
Joel Schleicher, Secretary

STATE OF FLORIDA
COUNTY OF _____

On this _____ day of _____, 2019 before me, the undersigned
notary public, personally appeared _____, the person
who subscribed to the foregoing instrument, as the _____ (title), of _____
_____ ☐ (corporation), a Florida corporation, or ☐ _____
_____ (*choose one*) and acknowledged that he/she executed the
same on behalf of said ☐ corporation, or ☐ _____ (*choose one*) and that
he/she was duly authorized to do so. He/She is personally known to me or has produced a _____
_____ (state) driver's license as identification.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC, STATE OF FLORIDA

_____(Signature)

_____(Name)

My Commission Expires: _____

EXHIBIT A
Released Acres Legal Description

A parcel of land lying in Section 10, Township 25 South, Range 18 East, Pasco County, Florida, and being more particularly described as follows:

Commence at the Southwest corner of said Section 10, also being the Southeast corner of HAR VAL MANOR, according to the plat thereof, as recorded in Plat Book 6, Page 18, of the Public Records of Pasco County, Florida; run thence along the West boundary of said Section 10, also being the East boundary of said HAR VAL MANOR, North $00^{\circ}06'43''$ West, 1552.55 feet to the Northeasterly corner of said HAR VAL MANOR, said point also lying on the Southerly Right-of-Way line of State Road No. 52, per Florida Department of Transportation Right-of-Way Map No. 14120-2150; thence along said Southerly Right-of-Way line, the following eight (7) courses: 1) North $67^{\circ}44'30''$ East, 113.76 feet; 2) South $22^{\circ}15'30''$ East, 2.00 feet; 3) North $67^{\circ}44'30''$ East, 1990.00 feet; 4) North $22^{\circ}15'30''$ West, 2.00 feet; 5) North $67^{\circ}44'30''$ East, 1151.25 feet to a point of curvature; 6) Easterly, 682.85 feet along the arc of a curve to the right having a radius of 1587.02 feet and a central angle of $24^{\circ}39'10''$ (chord bearing North $80^{\circ}04'05''$ East, 677.59 feet) to a point of tangency; 7) continue, South $87^{\circ}36'20''$ East, 92.03 feet to a point on the Westerly boundary of a 15 foot Non-exclusive Utility Easement, as recorded in Official Record Book 7930, Page 406, of the Public Records of Pasco County, Florida; thence along said Westerly boundary, South $08^{\circ}28'09''$ West, 125.71 feet to the POINT OF BEGINNING; thence S. $87^{\circ}36'20''$ E., a distance of 15.08 feet to a point on the Easterly boundary of said 15 foot Non-exclusive Utility Easement; thence along said Easterly boundary, the following three (3) courses: 1) S. $08^{\circ}28'09''$ W., a distance of 64.49 feet; 2) Southerly, 223.24 feet along the arc of a tangent curve to the right having a radius of 623.00 feet and a central angle of $20^{\circ}31'51''$ (chord bearing S. $18^{\circ}44'04''$ W., 222.05 feet); 3) S. $29^{\circ}00'00''$ W., a distance of 671.36 feet; thence S. $33^{\circ}29'20''$ E., a distance of 199.64 feet; thence S. $33^{\circ}22'40''$ W., a distance of 110.45 feet; thence S. $69^{\circ}49'03''$ W., a distance of 257.99 feet to a point on said Easterly boundary of a 15 foot Non-exclusive Utility Easement; thence along said Easterly boundary, N. $29^{\circ}00'00''$ E., a distance of 377.43 feet; thence N. $23^{\circ}34'11''$ W., a distance of 18.89 feet to a point on the aforesaid Westerly boundary of a 15 foot Non-exclusive Utility Easement; thence along said Westerly boundary, the following three (3) courses: 1) N. $29^{\circ}00'00''$ E., a distance of 680.03 feet; 2) Northerly, 217.87 feet along the arc of a tangent curve to the left having a radius of 608.00 feet and a central angle of $20^{\circ}31'51''$ (chord bearing N. $18^{\circ}44'04''$ E., 216.70 feet); 3) N. $08^{\circ}28'09''$ E., a distance of 62.90 feet to the POINT OF BEGINNING.

Containing 1.336 acres, more or less.

REGULATION COMMITTEE

October 22, 2019

Consent Agenda

WUP No. 20020687.00 - Southeast Wildwood Water Conservation Authority (Sumter County)

This is a modification of an existing water use permit for landscape/recreation use. This modification includes the addition of nine proposed lower Floridan aquifer wells to meet additional irrigation demands and combines this permit with Water Use Permit No. 20002798.004. This permit authorizes an annual average quantity of 10,074,300 gallons per day (gpd) and a peak month quantity of 26,819,600 gpd from groundwater and onsite constructed stormwater sources. The groundwater sources for this permit are a smaller portion of the overall permit increase. The annual average quantity from groundwater increases from 2,608,800 gpd to 4,705,600 gpd and the peak month quantity from groundwater increases from 10,603,200 gpd to 24,018,200 gpd. The additional demand for the irrigation of 3,293 acres of landscape and 1,055 acres of golf course will be met by utilizing available reclaimed water and storm water. Quantities were calculated using the District's irrigation allotment calculation program, AGMOD, along with information provided by the applicant.

Special conditions include those that require the Permittee to construct wells to specifications, install flow meters on all withdrawals, record and report monthly meter readings, continue implementation of the approved environmental monitoring plan, utilize alternative water sources before groundwater, and implement the conservation plan that was submitted in support of the application.

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

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter: Darrin Herbst, P.G., Bureau Chief, Water Use Permit Bureau

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 020687.003**

PERMIT ISSUE DATE: **October 22, 2019**

EXPIRATION DATE: **February 27, 2038**

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: Modification

GRANTED TO: Southeast Wildwood Water Conservation Authority
3601 Kiessel Road
The Villages, FL 32163

PROJECT NAME: Southeast Wildwood Water Conservation Authority

WATER USE CAUTION AREA(S): Not in a WUCA

COUNTY: Sumter

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	4,705,600 gpd
PEAK MONTH ¹	24,018,200 gpd

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

ABSTRACT:

This is a modification of an existing water use permit for landscape/recreation use. This modification includes the addition of nine proposed lower Floridan aquifer wells to meet additional irrigation demands and combines this permit with Water Use Permit No. 20002798.004. This permit authorizes an annual average quantity of 10,074,300 gallons per day (gpd) and a peak month quantity of 26,819,600 gpd from groundwater and onsite constructed stormwater sources. The groundwater sources for this permit are a smaller portion of the overall permit increase. The annual average quantity from groundwater increases from 2,608,800 gpd to 4,705,600 gpd and the peak month quantity from groundwater increases from 10,603,200 gpd to 24,018,200 gpd. The additional demand for the irrigation of 3,293 acres of landscape and 1,055 acres of golf course will be met by utilizing available reclaimed water and storm water. Quantities were calculated using the District's irrigation allotment calculation program, AGMOD, along with information provided by the applicant.

Special conditions include those that require the Permittee to construct wells to specifications, install flow meters on all withdrawals, record and report monthly meter readings, continue implementation of the approved environmental monitoring plan, utilize alternative water sources before groundwater, and implement the conservation plan that was submitted in support of the application.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>
Landscape/Recreation	4,705,600	24,018,200

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>
Golf Course	49.55	Sprinkler Over Plant	37.30"/yr.
Golf Course	25.75	Sprinkler Over Plant	37.20"/yr.
Golf Course	954.55	Sprinkler Over Plant	36.50"/yr.
Golf Course	63.01	Sprinkler Over Plant	34.30"/yr.
Lawn & Landscape	344.63	Sprinkler Over Plant	25.50"/yr.
Lawn & Landscape	97.37	Sprinkler Over Plant	31.20"/yr.
Lawn & Landscape	43.60	Sprinkler Over Plant	39.30"/yr.
Lawn & Landscape	1,022.09	Sprinkler Over Plant	27.30"/yr.
Lawn & Landscape	1,072.15	Sprinkler Over Plant	29.80"/yr.
Lawn & Landscape	781.19	Sprinkler Over Plant	27.00"/yr.

WITHDRAWAL POINT QUANTITY TABLE

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

I.D. NO. PERMITTEE/ DISTRICT	DIAM (in.)	DEPTH TTL./CSD.FT. (feet bls)	USE DESCRIPTION	AVERAGE (gpd)	PEAK MONTH (gpd)
11 / 11	16	900 / 597	Augmentation	177,600	838,900
12 / 12	12	N/A / N/A	Irrigation	353,400	941,900
13 / 13	16	990 / 596	Augmentation	215,300	1,275,700
14 / 14	12	N/A / N/A	Irrigation	538,000	1,432,300
15 / 15	16	960 / 596	Augmentation	309,300	1,427,900
16 / 16	12	N/A / N/A	Irrigation	602,200	1,603,200
17 / 17	16	960 / 598	Augmentation	509,200	2,335,600
18 / 18	12	N/A / N/A	Irrigation	985,000	2,622,300
19 / 19	16	900 / 600	Augmentation	509,200	2,335,600
20 / 20	12	N/A / N/A	Irrigation	985,000	2,622,300
21 / 21	16	960 / 596	Augmentation	509,200	2,335,600
22 / 22	12	N/A / N/A	Irrigation	985,000	2,622,300
23 / 23	16	970 / 598	Augmentation	417,500	1,489,800
24 / 24	12	N/A / N/A	Irrigation	628,300	1,672,600
25 / 25	16	900 / 600	Augmentation	315,700	1,489,800
26 / 26	12	N/A / N/A	Irrigation	628,300	1,672,600
27 / 27	16	990 / 600	Augmentation	309,300	1,427,900
28 / 28	12	N/A / N/A	Irrigation	602,200	1,603,200
29 / 29	16	990 / 600	Augmentation	139,600	900,600
30 / 30	12	N/A / N/A	Irrigation	379,800	1,011,100
31 / 31	16	990 / 600	Augmentation	139,600	900,600
32 / 32	12	N/A / N/A	Irrigation	379,800	1,011,100
33 / 33	16	990 / 600	Augmentation	139,600	900,600
34 / 34	12	N/A / N/A	Irrigation	379,800	1,011,100
35 / 35	16	990 / 600	Augmentation	139,600	900,600
36 / 36	12	N/A / N/A	Irrigation	379,800	1,011,100
37 / 37	16	990 / 600	Augmentation	139,600	900,600
38 / 38	12	N/A / N/A	Irrigation	379,800	1,011,100
39 / 39	16	990 / 600	Augmentation	139,600	900,600
40 / 40	12	N/A / N/A	Irrigation	379,800	1,011,100
41 / 41	16	990 / 600	Augmentation	139,600	900,600
42 / 42	12	N/A / N/A	Irrigation	379,800	1,011,100
43 / 43	16	990 / 600	Augmentation	139,600	900,600
44 / 44	12	N/A / N/A	Irrigation	379,800	1,011,100
45 / 45	10	340 / 160	Augmentation	63,300	479,800
46 / 46		N/A / N/A	Irrigation	210,900	561,400
47 / 47	10	300 / 63	Augmentation	63,300	344,200
48 / 48		N/A / N/A	Irrigation	129,300	344,200
49 / 49	10	300 / 100	Augmentation	63,300	344,200
50 / 50		N/A / N/A	Irrigation	129,300	344,200
51 / 51	10	300 / 100	Augmentation	63,300	344,200
52 / 52		N/A / N/A	Irrigation	129,300	344,200
53 / 53	10	300 / 100	Augmentation	63,300	344,200
54 / 54	8	N/A / N/A	Irrigation	129,300	344,200
PS-12 / 212	8	N/A / N/A	Re-Use	350,300	437,800
PS-14 / 214	8	N/A / N/A	Re-Use	350,300	437,800
PS-16 / 216	8	N/A / N/A	Re-Use	350,200	437,800
PS-18 / 218	8	N/A / N/A	Re-Use	350,200	437,800
PS-20 / 220	8	N/A / N/A	Re-Use	350,200	437,800
PS-22 / 222	8	N/A / N/A	Re-Use	350,200	437,800
PS-24 / 224	10	N/A / N/A	Re-Use	350,200	437,800

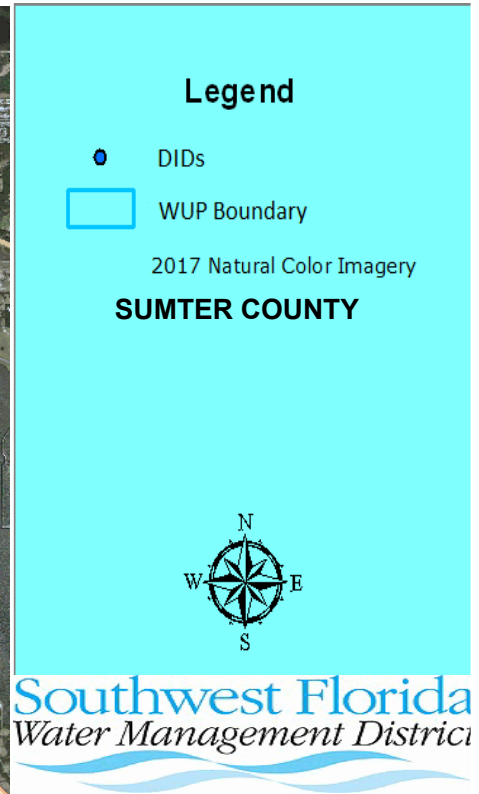
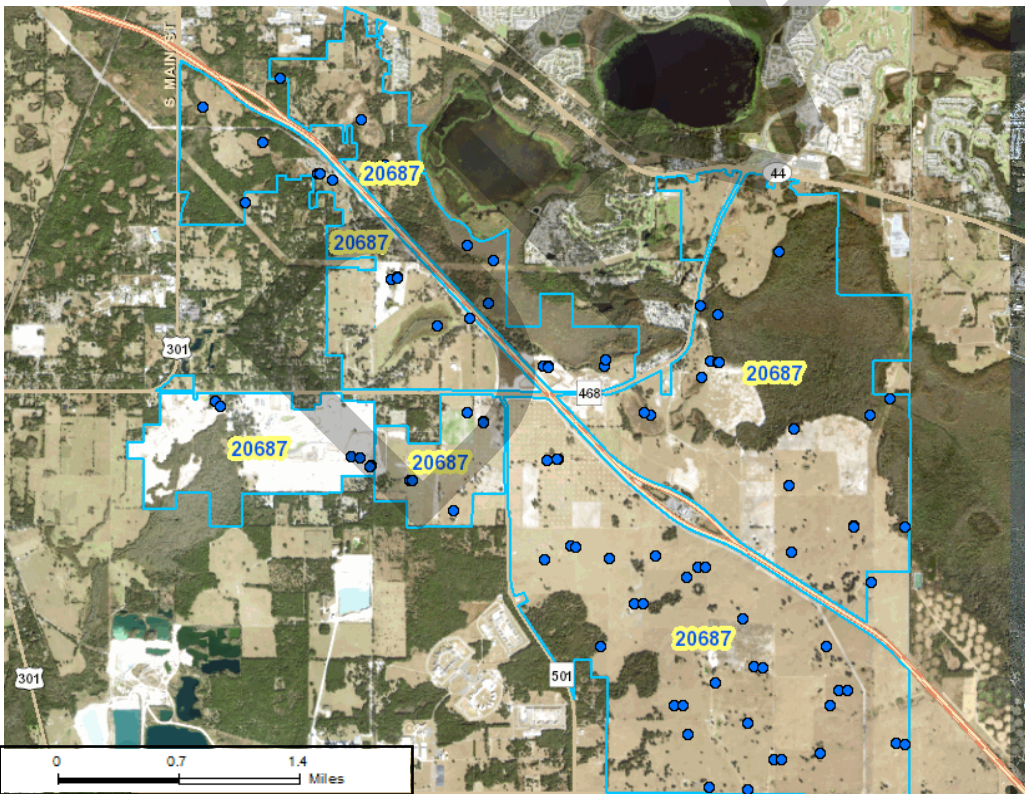
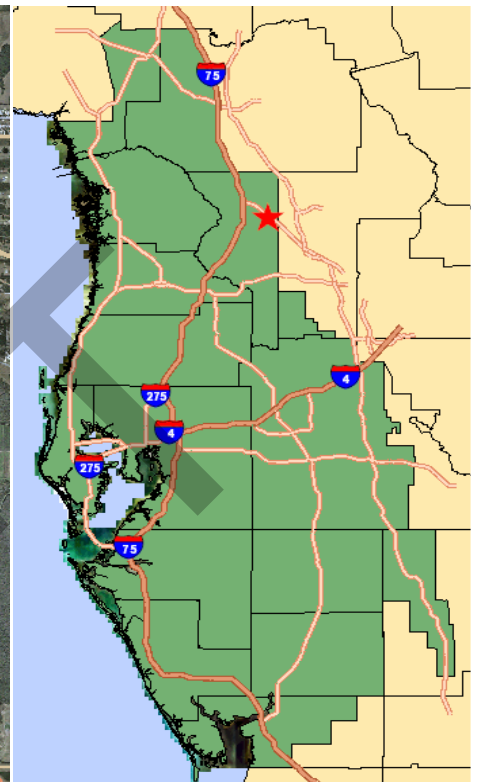
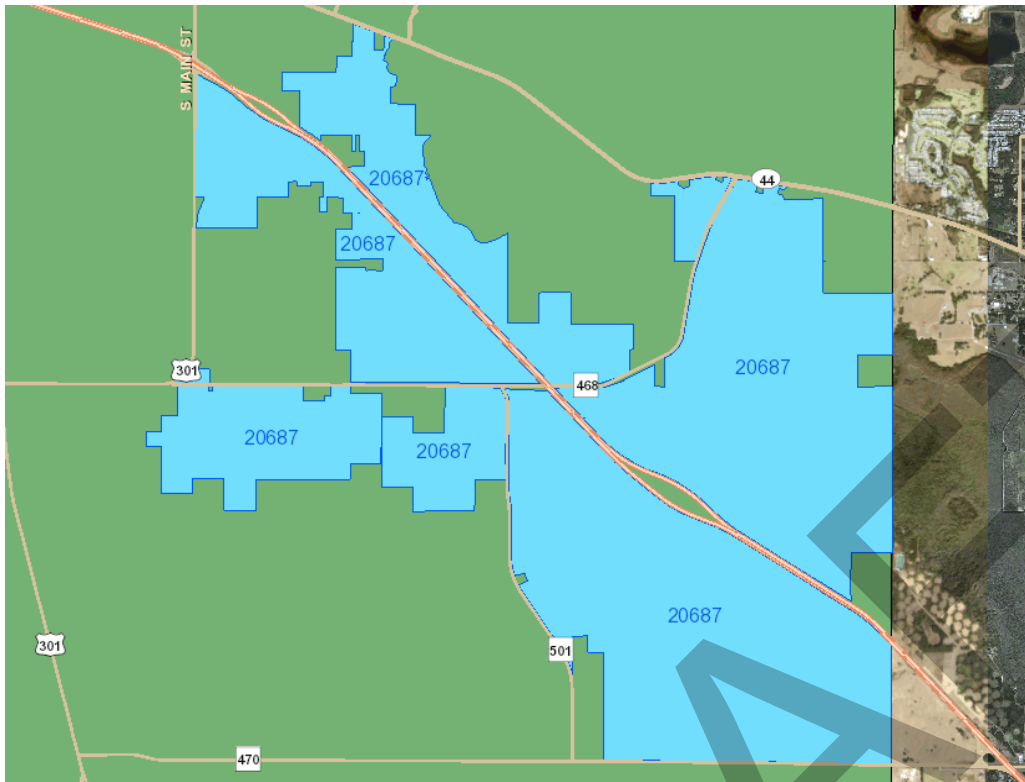
PS-26 / 225	8	N/A / N/A	Re-Use	350,200	437,800
4 (10769) / 107694	10	698 / UNK	To Be Plugged	N/A	N/A
5 (10769) / 107695	10	700 / UNK	To Be Plugged	N/A	N/A
6 (10769) / 107696	10	715 / UNK	To Be Plugged	N/A	N/A
7 (10769) / 107697	6	678 / UNK	To Be Plugged	N/A	N/A
8 (10769) / 107698	10	700 / UNK	To Be Plugged	N/A	N/A
9 (10769) / 107699	10	155 / 92	To Be Plugged	N/A	N/A
3 (12166) / 121663	8	200 / 100	To Be Plugged	N/A	N/A
10 (10769) / 1076910	6	686 / UNK	To Be Plugged	N/A	N/A
11 (10769) / 1076911	4	83 / 82	To Be Plugged	N/A	N/A
12 (10769) / 1076912	12	UNK / UNK	To Be Plugged	N/A	N/A
20 (10769) / 1076920	12	200 / 100	To Be Plugged	N/A	N/A

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
11	28° 47' 51.23"/82° 00' 33.45"
12	28° 47' 47.58"/82° 00' 25.99"
13	28° 47' 32.26"/81° 59' 57.54"
14	28° 47' 32.71"/81° 59' 52.56"
15	28° 48' 09.23"/81° 59' 59.34"
16	28° 48' 09.15"/81° 59' 56.69"
17	28° 47' 44.76"/81° 58' 06.35"
18	28° 47' 22.50"/81° 58' 08.30"
19	28° 46' 56.30"/81° 58' 07.20"
20	28° 47' 06.45"/81° 57' 38.85"
21	28° 48' 11.20"/81° 58' 43.85"
22	28° 48' 11.09"/81° 58' 40.39"
23	28° 48' 43.76"/82° 01' 07.80"
24	28° 48' 44.43"/82° 01' 04.72"
25	28° 49' 25.28"/82° 01' 40.91"
26	28° 49' 25.08"/82° 01' 40.02"
27	28° 49' 28.03"/82° 01' 12.62"
28	28° 49' 28.60"/82° 01' 10.32"
29	28° 46' 58.52"/81° 59' 46.69"
30	28° 46' 58.22"/81° 59' 44.68"
31	28° 46' 49.92"/81° 58' 49.33"
32	28° 46' 50.05"/81° 58' 46.15"
33	28° 46' 35.99"/81° 59' 17.88"
34	28° 46' 35.78"/81° 59' 14.13"
35	28° 46' 11.23"/81° 58' 24.04"
36	28° 46' 10.61"/81° 58' 20.06"
37	28° 45' 55.56"/81° 59' 00.33"
38	28° 45' 55.56"/81° 58' 56.35"
39	28° 46' 01.32"/81° 57' 45.65"
40	28° 46' 01.52"/81° 57' 41.67"
41	28° 45' 40.89"/81° 57' 20.14"
42	28° 45' 40.06"/81° 57' 16.16"
43	28° 45' 34.51"/81° 58' 15.39"
44	28° 45' 34.30"/81° 58' 11.88"
45	28° 47' 55.39"/82° 02' 27.04"
46	28° 47' 53.44"/82° 02' 24.85"
47	28° 47' 36.66"/82° 02' 01.54"
48	28° 47' 35.57"/82° 01' 58.78"
49	28° 47' 33.72"/82° 01' 25.71"
50	28° 47' 33.18"/82° 01' 21.79"
51	28° 47' 30.20"/82° 01' 16.77"

52	28° 47' 29.67"/82° 01' 17.51"
53	28° 47' 24.19"/82° 00' 59.49"
54	28° 47' 24.37"/82° 00' 58.21"
212	28° 47' 47.27"/82° 00' 26.00"
214	28° 47' 32.72"/81° 59' 52.78"
216	28° 48' 08.70"/81° 59' 56.72"
218	28° 47' 22.49"/81° 58' 08.45"
220	28° 47' 05.88"/81° 57' 39.03"
222	28° 48' 10.63"/81° 58' 40.04"
224	28° 48' 43.96"/82° 01' 04.90"
225	28° 49' 22.89"/82° 01' 34.41"
107694	28° 46' 46.13"/81° 58' 54.70"
107695	28° 46' 30.00"/81° 58' 29.29"
107696	28° 46' 19.13"/81° 57' 51.54"
107697	28° 46' 18.77"/81° 59' 32.99"
107698	28° 46' 04.76"/81° 58' 41.79"
107699	28° 45' 55.51"/81° 57' 49.67"
121663	28° 50' 02.87"/82° 01' 57.61"
1076910	28° 45' 36.63"/81° 57' 54.09"
1076911	28° 45' 22.61"/81° 58' 26.92"
1076912	28° 45' 23.43"/81° 58' 44.59"
1076920	28° 45' 48.92"/81° 58' 26.92"

Location Map
Southeast Wildwood Water Conservation Authority
WUP No. 20 020687.003



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 annual average daily quantities shown in the withdrawal point quantity table are estimates based on historic and/or projected distribution of pumpage and are for water use inventory and impact analysis purposes only. The quantities listed for these individual sources are not intended to dictate the distribution of pumpage from permitted sources. The Permittee may make adjustments in pumpage distribution at the individual withdrawals as necessary up to the quantities shown below on an annual average basis, so long as adverse environmental impacts do not result and the Permittee complies with all other conditions of this Permit. In all cases, the total annual average daily withdrawal and the total peak month daily withdrawal are limited to the quantities set forth above.

District ID No. 11/Permittee ID No. 11: 408,500 gpd

District ID No. 13/Permittee ID No. 13: 495,200 gpd

District ID No. 15/Permittee ID No. 15: 711,400 gpd

District ID Nos. 17, 19, and 21/Permittee ID Nos. 17, 19, and 21: 1,171,000 gpd

District ID No. 23/Permittee ID No. 23: 960,300 gpd

District ID No. 25/Permittee ID No. 25: 726,100 gpd

District ID No. 27/Permittee ID No. 27: 711,400 gpd

District ID Nos. 29, 31, 33, 35, 37, 39, 41, and 43/Permittee ID Nos. 29, 31, 33, 35, 37, 39, 41, and 43: 321,100 gpd
(221)

3. 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 Nos. 19, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, and 53; Permittee ID Nos. 19, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, and 53 having a surface diameter of 16 inches, with a minimum casing depth of 600 feet drilled to an estimated total depth of 900 feet.

(240)

4. 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)
5. 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)
6. 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)
7. Within 30 days of construction of the withdrawal facility, the Permittee shall install and/or properly maintain a District approved automated augmentation control system for the wells augmenting all surface water bodies within the permit boundary. The system shall be installed such that augmentation does not take place when the water level is at or above six-inches below the outfall elevation or one foot below the top of the liner, whichever is lower. Provisions shall be made by the Permittee in the augmentation schedule to allow for the maximum possible runoff/rainfall capture. The regulatory elevation may be modified by the Water Use Permit Bureau Chief, as necessary to protect environmental and water resources of the District. (314)
8. 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)
9. The Permittee shall construct the following proposed monitor well(s)/piezometer(s) at the location(s) specified and pursuant to the stipulations given below in accordance with Chapter 62-532, "Water Well Permitting and Construction Requirements". All depths given are relative to feet below land surface. Land surface shall be surveyed relative to North American Vertical Datum 1988 (NAVD 88), and a monitor point elevation identified. A copy of the certified survey and well completion report shall be filed with the District within 30 days of well completion.

District ID No. 122/Permittee ID No. VOSO-MW-6, with surface casing diameter of 2 inches, to be drilled to a minimum total depth of 60 feet but no deeper than a maximum total depth of 400 feet, and be cased continuously from the surface to 10 feet above the total depth of the well, with slotted casing/screen interval from the total depth to 10 feet above the total depth of the well, to be located at Latitude 28° 45' 44.31" North and Longitude 81° 58' 53.90" West.

A. The well shall be constructed with a surface seal and a sand filter pack emplaced using the tremie method. The filter pack shall have a minimum annular space of two (2) inches around the borehole and be placed to a depth of two feet above the well screen. If the well is constructed using a hollow-stem auger, the filter pack shall be set by pouring the filter material directly into the annular space of the borehole, provided that a PVC pipe is used as a tamping device to prevent bridging of the filter pack, and that the amount of filter pack sand is continuously tagged during the emplacement by the driller. In addition, the auger must be retrieved slowly to allow the filter pack to spread into the area

of the well annulus occupied by the auger flights.

B. The casing shall be constructed of slotted Schedule 40 PVC, stainless steel or other materials that are resistant to degradation due to interaction with the ground water and shall be continuous from 18 inches above land surface to the minimum depth stated above.

C. The finished well casing depth and total 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.

D. Advance approval from the Water Use Permit Bureau Chief, is required if the location and/or construction specifics of any monitor well is changed.

E. The District shall be given two weeks notification prior to commencement of drilling in order to schedule a site visit to witness the drilling and completion of each monitor well.
(416)

10. The Permittee shall immediately implement the District-approved water conservation plan 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 by April 1 of each year.(449)
11. The Permittee shall use Alternative Water Supplies in lieu of non-Alternative Water Supplies to the greatest extent practical, based on economic, environmental and technical feasibility. (551)
12. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C.(568)
13. By May 1, 2020, District ID Nos. 107691, 107692, 107693, 107694, 107695, 107696, 107697, 107698, 107699, 121662, 121663, 1076910, 1076911, 1076912, and 1076920; Permittee ID Nos. 1 (10769), 2 (10769), 3, (10769), 4 (10769), 5 (10769), 6 (10769), 7 (10769), 8 (10769), 9 (10769), 2 (12166), 3 (12166), 10 (10769), 11 (10769), 12 (10769), and 20 (10769), shall be properly abandoned (plugged bottom to top) by a licensed water well contractor in accordance with Chapter 62-532.500(4), F.A.C., under a Well Abandonment Permit issued by the District unless an extension of time is granted by the Water Use Permit Bureau Chief.(582)
14. The Permittee shall submit a copy of each well completion/abandonment report to the District's Water Use Permit Bureau, within 30 days of each well completion/abandonment.(583)
15. The Permittee shall not irrigate golf course roughs with non-alternative water supplies unless such water supplies are derived from a portion of the quantities permitted for the tees, greens, and fairways. The amount of permitted ground or surface water plus alternative water supply applied to the entire golf course shall not exceed reasonable-beneficial quantities for tees, greens and fairways alone.(594)
16. 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)
17. Augmentation to and withdrawal of water from the storm water ponds that is authorized under this Water Use Permit, shall be conducted so as not to impair the function of the Surface Water Management System.(670)
18. Permittee shall implement and maintain data collection programs to monitor vegetational transects, tree plots, water-table piezometers, and fish and wildlife as outlined in the environmental monitoring plan dated April 2019, throughout the term of the permit. Any changes to the methods or frequency of monitoring for any of these data collection programs may be done only after approval by the Water Use Permit Bureau Chief. The Permittee shall submit an annual report by April 1 of each year that provides the raw data as well as interpreted data to assess impacts of pumpage on the area. Additionally, the report shall include an analysis of upland and wetland conditions, including interpretation of applicable parameters such as treefalls per unit area, rate of soil subsidence, effects on fish and wildlife, and

evidence of vegetational succession. Data shall be obtained through field measurements. Hydrographs from surface water gauges and wells shall be included for the period of record and discussed in the report. Any mitigation activities will be noted along with specific mention of sites receiving past or present water augmentation.(692)

19. The following proposed reclaimed water inflow lines shall be metered within 90 days of completion of construction of the reclaimed water delivery system: District ID Nos. 212, 214, 216, 218, 220, 222, 224, and 225, Permittee ID Nos. PD-12, PS-14, PS-16, PS-18, PS-20, PS-22, PS-24, and PS-26. 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.(700)
20. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID Nos. 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 44; Permittee ID Nos. 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 44. 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)
21. 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. 11, 12, 13, 14, 45, 46, 47, 48, 49, 20, 51, 52, 53, and 54; Permittee ID Nos. 11, 12, 13, 14, 45, 46, 47, 48, 49, 50, 51, 52, 53, and 54. 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)
22. Water quality samples from the withdrawal points listed below shall be collected after pumping the withdrawal point at its normal rate for a pumping time specified below, or to a constant temperature, pH, and conductivity. The frequency of sampling per water quality parameter is listed in the table according to the withdrawal point. The recording and reporting shall begin according to the first sample date for existing wells and shall begin within 90 days of completion of any proposed wells. Samples shall be collected whether or not the well is being used unless infeasible. If sampling is infeasible, the Permittee shall indicate the reason for not sampling on the water quality data form or in the space for comments in the WUP Portal for data submissions. For sampling, analysis and submittal requirements see Exhibit B, Water Quality Sampling Instructions, attached to and made part of this permit.

Existing District ID Nos. 11 and 13/Permittee ID Nos. 11 and 13 for chloride, sulfate, and total dissolved solids on a quarterly basis.

Proposed District ID Nos. 15, 17, 19, 21, 23, and 25/Permittee ID Nos. 15, 17, 19, 21, 23, and 25 for chlorides sulfate, and total dissolved solids on a quarterly basis, with first analyzed sample due within 90 days of completion of the withdrawal point or per the first reporting period as given in Exhibit B after completion of the monitor site.
(752)

23. By January 1, 2020 the Permittee shall commence monitoring water level in the following proposed monitor well(s) or piezometer(s), the Permittee shall record water levels using a calibrated, electronic water level meter to North American Vertical Datum 1988 (NAVD88) and report them to the District at the frequency listed for the interval, aquifer system, or geologic formation listed. The monitor well(s) or piezometer(s) shall be surveyed by a surveyor licensed in the State of Florida and referenced to NAVD88, and a certified survey indicating the datum reference shall be submitted with the first water level data report. To the maximum extent possible, water levels shall be recorded on a regular schedule: same time each day, same day each week, same week each month as appropriate to the frequency noted. The readings shall be reported online via the Permit Information Center at the District website, (www.watermatters.org/permits/epermitting/), or mailed in hardcopy on District-provided forms to the address given in this permit for mailing data and reports on or before the tenth day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource.

District ID No. 122, Permittee ID No. VOSO-W6, to monitor the upper Floridan aquifer on a twice monthly basis.(755)

24. The Permittee shall continue to maintain the monitor well(s) or piezometer(s) listed below, monitor

water levels using a calibrated, electronic water level meter referenced too North American Vertical Datum 1988 (NAVD88) and report them to the District at the frequency listed for the interval, aquifer system, or geologic formation listed. To the maximum extent possible, water levels shall be recorded on a regular schedule: same time each day, same day each week, same week each month as appropriate to the frequency noted. The readings shall be reported online via the WUP Portal at the District website (www.watermatters.org) or mailed in hardcopy on District-provided forms to the Water Use Permit Bureau on or before the tenth day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource. The Permittee shall have the elevation of the measuring point on each well listed surveyed to the specified datum, and a copy of the certified survey report for the wells listed shall be included with the first data submittal.

Existing District ID Nos. 101, 102, 103, 104, and 105, Permittee ID Nos. VOSO-MW-1, VOSO-MW-2, VOSO-MW-3, VOSO-MW-4, and VOSO-MW-5, to monitor the upper Floridan aquifer on a twice monthly basis.

(756)

25. By January 1, 2020 the Permittee shall install and maintain a District-approved staff gauge in the water bodies at the location(s) specified by latitude and longitude below and report measurements of water levels referenced to the North American Vertical Datum 1988, at the frequency indicated. Instructions for installation of the staff gauge, and for recording and reporting the data are given in Exhibit B, Water Level Instructions, attached to and made part of this permit.

District ID No. 123, Permittee ID No. VOSO-4-W6 by on Chitty Chatty Swamp on a twice monthly basis at Lat. 28° 49' 46.68" Long. 81° 1' 21.26"

District ID No. 124, Permittee ID No. W1C by on Chitty Chatty Swamp on a twice monthly basis at Lat. 28° 48' 54.65" Long. 81° 58' 13.02"

Quarterly = February, May, August, November
(761)

26. The Permittee shall continue to maintain the District-approved staff gauge in the water bodies at the location(s) specified by latitude and longitude below and report measurements of water levels referenced to North American Vertical Datum 1988 (NAVD88) on a twice monthly basis.

District ID No. 106, Permittee ID No. W1A on Chitty Chatty Swamp on a twice monthly basis at Lat. 28° 47' 56.67" Long. 81° 57' 23.02"

District ID No. 107, Permittee ID No. W1B on Chitty Chatty Swamp on a twice monthly basis at Lat. 28° 47' 33.15" Long. 81° 58' 48.18"

District ID No. 108, Permittee ID No. W2A on Okahumpka Swamp on a twice monthly basis at Lat. 28° 48' 09.23" Long. 81° 58' 31.49"

District ID No. 109, Permittee ID No. W2B on Okahumpka Swamp on a twice monthly basis at Lat. 28° 48' 34.05" Long. 82° 00' 23.88"

District ID No. 110, Permittee ID No. W3 on Hogeye Sink on a twice monthly basis at Lat. 28° 48' 28.46" Long. 82° 00' 32.09"

District ID No. 111, Permittee ID No. W1 on Hogeye Sink on a twice monthly basis at Lat. 28° 47' 50.12" Long. 81° 59' 10.55"

To the maximum extent possible, water levels shall be recorded on a regular schedule: sametime each day, same day each week, same week each month and reported to the Water Use Permit Bureau, online via the WUP Portal on the District website, or in hardcopy on District-provided forms on or before the tenth day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource.

(762)

27. Water usage from District ID Nos. 12, 20, 24, and 46, Permittee ID Nos. 12, 20, 24, and 46 shall be recorded with two meters on each withdrawal, one for general lawn/landscape irrigation and one for golf course irrigation. The Permittee shall record and report meter readings from each meter on a monthly basis. The meters for each withdrawal shall be designated Meter No. 1 (Sequence No. 1) for general lawn/landscape irrigation and Meter No. 2 (Sequence No. 2) for golf course irrigation.(990)
28. Groundwater withdrawals shall not exceed 4,705,600 gallons per day (gpd) on an annual average basis and 24,018,200 gpd on a peak month basis. Combined groundwater and stormwater withdrawals shall not exceed 10,074,300 gpd on an annual average basis or 24,018,200 gpd on a peak month basis. (991)

DRAFT

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. 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.

WATER QUALITY INSTRUCTIONS

The Permittee shall perform water quality sampling, analysis and reporting as follows:

1. The sampling method(s) from both monitor wells and surface water bodies shall be designed to collect water samples that are chemically representative of the zone of the aquifer or the depth or area of the water body.
2. Water quality samples from monitor wells shall be taken after pumping the well for the minimum time specified (if specified) or after the water reaches a constant temperature, pH, and conductivity.
3. The first submittal to the District shall include a copy of the laboratory's analytical and chain of custody procedures. If the laboratory used by the Permittee is changed, the first submittal of data analyzed at the new laboratory shall include a copy of the laboratory's analytical and chain of custody procedures.
4. Any variance in sampling and/or analytical methods shall have prior approval of the Water Use Permit Bureau Chief.
5. The Permittee's sampling procedure shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis.
6. Water quality samples shall be analyzed by a laboratory certified by the Florida Department of Health utilizing the standards and methods applicable to the parameters analyzed and to the water use pursuant to Chapter 64E-1, Florida Administrative Code, "Certification of Environmental Testing Laboratories."
7. Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association-American Water Works Association-Water Pollution Control Federation (APHA-AWWA-WPCF) or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency (EPA).
8. Unless other reporting arrangements have been approved by the Water Use Permit Bureau Chief, reports of the analyses shall be submitted to the Water Use Permit Bureau, online at the District WUP Portal or mailed in hardcopy on or before the tenth day of the following month. The online submittal shall include a scanned upload of the original laboratory report. The hardcopy submittal shall be a copy of the laboratory's analysis form. If for some reason, a sample cannot be taken when required, the Permittee shall indicate so and give the reason in the space for comments at the WUP Portal or shall submit the reason in writing on the regular due date.
9. The parameters and frequency of sampling and analysis may be modified by the District as necessary to ensure the protection of the resource.
10. Water quality samples shall be collected based on the following timetable for the frequency listed in the special condition:

Frequency

Weekly
Quarterly
Semi-annually
Monthly

Timetable

Same day of each week
Same week of **February, May, August, November**
Same week of **May, November**
Same week of each month

WATER LEVEL INSTRUCTIONS

The staff gauge(s) shall be surveyed according to instructions given on the District website and referenced to the North American Vertical Datum 1988, and a copy of the survey indicating the datum reference shall be submitted with the first water level data report. The staff gauge(s) shall be scaled in one-tenth foot increments and shall be sized and placed so as to be clearly visible from an easily accessible point of land. Water levels shall be recorded on a frequency as indicated in the table provided in the special condition and reported to the Water Use Permit Bureau, online via the WUP Portal at the District website or in hardcopy on District-provided forms on or before the tenth day of the following month. To the maximum extent possible, water levels shall be recorded on a regular schedule as indicated in the recording timetable below. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource.

Water Level Recording Timetable

<u>Frequency</u>	<u>Recording Schedule</u>
Daily	Same time of each day
Weekly	Same day of each week
Monthly	Same week of each month
Quarterly	Same week of months specified

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.

GENERAL COUNSEL'S REPORT

October 22, 2019

Consent Agenda

Initiation of Litigation – Breach of Contract – Jacobs Engineering Group, Inc. – Weeki Wachee State Park Canoe Launch Improvements

Purpose

The purpose of this item is to request the Governing Board's concurrence with the authorization of the Executive Director, the Governing Board Chair and the General Counsel to file a lawsuit against Jacobs Engineering Group, Inc. (Jacobs) on September 27, 2019. Board Policy 160-1, District Legal Services, allows the Executive Director, with the written concurrence of the General Counsel and the Governing Board Chair to cause a lawsuit to be filed in advance of Governing Board approval if the Chair and the Executive Director determine it is necessary and in the best interest of the District to file suit prior to advising the Governing Board. The lawsuit filed against Jacobs was necessary to preserve the District's claims against Jacobs before the expiration of the statute of limitations on September 30, 2019. Under such circumstances, the General Counsel must advise the Governing Board and seek its concurrence no later than the next regularly scheduled Governing Board meeting.

Background/History

In October 2016, the District entered into a contract with Jacobs, a professional engineering firm, to provide construction engineering and inspection services for the Weeki Wachee State Park Canoe Launch Project. The purpose of the project was to address water quality issues and improve the road pavement areas within the canoe launch area of the Weeki Wachee State Park.

The District contracted with Cardno, Inc. (Cardno), a professional engineering firm, to design the project and to sign and seal the construction drawings and technical specifications for inclusion in the District's Request for Bids (RFB) for construction services. The construction drawings and technical specifications specified the use of porous paving materials manufactured by K.B. Industries, Inc. (KBI), or an approved equivalent. Pave-Rite, Inc. (Pave-Rite) was ultimately awarded the construction contract to install the KBI paving material.

Pursuant to its agreement with the District, Jacobs was required to provide weekly site visits subsequent to the contractor's mobilization and to notify the District of any discrepancies or deviations from the approved plans. Construction was completed in April 2017 and in May 2017 the District became aware that the KBI paving material was breaking along the edges and degrading in areas causing depressions in the pavement. The District notified Pave-Rite and KBI of the deficiencies and in December 2017 KBI proposed repair work that included removing the damaged pavement areas and relaying those areas with new KBI material. Pave-Rite and KBI completed the repair work in February 2018. Thereafter, District staff observed the continued failure of the KBI paving material including the areas that were replaced.

In January 2019, the District filed a claim against the construction bond surety. The District entered into a contract with PRI Asphalt Technologies, Inc. (PRI) to perform material testing to determine the cause of the pavement failures. On July 31, 2019, PRI provided its report concluding the KBI paving materials did not conform to the contract specifications and were not

Item 14a

installed to the minimum installation depths required by the construction contract. District staff is currently attempting to resolve the project deficiencies with Pave-Rite and the surety.

The statute of limitations applicable to the District's claims against Cardo and Jacobs for project deficiencies was to expire in early May 2019. Cardo agreed to toll the statute of limitations until December 31, 2019. Jacobs agreed to toll the statute of limitations until September 30, 2019 and indicated it would not agree to an extension beyond that date. The District filed suit against Jacobs on September 27, 2019 for breach of contract for failing to perform construction engineering and inspection services in accordance with the terms and conditions of its agreement with the District.

Staff Recommendation:

Provide concurrence with the authorization of the Executive Director, the Governing Board Chair and the General Counsel to file a lawsuit against Jacobs Engineering Group, Inc. on September 27, 2019, in accordance with Board Policy 160-1.

Presenter: Mary Beth McNeil, Assistant General Counsel

EXECUTIVE DIRECTOR'S REPORT

October 22, 2019

Consent Agenda

Approve Fiscal Year 2020 Final Budget Hearing Minutes – September 24, 2019

Staff Recommendation:

Staff recommends the Board approve the minutes as presented.

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

MINUTES OF THE MEETING

FINAL PUBLIC HEARING FOR THE FISCAL YEAR 2020 MILLAGE RATE AND ANNUAL SERVICE BUDGET

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

TAMPA, FLORIDA

SEPTEMBER 24, 2019

The Governing Board of the Southwest Florida Water Management District met at 5:04 p.m. on September 24, 2019 at the Tampa Office. The following persons were present:

Board Members Present

Mark Taylor Chair
Michelle Williamson, Vice Chair
Joel Schleicher, Secretary
Kelly S. Rice, Treasurer
Rebecca Smith, Ph.D., Member
James G. Murphy, Member
Roger Germann, Member

Staff Members

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

Board Administrative Support

Caroline Browning, Board & Service Manager
Lori Manuel, Administrative Assistant

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

1. Call to Order, Roll Call and Approval of Tentative Fiscal Year 2020 Annual Service Budget Public Hearing Minutes

Chair Taylor called the meeting to order and opened the public hearing. He stated the meeting was being conducted using communications media technology to permit maximum participation of Governing Board members.

Ms. Browning called the roll and noted a quorum was present. Chair Taylor then led the invocation and the Pledge of Allegiance to the Flag of the United States of America.

Chair Taylor stated the hearing is for adopting a final millage rate and budget for the Southwest Florida Water Management District, pursuant to Sections 373.536 and 200.065, Florida Statutes. If any member of the public wishes to address the Governing Board concerning any item listed on the agenda, or any item that does not appear on the agenda, please fill out a speaker's card and submit it to Ms. Manuel. Members of the public will be called on at the appropriate time during the meeting and will be limited to three minutes per speaker.

Chair Taylor requested a motion to approve the minutes from both the September 10, 2019 Tentative Fiscal Year (FY) 2020 Annual Service Budget Public Hearing which was recessed and the September 17, 2019 continuation of the public hearing.

A motion was made and seconded. The Motion carried unanimously. (Audio - 02:02:11)

Chair Taylor relinquished the gavel to the Treasurer and Chair of the Finance/Outreach & Planning Committee, Kelly Rice. (Audio – 02:02:54)

2. Opening Comments

Treasurer Rice stated the purpose of this final Truth in Millage (or TRIM) public hearing is to provide an opportunity for the public to speak and ask questions prior to the Governing Board's adoption of a final millage rate and budget for FY2020.

Treasurer Rice stated the FY2020 final budget totaled \$202.7 million compared to \$176.3 million for the FY2019 adopted budget; and continues a significant level of capital investment in our region to ensure the District's core mission is achieved. These investments will continue to protect the water resources, spur the economy and create jobs. The budget includes \$113.2 million in ad valorem property tax revenue based on reducing the millage rate to the rolled-back rate of 0.2801 mill. He stated this millage rate is more than 5.2 percent lower than the current fiscal year millage rate of 0.2955 mill and will save taxpayers approximately \$6.5 million. Treasurer Rice stated that the rolled-back rate is the rate that would provide the same amount of revenue as the current year plus taxes on any new construction.

Treasurer Rice thanked Governor DeSantis, the Florida Department of Environmental Protection and the legislature for state appropriations of \$12.25 million for the protection and restoration of our spring systems; \$3.25 million for water supply and water resource development; and \$2.25 million for land management activities.

3. Budget Overview

Mr. Campbell stated there were changes to the FY2020 budget since the tentative budget hearing on September 17, 2019. These changes were presented with the budget overview during Agenda Item 5: Reconciliation of Tentative to Final FY2020 Budget.

4. Public Announcement of the Name of the Taxing Authority, Rolled-Back Rate, Percentage Increase Over Rolled-Back Rate, and Millage Rate to be Levied for Fiscal Year 2020

Mr. Campbell presented the required public announcement of the name of the taxing authority, the rolled-back rate, the percentage of increase over the rolled-back rate, and the millage rate to be levied for FY2020 and read into the record as required for the District.

TAXING AUTHORITY	ROLLED-BACK RATE	PERCENTAGE OF INCREASE OVER ROLLED-BACK RATE	MILLAGE RATE
Southwest Florida Water Management District	0.2801 mill	0.0%	0.2801 mill

5. Reconciliation of Tentative to Final FY2020 Budget

Mr. Campbell stated the budget increased by \$4,000,000 since the tentative budget hearing on September 17, 2019. He summarized the changes and provided an overview by expenditure category, expenditure program and revenue source.

6. Public Comments

a. Letters/Resolutions Received

Treasurer Rice noted that any letters and resolutions received regarding the tentative millage rate and budget have been compiled into an Appendix "C" and are hereby incorporated, by reference, into the public record of this meeting.

- b. **Persons Wishing to Address the Board**
No Request to Speak cards were received.

7. **Adopt Final Fiscal Year 2020 Millage Rate**

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
RESOLUTION NO. 19-13
ADOPTION OF FINAL MILLAGE RATE FOR FISCAL YEAR 2020**

This resolution is made a part of these minutes as if set forth in full but, for convenience, is filed in the permanent resolution files of the District.

A motion was made to adopt Resolution No. 19-13, Adoption of the Final Millage Rate for FY2020, of 0.2801 mill, which was seconded. The motion carried with six in favor and one opposed. Secretary Schleicher stated he would like further reductions in the mileage rate. (Audio – 02:09:06)

8. **Adopt Final Fiscal Year 2020 Budget**

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
RESOLUTION NO. 19-14
ADOPTION OF FINAL BUDGET FOR FISCAL YEAR 2020**

This resolution is made a part of these minutes as if set forth in full but, for convenience, is filed in the permanent resolution files of the District.

A motion was made to adopt Resolution No. 19-14, Adoption of Final Budget for FY2020, in the amount of \$202,665,002 which was seconded. The motion carried with six in favor and one opposed. Secretary Schleicher stated the District should consider debt alternatives. (Audio – 02:09:27)

9. **Introduce All Materials as Composite Exhibit**

Treasurer Rice stated the record will reflect all materials presented today are part of the permanent record of the public hearing.

Treasurer Rice relinquished the gavel to Chair Taylor.

10. **Adjournment**

There being no further business to come before the Board, Chair Taylor asked for a motion to adjourn the meeting. The motion carried unanimously. (Audio – 02:10:20)

The meeting was adjourned at 5:14 p.m.

Chair

Attest:

Secretary

EXECUTIVE DIRECTOR'S REPORT

October 22, 2019

Consent Agenda

Approve Governing Board Minutes - September 24, 2019

Staff Recommendation:

Staff recommends the Board approve the minutes as presented.

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

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

TAMPA, FLORIDA

SEPTEMBER 24, 2019

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 3:00 p.m., on September 24, 2019, at the District's Tampa Office, 7601 U.S. Highway 301 North, Tampa, Florida. The following persons were present:

Board Members Present

Mark Taylor, Chair
Michelle Williamson, Vice Chair
Joel Schleicher, Secretary
Kelly S. Rice, Treasurer
Rebecca Smith, Ph.D., Member
James G. Murphy, Member
Roger Germann, Member

Staff Members

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

Board Administrative Support

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

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

PUBLIC HEARING (00:00)

1. Call to Order

Chair Mark Taylor called the meeting to order and opened the public hearing. Secretary Schleicher stated a quorum was present.

2. Invocation and Pledge of Allegiance

Secretary Schleicher offered the invocation and led the Pledge of Allegiance to the Flag of the United States of America.

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

Chair Taylor stated that anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should fill out and submit a "Request to Speak" card. To assure that all participants have an opportunity to speak, a member of the public may submit a speaker's card to comment on agenda items only during today's meeting. If the speaker wishes to address the Board on an issue not on today's agenda, a speaker's card may be submitted for comment during "Public Input." Chair Taylor stated that comments would be limited to three minutes per speaker, and, when appropriate, exceptions to the three-minute limit may be granted by the chair. He also requested that several individuals wishing to speak on the same issue/topic designate a spokesperson.

3. Employee Recognition

Chair Taylor recognized employees who have reached at least 20 years of service with the District and thanked them for their service. The following staff were recognized: Donald Kaskie, Dudley Black and Vaughn Boyer.

4. Additions/Deletions to Agenda

Mr. Brian Armstrong, executive director, stated the following item was deleted from the agenda:

Regulation Committee

17. Partial Release of Conservation Easement for Old Florida Mitigation Bank – ERP No. 43041425.001 – Pasco County

Secretary Schleicher requested the following items be moved to discussion:

Finance/Outreach & Planning Committee

6. Board Encumbrance of the Capital Field Equipment Fund

7. Board Encumbrance of Capital Improvements Plan Brooksville Generators

8. Board Encumbrance of Deposit for Sarasota Office Relocation

9. Board Encumbrance of the Tampa Space Utilization Renovations

Resource Management Committee

14. Pasco County River Ridge Golf Course and Waters Edge Residential Reclaimed Water Project – Scope of Work Change (N792)

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

5. Public Input for Issues Not Listed on the Published Agenda

Mr. David Ballard Geddes, Jr., spoke regarding the use of reclaimed water.

Ms. Dianne Silliman spoke regarding Walden Point/Johnson Point flooding.

Mr. Richard Diaz, Jr., Diaz Pearson & Engineering, Inc., representing Walden Point Homeowners Association, spoke regarding Johnson Point development. Ms. Michelle Hopkins, Regulation director stated the District is anticipating the receipt of the complete as-built submittal with the survey information. She stated that staff will review the submittal and respond to any deficiencies. Ms. Hopkins responded to questions from the Board. Ms. Karen West, general counsel, stated that staff should continue to communicate any concerns necessary to ensure permit compliance.

Mr. Chester Bradshaw spoke regarding concerns related to bridge overflow on Hillsborough River.

Board Member Smith asked what assistance can be provided to Mr. Bradshaw. Mr. Armstrong suggested that a presentation be provided to the Board regarding a study that was completed regarding this issue.

Consent Agenda

Finance/Outreach & Planning Committee

6. Board Encumbrance of the Capital Field Equipment Fund

Staff recommended the Governing Board approve the encumbrance up to \$484,810, plus any additional savings achieved on purchases completed before September 30, 2019, in remaining FY2019 funds within in the Capital Field Equipment Fund to carry forward into FY2020 for future years planned expenditures.

7. Board Encumbrance of Capital Improvements Plan Brooksville Generators

Staff recommended the Governing Board approve the encumbrance of \$750,000 budgeted in FY2019 to procure generators and installation to outfit Brooksville Buildings 4 and 5 in FY2020 via the Capital Improvements Plan.

8. Board Encumbrance of Deposit for Sarasota Office Relocation

Staff recommended the Governing Board approve the encumbrance of \$78,615 from FY2019 to carry forward into FY2020 for a refundable deposit and any ancillary due diligence costs to hold a property prior to Governing Board consideration of a lease or purchase and sale agreement.

9. Board Encumbrance of the Tampa Space Utilization Renovations

Staff recommended the Governing Board approve the encumbrance of \$1,450,000 to carry forward into FY2020 to implement alterations and renovations as recommended in the Staff Space Needs Study.

10. Knowledge Management: Performance Incentive Program Governing Board Policy

Staff recommended the Board approve the updating of the Performance Incentive Program Policy.

11. Knowledge Management: Risk Management and Safety Governing Board Policy

Staff recommended the Board approve the deletion of Governing Board Policy 120-1.

12. Vehicle Use Audit Follow-Up

Staff recommended the Board approve the Office of Inspector General Vehicle Use Follow-Up Audit.

13. Budget Transfer Report

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

Resource Management Committee

14. Pasco County River Ridge Golf Course and Waters Edge Residential Reclaimed Water Project – Scope of Work Change (N792)

Staff recommended the Board approve the revision to the project title and Cooperative Funding Agreement for the Pasco County River Ridge Golf Course and Waters Edge Residential Reclaimed Water Project to include:

1. Rename the project to the Pasco County River Ridge Country Club and Waters Edge Residential Reclaimed Water Project.
2. Replace all references to the River Ridge Golf Course in the Cooperative Funding Agreement with the River Ridge Country Club.

15. FARMS – Tamiami Citrus, LLC (H730), Hardee County – Scope Change Operations, Lands and Resource Monitoring Committee

Staff recommended the Board:

1. Approve amendment of the Tamiami Citrus, LLC project agreement for a not-to-exceed reimbursement of \$250,645;
2. Authorize the Assistant Executive Director to sign the amendment to the agreement.

Operations, Lands and Resource Monitoring Committee

16. Knowledge Management: Cooperative Land Management Agreements Governing Board Policy Regulation Committee

Staff recommended the Board approve the Cooperative Land Management Agreements Governing Board Policy as revised.

Regulation Committee

17. Partial Release of Conservation Easement for Old Florida Mitigation Bank – ERP No. 43041425.001 – Pasco County

Staff recommended the Board approve, accept, and execute the attached Partial Release of Conservation Easement and Quit Claim Deed for the Old Florida Mitigation Bank.

18. Individual Water Use Permits Referred to the Governing Board – None

General Counsel's Report

19. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval

a. Authorization to Issue Administrative Complaint and Order – Well Construction Violations – Carl Douglas, Jr. – License Number 9127 – CT No. 404782 – Charlotte County, Florida

Staff recommended the Board:

1. Authorize District staff to issue an Administrative Complaint and Order to Carl Douglas, Jr. to obtain compliance, recover an administrative fine/civil penalty, and recover any District costs and fees, if appropriate.
2. Authorize District staff to obtain compliance with the terms of the Administrative Complaint and Order in Circuit Court, if necessary.

b. Approve the District's Annual Regulatory Plan for 2019-2020

Staff recommended the Board approve the District's Annual Regulatory Plan for 2019-2020 and execute the certification required by 120.74(1)(d), F.S.

20. Rulemaking – None

Executive Director's Report

21. Approve Governing Board Minutes – August 27, 2019

Staff recommended the Board approve the minutes as presented.

A motion was made and seconded to approve the Consent Agenda as amended. The motion carried unanimously. (Audio - 00:35:37)

Chair Taylor relinquished the gavel to the Finance/Outreach & Planning Committee Chair Rice, who called the meeting to order. (Audio - 00:35:57)

Finance/Outreach & Planning Committee

Discussion

22. Consent Item(s) Moved for Discussion

6. Board Encumbrance of the Capital Field Equipment Fund

Mr. John Campbell, Management Services director, provided a presentation that outlined the Board encumbrance request for the capital field equipment fund. He explained this fund allows for the acquisition, enhancement, replacement and reconditioning of District field equipment.

Secretary Schleicher expressed concerns regarding this encumbrance request.

Staff recommended the Governing Board approve the encumbrance up to \$484,810, plus any additional savings achieved on purchases completed before September 30, 2019, in remaining FY2019 funds within the Capital Field Equipment Fund to carry forward into FY2020 for future planned expenditures.

A motion was made and seconded to approve staff's recommendation. The motion carried unanimously. (Audio - 00:45:02)

7. Board Encumbrance of Capital Improvements Plan Brooksville Generators

Ms. Michelle Maxey, General Services Bureau chief, provided a presentation regarding the request for board encumbrance for the purchase of generators for the Brooksville office. She provided an overview of existing backup systems, the associated costs related to lost staff time due to power outages and District equipment/systems that would require the use of a generator. Ms. Maxey outlined the requested equipment requirements and the areas of the District that would be serviced.

Secretary Schleicher expressed concerns regarding the purchase of equipment that may have limited use. Mr. John Campbell explained that line outage is more frequent and affects staff's ability to work. He stated the expense for the generators is justified based on the cost of lost staff time.

Staff recommended the Governing Board approve the encumbrance of \$750,000 budgeted in FY2019 to procure generators and installation to outfit Brooksville Buildings 4 and 5 in FY2020 via the Capital Improvements Plan.

A motion was made and seconded to approve staff's recommendation. The motion carried with six in favor and one opposed. (Audio - 00:51:47)

8. Board Encumbrance of Deposit for Sarasota Office Relocation

Mr. John Campbell, Management Services director, provided a presentation regarding the request for Board encumbrance for the Sarasota office relocation. This presentation outlined information related to the sale of the Sarasota office and the leasing of office space.

Secretary Schleicher expressed his concerns regarding this request. He stated his opposition is due to the carry-over of the funds.

Board Member Smith expressed her concerns regarding the sale of the Sarasota building.

Mr. Campbell responded to questions from the Board.

Staff recommended the Governing Board approve the encumbrance of \$78,615 from FY2019 to carry forward into FY2020 for a refundable deposit and any ancillary due diligence costs to hold a property prior to Governing Board consideration of a lease or purchase and sale agreement.

A motion was made and seconded to approve staff's recommendation. The motion carried with five in favor and two opposed. (Audio - 00:58:14)

9. Board Encumbrance of the Tampa Space Utilization Renovations

Ms. Michelle Maxey, General Services Bureau chief, provided a presentation regarding the Board encumbrance for the Tampa office renovations. She provided an overview of the results from the study that was completed in October 2018 to determine staff needs.

Secretary Schleicher expressed his concerns regarding use of the carry over encumbrance.

Staff recommended the Governing Board approve the encumbrance of \$1,450,000 to carry forward into FY2020 to implement alterations and renovations as recommended in the Staff Space Needs Study.

A motion was made and seconded to approve staff's recommendation. The motion carried with six in favor and one opposed. Secretary Schleicher opposed for reasons stated. (Audio - 01:01:02)

23. Office of Inspector General Fiscal Year Ending September 30, 2019 Annual Report

Mr. Brian Werthmiller, inspector general, provided a presentation for the Office of Inspector General Fiscal Year (FY) 2019 annual report. Mr. Werthmiller explained this report is required pursuant to Florida Statute. He stated that this report summarizes the completed work products and other activities associated with the Inspector General office. Mr. Werthmiller explained the Office of Inspector General works independently and reports directly to the Governing Board.

Mr. Werthmiller outlined functions that are performed by the Office of Inspector General, which includes audits, investigations and reviews. He explained that audits are conducted in accordance with the Generally Accepted Government Auditing Standards, also known as the Yellow Book. He explained that investigations are conducted in accordance with the Principles and Standards for Offices of Inspector General, also known as the Green Book. Mr. Werthmiller explained that reviews are performed internally with the purpose of providing feedback or recommendations.

Mr. Werthmiller provided highlights of recommendations from the July 2018 Auditor General report and how they have been addressed.

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

24. Fiscal Year (FY) 2020 Budget Development

Mr. John Campbell, Management Services director, provided a presentation on the FY2020 budget Development update. This presentation included a timeline, overview of goals and outcomes, summary outlining expenditure budget changes, expenditures by categories and programs, summary of revenue budget changes and sources of revenue.

Mr. Campbell responded to questions from the Board.

Staff recommended the Board approve the proposed changes, if any, to the FY2020 budget for adoption at the final budget hearing scheduled to be held on September 24, 2019.

A motion was made and seconded to approve staff's recommendation. The motion carried with six in favor and one opposed. (Audio - 01:19:19)

Submit & File Reports - None

Routine Reports

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

25. Treasurer's Report and Payment Register

26. Monthly Financial Statement

27. Monthly Cash Balances by Fiscal Year

28. Comprehensive Plan Amendment and Related Reviews Report

Committee Chair Rice relinquished the gavel to the Resource Management Committee Chair Smith, who called the meeting to order. (Audio - 01:20:10)

Resource Management Committee

Discussion

29. Consent Item(s) Moved for Discussion

14. Pasco County River Ridge Golf Course and Waters Edge Residential Reclaimed Water Project – Scope of Work Change (N792)

Mr. Jay Hoecker, Water Supply Bureau manager, provided an overview regarding the scope change for project N792.

Secretary Schleicher expressed concerns regarding the process related to changes in scope of work for projects.

Mr. Hoecker explained the original project involved construction of the reclaimed water transmission main for the River Ridge Golf Course and Waters Edge residential community. He stated that project was completed, however, Pasco County (County) was unable to reach a utility service agreement with the golf course. The County was able to reach an agreement with the Water's Edge residential community. Mr. Hoecker explained it will be a different customer but a higher measurable benefit.

Mr. Hoecker responded to questions from the Board Members.

Staff recommended the Board approve the revision to the project title and Cooperative Funding Agreement for the Pasco County River Ridge Golf Course and Waters Edge Residential Reclaimed Water Project to include:

1. Rename the project to the Pasco County River Ridge Country Club and Waters Edge Residential Reclaimed Water Project.
2. Replace all references to the River Ridge Golf Course in the Cooperative Funding Agreement with the River Ridge Country Club.

A motion was made and seconded to approve staff's recommendation. The motion carried with six in favor and one opposed. Secretary Schleicher stated his opposition was due to the process. (Audio - 01:25:18)

30. Five-Year Water Resource Development Work Program

Mr. Hoecker provided a presentation regarding the Five-Year Water Resource Development Work Program. He explained this report is statutorily required and outlined its purpose. Mr. Hoecker stated this report requires that the District identify and describe an implementation strategy for projects identified in the Regional Water Supply Plan.

Mr. Hoecker outlined the three sections in the report and the costs associated with them. These included data collection and analysis activities, water resource development projects and water supply development assistance projects.

Staff recommended the Board authorize staff to submit the proposed Five-Year Water Resource Development Work Program to the Florida Department of Environmental Protection for review.

A motion was made and seconded to approve staff's recommendation. The motion carried unanimously. (Audio - 01:31:22)

31. Fiscal Year 2021 Business Plan Update

Mr. Kevin Wills, senior economist, provided a presentation regarding the Business Plan update for Fiscal Year (FY) 2021. Mr. Wills provided an overview that outlined the purpose, the development process, a summary of the FY2020 business plan, FY2021 drivers, multi-year performance metrics, staffing considerations, resource trends and the next steps going forward.

This item was presented for the Board's information, and no action was required.

32. Polk Regional Water Cooperative (PRWC) Southeast Wellfield – Conceptual Design Third-Party Review (N905)

Mr. Eric DeHaven, Resource Management assistant director, provided an overview of the conceptual design third-party review as related to project N905. Mr. DeHaven explained the intent of the third-party review and the guidelines associated with it. He provided an overview of the Central Florida Water Initiative (CFWI) and outlined the purpose of project N905 and costs associated with it. Mr. DeHaven provided an overview of the findings from the third-party review.

Staff recommended the Board authorize staff to continue with the project preliminary design phase and a second third-party review in accordance with the Cooperative Funding agreement.

Chair Taylor recessed the Governing Board meeting to begin the scheduled FY2020 Final Budget hearing. (Audio - 01:59:23)

Chair Taylor reconvened the Governing Board meeting following the FY2020 Final Budget hearing. Chair Taylor relinquished the gavel to the Resource Management Committee Chair Smith who reconvened the committee meeting. (Audio - 02:10:41)

Secretary Schleicher asked why funds were being utilized from Ad Valorem rather than borrowing money to facilitate this project. Mr. DeHaven stated it has always been the District's position not to incur debt. He added if it is the Board's preference to consider debt alternatives, that can always be considered.

Mr. DeHaven responded to questions from the Board regarding the third-party review.

A motion was made and seconded to approve staff's recommendation. The motion carried with six in favor and one opposed. Secretary Schleicher stated his opposition was related to the magnitude of the project based upon information. (Audio - 02:25:30)

Submit & File Reports – None

Routine Reports

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

33. Minimum Flows and Levels Status Report

34. Significant Water Resource and Development Projects

Chair Smith relinquished the gavel to the Operations, Lands and Resource Monitoring Committee Chair Murphy. (Audio - 02:25:58)

**Operations, Lands and Resource Monitoring Committee
Discussion**

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

36. Hydrologic Conditions

Mr. Granville Kinsman, P.G., Hydrologic Data manager, provided a presentation on the hydrologic conditions. Mr. Kinsman stated that although rainfall for September remained very dry, the 12-month average rainfall was normal to above normal for most of the District. Groundwater levels throughout the District were considered in the normal range but showed declines. Lake levels remained in the normal range in the northern, Tampa Bay, Lake Wales Ridge and Polk Upland regions. Flows on the Withlacoochee and Peace rivers were in the above normal range. Flows on the Hillsborough and Alafia rivers remain above normal but are showing declines. The Bill Young reservoir is at capacity and the Peace River reservoir remains at a healthy level. Mr. Kinsman stated the forecast projects above normal rainfall for the next three months.

Mr. Kinsman stated the tropics are active and staff will continue to monitor.

This item was presented for the Board's information, and no action was required.

37. Surplus Lands Assessment

Mr. Jerry Mallams, P.G., Operations, Lands & Resource Monitoring bureau chief, provided a presentation regarding surplus lands assessment. Mr. Mallams explained the District does routine assessment of District lands to identify properties that can be recommended for surplus in accordance with District policy. He stated that no lands are being recommended for surplus at this time. Mr. Mallams outlined criteria used by staff to guide the assessment of properties. He provided an overview of the assessment process. Mr. Mallams stated that proceeds from the sale of surplus lands are used to purchase additional lands to assist in meeting the District's mission.

This item was presented for the Board's information, and no action was required.

38. Knowledge Management: Sale, Exchange or Conveyance of Interest in Land by the District Governing Board Policy Update

Mr. Mallams provide a presentation regarding the update to the Governing Board policy for the sale, exchange and conveyance of interest in land by the District. He outlined the proposed following changes: 1) change the interval for land assessments from two to five years; 2) allow for closing documents, that don't require Board approval, to be signed by the bureau chief or a delegate; and 3) allow staff to determine the methods for land sales.

Mr. Mallams responded to questions from the Board.

This item was presented for the Board's information, and no action was required.

Submit & File Reports – None

Routine Reports

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

39. Surplus Lands Update

40. Structure Operations

41. Significant Activities

Committee Chair Murphy relinquished the gavel to the Regulation Committee Chair Schleicher, who called the meeting to order. (Audio - 02:54:01)

Regulation Committee

Discussion

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

43. Denials Referred to the Governing Board

No denials were presented.

Submit & File Reports – None

Routine Reports

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

44. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading Equipment Implementation

45. Overpumpage Report

46. Individual Permits Issued by District Staff

Committee Chair Schleicher relinquished the gavel to Chair Taylor. (Audio - 02:54:35)

General Counsel's Report

Discussion

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

Ms. Karen West, general counsel, provided an update regarding the rule challenge for the Rainbow River Minimum Flows and Levels (MFLs). She stated the proposed final orders were filed and she will keep the Board apprised when the final ruling is made.

Ms. West provided an update regarding pending legal action concerning an employment discrimination case and will keep the Board apprised.

Submit & File Reports – None

Routine Reports

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

48. September 2019 Litigation Report

49. September 2019 Rulemaking Update

Committee/Liaison Reports

50. Agricultural and Green Industry Advisory Committee

A written report for the September 5, 2019 meeting.

51. Other Committee/Liaison Reports

Executive Director's Report

52. Executive Director's Report

Mr. Brian Armstrong, executive director, stated the October Board workshop has been rescheduled to December.

Mr. Armstrong informed the Board that the District received the 2019 Outstanding Landowner of the Year award from the Florida Forest Service and Florida State Forests. He stated the District was recognized for its partnership with Operation Outdoor Freedom.

Mr. Armstrong reminded the Board Members it was time for the annual review of the executive director and the inspector general. He provided an overview of the accomplishments.

Chair's Report

53. Executive Director's and Inspector General's Annual Reports

Chair Taylor stated that performance evaluation packets were distributed to the Board and Board Members were asked to follow the instructions in the packets.

54. Chair's Report

Chair Taylor stated that Board committee assignments have been completed and distributed to the Board.

Chair Taylor reiterated that the October Board workshop has been rescheduled to December with the anticipation of additional Board Members appointments.

Chair Taylor informed the Board that the Chassahowitzka/Homosassa Minimum Flows and Levels (MFLs) will be presented at the October meeting.

The next meetings scheduled are as follows: October 22 at 9:00 a.m., in the Brooksville office, November 12 at 9:00 a.m. in the Tampa office and December 10 at 9:00 a.m. in the Brooksville office.

55. Other

56. Employee Milestones

The meeting was adjourned at 6:08 p.m.

Chair

Attest:

Secretary

**Governing Board Meeting
October 22, 2019**

RESOURCE MANAGEMENT COMMITTEE

Discussion Items

18. Consent Item(s) Moved for Discussion	78
19. Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, Florida Administrative Code, to Adopt Minimum Flows for the Chassahowitzka and Homosassa River Systems and Accept Reports	79
20. Project Schedule Adjustments Associated with Governing Board Resolution 18-06 (Amended) – Polk Regional Water Cooperative.....	84

Submit & File Reports – None

Routine Reports

21. Minimum Flows and Levels Status Report	91
22. Significant Water Resource and Development Projects.....	93

RESOURCE MANAGEMENT COMMITTEE

October 22, 2019

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

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

RESOURCE MANAGEMENT COMMITTEE

October 22, 2019

Discussion Item

Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, Florida Administrative Code, to Adopt Minimum Flows for the Chassahowitzka and Homosassa River Systems and Accept Reports

Purpose

To request the Board initiate and approve rulemaking to amend Rule 40D-8.041, Florida Administrative Code (F.A.C.), to adopt revised minimum flows for the Chassahowitzka River/Chassahowitzka Spring Group and Blind Spring, and the Homosassa River/Homosassa Spring Group that were developed as part of the reevaluations of currently established minimum flows for the two river/spring systems, and accept the reports entitled: "Reevaluation of Minimum Flows for the Chassahowitzka River System, Final Draft" and "Reevaluation of Minimum Flows for the Homosassa River System, Final Draft"

Background/History

The Chassahowitzka River System includes the watercourse from the Chassahowitzka Main Springs Complex to the Gulf of Mexico, including contributing tributaries, Blind Springs and all named and unnamed springs that discharge to the river. The Chassahowitzka River and its springshed span portions of Citrus and Hernando Counties. The main stem of the Chassahowitzka River flows approximately 6 miles to the mouth in Chassahowitzka Bay, which is connected to the Gulf of Mexico. For the period of record beginning February 20, 1997 through October 15, 2018, the mean spring flow at the United States Geological Survey (USGS) Chassahowitzka River near Homosassa gage (No. 02310650) was 60 cubic feet per second or 39 million gallons per day. Current groundwater withdrawal impacts result in an approximate 1.4 percent reduction in spring discharge to the Chassahowitzka River System.

The Homosassa River System includes the watercourse from the Homosassa Main Springs Complex to the Gulf of Mexico, including the southeast fork of the Homosassa River, Halls River, Hidden River and all named and unnamed springs that discharge to these rivers. The Homosassa River is within Citrus County, while its springshed includes portions of both Citrus and Hernando Counties. The Homosassa River flows approximately 8 miles to its mouth near Shell Island in the Homosassa Bay region of the Gulf of Mexico. For the period of record beginning October 1, 2000 through October 1, 2018, the mean combined spring flows at the USGS Homosassa Springs at Homosassa Springs Gage (No. 02310678) and USGS SE Fork Homosassa Spring at Homosassa Springs Gage (No. 02310688) was 147 cubic feet per second or 95 million gallons per day. Current groundwater withdrawal impacts result in an approximate 1.9 percent reduction in spring discharge to the Homosassa River System.

District staff submitted draft reports on recommended minimum flows for the Chassahowitzka and Homosassa River Systems to the Governing Board in January 2019 prior to initiation of peer review. These initial minimum flow recommendations required that 92 percent of the natural flow in the Chassahowitzka River System and 95 percent of the natural flow in the Homosassa River System be maintained to prevent significant harm to the water resources and ecology of the area, with natural flow defined as the flow that would exist in the absence of water withdrawals.

The draft reports were subsequently voluntarily submitted to an independent peer review panel. The peer review was conducted in two phases from February through June 2019. The first phase was an initial peer review that culminated in recommendations for changes to the documentation and analyses in the draft reports. The first phase also provided initial conclusions on the technical defensibility of the minimum flow reevaluations. Following submittal of the initial peer review reports, District staff made changes to the draft minimum flows reports and appendices along with providing additional technical documents in response to the recommendations. Three teleconferences were held following revisions, providing the peer review panel with the opportunity to confirm their support for the minimum flow recommendations. Based on the District staff's responses to the panel's comments, provision of additional technical documentation, and the updated minimum flows reports, all of the peer review panel's recommendations have been addressed and resolved, and the panel supported the conclusions presented within the minimum flows reports. All panel meetings, as well as a publicly accessible, internet-based forum set up by the District for panel communication were advertised in the Florida Administrative Register in accordance with Florida's Government-in-the-Sunshine Law. The peer review panel found that the draft reports recommending the minimum flows for the Chassahowitzka River and Homosassa River Systems met relevant statutory requirements and that the analyses were thorough, scientifically reasonable, and based on the best data and information available. As was the case in the minimum flows reports first presented to the peer review panel in January 2019, the revised minimum flows reports recommend requiring that 92 percent of the natural flow in the Chassahowitzka River System and 95 percent of the natural flow in the Homosassa River System be maintained. The revised reports on minimum flows for the Chassahowitzka River and Homosassa River Systems are provided under separate cover.

In addition to the publicly accessible scientific peer review, the District facilitated stakeholder review by hosting a public workshop on June 11, 2019 in Lecanto. District staff have also been meeting and corresponding with individual stakeholders or stakeholder groups over the last several months. All comments and questions from the public workshop and other stakeholder input were reviewed. All stakeholder input is included in an appendix to each draft minimum flows report, and additional stakeholder input received since the draft reports were completed will be provided to the Board at the Governing Board meeting on October 22, 2019.

The recommended minimum flows for the Chassahowitzka River and Homosassa River Systems are protective of all relevant environmental values identified for consideration in the Water Resource Implementation Rule when establishing minimum flows and levels. Allowable reductions from natural flows are 8 percent for the Chassahowitzka Spring Group and 5 percent for the Homosassa Springs Group. Updated groundwater modeling (Northern District Model, Version 5.0) indicates that

springflow declines under 2015 pumping conditions are between approximately one and two percent for both spring groups. Therefore, the proposed minimum flows are currently being met and recovery strategies are currently not required. Similarly, projected water-use demands for 2040 are expected to result in springflow impacts of 1.9 percent for the Chassahowitzka Springs Group and 2.5 percent for the Homosassa Springs Group. Because these projected impacts are less than the allowable 8 percent for the Chassahowitzka and 5 percent for the Homosassa, implementation of additional, specific prevention strategies is also not warranted at this time.

The District is committed to the reevaluation of the minimum flows that are adopted for the Chassahowitzka River and Homosassa River Systems, as necessary, and staff recommends that the minimum flows for the river systems should be evaluated within ten years of their adoption. The proposed rule language for establishment of minimum flows for the Chassahowitzka River and Homosassa River Systems is included as Exhibit "A."

Benefits/Costs

Adoption of minimum flows for the Chassahowitzka River and Homosassa River Systems will support the District's water supply planning, water use permitting, and environmental resource permitting programs. A Statement of Estimated Regulatory Costs is not required for either the Chassahowitzka River System or the Homosassa River System minimum flows, as rulemaking associated with the minimum flows is not expected to result in any direct or indirect cost increases for small businesses or increased regulatory costs in excess of \$200,000 within one year of implementation.

Upon Governing Board approval of the proposed rule language, staff will submit notice to the Governor's Office of Fiscal Accountability and Regulatory Reform (OFARR) and proceed with formal rulemaking without further Board action. If substantive changes are necessary as the result of comments received from the public or reviewing entities such as OFARR or the Joint Administrative Procedures Committee, this matter will be brought back to the Board for consideration.

Staff Recommendation:

- (1) Accept the reports entitled "Reevaluation of Minimum Flows for the Chassahowitzka River System, Final Draft" and "Reevaluation of Minimum Flows for the Homosassa River System, Final Draft"
- (2) Authorize the initiation of rulemaking and approve the proposed rule language for the adoption of amendments to Rule 40D-8.041, Florida Administrative Code, to establish a minimum flow for the Chassahowitzka River and Homosassa River Systems.
- (3) Authorize staff to make any necessary clarifying or minor technical changes that may result from the rulemaking process.

Presenters: Gabe Herrick, Ph.D., Lead Environmental Scientist, Natural Systems & Restoration
Ron Basso, P.G., Chief Hydrogeologist, Water Resources Bureau

40D-8.041 Minimum Flows.

(1) through (15) No change.

(16) Minimum Flow for the Chassahowitzka River System.

(a) For purposes of this rule, the Chassahowitzka River System includes the watercourse from the Chassahowitzka Main Springs Complex to the Gulf of Mexico, including contributing tributaries, ~~Blind Springs~~ and all named and unnamed springs that discharge to the Chassahowitzka River ~~river~~, and Blind Springs.

(b) The Minimum Flow for the Chassahowitzka River System is ~~92%~~ 97% of the natural flow as measured at the United States Geological Survey (USGS) Gage Chassahowitzka River near Homosassa (Gage No. 02310650). Natural flow is defined for the purpose of this rule as the flow that would exist in the absence of water withdrawal impacts. The Minimum Flow is based on an 8% reduction from the natural flow of 61 cubic feet per second, which was adjusted for groundwater withdrawals using hydrologic modeling for the period of record from February 20, 1997, through October 15, 2018, at the USGS Chassahowitzka River near Homosassa, FL Gage No. 02310650. The Minimum Flow at any point downstream from this Gage is measured as the previous day's natural flow at that point minus 3%.

(c) Status assessments of the Minimum Flow for the Chassahowitzka River System will be completed to determine whether the flow is below or projected to fall below the Minimum Flow. Each status assessment is independent from and not a determination of water use permit compliance or environmental resource permit compliance. Permit compliance is a regulatory function that is not within the scope of this subsection. As part of each status assessment, the District will use the following approach:

1. The District will evaluate the Minimum Flow annually to determine the extent to which the flow of the Chassahowitzka River System has been reduced due to withdrawals as of the date of each status assessment at the USGS Chassahowitzka River near Homosassa, FL Gage No. 02310650. The annual evaluation will be completed through a review of:

(a) flow data;

(b) water withdrawals;

(c) aquifer water levels;

(d) rainfall data; and

(e) hydrologic modeling.

2. The District will also evaluate the Minimum Flow every five years as part of the regional water supply planning process. This evaluation will include the use of hydrologic modeling.

3. If the Minimum Flow is being met based on the annual evaluation or the evaluation performed as a part of the regional water supply planning process, then no further actions are required beyond continued monitoring.

4. If the annual evaluation indicates the flow is below the Minimum Flow, or if the flow is projected to fall below the Minimum Flow within 20 years based on the evaluation performed as a part of the regional water supply planning process, the District will conduct a causation analysis to evaluate the potential causes of impacts on the Chassahowitzka River System.

5. Based on the causation analysis, the District will re-evaluate the Minimum Flow for the Chassahowitzka River System, or adopt a recovery or prevention strategy consistent with the provisions of Section 373.0421(2), F.S.

(d) (e) The District will reevaluate the Minimum Flow by December 2029 ~~within six years of adoption of this rule.~~

(17) through (21) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421 FS. History—New 10-5-74, Amended 12-31-74, Formerly 16J-0.15, 40D-1.601, Amended 10-1-84, 8-7-00, 2-6-06, 4-6-06, 1-1-07, 11-25-07, 2-18-08, 3-2-08, 5-12-08, 5-10-09, 3-23-10, 3-28-10, 7-12-10, 8-2-10 (8), 8-2-10 (15), 10-16-12, 3-20-13(16), 3-20-13(17), 6-20-16, 3-15-18, 6-19-18, ____.

40D-8.041 Minimum Flows.

(1) through (16) No change.

(17) Minimum Flow for the Homosassa River System.

(a) For purposes of this rule, the Homosassa River System includes the watercourse from the Homosassa Main Springs Complex to the Gulf of Mexico, including the southeast fork of the Homosassa River, Halls River, Hidden River and all named and unnamed springs that discharge to the Homosassa River ~~these rivers~~.

(b) The Minimum Flow for the Homosassa River System is 95% ~~97%~~ of the combined natural flow as measured at the United States Geological Survey (USGS) Homosassa Springs at Homosassa Springs, FL Gage (No. 02310678), and the USGS SE Fork Homosassa Spring at Homosassa Springs, FL Gage (No. 02310688). Natural flow is defined for the purpose of this rule as the flow that would exist in the absence of water withdrawal impacts. The Minimum Flow is based on a 5% reduction from the combined natural flow of 149 cubic feet per second, which was adjusted for groundwater withdrawals using hydrologic modeling for the period of record from October 1, 2000, through October 1, 2018, at the USGS Homosassa Springs at Homosassa Springs, FL Gage No. 02310678 and the USGS SE Fork Homosassa Spring at Homosassa Springs, FL Gage No. 02310688. ~~The Minimum Flow at any point downstream from these Gages are measured as the previous day's natural flow at that point minus 3%.~~

(c) Status assessments of the Minimum Flow for the Homosassa River System will be completed to determine whether the flow is below or projected to fall below the Minimum Flow. Each status assessment is independent from and not a determination of water use permit compliance or environmental resource permit compliance. Permit compliance is a regulatory function that is not within the scope of this subsection. As part of each status assessment, the District will use the following approach:

1. The District will evaluate the Minimum Flow annually to determine the extent to which the flow of the Homosassa River System has been reduced due to withdrawals as of the date of each status assessment at the USGS Homosassa Springs at Homosassa Springs, FL Gage No. 02310678 and the USGS SE Fork Homosassa Spring at Homosassa Springs, FL Gage No. 02310688. The annual evaluation will be completed through a review of:

(a) flow data;

(b) water withdrawals;

(c) aquifer water levels;

(d) rainfall data; and

(e) hydrologic modeling.

2. The District will also evaluate the Minimum Flow every five years as part of the regional water supply planning process. This evaluation will include the use of hydrologic modeling.

3. If the Minimum Flow is being met based on the annual evaluation or the evaluation performed as a part of the regional water supply planning process, then no further actions are required beyond continued monitoring.

4. If the annual evaluation indicates the flow is below the Minimum Flow, or if the flow is projected to fall below the Minimum Flow within 20 years based on the evaluation performed as a part of the regional water supply planning process, the District will conduct a causation analysis to evaluate the potential causes of impacts on the Homosassa River System.

5. Based on the causation analysis, the District will re-evaluate the Minimum Flow for the Homosassa River System, or adopt a recovery or prevention strategy consistent with the provisions of Section 373.0421(2), F.S.

(d) ~~(e)~~ The District will reevaluate the Minimum Flow by December 2029 ~~within six years of adoption of this rule.~~

(18) through (21) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421 FS. History—New 10-5-74, Amended 12-31-74, Formerly 16J-0.15, 40D-1.601, Amended 10-1-84, 8-7-00, 2-6-06, 4-6-06, 1-1-07, 11-25-07, 2-18-08, 3-2-08, 5-12-08, 5-10-09, 3-23-10, 3-28-10, 7-12-10, 8-2-10 (8), 8-2-10 (15), 10-16-12, 3-20-13(16), 3-20-13(17), 6-20-16, 3-15-18, 6-19-18, __.

RESOURCE MANAGEMENT COMMITTEE

October 22, 2019

Discussion Item

Project Schedule Adjustments Associated with Governing Board Resolution 18-06 (Amended) – Polk Regional Water Cooperative

Purpose

The purpose of this item is to request the Governing Board excuse two project schedule milestone exceedances for the Polk Regional Water Cooperative (PRWC) - West Polk Lower Floridan Aquifer Project (N882) and to excuse an anticipated schedule milestone exceedance for conducting Third-Party Reviews for projects by April 30, 2020, as identified in Governing Board Resolution 18-06.

Background/History

Polk County and the municipal utilities within Polk County primarily utilize traditional groundwater supplies to meet their water supply demand. Polk County lies within the Southern Water Use Caution Area (SWUCA) and the Central Florida Water Initiative (CFWI) where traditional water sources are nearing their sustainable limits and alternative water sources need to be developed to meet the projected demands. As a result, Polk County and the municipalities within Polk County, with the District's encouragement, have created a water supply entity (PRWC) to develop future water supplies.

At the April 28, 2015 meeting, the Governing Board adopted Resolution 15-07 to promote regional cooperation between Polk County and the municipalities within Polk County in developing alternative water supply projects. Resolution No. 15-07 provided that the Governing Board would appropriate \$10,000,000 each year beginning in FY2015 through FY2018 for the development of alternative water supply projects if specific milestones were met. All the milestones contained in Resolution 15-07 were met, including the selection of three projects, and a total of \$40,000,000 was set aside for the PRWC alternative water supply projects. The three projects selected and approved by the PRWC Board and the Governing Board are the West Polk Lower Floridan Aquifer Deep Wells (N882), the Southeast Wellfield (N905), and the Peace Creek Integrated Water Supply Plan (N928). In May 2017 the District transferred \$11,500,000 from the Resolution funds to the first phase of these projects.

At the April 24, 2018 meeting, the Governing Board adopted Resolution 18-06 to continue the practice of annually appropriating funds for these three projects based on meeting certain conditions. These funds would be used for the second phase of the selected project(s) which includes final design, permitting and construction. Resolution 18-06 provides that the Governing Board will appropriate \$5,000,000 per fiscal year from 2019 to 2023 as long as project milestones for each project plan in the funding agreements were met and all milestone dates specifically identified in the resolution were met. Resolution 18-06 was amended by the Governing Board in April 2019 to add a fourth project for feasibility investigation - Peace River/Land Use Transition Treatment Facility and Reservoir Project (Q133).

Amended Resolution 18-06 indicates the following regarding the appropriation of \$5,000,000 for FY2020 funding:

For FY2020, the PRWC shall develop a long-term Conservation Plan including a needs assessment of regional water demands, potential water conservation measures, and

implementation strategies. The PRWC and its Consultant Team must be meeting all scheduled milestones included in the Conservation Plan and in the three original and one additional Phase One project plans through September 30, 2019.

The PRWC and District staff have identified that two project milestones provided in the West Polk Lower Floridan Aquifer Project (N882) project plan were not met by the September 30, 2019 deadline. The two milestones are Task 2.2 - Well Construction and Task 2.3 - Aquifer Performance Testing. Both of these tasks are delayed due to more difficult drilling conditions at the West Polk project site than originally anticipated. Both tasks are now anticipated to be completed by February 28, 2020.

In addition, Amended Resolution 18-06 indicates the following regarding FY2021 funding:

For FY2021, all Phase One Work must be on schedule for each project; an initial third-party review must be conducted for each project by April 30, 2020; and all four projects must be brought to the District's Governing Board by September 30, 2020, to consider project status and further action.

As a result of the drilling conditions delay associated with the West Polk Lower Floridan Aquifer Project (N882), as well as continued water supply availability analysis being performed by the District, PRWC, and Peace River Manasota Regional Water Supply Authority on the Peace River/Land Use Transition Treatment Facility and Reservoir Project (Q133), the April 30, 2020 deadline identified in the amended resolution for conducting third-party reviews is anticipated to be missed. Third-party review for all projects is now anticipated to be completed by August 31, 2020.

To correct these schedule issues and still provide the \$5,000,000 funding incentive to the PRWC for FY2020 and anticipated to be provided in FY2021, the amended resolution indicates that the Governing Board can excuse the schedule lapses. Specifically, the resolution states:

If any action in any given year pertinent to this Amendment and upon which the Governing Board's appropriation of funding is contingent as described herein, is not completed by the date designated herein and not excused by the Governing Board, then funds appropriated pursuant to this amendment for that year will become available for re-appropriation by the Governing Board.

Therefore, staff is recommending the Governing Board excuse the five-month anticipated delay (from September 30, 2019 to February 28, 2020) in the two tasks associated with the West Polk Lower Floridan Aquifer Project (N882). In addition, staff is recommending that the Governing Board excuse the four-month anticipated delay (from April 30, 2020 to August 31, 2020) for completion of all initial third-party reviews on three projects (N882, N928, and Q133). The Southeast Wellfield Lower Floridan Aquifer Project initial third-party review was approved by the Governing Board at the September 2019 meeting. Excusal of these schedule issues will allow the FY2020 funds to be encumbered to the PRWC and keep the FY2021 funds available to the PRWC if all milestones are met by September 30, 2021.

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Staff Recommendation:

- 1) Excuse the schedule delay in the cooperative funding agreement project plan task 2.2 - Well Construction and task 2.3 Aquifer Performance Testing for the West Polk Lower Floridan Aquifer Deep Wells Project (N882);
- 2) Excuse the schedule delay for the completion of third-party reviews associated with three cooperative funding projects (N882, N928, Q133).

Presenter: Eric DeHaven, P.G., Assistant Director, Resource Management Division

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AMENDMENT TO RESOLUTION NO. 18-06
REGARDING THE POLK REGIONAL WATER COOPERATIVE PHASE TWO PROJECTS**

WHEREAS, the Governing Board of the Southwest Florida Water Management District ("District") desires to promote regional cooperation between Polk County and the municipalities within Polk County, collectively referred to as the Polk Regional Water Cooperative ("PRWC"), in developing alternative water supply projects; and

WHEREAS, on May 19, 2015, the District's Governing Board approved Resolution No. 15-07 in furtherance of that goal; and

WHEREAS, on April 26, 2016, the District's Governing Board approved an Amendment to Resolution No. 15-07 to provide additional clarity regarding the selection of and funding for the Central Florida Water Resource Development Project ("the Project"); and

WHEREAS, the terms and conditions of Resolution 15-07 and the Amendment to Resolution 15-07 have been met, including the selection and District Governing Board approval of Phase One for three projects that can provide at least 30 mgd of alternative water supply; and

WHEREAS, the District and PRWC executed Phase One project agreements in August 2017 that are expected to conclude in 2021, when the District and PRWC will determine whether one or more of the projects will move on to Phase Two beginning in 2022 for final design, permitting, and construction of the selected project(s); and

WHEREAS, on April 24, 2018, the District's Governing Board approved Resolution No. 18-06, attached hereto as Exhibit A, to provide Five Million Dollars per year for five years for feasibility studies of the three approved Phase One projects; and

WHEREAS, on March 20, 2019, the PRWC approved a modification to the scope of the three Phase One projects and the addition of the Peace River/Land Use Transition Treatment Facility and Reservoir project ("Peace River Project") to assist in achieving the goal of providing at least 30 mgd of alternative water supply; and

WHEREAS, the District's Governing Board desires to continue to support and promote the PRWC in developing the four alternative water supply and conservation projects.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Southwest Florida Water Management District that the District hereby amends Resolution 18-06 to incorporate the change in scope to the three Phase One projects and the addition of the Peace River Project. The District will budget and encumber Five Million Dollars (\$5,000,000) per year for five fiscal years (FY2019 - FY2023) if the terms listed below are met prior to the end of each fiscal year:

For FY2019, the PRWC and its Consultant Team executed all necessary agreements for Phase One of the original three projects and met all scheduled milestones in each project plan through September 30, 2018;

For FY2020, the PRWC shall develop a long-term Conservation Plan including a needs assessment of regional water demands, potential water conservation measures and implementation strategies. The PRWC and its Consultant Team must be meeting all

scheduled milestones included in the Conservation Plan and in the three original and one additional Phase One project plans through September 30, 2019;

For FY2021, all Phase One work must be on schedule for each project; an initial third-party review must be conducted for each project by April 30, 2020; and all four projects must be brought to the District's Governing Board by September 30, 2020, to consider project status and further action;

For FY2022, for those projects approved for continued scheduled work following the first third-party review, the following conditions shall be completed by September 30, 2021:

Southeast Wellfield project: A second third-party review of the regional transmission system and water treatment facility shall be conducted, and the project shall be brought to the District's Governing Board to consider project status and further action;

West Polk Wellfield project: A second third-party review of the regional transmission system and water treatment facility shall be conducted, and the project shall be brought to the District's Governing Board to consider project status and further action;

Peace Creek Integrated Water Supply project: An integrated water supply plan must be completed. The plan must quantify the available water supplies estimated from groundwater and surface water sources supplemented by wetland restoration, aquifer recharge, stormwater recovery, and reclaimed water use; and

Peace River/Land Use Transition Treatment Facility and Reservoir: The Conceptual Water Use and Feasibility Report ("Report") must be completed. The Report must quantify the available water supplies estimated from surface water and land use transitions and include an evaluation of project feasibility for permitting.

For FY2023, Phase Two funding and water use commitments by the participating PRWC members, all financial planning for the funding of Phase Two, and the implementation agreement(s) for selected project(s) shall be finalized by the PRWC members and approved by the District's Governing Board by September 30, 2022.

BE IT FURTHER RESOLVED that following FY2023, if each of the terms and conditions of this Amendment to Resolution 18-06 have been met, any additional requests for funding of the Project must be submitted to the District through the Cooperative Funding Initiative program, and any agreement between the District and the PRWC required to complete the Project will supersede the provisions of this Amendment. If any action in any given year pertinent to this Amendment and upon which the Governing Board's appropriation of funding is contingent as described herein, is not completed by the date designated herein and not excused by the Governing Board, then funds appropriated pursuant to this Amendment for that year will become available for re-appropriation by the Governing Board. Notwithstanding the foregoing, if all activities upon which the Governing Board's appropriation is contingent have not been completed by September 30, 2022, then all funds previously appropriated pursuant to this Amendment will become available for re-appropriation by the Governing Board.

PASSED and ADOPTED this 23 day of April, 2019, by the Governing Board of the Southwest Florida Water Management District.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: _____

Jeffrey M. Adams, Chair

Attest: _____

Bryan K. Beswick, Secretary

Approved as to Legal Form and Content

Karen E. West
Karen E. West, General Counsel

[SEAL]

Filed this 23 day of April, 2019.

Dennis C. Calkins
Deputy Agency Clerk



CERTIFICATE AS TO AMENDMENT TO RESOLUTION NO. 18-06

STATE OF FLORIDA
COUNTY OF POLK

We, the undersigned, hereby certify that we are, Chair and Secretary, respectively, of the Southwest Florida Water Management District, organized and existing under and by virtue of the Laws of the State of Florida, and having its office and place of business at 2379 Broad Street, Brooksville, Hernando County, Florida, and that, on the 23 day of April, 2019, at a duly called and properly held hearing of the Governing Board of the Southwest Florida Water Management District, at which hearing a majority of the members of the Governing Board were present, the resolution, which is attached hereto and which this certificate is a part thereof, was adopted and incorporated in the minutes of that hearing.

Dated at Haines City, Florida, this 23 day of April, 2019.

SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT

By: 

Jeffrey M. Adams, Chair

Attest: 

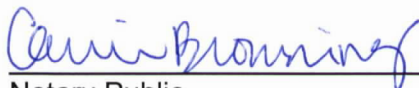
Bryan K. Beswick, Secretary

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 23 day of April, 2019, by Jeffrey M. Adams and Bryan K. Beswick, Chair and Secretary, respectively, of the Governing Board of the Southwest Florida Water Management District, a public corporation, on behalf of the corporation. They are personally known to me.

WITNESS my hand and official seal on this 23 day of April, 2019.

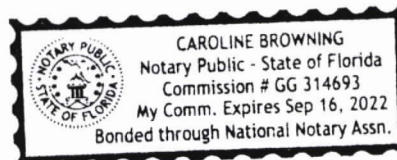


Notary Public

State of Florida at Large

My Commission Expires Sept 16, 2022

GG 314693



RESOURCE MANAGEMENT COMMITTEE

October 22, 2019

Routine Report

Minimum Flows and Levels Status Report

Section 373.042 of the Florida Statutes requires the state water management districts or Department of Environmental Protection (DEP) to establish minimum flows and minimum water levels (MFLs) for aquifers, surface watercourses and other surface water bodies. MFLs are the limit at which further withdrawals would be significantly harmful to the water resources or ecology of the area and are used in District permitting programs and for water-supply planning.

Summary information concerning the status of five major tasks for water bodies scheduled for MFLs adoption by December 2019 is summarized below. Data collection and analyses for priority water bodies scheduled for MFLs adoption in 2020 through 2027 is also ongoing, but is not summarized in this current status report.

MFLs Development Tasks

- Draft MFLs reports are completed for stakeholder review, and in some cases are subjected to independent scientific peer review.
- Independent, scientific peer review is voluntarily initiated and completed for draft reports addressing river, spring and aquifer MFLs. Draft reports for lake and wetland MFLs are not typically subjected to voluntary peer review. The methods used to establish lake and wetland MFLs were, however, peer reviewed prior to those methods being adopted in rule. Voluntary peer review for individual lakes and wetlands may be conducted based on requests from affected stakeholders or by District decision.
- Public workshops are completed to provide opportunities for stakeholders to learn about and provide input on proposed MFLs.
- Final MFLs reports that incorporate peer review findings and stakeholder input are prepared for Governing Board approval.
- Rulemaking for proposed MFLs and any necessary MFLs prevention or recovery strategies is approved by the Governing Board, initiated through legal noticing of proposed rules, and completed with adoption and incorporation of effective MFLs and necessary strategies into District rules.

Status for Water Bodies Scheduled for MFLs Establishment by December 2019 (Recent Status Changes Highlighted)

Water Body	Draft MFLs Report	Independent , Scientific Peer Review	Public Workshop	Final MFLs Report	Rulemaking
Allen, Lake ^a	Completed	Completed ^b	Completed	Approved	Completed
Brant Lake ^a	Completed	Completed ^b	Completed	Approved	Completed
Dosson, Lake ^a	Completed	Completed ^b	Completed	Approved	Completed
Harvey, Lake ^a	Completed	Completed ^b	Completed	Approved	Completed

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Sunshine, Lake ^a	Completed	Completed ^b	Completed	Approved	Completed
Virginia, Lake ^a	Completed	Completed ^b	Completed	Approved	Completed
Pierce, Lake ^a	Completed	Completed ^b	Completed	Approved	Completed
Calm Lake	Completed	Completed ^b	Completed		
Charles, Lake	Completed	Completed ^b	Completed		
Church Lake	Completed	Completed ^b	Completed		
Echo Lake	Completed	Completed ^b	Completed		
Linda, Lake	Completed	Completed ^b	Completed		
Pasco Lake		Completed ^b			
Sapphire, Lake	Completed	Completed ^b	Completed		
20 Northern Tampa Bay Wetlands	Completed	Completed ^b	Completed		
Chassahowitzka River	Completed	Completed	Completed		
Chassahowitzka Spring Group	Completed	Completed	Completed		
Blind Spring	Completed	Completed	Completed		
Homosassa River	Completed	Completed	Completed		
Homosassa spring Group	Completed	Completed	Completed		
Rainbow River	Completed	Completed	Completed	Approved	Initiated
Rainbow Spring Group	Completed	Completed	Completed	Approved	Initiated

^a Scheduled for completion in 2018.

^b Peer review completed for lake and wetland MFLs methods.

Staff Recommendation:

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

Presenter: Doug Leeper, MFLs Program Lead, Environmental Flows and Assessments Section

RESOURCE MANAGEMENT COMMITTEE

October 22, 2019

Routine Report

Significant Water Resource and Development Projects

This report provides information on significant Resource Management projects and programs in which the Governing Board is participating in funding. The report provides a brief description and status of significant activities associated with the project that have recently occurred or are about to happen.

SWUCA Recovery Project at Flatford Swamp and Hydrologic Restoration

The project investigates the feasibility of using excess water from Flatford Swamp recharged into the Upper Floridan Aquifer that would reduce the rate of saltwater intrusion inland and help restore hydroperiods. A water budget model comparing existing and historic conditions within Flatford Swamp was developed to determine the amount of excess water that could be captured for a beneficial use. Several preliminary scenarios for removal of excess water from the swamp have been evaluated such as a feasibility study to determine Mosaic's potential uses for excess water from Flatford Swamp. The Feasibility Study with Mosaic was finalized in March 2013 but determined unfeasible. Staff researched an injection option at Flatford for the excess water to recharge the aquifer and discussed the need for more information on the Avon Park formation at the swamp. A pre-application meeting with Florida Department of Environmental Protection (FDEP) was held on February 25, 2016. Draft Class V, Group 2 Injection Well permit application was issued by FDEP approximately a year later. The feasibility study memorandum is complete. Staff has presented to the Agricultural\Green Industry, Environmental, Well Drillers and Public Supply Advisory Committees. Also, staff had outreach presentations to the Manatee Chamber Environmental Committee, Myakka River Coordinating Council, and the Florida Groundwater Association Board. Governing Board approved at their April meeting to proceed with the test well project. The successful consultant from the Request for Proposal for the test well project was the Jones Edmunds & Associates (JEA) team. The successful bidder for the drilling RFB was Rowe Drilling. Both the consultant and driller agreements were executed, and kick-off meetings were held on February 22, 2018. Rowe Drilling requested and was approved to drill on a 24-hour, five days a week schedule to bring the drilling back on schedule. Rowe had to drill deeper than originally estimated to fully characterized the Upper Floridan Aquifer. The permit submittal for final recharge well casing depths has been approved by FDEP based on information from the completed Phase 1 tasks. The recharge well and monitor wells are complete. Rowe Drilling is demobilizing the site. Jones Edmunds and Associates (JEA) continues work on the design and permitting of the diversion infrastructure. Rowe has demobilized from the site. The drilling is complete. The project received its FDEP Environmental Resource Permit and is waiting on the US Army Corps of Engineers on permit review for the diversion infrastructure. Procurement is working on draft request for bid for construction of the diversion infrastructure. The Project Team continues to develop the recharge testing project plan. ***New Activities Since Last Meeting:*** No changes since last meeting.
Project Manager: Lisann Morris

Lower Hillsborough River MFLs Recovery Strategy - Implementation

At its August 2007 meeting, the Governing Board established minimum flows and approved a recovery strategy for the lower Hillsborough River (LHR). The recovery strategy was adopted as required by statute, because flows in the LHR were below the established minimum flows. The recovery strategy includes a number of projects to divert water from various sources to help meet the minimum flows. Projects planned or completed under the recovery strategy, funded

through a Joint Funding Agreement with the City of Tampa (COT), include diversions of water from Sulphur Springs, Blue Sink, the Tampa Bypass Canal (TBC), and Morris Bridge Sink. All projects are constructed and are operating except for the Morris Bridge Sink project. In October 2017, the District completed design for the Morris Bridge Pumping facility, but construction has not begun pending the outcome of analysis the COT is performing associated with the Tampa Augmentation Project (TAP). In addition, the COT, with District co-funding, has completed the LHR Dam Control Gate Facilities (N492) project which constructed a new sluice gate in the dam to allow the city to pass the full quantity of water needed to meet minimum flows. In December 2017 the COT began operation of the temporary pump stations at the District's S-161 site and at the Hillsborough River Dam site. The COT has received Water Use Permit (WUP) No. 20020802 from the District for the operation of these pump stations. In summary, all activities and projects proposed in the adopted recovery strategy are either underway, completed, or have been determined to not be viable. Important components of the recovery strategy are currently in operation, including the use of Sulphur Springs, Blue Sink, LHR Dam Control Gate Facilities, and the TBC as recovery flow sources, and results from recent years suggest that the desired goal of creating low salinity habitat below the dam can be sustained through minimum flows implementation. The District and the COT continue to work cooperatively to determine how the MFL will be impacted through the proposed COT TAP. The COT has met with District staff and is pursuing additional coordination regarding minimum flow requirements to support the updating of their minimum flow operating procedures. The biological and water quality sampling data collected in association with WUP No. 20020574 for MBS were submitted in June 2019. Vegetation and wildlife monitoring required for WUP No. 20020574 was conducted in June 2019, and the report was submitted to the District in July 2019. The City of Tampa submitted the final quarterly status report in July 2019. The annual LHR recovery strategy update was provided to the Governing Board in August 2019. District staff are coordinating with stakeholders for the draft five-year assessment report required by rule. ***New Activities Since Last Meeting:*** No changes since last meeting. ***Project Managers:*** Danielle Rogers

Aquifer Recharge Projects

City of Clearwater - Groundwater Replenishment Project - Phase 3

This ongoing project is temporarily on hold. Work was previously completed on an advanced water purification pilot plant test and one groundwater recharge injection site. Results from the water purification plant pilot tests and injection well testing demonstrated that this project would be successful in allowing the City to increase their reclaimed water utilization, reducing surface discharges; and improving groundwater levels in the Northern Tampa Bay Water Use Caution Area. Phase 3 of this project is the design, third-party review, permitting and construction of the full-scale water purification plant and the injection and monitor well systems to recharge the Upper Floridan aquifer with 2.4 mgd annual average of purified recycled water at Clearwater's Northeast Water Reclamation Facility. Public outreach is also a critical function throughout the design and construction of this project. The original CFI contract with the City for this project was executed in January 2016. An increase in the total project cost from \$28,680,000 to \$32,716,000, was requested at the District's September 27, 2016 Governing Board Meeting based on results of a 30 percent design and third-party review. The Board approved the City's request to move forward with final design and construction and authorized a contract amendment for the project (current budget of \$32,716,000 with the District funding a total of \$16,358,000). This contract amendment was executed on March 6, 2017. Of the District's contribution, \$1,554,000 was approved in FY2015, \$2,131,600 was approved in FY2016, and \$8,000,000 was approved in FY2018. The remaining \$4,672,400 is to be requested in future funding applications. The final design is complete. Three public meetings were conducted by the City between November 2016 and May 2017. The Florida Department of Environmental Protection (FDEP) permits for the advanced water purification plant and recharge and

concentrate injection wells were issued on March 30, 2018 and August 17, 2018, respectively. Site development permits, including the FDEP Environmental Resource Permit, Florida Department of Transportation permit, City and County permits are also complete and issued except for naming the chosen general construction contract engineer. This process can only be completed following completion of the project bidding procedures. The City requested a delay to complete a master water plan to assess their existing and potential future water system and supply. This analysis will provide options for improving treatment efficiencies and cost-effective measures to maintain future drinking-water supplies. To release the budgeted construction funds and to allow the City the necessary time to complete their master water plan evaluation, it was decided that the current CFI Agreement would need to be amended. On May 21, 2019, the Governing Board approved the District staff recommendation of reducing the project scope to only include 30 percent design, third-party review, final design, permitting and public outreach at a total project cost of \$2,989,819 and a District share of \$1,494,909 by deleting construction related tasks and associated funds. District staff are currently developing and executing the contract amendment. ***New Activities Since Last Meeting:*** The City of Clearwater anticipates bringing the amended contract to their City Council for final approval at their November 7 meeting. *Project Manager: Robert Peterson*

Pasco County - Reclaimed Water Natural Systems Treatment and Restoration Project

Pasco County, in partnership with the Southwest Florida Water Management District (District), has constructed a system of groundwater recharge wetlands on the 4G Ranch in central Pasco County to receive reclaimed water for groundwater recharge. The total project cost (N666), split equally between County and the District, was \$14,300,966. The facility consists of 175 acres of constructed wetlands divided into fifteen (15) cells planted with native wetland vegetation. Each cell is operated independently through a valve manifold that includes flow control valves and flow meters and operated based on water elevation setpoints. These water level setpoints should change monthly based on recommendations defined in the Operation and Maintenance Manual to achieve a wetland hydroperiod that mimics natural Florida wetlands, with high levels in the summer wet season and lower levels in the winter dry season. Furthermore, it is expected that the infiltration that can be achieved is a function of the water level in each cell which provides driving hydraulic head for infiltration into the groundwater. The need for recharge together with the need to maintain healthy wetland vegetative communities must be balanced and optimized to ensure project success and achieve the most benefit out of this facility.

A follow-up three-year project (N943), began in 2018 to compile and review available applicable operational data to evaluate impacts to the local groundwater system, optimize system performance, and estimate future operational trends. The total cost of this project is \$280,000, split equally between the County and the District. As part of this project, an operational groundwater model of the site will be developed using the information from the consultant combined with the data that County staff is currently collecting. This operational groundwater model will be used to estimate potential future system infiltration rates, impacts and benefits to the Upper Floridan aquifer, and future operational conditions. Consultant scientists will perform biannual vegetation surveys of the 15 cells constructed on the 4G Ranch to assess the performance of the wetlands against the setpoints. The surveys will be completed through photo-interpretation of low-altitude, high resolution photography obtained by the County to determine wetland vegetation cover of each cell. A technical memorandum that includes the results of both the hydrogeologic review and the vegetation hydroperiod review will be provided. This technical memorandum will include recommendations for changes to the monthly water elevation setpoints that will both maximize groundwater recharge while maintaining healthy wetland vegetative communities. The optimization effort (N943) is on schedule and moving forward. The annual progress technical memo for one year has been completed and received by the District. The completion letter for N666 was received by the District, final payment was made, and the project has been marked as complete. The optimization effort (N943) is ongoing

in its second year. ***New Activities Since Last Meeting:*** No changes since last meeting. Since the N666 design and construction project is complete, this will be the last routine report on the project status and this project will not be included in the November 2019 and later Routine Reports. *Project Manager: Mike Hancock*

South Hillsborough County Aquifer Recharge Program (SHARP)

This is a direct aquifer recharge pilot project to evaluate directly recharging the non-potable zone of the UFA with up to 2 mgd of highly treated reclaimed water at the Hillsborough County's Big Bend facility near Apollo Beach in southern Hillsborough County (County). The goal of the project is to improve water levels within the Most Impacted Area of the Southern Water Use Caution Area and possibly slow the rate of inland movement of saltwater intrusion in the area. The pilot testing program includes permitting, installing a recharge well and associated monitor wells, assessing aquifer characteristics, performing recharge testing, evaluating water level improvements, migration of the recharge water and metals mobilization, and conducting public outreach. The County's consultant submitted the well construction permit application for authorization to install the test recharge well and monitoring wells on December 20, 2011. Design and preparation of bid documents were completed in early July 2012; a request for bids was released the week of July 16, 2012, with responses received in August 2012. Construction contract with the contractor (A.C. Schultes of Florida, Inc.) was approved by the County on April 3, 2013. The recharge well was completed in December 2013 with an open-hole diameter of 14.75 inches, 780 feet of casing, and a total depth of 1,100 feet. The County received a letter from FDEP on July 13, 2015 authorizing recharge operations to begin. ***New Activities Since Last Meeting:*** Recharge testing and monitoring continued during the months of August and September at an average recharge rate of 2.5 mgd. Estimated injection volume for September was not available at the time this update was prepared. Total recharge volume through August is approximately 3133.9 MG gallons since the beginning of the project. *Project Manager: Don Ellison*

City of Tampa, Tampa Augmentation Project (TAP)

This project is a study that will explore the cost and feasibility of two options to beneficially use reclaimed water from the Howard F. Curren Advanced Wastewater Treatment Plant (HFCAWTP). The first alternative concept involves transmitting reclaimed water to the Lower Hillsborough Wilderness Preserve Area and delivering water through created wetlands and/or rapid infiltration basins (RIBs) to the Tampa Bypass Canal. This alternative was found infeasible and the project focus went to the second alternative. The second alternative concept evaluates a recharge/recovery system to store and recover reclaimed water (and possibly stormwater) in the aquifer for delivery to the Hillsborough River Reservoir and possibly in the future directly to the David L Tippen Water Treatment Plant. The City has developed their stakeholder outreach plan, completed their route and regulatory/institutional analysis memorandums. The City is currently testing the recharge/recovery concept at an existing aquifer storage and recovery site. A No Cost Time Extension amendment is being routed to allow for finalization of the more complex memoranda covering modeling and water quality treatment. A draft Florida Department of Environmental Protection Underground Injection Well permit application was prepared. Additional feasibility tasks have been identified as a result of this first phase and the City has submitted a revised Cooperative Funding Application to request funding for Fiscal Year 2019. No Cost Time Extension was executed extending the contract completion date to the end of August 2018. The City withdrew their underground injection control permit for the entire TAP project and will continue discussions with FDEP on permitting aspects of the overall project. In the interim, the City plans to move forward and develop a permit application for the Rome Avenue site for testing with potable water. The City decided to fund 30 percent design activities for some of the TAP infrastructure. The Phase I Feasibility Study is complete and closed. Phase 2 Feasibility Study kick-off meeting was held on January 30, 2019. The Memorandum of Understanding with Tampa Bay Water was tabled until June 2020 when the Phase 2 TAP

Feasibility Study is anticipated to have additional answers. Meanwhile, the City initiated recovery at the TAP-1 well collecting water quality samples. The City is working through the Rome Avenue Underground Injection Control permit with Florida Department of Environmental Protection that will use potable water in the test. A kick-off meeting was held on the Rome Avenue test well site on July 17, 2019. Testing will be done with potable water with data inputting into the SEAWAT model to predict disposition of the reclaimed water injection. The City's consultant continues to work on the test well and the source reduction plans. **New Activities Since Last Meeting:** No changes since last meeting. *Project Manager: Lisann Morris*

Water Incentives Supporting Efficiency (WISE) Program

This is a cost-share program that supports and promotes water conservation with non-agricultural water users. It will provide a streamlined project implementation/application process and reach cooperators that might not otherwise implement smaller conservation projects. The program was presented to the Governing Board on November 13, 2018 and officially launched December 1, 2018. Funds budgeted for FY2019 total \$50,000 and will allow for a minimum of three projects to receive funding. A communications plan has been developed to help promote the new program. Funds are still available and outreach is ongoing. **New Activities Since Last Meeting:** To date, a total of five projects have been funded. Of the \$50,000 budgeted, \$47,854 have been committed to conservation projects and \$2,146 are currently available for the remainder of FY2019. Total estimated water savings for all the FY2019 projects will be approximately 8,500 gpd. There are an additional six applications under review that are awaiting additional information and inspection. The budget for WISE in FY2020 is \$100,000. *Project Manager: Josh Madden*

Polk County Regional Water Cooperative Southeast Wellfield Project

Polk County lies within the Southern Water Use Caution Area (SWUCA) and the Central Florida Water Initiative (CFWI) where traditional water sources are nearing their sustainable limits and alternative water sources need to be developed to meet the projected demands. As a result, Polk County and the municipalities within Polk County, with the District's encouragement, have created a regional water supply entity, the Polk Regional Water Cooperative (PRWC), to develop future alternative water supplies (AWS). The Southeast Wellfield project is one of four PRWC projects that are utilizing funds from District Resolution 15-07 for the feasibility and design of new AWS sources. The project consists of the development of a wellfield to supply brackish groundwater from the Lower Floridan aquifer (LFA), a reverse osmosis water treatment facility with capacity expandable to 30 mgd, and a regional transmission system to serve multiple municipalities in Polk County. The current CFI Agreement with the Polk Regional Water Cooperative (PRWC) includes the following tasks: an LFA test well study including exploratory drilling and groundwater modeling for anticipated aquifer yield and water quality, the conceptual designs of the water treatment facility and regional transmission system, a District-led third-party review of the test well study and conceptual designs, pilot water treatment testing, preliminary (30 percent) designs of the treatment facility and regional transmission system, a second District-led third-party review of the preliminary designs, and a preliminary water rate analysis for PRWC member customers. The preliminary designs and water rate analysis will assist the District and PRWC in determining member participation in the final design and construction, as well as developing funding plans and timelines for implementation. The CFI Agreement was executed in April 2017 with a total cost of \$11,800,000. The District's 50 percent share was provided by a transfer from funds reserved by Governing Board Resolution 15-07. In April 2019, the Governing Board approved reducing the project cost to \$11,117,916 to utilize savings from the testing program to fund the PRWC Peace River/Land Use Transition study. The project cost was amended to \$11,117,916 in July 2019 to transfer funds to the PRWC Peace River/Land Use Transition study. The exploratory drilling was conducted on a county-owned land parcel approximately 10 miles east of Lake Wales and was substantially completed in April 2019. The

Item 22

parcel is proposed as the future site for the water treatment facility. The water treatment facility and wellfield conceptual design was developed with a 7.5 mgd production capacity in its initial phase and six incremental expansions up to a total of 30 mgd, based on projected customer needs and practical components for the facility. The regional transmission conceptual design evaluated multiple routes to ten customer service areas by cost and nine other criteria. The report drafts from the testing program and the conceptual designs of the water treatment facility and regional transmission system were received in July 2019. The District's third-party review of the groundwater testing and conceptual designs was presented to the Governing Board at the September 2019 meeting, and the continuance with the preliminary design phase was approved. *Project Manager: John Ferguson*

Staff Recommendation:

This item is provided for the Committee's information, and no action is required.

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

**Governing Board Meeting
October 22, 2019**

FINANCE/OUTREACH & PLANNING COMMITTEE
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FINANCE/OUTREACH & PLANNING COMMITTEE

October 22, 2019

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Michael Molligan, Division Director, Employee and External Relations

FINANCE/OUTREACH & PLANNING COMMITTEE

October 22, 2019

Discussion Item

Investment Strategy Quarterly Update

Purpose

Provide quarterly update of the investment portfolio.

Background

In accordance with Board Policy, *District Investment Policy*, a quarterly investment report shall include the following:

1. A listing of individual securities by class and type held at the end of the reporting period.
2. Percentage of available funds represented by each investment type.
3. Coupon, discount, or earning rate.
4. Average life or duration and final maturity of all investments.
5. Par value and market value.
6. In addition to the standard gross-of-fee-performance reporting that is presented, net-of-fee performance will be provided by the Investment Manager.
7. A summary of District's investment strategy.
8. The year-end quarterly report ended September 30th will show performance on both a book value and total rate of return basis and will compare the results to the portfolio's performance benchmarks. All investments shall be reported at fair value per GASB standards. Investment reports shall be available to the public.

Attachment will be provided under a separate cover.

Staff Recommendation:

Accept and place on file the District's Quarterly Investment Reports for the quarter ended September 30, 2019.

Presenters: John J. Campbell, Division Director, Management Services and
Melisa J. Lowe, Bureau Chief, Finance

FINANCE/OUTREACH & PLANNING COMMITTEE

October 22, 2019

Consent Agenda

Annual Review and Approval of the District's Investment Policy

Background

The Policy requires a review of the District's Investment Policy within sixty (60) days following the end of each fiscal year and approval of any modifications made thereto. Fiscal year 2018-19 ended September 30, 2019 and a review is required. The policy has been reviewed by management and its investment advisory firm and there are no recommended modifications.

Benefits

By reviewing and updating the District's Investment Policy within sixty (60) days following the end of the fiscal year, the Governing Board and management will be in compliance with the Investment Policy.

Staff Recommendation:

Approve and accept the recommendation for no modifications to Board Policy, *Investments*.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

BOARD POLICY

Southwest Florida Water Management District

Title: Investments

Document Owner: Finance Bureau Chief

Approved By: Jeffrey M Adams, Board Chair

Effective Date: 11/13/2018

Last Review Date: 09/01/2018

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PURPOSE

The purpose of this Investment Policy (hereinafter "Policy") is to set forth the investment objectives and parameters for the management of the funds of the Southwest Florida Water Management District (hereinafter "District"). This Policy is designed to ensure the prudent management of public funds, the availability of operating and capital funds when needed, and an investment return competitive with comparable funds and financial market indices.

SCOPE

This policy shall apply to all funds in excess of current operating expenses and shall be in compliance with Section 218.415, Florida Statutes, with the exception of funds related to the issuance of debt where there are other existing policies or indentures in effect for such funds.

AUTHORITY

This policy is governed by the Governing Board and Sections 218.415, 280.02, 658.12, 11.45 Florida Statutes.

DEFINITIONS

Committee. The Finance/Outreach and Planning Committee of the Governing Board or Board Chair appointed Ad Hoc Committee specifically authorized to act as the Committee for a quantified period of time.

Designee. The Finance Bureau Chief or the Accounting Manager provided they have sufficient investment management education and understanding.

District. Southwest Florida Water Management District.

Division Director. The Management Services Division Director.

Investment Manager. A third-party person or entity having the responsibility for providing advice regarding the management of the Investment Portfolio and executing transactions in the Investment Portfolio. The District may have one or more Investment Managers.

Investment Portfolio. The portion of the District's Portfolio recommended by the Committee and approved by the Governing Board for investment pursuant to Section X of this Policy.

Liquidity Portfolio. The portion of the District's Portfolio managed internally by District staff. This portion of the portfolio is limited to the security types described in Section X (a), (b),(c),(d),(i), and (o) of this Policy. The requirements of Section X for each of these security types will apply with the further restriction that security maturities in this portfolio may not exceed twelve (12) months.

Policy. The District's Investment Policy.

Portfolio. The total cash, investments, and other funds held by the District under the District's control.

Third-party Custodian. Any bank depository chartered by the federal government, the State of Florida, or any other state or territory of the United States which has a branch or principal place of business in the State of Florida, or by a national association organized and existing under the laws of the United States which is authorized to accept and execute trusts, and which is doing business in the State of Florida.

Attachments: Please see attachment A for a glossary of cash and investment Management Terms.

STANDARDS

The following standards shall apply:

1. **Ethical Standards.** Governing Board members and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Governing Board members and employees involved in the investment process shall disclose to the District any material financial interests in financial institutions that conduct business with the District, and any material personal financial/investment positions that could be related to the performance of the Portfolio.

2. **Standard of Prudence.** The standard of prudence to be used by investment officials, who are officers or employees of the District, shall be the "Prudent Person Rule" and shall be applied in the context of managing the Portfolio. Investment officers acting in accordance with written procedures and this Policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectation are reported to the Executive Director and the Committee in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this Policy. The "Prudent Person Rule" states the following:

Investments should be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived from the investment.

While the standard of prudence to be used by investment officials who are officers or employees of the District is the "Prudent Person Rule," any person or firm hired or retained to invest, monitor, or advise concerning these assets shall be held to the higher standard of "Prudent Expert." The Prudent Expert Standard requires the advisor to act with the care, skill, prudence, and diligence, under the circumstances then prevailing, that a prudent investment expert acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims, provided, however that this standard of care shall in no case be, or be interpreted to be, less stringent or less restrictive than any investment standard or standards, now in effect or included by amendment effective in the future, prescribed for investments by Florida law.

3. **Fiduciary Standard.** The Southwest Florida Water Management District recognizes its fiduciary responsibility to manage and safeguard the assets of the District. An effective cash management program is essential to good fiscal management.

POLICY

I. INVESTMENT OBJECTIVES:

The investment objectives of the District's Policy, in order of priority, are to provide safety of capital, liquidity of funds, and the optimal rate of return on investments at the time of investment.

1. **Safety of Capital** – The safety of capital is the foremost objective of the District's Policy. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital. The objective will be to mitigate credit risk and interest rate risk. Investment transactions shall seek to keep capital losses at a minimum, whether they are from securities defaults or erosion of market value. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
 - (a) **Credit Risk** – The District will minimize credit risk of loss due to the failure of the security by:
 - i. Limiting investments to the authorized investments in the Policy.
 - ii. Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisers with which the District will do business.
 - iii. Diversifying the Investment Portfolio to protect against losses on individual securities.

- (b) **Interest Rate Risk** – The District will minimize the risk that the market value of securities in the Investment Portfolio will fall due to changes in general interest rates by:
- i. Structuring the Investment Portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.
 - ii. Investing operating funds (non-short-term and long-term funds) primarily in shorter-term securities, Florida PRIME, money market mutual funds or interest-bearing time deposits, or savings accounts.
2. **Liquidity of Funds** – The Portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This will be accomplished by structuring the Portfolio so that securities mature concurrent with cash needs so as to meet anticipated demands. Furthermore, since all possible cash demands cannot be anticipated, the Investment Portfolio should consist largely of securities with active secondary markets. A portion of the Portfolio should be placed in investments that offer same-day liquidity for short-term funds, such as the Florida PRIME or money market mutual funds. Periodic cash-flow analyses will be completed in order to ensure that the portfolios are positioned to provide sufficient liquidity.
3. **Optimal Rate of Return** – The Investment Portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. Investment return is attempted through active management where the District utilizes a total return strategy, which includes both realized and unrealized gains and losses in the Portfolio. This total return strategy seeks to increase the value of the Investment Portfolio through reinvestment of income and capital gains. Return on investment for the portion of the District's Investment Portfolio that is passively managed is attempted by selecting an authorized investment that provides an optimal yield given the requirements within the Policy, while meeting the District's anticipated liquidity needs. Investments are limited to those relatively low-risk securities authorized in the anticipation of earning a fair return relative to the risk being assumed. Securities may be purchased at a premium or traded for other securities to improve yield, maturity, or credit risk. For these transactions, a loss may be incurred for accounting purposes to achieve relative value based on its potential to enhance the total return of the Investment Portfolio.

II. DELEGATION OF AUTHORITY:

The District's Governing Board shall be responsible for approving changes to the District's Policy. The responsibility for providing guidance and approval of the District's investment strategy, within the parameters of the Policy, resides with the Committee. The management responsibility for all District funds in the Portfolio and investment transactions is delegated to the Division Director or, in the absence of the Division Director, to the Designee. The Division Director or the Designee will be responsible for managing the Liquidity Portfolio. The Investment Manager shall provide active management for the District's designated funds. The Investment Manager must be registered under the Investment Advisors Act of 1940. The Division Director shall establish written procedures for the operation of the Investment Portfolio and a system of internal accounting and administrative controls to regulate the activities of employees.

III. PERFORMANCE MEASUREMENT:

In order to assist in the evaluation of the Portfolio's performance, the District will use performance benchmarks for the short-term and long-term portfolios. The use of benchmarks will allow the District to measure its returns against other investors in the same markets. Performance calculations will not include any balances invested in the overnight sweep accounts. A benchmark should not be chosen that will induce the individual making the investment to take on undue risk in order to outperform the benchmark.

- (a) A short-term index such as the 3, 6, or 12 Month U.S. Treasury Bill Index or S&P Rated GIP Index Government 30 Day Gross Yield will be used as a benchmark for comparison with the Portfolio's net book value rate of return for current operating funds (short-term portfolio). The duration of the index should be similar to that of the short-term portfolio for performance comparison.
- (b) Investment performance of funds designated as Core Funds and other non-operating funds that have a longer-term investment horizon (long-term portfolio) will be compared to the ICE Merrill Lynch 1-3 Year U.S. Treasury/Agency Note Index and ICE Merrill Lynch 1-5 Year U.S. Treasury/Agency Note Index. The appropriate index will have a duration and asset mix that approximates that of the Investment Portfolio and will be utilized as a benchmark to be compared to the Investment Portfolio's total rate of return. The District can choose different performance benchmarks if the investment strategy for the Investment Portfolio changes.

IV. MATURITY AND LIQUIDITY:

Investments shall be structured in such manner as to provide sufficient liquidity to pay obligations of the District in a timely manner. The Division Director, or Designee, shall sufficiently allocate resources to the short- and long-term investment portfolios. Maturity and average life are measured from settlement date. The final maturity date can be based on any mandatory call, put, pre-refunding date, or other mandatory redemption date.

- (a) **Operating Funds** (Short-Term Investment Portfolio). To the extent possible, an attempt will be made to match investment maturities with known cash needs and anticipated cash-flow requirements. Investments of current operating funds shall have maturities of no longer than thirty-six (36) months.
- (b) **Core Funds** (Long-Term Investment Portfolio). Investments of reserves, project funds, and other non-operating funds ("Core Funds") shall have a final maturity appropriate to the need for funds, but in no event shall exceed five (5) years. The average duration of the Core Funds as a whole shall not exceed three (3) years.

V. AUTHORIZED INVESTMENTS AND PORTFOLIO COMPOSITION:

Investments should be made subject to the District's cash-flow needs. Such cash-flows are subject to revisions as market conditions and the District's needs change. However, when the invested funds are needed in whole or in part for the purpose originally intended or for more optimal investments, the Division Director may sell or request that the Investment Manager sell the investment at the then-prevailing market price and place the proceeds into the proper account at the District's custodian.

The following table contains the investment requirements and allocation limits on security types, issuers, and maturities, as established by the District. The Division Director shall have the option to further restrict investment percentages based on market conditions, risk, and diversification investment strategies. The percentage allocation requirements for investment types and issuers are calculated based on the market value of each investment at the time of purchase. Investments not listed in this Policy are prohibited. In the event of a ratings downgrade of a security, the Investment Manager shall notify the Division Director within five business days of such a decline in the required rating. The Investment Manager and the Division Director will review the individual facts and circumstances of the situation and determine an appropriate course of action.

	Security Type	Minimum Rating Requirement	Maturity Limits	Maximum Allocation Limit	Maximum Issuer Limit
(a)	Florida PRIME	AAAm	N/A	50%	N/A
(b)	United States Government Securities	N/A	5 Years	100%	N/A
(c)	United States Government Agencies (full faith and credit of the United States Government)	N/A	5 Years	50%	25%
(d)	Federal Instrumentalities (United States Government Sponsored Enterprises ("GSE") which are non-full faith and credit).*	N/A	5 Years	50%	40%
(e)	Mortgage-Backed Securities (MBS) *	N/A	5 Years	30%	20%
(f)	Non-Negotiable Interest Bearing Time Deposits or Savings Accounts	N/A	1 Years	25%	15%
(g)	State and/or Local Government Taxable and/or Tax-Exempt Debt	Single "A" category by two NRSROs**	5 Years	25%	10%
(h)	Registered Investment Companies (Money Market Mutual Funds)	AAAm	N/A	50%	25%
(i)	Registered Investment Companies (Mutual Funds)	AAAf	N/A	25%	15%
(j)	Repurchase Agreements	N/A	90 Days	50%	25%
(k)	Bankers' Acceptances	Highest rating by two NRSROs**	180 Days	35%	10%
(l)	Commercial Paper***	Highest rating by two NRSROs**	270 Days	35%	10%
(m)	Corporate Notes***	single "A" category by any two NRSROs**	5 Years	35%	5%
(n)	Intergovernmental Investment Pool	AAAm	N/A	25%	N/A

*The combined maximum amount of available funds invested in Federal Instrumentalities and mortgage-backed securities will not exceed fifty percent (50%).

**National Recognized Statistical Rating Organization (NRSRO).

***The maximum amount of corporate investments will not exceed forty percent (40%). Therefore, the combination of Section (l) Commercial Paper and Section (m) Corporate Notes shall not exceed forty percent (40%). Corporate Notes are limited to 15% per industry.

Additional details about the requirements for each security type in the table above are provided in Attachment C: Security Type Purchase and Allocation Guidelines.

VI. RISK AND DIVERSIFICATION:

Assets held shall be diversified to the extent practicable to control the risk of loss resulting from over-concentration of assets in a specific maturity, issuer, instrument, dealer, or bank through which financial instruments are bought and sold. Diversification strategies within the established guidelines shall be reviewed and revised periodically by the Committee.

VII. DERIVATIVES AND REVERSE REPURCHASE AGREEMENTS:

Investment in any derivative products or the use of reverse repurchase agreements is prohibited. A "derivative" is defined as a financial instrument the value of which depends on, or is derived from, the value of one or more underlying assets, indices, or asset values.

VIII. AUTHORIZED INVESTMENT INSTITUTIONS AND DEALERS:

The Division Director (or Designee) shall only purchase securities from financial institutions that are qualified as public depositories by the Chief Financial Officer of the State of Florida or from private securities brokers/dealers designated as "primary dealers" by the Federal Reserve Bank of New York. Qualified public depositories may provide the services of a securities dealer through a Section 20 subsidiary of the financial institution or from direct issuers of commercial paper and bankers' acceptances.

The Investment Manager shall utilize and maintain its own list of approved primary and non-primary dealers.

IX. THIRD-PARTY CUSTODIAL AGREEMENTS:

The Division Director will execute a Third-Party Custodial Safekeeping Agreement with a commercial bank, which is separately chartered by the United States government or the State of Florida. All securities purchased and/or collateral obtained, with the exception of certificates of deposits, by the Division Director or Designee shall be properly designated as an asset of the District and held in safekeeping by the bank and no withdrawal of such securities, in whole or in part, shall be made from safekeeping, except by an authorized Finance Bureau staff member. The Third-Party Custodial Safekeeping Agreement shall include letters of authority from the Division Director, details as to responsibilities of each party, notification of security purchases, sales, delivery, wire transfers, safekeeping, and transaction costs, and procedures in case of wire failure or other unforeseen mishaps, including liability of each party.

The custodian shall accept transaction instructions only from those persons who have been duly authorized by the District and which authorization has been provided, in writing, to the custodian. No withdrawal of securities, in whole or in part, shall be made from safekeeping, unless by such a duly authorized person.

The custodian shall provide the Division Director or Designee with monthly statements that provide detail information on the securities held by the custodian. Security transactions between authorized investment institutions and dealers and the custodian involving the purchase or sale of securities by transfer of money or securities must be made on a "delivery versus payment" basis, if applicable, to ensure that the custodian will have the security or money, as appropriate, in hand at the conclusion of the transaction. Securities held as collateral shall be held free and clear of any liens. Certificates of deposits will be placed in the provider's safekeeping department for the term of the deposit.

X. MASTER REPURCHASE AGREEMENT:

The District will require all approved institutions and dealers transacting repurchase agreements to execute and perform as stated in the Securities Industry and Financial Markets Association (SIFMA) Master Repurchase Agreement. All repurchase agreement transactions will adhere to requirements of the SIFMA Master Repurchase Agreement.

XI. COMPETITIVE SELECTION:

After the Division Director, Designee, or Investment Manager, has determined the approximate maturity date based on cash-flow needs and market conditions and has analyzed and selected one or more optimal types of investments, a minimum of three (3) authorized investment institutions or dealers must be contacted and asked to provide bids/offers on securities in question. Bids will be held in confidence until the bid/offer deemed to best meet the investment objectives is determined and selected.

However, if obtaining bids/offers are not feasible and appropriate, securities may be purchased utilizing the comparison to current market price method on an exception basis. Acceptable current market price providers include, but are not limited to the following:

- 1) TradeWeb
- 2) Bloomberg Financial System
- 3) Wall Street Journal or a comparable recognized financial publication
- 4) Daily market pricing provided by the District's custodian bank or correspondent institutions

The Division Director or the Investment Manager shall utilize the competitive bid process to select the securities to be purchased or sold. Selection by comparison to a current market price, as indicated above, shall only be utilized when in judgment of the Division Director or the Investment Manager, competitive bidding would inhibit the selection process.

Examples of when this method may be used include:

- A. When time constraints due to unusual circumstances preclude the use of the competitive bidding process.
- B. When no active market exists for the issue being traded due to the age or depth of the issue.
- C. When a security is unique to a single dealer, for example, a private placement.
- D. When the transaction involves new issues or issues in the "when issued" market.

Overnight sweep investments or repurchase agreements will not be bid but may be placed with the District's depository bank relating to the demand account for which the sweep investments or repurchase agreements were purchased.

XII. INTERNAL CONTROLS:

The Division Director and/or Designee shall establish a system of internal controls and operational procedures. The internal control structure shall be designed to provide reasonable assurance that the assets of the District are protected from loss, theft or misuse that might arise from fraud,

employee error, misrepresentation by third parties, or imprudent actions by District employees. The internal control structure will be reviewed during the annual financial audit conducted by independent auditors.

The Division Director will report any non-compliance with the District's Policy or adopted investment strategy to the Inspector General, Executive Director, General Counsel, and Chair of the Committee immediately upon becoming aware of the situation.

XIII. CONTINUING EDUCATION:

The Division Director and Designee shall complete eight (8) hours of continuing education annually in subjects or courses of study related to investment practices and products.

XIV. REPORTING:

The Division Director shall report at least quarterly to the Executive Director and the Governing Board, and shall provide quarterly investment reports. Schedules in the quarterly report shall include, but not be limited to, the following:

1. A listing of individual securities by class and type held at the end of the reporting period
2. Percentage of available funds represented by each investment type
3. Coupon, discount, or earning rate
4. Average life or duration and final maturity of all investments
5. Par value and market value
6. In addition to the standard gross-of-fee-performance reporting that is presented, net-of-fee performance will be provided by the Investment Manager
7. A summary of District's investment strategy
8. The year-end quarterly report ended September 30th will show performance on both a book value and total rate of return basis and will compare the results to the above-stated performance benchmarks. All investments shall be reported at fair value per GASB standards. Investment reports shall be available to the public.

XV. SECURITIES DISPOSITION:

Every security purchased on behalf of the District must be properly earmarked and, if in book entry form, must be held for the credit of the District by a depository chartered by the federal government, the state, or any other state or territory of the United States which has a branch or principal place of business in the State of Florida as defined in Section 658.12, Florida Statutes, or by a national association organized and existing under the laws of the United States which is authorized to accept and execute trusts and which is doing business in the State of Florida, and must be kept by the depository in an account separate and apart from the assets of the financial institution.

XVI. PREEMPTION:

Any provision of any special act, municipal charter, or other law which prohibits or restricts the District from complying with Section 218.415, Florida Statutes, or any rules adopted under Section 218.415, Florida Statutes, is void to the extent of the conflict.

XVII. AUDITS:

Certified public accountants conducting audits of the District pursuant to Section 11.45, Florida Statutes, shall report, as part of the audit, whether or not the District has complied with Section 218.415, Florida Statutes.

XVIII. INVESTMENT POLICY ADOPTION:

This Policy shall be adopted by the Governing Board.

DISTRIBUTION

This procedure will be stored in the Governing Board's Procedure repository.

REFERENCES

Sections 218.415, 280.02, 658.12, 11.45, Florida Statutes
Third-Party Custodial Safekeeping Agreement
Attachment A: Glossary of Cash and Investment Management Terms
Attachment B: Investment Pool/Fund Questionnaire
Attachment C: Security Type Purchase and Allocation Guidelines

PERIODIC REVIEW

The Division Director and the Committee shall review this Policy within sixty (60) days following the end of each fiscal year and the Governing Board shall approve any modification made thereto.

Attachment A

Glossary of Cash and Investment Management Terms

The following is a glossary of key investing terms, many of which appear in the Southwest Florida Water Management District's investment policy. This glossary clarifies the meaning of investment terms generally used in cash and investment management. This glossary has been adapted from the GFOA Sample Investment Policy and the Association of Public Treasurers of the United States and Canada's Model Investment Policy.

Accrued Interest. Interest earned but which has not yet been paid or received.

Agency. See "Federal Agency Securities."

Ask Price. Price at which a broker/dealer offers to sell a security to an investor. Also known as "offered price."

Asset Backed Securities (ABS). A fixed-income security backed by notes or receivables against assets other than real estate. Generally issued by special purpose companies that "own" the assets and issue the ABS. Examples include securities backed by auto loans, credit card receivables, home equity loans, manufactured housing loans, farm equipment loans, and aircraft leases.

Average Life. The average length of time that an issue of serial bonds and/or term bonds with a mandatory sinking fund feature is expected to be outstanding.

Bankers' Acceptance (BA's). A draft or bill of exchange drawn upon and accepted by a bank. Frequently used to finance shipping of international goods. Used as a short-term credit instrument, bankers' acceptances are traded at a discount from face value as a money market instrument in the secondary market on the basis of the credit quality of the guaranteeing bank.

Basis Point. One hundredth of one percent, or 0.01%. Thus 1% equals 100 basis points.

Bearer Security. A security whose ownership is determined by the holder of the physical security. Typically, there is no registration on the issuer's books. Title to bearer securities is transferred by delivery of the physical security or certificate. Also known as "physical securities."

Benchmark Bills. In November 1999, FNMA introduced its Benchmark Bills program, a short-term debt securities issuance program to supplement its existing discount note program. The program includes a schedule of larger, weekly issues in three- and six-month maturities and biweekly issues in one-year for Benchmark Bills. Each issue is brought to market via a Dutch (single price) auction. FNMA conducts a weekly auction for each Benchmark Bill maturity and accepts both competitive and non-competitive bids through a web-based auction system. This program is in addition to the variety of other discount note maturities, with rates posted on a daily basis, which FNMA offers. FNMA's Benchmark Bills are unsecured general obligations that are issued in book-entry form through the Federal Reserve Banks. There are no periodic payments of interest on Benchmark Bills, which are sold at a discount from the principal amount and payable at par at maturity. Issues under the Benchmark program constitute the same credit standing as other FNMA discount notes; they simply add organization and liquidity to the short-term Agency discount note market.

Benchmark Notes/Bonds. Benchmark Notes and Bonds are a series of FNMA "bullet" maturities (non-callable) issued according to a pre-announced calendar. Under its Benchmark Notes/Bonds

program, 2, 3, 5, 10, and 30-year maturities are issued each quarter. Each Benchmark Notes new issue has a minimum size of \$4 billion, 30-year new issues having a minimum size of \$1 billion, with re-openings based on investor demand to further enhance liquidity. The amount of non-callable issuance has allowed FNMA to build a yield curve in Benchmark Notes and Bonds in maturities ranging from 2 to 30 years. The liquidity emanating from these large size issues has facilitated favorable financing opportunities through the development of a liquid overnight and term repo market. Issues under the Benchmark program constitute the same credit standing as other FNMA issues; they simply add organization and liquidity to the intermediate- and long-term Agency market.

Benchmark. A market index used as a comparative basis for measuring the performance of an investment portfolio. A performance benchmark should represent a close correlation to investment guidelines, risk tolerance, and duration of the actual portfolio's investments.

Bid Price. Price at which a broker/dealer offers to purchase a security from an investor.

Bond. Financial obligation for which the issuer promises to pay the bondholder (the purchaser or owner of the bond) a specified stream of future cash-flows, including periodic interest payments and a principal repayment.

Book Entry Securities. Securities that are recorded in a customer's account electronically through one of the financial markets electronic delivery and custody systems, such as the Fed Securities wire, DTC, and PTC

(as opposed to bearer or physical securities). The trend is toward a certificate-free society in order to cut down on paperwork and to diminish investors' concerns about the certificates themselves. The vast majority of securities are now book entry securities.

Book Value. The value at which a debt security is reflected on the holder's records at any point in time. Book value is also called "amortized cost" as it represents the original cost of an investment adjusted for amortization of premium or accretion of discount. Also called "carrying value." Book value can vary over time as an investment approaches maturity and differs from "market value" in that it is not affected by changes in market interest rates.

Broker/Dealer. A person or firm transacting securities business with customers. A "broker" acts as an agent between buyers and sellers and receives a commission for these services. A "dealer" buys and sells financial assets from its own portfolio. A dealer takes risk by owning inventory of securities, whereas a broker merely matches up buyers and sellers. See also "Primary Dealer."

Bullet Notes/Bonds. Notes or bonds that have a single maturity date and are non-callable.

Call Date. Date at which a call option may be or is exercised.

Call Option. The right, but not the obligation, of an issuer of a security to redeem a security at a specified value and at a specified date or dates prior to its stated maturity date. Most fixed-income calls are a par but can be at any previously established price. Securities issued with a call provision typically carry a higher yield than similar securities issued without a call feature. There are three primary types of call options (1) European – one-time calls, (2) Bermudan – periodically on a predetermined schedule (quarterly, semi-annual, annual), and (3) American – continuously callable at any time on or after the call date. There is usually a notice period of at least 5 business days prior to a call date.

Callable Bonds/Notes. Securities which contain an imbedded call option giving the issuer the right to redeem the securities prior to maturity at a predetermined price and time.

Certificate of Deposit (CD). Bank obligation issued by a financial institution generally offering a fixed rate of return (coupon) for a specified period of time (maturity). Can be as long as 10 years to maturity, but most CDs purchased by public agencies are one year and under.

Collateral. Investment securities or other property that a borrower pledges to secure repayment of a loan, secure deposits of public monies, or provide security for a repurchase agreement.

Collateralization. Process by which a borrower pledges securities, property, or other deposits for securing the repayment of a loan and/or security.

Collateralized Mortgage Obligation (CMO). A security that pools together mortgages and separates them into short, medium, and long-term positions (called tranches). Tranches are set up to pay different rates of interest depending upon their maturity. Interest payments are usually paid monthly. In "plain vanilla" CMOs, principal is not paid on a tranche until all shorter tranches have been paid off. This system provides interest and principal in a more predictable manner. A single pool of mortgages can be carved up into numerous tranches each with its own payment and risk characteristics.

Commercial Paper. Short term unsecured promissory note issued by a company or financial institution. Issued at a discount and matures for par or face value. Usually a maximum maturity of 270 days and given a short-term debt rating by one or more NRSROs.

Convexity. A measure of a bond's price sensitivity to changing interest rates. A high convexity indicates greater sensitivity of a bond's price to interest rate changes.

Corporate Note. A debt instrument issued by a corporation with a maturity of greater than one year and less than ten years.

Counterparty. The other party in a two-party financial transaction. "Counterparty risk" refers to the risk that the other party to a transaction will fail in its related obligations. For example, the bank or broker/dealer in a repurchase agreement.

Coupon Rate. Annual rate of interest on a debt security, expressed as a percentage of the bond's face value.

Current Yield. Annual rate of return on a bond based on its price. Calculated as (coupon rate / price) but does not accurately reflect a bond's true yield level.

Custody. Safekeeping services offered by a bank, financial institution, or trust company, referred to as the "custodian." Service normally includes the holding and reporting of the customer's securities, the collection and disbursement of income, securities settlement, and market values.

Dealer. A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his/her own account.

Delivery Versus Payment (DVP). Settlement procedure in which securities are delivered versus payment of cash, but only after cash has been received. Most security transactions, including those through the Fed Securities Wire system and DTC, are done DVP as a protection for both the buyer and seller of securities.

Depository Trust Company (DTC). A firm through which members can use a computer to arrange for securities to be delivered to other members without physical delivery of certificates. A member of the Federal Reserve System and owned mostly by the New York Stock Exchange, the Depository Trust Company uses computerized debit and credit entries. Most corporate securities, commercial paper, CDs, and Bas clear through DTC.

Derivatives. (1) Financial instruments whose return profile is linked to, or derived from, the movement of one or more underlying index or security, and may include a leveraging factor, or (2) financial contracts based upon notional amounts whose value is derived from an underlying index or security (interest rates, foreign exchange rates, equities, or commodities). For hedging purposes, common derivatives are options, futures, interest rate swaps, and swaptions. All Collateralized Mortgage Obligations (CMOs) are derivatives.

Derivative Security. Financial instrument created from, or whose value depends upon, one or more underlying assets or indexes of asset values.

Designated Bond. FFCB's regularly issued, liquid, non-callable securities that generally have a 2 or 3-year original maturity. New issues of Designated Bonds are \$1 billion or larger. Re-openings of existing Designated Bond issues are generally a minimum of \$100 million. Designated Bonds are offered through a syndicate of two to six dealers. Twice each month the Funding Corporation announces its intention to issue a new Designated Bond, reopen an existing issue, or to not issue or reopen a Designated Bond. Issues under the Designated Bond program constitute the same credit standing as other FFCB issues; they simply add organization and liquidity to the intermediate- and long-term Agency market.

Discount Notes. Unsecured general obligations issued by Federal Agencies at a discount. Discount notes mature at par and can range in maturity from overnight to one year. Very large primary (new issue) and secondary markets exist.

Discount Rate. Rate charged by the system of Federal Reserve Banks on overnight loans to member banks. Changes to this rate are administered by the Federal Reserve and closely mirror changes to the "fed funds rate."

Discount Securities. Non-interest bearing money market instruments that are issued at discount and redeemed at maturity for full face value. Examples include: U.S. Treasury Bills, Federal Agency Discount Notes, Bankers' Acceptances, and Commercial Paper.

Discount. The amount by which a bond or other financial instrument sells below its face value. See also "Premium."

Diversification. Dividing investment funds among a variety of security types, maturities, industries, and issuers offering potentially independent returns.

Dollar Price. A bond's cost expressed as a percentage of its face value. For example, a bond quoted at a dollar price of 95 $\frac{1}{2}$, would have a principal cost of \$955 per \$1,000 of face value.

Duff & Phelps. One of several NRSROs that provide credit ratings on corporate and bank debt issues.

Duration. The weighted average maturity of a security's or portfolio's cash-flows, where the present values of the cash-flows serve as the weights. The greater the duration of a security/portfolio, the greater its percentage price volatility with respect to changes in interest rates. Used as a measure of risk and a key tool for managing a portfolio versus a benchmark and for

hedging risk. There are also different kinds of duration used for different purposes (e.g. MacAuley Duration, Modified Duration).

Fannie Mae. See “Federal National Mortgage Association.”

Fed Money Wire. A computerized communications system that connects the Federal Reserve System with its member banks, certain U. S. Treasury offices, and the Washington D.C. office of the Commodity Credit Corporation. The Fed Money Wire is the book entry system used to transfer cash balances between banks for themselves and for customer accounts.

Fed Securities Wire. A computerized communications system that facilitates book entry transfer of securities between banks, brokers and customer accounts, used primarily for settlement of U.S. Treasury and Federal Agency securities.

Fed. See “Federal Reserve System.”

Federal Agency Security. A debt instrument issued by one of the Federal Agencies. Federal Agencies are considered second in credit quality and liquidity only to U.S. Treasuries.

Federal Agency. Government sponsored/owned entity created by the U.S. Congress, generally for the purpose of acting as a financial intermediary by borrowing in the marketplace and directing proceeds to specific areas of the economy considered to otherwise have restricted access to credit markets. The largest Federal Agencies are GNMA, FNMA, FHLMC, FHLB, FFCB, SLMA, and TVA.

Federal Deposit Insurance Corporation (FDIC). Federal agency that insures deposits at commercial banks, currently to a limit of \$250,000 per depositor per bank.

Federal Farm Credit Bank (FFCB). One of the large Federal Agencies. A government sponsored enterprise (GSE) system that is a network of cooperatively-owned lending institutions that provides credit services to farmers, agricultural cooperatives and rural utilities. The FFCBs act as financial intermediaries that borrow money in the capital markets and use the proceeds to make loans and provide other assistance to farmers and farm-affiliated businesses. Consists of the consolidated operations of the Banks for Cooperatives, Federal Intermediate Credit Banks, and Federal Land Banks. Frequent issuer of discount notes, agency notes and callable agency securities. FFCB debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance to the U.S. financial system and agricultural industry. Also, issues notes under its “designated note” program.

Federal Funds (Fed Funds). Funds placed in Federal Reserve Banks by depository institutions in excess of current reserve requirements, and frequently loaned or borrowed on an overnight basis between depository institutions.

Federal Funds Rate (Fed Funds Rate). The interest rate charged by a depository institution lending Federal Funds to another depository institution. The Federal Reserve influences this rate by establishing a “target” Fed Funds rate associated with the Fed’s management of monetary policy.

Federal Home Loan Bank System (FHLB). One of the large Federal Agencies. A government sponsored enterprise (GSE) system, consisting of wholesale banks (currently twelve district banks) owned by their member banks, which provides correspondent banking services and credit to various financial institutions, financed by the issuance of securities. The principal purpose of the FHLB is to add liquidity to the mortgage markets. Although FHLB does not directly fund

mortgages, it provides a stable supply of credit to thrift institutions that make new mortgage loans. FHLB debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance to the U.S. financial system and housing market. Frequent issuer of discount notes, agency notes and callable agency securities. Also, issues notes under its "global note" and "TAP" programs.

Federal Home Loan Mortgage Corporation (FHLMC or "Freddie Mac"). One of the large Federal Agencies. A government sponsored public corporation (GSE) that provides stability and assistance to the secondary market for home mortgages by purchasing first mortgages and participation interests financed by the sale of debt and guaranteed mortgage backed securities. FHLMC debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance to the U.S. financial system and housing market. Frequent issuer of discount notes, agency notes, callable agency securities, and MBS. Also, issues notes under its "reference note" program.

Federal National Mortgage Association (FNMA or "Fannie Mae"). One of the large Federal Agencies. A government sponsored public corporation (GSE) that provides liquidity to the residential mortgage market by purchasing mortgage loans from lenders, financed by the issuance of debt securities and MBS (pools of mortgages packaged together as a security). FNMA debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance to the U.S. financial system and housing market. Frequent issuer of discount notes, agency notes, callable agency securities and MBS. Also issues notes under its "benchmark note" program.

Federal Reserve Bank. One of the 12 distinct banks of the Federal Reserve System.

Federal Reserve System (the Fed). The independent central bank system of the United States that establishes and conducts the nation's monetary policy. This is accomplished in three major ways: (1) raising or lowering bank reserve requirements, (2) raising or lowering the target Fed Funds Rate and Discount Rate, and (3) in open market operations by buying and selling government securities. The Federal Reserve System is made up of twelve Federal Reserve District Banks, their branches, and many national and state banks throughout the nation. It is headed by the seven-member Board of Governors known as the "Federal Reserve Board" and headed by its Chairman.

Financial Industry Regulatory Authority, Inc. (FINRA). A private corporation that acts as a self-regulatory organization (SRO). FINRA is the successor to the National Association of Securities Dealers, Inc. (NASD). Though sometimes mistaken for a government agency, it is a non-governmental organization that performs financial regulation of member brokerage firms and exchange markets. The government also has a regulatory arm for investments, the Securities and Exchange Commission (SEC).

Fiscal Agent/Paying Agent. A bank or trust company that acts, under a trust agreement with a corporation or municipality, in the capacity of general treasurer. The agent performs such duties as making coupon payments, paying rents, redeeming bonds, and handling taxes relating to the issuance of bonds.

Fitch Investors Service, Inc. One of several NRSROs that provide credit ratings on corporate and municipal debt issues.

Floating Rate Security (FRN or "floater"). A bond with an interest rate that is adjusted according to changes in an interest rate or index. Differs from variable-rate debt in that the

changes to the rate take place immediately when the index changes, rather than on a predetermined schedule. See also "Variable Rate Security."

Freddie Mac. See "Federal Home Loan Mortgage Corporation."

Ginnie Mae. See "Government National Mortgage Association."

Global Notes: Notes designed to qualify for immediate trading in both the domestic U.S. capital market and in foreign markets around the globe. Usually large issues that are sold to investors worldwide and therefore have excellent liquidity. Despite their global sales, global notes sold in the U.S. are typically denominated in U.S. dollars.

Government National Mortgage Association (GNMA or "Ginnie Mae"). One of the large Federal Agencies. Government-owned Federal Agency that acquires, packages, and resells mortgages and mortgage purchase commitments in the form of mortgage-backed securities. Largest issuer of mortgage pass-through securities. GNMA debt is guaranteed by the full faith and credit of the U.S. government (one of the few agencies that are actually full faith and credit of the U.S. government).

Government Securities. An obligation of the U.S. government backed by the full faith and credit of the government. These securities are regarded as the highest quality of investment securities available in the U.S. securities market. See "Treasury Bills, Notes, Bonds, and SLGS."

Government Sponsored Enterprise (GSE). Privately owned entity subject to federal regulation and supervision, created by the U.S. Congress to reduce the cost of capital for certain borrowing sectors of the economy such as students, farmers, and homeowners. GSEs carry the implicit backing of the U.S. government, but they are not direct obligations of the U.S. government. For this reason, these securities will offer a yield premium over U.S. Treasuries. Examples of GSEs include: FHLB, FHLMC, FNMA, and SLMA.

Government Sponsored Enterprise Security. A security issued by a Government Sponsored Enterprise. Considered Federal Agency Securities.

Index. A compilation of statistical data that tracks changes in the economy or in financial markets.

Interest-Only (IO) STRIP. A security based solely on the interest payments from the bond. After the principal has been repaid, interest payments stop and the value of the security falls to nothing. Therefore, IOs are considered risky investments. Usually associated with mortgage-backed securities.

Internal Controls. An internal control structure ensures that the assets of the entity are protected from loss, theft, or misuse. The internal control structure is designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that 1) the cost of a control should not exceed the benefits likely to be derived and 2) the valuation of costs and benefits requires estimates and judgments by management. Internal controls should address the following points:

1. **Control of collusion.** Collusion is a situation where two or more employees are working in conjunction to defraud their employer.
2. **Separation of transaction authority from accounting and record keeping.** A separation of duties is achieved by separating the person who authorizes or performs the transaction from the people who record or otherwise account for the transaction.

3. **Custodial safekeeping.** Securities purchased from any bank or dealer including appropriate collateral (as defined by state law) shall be placed with an independent third party for custodial safekeeping.
4. **Avoidance of physical delivery securities.** Book-entry securities are much easier to transfer and account for since actual delivery of a document never takes place. Delivered securities must be properly safeguarded against loss or destruction. The potential for fraud and loss increases with physically delivered securities.
5. **Clear delegation of authority to subordinate staff members.** Subordinate staff members must have a clear understanding of their authority and responsibilities to avoid improper actions. Clear delegation of authority also preserves the internal control structure that is contingent on the various staff positions and their respective responsibilities.
6. **Written confirmation of transactions for investments and wire transfers.** Due to the potential for error and improprieties arising from telephone and electronic transactions, all transactions should be supported by written communications and approved by the appropriate person. Written communications may be via fax if on letterhead and if the safekeeping institution has a list of authorized signatures.
7. **Development of a wire transfer agreement with the lead bank and third-party custodian.** The designated official should ensure that an agreement will be entered into and will address the following points: controls, security provisions, and responsibilities of each party making and receiving wire transfers.

Inverse Floater. A floating rate security structured in such a way that it reacts inversely to the direction of interest rates. Considered risky as their value moves in the opposite direction of normal fixed-income investments and whose interest rate can fall to zero.

Investment Advisor. A company that provides professional advice managing portfolios, investment recommendations, and/or research in exchange for a management fee.

Investment Adviser Act of 1940. Federal legislation that sets the standards by which investment companies, such as mutual funds, are regulated in the areas of advertising, promotion, performance reporting requirements, and securities valuations.

Investment Grade. Bonds considered suitable for preservation of invested capital, including bonds rated a minimum of Baa3 by Moody's, BBB- by Standard & Poor's, or BBB- by Fitch. Although "BBB" rated bonds are considered investment grade, most public agencies cannot invest in securities rated below "A."

Liquidity. Relative ease of converting an asset into cash without significant loss of value. Also, a relative measure of cash and near-cash items in a portfolio of assets. Additionally, it is a term describing the marketability of a money market security correlating to the narrowness of the spread between the bid and ask prices.

Local Government Investment Pool (LGIP). An investment by local governments in which their money is pooled as a method for managing local funds, (e.g., Florida State Board of Administration's Florida Prime Fund).

Long-Term Core Investment Program. Funds that are not needed within a one-year period.

Market Value. The fair market value of a security or commodity. The price at which a willing buyer and seller would pay for a security.

Mark-to-market. Adjusting the value of an asset to its market value, reflecting in the process unrealized gains or losses.

Master Repurchase Agreement. A widely accepted standard agreement form published by the Securities Industry and Financial Markets Association (SIFMA) that is used to govern and document Repurchase Agreements and protect the interest of parties in a repo transaction.

Maturity Date. Date on which principal payment of a financial obligation is to be paid.

Medium Term Notes (MTN's). Used frequently to refer to corporate notes of medium maturity (5-years and under). Technically, any debt security issued by a corporate or depository institution with a maturity from 1 to 10 years and issued under an MTN shelf registration. Usually issued in smaller issues with varying coupons and maturities and underwritten by a variety of broker/dealers (as opposed to large corporate deals issued and underwritten all at once in large size and with a fixed coupon and maturity).

Money Market. The market in which short-term debt instruments (bills, commercial paper, bankers' acceptance, etc.) are issued and traded.

Money Market Mutual Fund (MMF). A type of mutual fund that invests solely in money market instruments, such as: U.S. Treasury bills, commercial paper, bankers' acceptances, and repurchase agreements. Money market mutual funds are registered with the SEC under the Investment Company Act of 1940 and are subject to "rule 2a-7" which significantly limits average maturity and credit quality of holdings. MMF's are managed to maintain a stable net asset value (NAV) of \$1.00. Many MMFs carry ratings by a NRSRO.

Moody's Investors Service. One of several NRSROs that provide credit ratings on corporate and municipal debt issues.

Mortgage Backed Securities (MBS). Mortgage-backed securities represent an ownership interest in a pool of mortgage loans made by financial institutions, such as savings and loans, commercial banks, or mortgage companies, to finance the borrower's purchase of a home or other real estate. The majority of MBS are issued and/or guaranteed by GNMA, FNMA, and FHLMC. There are a variety of MBS structures with varying levels of risk and complexity. All MBS have reinvestment risk as actual principal and interest payments are dependent on the payment of the underlying mortgages which can be prepaid by mortgage holders to refinance and lower rates or simply because the underlying property was sold.

Mortgage Pass-Through Securities. A pool of residential mortgage loans with the monthly interest and principal distributed to investors on a pro-rata basis. The largest issuer is GNMA.

Municipal Note/Bond. A debt instrument issued by a state or local government unit or public agency. The vast majority of municipals are exempt from state and federal income tax, although some non-qualified issues are taxable.

Mutual Fund. Portfolio of securities professionally managed by a registered investment company that issues shares to investors. Many different types of mutual funds exist (e.g., bond, equity, and money market funds); all except money market funds operate on a variable net asset value (NAV).

Negotiable Certificate of Deposit (Negotiable CD). Large denomination CDs (\$100,000 and larger) that are issued in bearer form and can be traded in the secondary market.

Net Asset Value. The market value of one share of an investment company, such as a mutual fund. This figure is calculated by totaling a fund's assets including securities, cash, and any accrued earnings, then subtracting the total assets from the fund's liabilities, and dividing this total by the number of shares outstanding. This is calculated once a day based on the closing price for each security in the fund's portfolio. (See below.)

$$[(\text{Total assets}) - (\text{Liabilities})]/(\text{Number of shares outstanding})$$

NRSRO. A "Nationally Recognized Statistical Rating Organization" (NRSRO) is a designated rating organization that the SEC has deemed a strong national presence in the U.S. NRSROs provide credit ratings on corporate and bank debt issues. Only ratings of a NRSRO may be used for the regulatory purposes of rating. Includes Moody's, S&P, Fitch, and Duff & Phelps.

Offered Price. See also "Ask Price."

Open Market Operations. A Federal Reserve monetary policy tactic entailing the purchase or sale of government securities in the open market by the Federal Reserve System from and to primary dealers in order to influence the money supply, credit conditions, and interest rates.

Par Value. The face value, stated value, or maturity value of a security.

Physical Delivery. Delivery of readily available underlying assets at contract maturity.

Portfolio. Collection of securities and investments held by an investor.

Premium. The amount by which a bond or other financial instrument sells above its face value. See also "Discount."

Primary Dealer. A designation given to certain government securities dealer by the Federal Reserve Bank of New York. Primary dealers can buy and sell government securities directly with the Fed. Primary dealers also submit daily reports of market activity and security positions held to the Fed and are subject to its informal oversight. Primary dealers are the largest buyers and sellers by volume in the U.S. Treasury securities market.

Prime Paper. Commercial paper of high quality. Highest rated paper is A-1+/A-1 by S&P and P-1 by Moody's.

Principal. Face value of a financial instrument on which interest accrues. May be less than par value if some principal has been repaid or retired. For a transaction, principal is par value times price and includes any premium or discount.

Prudent Expert Rule. Standard that requires that a fiduciary manage a portfolio with the care, skill, prudence, and diligence, under the circumstances then prevailing, that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims. This statement differs from the "prudent person" rule in that familiarity with such matters suggests a higher standard than simple prudence.

Prudent Investor Standard. Standard that requires that when investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the

general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. More stringent than the "prudent person" standard as it implies a level of knowledge commensurate with the responsibility at hand.

Qualified Public Depository. Per Subsection 280.02(26), F.S., "qualified public depository" means any bank, savings bank, or savings association that:

1. Is organized and exists under the laws of the United States, the laws of this state or any other state or territory of the United States.
2. Has its principal place of business in this state or has a branch office in this state which is authorized under the laws of this state or of the United States to receive deposits in this state.
3. Has deposit insurance under the provision of the Federal Deposit Insurance Act, as amended, 12 U.S.C. ss.1811 et seq.
4. Has procedures and practices for accurate identification, classification, reporting, and collateralization of public deposits.
5. Meets all requirements of Chapter 280, F.S.
6. Has been designated by the Chief Financial Officer as a qualified public depository.

Range Note. A type of structured note that accrues interest daily at a set coupon rate that is tied to an index. Most range notes have two coupon levels; a higher accrual rate for the period the index is within a designated range, the lower accrual rate for the period that the index falls outside the designated range. This lower rate may be zero and may result in zero earnings.

Rate of Return. Amount of income received from an investment, expressed as a percentage of the amount invested.

Realized Gains (Losses). The difference between the sale price of an investment and its book value. Gains/losses are "realized" when the security is actually sold, as compared to "unrealized" gains/losses which are based on current market value. See "Unrealized Gains (Losses)."

Reference Bills. FHLMC's short-term debt program created to supplement its existing discount note program by offering issues from one month through one year, auctioned on a weekly or on an alternating four-week basis (depending upon maturity) offered in sizeable volumes (\$1 billion and up) on a cycle of regular, standardized issuance. Globally sponsored and distributed, Reference Bill issues are intended to encourage active trading and market-making and facilitate the development of a term repo market. The program was designed to offer predictable supply, pricing transparency, and liquidity, thereby providing alternatives to U.S. Treasury bills. FHLMC's Reference Bills are unsecured general corporate obligations. This program supplements the corporation's existing discount note program. Issues under the Reference program constitute the

same credit standing as other FHLMC discount notes; they simply add organization and liquidity to the short-term Agency discount note market.

Reference Notes. FHLMC's intermediate-term debt program with issuances of 2, 3, 5, 10, and 30-year maturities. Initial issuances range from \$2 - \$6 billion with re-openings ranging \$1 - \$4 billion.

The notes are high-quality bullet structures securities that pay interest semiannually. Issues under the Reference program constitute the same credit standing as other FHLMC notes; they simply add organization and liquidity to the intermediate- and long-term Agency market.

Repurchase Agreement (Repo). A short-term investment vehicle where an investor agrees to buy securities from a counterparty and simultaneously agrees to resell the securities back to the counterparty at an agreed upon time and for an agreed upon price. The difference between the purchase price and the sale price represents interest earned on the agreement. In effect, it represents a collateralized loan to the investor, where the securities are the collateral. Can be DVP, where securities are delivered to the investor's custodial bank, or "tri-party" where the securities are delivered to a third-party intermediary. Any type of security can be used as "collateral," but only some types provide the investor with special bankruptcy protection under the law. Repos should be undertaken only when an appropriate Securities Industry and Financial Markets Association (SIFMA) approved master repurchase agreement is in place.

Reverse Repurchase Agreement (Reverse Repo). A repo from the point of view of the original seller of securities. Used by dealers to finance their inventory of securities by essentially borrowing at short-term rates. Can also be used to leverage a portfolio and in this sense, can be considered risky if used improperly.

Safekeeping. Service offered for a fee, usually by financial institutions, for the holding of securities and other valuables. Safekeeping is a component of custody services.

Secondary Market. Markets for the purchase and sale of any previously issued financial instrument.

Securities Industry and Financial Markets Association (SIFMA). The bond market trade association representing the largest securities markets in the world. In addition to publishing a Master Repurchase Agreement, widely accepted as the industry standard document for Repurchase Agreements, the SIFMA also recommends bond market closures and early closes due to holidays.

Securities Lending. An arrangement between an investor and a custody bank that allows the custody bank to "loan" the investor's investment holdings, reinvest the proceeds in permitted investments, and shares any profits with the investor. Should be governed by a securities lending agreement. Can increase the risk of a portfolio in that the investor takes on the default risk on the reinvestment at the discretion of the custodian.

Sinking Fund. A separate accumulation of cash or investments (including earnings on investments) in a fund in accordance with the terms of a trust agreement or indenture, funded by periodic deposits by the issuer (or other entity responsible for debt service), for the purpose of assuring timely availability of moneys for payment of debt service. Usually used in connection with term bonds.

Spread. The difference between the price of a security and similar maturity U.S. Treasury investments, expressed in percentage terms or basis points. A spread can also be the absolute

difference in yield between two securities. The securities can be in different markets or within the same securities market between different credits, sectors, or other relevant factors.

Standard & Poor's. One of several NRSROs that provide credit ratings on corporate and municipal debt issues.

STRIPS (Separate Trading of Registered Interest and Principal of Securities). Acronym applied to U.S. Treasury securities that have had their coupons and principal repayments separated into individual zero-coupon Treasury securities. The same technique and "strips" description can be applied to non-Treasury securities (e.g., FNMA strips).

Structured Notes. Notes that have imbedded into their structure options such as step-up coupons or derivative-based returns.

Swap. Trading one asset for another.

TAP Notes. Federal Agency notes issued under the FHLB TAP program. Launched in 6/99 as a refinement to the FHLB bullet bond auction process. In a break from the FHLB's traditional practice of bringing numerous small issues to market with similar maturities, the TAP Issue Program uses the four most common maturities and reopens them up regularly through a competitive auction. These maturities (2, 3, 5, and 10 year) will remain open for the calendar quarter, after which they will be closed, and a new series of TAP issues will be opened to replace them. This reduces the number of separate bullet bonds issued but generates enhanced awareness and liquidity in the marketplace through increased issue size and secondary market volume.

Tennessee Valley Authority (TVA). One of the large Federal Agencies. A wholly owned corporation of the United States government that was established in 1933 to develop the resources of the Tennessee Valley region in order to strengthen the regional and national economy and the national defense. Power operations are separated from non-power operations. TVA securities represent obligations of TVA, payable solely from TVA's net power proceeds, and are neither obligations of nor guaranteed by the United States. TVA is currently authorized to issue debt up to \$30 billion. Under this authorization, TVA may also obtain advances from the U.S. Treasury of up to \$150 million. Frequent issuer of discount notes, agency notes, and callable agency securities.

Total Return. Investment performance measured over a period of time that includes coupon interest, interest on interest, and both realized and unrealized gains or losses. Total return includes, therefore, any market value appreciation/depreciation on investments held at period end.

Treasuries. Collective term used to describe debt instruments backed by the U.S. government and issued through the U.S. Department of the Treasury. Includes Treasury bills, Treasury notes, and Treasury bonds. Also, a benchmark term used as a basis by which the yields of non-Treasury securities are compared (e.g., "trading at 50 basis points over Treasuries").

Treasury Bills (T-Bills). Short-term direct obligations of the United States government issued with an original term of one year or less. Treasury bills are sold at a discount from face value and do not pay interest before maturity. The difference between the purchase price of the bill and the maturity value is the interest earned on the bill. Currently, the U.S. Treasury issues 4-week, 13-week, and 26-week T-Bills.

Treasury Bonds. Long-term interest-bearing debt securities backed by the U.S. government and issued with maturities of ten years and longer by the U.S. Department of the Treasury.

Treasury Notes. Intermediate interest-bearing debt securities backed by the U.S. government and issued with maturities ranging from one to ten years by the U.S. Department of the Treasury. The Treasury currently issues 2-year, 3-year, 5-year, and 10-year Treasury Notes.

Trustee. A bank designated by an issuer of securities as the custodian of funds and official representative of bondholders. Trustees are appointed to insure compliance with the bond documents and to represent bondholders in enforcing their contract with the issuer.

Uniform Net Capital Rule. SEC Rule 15c3-1 that outlines the minimum net capital ratio (ratio of indebtedness to net liquid capital) of member firms and non-member broker/dealers.

Unrealized Gains (Losses). The difference between the market value of an investment and its book value. Gains/losses are "realized" when the security is actually sold, as compared to "unrealized" gains/losses which are based on current market value. See also "Realized Gains (Losses)."

Variable-Rate Security. A bond that bears interest at a rate that varies over time based on a specified schedule of adjustment (e.g., daily, weekly, monthly, semi-annually, or annually). See also "Floating Rate Note."

Weighted Average Maturity (or just "Average Maturity"). The average maturity of all securities and investments of a portfolio, determined by multiplying the par or principal value of each security or investment by its maturity (days or years), summing the products, and dividing the sum by the total principal value of the portfolio. A simple measure of risk of a fixed-income portfolio.

Weighted Average Maturity to Call. The average maturity of all securities and investments of a portfolio, adjusted to substitute the first call date per security for maturity date for those securities with call provisions.

Yield Curve. A graphic depiction of yields on like securities in relation to remaining maturities spread over a time line. The traditional yield curve depicts yields on U.S. Treasuries, although yield curves exist for Federal Agencies and various credit quality corporates as well. Yield curves can be positively sloped (normal) where longer-term investments have higher yields, or "inverted" (uncommon) where longer-term investments have lower yields than shorter ones.

Yield to Call (YTC). Same as "Yield to Maturity," except the return is measured to the first call date rather than the maturity date. Yield to call can be significantly higher or lower than a security's yield to maturity.

Yield to Maturity (YTM). Calculated return on an investment, assuming all cash-flows from the security are reinvested at the same original yield. Can be higher or lower than the coupon rate depending on market rates and whether the security was purchased at a premium or discount. There are different conventions for calculating YTM for various types of securities.

Yield. There are numerous methods of yield determination. In this glossary, see also "Current Yield," "Yield Curve," "Yield to Call," and "Yield to Maturity."

Attachment B

Investment Pool/Fund Questionnaire

1. A description of eligible investment securities, and a written statement of investment policy and objectives.
2. A description of interest calculations and how it is distributed, and how gains and losses are treated.
3. A description of how the securities are safeguarded (including the settlement processes), and how often the securities are priced, and the program audited.
4. A description of who may invest in the program, how often, what size deposit, and withdrawal are allowed.
5. A schedule for receiving statements and portfolio listings.
6. Are reserves, retained earnings, etc. utilized by the pool/fund?
7. A fee schedule, and when and how is it assessed.
8. Is the pool/fund eligible for bond proceeds and/or will it accept such proceeds?

Attachment C

Security Type Purchase and Allocation Guidelines

I. Florida PRIME

1. **Purchase Authorization.** The Florida PRIME Fund, as administered by the Florida State Board of Administration (SBA).
2. **Portfolio Composition.** A maximum of 50% of available funds may be invested in the Florida PRIME.
3. **Rating Requirements.** Rating shall be "AAAm" by Standard & Poor's, or the equivalent by another Nationally Recognized Statistical Rating Organization (NRSRO).
4. **Due Diligence Requirements.** A thorough investigation of the Florida PRIME is required prior to investing and on a continual basis. A current prospectus or equivalent documentation, including an investment policy, financial statements, and portfolio holdings must be obtained. Attachment B is a questionnaire that contains a list of questions, to be answered prior to investing, that cover the major aspects of any investment pool/fund.

II. United States Government Securities

1. **Purchase Authorization.** Invest in negotiable direct obligations, or obligations, the principal and interest of which are unconditionally guaranteed by the United States government. Such securities will include, but not be limited to the following:

Cash Management Bills
Treasury Securities – State and Local Government Series (SLGS)
Treasury Bills
Treasury Notes
Treasury Bonds
Treasury Strips
2. **Portfolio Composition.** A maximum of 100% of available funds may be invested in the United States Government Securities.
3. **Maturity Limitations.** The maximum length to maturity of any direct investment in the United States Government Securities is five (5) years from the date of settlement.

III. United States Government Agencies (full faith and credit of the United States government)

1. **Purchase Authorization.** Invest in bonds, debentures, or notes that may be subject to call, issued, or guaranteed as to principal and interest by United States government agencies provided such obligations are backed by the full faith and credit of the United States government. Such securities will include, but are not be limited to the following:

United States Export – Import Bank

-Direct obligations or fully guaranteed certificates of beneficial ownership

Farmer Home Administration

-Certificates of beneficial ownership

Federal Financing Bank

-Discount notes, notes and bonds

Federal Housing Administration Debentures

General Services Administration

United States Maritime Administration Guaranteed

-Title XI Financing

New Communities Debentures

-United States government guaranteed debentures

United States Public Housing Notes and Bonds

-United States government guaranteed public housing notes and bonds

United States Department of Housing and Urban Development

-Project notes and local authority bonds

2. **Portfolio Composition.** A maximum of 50% of available funds may be invested in United States government agencies.
3. **Limits on Individual Issuers.** A maximum of 25% of available funds may be invested in individual United States government agencies.
4. **Maturity Limitations.** The maximum length to maturity for an investment in any United States government agency security is five (5) years from the date of settlement.

IV. Federal Instrumentalities (United States Government Sponsored Enterprises (GSE))

1. **Purchase Authorization.** Invest in bonds, mortgage-backed securities, debentures, or notes that may be subject to call, issued, or guaranteed as to principal and interest by United States Government Sponsored Enterprises (Federal Instrumentalities) that are non-full faith and credit agencies, limited to the following:

Federal Farm Credit Bank (FFCB)

Federal Home Loan Bank or its district banks (FHLB)

Federal National Mortgage Association (FNMA)

Federal Home Loan Mortgage Corporation (Freddie-Mac), including Federal Home Loan Mortgage Corporation participation certificates

2. **Portfolio Composition.** A maximum of 50% of available funds may be invested in Federal Instrumentalities. The combined total of available funds invested in Federal Instrumentalities and agency mortgage-backed securities cannot be more than 50%.
3. **Limits on Individual Issuers.** A maximum of 40% of available funds may be invested in individual Federal Instrumentalities.
4. **Maturity Limitations.** The maximum length to maturity for an investment in any Federal Instrumentality security is five (5) years from the date of settlement.

V. Agency Mortgage-Backed Securities (MBS)

1. **Purchase Authorization.** Investment in agency mortgage-backed securities (MBS) which are based on mortgages that are guaranteed by a government agency or Federal Instrumentality for payment of principal and a guarantee of timely payment.
2. **Portfolio Composition.** A maximum of 30% of available funds may be invested in MBS. The combined total of available funds invested in Federal Instrumentalities and MBS cannot be more than 50%.
3. **Limits of Individual Issuers.** A maximum of 20% of available funds may be invested with any one issuer.

The maximum percentage invested in securities of any one issuer is inclusive of MBS of the same issuer.

4. **Maturity Limitations.** The maximum length to maturity for an investment in any MBS is five (5) years from the date of settlement.

The maturity of MBS shall be considered the date corresponding to its average life. This date reflects the point at which an investor will have received back half of the original principal (face) amount. The average life may be different from the stated legal maturity included in a security's description.

VI. Non-Negotiable Interest-Bearing Time Deposit or Saving Accounts

1. **Purchase Authorization.** Invest in non-negotiable interest-bearing time certificates of deposit or savings accounts in banks organized under the laws of this state and/or in national banks organized under the laws of the United States and doing business and situated in the State of Florida, provided that any such deposits are secured by the Florida Security for Public Deposits Act, Chapter 280, Florida Statutes.
2. **Portfolio Composition.** A maximum of 25% of available funds may be invested in non-negotiable interest-bearing time certificates of deposit.
3. **Limits on Individual Issuers.** A maximum of 15% of available funds may be deposited with any one issuer.

4. **Maturity Limitations.** The maximum maturity on any certificate shall be no greater than one (1) year from the date of settlement.

VII. Municipal Obligations

1. **Purchase Authorization.** Invest in municipal obligations.
2. **Portfolio Composition.** A maximum of 25% of available funds may be invested in municipal obligations.
3. **Limits on Individual Issuers.** A maximum of 10% of available funds may be invested with any one issuer.
4. **Ratings Requirements.** Municipal obligations purchased must be rated at the time of purchase at a minimum single "A" category by any two NRSROs or rated at least "MIG-2" by Moody's or "SP-2" by Standard & Poor's for short-term debt.
5. **Maturity Limitations.** A maximum length to maturity for an investment in any municipal obligation is five (5) years from the date of settlement.

VIII. Registered Investment Companies (Money Market Mutual Funds)

1. **Purchase Authorization.** Invest in shares in open-end or no-load money market mutual funds, provided such funds are registered under the Investment Company Act of 1940 and operate in accordance with 17 C.F.R. § 270.2a-7.
2. **Portfolio Composition.** A maximum of 50% of available funds may be invested in money market mutual funds.
3. **Limits of Individual Issuers.** A maximum of 25% of available funds may be invested with any one money market mutual fund.
4. **Rating Requirements.** Money market mutual funds shall be rated "AAAm" by Standard & Poor's or the equivalent by another NRSRO.
5. **Due Diligence Requirements.** A thorough investigation of any money market mutual fund is required prior to investing and on a continual basis. Attachment B is a questionnaire that contains a list of questions, to be answered prior to investing, that cover the major aspects of any investment pool/fund. A current prospectus must be obtained.

IX. Registered Investment Companies ("Mutual Funds")

1. **Purchase Authorization.** Shares of open-end, no-load, institutional class mutual funds with fluctuating net asset values (NAV) provided that such funds are registered under the Investment Company Act of 1940. The prospectus must indicate that the funds average duration is maintained at 3 years or less and the fund invests exclusively in investment instruments as authorized by this policy.
2. **Portfolio Composition.** A maximum of 25% of available funds may be invested in mutual funds.

3. **Limits of Individual Issuers.** A maximum of 15% of available funds may be invested with any one mutual fund.
4. **Rating Requirements.** The mutual funds shall be rated "AAAF" by Standard & Poor's or the equivalent by another NRSRO.
5. **Due Diligence Requirements.** A thorough investigation of any mutual fund is required prior to investing, and on a continual basis. Attachment B is a questionnaire that contains a list of questions, to be answered prior to investing, that cover the major aspects of any investment pool/fund. A current prospectus must be obtained.

X. Repurchase Agreements

1. Purchase Authorization.

- a. Invest in repurchase agreements composed of only those investments based on the requirements set forth by the District's Master Repurchase Agreement. All firms are required to sign the Master Repurchase Agreement prior to the execution of a repurchase agreement transaction.
 - b. A third-party custodian with whom the District has a current custodial agreement shall hold the collateral for all repurchase agreements with a term longer than one (1) business day. A clearly marked receipt that shows evidence of ownership must be supplied to the Division Director and retained.
 - c. Securities authorized for collateral are negotiable direct obligations of the United States government, government agencies, and Federal Instrumentalities with maturities under five (5) years and must have a market value for the principal and accrued interest of 102 percent of the value and for the term of the repurchase agreement. Immaterial short-term deviations from the 102 percent requirement are permissible only upon the approval of the Division Director.
2. **Portfolio Composition.** A maximum of 50% of available funds may be invested in repurchase agreements, excluding one (1) business day agreements and overnight sweep agreements.
 3. **Limits on Individual Issuers.** A maximum of 25% of available funds may be invested with any one institution.
 4. **Limits on Maturities.** The maximum length to maturity of any repurchase agreement is 90 days from the date of settlement.

XI. Bankers' Acceptances

1. **Purchase Authorization.** Invest in bankers' acceptances which are issued by a domestic bank.
2. **Portfolio Composition.** A maximum of 35% of available funds may be directly invested in bankers' acceptances.

3. **Limits on Individual Issuers.** A maximum of 10% of available funds may be invested with any one issuer.
4. **Ratings Requirements.** Bankers' acceptances that are rated at the time of purchase in the highest category by at least two NRSROs.
5. **Maturity Limitations.** The maximum length to maturity for bankers' acceptances shall be 180 days from the date of settlement.

XII. Commercial Paper

1. **Purchase Authorization.** Invest in commercial paper of any United States company.
2. **Portfolio Composition.** A maximum of 35% of available funds may be directly invested in prime commercial paper. The maximum amount of corporate investments will not exceed forty percent (40%). Therefore, the combination of Section (l) Commercial Paper and Section (m) Corporate Notes shall not exceed forty percent (40%).
3. **Limits on Individual Issuers.** A maximum of 10% of available funds may be invested with any one issuer.
4. **Ratings Requirements.** Commercial paper that is rated at the time of purchase in the highest category by at least two NRSROs. If the commercial paper is backed by a letter of credit (LOC), the long-term debt of the LOC provider must be rated single "A" category or better by at least two NRSROs.
5. **Maturity Limitations.** The maximum length to maturity for prime commercial paper shall be 270 days from the date of settlement.

XIII. Corporate Notes

1. **Purchase Authorization.** Invest in corporate notes issued by corporations organized and operating within the United States or by depository institutions licensed by the United States. Investment in any Scrutinized Company as defined by Section 218.415 Florida Statutes is prohibited.
2. **Portfolio Composition.** A maximum of 35% of available funds may be directly invested in corporate notes. The maximum amount of corporate investments will not exceed forty percent (40%). Therefore, the combination of Section (l) Commercial Paper and Section (m) Corporate Notes shall not exceed forty percent (40%).
3. **Limits on Individual Industry.** A maximum of 15% of available funds may be directly invested in any one industry. Security industry classification will be determined using the Bloomberg Industry Classification Standards (BICS).
4. **Limits on Individual Issuers.** A maximum of 5% of available funds may be invested with any one issuer.
5. **Ratings Requirements.** Corporate notes that have a long-term debt rating, at the time of purchase, at a minimum of a single "A" category by any two NRSROs.

6. **Maturity Limitations.** The maximum length to maturity for corporate notes shall be five (5) years from the date of settlement.

XIV. Intergovernmental Investment Pool

1. **Purchase Authorization.** Invest in intergovernmental investment pools that are authorized pursuant to the Florida Interlocal Cooperation Act of 1969, as provided in s. 163.01, F.S.
2. **Portfolio Composition.** A maximum of 25% of available funds may be invested in intergovernmental investment pools.
3. **Rating Requirements.** The intergovernmental investment pool shall be rated "AAA" by Standard & Poor's or the equivalent by another NRSRO.
5. **Due Diligence Requirements.** A thorough review of any investment pool/fund is required prior to investing and on a continual basis. Attachment B is a questionnaire that contains a list of questions, to be answered prior to investing, that cover the major aspects of any investment pool/fund.

FINANCE/OUTREACH & PLANNING COMMITTEE

October 22, 2019

Discussion Item

Development of Preliminary Budget for Fiscal Year 2021

Purpose

Present the general budget assumptions for development of the District's preliminary budget for fiscal year (FY) 2021.

Background

Pursuant to Section 373.535, Florida Statutes, the water management districts (WMDs) are required to submit a preliminary budget for the next fiscal year to the Florida Legislature for review by January 15. The statutory language specifies the information to be included in the preliminary budget submission. The President of the Senate and the Speaker of the House of Representatives may submit comments regarding the preliminary budgets to the WMDs on or before March 1 of each year. Each WMD must respond to those comments in writing on or before March 15 of each year.

To initiate the preliminary budget development process, staff will provide the Governing Board an overview of factors affecting budget development and recommend acceptance of the general budget assumptions necessary to prepare the District's preliminary budget for FY2021. A draft of the preliminary budget will be submitted to the Department of Environmental Protection and the Executive Office of the Governor in early December for initial review and comment. On December 10, 2019, staff will provide the draft FY2021 Preliminary Budget to the Governing Board, including any furnished comments, with a request to approve for submission to the Legislature by January 15, 2020.

Staff Recommendation:

Approve the general budget assumptions as outlined in the October 22, 2019 budget presentation for the development of the preliminary budget for FY2021.

Presenter: John J. Campbell, Division Director, Management Services

FINANCE/OUTREACH & PLANNING COMMITTEE

October 22, 2019

Submit and File Report

Inspector General Quarterly Update – July 1, 2019 to September 30, 2019

In accordance with the Office of Inspector General Charter Governing Board Policy, the Inspector General is required, on a quarterly basis, to update the Committee regarding work and other matters.

Staff Recommendation:

This item is for the Board's information; no action is needed.

Presenter: Brian Werthmiller, Inspector General



An Equal
Opportunity
Employer

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

WaterMatters.org

Bartow Office

170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Office

6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Office

7601 U.S. 301 North (Fort King Highway)
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

Mark Taylor

Chair, Hernando, Marion

Michelle Williamson

Vice Chair, Hillsborough

Joel Schleicher

Secretary, Charlotte, Sarasota

Kelly S. Rice

Treasurer, Citrus, Lake, Levy,
Sumter

Roger Germann

Hillsborough

James G. Murphy

Polk

Rebecca Smith

Hillsborough, Pinellas

Brian J. Armstrong, P.G.

Executive Director

October 22, 2019

MEMORANDUM

TO: Finance/Outreach & Planning Committee
Remaining Governing Board members

FROM: Brian Werthmiller, CPA, CIG, Inspector General

SUBJECT: Office of Inspector General (OIG) Quarterly Update – July 1, 2019 to September 30, 2019

The purpose of this memo is to satisfy the OIG Charter Governing Board Policy regarding updates with the Finance/Outreach and Planning Committee.

I am pleased to provide you the most recent quarterly update. During the quarter ending September 30, 2019:

- The IG quarterly update for the quarter ending June 30, 2019 was submitted to the Governing Board on July 23, 2019.
- The Office of Inspector General Charter Governing Board Policy was updated and approved by the Governing Board on August 27, 2019.
- The OIG FY 2019 Annual Report was submitted to the Governing Board on September 24, 2019.
- The OIG performed 22 reviews per the requests of management.
- The OIG anonymous fraud hotline has been re-established.
- A Fraud, Waste, and Abuse poster has been completed to be displayed District-wide.
- The most recent peer review from the District's Financial Statement Auditors, James Moore & Company was requested. A peer review rating of pass was received for the fiscal year ending October 31, 2017.
- Follow-up work on the Auditor General (AG) findings are as follows:
 - The Vehicle Use Follow-Up Audit was completed in accordance with *Generally Accepted Government Auditing Standards* and submitted to the Governing Board on September 24, 2019. The audit report noted that management had taken corrective actions as recommended by the AG.
 - The preparation and maintenance of records demonstrating the effective utilization of the OIG has been corrected.
 - OIG has contracted with the Association of Inspectors General to complete a peer review.
 - The audit plan contains a long-term component. The OIG Charter Governing Board Policy has been updated to require this.

- The OIG performance measures are approved by the Board and reported at least semi-annually.
 - The District-wide performance measures are being developed.
 - The Competitive Procurement Follow-Up Audit is in progress.
 - The Self-Insurance Programs finding is in the process of being corrected. The District has identified testing that needs to be completed as part of their review of the SOC I reports; this testing is in progress.
 - The IT Access Privileges finding is in the process of being corrected. The District is in the process of creating a custom report to be used as a mitigating control and completing their review of IT access privileges.
- The progress of OIG performance measures are as follows:

Office of Inspector General Performance Measures		
Performance Measure	Goal	Status Through 9/30/19¹
Appropriate Time Allocated to Auditing	55% of chargeable hours	56.1%
Quarterly Updates to the Finance/Outreach & Planning Committee	100%	100%
Meet with the Executive Director Monthly	100%	100%
External Peer Review	Once every 3 years. Contract by December 2019.	Contracted August 2019.
Annual Continuing Professional Education	40 Hours	45 Hours
Pass Certified Inspector General (CIG) Exam	Certification required within first year by October 2019	Passed and obtained CIG certification March 2019.

¹ The OIG FY 2019 Annual Report had data through September 18, 2019 and these figures reflect data through September 30, 2019.

FINANCE/OUTREACH & PLANNING COMMITTEE

October 22, 2019

Routine Report

Treasurer's Report and Payment Register

Purpose

Presentation of the Treasurer's Report and Payment Register.

Background

In accordance with Board Policy, District Investment Policy, a monthly report on investments shall be provided to the Governing Board. The Treasurer's Report as of September 30, 2019, reflects total cash and investments.

In accordance with Board Policy, Disbursement of Funds, all general checks written during a period shall be reported to the Governing Board at its next regular meeting. The Payment Register listing disbursements since last month's report is available upon request. The Payment Register includes checks and electronic fund transfers (EFTs).

Attachment will be provided under a separate cover.

Staff Recommendation:

These items are presented for the Committee's information, and no action is required.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

FINANCE/OUTREACH & PLANNING COMMITTEE

October 22, 2019

Routine Report

Monthly Financial Statement

Purpose

Presentation of the September 30, 2019, monthly financial statement.

Background

In accordance with Sections 373.536(4)(e) and 215.985(11), Florida Statutes, relating to state financial information with certain financial transparency requirements, the District is submitting a "Statement of Sources and Uses of Funds for the Twelfth Month Ended September 30, 2019." A full set of financial statements will be prepared and finalized as year-end processes are completed in preparation for the annual audit.

Attachment will be provided under a separate cover.

Staff Recommendation:

This item is presented for the Committee's information, and no action is required.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

FINANCE/OUTREACH & PLANNING COMMITTEE

October 22, 2019

Routine Report

Monthly Cash Balances by Fiscal Year

Purpose

To provide a schedule of monthly cash balances by fiscal year, updated to reflect the cash balance as of September 30, 2019.

Background

This routine report has been developed to allow the Governing Board to easily monitor the District's cash balances at each month-end and in comparison with monthly cash balances for the last five fiscal years. This trend information will become more important as the District's budget declines and reserves are utilized for projects.

Attachment will be provided under a separate cover.

Staff Recommendation:

This item is presented for the Committee's information, and no action is required.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

FINANCE/OUTREACH & PLANNING COMMITTEE

October 22, 2019

Routine Report

Comprehensive Plan Amendment and Related Reviews Report

Purpose

This report is provided for the Committee's information and shows District activity in the review of Local Government Comprehensive Plans and Amendments. Staff updates the report monthly.

Background/History

The water management districts provide technical and policy information on water resources and water resource management to local governments as they prepare amendments to their local government comprehensive plans. This information encompasses various areas of water resource management, including water supply, flood protection and water quality, and is intended to support sound land use decisions. Statutory directives for this assistance include Section 373.711, Florida Statutes (F.S.), Technical Assistance to Local Governments, and Section 163.3184, F.S., Process for Adoption of Comprehensive Plan or Plan Amendments. Under Section 163, F.S., substantially revised in 2011, if important state resources and facilities are to be adversely impacted, the water management districts and other state reviewing agencies must state with specificity how the plan amendment will adversely impact the resource or facility and must include measures that the local government may take to eliminate, reduce, or mitigate the impacts. Any plan amendment comments provided by a water management district and/or other state agencies that are not resolved may be challenged by the Department of Economic Opportunity (DEO).

Benefits/Costs

The benefits of the District's local government technical assistance program are to ensure local government elected officials have sound water resource technical and policy information as they amend their local government comprehensive plans. This helps to ensure local plans are compatible with the District's plans, programs and statutory direction. Costs for this program primarily include staff time and are budgeted in Fund 10 (Governing Board).

Staff Recommendation:

This item is provided for the Committee's information and no action is required.

Presenter: Cara Martin, Government and Community Affairs Office Chief

Local Government Comprehensive Plan Amendment and Related Reviews Report

As of October 02, 2019

Project	Amendment Type	Assigned	Completed	Description	10YWSFWP
Auburndale 19-3	ESR	7/19/2019	8/19/2019	No substantive comments.	<input type="checkbox"/>
Avon Park 19-1	ESR	9/9/2019		Map amendment.	<input type="checkbox"/>
Avon Park 19-2	ESR	9/9/2019		Text amendment.	<input type="checkbox"/>
Bradenton Beach 19-1ER	EAR-based	7/12/2019	8/2/2019	Advised that District staff is available to provide technical assistance for overdue 10-Year Water Supply Facilities Work Plan update.	<input type="checkbox"/>
Charlotte 19-2	WSFWP	9/11/2019		10-year Water Supply Facilities Work Plan.	<input checked="" type="checkbox"/>
Citrus 19-3	ESR	7/16/2019	8/16/2019	No substantive comments.	<input type="checkbox"/>
Coleman 19-1	ESR	7/12/2019	8/9/2019	No substantive comments.	<input type="checkbox"/>
DeSoto 19-2	ESR	9/2/2019	9/23/2019	No substantive comments.	<input type="checkbox"/>
Eagle Lake 19-1	ESR	7/23/2019	8/19/2019	Advised that District staff is available to provide technical assistance for overdue 10-Year Water Supply Facilities Work Plan update.	<input type="checkbox"/>
Hillsborough 19-3	ESR	8/20/2019	9/24/2019	Comments addressed the need for the statutorily-required water supply analysis, water conservation, flood prone areas and encouraged scheduling a preapplication with ERP staff.	<input type="checkbox"/>
Lake 19-2	ESR	7/8/2019	8/2/2019	Advised amendment within SJRWMD.	<input type="checkbox"/>
Lake 19-3ACSC	Regular	7/8/2019	8/2/2019	No substantive comments.	<input type="checkbox"/>
Lake 19-4ACSC	Regular	7/8/2019	8/2/2019	Advised amendment within SJRWMD.	<input type="checkbox"/>
Lake 19-5	ESR	8/14/2019	9/6/2019	Advised amendment within SJRWMD.	<input type="checkbox"/>
Lake Hamilton 19-1	EAR-based	8/13/2019	9/3/2019	No substantive comments.	<input type="checkbox"/>
Lake Hamilton 19-2	ESR	8/14/2019	9/3/2019	No substantive comments.	<input type="checkbox"/>
Lake Hamilton 19-3	ESR	8/13/2019	9/6/2019	Comments addressed statutory requirements for water supply planning, reuse, conservation, existing water use permit/wells, existing District data collection site and encouraged scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>
Lakeland 19-1ACSC	Regular	7/26/2019	8/19/2019	No substantive comments.	<input type="checkbox"/>
Pasco 19-13	ESR	8/12/2019	9/11/2019	No substantive comments.	<input type="checkbox"/>

Attachment: CPARR (4668 : Comprehensive Plan Amendment and Related Reviews Report)

Project	Amendment Type	Assigned	Completed	Description	10YWSFWP
Pasco 19-15	ESR	9/7/2019		Map amendment.	<input type="checkbox"/>
Pinellas 19-2	ESR	8/5/2019	9/6/2019	No substantive comments.	<input type="checkbox"/>
Plant City 19-2	ESR	7/26/2019	9/3/2019	Comments addressed water conservation, onsite wetlands and the proper abandonment of water wells.	<input type="checkbox"/>
Polk 19-8	ESR	8/7/2019	9/3/2019	No substantive comments.	<input type="checkbox"/>
Polk City 19-2	ESR	9/11/2019		Text amendment.	<input type="checkbox"/>
Safety Harbor 19-1	ESR	8/19/2019	8/29/2019	No substantive comments.	<input type="checkbox"/>
Sarasota City 19-1	ESR	9/5/2019	9/27/2019	Comments addressed statutory requirements for water supply planning, conservation, reuse, stormwater retrofits for redevelopment areas and coastal high hazard area planning.	<input type="checkbox"/>
St. Pete 19-3	ESR	9/6/2019		Text amendment.	<input type="checkbox"/>
Venice 19-1	ESR	7/15/2019	8/8/2019	Comments addressed water supply availability, water conservation for SWUCA, avoidance of wetlands and encouraged coordination with regulatory on well abandonment and for ERP issuance.	<input type="checkbox"/>
Venice 19-2	ESR	7/15/2019	8/7/2019	No substantive comments.	<input type="checkbox"/>
Wildwood 19-4	ESR	8/12/2019	9/13/2019	Comments addressed statutory requirements for water supply planning, conservation and encouraged scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>
Wildwood 19-5	ESR	8/12/2019	9/18/2019	No substantive comments.	<input type="checkbox"/>
Wildwood 19-6	ESR	8/12/2019	9/13/2019	Comments addressed flood hazard areas and encouraged scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>
Winter Haven 19-2	ESR	8/21/2019	9/19/2019	Comments addressed reuse, conservation, wetlands, existing wells and encouraged scheduling a preapplication with ERP staff.	<input type="checkbox"/>

Abbreviations:

ACSC Area of Critical State Concern
 EAR Evaluation and Appraisal Report
 ESR Expedited State Review
 WSWFP Water Supply Facilities Work Plan

**Governing Board Meeting
October 22, 2019**

OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE
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Discussion Items

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33. Agreement with the City of Temple Terrace for Voluntary Annexation of Portions of District Property – Tampa Bypass Canal – SWF Parcel No. 13-004-318X	145

Submit & File Reports

34. Hydrologic Conditions Report.....	187
35. Exchange Agreement with Tampa Port Authority for the Expansion of Railroad Lines for Port Services – Schulz Preserve – SWF Parcel Numbers 11-709-154 and 11-709-155S	190

Routine Reports

36. Surplus Lands Update	193
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38. Significant Activities	198

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE

October 22, 2019

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

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

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

October 22, 2019

Discussion Item

Agreement with the City of Temple Terrace for Voluntary Annexation of Portions of District Property – Tampa Bypass Canal – SWF Parcel No. 13-004-318X

Purpose

Inform the Governing Board of an annexation request from the City of Temple Terrace to annex portions of District-owned property within the Tampa Bypass Canal (Canal) into the municipal boundaries of the City of Temple Terrace (City). This annexation will enhance services to the District's Tampa Service Office (TSO), existing and future City parks, and multiuse trails. A general location map is included as Exhibit 1 and the proposed annexation agreement and petition are included as Exhibit 2. The City has proposed annexation in three phases as depicted in Exhibit 3.

Background/History

The City operates and maintains a sports complex and a dog park adjacent to the Canal through a management agreement with the District. The City plans to partner with Hillsborough County and the City of Tampa to develop and maintain a multiuse trail along the Canal that is consistent with county greenway initiatives. The City recommends annexation of District property containing these existing and planned facilities into its municipal boundaries to provide emergency response and other support services. The City also provides water and sewer service to the TSO. The District's service arrangement was agreed to in 2002 by the District and the City due to the proximity of the City's existing infrastructure to the TSO.

The annexation agreement requires that annexation result in a "revenue neutral" arrangement. Additionally, the management agreement for the City's facilities on the Canal requires that no new taxes be assessed on Canal property as a result of the annexation approval. Services provided by the City instead of the County were evaluated. It is anticipated the District will reduce its annual water costs at the TSO and will be exempted from paying the City's Electric Franchise Fee of \$2,500 annually.

The City has established a desired potential annexation area which is approximately 1,300 acres, which would be conducted in phases, as depicted in Exhibit 3. Phase one of the annexation is 265 acres (Exhibit 1), with the rest of the acres to be verified by both parties. District and City staff prepared an annexation agreement and petition specifically for this action. The City agrees with both documents.

Subject to the Board's conceptual approval of the annexation the process will occur as follows:

The annexation process includes the following steps:

- City will present the agreement to its Board for approval and adopt a resolution.
- District staff will present the City's signed agreement to the Executive Director for approval subject to the City's written verification that there were no objections to the annexation.

Item 33

- Annexation will be completed at an additional City Council meeting after public notice requirements are fulfilled.

Benefits

- Emergency services to the TSO should be quicker and more efficient. This includes police, fire and other support services.
- Anticipated reduction in annual water costs at the TSO.
- Exemption from paying the City's Electric Franchise Fee of \$2,500 annually.
- The District may transfer management of additional recreation facilities on the Canal to the City resulting in an additional cost savings to the District.
- The City has agreed to offer use of the City's recreation facilities to District employees at the City resident rate.

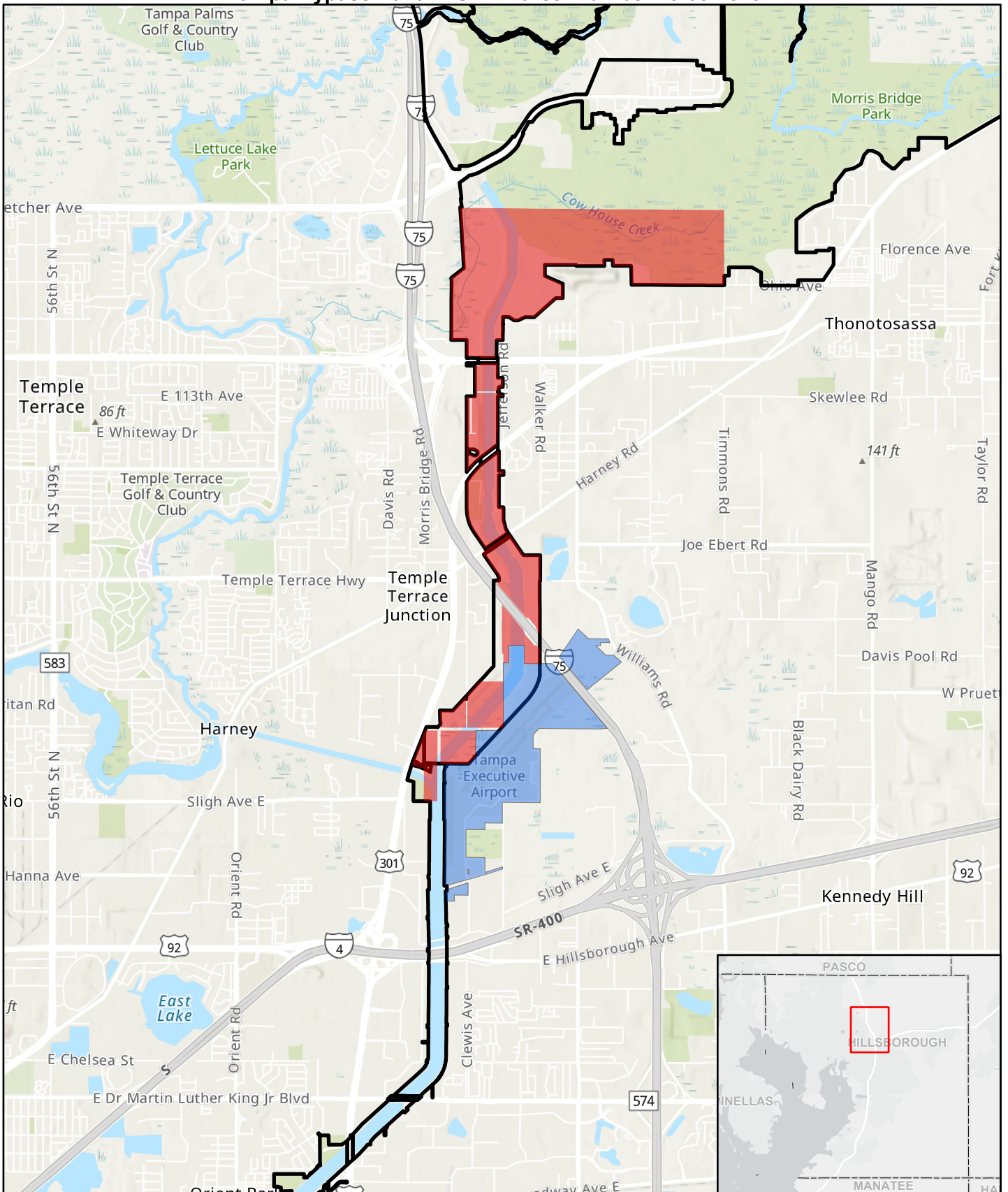
Staff Recommendation:

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

Presenter: Jerry Mallams, P.G., Operations and Land Management Bureau Chief

Exhibit 1

Agreement with the City of Temple Terrace for voluntary annexation of portions of District Property Tampa Bypass Canal – SWF Parcel Number 13-004-318X



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

- City of Temple Terrace Annex
- Tampa Executive Airport
- District Lands

0 1 2
Miles

Southwest Florida
Water Management District



Exhibit 2
Agreement with the City of Temple Terrace for Voluntary Annexation of Portions of
District Property – Tampa Bypass Canal – SWF Parcel Number 13-004-318X

Prepared by:
Pam Chicon, City Attorney

And return to:
City Clerk's Office
11250 North 56th Street
Temple Terrace, Florida 33617

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT (Agreement) is made and entered into this ____ day of _____, 2019, between the Southwest Florida Water Management District, a public corporation (District), having a mailing address of 2379 Broad Street, Brooksville, Florida 34604-6899, and City of Temple Terrace, a municipal corporation (City), having a mailing address of Post Office Box 16930, Temple Terrace, Florida 33687 (Collectively referred to as the Parties).

WHEREAS, the District fully warrants that the District holds fee simple title to the real property located entirely within an unincorporated area of Hillsborough County (Property), and being more particularly described on Exhibit "A" which is attached hereto and made a part hereof; and

WHEREAS, the Property is contiguous to the municipal boundaries of the City; and

WHEREAS, the City is desirous that the Property be annexed into the municipal boundaries of the City, and the District does not object to have its Property annexed; and

WHEREAS, the District is willing to execute a Petition for Voluntary Annexation (Petition) pursuant to Chapter 171, Florida Statutes (F.S) to facilitate the voluntary annexation of said Property in satisfaction of Section 171.044, F.S.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other valuable considerations, receipt of which is hereby acknowledged, the Parties agree as follows:

1. The foregoing recitals are true and correct and are incorporated herein and made a part hereof.
2. The District hereby warrants, covenants, and agrees as follows:
 - a. The District possesses fee simple title to the Property and, as such, has the full right and lawful authority to enter into this Agreement.
 - b. The District shall execute and deliver to the City the Petition in accordance with the provisions of Chapter 171, F.S., within sixty (60) days of this Agreement's execution by both Parties.
 - c. The District understands that this Agreement will be filed on the Property in the

Public Records of Hillsborough County, Florida, and runs with the land. The District further agrees not to request annexation of nor grant the right to annex the Property into any municipal corporation other than the City.

3. The City hereby covenants and agrees as follows:

a. The City agrees to solely pay for all costs for boundary surveys, legal descriptions, title work, or any fees in general associated with annexation of the Property.

b. The City desires to annex the Property to ensure that its existing and future public facilities on the Property will be within the City's jurisdictional limits. The City acknowledges that its facilities on the Property have been leased from the District at zero cost for multiple years. In consideration of this annexation Agreement, the City shall not assess any taxes or fees on the Property or the District as a result of the annexation described herein.

c. If the District determines that the City has assessed additional taxes or fees on the Property or the District as a result of the annexation described herein, the District will have the option to demand the following:

- 1) The City must pay the District an amount annually, to offset the increase in yearly cost attributed to the annexation, for its facilities on the Property; or
- 2) The City must provide an amount of reduced rate for water service to offset the amount increase to the District due to annexation; or
- 3) The City must exempt or reimburse the District the cost of the taxes or fees assessed to the District which increases the yearly operating cost resulting from annexation.

4. The City shall continue to provide potable water and sanitary sewer to the District at its facilities on the Property and those charges shall be applied in accordance with Section 22-53 of the City's Code of Ordinances, as may be amended from time to time.

5. The City shall immediately seek authorization from Hillsborough County to provide solid waste collection service for the District at its facilities on the Property and shall commence such service as soon as authorization is obtained. The City shall bear all costs incurred in seeking such authorization. Customary charges will apply to the District for the City's waste collection service.

6. The City agrees to grant District employees access to its City recreational programs for the in-City rate.

7. Each Party hereto agrees to indemnify and hold the other harmless, to the extent allowed under Section 768.28, F.S., for all claims, loss, damage and expense, including attorneys' fees and costs and attorneys' fees and costs on appeal, arising from the negligent acts or omissions of its own officers, employees, contractors, and agents related to the performance under this

Agreement. Should the City choose to charge a fee at its facilities location on the Property, the City will bear the sole responsibility for any and all claims for personal injuries or property damage arising from, or incidental to, the use, occupation, or possession of the facilities on the Property. This provision does not constitute a waiver of either the City's or the District's sovereign immunity under or extend the limits of liability beyond the limits established in Section 768.28, F.S. This provision will survive the expiration or termination of this Agreement.

8. Any and all notices, requests or other communications relating to this Agreement or the performance of the Parties hereto will be deemed to have been duly given if in writing and if transmitted by hand delivery with receipt therefore, overnight delivery or by registered mail posted prior to the expiration date for such notice, return receipt requested and first class postage prepaid. Such written notice will be addressed as follows: -

To the City: City of Temple Terrace
Post Office Box 16930
Temple Terrace, Florida 33687
Attention: City Manager

To the District: Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604-6899
Attention: Manager
Land Resources Section

9. This Agreement will be binding upon and inure to the benefit of the Parties hereto, and their successors, and assigns.

10. This Agreement and the attached exhibits constitute the entire agreement between the Parties and, unless otherwise provided herein, may be amended only in writing, signed by all Parties to this Agreement. In the event of a conflict of contract terminology between the attached exhibits and the body of this Agreement, priority will first be given to the language in the body of this Agreement.

11. No provision, term or condition of this Agreement will be construed as a waiver by the District or the City of any rights provided for by any provision of law, including but not limited to Section 768.28, F.S.

[THIS SPACE INTENTIONALLY LEFT BLANK]

WITNESS WHEREOF, the parties hereto, or their lawful representatives, have executed this Annexation Agreement on the day and year set forth next to their signatures below.

CITY OF TEMPLE TERRACE, FLORIDA, a
Municipal Corporation

By: _____
Witness

Mel Jurado, Mayor

Date: _____

Approved as to legal form and sufficiency
Office of the City Attorney

APPROVED BY:	INITIALS	DATE
Attorney	<i>[Signature]</i>	8-21-19
Manager	_____	_____
Bureau Chief	_____	_____
Division Director	_____	_____

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT, a Public
Corporation

Brian J. Armstrong, Executive Director

Date: _____



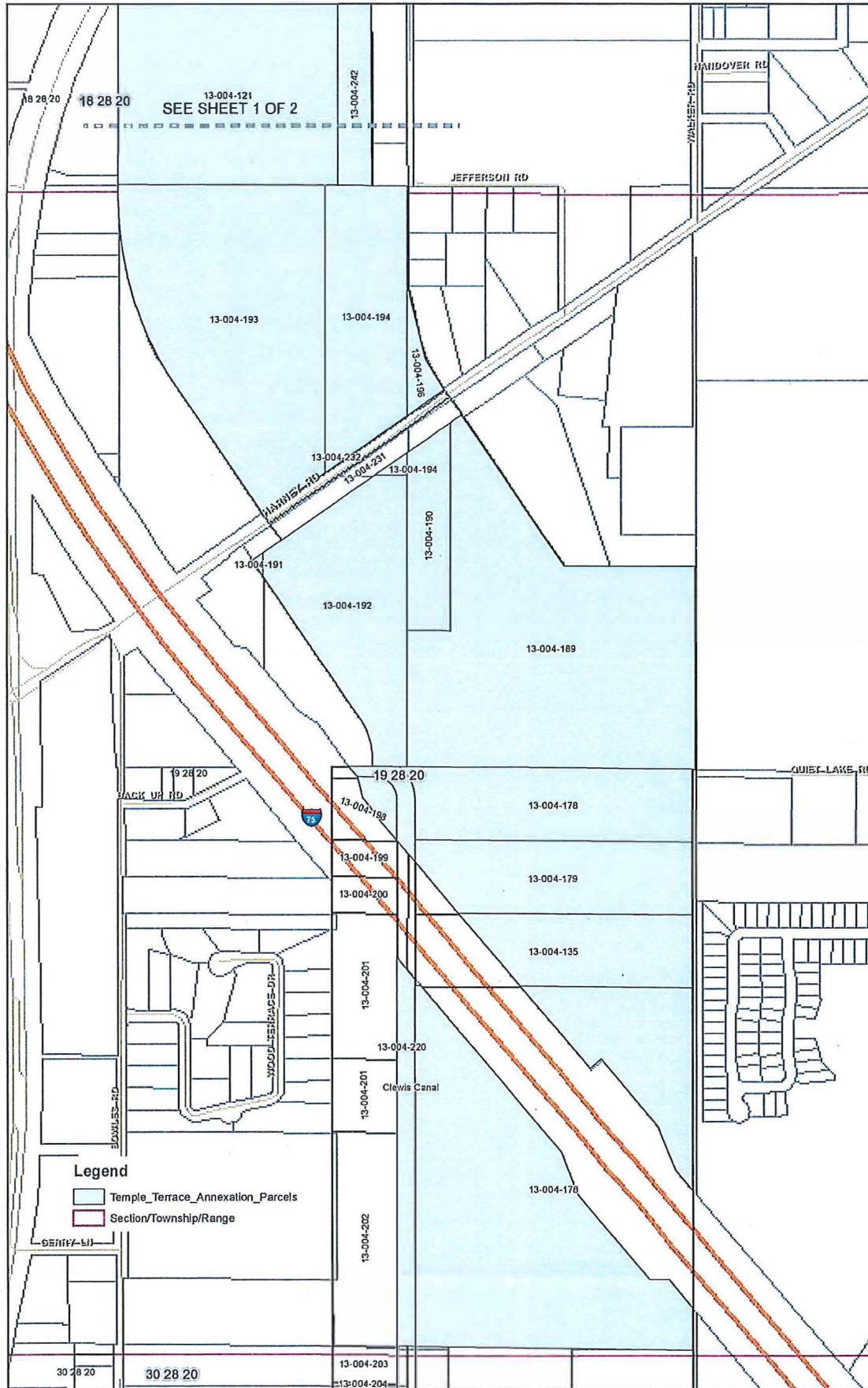
Tampa Bypass Canal Temple Terrace Annexation
Graphic Presentation

0 250 500
Feet
1 inch = 500 feet

September 20, 2019
Work Order No. 19-101
Page 1 of 16



Exhibit A



Tampa Bypass Canal Temple Terrace Annexation

Graphic Presentation

September 20, 2019
Work Order No. 19-101

Page 2 of 16

Exhibit A
Annexation Agreement

1. Account No.: A0611550000 – SWF Parcel Nos. 13-004-131

The N 1/2 of the S 1/2 of the NE 1/4, of the NW 1/4 of Section 18, Township 28, South, Range 20 East, reserving, 15-feet along section lines for 1/2 right of way for public roads.

ALSO

The NW 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, reserving, 15 feet along section line and half section line for 1/2 of right of way for public roads.

Less from all the above any right of way for Fowler Ave (aka State Road 582) and Interstate 75.

2. Account No.: A0611540000 – SWF Parcel Nos. 13-004-132, 13-004-133

The West 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough, County, Florida, LESS right-of-way for State Road #582.

AND

13-004-133

That part of the East 1/2 of the NE 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Lying West of the following described line;

Commence at the SE corner of the NE 1/4 of the NW 1/4 of said Section 18;

Run thence N 89° 53' 19" W, along the South boundary of the said NE 1/4 of the NW 1/4 of Section 18, a distance of 204.72 feet to the POINT OF BEGINNING;

Thence N00° 05' 38" W, a distance of 1321.42 feet to the North boundary of the said NE 1/4 of the NW 1/4 of Section 18, the POINT OF TERMINATION.

3. Account No.: A0611600000 – SWF Parcel Nos. 13-004-139, 143, 182, 188, 140, 146, 243, 241, 181, 184, 141, 187, 240, 186, 183, 174 and 185

13-004-185

The East 120.00 feet of the West 910.00 feet of the South 140.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida; containing 0.38 acres, more or less.

AND

13-004-141

The East 120.00 feet of the West 550.00 feet of the South 140.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida; containing 0.38 acres, more or less.

AND

13-004-139

The East 120.00 feet of the West 310.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, LESS the South 190.00 feet, Hillsborough County, Florida; containing 0.38 acres.

Less therefrom lands described in Official Records Book 12301, Pages 1241 – 1243 of the Public Records of Hillsborough County

AND

13-004-183

The East 120.00 feet of the West 1,150.00 feet of the South 140.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida; containing 0.38 acres, more or less.

AND

13-004-182

The East 120.00 feet of the West 430.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the South 190.00 feet there; containing 0.39 acres, more or less.

AND

13-004-186

The East 120.00 feet of the West 1030.00 feet of the South 140.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida.

AND

13-004-181

The East 120.00 feet of the West 430.00 feet of the South 140.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida.

AND

13-004-146

The East 120.00 feet of the West 1030.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4, LESS the South 190.00 feet, of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida; containing 0.39 acres, more or less.

AND

13-004-184

The East 120.00 feet of the West 310.00 feet of the South 140.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County; containing 0.38 acres, more or less.

Less therefrom lands described in Official Records Book 12301, Pages 1241 – 1243 of the Public Records of Hillsborough County

AND

13-004-243

The East 120.00 feet of the West 1150.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4, LESS the South 190.00 feet, of Section 18, Township 28 South, Range 20 East, Hillsborough County; containing 0.39 acres, more or less.

AND

13-004-143

The East 120.00 feet of the West 550.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the South 190.00 feet; containing 0.39 acres, more or less.

AND

13-004-241

The East 120.00 feet of the West 910.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the South 190.00 feet; containing 0.39 acres, more or less.

AND

13-004-188

The East 120.00 feet of the West 670.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the South 190.00 feet; containing 0.39 acres, more or less.

AND

13-004-140

The East 120 feet of the West 790 feet of the South 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the South 190 feet thereof.

AND

13-004-240

The East 120.00 Feet of the West 790.00 feet of the South 140.00 feet of the South 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida; Containing 0.39 acres, more or less.

AND

13-004-187

The East 120.00 feet of the West 670.00 feet of the South 140.00 feet of the S 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida.

TOGETHER WITH

13-004-174

Adjacent right -of- ways closed, vacated and abandoned by Resolution recorded in ORB 3121, page 538, of the Public Records of Hillsborough county, Florida Described as follows:

The East 25.00 feet of the W 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Less the South 25.00 feet thereof for road right of way.

AND

The West 25.00 feet of the E 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Less the South 25.00 feet thereof for road right of way.

AND

The East 50.00 feet of the West 190.00 feet of the South 190.00 feet of the S 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida.

AND

The West 1150.00 feet of the North 50.00 feet of the South 190.00 feet of the S 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Less the West 190.00 feet.

4. Account No.: A0611780000 – SWF Parcel No. 13-004-138

The South 70.00 feet of the South 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the West 1150.00 feet and LESS the East 25.00 feet for Jefferson Road, containing 0.24 acres, more or less.

5. Account No.: A0612010000 – SWF Parcel No. 13-004- 154, 159, 161, 160, 158, 157, 150, 245, 221 and 153.

13-004-160

The South 132.00 feet of the North 792.00 feet of the W1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida Less the East 25.00 feet thereof for road right of way; containing 0.42 acres, more or less

AND

13-004-153

The W 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, LESS the East 25 Feet, LESS the South 25 feet thereof for road right of way and LESS the North 1190 feet thereof.

AND

13-004-158

The South 132.00 feet of the North 924.00 feet of the West 1/2 of the West 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida LESS the East 25.00 feet thereof for road right-way, containing .42 acres, more or less.

AND

13-004-150

The South 132 of the North 1,188 feet of the West 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the East 25 feet thereof for road right of way, containing .042 acres, more or less

AND

13-004-245

The South 2 feet of the North 1,190.00 feet of the West 1/2 of the West 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the East 25.00 feet thereof.

AND

The South 2 feet of the North 1,190.00 feet of the East 1/2 of the West 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida LESS the West 25.00 feet thereof, Containing 0.013 acres, more or less

AND

13-004-221

The South 25.00 feet of the West 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida. Containing 0.19 acres, more or less, and together with any interest possessed by grantor herein, if any, in McRae Road Lying within SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida.

AND

13-004-157

The South 132 feet of the North 1,056 feet of the West 1/2 of the West 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Less the East 25 feet for road.

AND

13-004-154

The North 132 feet of the West 1/2 of the West 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, LESS the East 25 feet thereof for road right of way.

AND

13-004-159

The South 396.00 feet of the North 528.00 feet of the W 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the East 25.00 feet for road right of way. Contains 1.27 acres, more or less.

AND

13-004-161

The South 132.00 feet of the North 660.00 feet of the W 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County Florida, LESS the East 25 feet thereof for road right of way. Contains 0.42 acres, more or less.

AND

13-004-162

The South 132.00 feet of the North 1188.00 feet of the E 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Less the West 25.00 feet for road right of way. Contains 0.42 acres, more or less.

6. Account No.: A0611970000 – SWF Parcel Nos 13-004-156, 155, 151, 149, 152, 180, 147, 162 and 148

13-004-147

The South 132.00 feet the North 1056.00 feet of the E 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the West 25.00 feet thereof; containing 0.42 acres, more or less.

AND

13-004-156

The North 132.00 feet of the East 1/2 of the West 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the West 25.00 feet thereof for road right of way, containing 0.42 acres, more or less.

AND

13-004-151

The South 132. 00 feet of the North 396.00 feet of the E 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of SECTION 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the West 25.00 thereof for road right of way. Containing .042 acres, more or less

AND

13-004-149

The South 132.00 feet of the North 528.00 feet of the E1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 and of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the West 25.00 fee thereof for road right of way. Contains 0.42 acres, more or less.

AND

13-004-148

The E 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28, South, Range 20 East, Hillsborough County, Florida LESS the West 25.00 feet and LESS the South 25.00 feet and LESS the North 1,190.00 feet thereof. Contains 0.34 acres, more or less.

AND

13-004-162

The South 132.00 feet of the North 1,188.00 feet of the E1/2 of the W1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida Less the West 25.00 feet for the road right of way. Contains 0.42, acres more or less.

AND

13-004-155

The South 132.00 feet of the North 264.00 feet of the E1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Less the West 25.00 feet thereof for road right of way. Contains 0.42 acres more or less.

AND

13-004-152

The South 264.00 feet of the North 792.00 feet of the E1/2 of the W1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the West 25.00 feet road right of way. Contains 0.85 acre, more or less.

AND

13-004-180

The South 132.00 feet of the North 924.00 feet of the E 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County Florida. LESS the West 25 feet thereof for road right of way contains 0.42 acres more or less.

7. Account No.: A0611930000 – SWF Parcel Nos 13-004-166 and 172

13-004-166

The East 1/2 of the W 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the East 161.00 feet of the South 520.00 feet thereof, together with any interest possessed by the owners, if any, in McRae Road.

AND

13-004-172

The East 161.00 feet of the South 520.00 feet of the W 1/2 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, together with any interest possessed by the owners of McRae Road, if any. Contains 1.83 acres, more or less.

8. Account No.: A0611560100 – SWF Parcel Nos 13-004-173 and 229

13-004-173

That part of:

The N 1/2 of the NE 1/4 to the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida;

Lying within 330 feet Right (Easterly) between Stations 647+62.12 and 675+86.02 of the following described centerline of the Tampa Bypass Canal;

Begin at P.O.T. Station 636+16.37, a point on the South boundary of the SE 1/4 of the SW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, lying S 89°41'47" E, a distance of 500.01 feet from the SW corner thereof;

Thence N 00°05'36" W, a distance of 2646.71 feet;

Thence N 00°03'59" W, a distance of 2644.06 feet to a point on the North boundary of the NE 1/4 of the NW 1/4 of said Section 18, said point lying S 89°55'02" E, a distance of 500.02 feet from the NW corner thereof. Parcel contains 1.29 acres, more or less.

AND

13-004-229

That part of the North 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida described as follows:

Commence at the NE corner of the Said SE 1/4 of the NW 1/4 of Section 18;

Run thence N 89°53'19" W, along the North boundary of the said SE 1/4 of the NW 1/4 of Section 18, a distance of 204.72 feet to the POINT OF BEGINNING;

Thence continue N 89°53'19" W, along the Said North boundary of the SE 1/4 of the NW 1/4 of Section 18, a distance of 287.36 feet:

Thence S 00°03'59" E, ad distance of 330.60 feet to the South boundary of the said North 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18;

Thence S 89°54'53" E, along the said South boundary of the said North 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18, a distance of 287.36 feet;

Thence N00°05'38"W, a distance of 330.47 feet to the POINT OF BEGINNING.
Parcel contains 2.18 acres, more or less.

9. Account No.: A0612120100 – SWF Parcel Nos. 13-004-163, 164, 165 and 167

13-004-163

That part of the S 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, described as follows:

Commence at the SW corner of the NE 1/4 of the SE 1/4 of the NW 1/4 of said Section 18;
Run thence N 00°00'10" W, a distance of 140.00 feet (North, 140.1 feet, Deed), to the POINT OF BEGINNING;

Thence S 89°56'28" E, a distance of 336.10 feet, (East, 336.1 feet, Deed);

Thence N 66°18'07" E, a distance of 108.97 feet, (Northeasterly, 109.2 feet, more or less, in a straight line to the Northwest corner of the South 184 feet of the East 225 feet of the Said NE 1/4 of the SE 1/4 of the NW 1/4, Deed);

Thence S 89°56'28" E (East, Deed), a distance of 21.27 feet;

Thence N 00°05'38" W, a distance of 146.47 feet;

Thence N 89°54'53" W (West, Deed), a distance of 456.93 feet to the NW corner of the Said South 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18;

Thence S 00°00'10" E, along the West boundary of the said South 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18, a distance of 190.58 feet to the POINT OF BEGINNING.

Parcel contains 1.93 acre, more or less.

AND

13-004-164

Beginning at the SW corners of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, and fun thence N 00°00'10"W, a distance of 140.10 feet, (North, 140.1 feet, Deed);

Thence S 89°56'28" E, a distance of 336.10 feet, (East, 336.01 feet, Deed);

Thence N66°18'07"E, a distance of 108.97 feet (Northeasterly, 109.2 feet, more or less, in a straight line to the Northwest corner of the South feet, more or less, in a straight line to the Northwest corner of the South 184 feet of the East 225 feet of the said NE 1/4 of the SE 1/4 of the NW 1/4, Deed);

Thence S 00°01'32" W, along the West boundary of the said South 184 feet of the East 225 feet of the NE 1/4 of the SE 1/4 of the NW 1/4, a distance of 80.00 feet;

Thence S 89°56'28" E, a distance of 21.44 feet;

Thence S 00°05'38" E, a distance of 104.00 feet;

Thence N 89°56'28" W (West, Deed), a distance of 457.45 feet to the POINT OF BEGINNING.

AND

13-004-165

That part of the North 80.00 feet of the South 184.00 feet to the East 225.00 feet of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Lying West of the following described line:

Commence at the SE corner of the SE 1/4 of the NW 1/4 of said Section 18;

Run thence N 89°59'37" W, along the South boundary of the said SE 1/4 of the NW 1/4 of Section 18, a distance of 201.97 feet to the Point of Beginning;

Thence N 00°05'38" W, a distance of 1321.87 feet to the North boundary of the said SE 1/4 of the NW 1/4 of Section 18, the Point of Termination. Parcel contains 0.04 acres, more or less.

AND

13-004-167

That part of the SE 1/4 of the SE 1/4 of NW 1/4 of SECTION 18, TOWNSHIP 28 SOUTH, RANGE 20 EAST, Hillsborough County, Florida, lying West of the following described line:

Commence at the SE corner of the SE 1/4 of the NW 1/4 of said Section 18;

Run thence N 89°59'37" W, along the South boundary of the said SE 1/4 of the NW 1/4 of Section 18, a distance of 201.97 feet to the Point of Beginning;

Thence N 00°05'38" W, a distance of 1,321.87 feet to the North boundary of the said SE 1/4 of the NW 1/4 of Section 18, the point of termination, together with the interest remaining in the owners in McRae Road, if any.

10. Account No.: A0612150000 – SWF Parcel Nos 13-004-136

The NW 1/4 of the NE 1/4 of the SW1/4 of Section 18, Township 28 South, Range 20 East Hillsborough County, Florida LESS the East 252.00 feet and LESS the East 100.00 feet of the North 200.00 feet of the West 391.55 feet of the NW 1/4 of the NE 1/4 of the SW 1/4 of Said Section 18. Contains 5.56 acres, more or less.

11. Account No.: A0612160000 – SWF Parcel Nos. 13-004-137

The East 100.00 feet of the North 200.00 feet of the West 391.55 feet of the NW 1/4 of the NE 1/4 of the SW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida.

12. Account No.: A0612140000 – SWF Parcel Nos. 13-004-129

The East 2/5 of the Northwest 1/4 of the Northeast 1/4 of the Southwest 1/4, all lying and being in Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida

AND

The North 125.0 feet of the North 1/2 of the South 1/2 of the Northeast 1/4 of the Southwest 1/4, lying West of the Northwestern Right-of-Way line of U.S. Highway No. 301 (SR 43), all lying and being in Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida

13. Account No. A0612180000 – SWF Parcel Nos. 13-004-130

The NE 1/4 of the NE 1/4 of the SW 1/4 of Section 18, Township 28 South, Range 20 East, (Less right of way for U.S. Highway No. 301 (SR 43));

14. Deleted- became a part of item no. 1 above.

15. Account No.: A0612170000 – SWF Parcel Nos. 13-004-127

N 1/2 of S 1/2 of NE 1/4 of SW 1/4, section 18, Township 28 south, Range 20 East, Hillsborough County, Florida, LESS right of way for U. S Highway #301, and LESS the North 125 feet of the N 1/2 of S 1/2 of NE 1/4 of SW 1/4 of said Section 18, lying West of the western right of way boundary of U. S. Highway #301.

16. Account No.: A0612190000 – SWF Parcel Nos. 13-004-126

That part of:

The South 1/4 of the NE 1/4 or the SW 1/4 of SECTION 18, TOWNSHIP 28 SOUTH, Range 20 East, Hillsborough County, Florida , (Less that part deeded to State of Florida in Deed Book 1701, Page 18 for road right of way for U.S. Highway 301 (S.R. 43);

Lying within 330 feet on each side, between Stations 649+38.17 and 622+63.02, of the following described centerline of the Tampa Bypass Canal;

From the SE corner of the said NE 1/4 of the SW 1/4, run thence N 89°56'46" W, along the south boundary thereof, a distance of 818.76 feet to centerline Station 649+38.17, to the point of beginning;

Thence N 00°05'38" W, along said centerline of the Tampa Bypass Canal, a distance of 1,324.85 feet to P.O.T. Station 662+63.02, a point on the north boundary of said NE 1/4 of the SW 1/4 and lying N 89°59'37" W, a distance of 821.46 feet from the NE corner thereof. Contains 3.04 acres, more or less.

AND

SPOIL AREA

The south 1/4 of the NE 1/4 of the SW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Less that part deeded to State of Florida in Deed Book 1701, Page 18 for U.S. Highway 301 (S.R.43);

AND LESS

That part, lying within 330 feet on each side, between Stations 649+38.17 and 662+63.02, of the following described centerline of the Tampa Bypass Canal;

From the SE corner of the said NE 1/4 of the SW 1/4 run thence N 89°56'46" W, along the south boundary thereof, a distance of 818.76 feet to centerline Station 649+38.17, the Point of Beginning;

Thence N 00°05'38" W, along said centerline of the Tampa Bypass Canal, a distance of 1,324.85 feet to P.O.T. Station 662+63.02, a point on the north boundary of said NE 1/4 of the SW 1/4, and lying N 89°59'37" W, a distance of 821.46 feet from the NE corner thereof.
Contains 4.84 acres, more or less.

17. Account No.: A0612210000 – SWF Parcel Nos. 13-004-121

That part of:

The SE 1/4 of the SW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County Florida, Less right of way for U.S. Highway No. 301 (S.R. 43) deeded to Hillsborough County as recorded in Deed Book 1705, Page 514 of Public Records of Hillsborough County, Florida ;

And Less

That part described as follows:

Begin at the SE corner of the SE 1/4 of the SW 1/4 of Said Section 18;

Thence N 89°41'47" W, a distance of 317.26 feet
 Thence N 00°05'38" W, a distance of 1,149.19 feet;
 Thence N 89°54'22" E, a distance of 318.56 feet to the east boundary of said SW 1/4 of SW 1/4;
 Thence S 00°01'44" E, along the east boundary of said SE 1/4 of SW 1/4 a distance of 1,151.39 feet to the Point of Beginning; Contains 30.22 acres, more or less.

**18. Account No.: A0612200100 – SWF Parcel Nos. 13-004-242
 13-004-242**

That part of the SE 1/4 of the SW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, described as follows:

Commence at the SE corner of the said SSE 1/4 of the SW 1/4 of Section 18;

Run thence N 89°41'49" W, along the South boundary of the said SE 1/4 of the SW 1/4 of Section 18, a distance of 164.44 feet to the Point of Beginning;

Thence continue N 89°41'49" W, along said South Boundary, a distance of 152.82 feet;
 Thence N 00°05'38" a distance of 1,149.19 feet;
 Thence N 89°54'22" E, a distance of 152.82 feet;
 Thence S 00°05'38" E, a distance of 1,150.25 feet to the Point of Beginning. Contains 4.03 acres, more or less.

**19. Account No.: A2900000038 – SWF Parcel Nos. 13-004-191, 13-004-193, 192 and 189
 13-004-191**

Spoil Area

That part of:

That part of the NW 1/4 of the SE 1/4 of the NW 1/4 South of the SCL Railroad right of way in SECTION 19, TOWNSHIP 28 SOUTH, RANGE 20 EAST, Hillsborough County, Florida;

Lying within 660 feet left (southwesterly) between Stations 605+00 and 621+08.80 of the following described centerline of the Tampa Bypass Canal;

Begin at the centerline Station 592+99.01, a point on the South Boundary of the NW 1/4 of the SE 1/4 of SECTION 19, TOWNSHIP 28 SOUTH, RANGE 20 EAST, Hillsborough County, Florida, Lying S 89°20'30" E, a distance of 500.03 feet from the SW corner thereof;

Thence N 00°02'25", a distance of 1343.33 feet to the beginning of a curve (Station 606+42.34), concave to the southwest having a radius of 1,000.00 feet;

Thence northwesterly along said curve, and arc distance of 601.11 feet through a central angle of 34°26'28" to the end of said curve; (Station 612+43.45).

Thence N 34°24'03" W, a distance of 865.35 feet to a point on the southerly right of way line of the SCL Railroad; (Station 621+08.80).

Parcel contains 0.12 acre, more or less.

13-004-193

That part of:

The NE 1/4 of the NW 1/4 of Section 19, Township 28 South, Range 20 East, Less the East 375 feet thereof;

AND

That part of the SE 1/4 of the NW 1/4 of Section 19, Township 28 south, Range 20 East, lying North and West of Harney Road (Tampa-Thonotosassa Road, SR. NO. 41) all lying and being in Hillsborough County, Florida;

Lying within 500 feet on each side of the following described centerline of the Tampa Bypass Canal, between Stations 622+47.54 and 636+16.37;

Begin at centerline Station 622+47.54 a point on the North right of way of Harney Road;

Thence N 34°24'03" W, a distance of 708.47 feet to the beginning of a curve concave to the northeast having a radius of 1,000 feet (Station 629+56.01)

Thence northwesterly along said curve, an arc distance of 598.77 feet through a central angle of 34°18'25" to the end of said curve; (Station 635+51.78)

Thence N00°05'38" W, a distance of 61.59 feet to Station 636+16.37, a point on the North boundary of the NE 1/4 of the NW 1/4, said point lying S 89°41'47" E, a distance of 500.01 feet from the NW corner thereof. Containing 23.79 acres, more or less.

AND

13-004-192

That part of:

The SE 1/4 of the SE 1/4 of the NW 1/4 and that part of the NE 1/4 of the SE 1/4 of the NW 1/4 South of the right of way fo the SCL Railroad in Section 19, Township 28 South, Range 20 East, Hillsborough County, Florida

Lying within 600 feet on each side, between Stations 605+00 and 621+08.80 of the following described centerline of the Tampa Bypass Canal;

Begin at centerline station 592+99.01, a point on the South Boundary of the NW 1/4 of the SE 1/4 of Section 19, Township 28 South, Range 20 East, Hillsborough County, Florida, Lying S 89°20'39"E, a distance of 500.03 feet from the SW corner thereof;

Thence N 00°02'25" E, a distance of 1343.33 feet to the beginning of a curve (Station 606+42.34), concave to the southwest having a radius of 1000.00 feet;

Thence northwesterly along said curve, an arc distance of 601.11 feet through a central angle of 34°26'28" to the end of said curve; (Station 612+43.45).

Thence N 34°24'03" W, a distance of 865.35 feet to a point on the southerly right of way line of the SCL Railroad; (Station 621+08.80). Contains 12.21 acres, more or less.

AND

13-004-189

That part of:

The East 721 feet of the West 921 feet of the NW 1/4 of the NE 1/4 South of the Seaboard Coastline Railroad in Section 19, Township 28 South, Range 20 East;

AND

That part of the SW 1/4 of the NE 1/4 Less the North 699.5 feet of the West 200 feet thereof, of said Section 19, all lying and being within Hillsborough County, Florida described as follows:

Commence at the SE corner of the SW 1/4 of the NE 1/4 of said Section 19, thence N 89°34'07" W along the South boundary of said SW 1/4 a distance of 1313.60 feet;

Thence N 00°03'58" W along the West boundary fo said SW 1/4 a distance of 616.64 feet;

Thence S 89°47'23" E, a distance of 200.00 feet;

Thence N 00°03'58" W, a distance of 699.50 feet to a point on the North boundary of said SW 1/4 of the NE 1/4 ;

Thence N00°03'33" E, a distance of 240.65 feet to a point on the southeasterly right of way line of the Seaboard Coastline Railroad;

Thence N 55°35'57" E, along the southeasterly right of way line of the Seaboard Coastline Railroad a distance of 60.65 feet to a point on the northeasterly right of way line of the Tampa Bypass Canal;
Thence S 34°24'03" E, along the northeasterly right of way line of the Tampa Bypass Canal a distance of 824.20 feet;

Thence S 89°47'23" E, a distance of 600.35 feet to a point on the east boundary of said SW 1/4 of NE 1/4

Thence S 00°04'33" W, along the east boundary of said SW 1/4 of NE 1/4 a distance of 917.95 feet to the Point of Beginning. Contains 30.65 acres, more or less.

AND

13-004-220

That part of:

Eureka Springs Road and Canal of Clewis Muck Farms as per map or plat thereof as recorded in Plat Book 25, page 70 and Plat Book 25 Page II of the Public Records of Hillsborough County, Florida, lying within 850 feet right (southeasterly and easterly) and lying within 850 feet left (northwesterly and westerly) of the following described centerline of the Tampa Bypass Canal;

Begin at centerline Station 547+21.17, a point on the south boundary of the SE 1/4 of the NW 1/4 of Section 30, Township 28 South, Range 20 East, and lying N 89°18'58" W, a distance of 1,208.58 feet from the SE corner thereof;

Thence N 42°34'37" E, a distance of 2,138.64 feet to the beginning of a curve concave to the northwest and having a radius of 1,000.00 feet;

Thence northeasterly along the arc of said curve, a distance of 742.40 feet, (central angle of 42°32'12" chord distance of 725.47 feet and chord bearing of N 21°18'12" E), to the end of said curve;

Thence N 00°02'25" E, a distance of 383.21 feet to a point on the north boundary of NW 1/4 of the NE 1/4 of said Section 30 and lying S 89°07'13" E, a distance of 500.05 feet from the NW corner thereof, (said point being Station Equation 579+85.42 Back and 579+87.60 Ahead);

Thence N 00°02'25" E, a distance of 2,622.82 feet to the point on the north boundary of the NW 1/4 of the SE 1/4 of Section 19, (said point Lying S 89°34'07" E, a distance of 500.01 feet from the NW corner thereof).

Less therefrom any part lying and being in Section 30, Township 28 South, Range 20 East.

20. Account No.: A0613270000 – SWF Parcel Nos. 13-004-194

The east 375 feet of the NE 1/4 of the NW 1/4 of Section 19, Township 28 South, Range 20 East, Hillsborough County, Florida, Less right of way for Harney Road (Tampa-Thonotosassa Road, SR No. 41), and less SCL RR right of way. Contains 10.24 acres, more or less.

20a. Account No.: A0613270000 – SWF Parcel Nos. 13-004-196

From the Northwest corner of the Northwest 1/4 of the Northeast 1/4 of Section 19, Township 28 South, Range 20 East run South 448.69 feet for a point of beginning; continue South 592.55 feet, more or less, to the Northerly right of way line of Harney Road, thence North 55° 24' East along said right of way line a distance of 206.0 feet, thence North 31° 21' West a distance of 167.3 feet, and thence North 13° 56' West a distance of 342.8 feet to the point of beginning all lying and being in Hillsborough County, Florida.

21. Account No.: A0613220000 – SWF Parcel Nos. 13-004-190

Beginning at the NW corner of the SW 1/4 of the NE 1/4 of SECTION 19, TOWNSHIP 28 SOUTH, RANGE 20 East and run thence N 00°03'33" W, a distance of 102.85 feet (North 102.85'; Deed), to the southerly right of way line of the SCL railroad:

Thence N 55°35'57" E, along said southerly right of way line of the SCL Railroad, a distance of 242.87 feet (N 55°37'00" E 242.25 feet, Deed);

Thence S 00°03' 58" E, a distance of 939.55 feet (South 939.55 feet, Deed);

Thence N 89°47'23" W a distance of 200 feet (West 200 feet, Deed);

Thence N 00°03' 58" W a distance of 699.5 feet (North 699.5 feet, Deed) to the POINT OF BEGINNING, lying and being in Hillsborough County, Florida.

22. Account No.: A0614550000 – SWF Parcel Nos. 13-004-178, 179, 220, 198 and 135

13-004-178

Tracts 1, 8, 9, 12, 13 and 16 of CLEWIS MUCK FARMS, according to the plat thereof as recorded in Plat Book 25, Page 11 of the Public Records of Hillsborough County, Florida.,

AND

13-004-179

Tract 4 of Clewis Muck Farms, according to the plat thereof as recorded in Plat Book 25, Page 11, of the Public Records of Hillsborough County, Florida.

AND

13-004-135

Tract 5 of Clewis Muck Farms, according to the plat thereof as recorded in Plat Book 25, Page 11 of the Public Records of Hillsborough County, Florida. Contains 9.57 acres, more or less.

AND

13-004-198

That portion of Tract 2 of Clewis Muck Farms, according to the plat thereof as recorded in Plat Book 25, Page 11 of the Public Records of Hillsborough County, Florida, Lying East of Interstate 75.

Less from All the above, items (1-22), any lands that the Southwest Florida Water Management District no longer has title too. Also, Less Public road right -of- ways, either recorded or otherwise implied.

**PETITION FOR VOLUNTARY ANNEXATION PURSUANT TO
SECTION 171.044, FLORIDA STATUTES**

The Southwest Florida Water Management District (District), by the authority of its Executive Director, hereby submits this petition for voluntary annexation to the City of Temple Terrace (City) in accordance with Article VIII, Section 2(c) of the Constitution of the State of Florida and Section 171.044, Florida Statutes (F.S.), and in support thereof states as follows:

1. The District and the City entered into the Annexation Agreement (Agreement) on _____, 2019, to set forth their respective rights and responsibilities regarding the City's annexation of certain District property located in an unincorporated area of Hillsborough County (Property). The Property is more particularly described on Exhibit A, which is attached hereto and incorporated herein.

2. The City is desirous that the Property be annexed into the municipal boundaries of the City, and the District does not object to having its Property annexed.

3. Paragraph 2(b) of the Agreement requires the District to deliver a petition for annexation to the City within sixty (60) days of the Agreement's execution by both parties.

4. The District is willing to execute such a petition to facilitate the voluntary annexation of its Property, pursuant to Section 171.044, F.S.

5. The District holds fee simple title to the Property.

6. The Property lies wholly within the boundaries of Hillsborough County, Florida; as required by Section 177.045, F.S.

7. The Property is contiguous to the City's present municipal boundaries and is reasonably compact, as required by Section 177.044(1), F.S.

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WHEREFORE, the Southwest Florida Water Management District hereby petitions the City of Temple Terrace to adopt a non-emergency ordinance annexing the Property and redefining the City's boundaries to include the Property at the City's next regular city commission meeting, pursuant to the recording, noticing, and filing requirements of Sections 177.044(2) and (6), and 171.091, F.S.

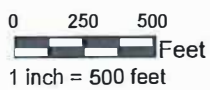
Approved by the Executive Director of the Southwest Florida Water Management District this ____ day of _____, 2019.

APPROVED BY:	INITIALS	DATE
Attorney	<u>JA</u>	<u>2-21-19</u>
Manager	_____	_____
Bureau Chief	_____	_____
Division Director	_____	_____

**SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT**

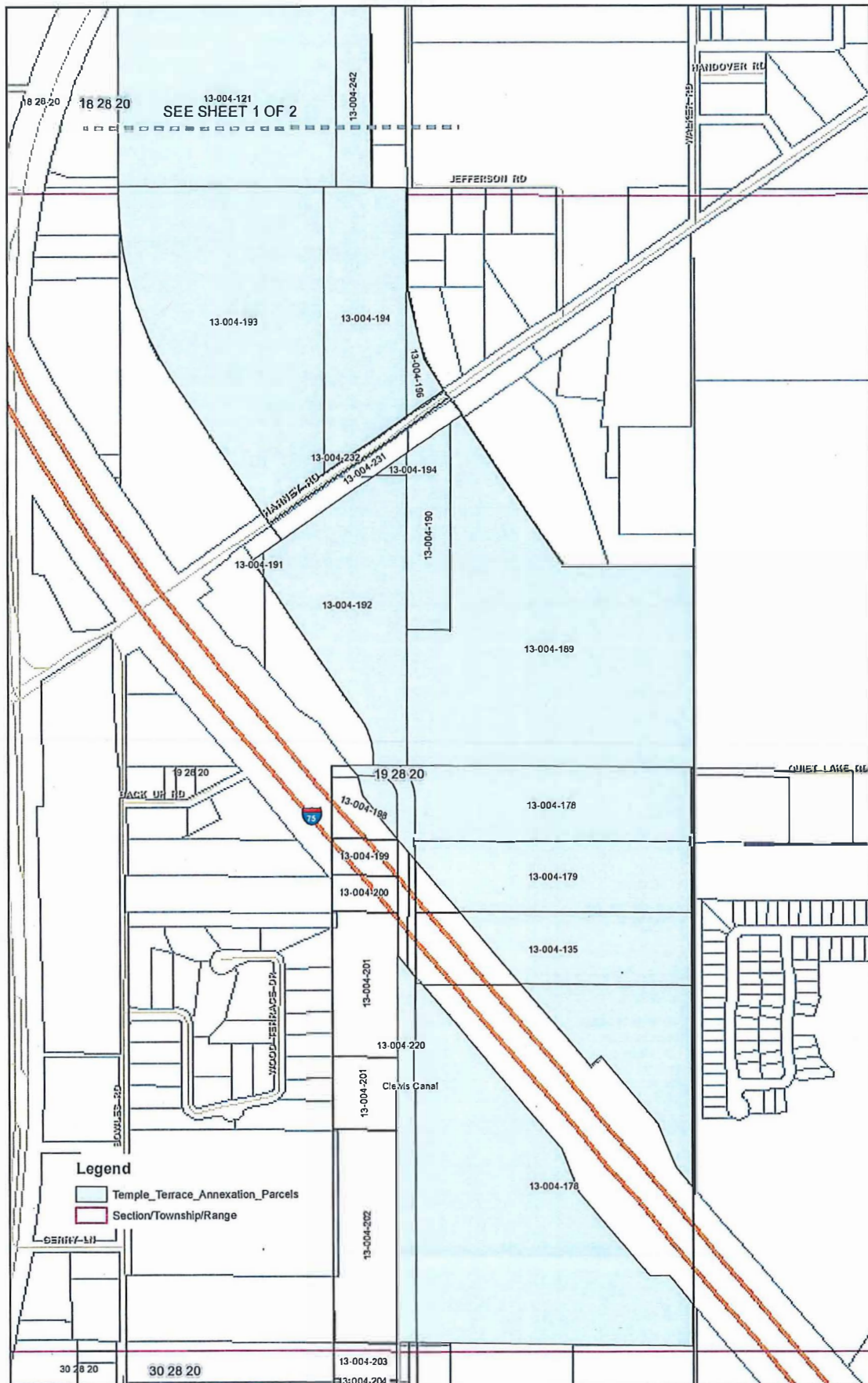
Brian J. Armstrong, Executive Director

Date



September 20, 2019
Work Order No. 19-101

Exhibit A



**Tampa Bypass Canal Temple Terrace Annexation
Graphic Presentation**

September 20, 2019
Work Order No. 19-101



Exhibit A
Annexation Agreement

1. Account No.: A0611550000 – SWF Parcel Nos. 13-004-131

The N 1/2 of the S 1/2 of the NE 1/4, of the NW 1/4 of Section 18, Township 28, South, Range 20 East, reserving, 15-feet along section lines for 1/2 right of way for public roads.

ALSO

The NW 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, reserving, 15 feet along section line and half section line for 1/2 of right of way for public roads.

Less from all the above any right of way for Fowler Ave (aka State Road 582) and Interstate 75.

2. Account No.: A0611540000 – SWF Parcel Nos. 13-004-132, 13-004-133

13-004-132

The West 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough, County, Florida, LESS right-of-way for State Road #582.

AND

13-004-133

That part of the East 1/2 of the NE 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Lying West of the following described line;

Commence at the SE corner of the NE 1/4 of the NW 1/4 of said Section 18;

Run thence N 89° 53' 19" W, along the South boundary of the said NE 1/4 of the NW 1/4 of Section 18, a distance of 204.72 feet to the POINT OF BEGINNING;

Thence N00° 05' 38" W, a distance of 1321.42 feet to the North boundary of the said NE 1/4 of the NW 1/4 of Section 18, the POINT OF TERMINATION.

3. Account No.: A0611600000 – SWF Parcel Nos. 13-004-139, 143, 182, 188, 140, 146, 243, 241, 181, 184, 141, 187, 240, 186, 183, 174 and 185

13-004-185

The East 120.00 feet of the West 910.00 feet of the South 140.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida; containing 0.38 acres, more or less.

AND

13-004-141

The East 120.00 feet of the West 550.00 feet of the South 140.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida; containing 0.38 acres, more or less.

AND

13-004-139

The East 120.00 feet of the West 310.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, LESS the South 190.00 feet, Hillsborough County, Florida; containing 0.38 acres.

Less therefrom lands described in Official Records Book 12301, Pages 1241 – 1243 of the Public Records of Hillsborough County

AND

13-004-183

The East 120.00 feet of the West 1,150.00 feet of the South 140.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida; containing 0.38 acres, more or less.

AND

13-004-182

The East 120.00 feet of the West 430.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the South 190.00 feet there; containing 0.39 acres, more or less.

AND

13-004-186

The East 120.00 feet of the West 1030.00 feet of the South 140.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida.

AND

13-004-181

The East 120.00 feet of the West 430.00 feet of the South 140.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida.

AND

13-004-146

The East 120.00 feet of the West 1030.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4, LESS the South 190.00 feet, of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida; containing 0.39 acres, more or less.

AND

13-004-184

The East 120.00 feet of the West 310.00 feet of the South 140.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County; containing 0.38 acres, more or less.

Less therefrom lands described in Official Records Book 12301, Pages 1241 – 1243 of the Public Records of Hillsborough County

AND

13-004-243

The East 120.00 feet of the West 1150.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4, LESS the South 190.00 feet, of Section 18, Township 28 South, Range 20 East, Hillsborough County; containing 0.39 acres, more or less.

AND

13-004-143

The East 120.00 feet of the West 550.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the South 190.00 feet; containing 0.39 acres, more or less.

AND

13-004-241

The East 120.00 feet of the West 910.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the South 190.00 feet; containing 0.39 acres, more or less.

AND

13-004-188

The East 120.00 feet of the West 670.00 feet of the South 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the South 190.00 feet; containing 0.39 acres, more or less.

AND

13-004-140

The East 120 feet of the West 790 feet of the South 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the South 190 feet thereof.

AND

13-004-240

The East 120.00 Feet of the West 790.00 feet of the South 140.00 feet of the South 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida; Containing 0.39 acres, more or less.

AND

13-004-187

The East 120.00 feet of the West 670.00 feet of the South 140.00 feet of the S 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida.

TOGETHER WITH

13-004-174

Adjacent right -of- ways closed, vacated and abandoned by Resolution recorded in ORB 3121, page 538, of the Public Records of Hillsborough county, Florida Described as follows:

The East 25.00 feet of the W 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Less the South 25.00 feet thereof for road right of way.

AND

The West 25.00 feet of the E 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Less the South 25.00 feet thereof for road right of way.

AND

The East 50.00 feet of the West 190.00 feet of the South 190.00 feet of the S 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida.

AND

The West 1150.00 feet of the North 50.00 feet of the South 190.00 feet of the S 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Less the West 190.00 feet.

4. Account No.: A0611780000 – SWF Parcel No. 13-004-138

The South 70.00 feet of the South 1/4 of the NE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the West 1150.00 feet and LESS the East 25.00 feet for Jefferson Road, containing 0.24 acres, more or less.

5. Account No.: A0612010000 – SWF Parcel No. 13-004- 154, 159, 161, 160, 158, 157, 150, 245, 221 and 153.

13-004-160

The South 132.00 feet of the North 792.00 feet of the W1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida Less the East 25.00 feet thereof for road right of way; containing 0.42 acres, more or less

AND

13-004-153

The W 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, LESS the East 25 Feet, LESS the South 25 feet thereof for road right of way and LESS the North 1190 feet thereof.

AND

13-004-158

The South 132.00 feet of the North 924.00 feet of the West 1/2 of the West 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida LESS the East 25.00 feet thereof for road right-way, containing .42 acres, more or less.

AND

13-004-150

The South 132 of the North 1,188 feet of the West 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the East 25 feet thereof for road right of way, containing .042 acres, more or less

AND

13-004-245

The South 2 feet of the North 1,190.00 feet of the West 1/2 of the West 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the East 25.00 feet thereof.

AND

The South 2 feet of the North 1,190.00 feet of the East 1/2 of the West 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida LESS the West 25.00 feet thereof, Containing 0.013 acres, more or less

AND

13-004-221

The South 25.00 feet of the West 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida. Containing 0.19 acres, more or less, and together with any interest possessed by grantor herein, if any, in McRae Road Lying within SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida.

AND

13-004-157

The South 132 feet of the North 1,056 feet of the West 1/2 of the West 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Less the East 25 feet for road.

AND

13-004-154

The North 132 feet of the West 1/2 of the West 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, LESS the East 25 feet thereof for road right of way.

AND

13-004-159

The South 396.00 feet of the North 528.00 feet of the W 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the East 25.00 feet for road right of way. Contains 1.27 acres, more or less.

AND

13-004-161

The South 132.00 feet of the North 660.00 feet of the W 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County Florida, LESS the East 25 feet thereof for road right of way. Contains 0.42 acres, more or less.

AND

13-004-162

The South 132.00 feet of the North 1188.00 feet of the E 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Less the West 25.00 feet for road right of way. Contains 0.42 acres, more or less.

6. Account No.: A0611970000 – SWF Parcel Nos 13-004-156, 155, 151, 149, 152, 180, 147, 162 and 148

13-004-147

The South 132.00 feet the North 1056.00 feet of the E 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the West 25.00 feet thereof; containing 0.42 acres, more or less.

AND

13-004-156

The North 132.00 feet of the East 1/2 of the West 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the West 25.00 feet thereof for road right of way, containing 0.42 acres, more or less.

AND

13-004-151

The South 132.00 feet of the North 396.00 feet of the E 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of SECTION 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the West 25.00 feet thereof for road right of way. Containing .042 acres, more or less

AND

13-004-149

The South 132.00 feet of the North 528.00 feet of the E1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 and of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the West 25.00 feet thereof for road right of way. Contains 0.42 acres, more or less.

AND

13-004-148

The E 1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28, South, Range 20 East, Hillsborough County, Florida LESS the West 25.00 feet and LESS the South 25.00 feet and LESS the North 1,190.00 feet thereof. Contains 0.34 acres, more or less.

AND

13-004-162

The South 132.00 feet of the North 1,188.00 feet of the E1/2 of the W1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida Less the West 25.00 feet for the road right of way. Contains 0.42, acres more or less.

AND

13-004-155

The South 132.00 feet of the North 264.00 feet of the E1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Less the West 25.00 feet thereof for road right of way. Contains 0.42 acres more or less.

AND

13-004-152

The South 264.00 feet of the North 792.00 feet of the E1/2 of the W1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the West 25.00 feet road right of way. Contains 0.85 acre, more or less.

AND

13-004-180

The South 132.00 feet of the North 924.00 feet of the E1/2 of the W 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County Florida. LESS the West 25 feet thereof for road right of way contains 0.42 acres more or less.

7. Account No.: A0611930000 – SWF Parcel Nos 13-004-166 and 172

13-004-166

The East 1/2 of the W 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, LESS the East 161.00 feet of the South 520.00 feet thereof, together with any interest possessed by the owners, if any, in McRae Road.

AND

13-004-172

The East 161.00 feet of the South 520.00 feet of the W 1/2 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, together with any interest possessed by the owners of McRae Road, if any. Contains 1.83 acres, more or less.

8. Account No.: A0611560100 – SWF Parcel Nos 13-004-173 and 229

13-004-173

That part of:

The N1/2 of the NE 1/4 to the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida;

Lying within 330 feet Right (Easterly) between Stations 647+62.12 and 675+86.02 of the following described centerline of the Tampa Bypass Canal;

Begin at P.O.T. Station 636+16.37, a point on the South boundary of the SE 1/4 of the SW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, lying S 89°41'47" E, a distance of 500.01 feet from the SW corner thereof;

Thence N 00°05'36" W, a distance of 2646.71 feet;

Thence N 00°03'59" W, a distance of 2644.06 feet to a point on the North boundary of the NE 1/4 of the NW 1/4 of said Section 18, said point lying S 89°55'02" E, a distance of 500.02 feet from the NW corner thereof. Parcel contains 1.29 acres, more or less.

AND

13-004-229

That part of the North 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida described as follows:

Commence at the NE corner of the Said SE 1/4 of the NW 1/4 of Section 18;

Run thence N 89°53'19" W, along the North boundary of the said SE 1/4 of the NW 1/4 of Section 18, a distance of 204.72 feet to the POINT OF BEGINNING;

Thence continue N 89°53'19" W, along the Said North boundary of the SE 1/4 of the NW 1/4 of Section 18, a distance of 287.36 feet:

Thence S 00°03'59" E, ad distance of 330.60 feet to the South boundary of the said North 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18;

Thence S 89°54'53" E, along the said South boundary of the said North 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18, a distance of 287.36 feet;

Thence N00°05'38"W, a distance of 330.47 feet to the POINT OF BEGINNING.
Parcel contains 2.18 acres, more or less.

9. Account No.: A0612120100 – SWF Parcel Nos. 13-004-163, 164, 165 and 167

13-004-163

That part of the S 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, described as follows:

Commence at the SW corner of the NE 1/4 of the SE 1/4 of the NW 1/4 of said Section 18;
Run thence N 00°00'10" W, a distance of 140.00 feet (North, 140.1 feet, Deed), to the POINT OF BEGINNING;

Thence S 89°56'28" E, a distance of 336.10 feet, (East, 336.1 feet, Deed);

Thence N 66°18'07" E, a distance of 108.97 feet, (Northeasterly, 109.2 feet, more or less, in a straight line to the Northwest corner of the South 184 feet of the East 225 feet of the Said NE 1/4 of the SE 1/4 of the NW 1/4, Deed);

Thence S 89°56'28" E (East, Deed), a distance of 21.27 feet;

Thence N 00°05'38" W, a distance of 146.47 feet;

Thence N 89°54'53" W (West, Deed), a distance of 456.93 feet to the NW corner of the Said South 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18;

Thence S 00°00'10" E, along the West boundary of the said South 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18, a distance of 190.58 feet to the POINT OF BEGINNING.

Parcel contains 1.93 acre, more or less.

AND

13-004-164

Beginning at the SW corners of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, and fun thence N 00°00'10"W, a distance of 140.10 feet, (North, 140.1 feet, Deed);

Thence S 89°56'28" E, a distance of 336.10 feet, (East, 336.01 feet, Deed);

Thence N66°18'07"E, a distance of 108.97 feet (Northeasterly, 109.2 feet, more or less, in a straight line to the Northwest corner of the South feet, more or less, in a straight line to the Northwest corner of the South 184 feet of the East 225 feet of the said NE 1/4 of the SE 1/4 of the NW 1/4, Deed);

Thence S 00°01'32" W, along the West boundary of the said South 184 feet of the East 225 feet of the NE 1/4 of the SE 1/4 of the NW 1/4, a distance of 80.00 feet;

Thence S 89°56'28" E, a distance of 21.44 feet;

Thence S 00°05'38" E, a distance of 104.00 feet;

Thence N 89°56'28" W (West, Deed), a distance of 457.45 feet to the POINT OF BEGINNING.

AND

13-004-165

That part of the North 80.00 feet of the South 184.00 feet to the East 225.00 feet of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Lying West of the following described line:

Commence at the SE corner of the SE 1/4 of the NW 1/4 of said Section 18;

Run thence N 89°59'37" W, along the South boundary of the said SE 1/4 of the NW 1/4 of Section 18, a distance of 201.97 feet to the Point of Beginning;

Thence N 00°05'38" W, a distance of 1321.87 feet to the North boundary of the said SE 1/4 of the NW 1/4 of Section 18, the Point of Termination. Parcel contains 0.04 acres, more or less.

AND

13-004-167

That part of the SE 1/4 of the SE 1/4 of NW 1/4 of SECTION 18, TOWNSHIP 28 SOUTH, RANGE 20 EAST, Hillsborough County, Florida, lying West of the following described line:

Commence at the SE corner of the SE 1/4 of the NW 1/4 of said Section 18;

Run thence N 89°59'37" W, along the South boundary of the said SE 1/4 of the NW 1/4 of Section 18, a distance of 201.97 feet to the Point of Beginning;

Thence N 00°05'38" W, a distance of 1,321.87 feet to the North boundary of the said SE 1/4 of the NW 1/4 of Section 18, the point of termination, together with the interest remaining in the owners in McRae Road, if any.

10. Account No.: A0612150000 – SWF Parcel Nos 13-004-136

The NW 1/4 of the NE 1/4 of the SW 1/4 of Section 18, Township 28 South, Range 20 East Hillsborough County, Florida LESS the East 252.00 feet and LESS the East 100.00 feet of the North 200.00 feet of the West 391.55 feet of the NW 1/4 of the NE 1/4 of the SW 1/4 of Said Section 18. Contains 5.56 acres, more or less.

11. Account No.: A0612160000 – SWF Parcel Nos. 13-004-137

The East 100.00 feet of the North 200.00 feet of the West 391.55 feet of the NW 1/4 of the NE 1/4 of the SW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida.

12. Account No.: A0612140000 – SWF Parcel Nos. 13-004-129

The East 2/5 of the Northwest 1/4 of the Northeast 1/4 of the Southwest 1/4, all lying and being in Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida

AND

The North 125.0 feet of the North 1/2 of the South 1/2 of the Northeast 1/4 of the Southwest 1/4, lying West of the Northwestern Right-of-Way line of U.S. Highway No. 301 (SR 43), all lying and being in Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida

13. Account No. A0612180000 – SWF Parcel Nos. 13-004-130

The NE 1/4 of the NE 1/4 of the SW 1/4 of Section 18, Township 28 South, Range 20 East, (Less right of way for U.S. Highway No. 301 (SR 43);

14. Deleted- became a part of item no. 1 above.

15. Account No.: A0612170000 – SWF Parcel Nos. 13-004-127

N 1/2 of S 1/2 of NE 1/4 of SW 1/4, section 18, Township 28 south, Range 20 East, Hillsborough County, Florida, LESS right of way for U. S Highway #301, and LESS the North 125 feet of the N 1/2 of S 1/2 of NE 1/4 of SW 1/4 of said Section 18, lying West of the western right of way boundary of U. S. Highway #301.

16. Account No.: A0612190000 – SWF Parcel Nos. 13-004-126

That part of:

The South 1/4 of the NE 1/4 or the SW 1/4 of SECTION 18, TOWNSHIP 28 SOUTH, Range 20 East, Hillsborough County, Florida , (Less that part deeded to State of Florida in Deed Book 1701, Page 18 for road right of way for U.S. Highway 301 (S.R. 43);

Lying within 330 feet on each side, between Stations 649+38.17 and 622+63.02, of the following described centerline of the Tampa Bypass Canal;

From the SE corner of the said NE 1/4 of the SW 1/4, run thence N 89°56'46" W, along the south boundary thereof, a distance of 818.76 feet to centerline Station 649+38.17, to the point of beginning;

Thence N 00°05'38" W, along said centerline of the Tampa Bypass Canal, a distance of 1,324.85 feet to P.O.T. Station 662+63.02, a point on the north boundary of said NE 1/4 of the SW 1/4 and lying N 89°59'37" W, a distance of 821.46 feet from the NE corner thereof. Contains 3.04 acres, more or less.

AND

SPOIL AREA

The south 1/4 of the NE 1/4 of the SW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, Less that part deeded to State of Florida in Deed Book 1701, Page 18 for U.S. Highway 301 (S.R.43);

AND LESS

That part, lying within 330 feet on each side, between Stations 649+38.17 and 662+63.02, of the following described centerline of the Tampa Bypass Canal;

From the SE corner of the said NE 1/4 of the SW 1/4 run thence N 89°56'46" W, along the south boundary thereof, a distance of 818.76 feet to centerline Station 649+38.17, the Point of Beginning;

Thence N 00°05'38" W, along said centerline of the Tampa Bypass Canal, a distance of 1,324.85 feet to P.O.T. Station 662+63.02, a point on the north boundary of said NE 1/4 of the SW 1/4, and lying N 89°59'37" W, a distance of 821.46 feet from the NE corner thereof.
Contains 4.84 acres, more or less.

17. Account No.: A0612210000 – SWF Parcel Nos. 13-004-121

That part of:

The SE 1/4 of the SW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County Florida, Less right of way for U.S. Highway No. 301 (S.R. 43) deeded to Hillsborough County as recorded in Deed Book 1705, Page 514 of Public Records of Hillsborough County, Florida ;

And Less

That part described as follows:

Begin at the SE corner of the SE 1/4 of the SW 1/4 of Said Section 18;

Thence N 89°41'47" W, a distance of 317.26 feet
 Thence N 00°05'38" W, a distance of 1,149.19 feet;
 Thence N 89°54'22" E, a distance of 318.56 feet to the east boundary of said SW 1/4 of SW 1/4;
 Thence S 00°01'44" E, along the east boundary of said SE 1/4 of SW 1/4 a distance of 1,151.39 feet to the Point of Beginning; Contains 30.22 acres, more or less.

18. Account No.: A0612200100 – SWF Parcel Nos. 13-004-242

13-004-242

That part of the SE 1/4 of the SW 1/4 of Section 18, Township 28 South, Range 20 East, Hillsborough County, Florida, described as follows:

Commence at the SE corner of the said SSE 1/4 of the SW 1/4 of Section 18;

Run thence N 89°41'49" W, along the South boundary of the said SE 1/4 of the SW 1/4 of Section 18, a distance of 164.44 feet to the Point of Beginning;

Thence continue N 89°41'49" W, along said South Boundary, a distance of 152.82 feet;

Thence N 00°05'38" a distance of 1,149.19 feet;

Thence N 89°54'22" E, a distance of 152.82 feet;

Thence S 00°05'38" E, a distance of 1,150.25 feet to the Point of Beginning. Contains 4.03 acres, more or less.

19. Account No.: A2900000038 – SWF Parcel Nos. 13-004-191, 13-004-193, 192 and 189

13-004-191

Spoil Area

That part of:

That part of the NW 1/4 of the SE 1/4 of the NW 1/4 South of the SCL Railroad right of way in SECTION 19, TOWNSHIP 28 SOUTH, RANGE 20 EAST, Hillsborough County, Florida;

Lying within 660 feet left (southwesterly) between Stations 605+00 and 621+08.80 of the following described centerline of the Tampa Bypass Canal;

Begin at the centerline Station 592+99.01, a point on the South Boundary of the NW 1/4 of the SE 1/4 of SECTION 19, TOWNSHIP 28 SOUTH, RANGE 20 EAST, Hillsborough County, Florida, Lying S 89°20'30" E, a distance of 500.03 feet from the SW corner thereof;

Thence N 00°02'25", a distance of 1343.33 feet to the beginning of a curve (Station 606+42.34), concave to the southwest having a radius of 1,000.00 feet;

Thence northwesterly along said curve, and arc distance of 601.11 feet through a central angle of 34°26'28" to the end of said curve; (Station 612+43.45).

Thence N 34°24'03" W, a distance of 865.35 feet to a point on the southerly right of way line of the SCL Railroad; (Station 621+08.80).

Parcel contains 0.12 acre, more or less.

13-004-193

That part of:

The NE 1/4 of the NW 1/4 of Section 19, Township 28 South, Range 20 East, Less the East 375 feet thereof;

AND

That part of the SE 1/4 of the NW 1/4 of Section 19, Township 28 south, Range 20 East, lying North and West of Harney Road (Tampa-Thonotosassa Road, SR. NO. 41) all lying and being in Hillsborough County, Florida;

Lying within 500 feet on each side of the following described centerline of the Tampa Bypass Canal, between Stations 622+47.54 and 636+16.37;

Begin at centerline Station 622+47.54 a point on the North right of way of Harney Road;

Thence N 34°24'03" W, a distance of 708.47 feet to the beginning of a curve concave to the northeast having a radius of 1,000 feet (Station 629+56.01)

Thence northwesterly along said curve, an arc distance of 598.77 feet through a central angle of 34°18'25" to the end of said curve; (Station 635+51.78)

Thence N00°05'38" W, a distance of 61.59 feet to Station 636+16.37, a point on the North boundary of the NE 1/4 of the NW 1/4, said point lying S 89°41'47" E, a distance of 500.01 feet from the NW corner thereof. Containing 23.79 acres, more or less.

AND

13-004-192

That part of:

The SE 1/4 of the SE 1/4 of the NW 1/4 and that part of the NE 1/4 of the SE 1/4 of the NW 1/4 South of the right of way to the SCL Railroad in Section 19, Township 28 South, Range 20 East, Hillsborough County, Florida

Lying within 600 feet on each side, between Stations 605+00 and 621+08.80 of the following described centerline of the Tampa Bypass Canal;

Begin at centerline station 592+99.01, a point on the South Boundary of the NW 1/4 of the SE 1/4 of Section 19, Township 28 South, Range 20 East, Hillsborough County, Florida, Lying S 89°20'39"E, a distance of 500.03 feet from the SW corner thereof;

Thence N 00°02'25" E, a distance of 1343.33 feet to the beginning of a curve (Station 606+42.34), concave to the southwest having a radius of 1000.00 feet;

Thence northwesterly along said curve, an arc distance of 601.11 feet through a central angle of 34°26'28" to the end of said curve; (Station 612+43.45).

Thence N 34°24'03" W, a distance of 865.35 feet to a point on the southerly right of way line of the SCL Railroad; (Station 621+08.80). Contains 12.21 acres, more or less.

AND

13-004-189

That part of:

The East 721 feet of the West 921 feet of the NW 1/4 of the NE 1/4 South of the Seaboard Coastline Railroad in Section 19, Township 28 South, Range 20 East;

AND

That part of the SW 1/4 of the NE 1/4 Less the North 699.5 feet of the West 200 feet thereof, of said Section 19, all lying and being within Hillsborough County, Florida described as follows:

Commence at the SE corner of the SW 1/4 of the NE 1/4 of said Section 19, thence N 89°34'07" W along the South boundary of said SW 1/4 a distance of 1313.60 feet;

Thence N 00°03'58" W along the West boundary fo said SW 1/4 a distance of 616.64 feet;

Thence S 89°47'23" E, a distance of 200.00 feet;

Thence N 00°03'58" W, a distance of 699.50 feet to a point on the North boundary of said SW 1/4 of the NE 1/4 ;

Thence N00°03'33" E, a distance of 240.65 feet to a point on the southeasterly right of way line of the Seaboard Coastline Railroad;

Thence N 55°35'57" E, along the southeasterly right of way line of the Seaboard Coastline Railroad a distance of 60.65 feet to a point on the northeasterly right of way line of the Tampa Bypass Canal;

Thence S 34°24'03" E, along the northeasterly right of way line of the Tampa Bypass Canal a distance of 824.20 feet;

Thence S 89°47'23" E, a distance of 600.35 feet to a point on the east boundary of said SW 1/4 of NE 1/4

Thence S 00°04'33" W, along the east boundary of said SW 1/4 of NE 1/4 a distance of 917.95 feet to the Point of Beginning. Contains 30.65 acres, more or less.

AND

13-004-220

That part of:

Eureka Springs Road and Canal of Clewis Muck Farms as per map or plat thereof as recorded in Plat Book 25, page 70 and Plat Book 25 Page II of the Public Records of Hillsborough County, Florida, lying within 850 feet right (southeasterly and easterly) and lying within 850 feet left (northwesterly and westerly) of the following described centerline of the Tampa Bypass Canal;

Begin at centerline Station 547+21.17, a point on the south boundary of the SE 1/4 of the NW 1/4 of Section 30, Township 28 South, Range 20 East, and lying N 89°18'58" W, a distance of 1,208.58 feet from the SE corner thereof;

Thence N 42°34'37" E, a distance of 2,138.64 feet to the beginning of a curve concave to the northwest and having a radius of 1,000.00 feet;

Thence northeasterly along the arc of said curve, a distance of 742.40 feet, (central angle of 42°32'12" chord distance of 725.47 feet and chord bearing of N 21°18'12" E), to the end of said curve;

Thence N 00°02'25" E, a distance of 383.21 feet to a point on the north boundary of NW 1/4 of the NE1/4 of said Section 30 and lying S 89°07'13" E, a distance of 500.05 feet from the NW corner thereof, (said point being Station Equation 579+85.42 Back and 579+87.60 Ahead);

Thence N 00°02'25" E, a distance of 2,622.82 feet to the point on the north boundary of the NW 1/4 of the SE 1/4 of Section 19, (said point Lying S 89°34'07" E, a distance of 500.01 feet from the NW corner thereof).

Less therefrom any part lying and being in Section 30, Township 28 South, Range 20 East.

20. Account No.: A0613270000 – SWF Parcel Nos. 13-004-194

The east 375 feet of the NE 1/4 of the NW 1/4 of Section 19, Township 28 South, Range 20 East, Hillsborough County, Florida, Less right of way for Harney Road (Tampa-Thonotosassa Road, SR No. 41), and less SCL RR right of way. Contains 10.24 acres, more or less.

20a. Account No.: A0613270000 – SWF Parcel Nos. 13-004-196

From the Northwest corner of the Northwest 1/4 of the Northeast 1/4 of Section 19, Township 28 South, Range 20 East run South 448.69 feet for a point of beginning; continue South 592.55 feet, more or less, to the Northerly right of way line of Harney Road, thence North 55° 24' East along said right of way line a distance of 206.0 feet, thence North 31° 21' West a distance of 167.3 feet, and thence North 13° 56' West a distance of 342.8 feet to the point of beginning all lying and being in Hillsborough County, Florida.

21. Account No.: A0613220000 – SWF Parcel Nos. 13-004-190

Beginning at the NW corner of the SW 1/4 of the NE 1/4 of SECTION 19, TOWNSHIP 28 SOUTH, RANGE 20 East and run thence N 00°03'33" W, a distance of 102.85 feet (North 102.85'; Deed), to the southerly right of way line of the SCL railroad:

Thence N 55°35'57" E, along said southerly right of way line of the SCL Railroad, a distance of 242.87 feet (N 55°37'00" E 242.25 feet, Deed);

Thence S 00°03' 58" E, a distance of 939.55 feet (South 939.55 feet, Deed);

Thence N 89°47'23" W a distance of 200 feet (West 200 feet, Deed);

Thence N 00°03' 58" W a distance of 699.5 feet (North 699.5 feet, Deed) to the POINT OF BEGINNING, lying and being in Hillsborough County, Florida.

22. Account No.: A0614550000 – SWF Parcel Nos. 13-004-178, 179, 220, 198 and 135

13-004-178

Tracts 1, 8, 9, 12, 13 and 16 of CLEWIS MUCK FARMS, according to the plat thereof as recorded in Plat Book 25, Page 11 of the Public Records of Hillsborough County, Florida.,

AND

13-004-179

Tract 4 of Clewis Muck Farms, according to the plat thereof as recorded in Plat Book 25, Page 11, of the Public Records of Hillsborough County, Florida.

AND

13-004-135

Tract 5 of Clewis Muck Farms, according to the plat thereof as recorded in Plat Book 25, Page 11 of the Public Records of Hillsborough County, Florida. Contains 9.57 acres, more or less.

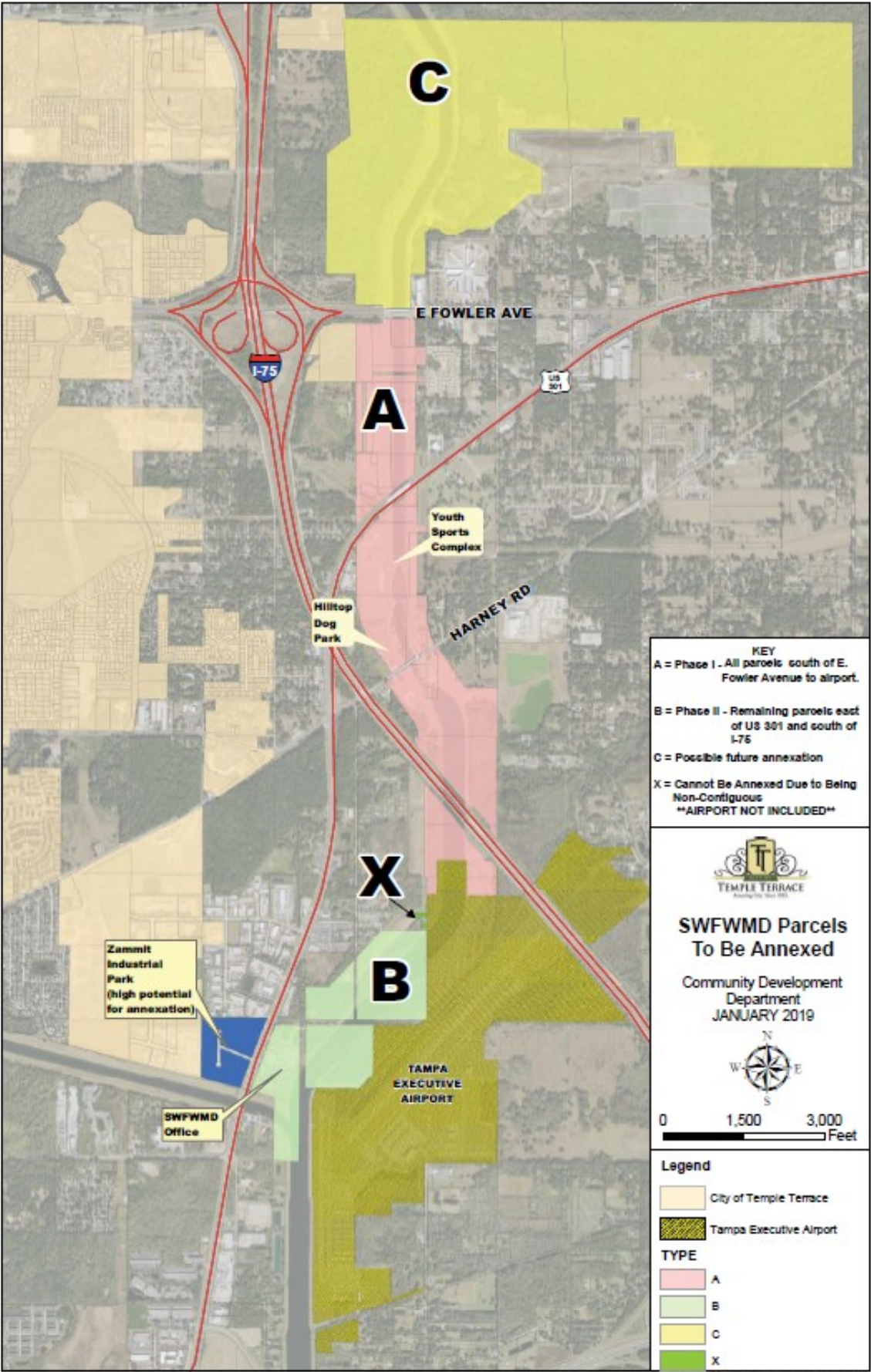
AND

13-004-198

That portion of Tract 2 of Clewis Muck Farms, according to the plat thereof as recorded in Plat Book 25, Page 11 of the Public Records of Hillsborough County, Florida, Lying East of Interstate 75.

Less from All the above, items (1-22), any lands that the Southwest Florida Water Management District no longer has title too. Also, Less Public road right -of- ways, either recorded or otherwise implied.

Exhibit 3 – City of Temple Terrace Proposed Annexation Phases



OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

October 22, 2019

Submit and File Report

Hydrologic Conditions Report

This routine report provides information on the general state of the District's hydrologic conditions, by comparing rainfall, surface water, and groundwater levels for the month under review, which is September, with comparable data from the historical record. The data shown are typically considered final, fully verified monthly values, but occasionally, due to timing of publication, some data are identified as "provisional," meaning that the values shown are best estimates based on incomplete data.

The information presented below is a summary of data presented in more detail in the monthly Hydrologic Conditions Report published the week before the Governing Board meeting, which also includes an updated provisional summary of hydrologic conditions as of the date of publication. It is available at <https://www.swfwmd.state.fl.us/resources/weather-hydrology/hydrologic-conditions-reports>

Rainfall

Provisional rainfall totals, as of September 30th, were significantly below normal for all three regions of the District. The normal range is defined as rainfall totals that fall on or between the 25th to 75th percentiles derived from the historical data for each month.

- Northern region rainfall averaged 1.32 inches, equivalent to the 1st percentile
- Central region rainfall averaged 1.98 inches, equivalent to the 2nd percentile.
- Southern region rainfall averaged 1.66 inches, equivalent to the 1st percentile.
- District-wide, average rainfall was 1.68 inches, equivalent to the 1st percentile.

Streamflow

Streamflow data for September indicates regional streamflow increased in the northern region of the District, while it decreased in the central and southern regions, compared to the previous month. Based on the three regional index rivers indicated below, streamflow conditions ended the month at above-normal flows in the northern region and within the normal range in the central and southern regions. Normal streamflow is defined as flow that falls on or between the 25th and 75th percentiles.

- The monthly average streamflow in the Withlacoochee River near Holder in the northern region was in the 77th percentile.
- The monthly average streamflow measured in the Hillsborough River near Zephyrhills in the central region was in the 50th percentile.
- The monthly average streamflow measured in the Peace River at Arcadia in the southern region was in the 52nd percentile.

Groundwater Levels

Groundwater data for September indicates that levels in the Floridan/Intermediate aquifer have decreased in all three regions of the District, compared to last month. Regional groundwater levels ended the month at above-normal levels in the northern region, while levels were within the normal range in the central and southern regions. Normal groundwater levels are defined as those falling on or between the 25th and 75th percentiles.

- The average groundwater level in the northern region was at the 81st percentile.
- The average groundwater level in the central region was at the 59th percentile.
- The average groundwater level in the southern region was at the 34th percentile.

Lake Levels

Water level data for September indicates that regional lake levels decreased in all four lake regions within the District, compared to the previous month. The Northern, Tampa Bay, Polk Uplands and Lake Wales Ridge regions ended the month with levels above the base of the annual normal range. Normal lake levels are generally considered to be levels that fall between the minimum low management level and the minimum flood level.

- Average levels in the northern region decreased 0.31 foot and were 0.62 foot above the base of the annual normal range.
- Average lake levels in the Tampa Bay region decreased 0.46 foot and were 1.35 feet above the base of the annual normal range.
- Average lake levels in the Polk Uplands region decreased 0.23 foot and were 2.26 feet above the base of the annual normal range.
- Average lake levels in the Lake Wales Ridge region decreased 0.21 foot and were 0.53 foot above the base of the annual normal range.

Issues of Significance

September historically marks the last month of the four-month annual wet season (June through September) and provisional rainfall totals for the month indicate abnormally low rainfall accumulations for all regions of the District. Provisional rainfall data, District-wide, indicate that September 2019 was the driest September since records began in 1915. Although abundant tropical moisture and storm-systems formed in the Gulf of Mexico, Atlantic and Caribbean during September, a high pressure weather system dominated by dry air persisted over the District and the southeastern U.S., inhibiting rainfall and blocking tropical moisture from entering the area.

Analysis of the District-wide wet season rainfall shows totals of 30.73 inches, equivalent to the 56th percentile and 0.14 inch below the historic wet season mean rainfall of 30.87 inches. The provisional District-wide 12- and 24-month cumulative rainfall totals saw declines, ending the month with a surplus of approximately 1.5 and 3.0 inches, respectively, above their long-term historical averages.

In response to the extended dry weather and low rainfall in September, regional groundwater, rivers and lakes posted water level declines. However, groundwater and surface water conditions remained within the normal or above-normal range in many areas, due to lingering effects of normal to above-normal rainfall in June, July and August. The risk of wildfire throughout the District continues to increase.

NOAA climate forecasts indicate “above-normal” chances for rainfall throughout the District from

Item 34

October through December 2019. NOAA's long-term forecasts indicate "equal chances" for below-normal, normal or above-normal rainfall from January through December 2020, due to ENSO-neutral conditions in the Pacific Ocean continuing through spring 2020. Extended drier-than-normal rainfall conditions during the fall/winter/spring months would worsen already declining hydrologic conditions.

Updated weather forecasts will be available in mid-October. Staff will continue to closely monitor conditions in accordance with the District's updated Water Shortage Plan, including any necessary supplemental analysis of pertinent data.

Staff Recommendation:

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

Presenter: Granville Kinsman, Hydrologic Data Manager

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

October 22, 2019

Submit and File Report

Exchange Agreement with Tampa Port Authority for the Expansion of Railroad Lines for Port Services – Schulz Preserve - SWF Parcel Numbers 11-709-154 and 11709-155S

Purpose

Inform the Board of a request from the Tampa Port Authority (Port) to exchange property in Schulz Preserve (Preserve) owned by the Southwest Florida Water Management District (District) for property owned by the Port. The District property is needed for expansion of railroad services to accommodate the relocation of the Ardent Mills LLC, flour mill to the Port's Gibsonton (Port Redwing) facility. A general location map is included as Exhibit 1.

Background/History

The Port has approved a site permit for construction of a flour mill facility for Ardent Mills LLC., at the Port's Gibsonton facility. The lease agreement negotiation requires construction of additional utilities, a new conveyor transport and expansion of the existing railroad tracks to accommodate more rail and hopper cars that carry loose bulk commodities. The Port has requested the District exchange portions of its property (2,080 linear feet strip; 0.5 acres) directly adjacent to the existing railroad track on the Port's property for the Port's property (1.2 acres) located along the south east corner of Schulz Preserve. This land is required for the buffer associated with the railroad expansion.

The District's property was purchased with acquisition funding from Hillsborough County Environmental Lands Acquisition Program (ELAPP). District staff and the County have been jointly reviewing the Port's proposal. The County manages Schulz Preserve for conservation and recreational purposes pursuant to the purchase agreement between the parties.

The District, at the request of the Port, will provide them a non-binding letter of intent as part of the negotiations to include overall exchange terms. An exchange agreement will be negotiated by staff and presented to the Board for approval. The letter of intent will include but is not limited to the following exchange terms:

- District will exchange the fee simple interest for Parcel A (about 0.5 acres) for fee simple interest in Parcel B (about 1.2 acres).
- Port will improve Parcel B solely at its cost to include obtaining permits to construct a culvert(s) to improve access on Parcel B which includes clearing non-wetland vegetation and trees and stabilize a parking area with shell or other material. The cost of improvements will be included in the exchange value.
- Port will obtain appraisals for both Parcels A and B at its cost and list the District as co-clients on the appraisals
- Port will obtain a wetland delineation survey for Parcel B at its cost
- Port will prepare boundary surveys and legal descriptions for Parcels A and B

Item 35

- District will convey a perpetual easement to the Port across a portion of Parcel B for its existing waterline on the property subject to the District being granted surface access rights across the easement.

Benefits: Parcel B will provide improved access and a larger parking area for County land management purposes, public use, and recreation.

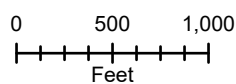
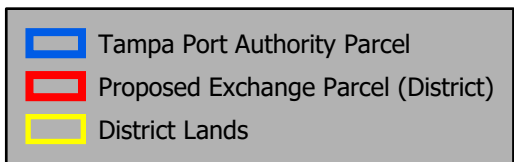
Staff Recommendation:

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

Presenter: Jerry Mallams, P.G., Operations and Land Management Bureau Chief

Exhibit 1

Exchange Agreement with Tampa Port Authority for the Expansion of Railroad Lines for Port Services –
Schultz Preserve - SWF Parcel Numbers 11-709-154 and 11-709-155S Site Map



OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

October 22, 2019

Routine Report

Surplus Lands Update

Staff Recommendation:

Presenter: Jerry Mallams, P.G., Operations and Land Management Bureau Chief

Surplus Lands Update

Purpose

This report provides a status on the District's surplus lands program. Information is through September 15, 2019.

Background

In 2011, at the direction of the Governing Board, the District began a regular surplus lands assessment and sales of surplus lands program. The table below shows the status of the parcels declared surplus by the Governing Board.

Surplus Lands Status	Acres	Compensation
Sold, Exchanged or Transferred	1,755	\$8,684,208
Closing Pending	2	\$23,510
Marketed by District (Annutteliga Hammock lots)	15	
Marketed by Broker	968	
Not Marketed	2,273	
Total	5,013	\$8,707,718

Sold from 9/10/19 to 9/15/19				
SWF Parcel No.	Date Closed	Acres	Contract Price	Appraised Value
None				
Total		0	\$0	\$0

Staff Recommendation:

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

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

October 22, 2019

Routine Report

Structure Operations

Summary of gate status and water levels for select water control structures on September 23, 2019. Refer to Exhibit A for District Structure Sites Location Map.

Tampa Bypass Canal

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Hillsborough River	S-155	23.23	38.0	21.0	Open
Upper Pool	S-159	24.92	38.0	21.0	Closed
Middle Pool	S-161	13.65	15.0	12.0	Closed
Lower Pool	S-160	9.61	11.0	9.0	Closed

*Elevations above referenced to NGVD29 datum

Hillsborough River Watershed

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Thonotosassa	Flint Creek	35.41	36.1	33.6	Closed

Lake June-in-Winter

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
June-in-Winter	G-90	72.99	74.4	72.1	Closed

North Winter Haven Chain of Lakes

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Smart	P-6	127.58	127.75	123.50	Closed
Lake Henry	P-5	124.99	125.50	123.00	Closed
Lake Fannie	P-7	124.52	124.75	122.50	Closed
Lake Hamilton	P-8	120.11	120.50	118.00	Closed

Peace River Watershed

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Hancock	P-11	99.14	102.1	96.6	Closed

Alafia River Watershed

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Medard Reservoir	Medard	57.28	58.2	56.6	Closed

Rocky Creek System

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Pretty	Pretty	43.10	43.50	41.00	Open
Lake Armistead	Armistead	41.10	43.20	39.70	Open

Brooker Creek System

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Tarpon	S-155	2.50	3.10	1.50	Closed

Sawgrass Lake

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Sawgrass Lake	Sawgrass	3.20	3.20	3.00	Closed

Withlacoochee River Watershed

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Rousseau	Inglis Main	26.69	27.10	25.60	Open
Lake Rousseau	Inglis Bypass	26.69	27.10	25.60	Open

Tsala-Apopka Chain of Lakes

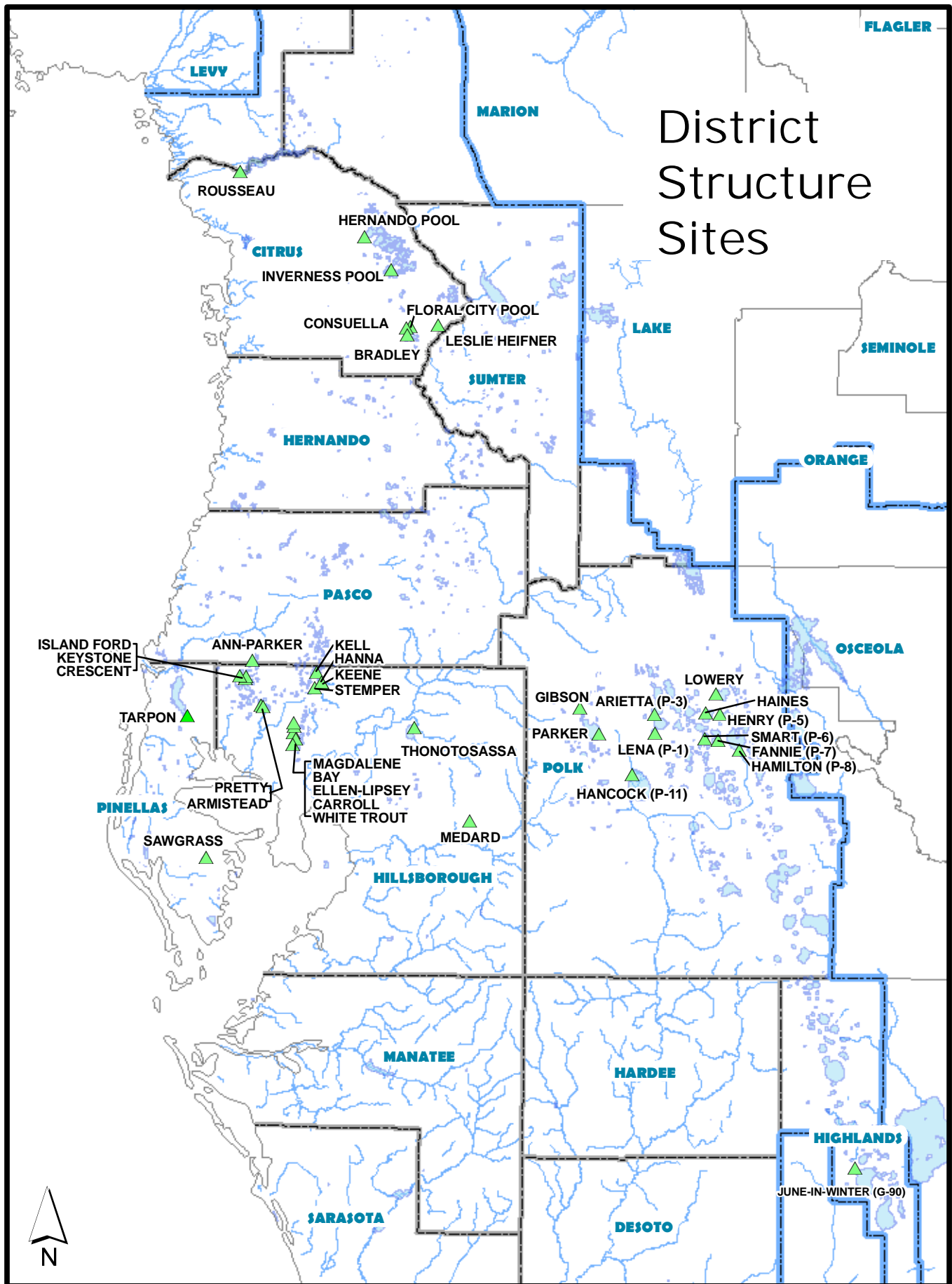
Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Hernando Pool	S-353	37.61	38.10	36.40	Closed

*Elevations above referenced to NAVD88 datum

Staff Recommendation:

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

Presenter: Jerry Mallams, P.G., Operations and Land Management Bureau Chief



OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

October 22, 2019

Routine Report

Significant Activities

Staff Recommendation:

Presenter: Jerry Mallams, P.G., Operations and Land Management Bureau Chief

Operations, Lands and Resource Monitoring Committee

Significant Activities

This report provides monthly information through September 19, 2019 on significant Operations and Land Management projects and programs. The report provides a brief description and status of significant activities associated with the projects that have recently occurred or are about to happen.

Land Management

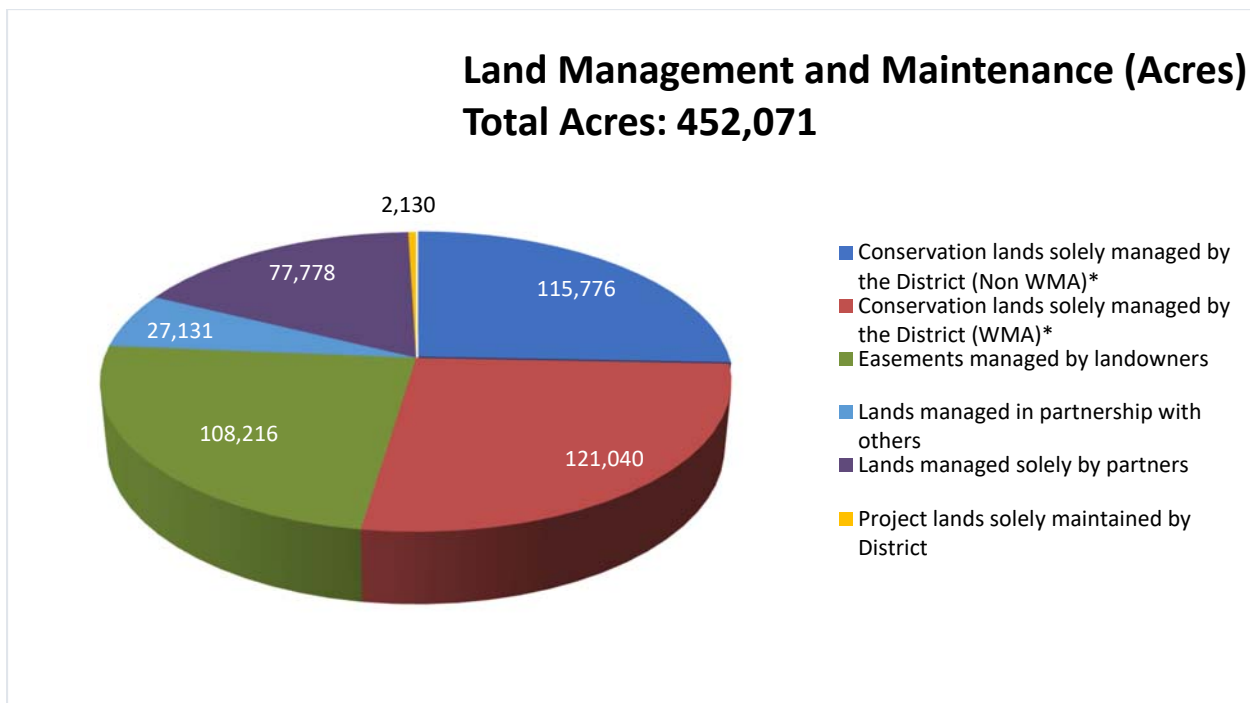
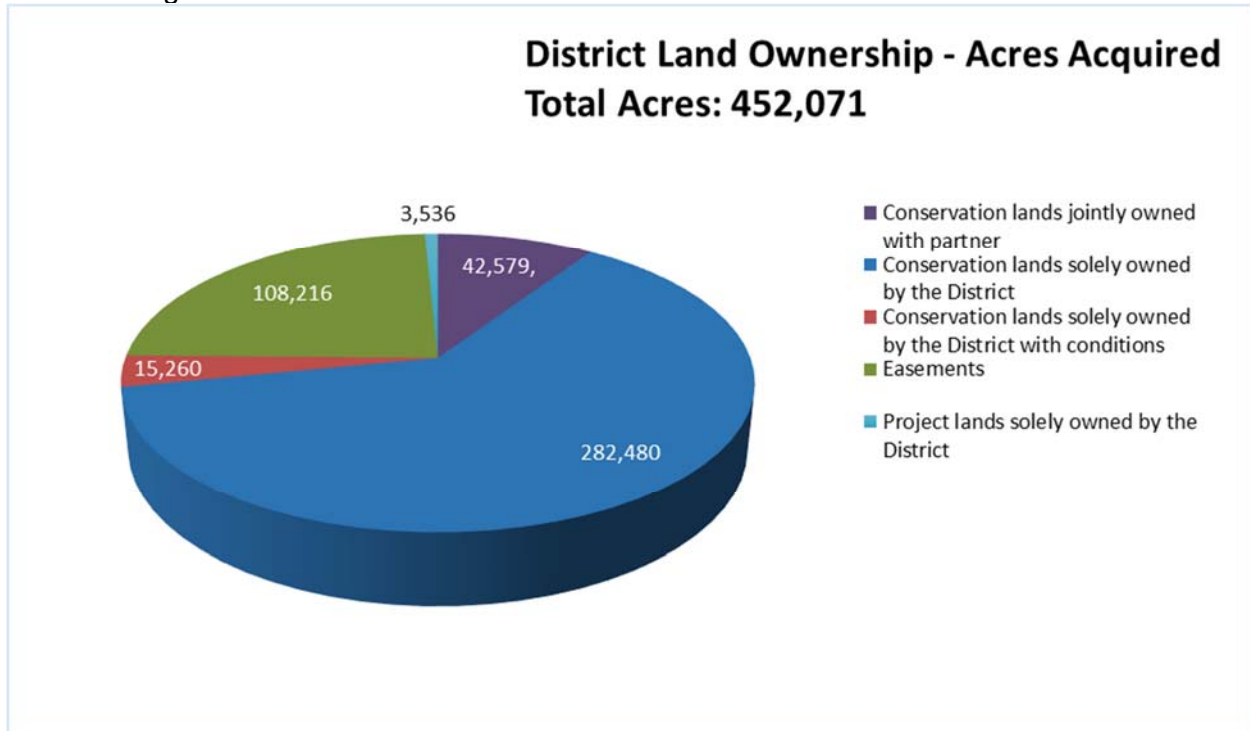
- Staff have applied prescribed fire to 19,961 acres of conservation lands during FY2019.
- Staff continue to trap and conduct phased feral hog management hunts on District lands. There have been 876 feral hogs removed from District lands during FY2019.
- Vegetation Management staff have treated invasive exotic vegetation on 25,142 acres on District lands during FY2019.
- Land resource-based revenue to date this fiscal year is \$157,402.

Land Resources/Land Use and Protection

Issued Special Use Authorization to the following:

- Florida Fish and Wildlife Conservation Commission Youth Hunting Program for vehicle access and use of the District's Flying Eagle, Halpata, Starkey and Green Swamp Preserves to conduct nine deer, hog, spring turkey hunts and camping events.
- Wildlands Conservation, Inc. for vehicle access to Starkey Wilderness Preserve for up to 20 students with Wildlands Conservation, Inc. to conduct gopher tortoise research as part of a training program to become Authorized Gopher Tortoise Agents through the Florida Fish and Wildlife Conservation Commission permitting system. Students will be certified in methods such as survey, capture, transport, release, and hand-shovel excavation. Abandoned burrows in the parking area will be used to demonstrate bucket trapping.
- Florida Cracker Trail Association for vehicle access to Edward W. Chance Reserve – Gilley Creek Tract for up to 50 participants to conduct an equestrian endurance ride and camping event.
- Volunteers provided 87 hours of service at a value of approximately \$2,049.72 to the District's conservation/recreation lands. Volunteer services included campground maintenance, trash removal, fence repair, and tree trimming.
- Processed 135 requests and provided 387 camping opportunities on District lands.

The following is a breakdown of District land interests:



Staff Recommendation:

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

**Governing Board Meeting
October 22, 2019**

REGULATION COMMITTEE

Discussion Items

39. Consent Item(s) Moved for Discussion	201
40. Denials Referred to the Governing Board	202

Submit & File Reports – None

Routine Reports

41. Dover/Plant City Water Use Caution Area Flow Water Meter and Automatic Meter Reading Equipment Implementation	203
42. Overpumpage Report	204
43. Individual Permits Issued by District Staff	208

REGULATION COMMITTEE

October 22, 2019

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

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

REGULATION COMMITTEE

October 22, 2019

Discussion 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

REGULATION COMMITTEE**October 22, 2019*****Routine Report*****Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading Equipment Implementation**

At their December 2010 meeting, the Governing Board adopted a minimum aquifer level in the Dover/Plant City Water Use Caution Area (DPCWUCA); Rule 40D-8.626, Florida Administrative Code (F.A.C.), as well as a recovery strategy (Rule 40D-80.075, F.A.C.) that incorporated flow meters and automatic meter reading (AMR) equipment installations to monitor and reduce resource impacts from future frost/freeze pumping events. Meter information in the Dover/Plant City area will be used by the District to: (1) improve the allocation of well mitigation responsibilities among permit holders, (2) allow District staff to better identify permit compliance issues resulting from pumping during frost/freeze events, (3) improve the modeling of impacts resulting from pumping during frost/freeze events, (4) allow the monitoring of performance and track the progress of management actions implemented, and (5) provide for the overall assessment of the recovery strategy goal of reducing frost/freeze protection quantities by 20 percent in ten years. It was originally estimated as of June 16, 2011 that there were 626 flow meters and 961 AMR devices needing installation within the 256-square mile DPCWUCA. As of December 1, 2016 it was estimated that 573 flow meters and 954 AMR devices will need to be installed, currently, a revised assessment completed of May 1, 2019 estimated a program total of 540 flow meters and 870 AMR devices. This revised assessment is due to expired permits, use change, deletion of withdrawals not required to be metered and have AMR devices and the completion of the Flow Meter Reimbursement Program. Total costs of the program were estimated to be \$5.5 million for flow meter and AMR equipment installation with approximately \$316,000 required annually to support the program. On August 7, 2013, the AMR equipment installation and operation component of this project under RFP 004-13 was awarded to Locher Environmental Technology, LLC, partnered with AMEC Environmental and Infrastructure, Inc., and Hydrogage, Inc. The current contract was executed on November 14, 2013 and will be completed December 31, 2019. An extension was made to the current contract to extend the current contract date of September 30, 2019 to December 31, 2019 to allow for the replacement of 457 modems that will no longer be supported by Verizon by December 31, 2019. The modem replacements are to be completed by December 31, 2019. The second phase of work for ongoing maintenance and limited AMR installations will begin on October 1, 2019 and run concurrent with the current AMR program contract.

New Activities Since Last Meeting: As of October 1, 2019, a total of 538 flow meters have been installed (100 percent complete and ending the meter reimbursement program) and 849 AMR units have been installed (97 percent complete). As of October 1, 2019, a total of 457 modems are required to be replaced by December 31, 2019, 415 modems have been replaced to date (91 percent complete). *Project Manager: Talia M. Paolillo*

Staff Recommendation:

This item is provided for the Committee's information and no action is required.

Presenter: Darrin Herbst, P.G., Bureau Chief, Water Use Permit Bureau

REGULATION COMMITTEE

October 22, 2019

Routine Report

Overpumpage Report

Please see the attached report.

Staff Recommendation:

This item is provided for the Committee's information and no action is required.

Presenter: Darrin Herbst, P.G., Bureau Chief, Water Use Permit Bureau

Overpumpage Report August 2019

Under Review ⁽¹⁾ Permit Application In-House ⁽²⁾ Forwarded to OGC ⁽³⁾

Permit No.	Permit Holder	Use Type	Permitted Quantity (gpd)	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
<i>New From Previous Report</i>						
N/A	N/A	N/A	N/A	N/A	N/A	N/A

(1) Preliminary determination - permit is in non-compliance and file is under review by Regulation staff.

(2) A permit application is in-house for review.

(3) The non-compliance matter has been referred to the Office of General Counsel (OGC).

Overpumpage Report August 2019

Under Review ⁽¹⁾ Permit Application In-House ⁽²⁾ Forwarded to OGC ⁽³⁾

Permit No.	Permit Holder	Use Type	Permitted Quantity (gpd)	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
Continuing From Previous Report						
6217.008	Palma Ceia Golf & Country Club\Attn. Matt Eichmann ¹	Recreation – Golf Course	210,600	5/1/2019 235,163 gpd 11.66%	08/01/2019 228,823 gpd 8.65%	Tampa
12800.007	Polk County Utilities/Attn: Krystal Azzarella ¹	Public Supply	158,100	5/1/2019 190,120 gpd 20.25%	08/01/2019 205,598 gpd 30.04%	Bartow
10923.001	Spruce Creek Golf, LLC. ¹	Recreation – Golf Course	163,600	4/1/2019 513,085 gpd 213.62%	08/01/2019 493,288 gpd 201.52%	Brooksville
1854.008	Panther Trails CDD / Attn: Carrie Macsuga ¹	Recreation - Lawn/Landscaping	4,600	02/01/2019 11,573 gpd 151.59%	08/01/2019 9,961 gpd 116.54%	Tampa
3219.007	Gardinier Florida Citrus, Inc. / Attn: Stephane Gardinier. ^{1,2}	Agriculture – Citrus	322,600	11/01/2018 387,893 gpd 20.24%	08/01/2019 436,030 gpd 35.16%	Bartow
12900.002	Minto Bradenton LLC. (Perico Island Development) ¹	Recreation - Lawn/Landscaping	130,500	11/01/2017 196,759 gpd 50.77%	08/01/2019 157,403 gpd 20.62%	Sarasota
696.007	Gardinier Florida Citrus, Inc. / Attn: Stephane Gardinier. ¹	Agriculture – Citrus	247,800	05/01/2017 293,762 gpd 39.5% (Previously permitted at 210,600 gpd)	08/01/2019 293,792 gpd 18.56%	Bartow

(1) Preliminary determination - permit is in non-compliance and file is under review by Regulation staff.

(2) A permit application is in-house for review.

(3) The non-compliance matter has been referred to the Office of General Counsel (OGC).

Attachment: Oct19 Routine Reports - Overpumpage Report Aug Pumpage Final (4685 : Overpumpage

Overpumpage Report August 2019

Under Review ⁽¹⁾ Permit Application In-House ⁽²⁾ Forwarded to OGC ⁽³⁾

Permit No.	Permit Holder	Use Type	Permitted Quantity (gpd)	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
<i>Continuing From Previous Report</i>						
1156.012	Bay Laurel Center Public Water Supply System ³	Public Supply	2,555,000	09/01/2016 2,696,799 gpd 5.55%	08/01/2019 3,296,266 gpd 29.01%	Brooksville
2588.010	Kelly Family Holdings, LLC. (Kelly Farms) ³	Agriculture – Potatoes and Pasture	1,043,600	11/01/2016 851,054 gpd 20.79%	08/01/2019 1,298,525 gpd 24.43%	Sarasota
7002.004	MHC FR Utility Systems, LLC. ³	Public Supply	97,100	04/01/2015 104,929 gpd 8.06%	08/01/2019 162,319 gpd 67.17%	Tampa

(1) Preliminary determination - permit is in non-compliance and file is under review by Regulation staff.

(2) A permit application is in-house for review.

(3) The non-compliance matter has been referred to the Office of General Counsel (OGC).

REGULATION COMMITTEE

October 22, 2019

Routine Report

Individual Permits Issued by District Staff

Please see attached report.

Staff Recommendation:

This item is for the Committee' information and no action is required.

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

INDIVIDUAL PERMITS ISSUED: ERPS – SEPTEMBER 2019

PERMIT NUMBER	PROJECT NAME	COUNTY	DESCRIPTION	TOTAL PROJECT ACRES	WETLAND ACRES	WETLAND ACRES IMPACTED	WETLAND MITIGATION ACRES
43041916.006	Promenade Estates, Phase I Modification	Sarasota	Construction of a 207-lot single-family unit subdivision with associated infrastructure	145.32	27.40	2.96	8.23
43030240.019	Artisan Lakes Eaves Bend Phase II, Subphase A & B	Manatee	Construction of a 349 single-family unit subdivision with associated infrastructure	132.40	13.78	4.67	0.00
49007934.005	River Landing Conceptual ERP	Pasco	Conceptual application for master surface water management system for a parcel of land known as River Landing for a mixed-use subdivision consisting of single-family and multi-family residential development neighborhoods with community parks, amenities facilities and future commercial out-parcels	646.16	128.59	37.22	0.00
43043390.003	Meggison Road Phase 3	Sumter	Modification for construction of 683-acre mass-grading project for future residential and commercial development and Phase 3 of the proposed Meggison Road	683.00	330.25	4.09	0.00
43018888.072	Waterset Phase 5B	Hillsborough	Construction of a residential subdivision and five wet detention ponds	124.50	6.24	1.07	0.00

Wetland Mitigation Acres may be zero or less than Wetland Acres Impacted for a variety of reasons. Some of those reasons are: impacted wetlands require no mitigation by rule (e.g., upland cut manmade ditches, etc.); quality of the impacted wetlands is less than the quality of proposed mitigation; or mitigation is provided through a different permit or a mitigation bank.

INDIVIDUAL PERMITS ISSUED: WUPs – SEPTEMBER 2019

PERMIT NUMBER	PROJECT NAME	COUNTY	DESCRIPTION	USE TYPE	PREVIOUS PERMITTED QUANTITY	NEW PERMITTED QUANTITY	DURATION (YEARS)
2006968.009	Lee Branch	DeSoto	Modification to change crops and acreage; quantities increasing	Agricultural	932,200	1,099,100	20

**Governing Board Meeting
October 22, 2019**

GENERAL COUNSEL'S REPORT

Discussion Items

44. Consent Item(s) Moved for Discussion	211
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Submit & File Reports – None

Routine Reports

45. October 2019 Litigation Report	212
46. October 2019 Rulemaking Update	215

GENERAL COUNSEL'S REPORT

October 22, 2019

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Karen E. West, General Counsel

GENERAL COUNSEL'S REPORT

October 22, 2019

Routine Report

October 2019 Litigation Report

Staff Recommendation:

Presenter: Karen E. West, General Counsel

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT LITIGATION REPORT
October 2019

OPEN ENFORCEMENT CASES
65 Cases as of October 3, 2019

Case Style	Court/Case No.	Attorney	Description	Date Opened	Date Closed
Enforcement Cases in Active Litigation					
SWFWMD v. Fufluns Holdings, LLC	DOAH 19-2812	J. Fussell M. Bray	Challenge to Administrative Complaint and Order	05/10/19	
Permit/Agency Action Challenges					
Long Bar Pointe, LLLP v. Lake Flores I, LLC, & SWFWMD	DOAH 17-005609	C. Tumminia J. Fussell	Administrative Challenge – ERP	09/29/2017	
Rainbow River Conservation, Inc., et al. v. SWFWMD	DOAH 19-2517RP	A. Vining C. Tumminia M. Bray	Rule Challenge	05/17/19	
Denlinger v. Summit View, LLC, and SWFWMD	N/A	J. Fussell A. Witherup	Administrative Challenge – ERP	08/20/19	
Circuit Court Litigation					
Uranowski v. SWFWMD	Hernando County Case No. 16-CA-976	T. Gonzalez (outside counsel)	Employment Discrimination	09/30/16	
Thomas v. North Port Gateway Ass'n & SWFWMD	Charlotte County Case No. 16-1505-CA	G. Mackinnon (outside counsel)	Negligence (automobile accident)	08/18/16	
Denlinger v. SWFWMD	Pasco County Case No. 18-CA-1241	J. Fussell C. Tumminia	Inverse Condemnation Negligence (ERP)	05/18/18	Awaiting Order – Action Partially Dismissed
Heritage Lake Park CDD v. SWFWMD, et al.	Charlotte County Case NO. 18-CA-1191	C. Tumminia	Foreclosure (delinquent ad valorem taxes)	12/21/18	
Valdez v. SWFWMD	Pasco County Case No. 18-CA-1241	J. Fussell C. Tumminia	Inverse Condemnation Negligence (ERP)	01/30/19	Awaiting Order- Action Partially Dismissed

Gilberti v. Daughtrey, United States, SWFWMD, et al.	U.S. Bankruptcy 9:19-ap-00104	S. Stichter (outside counsel) C. Tumminia	Adversary Complaint in Bankruptcy	02/28/19	07/08/19 – Action Dismissed
Cow Hammock, LLC v. Suggs & SWFWMD	Sumter County Case No. 19-CA-142	C. Tumminia	Quiet Title	04/22/19	
Gilberti v. DeSantis, SWFWMD, et al.	U.S. Middle Dist. Fl. 2:19-282-FtM	E. Fernandez C. Tumminia	R.I.C.O.	05/28/19	
SWFWMD v. Jacobs Engineering Group, Inc.	<i>pending</i>	M. McNeil	Complaint for Damages (Contracts and Indebtedness and professional malpractice)	09/27/19	
SWFWMD v. B&G Family Partnership, LLLP	Levy County Case No. 2019-CA-000746	E. Fernandez	Petition for Enforcement and Complaint for Civil Remedies	9/27/19	
Appeals					
Gilberti v. Federal Reserve, SWFWMD, et al.	U.S. Federal Cir.	E. Fernandez C. Tumminia	R.I.C.O.	06/18/19	
Delegated Consent Orders					
NONE					

GENERAL COUNSEL'S REPORT

October 22, 2019

Routine Report

October 2019 Rulemaking Update

Staff Recommendation:

Presenter: Karen E. West, General Counsel

RULEMAKING UPDATE
SEPTEMBER 2019
PROPOSED RULES & AMENDMENTS

RULE	INITIATION DATE	NEXT SCHEDULED ACTION	BOARD PROJECTED/ APPROVED DATE
1. Initiation and Approval of Rulemaking to Amend Rule 40D-2.302(1), F.A.C., to Repeal Reservations from Use of Morris Bridge Sink	May 2015	TBD	May 2015
2. Initiation and Approval of Rulemaking to adopt Minimum Flows for Rule 40D-8.041, F.A.C., Rainbow River System	June 2017	Effective Approx. October 2019	June 2017
3. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Lakes Church and Echo in Hillsborough County	September 2019	Effective Approx. December 2019	September 2019
4. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Lake Charles in Hillsborough County	September 2019	Effective Approx. December 2019	September 2019
5. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Lake Calm in Hillsborough County	September 2019	Effective Approx. December 2019	September 2019
6. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Lake Linda in Pasco County	August 2019	Effective Approx. December 2019	August 2019
7. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Sapphire Lake in Hillsborough County	September 2019	Effective Approx. December 2020	September 2019
8. Initiation and Approval of Rulemaking to Amend Rule 8.623, F.A.C. to Adopt revised Minimum Wetland Levels in Hillsborough, Pasco, and Pinellas Counties	November 2019	November 2019	November 2019

RULE	INITIATION DATE	NEXT SCHEDULED ACTION	BOARD PROJECTED/ APPROVED DATE
9. Initiation and Approval of Rulemaking to Amend Rule 40D-2.091, F.A.C., to amend WUP Applicant's Handbook Part B	November 2019	November 2019	November 2019

COMMITTEE/LIAISON REPORTS

October 22, 2019

Discussion Item

Environmental Advisory Committee

Staff Recommendation:

Presenter: Roger Germann, Board Member

COMMITTEE/LIAISON REPORTS

October 22, 2019

Discussion Item

Other Committee/Liaison Reports

Staff Recommendation:

Presenter: Board Members

EXECUTIVE DIRECTOR'S REPORT

October 22, 2019

Discussion Item

Executive Director's Report

Staff Recommendation:

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

CHAIR'S REPORT

October 22, 2019

Discussion Item

2019 Employee Evaluation and 2020 Performance Goals for the Executive Director and Inspector General

Background

Board Policy No. 710-2 governs the performance evaluation process for the Executive Director and Inspector General. The Policy provides that:

- Each Board member shall independently provide input on the Executive Director's and Inspector General's performance in anticipation of Governing Board approval of the annual employee evaluation for each employee.
- The Executive Director shall provide input on the 2019 administrative performance of the Inspector General.
- With this input, the Governing Board Chair will draft the Executive Director's 2019 evaluation and the Governing Board Treasurer drafts the Inspector General's 2019 evaluation.
- The Executive Director and Inspector General shall provide the Board with their proposed goals for 2020, against which they will be reviewed in next year.

Consistent with Board Policy No. 710-2, at this meeting:

1. The Board Chair will provide to the Governing Board his draft 2019 evaluation for the District's Executive Director, Brian J. Armstrong, and the Board Treasurer will provide to the Governing Board his draft 2019 evaluation for the District's Inspector General, Brian R. Werthmiller. The Governing Board will have an opportunity to review, discuss and make any changes that it may wish to make to these draft evaluations. The Governing Board will also be asked to approve these evaluations so that they can be finalized and delivered to the employees.
2. Executive Director Brian J. Armstrong will present his proposed 2020 performance goals for approval. Inspector General Brian R. Werthmiller's goals were included as part of the Inspector General Performance Measures item on today's consent agenda.

Staff Recommendation:

Adopt and approve the 2019 employee evaluations of Executive Director Brian J. Armstrong and Inspector General Brian R. Werthmiller that were completed by the Governing Board Chair and the Governing Board Treasurer.

Adopt and approve the 2020 Executive Director goals.

Presenters: Mark Taylor, Chair, and Kelly S. Rice, Treasurer

CHAIR'S REPORT

October 22, 2019

Discussion Item

Chair's Report

Staff Recommendation:

Presenter: Mark Taylor, Chair

CHAIR'S REPORT

October 22, 2019

Discussion Item

Other

Staff Recommendation:

Presenter: Mark Taylor, Chair

CHAIR'S REPORT

October 22, 2019

Routine Report

Employee Milestones

Staff Recommendation:

Presenter: Mark Taylor, Chair

2019-10 Milestones

Years of Service	Seniority Date	Preferred Full Name	Position Title	Office Location	Bureau	Anniversary Year	Next Milestone
5	10/13/2014	Jeanette Lopez	Business Process Technician	Brooksville	Natural Systems & Restoration	2019	10/13/2019
5	10/20/2014	Joyce Chisolm	Low Risk Permit Evaluator	Tampa	Environmental Resource Permit	2019	10/20/2019
10	10/05/2009	Garrett Snider	Lead Field Coordinator	Brooksville	Operations and Land Management	2019	10/05/2019
15	10/25/2004	Mary Fugate	WUP Compliance Technician	Tampa	Water Use Permit	2019	10/25/2019
20	10/11/1999	Carol Daleo	Records Management Specialist	Brooksville	General Services	2019	10/11/2019
30	10/02/1989	Jim Catarouch	Senior Tradesworker	Brooksville	Operations and Land Management	2019	10/02/2019
30	10/03/1989	Amy Poxson	Business Process Technician	Brooksville	Water Resources	2019	10/03/2019
30	10/30/1989	Tacey Bartlett	Technology Services Manager	Brooksville	Information Technology	2019	10/30/2019