MINUTES OF THE MEETING

GOVERNING BOARD
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

TAMPA, FLORIDA MAY 24, 2016

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m. May 24, 2016, at the District's Tampa Service Office. The following persons were present:

Board Members Present
Michael A. Babb, Chair
Randall S. Maggard, Vice Chair
Jeffrey M. Adams, Secretary
Ed Armstrong, Treasurer
H. Paul Senft, Member
George W. Mann, Member
Wendy Griffin, Member
Bryan K. Beswick, Member
Michael A. Moran, Member
Thomas E. Bronson, Member*
Kelly S. Rice, Member
John Henslick, Member

Staff Members
Robert R. Beltran, Executive Director
Brian J. Armstrong, Assistant Executive Director
David T. Rathke, Chief of Staff
Karen E. West, General Counsel
Kurt P. Fritsch, Inspector General
John J. Campbell, Division Director
Ken Frink, Division Director
Mark A. Hammond, Division Director
Alba E. Más, Division Director

Board's Administrative Support
Cara Martin, Board & Executive Services Manager
Lori Manuel, Administrative Assistant

*Via Telephone

A list of others present 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).

PUBLIC HEARING (Audio – 00:00)

1. **Call to Order**
   Chair Michael Babb called the meeting to order and opened the public hearing. Secretary Adams stated a quorum was present.

2. **Invocation and Pledge of Allegiance**
   Chair Babb offered the invocation. Chair Babb led the Pledge of Allegiance to the Flag of the United States of America.

   Chair Babb 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 Babb 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 Babb 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 Babb recognized employees who have reached at least 20 years in service with the District and thanked them for their service. The following staff were recognized: Ellen Cuarta, Jim Deruisseaux and Steve Ellis.

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

4. **Outgoing Chair's Transition Items**
Chair Babb thanked the District staff for their cooperation provided an overview of the items that were accomplished during his tenure. This overview included the Central Florida Water Initiative (CFWI) and the establishment of the Polk Regional Water Cooperative (PRWC). Chair Babb referenced items that were begun during his tenure that the District will continue to oversee. This list included policy changes to the Cooperative Funding Initiative (CFI); setting up springs committees and providing guidance; development of the District Business Plan; improving the utilization of surplus lands; and utilizing reclaimed water more efficiently.

5. **Election of Governing Board Officers**
Board Member Senft made a motion to slate the nomination for officers as followed: Chair, Randy Maggard; Vice Chair, Jeff Adams; Secretary, Brian Beswick; and Treasurer, Ed Armstrong. The motion was seconded and carried unanimously. (Audio - 00:11:28)

6. **Additions/Deletions to Agenda**
Section 120.525, Florida Statutes, allows the District to change the published agenda for good cause shown, as determined by the presiding officer.

Mr. Robert Beltran, Executive Director, stated the following item has been added to the agenda:

Consent Agenda
General Counsel
14a. Approve Release of Conservation Easement – Sarasota Interstate Park of Commerce (SIPOC) – Sarasota County

A motion was made and seconded to approve the staff's recommendation. Motion carried unanimously. (Audio 00:13:27)

Chair Babb said there is good cause to amend the published agenda as allowed by Section 120.525, Florida Statutes. A motion was made to approve the amendments to the published agenda, as amended, which was seconded. The motion carried unanimously. (Audio 00:04:29)

7. **Public Input for Issues Not Listed on the Published Agenda**
Chair Babb noted at this time, the public is given an opportunity to comment on any topic not listed on the agenda. Chair Babb stated he had no Request to Speak card.

CONSENT AGENDA
Chair Babb asked that before the Board considers action on the Consent Agenda whether there is anyone in the audience who wishes to address the Board regarding an item listed on the Consent Agenda.

Finance/Outreach & Planning Committee

8. Independent Auditing Services Contract

Staff recommended the Board:

1) Approve to exercise the option to renew the Independent Auditing Services contract with KPMG for an additional year; and
2) Authorization of the Executive Director to enter into a contract with KPMG to perform the fiscal year 2015-16 auditing services

9. Budget Transfer Report

Staff recommended the Board approve the Budget Transfer Report covering all budget transfers for April 2016.

Resource Management Committee

10. FARMS – Chapman Family Partnership, LLLP – 31 Groves Phase 2 (H739), DeSoto County

Staff recommended the Board:

1) Approve the Chapman Family Partnership, LLLP - 31 Groves Phase 2 project for a not-to-exceed project reimbursement of $113,250 provided by the Governing Board;
2) Authorize the transfer of $113,250 from fund 010 H017 Governing Board FARMS Fund to the H739 Chapman Family Partnership, LLLP - 31 Groves Phase 2 project fund
3) Authorize the Executive Director to sign the agreement.

11. FARMS – Ocean Breeze Properties, LLC (H740), Hillsborough County

Staff recommended the Board:

1) Approve the Ocean Breeze Properties, LLC project for a not-to-exceed project reimbursement of $32,064 with $32,064 provided by the Governing Board;
2) Authorize the transfer of $32,064 from fund 010 H017 Governing Board FARMS Fund to the H740 Ocean Breeze Properties, LLC project fund;
3) Authorize the Assistant Executive Director to sign the agreement.

Regulation Committee

12. Individual Water Use Permits Referred to the Governing Board

a. WUP No. 20013343.002 – Manatee County BOCC / Manatee County Utilities Consolidated Permit (Manatee County)

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

b. WUP No. 20002286.007 – Cemex, Inc. / CEMEX Brooksville Cement North (Hernando County)

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

13. Approve Well Construction Permitting Delegation Agreements with Sarasota, Manatee and Marion Counties, and Initiate and Approve Rulemaking to Incorporate the Agreements by Reference in Rule 40D-1.002, Florida Administrative Code (F.A.C.)

Staff recommended the Board approve the Well Construction Permitting Agreement between SWFWMD and Sarasota County, the Well Construction Permitting Agreement between SWFWMD and Manatee County, and the Well Construction Permitting Agreement between SWFWMD and the Florida Department of Health in Marion County; and approve the initiation of rulemaking and the proposed rule language to amend Rule 40D-1.002, F.A.C., to incorporate the Permitting Agreements by reference.

Operations, Lands and Resource Monitoring Committee – None

General Counsel's Report

14. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval – None

14a. Approve Release of Conservation Easement – Sarasota Interstate Park of Commerce (SIPOC) – Sarasota County

Approve the requested Release of Conservation Easement and Agreement for Release of Conservation Easement.

15. Rulemaking – None

Executive Director's Report

16. Approve CFI Northern Region Meeting Minutes - April 6, 2016
17. Approve CFI Heartland Region Meeting Minutes - April 7, 2016
18. Approve CFI Southern Region Meeting Minutes - April 13, 2016
19. Approve CFI Tampa Bay Region Meeting Minutes - April 14, 2016
20. Approve Governing Board Meeting Minutes - April 26, 2016

Chair Babb stated that Board Member Henslick declared a voting conflict with regard to the Oak Ford add-on to the General Counsel's agenda at the April 26, 2016 Governing Board meeting. He has filed Form 8B Memorandum of Conflict in compliance with Section 112.3143, Florida Statutes which is made part of the minutes of that meeting. In addition, Section 112.3143 requires that the memorandum be read aloud at this meeting.

Chair Babb read the text of the memorandum, filed by Board Member Henslick, into the record:

"My environmental consulting firm (ECO Consultants) was employed by the Oak Ford HOA to resolve issues with the SWFWMD and to restore wetlands/ditches impacted by HOA activities which were found to be in violation of state regulation."

A motion was made and seconded to approve the Consent Agenda as amended. Motion carried unanimously. (Audio 00:15:03)

Chair Babb relinquished the gavel to the Finance/Outreach & Planning Committee Chair Armstrong who called the Committee meeting to order. (Audio 00:15:12)

Finance/Outreach & Planning Committee

Discussion

25. Consent Item(s) Moved for Discussion – None

26. District Social Media Update

Ms. Michele Sager, Senior Communications Coordinator, provided a presentation regarding the District Social Media Update. This presentation included: a graph depicting social media use by U.S. adults since 2005; a list of social medias the District is a member; a list of information the District shares on social media; a graph depicting the number of followers via Facebook and Twitter; a graph depicting the number of people who see District messages in their feeds; benefits associated with social media; variety of tools that are used to deliver content; example of how tools are used in the "Restoring our Springs Social Media Campaign"; and a list of awards the District has received in recognition of its social media efforts.

Ms. Sager stated the District has the largest Facebook audience of any water management district in Florida and a Twitter following that is ranked second among Florida water management districts.

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

27. **Self-Funded Health Insurance Plan - Quarterly Update**
Mr. Patrick Herman, Human Resources and Risk Management Office Chief, provided a presentation. This presentation included: background information regarding the decision to move to self-funded health plan; first quarter medical and pharmacy performance; and a graphic depicting the medical and pharmacy claims.

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

28. **Fiscal Year 2016-17 Ad Valorem New Growth Projections**
Mr. John Campbell, Director of Management Services, provided a presentation. This presentation included: a chart depicting new growth within the district for Fiscal Year (FY) 2001- 2016; explanation of model data correlation as related to construction earnings, and new growth prediction and unemployment rate.

Staff recommended the Board approve the ad valorem tax revenue based on the updated new unit construction projection for development of the Recommended Annual Service Budget.

A motion was made and seconded to approve staff's recommendation. Motion carried unanimously. (Audio 00:39:58)

Submit & File Reports - None
Routine Reports
29. **Treasurer's Report and Payment Register**
30. **Monthly Financial Statement**
31. **Monthly Cash Balances by Fiscal Year**
32. **Comprehensive Plan Amendment and Related Reviews Report**
33. **Development of Regional Impact Activity Report**
30. **Significant Activities Report**

Committee Chair Armstrong adjourned the meeting and relinquished the gavel to the Resource Management Committee Chair Senft who called the Committee meeting to order. (Audio 00:40:13

Resource Management Committee
Discussion
31. **Consent Item(s) Moved for Discussion** - None
32. **Consideration of Updates to the Cooperative Funding (CFI) Initiative Policy 130-4**
Mr. Eric DeHaven, Resource Management Assistant Director, provided a presentation. This presentation included: a history regarding CFI policy 130-4; proposed changes to the policy; information regarding third party review; definition of base supply for potable alternative water supply projects; and processes moving forward with revisions and outreach.

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

33. **Potential Discussion Topics for Potable Reuse Workshop for Governing Board**
Mr. Jason Mickel, Water Supply Section Manager, provided a presentation. This presentation included: a history of reuse projects; an explanation of indirect and direct potable reuse; potential workshop topics; potential speakers; and a suggested date for the workshop.

Mr. Mickel stated the District is a leader in the state and nation in reuse at 44% utilization, primarily for residential irrigation, golf courses, agriculture, commercial and industrial uses. The goal is to get to 75% utilization with the use of potable reuse projects.

Board Member Mann suggested a conference may be a consideration once the first workshop has been completed. He suggested the District may want to consider partnering with other stakeholders.

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

Submit & File Reports - None
Routine Reports
34. Minimum Flows and Levels Status Report
35. Significant Water Resource and Development Projects

Committee Chair Senft adjourned the meeting and relinquished the gavel to the Regulation Committee Chair Moran who called the Committee meeting to order. (Audio 00:57:52)

Regulation Committee
Discussion
36. Consent Item(s) Moved for Discussion - None
37. Denials Referred to the Governing Board
If any denials were requested to be referred to the Governing Board, these were presented at the meeting.

38. ePermitting Utilization Update
Ms. Michelle Maxey, P.E., Regulatory Support Bureau Chief, provided a presentation. This presentation included: background information on ePermitting; outreach efforts; results of outreach efforts; a graphic depicting water use and environmental permitting utilization for 2012 and 2016; benefits associated with ePermitting; and a graphic depicting staffing utilization for 2007 and 2016 for administrative staff.

Ms. Maxey explained the ePermitting system is available 24 hours a day and seven days a week unless it is undergoing maintenance.

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

Submit & File Reports – None

Routine Reports
39. Overpumpage Report
40. Individual Permits Issued by District Staff

Committee Chair Moran adjourned the meeting and relinquished the gavel to the Operations, Lands and Resource Monitoring Committee Chair Maggard who called the Committee meeting to order. (Audio 01:06:39)

Operations, Lands and Resource Monitoring Committee

Discussion

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

42. Authorize Staff to Continue Negotiations to Acquire a Perpetual Conservation Easement Within the Upper Myakka River Project, SWF Parcel No. 21-598-114C

Ms. Carmen Sanders, Operations, Lands and Resource Monitoring Land Resources Manager, provided a presentation. This presentation included: information regarding the property; maps depicting project location; how the property meets the District's core mission and strategic plan goals; resource benefits; timeline; and expenses associated with the recommended offer. This property was evaluated consistent with the Strategic Plan specifically under the natural systems, conservation and restoration goal.

Ms. Sanders stated the acquisition of this property places priorities on the ecological value of the property, which 98% of the property contributes to water quality and flood protection and 50% of the property contributes to natural systems. This acquisition contributes to completing the project within a core conservation area specifically the Upper Myakka Watershed.

Ms. Sanders stated that based on appraisals, staff is requesting Board approval to consider a recommended offer of $2,000,000 or $1,838 per acre. She explained this offer is 49% of the appraised fee value and the District has historically paid about 50% of fee value for conservation easements. In addition, the offer is 75% of the appraised conservation easement cost and the State has request us to be below 90%

Board member Griffin asked if details were available for what is covered by the conservation easement. Ms. Sanders responded in the negative and stated that information would be presented at a future Board meeting.

Staff recommended the Board authorize staff to continue negotiations to acquire a perpetual conservation easement within the Upper Myakka River Project, SWF Parcel No. 21-598-114C. The final acquisition is subject to negotiating the terms of the purchase/sale and conservation easement agreements acceptable to the Governing Board.

A motion was made and seconded to approve staff's recommendation. Motion carried unanimously. (Audio 01:16:48)

43. Hydrologic Conditions Report

Mr. Granville Kinsman, Hydrologic Data Manager, presented the hydrologic conditions report. He stated May was the first month with above-normal rainfall since January. May rainfall has reversed a general drying trend and boosted most hydrologic indicators. Groundwater levels are in the normal to above-normal range. Lake levels in the northern region are in the below normal, but Tampa Bay lakes, Polk Upland lakes, and Lake Wales Ridge lakes all remain in the normal range. Streamflow has shown improvement, and is in the normal range. Both the Bill Young Reservoir and the Peace River Reservoir have shown slight declines due to recent operational procedures, but available storage remains very high. The Climate Prediction Center is forecasting average rainfall conditions for June through August.

Mr. Kinsman reminded the Board that hurricane season will begin June 1. Colorado University is calling for an average season with the prediction of thirteen named storms, six being hurricanes and two being major hurricanes (>Category 3).

This routine report provided information on the general state of the District's hydrologic conditions, by comparing rainfall, surface water, and groundwater levels for the current month to comparable data from the historical record. This item was presented for the Board's information, and no action was required.

Submit & File Reports – None

Routine Reports
The following items are provided for the Committee's information, and no action is required.
44. Structure Operations
45. Significant Activities

Committee Chair Maggard adjourned the meeting and relinquished the gavel. (Audio 01:23:56)

General Counsel's Report
Discussion
46. Consent Item(s) Moved for Discussion - None

Submit & File Reports - None
Routine Reports
The following items are provided for the Committee's information, and no action is required.
47. May 2016 Rulemaking Update
48. May 2016 Litigation Report

Committee/Liaison Reports
49. Other Committee/Liaison Reports

Board Member Griffin provided an update regarding the Tampa Bay Estuary Program (TBEP) meeting on May 20. She stated the national estuaries have been reauthorized by the federal government until 2021. Board Member Griffin stated this allows for funding of 26.5 million dollars per year for the next five years. She stated that TBEP would like to thank House co-sponsors Cathy Castor and David Jolly. In addition, TBEP also expresses appreciation for support from Senators Bill Nelson and Marco Rubio.

Board Member Griffin stated that TBEP also received two grants from the Environmental Protection Agency (EPA). These grants included 70 thousand dollars for additional ocean acidification monitoring equipment and 30 thousand dollars to support development of their upgraded comp plan.

She stated that Manatee County Port Authority has join the TBEP management committee.

Board Member Griffin provided budget information regarding TBEP.

Executive Director's Report
50. Executive Director's Report

Mr. Beltran, Executive Director, stated on May 6, the Peace River Manasota Water Supply Authority (PRMWSA) celebrated the 25th anniversary of the acquisition of the water treatment plant. The PRMWSA presented the District with a crystal water pitcher to celebrate their partnership with the District.

Mr. Beltran reminded the Board that staff will continue to present metrics regarding health insurance information on a quarterly basis.

Mr. Beltran recapped Chair Babb's accomplishments during his tenure as Chair and thanked him for his leadership.

Chair Report

51. Chair's Report

52. Other

The June 28 meeting is in the Brooksville Office, the July 26 and August 30 meetings will be in the Tampa Office.

53. Employee Milestones

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

The meeting was adjourned at 10:32.

Chair

Attest:

Secretary