

# Approved

## Minutes of the Meeting

PINELLAS-ANCLOTE RIVER BASIN BOARD  
Southwest Florida Water Management District

Clearwater, Florida

June 4, 2008

The Pinellas-Anclote River Basin Board of Southwest Florida Water Management District convened for a regular meeting at 9:00 a.m. on June 4, 2008, in Clearwater City Hall, Clearwater, Florida.

### **Board Members Present**

Todd Pressman, Co-Chair Ex Officio  
Sallie Parks, Co-Chair Ex Officio  
Rodney Fischer, Vice Chair  
Terry England, Secretary  
Janet Hoppe, Member  
Chet Renfro, Member

### **Board Members Absent**

Mitch Hammer, Member  
Kathryn Starkey, Member

### **Staff Present**

David Moore	Bruce Wirth
Lou Kavouras	Linda Pilcher
Eric DeHaven	Jennette Seachrist
Elaine Kuligofski	Jeff Hagberg
Roy Mazur	Dr. Xinjian Chen
Dr. Brandt Henningsen	Beth Putnam
Karen West	Robyn Felix
Mike Holtkamp	Manny Lopez
Ralph Lair	Janie Hagberg
Jason Mickel	Scott Harbison

**Recording Secretary:** Phyllis Young

A roster of other attendees, who signed in, is filed in the permanent files of the Basin. Compact disks of the audio and copies of the materials and handouts, as set out in full herein, are also filed in the permanent files of the Basin.

*The numbers preceding the items listed below correspond with the published agenda.*

1. **Call to Order and Roll Call**

Co-Chair Ex Officio Todd Pressman called the meeting to order at 9:00 a.m. Phyllis Young, the Board's administrative support, called the roll and noted a quorum was present. (CD 1/Track 1)

2. **Pledge of Allegiance to the American Flag**

Co-Chair Pressman led the Pledge of Allegiance to the American Flag. (CD 1/Track 1)

3. **Additions and Deletions to the Agenda**

Deputy Executive Director Lou Kavouras, Outreach, Planning, and Board Services, reported that Agenda Item 4, the Oath of Office, was deleted from the agenda since no Basin Board appointments had been forthcoming from the Governor's office.

Ms. Kavouras asked that Agenda Item 6d, the WPI Reclaimed Water Project Status Report, be taken as the first discussion item, if the Board had no objections. The Board concurred. (CD 1/Track 1)

4. **Oath of Office for Newly Appointed/Re-Appointed Board Members** – This item was deleted from the agenda, as stated above. (CD 1/Track 1)

5. **Consent Items:**

After consideration, **Mr. Fischer moved, seconded by Mr. England, to approve the following Consent Items:**

- a. **Minutes of the April 2, 2008, Meeting** – Approve the April minutes, as presented.
- b. **Sawgrass Lake Restoration Project** - Approve the agreement with the City of St. Petersburg for the relocation of the City's water transmission line for an amount not to exceed \$800,000 and authorize the Executive Director to sign the agreement. Funds will come from the existing reserve (in B085).
- c. **Annual Calendar of Meeting Dates - Fiscal Year 2009** - Approve the FY2009 Basin Board meeting schedule, as presented.

**Motion carried unanimously.** (CD 1/Track 1)

6. **Discussion Items:**

At this time, the order of consideration was changed.

d. **Cooperative Funding Initiative Project Status Report - Water Partners, Inc., Reclaimed Water Project**

Executive Director David Moore addressed the Board to provide an in-depth report of this project, which involves a public-private partnership that will maximize the beneficial use of reclaimed water flows that are not currently being beneficially used by Hillsborough County and the City of Tampa. The project was submitted by Water Partners, Inc. (WPI), a not-for-profit, public-private partnership, whose members include Hillsborough County, Tampa Electric Company (TECO), and Mosaic Fertilizer (Mosaic). Other parties involved include the City of Tampa, the City of Lakeland, Polk County, Tampa Bay Water, the Florida Department of Environmental Protection (FDEP), and perhaps Plant City and Temple Terrace. Meetings are being held bi-weekly; four subcommittees (governance, regulatory, recharge, and engineering) have been formed to focus on the major project components. Mr. Moore emphasized that this is a high profile project of which all Board members need to be aware.

Mr. Moore provided background of the project, which is comprised of two major components: (1) a project to provide reclaimed water to industrial users and (2) a project to create opportunities for additional groundwater withdrawals in the Southern Water Use Caution Area (SWUCA) through recharge of reclaimed water in southeastern Hillsborough County and/or western Polk County. He briefly commented on four reasons the project has potential, estimated project costs, and the timeline. He used graphics to explain the various elements of the project and their relationship to each other.

This item was provided for the Board's information; no action was required. (CD 1/Track 2)

a. **Clam Bayou Stormwater Treatment and Habitat Restoration Project**

Deputy Executive Director Bruce Wirth prefaced this presentation by sharing a brief history of the District's charge through the years, to give perspective on how the District's areas of responsibility evolved to include natural systems and water quality projects, including projects such as Clam Bayou. He described the District's statutory authority and responsibility of the Basin Board. (CD 1/Track 3)

Jennette Seachrist, Surface Water Improvement and Management (SWIM) Program Manager, continued the presentation by giving an overview and status of the project and changes to the staff recommendation. She shared highlights of the April 2, 2008, Basin Board meeting, including issues raised by members of the public and the Board. These issues included sedimentation in previously restored areas, peer review of sediment data and the restoration approach, land acquisition, debris removal, and erosion at the Twin Brooks Golf Course. Also at the April meeting, the Board approved a motion for staff to "look into the entire issue to see if there are recommendations on improving flushing of Clam Bayou and the removal of some of the sediment."

Ms. Seachrist provided information addressing the issues raised at the April Board meeting and the Board's motion:

- A comparison of the results from the sediment analyses performed by the Florida Department of Environmental Protection (FDEP) and United States Geological Survey (USGS) indicated that sediment quality is similar to that found throughout Tampa Bay.
- Existing bottom elevations in the tidal lagoon, created as part of the Phase 1 Osgood Point project, are consistent with the design elevations.
- At the request of Senator Bill Nelson, the Habitat Restoration Subcommittee of the Agency on Bay Management, which includes scientists and program managers from various agencies, heard presentations about the condition of and plans for Clam Bayou from various groups. The information was reviewed and discussions were held during the subcommittee meeting. The group concluded that the District's restoration plan was an acceptable approach.
- The District and the City of St. Petersburg have been successful in obtaining 65 of the 70 parcels needed for the project. The City may need to acquire the remaining parcels through eminent domain and has requested additional funds to cover those costs.
- District staff met with the cities of St. Petersburg and Gulfport to discuss the removal of large objects in the Bayou and a "clean sweep" to remove visible trash from the estuary following the completion of the stormwater ponds.
- District and St. Petersburg staff inspected an erosion concern at the Twin Brooks Golf Course and are working together to incorporate erosion control measures into the project

Ms. Seachrist read the revised staff recommendation, for the record. (CD 1/Track 4)

Twenty-seven members of the public, both laypersons and professionals, submitted speaker cards and addressed the Board to share their opinions about the various issues concerning the Clam Bayou project. The main topic was dredging of Clam Bayou. Gulfport City Councilman Bob Worthington showed photographs of the Bayou during his presentation on the history of the Bayou. He provided copies of the resolution the Gulfport City Council recently approved and also provided a packet containing Gulfport's plan for Clam Bayou. Mr. Al Davis of Gulfport brought compact disks containing various video clips, etc., for Board members. Others who addressed the Board shared photos, maps, and other documents about the Bayou.

When all who wished to speak had addressed the Board, Co-Chair Pressman thanked everyone for attending and for their passion concerning Clam Bayou. (CD 1/ Tracks 5-30)

To a question from Mr. Fischer on the dredging/tidal flushing issue, District staff member Dr. Xinjian Chen, P.E., was consulted regarding the effects on tidal flushing if sediments were removed. He indicated that tidal exchange would be marginally improved with sediment removal within the navigation channel at depths within the zone of tidal

fluctuation and that dredging at deeper depths would not improve tidal exchange, but would serve to improve navigational access. An opinion by the District's legal department regarding dredging for navigational purposes was included as Exhibit 2 in the meeting notebook.

Board members participated in discussion of topics including the tidal prism and how much area actually needs to be dredged, the area staff has recommended for dredging, monitoring of the project, and the Board's review of the project after the stormwater ponds are complete.

Regarding the third part of the staff recommendation, Mr. England suggested the reference to "dredging approximately 5,000 cubic yards" would better read "dredging of the tidal prism along the western portion of Clam Bayou within the existing navigation channel and as necessary to improve circulation," so no yardage is stipulated. He also expressed his belief that the dollar amount is possibly insufficient for a very small, even a mechanical, dredging operation for excavation of the tidal prism.

For the record, Co-Chair Pressman asked staff to review the City of Gulfport plan for Clam Bayou and work with City officials to determine if there are parts of the plan that could be incorporated into the project or might be an improvement. (CD 1/Track 31)

After consideration, **Mr. Fischer moved, seconded by Mr. Renfro, to approve the June 4, 2008, version of the staff recommendation, as amended by Mr. England. The recommendation then read:**

- 1) **Recommend the Governing Board approve the amendment with the City of St. Petersburg to provide an additional \$200,000 from funding currently allocated in W242 for land acquisition costs, including potential condemnation costs, and authorize the Executive Director to sign the agreement.**
- 2) **Authorize the Executive Director to send a letter to the City of St. Petersburg formally requesting the City pursue condemnation proceedings to acquire the final properties necessary for the Clam Bayou Stormwater Treatment and Habitat Restoration Project.**
- 3) **Recommend the Basin Board approve adding \$300,000 to the FY2009 proposed budget, with final approval to occur at adoption of the FY2009 budget in July 2008, and expand the Phase 3 Clam Bayou project scope of work to include:**
  - a. **Erosion control measures upstream of the proposed central pond adjacent to the Twin Brooks Golf Course;**
  - b. **Debris removal from Clam Bayou;**
  - c. **Dredging of the tidal prism along the western portion of Clam Bayou within the existing navigation channel and as necessary to improve circulation.**

**Motion carried unanimously. (CD 1/Track 32)**

b. **District Environmental Stewardship Initiative Overview**

Elaine Kuligofski, Human Resources and Risk Management Director, addressed the Board to provide an overview of the District's Environmental Stewardship Initiative, which grew from Governor Charlie Crist's July 2007 action plan to reduce greenhouse gases and increase energy efficiency.

With direction from the Executive Sponsor of the Initiative Gene Schiller, Deputy Executive Director, Management Services Division, five District staff and a Governing Board sponsor have examined the District's entire operation to find ways the District may

be able to achieve more efficiencies and reduce its carbon footprint. Ms. Kuligofski reported that the District supports the Governor's efforts with regard to environmental stewardship, adding that the plan fits well with the District's focus on sustainable growth and environmental responsibility. She provided information on evaluation, development, and implementation of project activities; Governing Board Policy 110-10, District Commitment to Superior Environmental Stewardship; departmental priorities and project examples; cooperation and exchange of ideas with other water management districts; and reporting requirements.

Ms. Kuligofski asked Board members, as leaders in the community, to inform staff of new products, services, ideas, etc., that might be appropriate for the District's use in becoming more energy efficient and in its efforts to reduce greenhouse gases.

This item was provided for the Board's information; no action was required. (CD 1/ Track 33)

c. **Lake Tarpon Outfall Canal Construction Update – B249**

At the Board's request for an update on this project, Jeff Hagberg, Field Operations Manager, gave a status report on construction for the Lake Tarpon Outfall Canal improvements. Mr. Hagberg shared background of the project, using a location map and before-and-after photos to help members understand elements of the project that include erosion control, drainage system improvements, and culvert replacements. Estimated cost of the project was \$9 million in 2005. The Basin has budgeted funds for this project since FY2006 and, as of FY2008, the project is fully funded. Development of an updated construction cost estimate will take place during final design. Construction is tentatively scheduled to begin in the fall of 2009 and be completed six to nine months thereafter.

This item was provided for the Board's information; no action was required. (CD 1/ Track 34)

e. **Fiscal Year 2009 Budget Discussion and Approval of Proposed Millage Rate**

Deputy Executive Director Bruce Wirth presented this item instead of Assistant Finance Director Linda Pilcher. Board members had been provided a revised recap for this item explaining aspects of taxable property values that would affect the Basin's millage rate. Mr. Wirth reported that the June 1 initial estimates of property values were provided by the county Property Appraisers after the meeting notebooks had been printed. He emphasized that staff will not be able to determine the amount the Basin's millage rate would generate in property tax revenue for FY2009 until actual property values are certified beginning July 1. The timeframe for submitting millage rates to the Governing Board and, ultimately, to the county Property Appraisers and the State was included in the presentation.

Charts were used to explain various millage rate options and ad valorem revenue that might be generated for each option. Mr. Wirth stated the staff recommendation is to hold the millage rate at the current FY2008 rate of 0.3701. Assuming a 8.67 percent reduction in property values, as currently estimated, the Basin would receive approximately \$1.1 million less ad valorem revenue than shown in the proposed budget,

which was included in the meeting notebook. If the Board votes to hold its millage rate for FY2009 equal to the FY2008 rate, staff recommended the Board delegate authority to the Executive Director to administratively adjust the millage rate downward if it is determined in July that the FY2009 rolled-back rate or the Maximum Millage Rate is lower than the rate for FY2008. This would eliminate the need for a special July meeting.

After consideration, **Mr. Renfro moved, seconded by Mr. Fischer, to the staff recommendation.**

1. **Provide tentative selection of FY2009 Cooperative Funding projects.**
2. **Approve and adopt a required proposed millage rate of 0.3701 mill for Fiscal Year 2009.**
3. **Approve Resolution No. 83 — Resolution Approving the Required Proposed Millage Rate for Fiscal Year 2009.**

**Motion carried unanimously.** (CD 1/Track 34:10:25 – Track 35)

Mr. Wirth continued the budget discussion by providing highlights of the budget, noting changes made since the April meeting and recent estimated property values that would cause a decrease in ad valorem and a potential \$1.4 million shortfall in order for the Basin to fund all projects ranked through "Medium." Board members were directed to the Projects section of the meeting notebook for detailed information on all Cooperative Funding proposals submitted for consideration.

After a brief discussion of where the funding line currently falls and potential budget changes, **Mr. Fischer moved, seconded by Mr. Renfro, that the Board designate \$1.4 million from the Basin's Water Supply and Resource Development fund to enable funding for all projects ranked through "Medium."** **Motion carried unanimously.**

Mr. England requested staff review several projects and report on their value at the next meeting: Projects N036 (Pinellas Trail Natural Area Habitat Restoration), N044 (Unpaved Alley Erosion Control), and N124 (Pasco Implementation of BMPs – Anclote River Watershed SR54 Improvement Area). Mr. England also requested more information on N125, Pasco Implementation of BMPs in the Pithlachascotee-Anclote River Watershed Conservation Effort, of which he approves.

Mr. Wirth stated that requested information would be presented at the August meeting, the Board's input would be incorporated into the budget, and a revised budget presented at that meeting. During the August meeting, the Board will be required to affirm the proposed millage rate, establish its final millage rate for recommendation to the Governing Board, and approve selection of FY2009 Cooperative Funding projects.

In closing, Mr. Wirth thanked Board members who had provided insight, questions, and comments on the budget, stating they are very helpful to staff.

Mr. Fischer took a moment to congratulate the City of Oldsmar for continued efforts to obtain Cooperative Funding for its Alternative Water Supply project, which has a ranking of "Medium" for FY2009. (CD 1/Track 36)

f. **Fiscal Year 2010 Strategic Plan Update**

Planning Director Roy Mazur addressed the Board to provide a progress report on the update to the FY2010 Strategic Plan. He reviewed background of the Plan, goals for the 2010 update, and progress being made, emphasizing that the goal is not to re-write the

Plan, but to refine it. Mr. Mazur's presentation included an explanation of the three-tiered approach of staff involvement, tasks to be accomplished, integration of the Plan throughout the District, and examples of success indicators.

As drafts of the updated Strategic Initiatives become available, they will be provided to Board members who may provide input to Mr. Mazur, Basin Planner Jason Mickel, or

Ms. Kavouras. Staff will send e-mail reminders to Board members as deadlines for comments approach. A production draft of the Plan will be generated in August and presented for approval to the October Governing Board. (CD 1/Track 37)

During this presentation, Co-Chair Pressman passed the gavel to Co-Chair Parks and left the meeting.

7. **Report:**

a. **Governing Board Activities**

At Co-Chair Parks' request, staff played pre-recorded highlights of the May 27 Governing Board meeting. Communications Manager Robyn Felix narrated the brief recap, which included a ceremony to honor former Governing Board Members Tom Dabney, Heidi McCree, and Pat Symons, who were leaving the Board; an announcement that the District had, again, been presented an award for being the "Best Place to Work in Hernando County; election of officers; and a request from the Withlacoochee Regional Water Supply Authority for transition funding.  
(CD 1/Track 38)

8. **Announcements:**

Ms. Kavouras reminded the Board of announcements listed on the agenda.

Since the Board approved a proposed millage rate during this meeting, Ms. Kavouras stated there would be no need for a meeting in July. The next meeting will be August 6 in the West Pasco Government Center Commission Chambers, New Port Richey.

9. **Adjournment**

When there was no further business to come before the Board, Co-Chair Parks adjourned the meeting at 1:10 p.m. (CD 1/Track 39)

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**\*\*\*\*Information Items\*\*\*\***

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The items listed below were for the Board's information, intended to keep the Board apprised of completed projects, cancelled projects, and projects that have executed contracts and are ready to begin. These items did not require Board action.

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1. Oldsmar Reclaimed Water Distribution System and Telemetry Project (L821) - Execution Notice
2. Pasco County Design and Construction of Odessa High Service Pump Expansion (L844) - Execution Notice
3. Pasco County Design & Construction of Shady Hills Waste Water Treatment Facility/State Road 52 Regional Reclaimed Water Interconnect (H067) - Execution Notice
4. Pinellas County Water Quality Management Plan (L803) - Execution Notice
5. St. Petersburg Sensible Sprinkling Program (L942) - Execution Notice
6. St. Petersburg Toilet Replacement Program (L943) - Execution Notice