

Governing Board Meeting

Agenda and Meeting Information

November 14, 2017

9:00 AM

Tampa Office

7601 US Hwy. 301 • Tampa, Florida
(813) 985-7481

Southwest Florida
Water Management District


WATERMATTERS.ORG • 1-800-423-1476



An Equal
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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

The Southwest Florida Water Management District (District) does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact the District's Human Resources Bureau Chief at 2379 Broad Street, Brooksville, FL 34604-6899; telephone (352) 796-7211 or 1-800-423-1476 (FL only), ext. 4703; or email ADACoordinator@WaterMatters.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Final Agenda GOVERNING BOARD MEETING

NOVEMBER 14, 2017

9:00 AM

Tampa Office

7601 US HWY. 301, TAMPA, FL 33637
(813) 985-7481

☞ *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 web site (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 33830-7700
(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 Hwy 301 N (Fort King Highway)
Tampa, Florida 33637-6759
(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)***Finance/Outreach & Planning Committee***

6. Budget Transfer Report

Resource Management Committee

7. Authorize Submission of Preliminary Flood Insurance Rate Maps for the City of Bradenton in Manatee County to Federal Emergency Management Agency (N636)

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

8. Individual Water Use Permits Referred to the Governing Board-None

General Counsel's Report

9. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval-None
10. Rulemaking-None

Executive Director's Report

11. Approve Governing Board Meeting Minutes - October 24, 2017

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

12. Consent Item(s) Moved for Discussion
13. District Social Media Update
14. Fiscal Year 2019 Business Plan Update

Submit & File Reports

15. Investment Strategy Services

Routine Reports

16. Treasurer's Report and Payment Register
17. Monthly Financial Statement
18. Monthly Cash Balances by Fiscal Year
19. Comprehensive Plan Amendment and Related Reviews Report
20. Development of Regional Impact Activity Report

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

21. Consent Item(s) Moved for Discussion

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

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

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

24. Consent Item(s) Moved for Discussion
25. Offer for Surplus Land – Tampa Bay Estuarine Ecosystem (TBE-4), SWF Parcel No. 11-728-131S
26. Creating Efficiency at the District Through the Implementation of New GIS Technologies
27. Hydrologic Conditions Report

Submit & File Reports - None

Routine Reports

- 28. Surplus Lands
- 29. Structure Operations
- 30. Significant Activities

REGULATION COMMITTEE (TAB F)**Discussion**

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

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

- 33. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program
- 34. Overpumpage Report
- 35. Individual Permits Issued by District Staff

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

- 36. Consent Item(s) Moved for Discussion
- 37. Independent Auditor Engagement Period

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

- 38. November 2017-Litigation Report
- 39. November 2017-Rulemaking Update

COMMITTEE/LIAISON REPORTS (TAB H)

- 40. Industrial Advisory Committee
- 41. Public Supply Advisory Committee
- 42. Other

EXECUTIVE DIRECTOR'S REPORT (TAB I)

- 43. Executive Director's Report

CHAIR'S REPORT (TAB J)

- 44. Chair's Report
- 45. Other
- 46. Employee Milestones

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

ANNOUNCEMENTS

<http://www.swfwmd.state.fl.us/calendar>

- Governing Board Meetings Schedule:

Meeting - Starkey Environmental Education Center	December 12, 2017
Meeting - Tampa	January 23, 2018
Meeting - Sarasota	February 27, 2018
Meeting - Brooksville	March 27, 2018

- Governing Board Public Budget Hearings Schedule:

Tentative Budget - Tampa	September 11, 2018
Final Budget - Tampa	September 25, 2018

- Advisory Committee Meeting Schedule:

Agricultural & Green Industry - Tampa	December 7, 2017
Environmental - Tampa	January 9, 2018
Well Drillers - Tampa	January 10, 2018
Industrial & Public Supply - Tampa	February 6, 2018

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 August 2017

OFFICERS	
Chair	Randall S. Maggard
Vice Chair	Jeffrey M. Adams
Secretary	Bryan K. Beswick
Treasurer	Ed Armstrong

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE
Bryan K. Beswick, Chair
Mark Taylor, Vice Chair
Kelly S. Rice
James G. Murphy

RESOURCE MANAGEMENT COMMITTEE
Michael A. Babb, Chair
Kelly S. Rice, Vice Chair
John Henslick
Michelle Williamson

REGULATION COMMITTEE
Jeffrey M. Adams, Chair
John Henslick, Vice Chair
H. Paul Senft
Rebecca Smith

FINANCE/OUTREACH AND PLANNING COMMITTEE
Ed Armstrong, Chair
Jeffrey M. Adams, Vice Chair
Michael A. Babb
Joel Schleicher

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

STANDING COMMITTEE LIAISONS	
Agricultural Advisory Committee	Kelly S. Rice
Environmental Advisory Committee	Michelle Williamson
Green Industry Advisory Committee	Kelly S. Rice
Industrial Advisory Committee	Rebecca Smith
Public Supply Advisory Committee	H. Paul Senft
Well Drillers Advisory Committee	Mark Taylor

OTHER LIAISONS	
Central Florida Water Initiative	H. Paul Senft/ Randall S. Maggard (alt)
Springs Coast Steering Committee	Kelly S. Rice
Charlotte Harbor National Estuary Program Policy Board	John Henslick
Sarasota Bay Estuary Program Policy Board	Joel Schleicher
Tampa Bay Estuary Program Policy Board	Jeffrey M. Adams
Tampa Bay Regional Planning Council	Ed Armstrong

Executive Summary

GOVERNING BOARD MEETING

NOVEMBER 14, 2017
9:00 a.m.

If viewing this document electronically, links are available from the Executive Summary to the item's information page. To return to the Executive Summary, click within the item text.

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.

Finance/Outreach & Planning Committee

6. **Budget Transfer Report**

In accordance with Board Policy No. 130-8, *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.

Exhibit will be provided under separate cover.

Staff recommends the Board's approval of the Budget Transfer Report covering all budget transfers for October 2017.

Resource Management Committee

7. **Authorize Submission of Preliminary Flood Insurance Rate Maps for the City of Bradenton in Manatee County to Federal Emergency Management Agency (N636)**

The updated floodplain information for the City of Bradenton watershed in Manatee County was prepared by a City consultant (Engineering Firm of Record), reviewed by District and City staff, and then reviewed by the District's independent peer review consultant (see table below). The watershed models and floodplain data were built using 2007 topography and land use information. For the public workshop held on June 23, 2016, affected property owners were notified of the workshop by print advertisement and media release with 10 people in attendance. The watershed models and preliminary floodplain data reasonably reflect the verification storm event and represent best floodplain information available for the watershed.

Watershed	Engineering Firm of Record	Peer Review
City of Bradenton in Manatee County	Jones Edmunds and Associates	CH2M HILL Engineers, Inc

Staff recommends the board to authorize submittal of the preliminary FIRMs for the City of Bradenton watershed in Manatee County to FEMA.

Operations, Lands and Resource Monitoring Committee - None

Regulation Committee

8. Individual Water Use Permits Referred to the Governing Board - None

General Counsel's Report

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

10. Rulemaking - None

Executive Director's Report

11. Approve Governing Board Meeting Minutes – October 24, 2017

Staff recommends the Board approve the minutes as presented.

FINANCE/OUTREACH & PLANNING COMMITTEE (TAB C)

Discussion

12. Consent Item(s) Moved for Discussion

13. District Social Media Update

Social media has become a key tool in communications to reach the public in this digital age. It is used to inform the public about news, events, updates and features on District projects.

The District has a total of seven platforms, with about 13,000 followers on its two most popular sites and reaches 1.6 million people annually with its social media messages.

The District has significantly increased its use of video on our social media platforms in the past year by adding a multimedia journalist position who is tasked with telling the stories of the District through video. This has helped increase our reach and engagement rates. We also have increased our use of social media to provide customer service and updates during emergency situations, as demonstrated during Hurricane Irma.

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

14. Fiscal Year 2019 Business Plan Update

The Business Plan serves as a guide for business operations at the District. The plan provides direction and information to management, employees and stakeholders with respect to District priorities and performance measures. The plan ensures continued efficiency gains, effective organizational improvements, and alignment with the District's Strategic Plan.

The 2019 plan update focuses on resource requirements including personnel, equipment, and additional project needs, as well as a revised analysis of the District's changing workforce with a focus on trends in employee turnover.

Implementation of the District's Business Plan will enhance the ability to forecast future financial, operational and staffing resources necessary to meet the District's initiatives and goals as outlined in the Strategic Plan.

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

Submit & File Reports

15. Investment Strategy Services

Routine Reports

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

16. Treasurer's Report and Payment Register

17. Monthly Financial Statement

18. Monthly Cash Balances by Fiscal Year

19. Comprehensive Plan Amendment and Related Reviews Report

20. Development of Regional Impact Activity Report

RESOURCE MANAGEMENT COMMITTEE (TAB D)
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Discussion

21. 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.

22. Minimum Flows and Levels Status Report

23. Significant Water Resource and Development Projects

OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE (TAB E)
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Discussion

24. Consent Item(s) Moved for Discussion

25. Offer for Surplus Land – Tampa Bay Estuarine Ecosystem (TBE-4), SWF Parcel No. 11-728-131S

The District acquired TBE-4 in 2003 as part of the Tampa Bay Estuarine Ecosystem project at a prorated cost of \$1,442 per acre and was acquired in partnership with Hillsborough County which funded one-half the purchase price. Per previous agreements, the County will receive one-half the sale proceeds. The parcel has frontage on US Highway 41 and is zoned AR, Agricultural Rural, with a future land use designation of N, Natural Preservation. The District does not perform maintenance on this parcel.

The property was listed with Saunders Real Estate and advertised through multiple media and personal contacts since February 14, 2017. This negotiation represents the second party who has made an offer on this parcel. Previously an offer was received for \$213,000; however, it was unacceptable due to a stipulation to execute the contract within three days. The present offeror made a written offer of \$212,000 August 31, 2017 which has been negotiated to the present amount. Below is a summary of the total and per acre cost information for TBE-4.

	Total	Per Acre
Offer Amount	\$214,000	\$29,037
Appraised Value	\$210,000	\$28,494
Listing Price	\$275,000	\$37,313
Property Appraiser Just Value	\$192,500	\$26,119
Total Purchase Basis (2003)	\$10,628	\$1,442

The property was appraised January 16, 2017 for \$210,000 by Frank A. Catlett, MAI, SRA and Kyle A. Catlett with Trigg, Catlett & Associates.

This property is very well located, with considerable frontage on US 41. There were nine interested parties between February 14, and October 18, 2017, the interested parties included investors and an adjacent owner. The appraiser's opinion of a reasonable marketing time was 12-15 months, and the property has been on the market for nine months.

The sale of surplus lands will allow the District to acquire lands that are environmentally significant. Funds derived from the sale of surplus land may only be used for the purchase of other lands meeting the criteria in Section 373.139, Florida Statutes and Governing Board, Land Acquisition Policy 610-1, resulting in more effectively meeting the District's core mission.

Staff recommends the Board:

- Accept the offer of \$214,000;
- Authorize the Executive Director to execute the Contract for Sale and Purchase on the behalf of the District;
- Authorize the conveyance of the District's interest in all phosphate, minerals, metals and petroleum in or on or under the land upon request of the buyer; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

26. Creating Efficiency at the District Through the Implementation of New GIS Technologies

The District has a long history with GIS starting back in the late 1980s. For many years, using GIS technology and geospatial data required specialized training. Building applications required dedicated programmers. The modern GIS environment is much more sophisticated but at the same time provides tools that streamline the development of applications and the publication of geospatial data. The District is using these tools or commercial-off-the-shelf (COTS) solutions to build a variety of GIS applications which include web maps and applications and mobile applications.

The benefits of the new GIS technologies are that the District is able to build and deploy GIS solutions using COTS which requires less staff resources and allows for quicker deployment of applications. These applications also require less resources to maintain. District staff, other government agencies, the consulting community and the public all benefit from these solutions to improve the electronic transfer of the District's geospatial information and data.

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

27. 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 current month to comparable data from the historical record.

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

Submit & File Reports – None**Routine Reports**

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

- 28. **Surplus Lands**
- 29. **Structure Operations**
- 30. **Significant Activities**

REGULATION COMMITTEE (TAB F)

Discussion31. **Consent Item(s) Moved for Discussion**32. **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.

- 33. **Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program Update**
- 34. **Overpumpage Report**
- 35. **Individual Permits Issued by District Staff**

GENERAL COUNSEL'S REPORT (TAB G)

Discussion36. **Consent Item(s) Moved for Discussion**37. **Independent Auditor Engagement Period**

Section 218.39, Florida Statutes (F.S.), requires the District to have an independent annual financial audit of its accounts and records within nine months of year-end. Section 218.391, F.S., provides the legal requirements for procuring the independent auditor under a request for proposal process.

At its regularly scheduled July meeting, the Governing Board selected an auditor and authorized staff to execute a contract with the firm. At this meeting, Board members engaged in a discussion concerning whether it would be appropriate to limit the engagement period of a selected auditor in future procurements and requested that staff provide a draft policy for the Board's consideration. At the October Board meeting, staff presented the attached draft Auditor Engagement Period Policy for the Board members' initial review. Staff requests direction on any changes desired by the Board.

This item is presented to the Board for its consideration; no action is required.

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

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

38. **November 2017 – Litigation Report**

39. **November 2017 – Rulemaking Update**

COMMITTEE/LIAISON REPORTS (TAB H)

40. **Industrial Advisory Committee**

41. **Public Supply Advisory Committee**

42. **Other Committee/Liaison Reports**

EXECUTIVE DIRECTOR'S REPORT (TAB I)

43. **Executive Director's Report**

CHAIR'S REPORT (TAB J)

44. **Chair's Report**

45. **Other**

46. **Employee Milestones**

★ ★ ★ RECESS PUBLIC HEARING ★ ★ ★

ANNOUNCEMENTS

<http://www.swfwmd.state.fl.us/calendar>

- **Governing Board Meetings Schedule:**
 Meeting – Starkey EEC, New Port Richey December 12, 2017
 Meeting – Tampa January 23, 2018
 Meeting – Sarasota February 27, 2018
 Meeting – Brooksville March 27, 2018
- **Governing Board Public Budget Hearings Schedule:**
 Tentative Budget – Tampa September 11, 2018
 Final Budget – Tampa September 25, 2018
- **Advisory Committee Meeting Schedule:**
 Agricultural & Green Industry – Tampa December 7, 2017
 Environmental - Tampa January 9, 2018
 Well Drillers – Tampa January 10, 2018
 Industrial & Public Supply – Tampa February 6, 2018

ADJOURNMENT

Governing Board Meeting

November 14, 2017

9:00 a.m.

**★ ★ ★ CONVENE *MEETING OF THE GOVERNING BOARD* ★ ★ ★
*AND PUBLIC HEARING***

PUBLIC HEARING AND MEETING

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

Governing Board Meeting November 14, 2017

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.

- 30 years – Dave Goldberg-Dunnett, Senior Hydrologic Data Field Technician
- 30 years – David Sauskojus, Lead Environmental Scientist

Presenter: Randall S. Maggard, Chair

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: Randall S. Maggard, Chair

Governing Board Meeting November 14, 2017

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.

Finance/Outreach & Planning Committee

6. Budget Transfer Report6

Resource Management Committee

7. Authorize Submission of Preliminary Flood Insurance Rate Maps for the City of Bradenton in Manatee County to Federal Emergency Management Agency (N636)7

Operations, Lands and Resource Monitoring Committee - None

Regulation Committee

8. Individual Water Use Permits Referred to the Governing Board - None

General Counsel's Report

9. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval – None
10. Rulemaking – None

Executive Director's Report

11. Approve Governing Board Minutes – October 24, 20179

FINANCE/OUTREACH & PLANNING COMMITTEE

November 14, 2017

Consent Agenda

Budget Transfer Report

Purpose

Request approval of the Budget Transfer Report covering all budget transfers made during the month of October 2017.

Background

In accordance with Board Policy No. 130-8, *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.

Exhibit will be provided under separate cover.

Staff Recommendation:

Request approval of the Budget Transfer Report covering all budget transfers for October 2017.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

RESOURCE MANAGEMENT COMMITTEE

November 14, 2017

Consent Agenda

Authorize Submission of Preliminary Flood Insurance Rate Maps for the City of Bradenton in Manatee County to Federal Emergency Management Agency (N636)

Purpose

Request the Board's authorization to submit the preliminary Flood Insurance Rate Maps (FIRMs) for the City of Bradenton watershed in Manatee County to the Federal Emergency Management Agency (FEMA). The detailed watershed management model for the City of Bradenton watershed is the basis for updating the FIRMs. 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. Floodplain analysis information for the watershed was presented for review and comment during a public workshop held on June 23, 2016. The City of Bradenton will 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

The District has partnered with FEMA and local governments to modernize FIRMs as part of its Watershed Management Program (WMP). Flood protection and floodplain information have been a priority at the District since the inception of the organization. To improve the floodplain information, develop regional scale flood routing models for alternative analysis, and improve local government's understanding of their flood protection level of service, the District has been reaching out to local governments and implementing the WMP for the past two decades. Since November 2008, the Governing Board has authorized staff to submit preliminary FIRMs to FEMA for nineteen watersheds in Hernando County, six watersheds in Pasco County, seven watersheds in Citrus County, three 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, one watershed in Pinellas County, two watersheds in Sumter County, twelve watersheds in Marion County and three watersheds in Hillsborough County.

The updated floodplain information for the City of Bradenton watershed in Manatee County was prepared by a City consultant (Engineering Firm of Record), reviewed by District and City staff, and then reviewed by the District's independent peer review consultant (see table below). The watershed models and floodplain data were built using 2007 topography and land use information. For the public workshop held on June 23, 2016, affected property owners were notified of the workshop by print advertisement and media release with 10 people in attendance. The watershed models and preliminary floodplain data reasonably reflect the verification storm event and represent best floodplain information available for the watershed.

Watershed	Engineering Firm of Record	Peer Review
City of Bradenton in Manatee County	Jones Edmunds and Associates	CH2M HILL Engineers, Inc

Item 7

Staff Recommendation:

Authorize submittal of the preliminary FIRMs for the City of Bradenton watershed in Manatee County to FEMA.

Presenter: JP Marchand, P.E., Water Resources Bureau Chief

EXECUTIVE DIRECTOR'S REPORT

November 14, 2017

Consent Agenda

Approve Governing Board Meeting Minutes - October 24, 2017

Staff Recommendation:

Approve minutes as presented.

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

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

BROOKSVILLE, FLORIDA

OCTOBER 24, 2017

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 p.m., on October 24, 2017, at the Brooksville Office. The following persons were present:

Board Members Present

Randall S. Maggard, Chair
Bryan Beswick, Secretary
Ed Armstrong, Treasurer
H. Paul Senft, Member*via phone
Kelly S. Rice, Member
John Henslick, Member
Michelle Williamson, Member
Mark Taylor, Member
Joel Schleicher, Member*via phone
Rebecca Smith, Member
James G. Murphy, Member*via phone

Board Members Absent

Michael A. Babb, Member
Jeffrey M. Adams, Vice Chair

Staff Members

Brian J. Armstrong, Executive Director
Amanda Rice, Assistant Executive Director
Karen E. West, General Counsel
Kurt P. Fritsch, Inspector General
John J. Campbell, Division Director
Ken L. Frink, Division Director
Alba E. Más, Division Director
Michael Molligan, Division Director
Jennette Seachrist, Division Director

Board's Administrative Support

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

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 website (www.WaterMatters.org).

PUBLIC HEARING (Audio – 00:00)

1. Call to Order

Chair Maggard called the meeting to order and opened the public hearing. Secretary Beswick stated a quorum was present.

2. Invocation and Pledge of Allegiance

Board Member Taylor offered the invocation and led the Pledge of Allegiance to the Flag of the United States of America.

Chair Maggard 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 Maggard 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 Maggard 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 Maggard 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: Ramzi Chehaib and James Lewis.

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

4. Additions/Deletions to Agenda

Mr. Brian Armstrong, executive director, stated there was one deletion:

CONSENT AGENDA

Resource Management Committee

10. Sarasota County – Dona Bay Surface Water Storage Facility – Scope Change (N786)

Staff recommended the Board approve the scope change to delete the 30 percent design third-party review process as a condition for funding the Sarasota County Dona Bay Surface Water Storage Facility project (N786).

Chair Maggard 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 00:06:32)

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

Chair Maggard stated he received one Request to Speak card.

Mr. David Ballad Geddis, Jr., expressed his concern regarding stormwater infrastructure and associated fees.

Board Member Smith asked how the District is associated with this issue and are we involved with potential solutions.

Mr. Brian Armstrong, executive director, responded that stormwater is permitted through the District's Environmental Resource Permitting (ERP) program.

Ms. Alba Más, director of regulation, responded that subdivisions are permitted with retention ponds, not individual stormwater vaults.

Board Member Henslick asked if this is a requirement of homeowners or could there be a retrofit for existing projects constructed prior to stormwater criteria.

Ms. Más responded that swales have been built between houses and vaults have been used to handle stormwater. However, vaults are an expensive solution.

CONSENT AGENDA

Chair Maggard 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

6. Annual Review of Board Policy 130-3, District Investment Policy

Staff recommended the Board approve and accept the recommendation for no modifications to Board Policy 130-3, *District Investment Policy*.

7. Authorization to Dispose of Equipment

Staff recommended the Board approve the disposition of one John Deere Agricultural Tractor (Unit 2052) through the auction process.

8. Budget Transfer Report

Staff recommended the Board approve the Budget Transfer Report covering all budget transfers for September 2017.

Resource Management Committee

9. Minimum flows and Levels Priority List and Schedule Update

Staff recommended the Board approve the 2017 (2017-2018) Minimum Flows and Levels Priority List and Schedule and Reservations List and Schedule for submission to DEP for review and approval as required by Chapter 373, F.S.

10. Sarasota County – Dona Bay Surface Water Storage Facility – Scope Change (N786)

Staff recommended the Board approve the scope change to delete the 30 percent design third-party review process as a condition for funding the Sarasota County Dona Bay Surface Water Storage Facility project (N786).

11. FARMS – FLM, Inc. – Blossom Grove Phase 4 Amendment – (737), Manatee

Staff recommended the Board:

- 1) Approve the FLM, Inc. – Blossom Grove – Phase 4 project amendment for an increase of \$177,237 (from \$426,282 to \$603,519) with \$177,237 provided by the Governing Board;
- 2) Authorize the transfer of an additional of an additional \$177,237 from fund 010 H017 Governing Board FARMS Fund to the H737 FLM, Inc. – Blossom Grove – Phase 4 Amended project fund;
- 3) Authorize the Assistant Executive Director to sign the agreement.

Operations, Lands and Resource Monitoring Committee

12. Release and Relocation of Access Easement for Mitigation Areas Within the Starkey Wilderness Preserve, SWF Parcel Number 16-705-104S

Staff recommended the Board accept the appraisal, approve the Easement Relocation Agreement and the Amendment to the Easement, SWF Parcel Number 16-705-104S.

Regulation Committee

13. Emergency Order SWF 17-053-Tampa Bay Water – Alafia River Withdrawal Facility

Staff recommended the Board concur with Emergency Order No. SWF17-053.

14. Individual Water Use Permits Referred to the Governing Board

- a. **WUP No. 2009741.018 – Pine Level Property/Mosaic Fertilizer, LLC, CMI and Family Dynamics, Inc. (DeSoto, Manatee, Sarasota Counties)**

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

General Counsel's Report

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

- a. **Interagency Agreement Between the SWFWMD and SJRWMD – Designation of Regulatory Responsibility – FDOT Recreation Trail Project – South Lake Trail Phase IV – Sumter and Lake Counties**

Staff recommended the Board approve the Interagency Agreement between the St. Johns River Water Management District and the Southwest Florida Water Management District for Designation of Regulatory Responsibility for FDOT's South Lake Trail Phase IV Project.

- b. **Agreement and Release – Applied Drilling Engineering, Inc.**

Staff recommended the Board approve, and authorize the Board Chair to execute, the Agreement and Release.

16. Rulemaking – None

Executive Director's Report

17. Approve Governing Board Minutes – September 26, 2017

Staff recommended the Board approve the minutes as presented.

18. Approve Fiscal Year 2018 Final Budget Hearing Minutes – September 30, 2017

Staff recommended the Board approve the minutes as presented.

A motion was made and seconded to approve the Consent Agenda as amended. Motion carried unanimously. (Audio 00:14:32)

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

Finance/Outreach & Planning Committee

Discussion

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

20. Investment Strategy Quarterly Update

Mr. John Grady, Public Trust Advisor, provided a presentation on the quarterly investment strategy from July 1, 2017 to September 30, 2017. This presentation included an overview of the yield curve for United States treasury yields, projected interest rates and economic indicators,

Mr. Grady stated that rates are continuing to trend up but with an expectation of increase in shorter term rates than longer term rates. The yield curve will continue to flatten. The second quarter Gross Domestic Product (GDP) was 3.1 percent but expectations are lower for the next quarter.

Mr. Grady provided a comparison summary for the period of July 1, 2017 to September 30, 2017 of the District's portfolios. These portfolios included: liquidity, enhanced cash and all aggregate funds. He also provided a summary of the District's assets earnings as of September 30, 2017.

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

Staff recommended the Board accept and place on file the District's Quarterly Investment Reports for the quarter ended September 30, 2017.

21. ePermitting System Replacement

Mr. Tom Hughes, information technology bureau chief, provided a presentation regarding the options for ePermitting replacement. He stated funding for this item will be in the 2019 initial budget. He explained that preliminary information is being presented because it is a multi-year effort with a significant budget.

Mr. Hughes provided an overview of the District's current ePermitting system, Water Management Information System (WMIS). He explained that WMIS is the core of our permitting, review and compliance processes. Mr. Hughes stated that 90 percent of permits are submitted online.

Mr. Hughes explained the process used to determine the end of life of a system. He indicated that the two factors that are considered are, if the underlying technology is supported, and if the system is maintainable/extensible. Outside software vendors were consulted and validation was provided to ensure that staff evaluation was correct in that while WMIS was maintainable but not necessarily extendable. In addition, outreach was provided to the South Florida Water Management District (SFWMD) as they are also researching options to replace their business process management application.

Mr. Hughes provided a comparison chart of three options for replacement. He explained that option three is the preferred option and outlined a time line associated with the implementation.

Board Member Smith asked if the 9.5 million dollars associated with option three is the total cost. Mr. Hughes responded in the affirmative.

Board Member Schleicher stated that he would like to continue to research the implementation cost associated with option three.

Board Member Henslick asked if security concerns increase with increased technology. Mr. Hughes responded in the negative.

Chair Maggard asked if there were any hardware costs associated with option three. Mr. Hughes responded that costs will be minimal due to the use of virtual servers.

This item was presented for the Board's informational purposes only and no action was required.

22. Development of Preliminary Fiscal Year 2019 Budget

Mr. John Campbell, management services director, provided a presentation that included the Fiscal Year (FY) 2019 budget calendar, budget metrics, recurring budget assumptions, non-recurring budget assumptions, revenue budget assumptions, projected new growth, and a chart outlining millage rate versus investment in projects.

Mr. Campbell outlined the recurring budget assumptions which included, salaries and benefits, operating expenses, contracted services, and operating capital outlay over one thousand dollars.

Mr. Campbell outlined the non-recurring budget assumptions which included contracted services for District projects, cooperative funding, District grants and fixed capital outlay.

Revenue budget assumptions included Ad Valorem, permits and license fees, interest on investments, and state funding.

Board Member Williamson asked if this budget considers homestead exemptions. Mr. Campbell responded in the negative.

Staff recommended the Board approve the general budget assumptions as outlined in the October 24, 2017 budget presentation for development of the District's preliminary budget for FY2019.

A motion was made and seconded to approve the staff recommendation. The motion carried unanimously. (Audio 00:51:00)

23. Fiscal Year 2018 Annual Audit Plan

Mr. Kurt Fritsch, inspector general, provided a presentation that outlined proposed annual audit plan projects. These projects were categorized as follows: performance metrics; assurance and consulting projects; external audit coordination; policy, procedure, guideline and rule review; other statutory duties; and discretionary assistance.

Mr. Fritsch outlined proposed long-term audit plans which are considered two to three-year projects. He specifically addressed 1B26 compliance, which addresses storage of records and information technology security.

Mr. Fritsch presented the performance metrics that will be used with the actual work completed on the annual audit plan to evaluate the inspector general's performance.

Mr. Fritsch provided an overview of the annual risk assessment process which is used to design the annual audit plan. He explained that risk is any event that helps or hinders achieving objectives. Controls are actions taken by the Board or management that can take advantage of a risk event or mitigate, reduce or avoid the consequences of a risk event. Mr. Fritsch used the cooperative funding program as an example.

Mr. Fritsch provided a chart that outlined the disbursement methods used by the District. Information was presented by the number of transactions and dollars associated with these transactions.

Mr. Fritsch outlined inherent risk assessments that were in four categories: strategic, operations, finance and information.

Board Member Smith asked when the auditor general report will be received. Mr. Fritsch responded that review comments are being received from the auditors and because of his familiarity of this process, this is an indicator that the report is in the final stages of being completed.

Staff recommended the Board approve the Fiscal Year 2018 Annual Audit Plan and Office Performance Metrics as presented in the exhibits.

A motion was made and seconded to approve the staff recommendation. The motion carried unanimously. (Audio 01:15:22)

Submit & File Reports

24. Self-Funded Health Insurance Plan – Year-To-Date Financial Update

Routine Reports

The following items were presented for the Board's informational purposes only 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

29. Development of Regional Impact Activity Report

Committee Chair Armstrong relinquished the gavel to the Resource Management Committee Vice Chair Rice who called the meeting to order. (Audio 01:15:38)

Resource Management Discussion

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

31. Fiscal Year 2018-19 Cooperative Funding Process

Mr. Eric DeHaven, resource management assistant division director, provided a presentation regarding the Cooperative Funding Initiative (CFI) program. He presented a history of the CFI program and the changes that have occurred. Mr. DeHaven outlined the schedule that is followed each fiscal year and explained the associated measures. He outlined the CFI process overview and the metrics used for ranking cost effectiveness.

Mr. DeHaven provided a comparison of cooperative funding project requests which indicated fiscal year, number of proposals, amounts requested and amounts funded.

Chair Maggard asked if there is a way to indicate if a project requesting cooperative funding is receiving funding from other sources and what ranking should be considered based on that information. Mr. DeHaven responded the application does ask the cooperator to indicate if outside funding is provided. He stated this is something that can be evaluated further.

Mr. DeHaven informed the Board that the District received 12 projects related to septic/sewer projects in springs regions. He explained these will be reviewed and evaluated by staff and the Springs Coast Steering Committee. The Board will vote on which projects will be forwarded to the Florida Department of Environmental Protection (FDEP).

Mr. DeHaven stated that staff will be developing CFI policy changes to institute the proper controls to fund septic to sewer projects as discussed at the August workshop.

This item was presented for the Board's informational purposes only and no action was required.

Submit & File Reports

The following items were presented for the Board's informational purposes only and no action was required.

32. Minimum Flows and Levels Status Reports

33. Routine Report

Committee Vice Rice relinquished the gavel to the Operation, Lands & Resource Monitoring Committee Chair Beswick who called the meeting to order. (Audio 01:44:30)

Operations, Lands and Resource Monitoring Committee Discussion

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

35. Hydrologic Conditions Report

Mr. Granville Kinsman, hydrologic data manager, provided a presentation on the hydrologic conditions. He outlined rainfall distribution and stated that September received eleven inches of rainfall. Groundwater levels for the northern, central and southern regions remain normal to above normal with usual signs of declining. Surface water levels for northern areas are in the normal range with indicators that they are beginning to decline. Tampa Bay, Polk Upland and Lake Wales Ridge lakes showed a sharp increase. The Withlacoochee River showed a sharp increase and is at its highest level in three years. The Hillsborough, Alafia and Peace Rivers are in the upper range of normal. The Hillsborough Reservoir is full and the Billy Young Reservoir is almost at capacity. The climate forecast has shifted to a La Niña type event which will result in warmer and drier weather for the next six months.

Mr. Kinsman reminded the Board that the tropical season ends November 30.

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 current month to comparable data from the historical record.

This item was presented for the Board's informational purposes only and no action was required.

Submit & File Reports – None

Routine Reports

36. Surplus Lands

37. Structure Operations

38. Significant Activities

Committee Chair Beswick relinquished the gavel to the Regulation Committee Vice Chair Henslick who called the meeting to order. (Audio 01:54:28)

Regulation Committee Discussion

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

40. Denials Referred to the Governing Board

If any items 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 were presented for the Board's informational purposes only and no action was 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**

Committee Vice Chair Henslick relinquished the gavel to Chair Maggard. (01:55:44)

General Counsel's Report

Discussion

- 44. Consent Item(s) Moved for Discussion - None**
- 45. 2017 Annual Sunshine Law Presentation**

Mr. Chris Tumminia, general counsel staff attorney, provided a presentation of the Sunshine Law. He explained the Sunshine Law is a right of access to governmental proceedings of public boards. This is applicable to any board or commission of any state agency, county, municipal corporation, or political subdivision

Mr. Tumminia outlined the requirements that Board members need to adhere to in-order to maintain compliance with the Sunshine Law. He stated that meetings must be open to public, reasonably noticed, and minutes of meetings must be taken and promptly recorded. Mr. Tumminia provided hypothetical examples of violations and penalties associated.

Mr. Tumminia explained requirements and exceptions associated with Board member voting.

Mr. Tumminia provided an overview of the Public Records Act and the various mediums that are included. He provided hypothetical examples of violations and penalties associated.

This item was presented for the Board's informational purposes only and no action was required.

46. Independent Auditor Engagement Period

Ms. Mary Beth McNeil, assistant general counsel and acting procurement manager, outlined the draft policy for the independent auditor engagement period. She stated the contract term resulting from a Request for Proposals (RFP) will have a maximum term of five years and the total continuous engagement may not exceed 10 years. If a firm becomes ineligible after providing services for 10 years, it can become re-eligible if there is a gap in services by at least one year. She explained if that firm responds to a subsequent RFP and is selected, a new engagement partner would be named for that new contract period. If the contracted firm merges with another firm, the existing contract may be amended to have the newly formed firm added for the balance of the contract period but it must be approved by the Board.

This item was presented to the Board for its consideration and no action was required.

Submit & File Reports – None

Routine Reports

The following items were presented for the Board's informational purposes only and no action was required.

- 47. October 2017 – Litigation Report**

48. October 2017 – Rulemaking Update

Committee/Liaison Reports

49. Well Drillers Advisory Committee

Board Member Taylor provided an update on the October 11 meeting. He stated the meeting is well attend and complimented Mr. David Arnold for his leadership.

50. Other Committee/Liaison Reports

Executive Director's Report

51. Executive Director's Report

Mr. Armstrong, executive director, welcomed Jennette Seachrist as the director of resource management.

Mr. Armstrong informed the Board that the Rock Ponds Ecosystem Restoration Project received the top environmental award from the Hillsborough County City-County Planning Commission for 2017. The project received the "Award of Outstanding Contribution to the Community" during the 35th Annual Planning and Design Awards Program of the Planning Commission. The Rock Ponds Project is the largest coastal ecosystem restoration project ever performed for Tampa Bay, encompassing 1043 acres of estuarine, freshwater, and upland habitats. It also created 16.2 miles of new shoreline.

Mr. Armstrong outlined his goals for FY2018. These goals included: implementation and monitoring of the strategic plan, continuing to pursue District process improvements, gain efficiencies and ensure customer service, development and implementation of long term vision to exemplify core values to maintain organizational sustainability.

Chair's Report

52. 2017 Employee Evaluation and 2018 Performance Goals for the Executive Director

Chair Maggard thanked the Board their feedback on the executive director evaluations. He stated a recommendation has been provided to the Board Members.

Staff recommendation:

- Adopt and approve the 2017 employee evaluations of the executive director
- Adopt and approve the 2018 executive director goals

A motion was made and seconded to approve the staff recommendation. The motion carried unanimously. (Audio 02:22:05)

The next Board meetings are scheduled for November 14 at the Tampa Office, December 12 at Starkey Environmental Education Center and January 23 at the Tampa Office

53. Other

54. Employee Milestones

The meeting was adjourned at 11:23 a.m.

Chair

Attest:

Secretary

DRAFT

**Governing Board Meeting
November 14, 2017**

FINANCE/OUTREACH & PLANNING COMMITTEE
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Discussion Items

12. Consent Item(s) Moved for Discussion	
13. District Social Media Update.....	11
14. Fiscal Year 2019 Business Plan Update	12

Submit & File Reports

15. Investment Strategy Services	13
--	----

Routine Reports

16. Treasurer's Report and Payment Register	16
17. Monthly Financial Statement.....	17
18. Monthly Cash Balances by Fiscal Year	18
19. Comprehensive Plan Amendment and Related Reviews Report	19
20. Development of Regional Impact Activity Report	22

FINANCE/OUTREACH & PLANNING COMMITTEE

November 14, 2017

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

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

FINANCE/OUTREACH & PLANNING COMMITTEE

November 14, 2017

Discussion Item

District Social Media Update

Purpose

To present an update on the District's social media messaging. Staff will summarize how the District delivers messages through social media, the growth in the past year with the expansion of video and the benefits to the District.

Background/History

Social media has become a key tool in communications to reach the public in this digital age. It is used to inform the public about news, events, updates and features on District projects.

The District has a total of seven platforms, with about 13,000 followers on its two most popular sites and reaches 1.6 million people annually with its social media messages.

The District has significantly increased its use of video on our social media platforms in the past year by adding a multimedia journalist position who is tasked with telling the stories of the District through video. This has helped increase our reach and engagement rates. We also have increased our use of social media to provide customer service and updates during emergency situations, as demonstrated during Hurricane Irma.

Staff Recommendation:

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

Presenter: Michele Sager, Lead Communications Coordinator

FINANCE/OUTREACH & PLANNING COMMITTEE

November 14, 2017

Discussion Item

Fiscal Year 2019 Business Plan Update

Purpose

To provide the Board with an update on the Fiscal Year 2019 Business Plan.

Background/History

The Business Plan serves as a guide for business operations at the District. The plan provides direction and information to management, employees and stakeholders with respect to District priorities and performance measures. The plan ensures continued efficiency gains, effective organizational improvements, and alignment with the District's Strategic Plan.

The 2019 plan update focuses on resource requirements including personnel, equipment, and additional project needs, as well as a revised analysis of the District's changing workforce with a focus on trends in employee turnover.

Benefits/Costs

Implementation of the District's Business Plan will enhance the ability to forecast future financial, operational and staffing resources necessary to meet the District's initiatives and goals as outlined in the Strategic Plan.

Staff Recommendation:

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

Presenter: James Fine, Project Management Office, Office Chief

FINANCE/OUTREACH & PLANNING COMMITTEE**November 14, 2017*****Submit and File Report*****Investment Strategy Services*****Purpose***

Provide an update on the District's Investment Advisory Services.

Background

The Financial Investments Ad Hoc Committee of the Governing Board presented a recommendation at the January 2013 monthly meeting of the Board to initiate a procurement process to procure investment advisory services for oversight of the District's investments. *Invitation to Negotiate (ITN) No. 014-13, Investment Advisory Services*, was issued on March 29, 2013, which resulted in the District entering into agreements with two Investment Advisory Services firms, Public Trust Advisors, LLC and PFM Asset Management LLC, which expired in July of 2016. The annual fees for these two contracts totaled \$208,500 (based on assets managed totaling \$420 million).

In December of 2015, the Governing Board reviewed options for continuing the investment advisory services going forward and decided to consolidate the services into one Advisor contract resulting in the District utilizing an agreement with Public Trust Advisors as procured by Hernando County Clerk of Court and Comptroller, which expired in October 2017. This contract provided for Public Trust Advisors to reimburse the District for its custodial fees. This, in addition to a more favorable fee structure, resulted in a reduced fee for the District. The annual fee for this contract totaled \$156,000 offset by the custodial fees previously paid by the District resulting in a net cost of approximately \$117,000 (based on assets managed totaling \$420 million).

Update

In preparation for the end of the contract with Public Trust Advisors, a request for proposals (*RFP #007-17 - Investment Advisory Services*) was issued on August 4, 2017. A total of four responses were received on August 29, 2017. The responding firms were: Chandler Asset Management Inc.; Dana Investment Advisors, Inc.; First Southwest Asset Management LLC; and Public Trust Advisors, LLC. All four firms are highly qualified and ranked very high. Where they differed substantially were in the fees bid, based on a \$420 million portfolio. The fees ranged from \$302,000 to \$134,000. Public Trust Advisors (the District's current firm) was the only firm responding affirmative to pay the District custodial fees estimated at \$30,000 (actual custodial fees for fiscal year 2017 were \$38,804.26). Public Trust Advisors bid \$141,000 less estimated custodial fees of \$30,000 resulting in a net cost to the District of \$111,000. (See Exhibit of the RFP #007-17 recap.) The evaluation committee met on September 20, 2017 to review and rank the responses resulting in the following ranking: 1. Public Trust Advisors, LLC; 2. First Southwest Asset Management LLC; 3. Chandler Asset Management Inc.; and 4. Dana Investment Advisors, Inc. The evaluation committee recommended the District begin negotiations with the top ranked respondent, Public Trust Advisors, LLC. The negotiations resulted in an additional \$17,000 reduction in fees to \$124,000 (\$141,000 - 17,000 = \$124,000). This contract also provides for Public Trust Advisors to reimburse the District for its custodial

Item 15

fees. This, in addition to a more favorable fee structure, resulted in another fee reduction for the District. The annual fee for this contract totals \$124,000 (based on assets managed totaling \$420 million), offset by the custodial fees to be reimbursed by Public Trust Advisors, resulting in a net cost of approximately \$85,000. This is an annual savings of more than \$120,000 from the inception of the Investment Advisory Services contracts in 2013. A three-year contract with one two-year renewal option was awarded on October 9, 2017.

Staff Recommendation:

Presented for the Committee's information. No action required.

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

Exhibit

RFP #007-17 Investment Advisory Services

CHANDLER ASSET MANAGEMENT INC.		Portfolio Assets	
Assets Under Management	Basis % of Account Market Value	Est. 420 Million	Fee's
\$0 - \$100 million dollars	0.060% (6 basis points)	\$100,000,000	\$60,000
Next \$100 million dollars	0.050% (5 basis points)	\$100,000,000	\$50,000
Over \$200 million dollars	0.035% (3.5 basis points)	\$220,000,000	\$77,000
Will Respondent reimburse custodial fees incurred by the District?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
		\$420,000,000	\$187,000

DANA INVESTMENT ADVISORS, INC.			
Assets Under Management	Basis % of Account Market Value		
\$0 - \$250 million dollars	0.08% (8 basis points)	\$250,000,000	\$200,000
Next \$250 million dollars	0.06% (6 basis points)	\$170,000,000	\$102,000
Over \$500 million dollars	0.04% (4 basis points)	\$0	\$0
Will Respondent reimburse custodial fees incurred by the District?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
		\$420,000,000	\$302,000

FIRST SOUTHWEST ASSET MANAGEMENT, LLC			
Assets Under Management	Basis % of Account Market Value		
\$0 - \$250 million dollars	0.040% (4 basis points)	\$250,000,000	\$100,000
Next \$250 million dollars	0.020% (2 basis points)	\$170,000,000	\$34,000
Over \$500 million dollars	0.010% (1 basis points)	\$0	\$0
Will Respondent reimburse custodial fees incurred by the District?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
		\$420,000,000	\$134,000

PUBLIC TRUST ADVISORS, LLC				Negotiated Fee		
Assets Under Management	Basis % of Account Market Value				Portfolio Assets	FEE
\$0 - \$50 million dollars	0.050% (5 basis points)	\$50,000,000	\$25,000	0.05%	\$ 50,000,000.00	\$ 25,000.00
Next \$50 million dollars	0.040% (4 basis points)	\$50,000,000	\$20,000	0.03%	\$ 250,000,000.00	\$ 75,000.00
Over \$100 million dollars	0.030% (3 basis points)	\$320,000,000	\$96,000	0.02%	\$ 120,000,000.00	\$ 24,000.00
Will Respondent reimburse custodial fees incurred by the District?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>					
		\$420,000,000	\$141,000		\$ 420,000,000.00	\$124,000
		Less Est. Custodial Fees	-\$30,000	Less Est. Custodial Fees		-\$30,000
			\$111,000			\$94,000

FINANCE/OUTREACH & PLANNING COMMITTEE

November 14, 2017

Routine Report

Treasurer's Report and Payment Register

Purpose

Presentation of the Treasurer's Report and Payment Register.

Background

In accordance with Board Policy 130-3, *District Investment Policy*, a monthly report on investments shall be provided to the Governing Board. The Treasurer's Report as of October 31, 2017, reflects total cash and investments.

In accordance with Board Policy 130-1, *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).

The Treasurer's Report exhibit will be provided under 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

November 14, 2017

Routine Report

Monthly Financial Statement

Purpose

Presentation of the October 31, 2017, monthly financial statement.

Background

In accordance with Sections 373.536(4)(e) and 215.985(12), 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 One Month Ended October 31, 2017."

Exhibit will be provided under 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

November 14, 2017

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 October 31, 2017.

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.

Exhibit will be provided under 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

November 14, 2017

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: Robyn Felix, Communications and Board Services Bureau Chief

Local Government Comprehensive Plan Amendment and Related Reviews Report

As of October 27, 20

Project	Amendment Type	Assigned	Completed	Description	10YWSFW
Charlotte 16-3	ESR	8/8/2016	8/19/2016	Text amendments. No substantive comments.	<input type="checkbox"/>
Citrus 16-3	ESR	8/18/2016	9/16/2016	Map amendments. Comments addressed wetlands and other surface waters, existing wells, hazard mitigation planning in the coastal high hazard area and early regulatory coordination.	<input type="checkbox"/>
Citrus 16-4	ESR	9/12/2016	10/4/2016	Text amendments. No substantive comments.	<input type="checkbox"/>
Citrus 16-5	ESR	9/26/2016	10/6/2016	Text amendment. No substantive comments.	<input type="checkbox"/>
Clearwater 16-3	ESR	9/23/2016	10/25/2016	Text and map amendments. Comments addressed need for water supply analysis indicating Pasco County's ability to serve future development and encouraged reuse and water conservation implementation.	<input type="checkbox"/>
Davenport 16-2	ESR	8/8/2016	8/19/2016	Map amendment. No substantive comments.	<input type="checkbox"/>
Haines City 16-3	ESR	9/16/2016	10/11/2016	Map amendment. Comments addressed demonstration of potable water availability, reuse, water conservation, an existing WUP and early regulatory coordination.	<input type="checkbox"/>
Hernando 16-2	ESR	10/21/2016		Map amendment.	<input type="checkbox"/>
Hillsborough 16-5	ESR	9/27/2016		Map and text amendments.	<input type="checkbox"/>
Lake 16-6ACSC	Regular	9/7/2016	9/20/2016	Map and text amendments. Advised amendment is in SJRWMD.	<input type="checkbox"/>
Lake 16-7	ESR	9/7/2016	9/20/2016	Map and text amendments. Advised amendment is in SJRWMD.	<input type="checkbox"/>
Longboat Key 16-1	ESR	10/6/2016	10/13/2016	Text amendment. No substantive comments.	<input type="checkbox"/>
Madeira Beach 16-1	ESR	9/12/2016	9/15/2016	Text amendments. No substantive comments.	<input type="checkbox"/>
Mulberry 16-1	ESR	9/19/2016	10/18/2016	Map amendment. Comments addressed need for potable water analysis and water conservation.	<input type="checkbox"/>
North Port 16-1	ESR	7/31/2016	8/25/2016	Map and text amendments. Comments addressed potable water capacity, reuse, water conservation, avoidance of ERP wetland mitigation areas and encouraged early regulatory coordination.	<input type="checkbox"/>

Attachment: CPARR (3413 : Comprehensive Plan Amendment and Related Reviews Report)

Project	Amendment Type	Assigned	Completed	Description	10YWSFWP
Pasco 16-7	ESR	10/3/2016	10/18/2016	Amendment for Fort King Ranch. Comments addressed need for water supply availability analysis, encouraged water conservation, limited, if any, impacts to surface water resources and early regulatory coordination.	<input type="checkbox"/>
Pasco 16-8	ESR	10/3/2016	10/20/2016	Map amendment. No substantive comments.	<input type="checkbox"/>
Pasco 16-9	ESR	10/26/2016		Map amendment.	<input type="checkbox"/>
Pinellas 16-3	ESR	9/8/2016	9/28/2016	Map and text amendments. No substantive comments.	<input type="checkbox"/>
Pinellas 16-3	ESR	9/9/2016	9/28/2016	Map and text amendments. No substantive comments.	<input type="checkbox"/>
Polk 16-7	ESR	8/7/2016	9/6/2016	Map amendments. Comments addressed lack of demonstration of available potable water capacity, floodplains, wetlands and encouraged early regulatory coordination.	<input type="checkbox"/>
Polk 16-8ACSC	Regular	8/8/2016	9/6/2016	Map amendment. Comments addressed existing WUP/well and encouraged early regulatory coordination.	<input type="checkbox"/>
Punta Gorda 16-1	EAR-based	10/13/2016		Text amendments. Comments addressed need to recognize update requirement for Water Supply Work Plans.	<input type="checkbox"/>
Tampa 16-3	ESR	10/6/2016	10/26/2016	Water Supply Facility Work Plan. Comments addressed clarification of the Work Plan time-frame, expansion of reuse projects and advised that two proposed conservation projects may qualify for CFI funding.	<input checked="" type="checkbox"/>
Temple Terrace 16-1	ESR	10/16/2016		Water Supply Facility Work Plan.	<input checked="" type="checkbox"/>
Wildwood 16-1	ESR	8/10/2016	9/9/2016	Map and text amendments. No substantive comments.	<input type="checkbox"/>

AR Alternative
ACSC Area of Critical State Concern
EAR Evaluation and Appraisal Report
ESR Expedited State Review
WSFWP Water Supply Facilities Work Plan

FINANCE/OUTREACH & PLANNING COMMITTEE

November 14, 2017

Routine Report

Development of Regional Impact Activity Report

Purpose

This report is provided for the Committee's information and shows District activity in the review of Developments of Regional Impact (DRIs). Staff updates the report monthly.

Background/History

The water management districts participate with other state agencies in the review of DRIs, pursuant to Section 380.06, Florida Statutes. A DRI is defined as any development which, because of its character, magnitude or location, would have a substantial effect upon the health, safety or welfare of citizens of more than one county. A set of statewide guidelines and standards (thresholds) has been adopted by rule that is used in determining whether particular developments must undergo DRI review. A form has been adopted by rule that specifies the information that must be provided by the developer in the DRI Application for Development Approval (ADA).

The DRI review process is administered by the regional planning councils and oversight is provided by the Florida Department of Economic Opportunity (DEO). The District has also entered into memoranda of agreement with the Central Florida, Southwest Florida, Tampa Bay and Withlacoochee regional planning councils to more specifically outline the District's DRI review responsibilities. The District provides water resource management technical and policy information to the regional planning councils and local governments to assist them in making well-informed growth management decisions.

Benefits/Costs

The goals of the District's DRI review program are twofold: (1) to ensure regional planning councils and local government elected officials have sound water resource technical and policy information as they consider approval of large scale development proposals; and (2) to reduce the number and magnitude of issues that will need to be addressed during the District's regulatory review processes. District participation in this program helps to ensure that these proposed large-scale developments are compatible with the District's plans, programs and statutory directives. 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: Robyn Felix, Communications and Board Services Bureau Chief

DRI Activity Report

As of October 27, 20

Project	DRI Location	DRI App Type	Date Assigned	Date Completed	Description
Palmer Ranch DRI	Sarasota County	AIDA	10/19/2016		Proposes 257 multi-family residential units on 29 acres, parcel 9E.

ADA
DRI Application for Incremental Development Approval
Development of Regional Impact

**Governing Board Meeting
November 14, 2017**

RESOURCE MANAGEMENT COMMITTEE

Discussion Items

21. Consent Item(s) Moved for Discussion

Submit & File Reports - None

Routine Reports

22. Minimum Flows and Levels Status Report25

23. Significant Water Resource and Development Projects27

RESOURCE MANAGEMENT COMMITTEE

November 14, 2017

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

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

RESOURCE MANAGEMENT COMMITTEE**November 14, 2017*****Routine Report*****Minimum Flows and Levels Status Report**

Florida law (Section 373.042, Florida Statutes) requires the state water management districts or the Department of Environmental Protection (DEP) to establish minimum flows and levels (MFLs) for aquifers, surface watercourses, and other surface water bodies to identify the limit at which further withdrawals would be significantly harmful to the water resources or ecology of the area. District staff continues to work on various phases of MFLs development for water bodies on the District's MFLs Priority List and Schedule. The following status reflects the work completed for MFLs scheduled for adoption or reevaluation during calendar years 2016 through 2026 as well as changes that have occurred since the last Governing Board meeting. This report is consistent with the 2017 Priority List approved by the Board in October 2016 and the DEP in January 2017, with the metric summaries submitted annually to the DEP, and with recent changes to the Florida Statutes requiring establishment of minimum flows for all Outstanding Florida Springs by July 1, 2017.

Phase 1. (Data collection). Additional data collection activities for Lake Alice were completed during the past month. Data collection is complete for thirty-six of the eighty-five systems scheduled for adoption/reevaluation by 2026.

Phase 2. (Data analyses and draft MFLs report). An internal draft MFLs report for Lake Alice was completed during the past month. Phase 2 activities are complete for thirty-three of the eighty-five systems scheduled for adoption/reevaluation by 2026.

Phase 3. (a. Presentation of draft MFLs to the Board; b. presentation of peer review report and staff response to the Board; c. public meetings; and d. presentation of final MFLs report to the Board for acceptance).

- a) No draft MFLs reports were presented to the Board this month. Draft reports addressing eleven MFLs have been submitted to the Board for the systems scheduled for adoption/reevaluation by 2026.
- b) No peer review findings and staff responses were presented to the Board this month. Review findings and staff responses have been provided to the Board for six of the systems scheduled for adoption/reevaluation by 2026.
- c) A public workshop was held for Lake Alice during the past month. Public meetings have been completed for twenty-six of the eighty-five systems scheduled for adoption/reevaluation by 2026.
- d) No final MFLs reports were submitted to the Board this month. A total of twenty-five of the eighty-five systems scheduled for adoption/reevaluation by 2026 have been completed and presented to the Board.

Phase 4. (Development of Recovery Plan). No new recovery plans were developed during the past month. Many of the lakes scheduled for reevaluation have existing recovery plans which will be assessed as part of the reevaluation process. For the eighty-five systems scheduled for adoption or reevaluation through 2026, two recovery strategies are in place that are applicable to fourteen systems, eleven systems do not need a recovery strategy, and it has not been

Item 22

determined if the remaining systems will be covered by an existing recovery strategy or require development of a new strategy.

Phase 5. (Governing Board Approval of MFLs Rule). No MFLs rules were submitted to the Board this month for approval. Board approval of rulemaking for adoption or reevaluation of MFLs has been completed for twenty-five of the eighty-five systems scheduled for adoption by 2026.

Staff Recommendation:

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

Presenter: Yonas Ghile, Senior Environmental Scientist, Springs and Environmental Flows

RESOURCE MANAGEMENT COMMITTEE

November 14, 2017

Consent Agenda

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 District acted as the lead party in the feasibility study, and a consultant services contract with Ardaman & Associates for the study was executed on September 20, 2011. The Feasibility Study with Mosaic was finalized in March 2013, but determined unfeasible. Staff is researching 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 are conducting a GIS-based analysis of the available wetland vegetation maps to investigate if there have been any significant changes in distribution of undesirable vegetation. 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 team. Staff continues contract development and negotiations with the consultant. The successful bidder for the drilling RFB was Rowe Drilling. Staff is developing the contract. ***New Activities Since Last Meeting:*** Staff is planning and coordinating water quality testing on the surface water for proposed recharge. *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 under the recovery strategy include diversions of water from Sulphur Springs, Blue Sink, the Tampa Bypass Canal (TBC), and Morris Bridge Sink. Pursuant to the recovery strategy, since December 31, 2007, 75 percent of up to 11 cubic feet per second (cfs) (i.e., 8.2 cfs) transferred to the reservoir from the TBC is being pumped to the base of the Hillsborough River Dam. This amount of fresh water, in combination with up to 21 cfs or 13.6 mgd supplied from Sulphur Springs to the base of the dam by the City of Tampa (COT), has been sufficient to meet minimum flow requirements on many days. A COT request

for a variance to deadlines for completion of recovery strategy projects was approved at the June 2011 Governing Board meeting and the deadlines for project completion were extended as follows: Sulphur Springs Run Lower Weir - December 1, 2011; Sulphur Springs Run Upper Weir and Pump House - October 1, 2012; and Blue Sink project - December 31, 2013. The District received notification from the COT on November 7, 2011, that the Sulphur Springs Run Lower Weir project was complete and the pumping facilities and Upper Weir modifications were completed in January 2012. The COT conducted a pump test in February 2013 to check the capacities of the existing pumps at Structure 161 (S-161) on the Harney Canal of the TBC. At its December 2013 meeting, the Governing Board approved the issuance of a water use permit to the COT to withdraw 2 mgd from the Blue Sink for minimum flows as specified in the recovery strategy. At its February 2014 meeting, the Governing Board approved the signing of a cooperative funding agreement (N492) with the COT to construct pumping facilities on the Harney Canal and the Hillsborough River Reservoir to divert minimum flows to the LHR. Updates on the LHR recovery strategy have been provided to the Governing Board on an annual basis and the first of three rule-required five-year recovery status assessments was presented to the Governing Board in March 2015. The COT issued plans and specs for the Blue Sink pump station and pipeline project in March 2015; executed an agreement for construction management and a well mitigation program for the project in June 2015; and issued notices to proceed with pump station construction and pipeline construction in July and August 2015, respectively. In May 2015, the Governing Board authorized staff to initiate and complete rulemaking to repeal the reservation rule concerning use of water from Morris Bridge Sink for recovery of minimum flows in the LHR. District staff participated in a pre-application meeting with FDEP in June 2015 to discuss water use permit applications for pumping up to 3.9 mgd from Morris Bridge Sink and the ongoing transfer of water from the TBC to the LHR for minimum flow recovery. Water use applications for these withdrawals were submitted to FDEP by the District in August 2015. Repairs to the District pump station at the dam were completed in July 2015, with expectations that similar repair work would be completed at the District S-162 pump station, which is used to pump water from the lower to the middle pool of the TBC when needed for minimum flows recovery in the LHR. A modeling project addressing environmental benefits associated with various minimum flow implementation options was completed for the District in July 2015. In August 2015, the District accepted the COT's final basis of design report for the LHR pumping facilities project (N492) involving replacement of the existing S-161 pump station and installation of a siphon system at the Hillsborough River Dam. A no-cost time extension for the District/COT agreement for the Investigation of Storage and Supply Options project was completed in October 2015, extending the project completion date to October 1, 2017. In November 2015, FDEP released a notice of intent to issue a water use permit to the District for withdrawals from the TBC for LHR recovery and issued the permit on December 17, 2015. FDEP held a public meeting in November 2015 concerning the water use permit application submitted by the District for withdrawals from Morris Bridge Sink for LHR recovery and in December 2015 released a notice of intent to issue a water use permit to the District for the withdrawals. District staff met with Hillsborough County Environmental Protection Commission staff, representatives of the Friends of the River and other stakeholders in January 2016 to clarify permit conditions for the water use permit for withdrawals from Morris Bridge Sink for LHR recovery. In January 2016, the District also sent a letter to the Friends of the River, committing to provide several assurances in support of the Morris Bridge Sink Project. On January 15, 2016, FDEP issued a water use permit to the District for withdrawals from Morris Bridge Sink. In January 2016, the COT requested continuance of the CFI request submitted for funding the S-161 pump station replacement and Hillsborough River Dam siphon project (N492) and also requested transfer of ownership of District pumping facilities at S-161 and the dam to

the COT. In February 2016, the District initiated a project (H404) for consultant services addressing design of a pump station, transfer station and pipeline for the proposed diversion of water from Morris Bridge Sink; initiated development of a scope of work for consultant services addressing permit reporting conditions for the proposed withdrawals from the sink; and amended an agreement with the COT for completion of the Blue Sink Project to extend the project completion date to January 4, 2017. District staff met with representatives of the Friends of the River in March 2016 to discuss a draft scope of work for consultant services addressing permit reporting conditions for planned withdrawals from Morris Bridge Sink. The COT completed construction for the Blue Sink pipeline in April 2016 and construction restoration was completed in May 2016. A Task Work Assignment (TWA) for consultant services addressing factors contributing to algal abundance in the Sulphur Springs Run was also initiated in May 2016. An annual update on implementation of the LHR recovery strategy was submitted to the Governing Board in July 2016. Pump station construction by the COT for the Blue Sink project is ongoing. District development of a TWA for consultant services addressing permit reporting conditions for planned withdrawals from Morris Bridge Sink is ongoing. District review of consultant submitted 60 percent design drawings for a pump station at Morris Bridge Sink, and for a pipeline and a second pump station at S-159 for the proposed diversion of water from Morris Bridge Sink to the TBC is also ongoing. Permitting discussions with the U.S. Army Corps of Engineers and the Hillsborough County Environmental Planning Council for the pipeline and pump station at S-159 ongoing. The COT continues to evaluate options for proceeding with the LHR pumping facilities project (N492); and District review of the COT's request for transfer of ownership of District pumping facilities at the S-161 and dam sites, and execution of easements or licensing agreements necessary to operate and maintain the facilities is ongoing. For the Blue Sink Project, contractor has finished all pipeline installations and restoration with the exception of two minor punch list items. Equipment and piping is being installed inside the pump station building, and equipment startup/demonstration testing is forthcoming. The project is on schedule. Blue Sink pump station construction is concluding, and testing is expected to begin by mid-September. Morris Bridge pump station design continues, with USACE approval of pipeline at S-159 expected by mid-September. The COT issued a Notice to Proceed on the design of a control gate at the Hillsborough River Dam. The completion of the Blue Sink pump station is delayed until mid-November 2017. The completion of the Blue Sink pump station is delayed until mid-February 2017, with contract closeout in June, 2017. A project has been initiated to study the dissolved oxygen levels in the Lower Hillsborough River, below the dam, and results will be included in the five-year assessment report, due at the end of 2018. For the Morris Bridge Sink project, annual water quality and biological sampling have been completed, and soil subsidence monitoring work has begun. Negotiations are continuing for the transfer of ownership and operation/maintenance of the S-161 pump station from District to the COT. District operation of the temporary pump facilities at the S-161 site is continuing. Soil subsidence monitoring for the WUP for Morris Bridge Sink is completed. A project has been initiated to collect biological data in the Lower Hillsborough River to be included in the five-year assessment report, due at the end of 2018. District operation of the temporary pump facilities at the S-161 site is continuing. The COT and District are negotiating an easement that would allow the COT use of part of the S-161 site to construct its own pumping facilities at that site. The District will remove its pump equipment next June and re-purpose those pumps for standby use at the Morris Bridge Sink and S-159 sites. The District is preparing to advertise for bids for construction of the proposed pumps and pipelines at the Morris Bridge Sink and S-159 sites. The COT has encountered additional issues with completion of the Blue Sink pump station; the COT is working to reconcile those issues. The COT has begun discussions of permitting requirements related to installation of a new water control gate at its Hillsborough River Dam;

the new control gate would be installed as an alternative to either a pump station or a siphon for meeting LHR minimum flow conditions. The District and the COT of Tampa are continuing other activities related to operations of existing facilities and negotiations of conditions related to proposed replacement facilities. The COT contractor is continuing to address issues with the Blue Sink pump station inlet pipes; the COT and its contractor are working to reconcile those issues. The COT is continuing the work of design and permitting of a new water control gate at its Hillsborough River Dam as a preferred alternative to either a pump station or a siphon for meeting LHR minimum flow conditions. The District and the COT are continuing other activities related to operations of existing facilities at the Hillsborough River Dam site and at the S-161 pump station site. The District and the COT are discussing the potential impact of the COT's proposed Tampa Augmentation Project on the need for the proposed Morris Bridge Sink pump station. A Task Work Assignment (TWA) for consultant services for biological monitoring and an evaluation of conditions for the five-year assessment due in 2018 was initiated in April 2017. An amendment to the TWA for the Sulphur Springs Algal Assessment has been routed to extend the contract period in order to allow for the pilot algae removal to occur in April and June of 2018. The District and the COT are still working on an access agreement to allow work for this project. The dissolve oxygen study of the LHR is ongoing and is scheduled to be completed in August 2017. Vegetation monitoring for 2017 for the WUP for Morris Bridge Sink has been completed. A TWA for biological monitoring and the five-year assessment has been executed. The Blue Sink pump station demo testing procedure has been conducted. A leak in the transmission main was discovered that is currently preventing water being pumped to the dam. Currently 1 mgd is being pumped to the adjacent storm water pond that is eventually pumped to the river. In July 2017, the Governing Board approved a change in scope to N492 that eliminated a new pump station at the S-161 structure from the scope and the modification of the City of Tampa's Hillsborough River Dam to replace the siphon structure with a control gate. At the July 2017 meeting, the Governing Board also approved a request to enter into an agreement with the COT to convey the temporary pump station at the S-161 structure with an easement to the City for \$75,000 and approved entering into an agreement with the COT for the COT operation, maintenance and management of the temporary pump. The leak in the transmission line at the Blue sink pump station has been repaired. The COT has received and is reviewing bids for the control gate for the S-161 structure. Tampa City Council approved award of a contract to construct a new low flow control gate instead of the previously planned pump station. Tampa is preparing to accept operation, maintenance and management of the District's temporary pumps at the Hillsborough River Dam site and, also, to purchase the District pumps and water transfer facilities at the District's S-161 site. The City has completed construction of the Blue Sink pump station and is preparing final project acceptance documents. The dissolved oxygen study of the LHR has been completed. A Task Work Assignment for consultant services addressing permit reporting conditions for 2018 for the proposed withdrawals from Morris Bridge Sink is being drafted. **New Activities Since Last Meeting:** The CFA between the City of Tampa and the District for the Lower Hillsborough River Dam Control Gate Facilities (N492, Agreement No. 17CF0000823) has been completed. *Project Managers: Diana Koontz/Tom Burke/Barbara Nordheim-Shelt*

TECO's Polk Power Station Reclaimed Water Interconnects to Lakeland/Polk County/Mulberry

- **Reuse Project:** This regional project, consisting of transmission pipelines, pump stations, storage tank, advanced treatment and deep injection well, will provide up to 10 mgd of reclaimed water from four domestic wastewater treatment facilities (Lakeland Glendale, Lakeland Northside, Mulberry, and Polk County Southwest) to Tampa Electric Company's (TECO) power facility in southwest (SW) Polk County (Polk Power Station). The reclaimed

water is necessary as TECO is expanding the Polk Power Station generation capacity. The cooperatively funded reclaimed water project (H076-Phase I) was originally anticipated to provide 5.2 mgd (expandable up to 6.7 mgd) of reclaimed water from the City of Lakeland; however, the supply and benefits were expanded several times to 10 mgd (expandable to 17 mgd) and total project costs increased to \$96,960,725. The increases improved cost-effectiveness and will utilize 100 percent of all available reclaimed water from Lakeland, Mulberry and SW Polk beyond 2040. TECO is replacing, to the greatest extent possible, 3 to 8 mgd of existing groundwater uses in 2015-2017 with reclaimed water before the full project expansion is complete in late 2017. **Additional Information:** In order to utilize the reclaimed water, the project includes advanced treatment (filtration and membranes) which is necessary to reduce dissolved solids to an acceptable level. The membrane reject water (concentrate by-product) is mixed with other Polk Power Station discharge water and pumped to two new deep injection wells for final disposal. Progress on the four primary project components continues with; 1. The Lakeland segment is completed and on-line; 2. The reclaimed water treatment system, storage tank and injection well at the TECO facility are completed and on-line (2015); 3. Design and permitting (WWH) of the Polk SW segment is completed and construction started in early October of 2017; and 4. Construction of the Mulberry pipeline segment and pump station is completed and on-line (2017). Per the June 2016 Amendment adding the final District funding, the District has budgeted \$45,676,957 in ad valorem and an additional \$3,526,063 in WRAP funds (totaling \$49,203,020 in District funding), of which a total of \$43,322,371 has been reimbursed. The project continues to utilize Lakeland's and Mulberry's effluent to supply more than 5 mgd of reclaimed water through the completed Lakeland, Mulberry and treatment portions, thereby reducing groundwater pumping at the TECO Polk Power Facility. Full commissioning and testing to the 10 mgd capacity is anticipated to be completed in late 2017. **New Activities Since Last Meeting:** Construction (Westra) of the final Polk SW segment is progressing towards a December 2017 completion date. *Project Manager: Anthony Andrade*

- **Aquifer Recharge Projects:** In 2009, the District funded a recharge study (H076) as part of the Regional Reclaimed Water Partnership Initiative to assess the feasibility of using highly treated reclaimed water to recharge the Upper Floridan aquifer (UFA) in the southern Hillsborough and Polk county areas. Findings from the study indicate that it is possible to develop direct and indirect aquifer recharge projects to improve UFA water levels and provide opportunities for additional groundwater withdrawals. MWH Americas, Inc., completed the Feasibility of Using Reclaimed Water for Direct and Indirect Aquifer Recharge in the Tampa Bay Area Study and a total of \$481,149 in District FY2008 funding was reimbursed. The costs associated with developing these projects were found to be comparable to costs of other planned alternative water supply projects. Since completing the study, several local governments have expressed interest in assessing the applicability of aquifer recharge in their areas. District staff is working with these entities to develop and implement project plans to assess the site-specific feasibilities of implementing aquifer recharge projects to address their individual needs (Hillsborough County SHARP Project N287, Tampa TAP Project N751, and Plant City Projects N601 and N755). Prior to initiating work, District staff also reviews project tasks to avoid as much duplicative efforts as possible between cooperators. The District project managers are researching active recharge projects to identify positive results or issues requiring further investigation.
- **Currently-Funded Aquifer Recharge Projects - FY2015-FY2016 Cooperative Funding**
 - **City of Clearwater - Groundwater Replenishment Project - Phase 3**
This is an ongoing project which previously completed work on a pilot test of Clearwater's reclaimed water purification treatment system and one groundwater recharge injection site. Results from the water purification plant 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, improving groundwater levels in the Northern Tampa Bay Water Use Caution Area, and increasing the City's future water supply potential from their existing wellfields. Phase 3 of this project is for the design, third party review, permitting and construction for the full-scale water purification plant and the injection and monitor well systems to recharge 2.4 mgd annual average of purified reclaimed water at Clearwater Northeast Water Reclamation Facility. Public outreach will be a critical function throughout the design and construction. The total cost for the project is \$28,680,000 (based on conceptual level cost estimate until the 30 percent design and third party review is completed). The City of Clearwater and the District's contribution will each be \$14,340,000. Of the District's contribution, \$1,544,000 was approved in FY2015, and an additional \$2,131,600 was approved in FY2016. FY2017 budget request is for \$5,654,400 and future funding will need to be \$5,000,000. The District previously contributed \$1,751,548 for desktop feasibility and pilot treatment test phases of this project. The contract was executed in January 2016. Completion of construction and beginning of facility operations is currently scheduled for April 2021. Third Party Review of the Preliminary Design Report/Specifications, and Opinion of Probable Cost has been completed. At its September 27, 2016 meeting, the Governing Board approved results of the 30 percent Design and Third Party Review and has authorized a contract amendment that increases the total project cost to \$32,716,000, with a total District contribution of \$16,358,000. The 60 percent design specification and plans were completed and submitted to the District for review and comment on January 4, 2017. Review questions/comments were provided by the District to the cooperator on January 19, 2017. The first public meeting for this project was held on November 16, 2016 from 4:00 to 6:00 P.M. at the Clearwater Countryside Library with 54 citizen attendees. A second public outreach Open House meeting was conducted on February 8, 2017 from 6:00 to 8:00 P.M. at the Clearwater Main Library (35 citizen attendees). A third public outreach Open House meeting was held on May 2, 2017 at the Clearwater East Library. Final design for the Advanced Water Purification Plant was received on August 10, 2017 and the District provided final comments on September 18, 2017. The FDEP Permit Application for the Advanced Water Purification Plant will be submitted at the beginning of October. FDEP requested official submittal of the AWPP application as of September 29, 2017. The project has been delayed because of this. Site Development Permit Applications are with FDEP ERP, FDOT ROW Access, the City and the County. ***New Activities Since Last Meeting:*** No changes since last meeting. *Project Manager: Robert Peterson*

▪ **Pasco County - Reclaimed Water Natural Systems Treatment and Restoration Project**

A desktop feasibility study to assess the use of highly treated reclaimed water to indirectly recharge the UFA via constructed wetlands and/or rapid infiltration basins (RIB) in central Pasco County areas was completed in January 2011. The study showed that indirect aquifer recharge is a viable option for Pasco County. A Phase II feasibility study and report was completed in February 2012 and included a screening analysis for potential RIB locations, as well as cost analyses refinements for potential future phases. Phase III includes field testing and modeling on the 4G Ranch in Pasco County. The final draft of the Phase III project report was received by the District on December 12, 2014; and a teleconference was held on December 16, 2014, to discuss preliminary comments. District staff sent report comments on December 23, 2014. Multiple meetings have been held to further discuss the District's comments. A request to extend the deadlines of Tasks 2 and 3, and the project end date to June 30, 2015, was received on February 26, 2015. A request to use the contingency funds in the Agreement (\$10,000) was also received. Meetings were held to discuss 30 percent design on March 25, March 30, and April 9, 2015. Pre-application meetings with FDEP occurred on March 31, 2015, to discuss the Environmental Resource Permit (ERP) for the project; and on April 7, 2015, to discuss the NPDES permit. A field visit with FDEP was held on April 23, 2015. Meetings to discuss the modeling work occurred on April 22 and May 5, 2015. The District received the final 30 percent design package on May

5, 2015, A draft Agreement, Project Plan, Easement, and Lease were developed, and the Governing Board gave staff authorization to proceed with third party review of the 30 percent design package at the July 2015 Board meeting. The results of the third party review were received on August 24, 2015. The review concluded that the project scope and budget were reasonable and would meet the project objectives. The review also concluded that the methods used to determine the measureable benefit of at least 2.2 mgd of reclaimed water on a ten-year annual average were reasonable. On August 27, 2015, the project team met with FDEP to discuss the submittal of the application to modify the County's NPDES permit. Both the ERP and NPDES permits have been submitted to FDEP. The Governing Board approved the County's and staff's request to move forward with final design and permitting of the project at their September 2015 meeting. The Board also directed staff to enter into an agreement for 50 percent of the total project cost identified in the 30 percent design (\$14,300,966), allowing reimbursement of the District's share for the design, permitting, and construction of this facility. The completed N666 Agreement was sent to Pasco County for their signature on October 5, 2015. The 60 percent costs were received on October 29, 2015. The 90 percent design was received on December 18, 2015. The draft NPDES and ERP permits have been received as of December 18, 2015. The 90 percent cost estimates from CH2M Hill (Pasco County consultant) and P&J (land owner/contractor) were completed. All permits were issued as of January 2016. A meeting was held with the project team on February 11, 2016 to review the estimates, and some revisions and clarification were made on both estimates. The 100 percent design drawings were received on March 10, 2016. The Pasco County Commission approved the Agreement at their May 10, 2016 meeting, and the District received the Agreement on May 25, 2016. The 100 percent costs were received March 25, 2016. The Agreement was sent to Executive for signature on July 1, 2016. The Agreement was fully executed on July 11, 2016. Construction began as of mid-June 2016, and is progressing on or ahead of schedule. A groundbreaking ceremony took place on October 24, 2016, including tours of the existing construction so far, and television press. A field trip for District staff took place on February 2, 2017. Most earthwork and pipe installation is complete. Construction is ongoing and is on schedule. Planting is ongoing through July. ***New Activities Since Last Meeting:*** As of October 13, 2017, all construction has been completed with the exception of some final SCADA controls. The cooperater will request a short task extension to complete this work. CEI work is also near completion. *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 possible 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:*** Operational recharge testing and monitoring continued during the month of September. The recharge well was shut down for well maintenance on October 11, 2017. Injection

Item 23

pressures started to increase again so the well was acidized to restore injection flow rates. The County has requested a contract amendment to extend the recharge testing phase of the project prior to applying for an operation permit. The District is preparing a no cost change schedule amendment. *Project Manager: Don Ellison*

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

**E. Operations,
Lands & Resource
Monitoring**

**Governing Board Meeting
November 14, 2017**

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE
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Discussion Items

24. Consent Item(s) Moved for Discussion	
25. Offer for Surplus Land – Tampa Bay Estuarine Ecosystem (TBE-4), SWF Parcel No. 11-728-131S	36
26. Creating Efficiency at the District Through the Implementation of New GIS Technologies	47
27. Hydrologic Conditions Report	48

Submit & File Reports - None

Routine Reports

28. Surplus Lands	51
29. Structure Operations	53
30. Significant Activities	55

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE

November 14, 2017

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Ken Frink, P.E., Division Director, Operations, Lands and Resource Monitoring

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

November 14, 2017

Discussion Item

Offer for Surplus Land – Tampa Bay Estuarine Ecosystem (TBE-4), SWF Parcel No. 11-728-131S

Purpose

On May 19, 2015 the Governing Board declared SWF Parcel No. 11-728-131S (TBE-4) as surplus property. The District received an offer for the purchase of TBE-4 from Bob Graham for \$214,000. This reflects an offer price of \$29,037 per acre for approximately 7.37 acres. The Contract for Sale and Purchase is attached as Exhibit 1. A general location map and aerial map are attached as Exhibits 2 and 3.

Background

The District acquired TBE-4 in 2003 as part of the Tampa Bay Estuarine Ecosystem project at a prorated cost of \$1,442 per acre and was acquired in partnership with Hillsborough County which funded one-half the purchase price. Per previous agreements, the County will receive one-half the sale proceeds. The parcel has frontage on US Highway 41 and is zoned AR, Agricultural Rural, with a future land use designation of N, Natural Preservation. The District does not perform maintenance on this parcel.

The property was listed with Saunders Real Estate and advertised through multiple media and personal contacts since February 14, 2017. This negotiation represents the second party who has made an offer on this parcel. Previously an offer was received for \$213,000; however, it was unacceptable due to a stipulation to execute the contract within three days. The present offeror made a written offer of \$212,000 August 31, 2017 which has been negotiated to the present amount. Below is a summary of the total and per acre cost information for TBE-4.

	Total	Per Acre
Offer Amount	\$214,000	\$29,037
Appraised Value	\$210,000	\$28,494
Listing Price	\$275,000	\$37,313
Property Appraiser Just Value	\$192,500	\$26,119
Total Purchase Basis (2003)	\$10,628	\$1,442

Appraisal and Minimum Price

The property was appraised January 16, 2017 for \$210,000 by Frank A. Catlett, MAI, SRA and Kyle A. Catlett with Trigg, Catlett & Associates. A summary of comparable values used to calculate the final value is attached as Exhibit 4. The appraisers determined that the highest and best use as vacant, would be for Industrial/Open Storage or a single family residence. The market value of the property determined in the appraisal is based on the title being free and clear of interests and encumbrances that impact value. The District's title to the property includes the subsurface rights. Upon the request of a buyer, and in accordance with Section

270.11(3), Florida Statutes the District may release its interest in all phosphate, minerals, metals and petroleum that may be in, on or under the property. As part of this sale process, District appraisers discussed the most recent appraised value and market conditions with the appraisers, and independently considered market conditions affecting the property, and did not recommend having a new appraisal conducted. The full appraisal is available upon request.

Sale Terms

- The District will deliver title to the buyer by Quit Claim Deed.
- There will be no adjustment in price for actual acreage as determined by a survey, if obtained by the buyer.
- The buyer will pay the real estate commission to Saunders Real Estate.
- The buyer will bear all expenses of the transaction except for the appraisal and advertising costs.
- The buyer will have a period of 60 days to perform due diligence.

Considerations

This property is very well located, with considerable frontage on US 41. There were nine interested parties between February 14, and October 18, 2017, the interested parties included investors and an adjacent owner. The appraiser's opinion of a reasonable marketing time was 12-15 months, and the property has been on the market for nine months.

Benefits/Costs

The sale of surplus lands will allow the District to acquire lands that are environmentally significant. Funds derived from the sale of surplus land may only be used for the purchase of other lands meeting the criteria in Section 373.139, Florida Statutes and Governing Board, Land Acquisition Policy 610-1, resulting in more effectively meeting the District's core mission

Staff Recommendation:

- Accept the offer of \$214,000;
- Authorize the Executive Director to execute the Contract for Sale and Purchase on the behalf of the District;
- Authorize the conveyance of the District's interest in all phosphate, minerals, metals and petroleum in or on or under the land upon request of the buyer; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

Presenter: Carmen Sanders, Operations and Land Management Assistant Bureau Chief

CONTRACT FOR SALE AND PURCHASE

THIS Contract for Sale and Purchase ("Contract") is made this Oct 27th day of, 2017, by and between the Southwest Florida Water Management District, a public corporation of the State of Florida, having an address of 2379 Broad Street, Brooksville, Florida 34604 ("District"), and Bob Graham, having an address of P.O. Box 310167 Tampa, FL 33680 ("Buyer"), as follows:

1. **AGREEMENT TO SELL:** The District hereby agrees to sell and Buyer hereby agrees to buy, in accordance with this Contract, the real property that is more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference ("Property").
2. **EFFECTIVE DATE:** Upon execution of this Contract by Buyer, Buyer's offer shall be binding for SIXTY (60) days after such execution by Buyer. If this Contract is not executed by the District on or before SIXTY (60) days after execution of this Contract by Buyer, Buyer's offer contained in this Contract is withdrawn and this Contract shall terminate. The effective date of this contract shall be the date of execution by the District.
3. **APPROVAL:** This Contract is subject to approval by the District's Governing Board. If the District's Governing Board does not approve this Contract and all the terms and conditions hereof, the District will notify the Buyer in writing and this Agreement shall terminate.
4. **PURCHASE PRICE:** The total purchase price for the Property shall be TWO HUNDRED FOURTEEN THOUSAND dollars (\$214,000), which shall be paid in the following manner:
 - a. **Deposit:** Concurrent with the execution by Buyer of this Contract, Buyer shall deposit five percent (5%) of the purchase price in the form of a certified or cashier's check from a financial institution as defined in Section 655.005, Florida Statutes ("F.S."), made payable to the closing agent designated by the District, as earnest money ("Deposit"). In the event this Contract is terminated under Paragraphs 2, 3, 8, 10, or 11 of this Contract, the District shall return the Deposit to Buyer.
 - b. **Balance:** The balance of the purchase price shall be paid at the time of closing by wire transfer from a financial institution as defined in Section 655.005, F.S., to the closing agent designated by the District.
5. **CLOSING, EXPENSE AND POSSESSION:** This Contract shall be closed no later than NINETY (90) days from the effective date referenced in Paragraph 2, unless this Contract is terminated pursuant to Paragraphs 2, 3, 8, 10, or 11. The following are additional details of closing:
 - a. **Time and Place:** The date, time and place of closing shall be set by the District.
 - b. **Conveyance:** At closing, the District will deliver to Buyer a fully executed quit claim deed, conveying the Property and improvements in "AS IS, WHERE IS CONDITION," without warranties or representations.
 - c. **Expenses:** Buyer shall be responsible for paying all closing costs associated with the Property including, but not limited to, Buyer's survey costs, documentary stamp tax on the deed, recording fees, abstract or title insurance fees, and Buyer's attorneys' fees. The District has designated Albert C.

Contract for Sale and Purchase

Parcel Name: TBE-4

SWF Parcel No.: 11-728-131S

Page 1 of 6

Attachment: TBE4 Combined Exhibits (3445 : TBE-4 Surplus Offer)

Kreischer Jr. at Fuentes and Kreischer Title Company, having an address of 1407 West Busch Boulevard Tampa, FL 33612, as the escrow agent for closing. The Buyer shall pay any costs charged by such company or agent for this closing service. If Buyer obtains a survey of the Property, nothing contained therein shall affect the purchase price or terms of this Contract.

d. Buyer shall also be responsible for paying Saunders Real Estate in the amount of ELEVEN THOUSAND SEVEN HUNDRED dollars (\$11,700), by separate certified or cashier's check made payable to, or wire transfer to, the escrow agent designated by the District. The commission for the District's sale of surplus property is calculated based on the following schedule:

Commission Schedule: Maximum Compensation Rate		
Purchase Price for the Property		Maximum Rate
The first	\$ 0 - \$ 100,000	6.0%
The next	\$ 100,001 - \$ 1,000,000	5.0%
The next	\$ 1,000,001 - \$ 5,000,000	4.0%
The next	\$ 5,000,001 - \$10,000,000	3.0%
The next	\$10,000,001 and over	2.0%

6. **REAL ESTATE TAXES, EASEMENTS, RESTRICTIONS, AND ENCUMBRANCES:** Buyer agrees to take title to the Property subject to any outstanding taxes, special liens or assessments including real estate taxes, if any; comprehensive land use plans, zoning, restrictions, prohibitions and other requirements imposed by governmental authority; restrictions, qualifications and matters appearing on the plat or otherwise common to the subdivision, restrictive covenants, public utility easements and all outstanding easements, reservations and other interests.

7. **CONDITION OF THE PROPERTY:** Buyer agrees to accept the Property in "AS IS, WHERE IS CONDITION." The District makes no warranties or representations whatsoever as to the condition of the Property or the improvements located thereon, or the fitness of either for any particular use or purpose.

8. **DUE DILIGENCE PERIOD:** Buyer will, at Buyer's expense, determine whether the Property is suitable for the Buyer's intended use and development of the Property within SIXTY (60) days from the effective date of this Contract ("Due Diligence Period"). During the Due Diligence Period, Buyer may conduct any tests, analyses, surveys, inspections, and investigations which Buyer deems necessary to determine to Buyer's satisfaction the suitability of the Property for Buyer's intended use and development. Buyer will deliver written notice to the District prior to the expiration of the Due Diligence Period of Buyer's determination of whether the Property is acceptable. If Buyer fails to comply with this notice requirement, Buyer will be deemed to have waived any objection to the suitability of the Property for the Buyer's intended use and development and to have accepted the Property in its present "as is" condition. If Buyer determines that the Property is not acceptable, Buyer must include the specific reasons therefore in its notice to the District. The District shall have thirty (30) days from receipt of Buyer's notice to cure the specified deficiencies. If the deficiencies are identified by a survey, the survey must meet the requirements outlined in Exhibit "B", attached hereto, and must be provided to the District for review. If the District fails to cure the deficiencies to the reasonable satisfaction of the Buyer, its attorney or the Buyer's title insurance

Contract for Sale and Purchase

Parcel Name: TBE-4

SWF Parcel No.: 11-728-131S

Page 2 of 6

Attachment: TBE4 Combined Exhibits (3445 : TBE-4 Surplus Offer)

company within the 30-day cure period, Buyer may either terminate this Contract or proceed to closing in the same manner as if no deficiencies had been found. Buyer may contact the District to arrange access to the Property for Buyer, its agents, contractors and assigns for the purpose of conducting such tests, analyses, surveys, inspections, and investigations. Buyer will indemnify and hold the District harmless from losses, damages, costs, claims and expenses of any nature, including attorneys' fees at all levels, and from liability to any person, arising from the conduct of any and all inspections or any work authorized by Buyer. Buyer will not engage in any activity that could result in a mechanic's lien being filed against the Property.

9. **OPERATION OF PROPERTY DURING CONTRACT PERIOD:** Prior to closing, the District will continue to operate the Property and any business conducted on the Property in the manner operated prior to the date of the Contract and will take no action that would adversely impact the Property.

10. **RISK OF LOSS:** In the event of any substantial damage to the Property (in excess of \$5,000) between the date of this Contract and the date of closing, the District shall have the option of restoring the damaged Property to its condition immediately prior to the occurrence causing the damage, in which event, Buyer shall complete the transaction as originally planned. If these repairs are not completed prior to the closing date, closing will be extended until such time as the repairs are completed. If the District elects not to restore the damaged Property, Buyer's sole remedy shall be the right to terminate this Contract by giving written notice to the District or, alternatively, to proceed to closing on the Property, as damaged, without adjustment in the purchase price. In the event of any lesser damage (\$5,000 or less), the parties shall proceed to closing as though no damage had occurred.

11. **DEFAULT:** If Buyer fails to close within NINETY (90) days from the effective date referenced in Paragraph 2, the District shall retain the Deposit, this Contract shall terminate, and the District and Buyer shall be relieved of all rights and obligations under this Contract. If the District fails to deliver the quit claim deed to Buyer within NINETY (90) days from the effective date referenced in Paragraph 2, the District shall return the Deposit to Buyer, this Contract shall terminate, and Buyer and the District shall be relieved of all rights and obligations under this Contract. Notwithstanding the above, neither party shall be liable under this provision if the closing date is extended pursuant to Paragraph 10, Risk of Loss.

12. **ATTORNEYS' FEES AND COSTS:** Except as provided in Paragraph 8, Due Diligence Period, in any claim or controversy arising out of or relating to this Contract, each party agrees to bear its own attorney fees and costs.

13. **NOTICES:** All notices will be in writing and may be delivered by mail, overnight courier, or personal delivery. The parties agree to send all notices to the addresses specified in the introductory clause; and as to the District, such notice will be sent to the attention of its Office of General Counsel. Notice is effective upon receipt.

14. **SUCCESSORS:** Upon execution of this Contract by Buyer, this Contract shall be binding upon and inure to the benefit of Buyer, Buyer's heirs, successors, or assigns.

15. **RECORDING:** Neither this Contract nor any notice of it may be recorded in any county by any person.

16. **ASSIGNMENT:** This Contract shall not be assigned by Buyer without the prior written consent of the District.

17. **TIME OF ESSENCE:** Time is of the essence in the performance of this Contract.

Contract for Sale and Purchase

Parcel Name: TBE-4

SWF Parcel No.: 11-728-131S

Page 3 of 6

18. **AMENDMENTS:** This Contract contains the entire agreement and all representations of the parties. No amendment will be effective except when reduced to writing signed by all parties. Notwithstanding the foregoing, the parties acknowledge that the description of the Property is without the benefit of a current survey. The parties agree that if, in the opinion of the District, it becomes necessary to amend the description to correct errors, to more properly describe the Property, or to otherwise revise the description of the Property, the description to be used in the survey (if any) and in the closing instruments required by this Contract for the Property shall be revised by or at the direction of the District, and shall be subject to the final approval of the District. Anything to the contrary hereinabove notwithstanding, such a revision of the description of the Property shall not require a written amendment to this Contract. In such event, the District's execution and delivery of the closing instruments containing the revised description and the Buyer's acceptance of said instruments and of the final survey (if any) containing the revised description shall constitute a full and complete ratification and acceptance of the revised description of the Property by the parties.

19. **SURVIVAL:** Paragraphs 6, and 11 of this Contract will survive delivery and recording of deed and possession of the Property.

20. **ELECTRONIC SIGNATURE:** The District agrees that this Agreement may be executed by the Buyer by electronic signature in a manner that complies with Chapter 668, F.S.

21. **DOCUMENTS:** The following documents are attached and made a part of this Agreement. In the event of a conflict of contract terminology, priority will first be given to the language in the body of this Agreement.

Exhibit "A" Legal Description for District Parcel

Exhibit "B" Survey Requirements

[Remainder of page intentionally left blank.]

Contract for Sale and Purchase

Parcel Name: TBE-4

SWF Parcel No.: 11-728-131S

Page 4 of 6

IN WITNESS WHEREOF, the parties have caused the Contract to be executed on the day and year set forth below.

DISTRICT:

**Southwest Florida Water Management District,
a public corporation of the State of Florida**

Witness

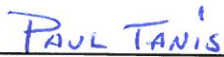
Printed Name

Witness

Printed Name



Witness



Printed Name

Witness

Printed Name

By: _____

Name: _____

Title: _____

Date: _____

BUYER:

By: _____

Name: Bob Graham

Title: _____

Date: Oct 27, 2017

By: _____

Name: _____

Title: _____

Date: _____

Contract for Sale and Purchase

Parcel Name: TBE-4

SWF Parcel No.: 11-728-131S

Page 5 of 6

Attachment: TBE4 Combined Exhibits (3445 : TBE-4 Surplus Offer)

Exhibit A

Legal Description Parcel 11-728-131S (Tampa Bay Estuarine Ecosystem)

That part of the Southeast 1/4 of Section 32, Township 32 South, Range 18 South, lying between U.S. Highway 41, also know as State Road 45 as shown on State of Florida State Road Department Right of Way Map, section 10060-2505 sheet 3 dated 5/20/58 and the CSX Transportation railroad right-of-way.

Approved for use by the Survey Section 10-06-2016, W.O. 16-172.

Remainder of this page intentionally left blank.

Attachment: TBE4 Combined Exhibits (3445 : TBE-4 Surplus Offer)

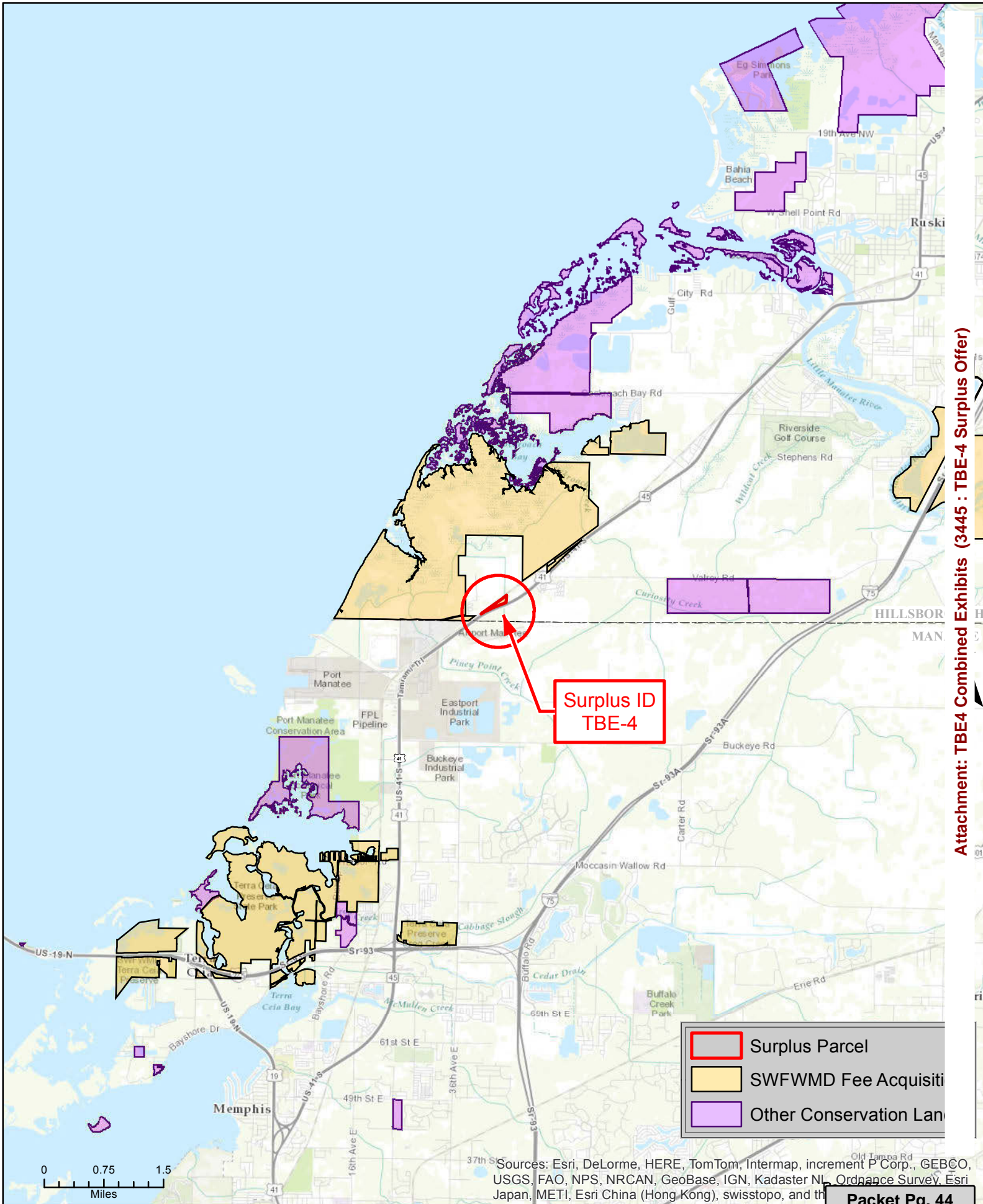
Contract for Sale and Purchase

Parcel Name: TBE-4

SWF Parcel No.: 11-728-131S

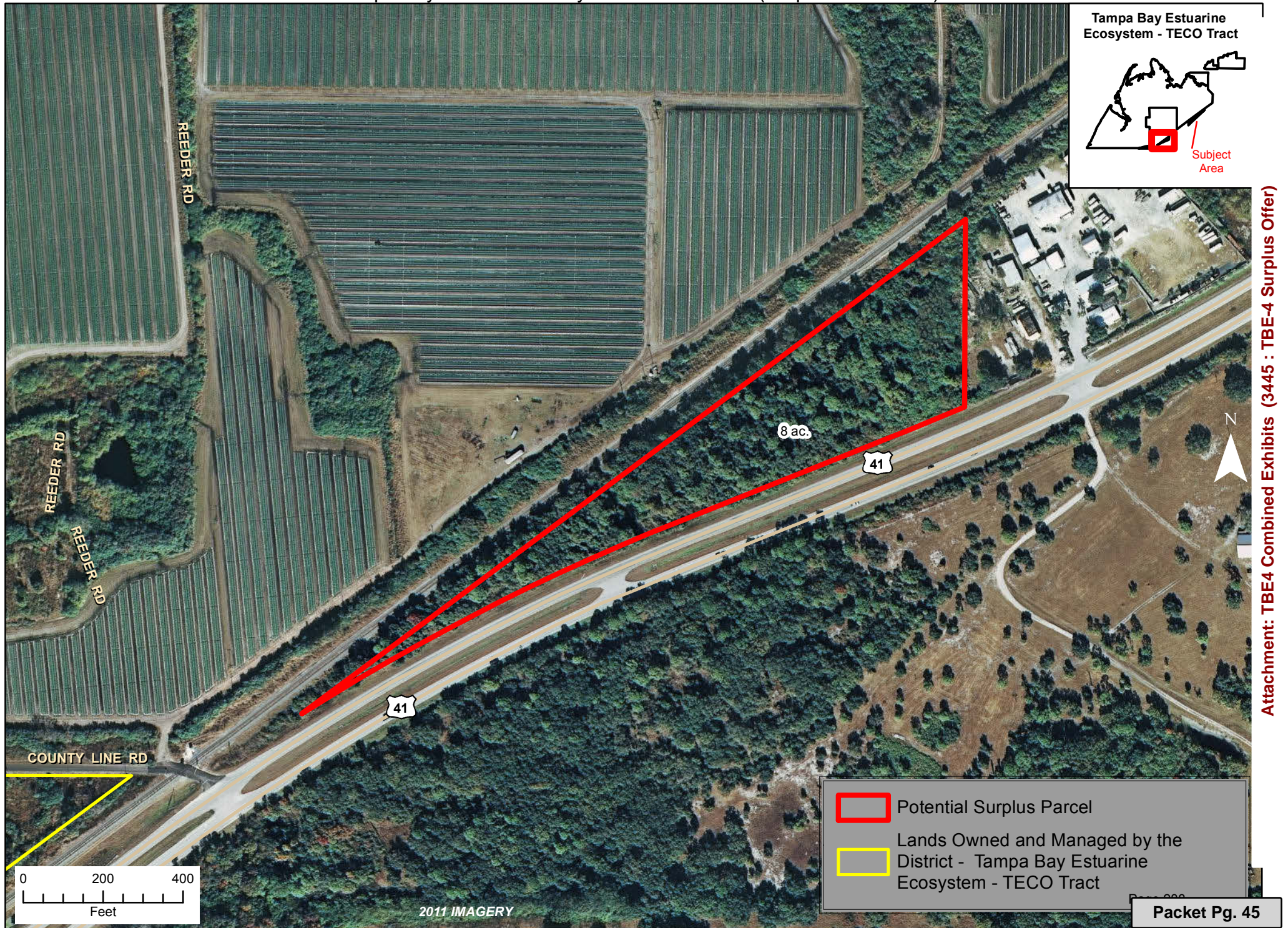
Page 6 of 6

Exhibit 2, General Location Map
Tampa Bay Estuarine Ecosystem - TECO (Surplus ID - TBE-4)



Attachment: TBE4 Combined Exhibits (3445 : TBE-4 Surplus Offer)




Exhibit 3, Aerial Map
Tampa Bay Estuarine Ecosystem - TECO Tract (Surplus ID - TBE-4)



**Exhibit 4
Comparable Values**

TRIGG CATLETT FILE NO. 2017-008

Sales Grid

	LAND SALE 1	LAND SALE 2	LAND SALE 3
			
Location	East side of US Highway 41 S	West side of US Highway 41 S	1702 SE 6th Street
	Ruskin, FL	Ruskin, FL	Ruskin, FL
County	Hillsborough	Hillsborough	Hillsborough
Grantor	Michael Bennett Layer and Joanne Patricia Binko	Arnold Jackie Santjer	Paula Jean Stalvey et. al
Grantee	Davenport Holdings, Inc.	Pamela Jeffers	Thong Thanh Ly and Thanh Van Thi Huynh and Nam Thanh Ly
OR Book/Page	24402/220	23609/1788	23523/1069
Land Area(Gross Acres)	6.050 acres	2.020 acres	4.410 acres
Land Area(Useable Acres)	6.050 acres	2.020 acres	4.410 acres
Shape	Trapezoidal	Trapezoidal	Rectangular
Street Frontage	3 street(s)	1 street(s)	1 street(s)
Access	Good	Above Average	Average
Utilities	All Available	Well & Septic	Well & Septic
Zoning	CG	CG	AS-1
Future Land Use	R-4	LI-P	R-4
Sale Date	September 15, 2016	October 2, 2015	August 28, 2015
Sale Price	\$200,000	\$110,000	\$78,000
Less: Improvements	\$0	(\$25,000)	\$0
Adjusted Sale Price	\$200,000	\$85,000	\$78,000
ELEMENTS OF COMPARISON			
Transactional Adjustments			
Property Rights	Fee Simple	Fee Simple	Fee Simple
Financing Terms	Cash Equivalent	Cash Equivalent	Cash Equivalent
Conditions of Sale	Arm's-length Sale	Arm's-length Sale	Arm's-length Sale
Market Conditions	9/15/2016	10/2/2015	8/28/2015
Adjustment	Similar	Similar	Similar
Unit Price			
Price per Useable Acre	\$33,058	\$42,079	\$17,687
Property Adjustments			
Location	Superior	Similar	Slightly Superior
Physical Characteristics			
Size	Similar	Superior	Similar
Configuration	Similar	Similar	Superior
Topography	Similar	Superior	Similar
Accessibility/Road Frontage	Superior	Similar	Inferior
Availability of Utilities	Superior	Similar	Similar
Legal Characteristics			
Future Land Use/Zoning	Similar	Similar	Inferior
Overall Comparability	Superior	Superior	Inferior
ADJ UNITS OF COMPARISON			
Price per Useable Acre	\$33,058	\$42,079	\$17,687

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

November 14, 2017

Discussion Item

Creating Efficiency at the District Through the Implementation of New GIS Technologies

Purpose

Provide information highlighting applications of new geographic information systems (GIS) technologies that are affording efficiencies for geospatial data collection, workflows, publication and distribution at the District.

Background/History

The District has a long history with GIS starting back in the late 1980s. For many years, using GIS technology and geospatial data required specialized training. Building applications required dedicated programmers. The modern GIS environment is much more sophisticated but at the same time provides tools that streamline the development of applications and the publication of geospatial data. The District is using these tools or commercial-off-the-shelf (COTS) solutions to build a variety of GIS applications which include web maps and applications and mobile applications.

Benefits/Costs

The benefits of the new GIS technologies are that the District is able to build and deploy GIS solutions using COTS which requires less staff resources and allows for quicker deployment of applications. These applications also require less resources to maintain. District staff, other government agencies, the consulting community and the public all benefit from these solutions to improve the electronic transfer of the District's geospatial information and data.

Staff Recommendation:

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

Presenters: Axel Griner, Mapping & GIS Manager
Leigh Vershowske, GIS Database and Server Analyst

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE**November 14, 2017*****Discussion Item*****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 October, 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 <http://www.swfwmd.state.fl.us/waterres/hydro/>.

Rainfall

Provisional rainfall totals (as of October 24) indicate rainfall amounts are within the normal range in 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 has averaged 1.67 inches, equivalent to the 38th percentile.
- Central region rainfall has averaged 2.23 inches, equivalent to the 46th percentile.
- Southern region rainfall has averaged 2.14 inches, equivalent to the 42nd percentile.
- District-wide, average rainfall has been 2.05 inches, equivalent to the 43rd percentile.

Streamflow

Provisional streamflow data (as of October 23) indicate that flow has increased in the northern region of the District, while it has decreased in the central and southern regions, compared to the previous month. Based on flow measurements in regional index rivers, average streamflow conditions are above-normal in the northern and southern regions, while they are at the upper-end of the normal range in the central region. 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 88th percentile.
- The monthly average streamflow measured in the Hillsborough River near Zephyrhills in the central region was in the 74th percentile.
- The monthly average streamflow measured in the Peace River at Arcadia in the southern region was in the 82nd percentile.

Groundwater Levels

Provisional groundwater data (as of October 23) indicate that levels in the Floridan/Intermediate aquifer have decreased in all regions of the District, compared to last month. Groundwater levels are at the upper-end of the normal range in the northern and southern regions, while they are above-normal in the central region. 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 in the 71st percentile.
- The average groundwater level in the central region was in the 78th percentile.
- The average groundwater level in the southern region was in the 62nd percentile.

Lake Levels

Provisional water level data (as of October 23) indicate average lake levels have decreased in the Northern, Tampa Bay and Polk Uplands regions, while levels have increased in the Lake Wales Ridge region, compared to the previous month. Regional lake levels are below the annual normal range in the northern region, while levels are within the annual normal range in the Tampa Bay, Polk Uplands and Lake Wales Ridge regions. Normal lake levels are generally considered to be levels that fall between the minimum low management level and the minimum flood level.

- Average lake levels in the northern region have decreased 0.41 foot and are 0.38 foot below the base of the annual normal range.
- Average lake levels in the Tampa Bay region have decreased 0.23 foot and are 1.67 feet above the base of the annual normal range.
- Average lake levels in the Polk Uplands region have decreased 0.06 foot and are 2.32 feet above the base of the annual normal range.
- Average lake levels in the Lake Wales Ridge region have increased 0.18 foot and are 1.44 feet above the base of the annual normal range.

Issues of Significance

October historically marks the first month of the eight month dry season (October through May) and provisional rainfall totals for the month have been normal in all three regions. Rainfall amounts during the month have been scattered, regionally variable and associated with seasonally diminishing sea-breeze/convective rainstorm activity, remnants from Hurricane Nate, and the interaction of several weak cold fronts moving through the District with tropical moisture. The District-wide provisional 12-month rainfall accumulation has declined, showing a deficit of 1.3 inches below the long-term historic average, while the 24-month accumulation has improved, showing a surplus of 2.8 inches above the long-term historic average.

Most hydrologic indicators throughout the District have seen declines during October. Regional groundwater levels have declined, but remain at normal to above-normal levels. Regional streamflow conditions have declined in the central and southern regions, while streamflow has increased in the Withlacoochee River near Holder in the northern region. Regional lake levels are showing declines in the northern, Tampa Bay and Polk Uplands regions, while they have seen a slight increase in the Lake Wales Ridge region.

NOAA climate forecasts continue to predict below-normal rainfall during November 2017 through April 2018, due to predictions for the development of weak La Niña conditions in the Pacific Ocean starting in this year's fall or winter months. Extended drier-than-normal rainfall conditions during the fall/winter/spring months will worsen overall hydrologic conditions.

Updated weather forecasts will be available in mid-November. Staff will continue to monitor conditions in accordance with the District's updated Water Shortage Plan, including any necessary supplemental analysis of pertinent data.

Item 27

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

November 14, 2017

Routine Report

Surplus Lands

Purpose

This report provides a monthly status on the District's surplus lands program. Information is through October 20, 2017.

Background

In 2011, at the direction of the Governing Board (Board), the District began a regular surplus lands assessment. In 2015, the Board amended Policy 610-4 Sale, Exchange, or Conveyance of Interests in Land by the District, to require a biennial review of the District's land holdings to identify lands that may be appropriate to surplus.

Accordingly, staff has conducted the third biennial assessment of potential surplus lands. However, the Board requested staff present the full surplus lands assessment process for their review. Staff is currently conducting an efficiency exercise that includes a review of District land locations relative to conservation lands owned by other entities to determine if there is a more efficient potential owner or manager. In the coming months, staff will provide a presentation that will include a historical summary of the District's land acquisition and surplus programs, the surplus lands evaluation, the efficiency exercise and the results of those processes.

Pursuant to Board Policy 610-4 "the Board may elect to set a minimum asking price for any property designated as surplus. If a minimum price is set, the Board authorizes the Board Chair (Chair) to execute a Purchase and Sale Agreement." Accordingly, a minimum price was set for surplus parcels Frog Creek-1(FC-1) and Deep Creek-1(DC-1). Offers were received on both parcels that exceeded the minimum price and were signed by the Chair. The minimum price set for FC-1 is \$316,200 and the Sale and Purchase Agreement (Agreement) was signed for \$317,000. The minimum price set for DC-1 is \$331,500 and the Agreement was signed for \$340,000 with an added contingency that the District successfully change the land use designation from Conservation to Commercial within six-months.

The table below shows the status of the parcels identified through the previous two surplus lands assessments.

Status	Acres	Parcels	Compensation
Sold, exchanged or transferred	1,448	21	\$6,938,484
Closing pending	38	11	\$677,000
Listed with broker with approved minimum sale price	1,459	16	
Listed with broker without minimum sale price	1,266	6	
Annutteliga Hammock	547	996	

Item 28

Offer to adjoining owners (per Florida Statutes)	23	12	
Agency request	8	5	
Non-marketable	21	4	
On hold	141	5	
Grand Total	4,951	1,076	\$7,615,484

Staff Recommendation:

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

Presenter: Carmen Sanders, Operations and Land Management Assistant Bureau Chief

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

November 14, 2017

Routine Report

Structure Operations

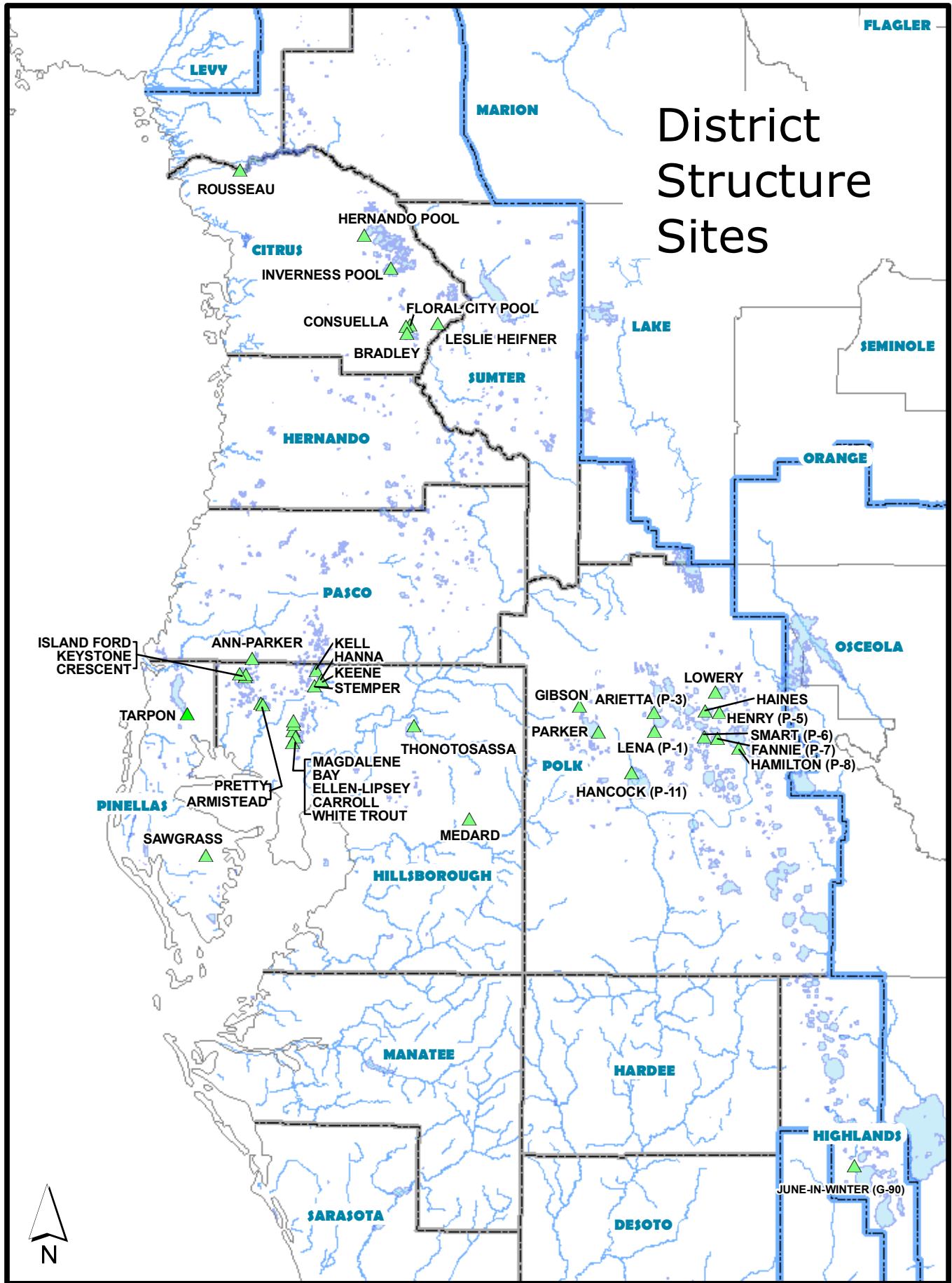
Summary of the operations made for the month of October.

- Inglis Water Control Structures: The Inglis Bypass Spillway was operated to provide flow to the lower Withlacoochee River. The Inglis Main structure was operated to assist with flood protection, allowing increased river flows into the Gulf of Mexico. Lake Rousseau's monthly average elevation was of 27.3 feet National Geodetic Vertical Datum (NGVD). The recommended maintenance level for the lake is 27.50 feet NGVD.
- Withlacoochee River Watershed: Water control structures in the Tsala Apopka Chain of Lakes were operated to conserve water. The District continues to monitor dissolved oxygen levels in the lakes as additional river water is allowed to flow into the Tsala Apopka. The Wysong-Coogler Water Conservation low flow and main gates are fully deflated allowing increased river flows to pass. The average water level for Lake Panasoffkee was 41.5 feet NGVD.
- Alafia River Watershed: The Medard Reservoir structure was operated to maintain water level. The average water level for the Medard Reservoir was 59.86 feet NGVD, compared to the recommended maintenance level of 59.00 feet NGVD.
- Hillsborough River Watershed: The Thirteen Mile Run system and Flint Creek structures were operated to maintain water levels. The average monthly water level for Lake Thonotosassa was feet 36.50 feet NGVD, compared to the recommended maintenance level of 36.50 feet NGVD. The Lower Hillsborough Flood Detention Area was deactivated on Oct 3, resuming normal river flow and navigation.
- Tampa Bay/Ancote Watershed: Structures in the Rocky Creek system, Brooker Creek system and the single structure at Sawgrass Lake were operated to maintain water levels. Lake Tarpon's average water level for the month was 3.22 feet NGVD, compared to the recommended maintenance level of 3.20 feet NGVD.
- Peace River Watershed: Lake Hancock structure was operated to maintain water level. The average monthly water level for Lake Hancock was 101.00 feet NGVD, compared to the recommended maintenance level of 100.2 feet NGVD.
- Lake Wales Ridge Watershed: Structure G-90 was operated to maintain water level in Lake June in Winter. The average monthly water level for Lake June-in-Winter was 74.90 feet NGVD, compared to the recommended level of 75.0 feet NGVD.

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

November 14, 2017

Routine Report

Significant Activities

Staff Recommendation:

Presenter: Carmen Sanders, Operations and Land Management AssistantBureau Chief

Operations, Lands and Resource Monitoring Committee

Significant Activities

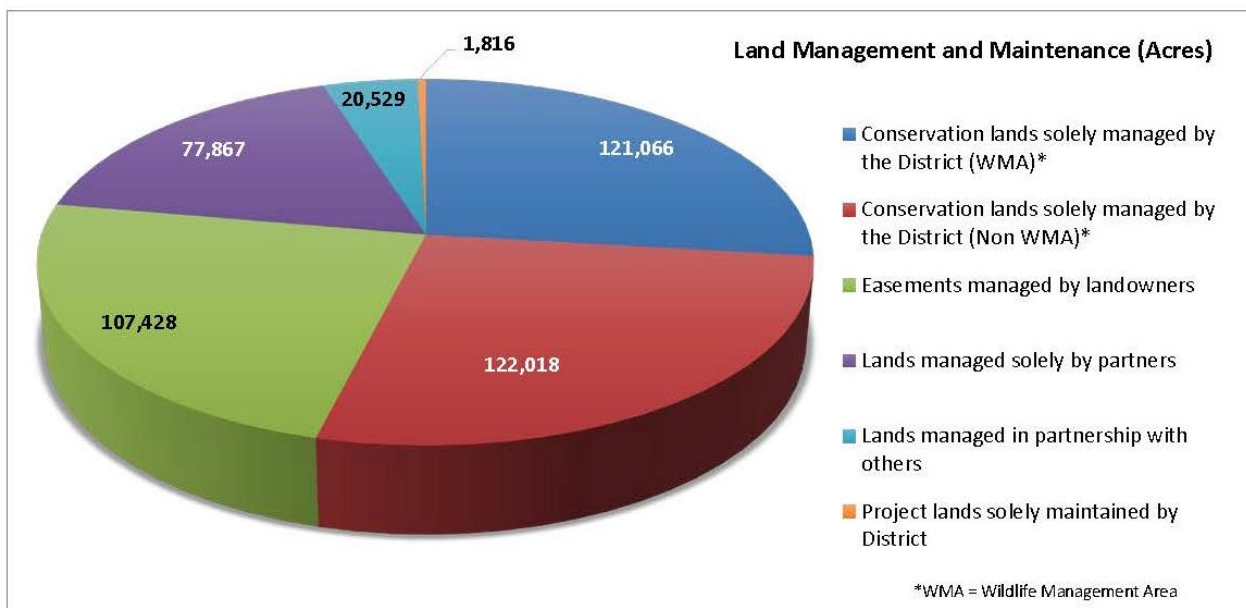
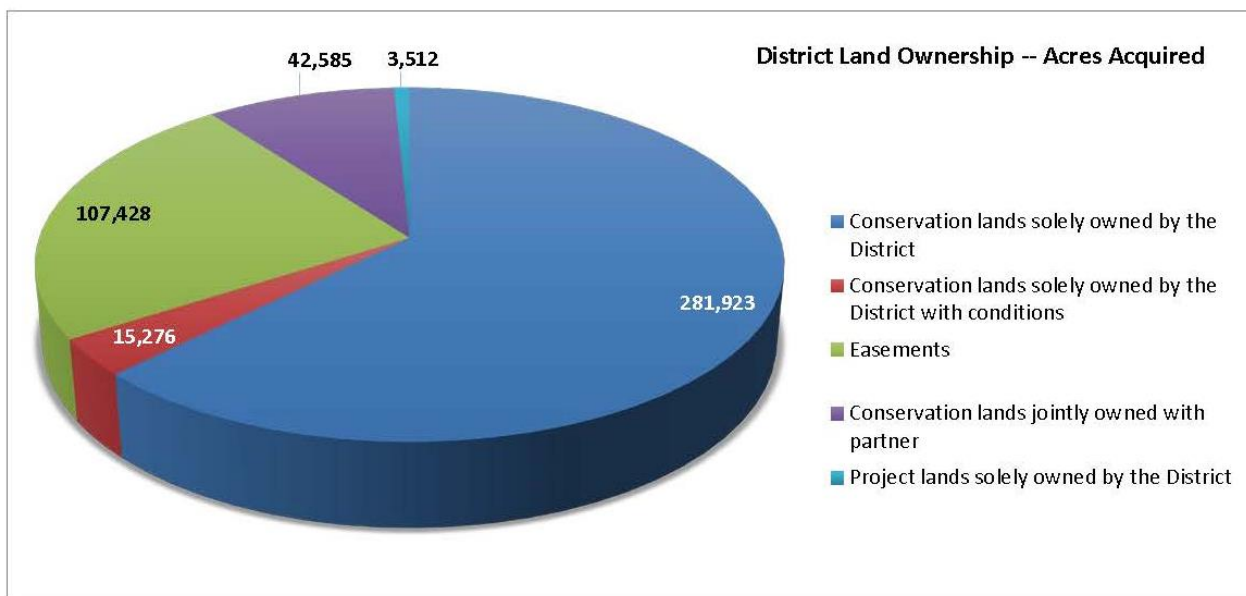
This report provides monthly information through October 19, 2017 on significant Operations and Land Management projects and programs in which the Governing Board is participating in funding and otherwise may be of interest to the Board. The report provides a brief description and status of significant activities associated with the projects that have recently occurred or are about to happen.

Land Management

- Applied fire management to 538 acres of District conservation lands during FY2018.
- There have been 13 feral hogs removed from District lands during FY2018.
- Staff continue to evaluate road and culvert conditions on District conservation lands post Hurricane Irma for safety concerns relative to public use.
- Florida Department of Agriculture and Consumer Services conducted an inspection of the District's Silviculture BMP's and determined the District to be in compliance.

Land Resources/Land Use and Protection

- Issued Special Use Authorization to Florida Southwestern State College for Prairie/Shell Creek property for vehicle access to conduct class field trips for the college's ecosystems course.
- Issued Special Use Authorization to the University of South Florida for vehicle access to the Green Swamp East Tract to conduct a wetlands course. The course topics including characteristics of wetland habitats, natural cycles and functions, man-made and natural influences on ecosystems, and interpretive techniques.
- Issued Special Use Authorization to Tampa Bypass Canal Rowing Council to conduct eight rowing events at Harney Park.
- Issued Special Use Authorization to Rohr Lab, University of South Florida, to conduct tadpole research within Green Swamp East.
- Volunteers provided 14 hours of service, a value of approximately \$329.84 to District conservation/recreation lands.
- Processed 68 requests and provided 276 visitors with 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
November 14, 2017**

REGULATION COMMITTEE

Discussion Items

31. Consent Item(s) Moved for Discussion
32. Denials Referred to the Governing Board59

Submit & File Reports - None

Routine Reports

33. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR)
Equipment Implementation Program60
34. Overpumpage Report61
35. Individual Permits Issued by District Staff65

REGULATION COMMITTEE

November 14, 2017

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Alba Más, P.E., Division Director, Regulation

REGULATION COMMITTEE

November 14, 2017

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: Alba Más, P.E., Division Director, Regulation

REGULATION COMMITTEE

November 14, 2017

Routine Report

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

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 on November 1, 2017 estimated a program total of 565 flow meters and 909 AMR devices. This revised assessment is due to expired permits, use change, and deletion of withdrawals not required to be metered and have AMR devices. 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 contract was executed on November 14, 2013. Letters with flow meter reimbursement information were sent on September 17, 2015 to the remaining permittees who have not yet installed a flow meter. ***New Activities Since Last Meeting:*** As of November 1, 2017, a total of 501 flow meters have been installed (88.5 percent complete) and 762 AMR units have been installed (84 percent complete). *Project Manager: Talia 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

November 14, 2017

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 September 2017

Under Review ⁽¹⁾ Permit Application In-House ⁽²⁾ Forwarded to OGC ⁽³⁾

Permit No.	Permit Holder	Use Type	Permitted Quantity	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
<i>New on Report</i>						
3219.007	Gardinier Florida Citrus, Inc. ¹	Agriculture – Citrus	322,600 gpd	06/01/2017 436,926 gpd 35.44%	08/01/2017 435,106 gpd 34.87%	Polk
9277.004	Marian Jeanette Hall ¹	Agriculture – Strawberries and Small Vegetables	43,200 gpd	6/1/2017 56,003 gpd 29.64%	08/01/2017 56,332 gpd 30.40%	Tampa
10010.002	Lance H. Ham and Norma G. Ham ¹	Agriculture – Strawberries and Melons	172,900 gpd	6/1/2017 196,701 gpd 13.77%	08/01/2017 198,586 gpd 14.86%	Tampa

- (1) Preliminary determination is that permits are in non-compliance; 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 September 2017

Under Review ⁽¹⁾ Permit Application In-House ⁽²⁾ Forwarded to OGC ⁽³⁾

Permit No.	Permit Holder	Use Type	Permitted Quantity	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
Continuing From Previous Report						
696.006	Gardinier Florida Citrus, Inc. ¹	Agriculture – Citrus	210,600 gpd	05/01/2017 293,762 gpd 39.49%	08/01/2017 282,764 gpd 34.27%	Polk
12523.002	IFAS Research Center ¹	Agriculture - Research	345,200 gpd	04/01/2017 491,877 gpd 42.49%	08/01/2017 498,000 gpd 44.26%	Hillsborough
1575.005	Albert M. Quagliani ¹	Agriculture – Strawberries and Squash	57,900 gpd	04/01/2017 63,351 gpd 9.41%	08/01/2017 72,402 gpd 25.05%	Tampa
1625.009	Four Lakes Golf Club, Ltd. ¹	Public Supply and Recreation	405,600 gpd	04/01/2017 450,996 gpd 11.19 %	08/01/2017 449,963 gpd 10.94%	Bartow
2588.010	Kelly Farms ^{1&2}	Agriculture – Potatoes and Pasture	704,600 gpd	02/01/2017 950,029 gpd 34.83%	08/01/2017 1,546,962 gpd 119.55%	Sarasota
4403.005	Huntington Hills ¹	Recreation – Golf Course	267,000 gpd	03/01/2017 315,387 gpd 18.12%	08/01/2017 307,807 gpd 15.28%	Bartow
6217.008	Palma Ceia Golf and Country Club ¹	Recreation – Lawn and Landscape	210,600 gpd	01/01/2017 228,467 gpd 8.48%	08/01/2017 233,573 gpd 10.91%	Tampa
5251.007	Grenelefe Resort Utility, Inc. ¹	Public Supply	1,234,500 gpd	11/01/2016 1,440,271 gpd 16.67%	08/01/2017 1,880,890 gpd 52.36%	Bartow
1156.012	Bay Laurel Center Public Water Supply System ¹	Public Supply	2,555,000 gpd	09/01/2016 2,696,799 gpd 5.55%	08/01/2017 3,005,402 gpd 17.63%	Brooksville

(1) Preliminary determination is that permits are in non-compliance; 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 September 2017

Under Review ⁽¹⁾ Permit Application In-house ⁽²⁾ Forwarded to OGC ⁽³⁾

Permit No.	Permit Holder	Use Type	Permitted Quantity	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
<i>Continuing From Previous Report</i>						
7993.003	Harrell's Nursery ¹	Agriculture - Nursery, Container	20,100 gpd	07/01/2016 24,051 gpd 19.66%	08/01/2017 24,624 gpd 22.51%	Tampa
12911.002	Ocala 623 Land Development ¹	Recreational – Golf Course	223,400 gpd	07/01/2016 290,666 gpd 30.11%	08/01/2017 265,742 gpd 18.95%	Brooksville
10923.001	Spruce Creek Golf, LLC. ^{1&2}	Recreational – Golf Course	445,800 gpd	05/01/2016 503,858 gpd 13.02%	08/01/2017 583,452 gpd 30.88%	Brooksville
8842.003	Harrell's Nursery, Inc. ¹	Agricultural – Container Nursery	42,000 gpd	05/01/2016 45,931 gpd 9.36%	08/01/2017 52,164 gpd 24.20%	Tampa
7002.004	MHC FR Utility Systems, LLC ³	Public Supply	97,100 gpd	04/01/2015 104,929 gpd 8.06%	08/01/2017 157,848 gpd 62.56%	Tampa

(1) Preliminary determination is that permits are in non-compliance; 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

November 14, 2017

Routine Report

Individual Permits Issued by District Staff

Data for this routine report was not available for inclusion in the Board Packet; the report will be provided in the December Board Packet.

Staff Recommendation:

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

Presenter: Alba Más, P.E., Division Director, Regulation

**Governing Board Meeting
November 14, 2017**

GENERAL COUNSEL'S REPORT

Discussion Items

36. Consent Item(s) Moved for Discussion

37. Independent Auditor Engagement Period67

Submit & File Reports - None

Routine Reports

38.November 2017 - Litigation Report.....70

39.November 2017 - Rulemaking Update80

GENERAL COUNSEL'S REPORT

November 14, 2017

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Karen E. West, General Counsel

GENERAL COUNSEL'S REPORT

November 14, 2017

Discussion Item

Independent Auditor Engagement Period

Purpose

To provide the Governing Board members with the opportunity to discuss any changes to the draft Independent Auditor Engagement Period Policy presented at the October Board meeting. Staff will revise the draft policy pursuant to the directions given by the Board and will present the proposed final policy to the Board at its December meeting. No action is required at this time.

Background

Section 218.39, Florida Statutes (F.S.), requires the District to have an independent annual financial audit of its accounts and records within nine months of year-end. Section 218.391, F.S., provides the legal requirements for procuring the independent auditor under a request for proposal process.

At its regularly scheduled July meeting, the Governing Board selected an auditor and authorized staff to execute a contract with the firm. At this meeting, Board members engaged in a discussion concerning whether it would be appropriate to limit the engagement period of a selected auditor in future procurements and requested that staff provide a draft policy for the Board's consideration. At the October Board meeting, staff presented the attached draft Auditor Engagement Period Policy for the Board members' initial review. Staff requests direction on any changes desired by the Board.

Staff Recommendation:

This item is presented to the Board for its consideration; no action is required.

Presenter: Mary Beth McNeil, Assistant General Counsel

GOVERNING BOARD POLICY
Southwest Florida Water Management District

Title: Independent Auditor Engagement Period

Document Owner: Finance Bureau

Approved By: Randall S. Maggard, Chair

Effective Date:

Last Review Date:

Contents

PURPOSE	1
SCOPE	1
AUTHORITY	1
POLICY	1
DISTRIBUTION	1
REFERENCES	2
PERIODIC REVIEW	2

PURPOSE

This Policy establishes a maximum ten-year engagement period for the District's independent auditor unless otherwise approved by the District Governing Board.

SCOPE

This Policy applies to District staff responsible for procuring an independent auditor to conduct the annual financial audit required in Section 218.39, Florida Statutes (F.S.). This Policy supplements the auditor selection procedures set forth in Section 218.391, F.S.

AUTHORITY

Section 373.083, F.S.

POLICY

- a. The contract period for independent auditing services procured through a request for proposal shall be no longer than 5 years. A firm providing services may be selected for one additional 5-year contract period but the total continuous engagement may not exceed 10 years.
- b. The current firm will become re-eligible for selection after one or more firms serve as the independent auditor for a contract period of not less than 1 year.
- c. The current firm may use the same engagement partner should it be selected for a second consecutive contract period (not to exceed 5 years). Selection of a firm re-eligible pursuant to Subparagraph b, requires that a new engagement partner be named for the new contract period.
- d. If the contracted firm merges with another firm, the existing contract may be amended to have the newly formed firm serve as the District's independent auditor for the balance of the contract per approval of the District Governing Board.

DISTRIBUTION

This Policy will be stored in the designated Governing Board Policy repository.

REFERENCES

Section 218.39, F.S., and Section 218.391, F.S.

PERIODIC REVIEW

This Policy will be reviewed at least every ten years by the District Governing Board, or its designee.

DRAFT

GENERAL COUNSEL'S REPORT

November 14, 2017

Routine Report

November 2017-Litigation Report

Staff Recommendation:

Presenter: Karen E. West, General Counsel

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT LITIGATION REPORT

November 2017

(Most recent activity in each case is in **boldface** type)

DELEGATED ADMINISTRATIVE HEARING MATTERS

0 Cases as of October 24, 2017

OPEN ENFORCEMENT CASES

74 Cases as of October 3, 2017

70 Cases as of October 24, 2017

ENFORCEMENT CASES IN ACTIVE LITIGATION

1 Case as of October 24, 2017

(Including Administrative Complaints)

STYLE: SWFWMD v. Rory A. Dubin and Gary Dubin
COURT/CASE NO.: Southwest Florida Water Management District
Order No.
ATTORNEY: C. Kenney
ACTION: Administrative Complaint and Order (Flowing Artesian Well)

DESCRIPTION:

On January 27, 2016, the District conducted an inspection of property located on SW Hull Avenue in Arcadia, Florida, with DeSoto County Property Appraiser Parcel ID No. 06-39-24-0000-0332-0000 ("Property") for the purpose of investigating whether or not the wells associated with expired Water Use Permit No. 20001021.004 were in use. District staff confirmed and documented that an artesian well with District Identification Number 2 ("Well") was free-flowing from one quarter-size hole in its casing. The Property is owned by Rory Dubin and Gary Dubin. Pursuant to Section 373.209, F.S., no owner, tenant, occupant or person in control of an artesian well shall knowingly and intentionally allow a well to flow continuously without a valve or mechanical device for checking or controlling the flow, permit the water to flow unnecessarily, pump a well unnecessarily, or permit the water from the well to go to waste.

Therefore, on February 23, 2017, District staff issued a Notice of Violation to Rory Dubin and Gary Dubin. District staff and Rory Dubin had some correspondence, whereby District staff provided Rory Dubin with information regarding the District's Quality of Water Improvement Program ("QWIP"). However, the last time the District heard from Rory Dubin was on March 30, 2017.

Therefore, on August 31, 2017, the District's Executive Director issued an Administrative Complaint and Order ("ACO") to Rory Dubin and Gary Dubin. The process server is currently attempting service on both Rory Dubin and Gary Dubin. To the best of District staff's knowledge, the well is still free-flowing.

PERMIT/AGENCY ACTION CHALLENGES

4 Cases as of October 24, 2017

STYLE: Sumter, LLC v. FDOT Florida's Turnpike Enterprise and SWFWMD
COURT/CASE NO.: Southwest Florida Water Management District
ATTORNEY: A. Vining/M. Bray/C. Kenney

ACTION: Administrative hearing challenging Environmental Resource Permit No. 43010725.009

DESCRIPTION: On February 10, 2017, the District issued Environmental Resource Permit (“ERP”) No. 43070725.009 to FDOT Florida’s Turnpike Authority (“Turnpike”) authorizing modifications to interchange improvements previously permitted for the I-75/Turnpike Interchange, which will improve traffic flow at the same time FDOT is widening I-75. The District issued a Corrected ERP on February 15, 2017, after District staff discovered an error in the ERP previously issued, which resulted in updates to the wetland impact acreages, functional losses, and the total excess mitigation available. On March 2, 2017, Sumter, LLC (“Petitioner”) submitted a Petition for Administrative Hearing (“Petition”), requesting denial of the Corrected ERP. On March 20, 2017, Petitioner and Turnpike submitted a letter to the District, jointly requesting that the District delay referral of the Petition to DOAH for thirty days so that the parties may attempt to resolve their dispute. The District entered an Order Granting Request to Hold Case in Abeyance on March 20, 2017, stating that no further action will be taken until April 19, 2017. On March 31, 2017, Petitioner and Turnpike filed a Joint Motion for Extension of Time, stating that communications between the parties were ongoing to resolve the matter and that they agreed to run the 100-year floodplain model with updated parameters, which necessitated the request for additional time to allow the results of the updated model to be generated and reviewed by the parties. Petitioner and Turnpike requested an extension of time for ninety days, during which the case will not be referred to DOAH. On April 4, 2017, the District entered an Order Granting Joint Motion for Extension of Time, providing that the case shall be held in abeyance until July 3, 2017, and no further action will be taken by the District until July 5, 2017. On June 22, 2017, Petitioner and Turnpike filed a Second Joint Motion for Extension of Time requesting an additional extension of time until August 7, 2017, in order to allow the parties the additional time needed to finish running the 100-year floodplain model with updated parameters. On June 27, 2017, the District entered an Order Granting Second Joint Motion for Extension of Time, providing that the case shall be held in abeyance until August 7, 2017, and no further action will be taken by the District until August 8, 2017.

On July 27, 2017, Petitioner and Turnpike filed a Third Joint Motion for Extension of Time requesting an additional extension of time until September 25, 2017, as efforts are ongoing to update the floodplain model, but additional time is needed to finish the work. On July 27, 2017, the District entered an Order Granting Third Joint Motion for Extension of Time, providing that the case shall be held in abeyance through September 25, 2017.

On September 15, 2017, Petitioner and Turnpike filed a Fourth Joint Motion for Extension of Time requesting an additional extension of time until October 11, 2017, as they expected the District to receive updated modeling on September 15, 2017, but required additional time for the District to review and comment, and for subsequent review by Petitioner and Turnpike of the District’s comments. On September 18, 2017, the District entered an Order Granting Fourth Joint Motion for Extension of Time, providing that the case shall be held in abeyance through October 11, 2017.

On October 10, 2017, Petitioner and Turnpike filed a Fifth Joint Motion for Extension of Time requesting another extension of time until October 23, 2017, in order to conduct a settlement conference. On October 10, 2017, the District entered an Order Granting Fifth Joint Motion for Extension of Time, providing that the case shall be held in abeyance through October 23, 2017.

On October 18, 2017, Petitioner and Turnpike filed a Sixth Joint Motion for Extension of Time requesting additional time in which to conduct a settlement conference, which the parties anticipate will occur no later than November 21, 2017. On October 19, 2017, the District entered an Order Granting Sixth Joint Motion for Extension of Time, providing that the case shall be held in abeyance through November 22, 2017.

STYLE: Majestic Oaks Homeowners Association of Clearwater, Inc., v. Elysium Homeowners Association, Inc., and

COURT/CASE NO.:	SWFWMD
ATTORNEY:	Division of Administrative Hearings, Case No. 17-5190
ACTION:	M. Bray/C. Kenney
	Administrative hearing challenging Environmental Resource Permit No. 43000205.002
DESCRIPTION:	
	<p>On July 10, 1985, the District issued Environmental Resource Permit ("ERP") No. 43000205.000 for a development project called Elysium, consisting of approximately 60.94 acres in Clearwater, Florida. On October 18, 2016, the District mailed a Notice of Permit Condition Violation to the Elysium Homeowners Association, Inc., ("Elysium HOA") the operation and maintenance entity under ERP No. 43000205.000. The District had received a complaint from Majestic Oaks Homeowners Association of Clearwater, Inc. ("Petitioner") that flooding was occurring directly to the east of Elysium, onto 19.8 acres that comprise the Majestic Oaks subdivision. The District investigated and issued a notice of violation to Elysium HOA. Thereafter, in July 2017, Elysium HOA brought the matter into compliance with ERP No. 43000205.000.</p> <p>Thereafter, on or about August 1, 2017, Elysium HOA submitted an application for a minor modification of its ERP. On August 11, 2017, the District issued Notice of Intended Agency Action for approval of ERP No. 43000205.002 ("Modified Permit") to Elysium HOA, authorizing a minor modification to the drainage swale. On September 1, 2017, Petitioner timely submitted a legally sufficient Petition for Administrative Hearing ("Petition"), challenging the issuance of the Modified Permit. On September 18, 2017, the District referred the Petition to the Division of Administrative Hearings ("DOAH"). The case was assigned to an Administrative Law Judge, who entered an Initial Order on September 21, 2017. The parties timely responded to the initial order. Discovery and motion practice are ongoing.</p> <p>The District on October 6, 2017, filed a motion to strike and motion in limine arguing that certain portions of the petition are wholly irrelevant to the proceeding, and should be stricken. That motion is pending. The District's discovery responses are due October 30, and the Petitioner's discovery responses are due November 1. The parties are in the process of setting depositions, and on October 24, the Petitioner filed a motion for entry upon land, which is pending.</p>
STYLE:	SWFWMD v. Depa Hotel, Inc.
COURT/CASE NO.:	SWFWMD
ATTORNEY:	A. Vining
ACTION:	Administrative hearing requested pursuant to an Administrative Complaint and Order issued by SWFWMD
DESCRIPTION:	
	<p>On December 13, 2005, the District issued Environmental Resource Permit ("ERP") No. 44014233.002, authorizing the construction of a new surface water management system to serve a Hampton Inn in Port Richey, Florida. On October 31, 2008, the District issued a Permit Condition Violation letter to the original permittee that indicated the District had received a complaint alleging that the construction of the project caused flooding to adjacent properties. The District determined that the project blocked offsite inflows from the east and filled historic basin storage onsite, which caused the flooding of the adjacent properties in violation of ERP No. 44014233.002. On June 23, 2009, ERP No. 44014233.002 was transferred to Depa Hotel, Inc. ("Depa"). Over the intervening years, Depa filed four ERP applications attempting to address the permit condition violation, but all were either withdrawn by Depa or denied by the District. Because of the failure of Depa to address the permit condition violation, the District issued an Administrative Complaint and Order on August 7, 2017, requiring Depa to modify ERP No. 44014233.002, and to complete all the activities authorized by the ERP modification within 270 days of issuance of the ERP modification. On September 1, 2017, Depa submitted a Request for Administrative Hearing, which the District dismissed without prejudice on September 18, 2017. An Amended Request for Administrative Hearing was submitted on October 2, 2017. On October 10, 2017, District staff provided Depa with a copy of its recommendation to the District's Governing Board that Depa's Amended Request for Administrative Hearing be dismissed with prejudice. On October</p>

11, 2017, Depa filed a Motion to Correct Scribner's Error to the Amended Request for an Administrative Hearing, Reconsideration to Continue Response Time to File Amended Petition and Reconsideration to Submit Matter to DOAH requesting that the District reconsider its decision to dismiss the Amended Request for an Administrative Hearing with prejudice, or, alternatively, provide Depa with more time to submit another amended request for hearing. The District issued an Order Granting Motion to Correct Scrivener's Error on October 19, 2017. Then, on October 24, 2017, the District issued a Final Order of Dismissal with Prejudice and Order Denying Motion for Reconsideration to Continue Response Time to File Amended Petition and Reconsideration to Submit Matter to DOAH. On October 25, 2017, the Administrative Complaint and Order was finalized and the order rendered.

STYLE: Long Bar Pointe, LLLP v. Lake Flores I, LLC, & SWFWMD
COURT/CASE NO.: Division of Administrative Hearings, Case No. 17-005609
ATTORNEY: C. Tumminia
ACTION: Administrative petition challenging Environmental Resource Permit No. 49042599.001

DESCRIPTION: On July 28, 2017, the District issued Environmental Resource Permit ("ERP") No. 49042599.001 ("Permit") conceptually approving the future construction of a stormwater management system to serve a 1,274-acre mixed-use project in Manatee County. On August 18, 2017, and September 18, 2017, the District granted two requests by Long Bar Pointe, LLLP ("Petitioner"), for an extension of time to file a petition requesting an administrative hearing on the issuance of the Permit. On September 29, 2017, the District received a timely request for administrative hearing ("Petition") from the Petitioner. The deadline for granting or denying the Petition is October 14, 2017. **On October 13, 2017, the District referred the Petition to the Division of Administrative Hearings ("DOAH"). The case was assigned to an Administrative Law Judge, who entered an Initial Order on October 19, 2017. The parties timely responded to the initial order, but the final hearing has not yet been scheduled. Discovery and motion practice are ongoing.**

MISCELLANEOUS **6 Cases as of October 24, 2017**

STYLE: Sesler, Willie v. SWFWMD
COURT/CASE NO.: Fifth Judicial Circuit/Sumter County; Case No. 2016-CA-000014
ATTORNEY: T. Beecher/V. Arenas-Battles
ACTION: Complaint alleging negligence against the District regarding a motor vehicle accident

DESCRIPTION: On September 22, 2016, the District was served with a complaint for negligence involving a motor vehicle accident. The matter has been referred to counsel for the District's insurance carrier. On September 30, 2016, the District filed a Motion to Dismiss the Complaint for failure to comply with the pre-suit requirements in Section 768.28(6)(d), Florida Statutes. On October 26, 2016, the Court entered an Order granting the District's motion and dismissed the Complaint without prejudice. Plaintiff has 10 days to file an amended complaint. However, Plaintiff is seeking leave of Court to participate as a co-Plaintiff in a related case. See, Stokes v. SWFWMD, Case No. 2016-CA-000078, below.

STYLE: Stokes, Jacqueline and Sesler, Willie v. SWFWMD
COURT/CASE NO.: Fifth Judicial Circuit/Sumter County; Case No. 2016-CA-000078
ATTORNEY: T. Beecher/V. Arenas-Battles
ACTION: Complaint alleging negligence against the District regarding a motor vehicle accident

DESCRIPTION:

On April 11, 2016, the District was served with a complaint for negligence involving a motor vehicle accident. The matter has been referred to counsel for the District's insurance carrier. On April 22, 2016, the District filed a motion to dismiss the complaint for failure to comply with the pre-suit requirements in Section 768.28(6)(b), F.S. On May 27, 2016, parties filed a Joint Stipulation Motion to abate the proceeding so that Plaintiff can either file a notice of claim with the District or verify that a notice of claim was served on the District, as required by Section 768.28(6)(b), F.S., which was granted on June 1, 2016. To date, no notice of claim has been served on the District. On August 10, 2016, Plaintiff filed a Motion for Leave to file an amended complaint. On August 11, 2016, the District filed a Motion to Strike that motion, alleging numerous procedural and substantive defects.

On September 1, 2016, the Court entered an Order granting the District's Motion to Strike Plaintiff's Motion for Leave to File Second Amended Complaint. On October 11, 2016, Plaintiff filed another Motion for Leave to File Amended Complaint. On October 26, 2016, Plaintiff filed yet another Motion for Leave to Amend the Complaint, and attached the Second Amended Complaint. This motion also seeks to add Willie Sesler as a co-Plaintiff. See, Sesler v. SWFWMD, Case No. 2016-CA-000014, above. On November 17, 2016, the Court entered an Order granting Plaintiff's Motion for Leave to File Amended Complaint. On November 22, 2016, The District filed a Motion to Dismiss the Second Amended Complaint, again arguing that Plaintiffs had failed to comply with the pre-suit notice requirements of 768.28(6)(b), F.S. On December 9, 2016, Plaintiffs Stokes and Sesler (Joint Plaintiffs) filed another Motion for Leave to File Second Amended Complaint. On December 15, 2016, the Court entered an Order on Plaintiff's Motion for Leave to File Second Amended Complaint and Order on Defendant's Motion to Dismiss Second Amended Complaint which granted the Plaintiff's motion and deemed the Second Amended Complaint filed. On December 19, 2016, the District filed a Motion to Dismiss Joint Plaintiff's Second Amended Complaint with Prejudice and Memorandum of Law in support thereof, arguing that the Joint Plaintiffs' most recent Amended Complaint contains the same procedural and substantive defects as prior complaints and that the Joint Plaintiffs had failed to provide the District with pre-suit notice as required by Section 768.28(6)(b), F.S. On December 29, 2016, Plaintiff filed its Response to the Motion to Dismiss Second Amended Complaint, arguing that the Joint Plaintiffs complied with the pre-suit notice requirements because the notices were sent to a building in which the District has offices. On December 30, 2016, the District filed a Reply to the Motion to Dismiss Second Amended Complaint, arguing that simply sending a letter to a building in which the District has offices does not comply with Chapter 48 or Section 768.28(6), F.S., and that the District has not waived the pre-suit notice requirements.

On January 6, 2017, the Court entered an Order denying Defendant's Motion to Dismiss Joint Plaintiff's Second Amended Complaint with Prejudice and allowing the District 45 days to file its answer to the Second Amended Complaint. On January 18, 2017, the District filed its Answer and Affirmative Defenses to Plaintiff's Second Amended Complaint. On January 20, 2017, the District filed its Notice of Service of Interrogatories, Notice of Service of Collateral Source Interrogatories, First Request for Admissions, and First Request for Production to Defendants. On February 16, 2017, the Plaintiff filed its Second Request for Admissions to the District. On March 6, 2017, Plaintiffs filed their Responses to Defendant's Request for Production, Answers to Defendant's Interrogatories, Requests for Admissions, and Second Request for Admissions. On March 24, 2017, the District filed its Response to Plaintiff's Second Request for Admissions.

On May 7, 2017, the District filed a Request for the Court to Take Judicial Notice of Statutory Cap Pursuant to Section 768.28(5), Florida Statutes. Settlement negotiations are pending.

On June 20, 2017, the Plaintiffs filed their Notice for Jury Trial. On June 21, 2017, Plaintiff filed a Notice of Service of Answers to Defendant's Collateral Source Interrogatories. Also, settlement offers from the District to Plaintiffs are pending.

On July 10, 2017, Plaintiff filed a Notice of Service of Answers to Defendant's Collateral Source Interrogatories. On July 28, 2017, Plaintiff filed a Notice of Appearance and Designation of Email Addresses for Service adding another attorney as

co-counsel. On August 1, 2017, the Court entered a Jury Trial Order setting the case for trial beginning the week of February 19, 2018.

On August 17, 2017, Plaintiffs agreed to a settlement in this case. **This matter is pending the filing of a Stipulated Final Judgment and entry of a Stipulated Final Order from the Court.**

STYLE:
COURT/CASE NO.:
ATTORNEY:
ACTION:

Tony's Roasted Pepper, LLC v. Hillsborough County and SWFWMD
Thirteenth Judicial Circuit/Hillsborough County; Case No. 2016-CA-008690
V. Arenas-Battles/A. Vining
Notice of Claim pursuant to the Bert J Harris, Jr., Private Property Rights Protection Act and Complaint for
Trespass, Injunction, Inverse Condemnation, Breach of Contract and Claim for Compensation under The Bert J. Harris, Jr.,
Private Property Rights Protection Act

DESCRIPTION:

On September 19, 2016, Tony's Roasted Pepper, LLC ("Plaintiff") served the District with a Notice of Claim pursuant to Section 70.001, F.S., the Bert J. Harris, Jr., Private Property Rights Protection Act ("Bert Harris Act"). The Notice of Claim alleges that Plaintiff's property was damaged by flooding caused by Hillsborough County's pumping from Lake Wee pursuant to emergency authorizations issued to the County by the District. In addition, Plaintiff alleges that the flooding caused damage to its property and requests damages in the amount of \$1,100,000 from the District and County. Pursuant to Section 70.001(4), Florida Statutes, the District has notified the Attorney General's Office of Legal Affairs and all contiguous property owners regarding its receipt of the Notice of Claim. District staff will respond to the Notice of Claim within the statutorily-required 150 days.

On October 14, 2016, the District was served with a Complaint for Trespass, Injunction, Inverse Condemnation, Breach of Contract, and a violation of the Bert Harris Act ("Complaint") in Circuit Court against it as well as Hillsborough County ("County") and the District. The District is not subject to the breach of contract claim. The Complaint alleges a loss in market value of Plaintiff's property in the amount of \$960,000, as well as requests damages in excess of \$15,000 from both the County and the District. On October 17, 2017, the District filed its Notice of Appearance and Designation of E-Mail Addresses. On October 19, 2016, the County filed a Motion to Dismiss Count V for Failure to State a Cause of Action and its Answer and Affirmative Defenses regarding the remaining counts of Plaintiff's Complaint.

On November 2, 2016, the District filed its Motion to Dismiss the Complaint, alleging (a) the statute of limitations has run on the inverse condemnation claim and (b) the Plaintiff failed to state a cause of action on the remaining claims. On November 4, 2016, the District filed its Amended Motion to Dismiss Complaint as to all counts for failure to state a cause of action, except Count IV which only applied to the County. On the same date, the County filed a Motion to Dismiss Count V. On November 7, 2016, the Plaintiff filed a Motion to Strike the County's Affirmative Defenses. A hearing on the District's and County's Motions to Dismiss was scheduled for January 5, 2017.

On January 5, 2017, Plaintiff, the County and the District agreed to cancel the hearing and (1) enter an Order granting the District's and County's Motions to Dismiss; (2) allow Plaintiff 45 days in which to amend its Complaint; and (3) that Plaintiff would satisfy all pre-suit requirements for a Bert Harris claim prior to amending its Complaint. On January 18, 2017, the Court entered a Stipulated Order Granting Southwest Florida Water Management District's Motion to Dismiss Without Prejudice. On January 23, 2017, the Court entered a similar Stipulated Order Granting Hillsborough County's Motion to Dismiss Count V of Plaintiff's Complaint Without Prejudice. Discovery has commenced and is ongoing. On March 3, 2017, Plaintiff filed an Amended Complaint against the District and the County. On March 31, 2017, the District and the County each filed Motions to Dismiss the Amended Complaint. A hearing on the Motions to Dismiss has been scheduled for June 6, 2017. On May 26, 2017, the hearing on the Motions to Dismiss was rescheduled for August 1, 2017.

On July 26, 2017, Plaintiff filed a Memorandum of Law in Opposition to Defendants' Motions to Dismiss Amended Complaint. On August 1, 2017, the Motion to Dismiss was heard by the Court. The Court ruled as follows: (1) granted the District's motion to dismiss as to Count III (Inverse Condemnation); (2) granted the District's motion to dismiss as to Count II (Injunction) without prejudice to amend; (3) granted the District's motion to dismiss as to Count V (Bert Harris) without prejudice to amend; and denied the District's motion to dismiss as to Count I (Trespass) and abated this cause of action until December 14, 2017. On August 18, 2017, the Court entered the Order on Defendant's Motion to Dismiss Plaintiff's Amended Complaint.

On September 15, 2017, the District received Plaintiff's Second Amended Complaint. The District's answer to the Amended Complaint is due on or before December 14, 2017.

On October 5, 2017, all parties filed their Joint Stipulation to Extension of Time for Defendants to Respond to the Second Amended Complaint, requesting an extension of time until December 14, 2017 for the County and the District to file their answers to the Second Amended Complaint. On October 16, 2017, the Court entered an Order granting the extension of time.

STYLE: Uranowski, Christina v. SWFWMD
COURT/CASE NO.: Fifth Judicial Circuit/Hernando County; Case No. 2016-CA-976
ATTORNEY: T. Gonzalez
ACTION: Complaint under the Florida Civil Rights Act alleging Retaliation, Handicap Discrimination, Gender Discrimination, and Age Discrimination

DESCRIPTION: On September 17, 2015, the District issued a Notice of Discharge ("Notice") to Christina Uranowski ("Plaintiff"), discharging her from her at-will employment from the District effective at 5:00 p.m. that day. In September 2015, Plaintiff filed a Complaint with the U.S. Equal Employment Opportunity Commission ("EEOC Complaint") alleging that the District discriminated against her on the basis of her gender, age, and disability as well as that the District had retaliated against her based on prior protected activity. The District responded to the EEOC charge on November 4, 2015. The EEOC has not yet rendered a determination relative to the EEOC Complaint.

On September 30, 2016, the District was served with a Complaint filed in Circuit Court for Hernando County alleging violations of the Florida Civil Rights Act including retaliation, handicap discrimination, gender discrimination, and age discrimination related to Plaintiff's discharge from District employment. The matter has been referred to the District's outside employment counsel who entered his appearance in the case on October 2, 2016. On October 20, 2016, the District filed its Answer and defenses to the Complaint.

STYLE: Majestic Oaks Homeowners Association of Clearwater, Inc., v. SWFWMD and Kevin Dunbar and Elysium Homeowners Association, Inc.
COURT/CASE NO.: Sixth Judicial Circuit/Pinellas County; Case No. 52-2017-CA-005828
ATTORNEY: M. Bray/C. Kenney
ACTION: Complaint for Injunctive Relief Pursuant to Section 403.412(2), Florida Statutes

DESCRIPTION: On July 10, 1985, the District issued Environmental Resource Permit ("ERP") No. 43000205.000 for a development project called Elysium, consisting of approximately 60.94 acres in Clearwater, Florida. On October 18, 2016, the District mailed a

Notice of Permit Condition Violation to the Elysium Homeowners Association, Inc., ("Elysium HOA") the operation and maintenance entity under ERP No. 43000205.000. The District had received a complaint from Majestic Oaks Homeowners Association of Clearwater, Inc. ("Plaintiff") that flooding was occurring directly to the east of Elysium, onto 19.8 acres that comprise the Majestic Oaks subdivision. The District investigated and issued a notice of violation to Elysium HOA.

In response to the Notice of Violation, Elysium HOA requested time extensions from the District in order to consult with an engineer and develop a financial plan for bringing the Elysium project into compliance. During that time, District staff consulted with Elysium HOA in order to arrive at a feasible solution. Elysium HOA proposed to construct a swale according to the originally permitted design. On June 6, 2017, Plaintiff filed a pre-suit notice pursuant to Section 403.412(2), F.S. with the District, alleging that the stormwater management system permitted in 1985 was never constructed, and that as a result, the Elysium property was causing flooding on the Majestic Oaks property. In response to the notice, the District issued a letter to Elysium HOA stating that if Elysium HOA constructed the swale according to the originally permitted design, it would be in compliance with its permit, but if in any event the matter was not resolved within 30 days, the District would pursue enforcement. Thereafter, in July 2017, Elysium HOA constructed a swale according to the originally permitted design, and brought the matter into compliance with ERP No. 43000205.000.

Thereafter, Elysium HOA submitted an application for a minor permit modification to the District on August 1, 2017. Their aim was to make the slope of the swale less severe, in order to reduce the sizeable drop caused by the new swale, which constituted a safety hazard at the back of the Elysium HOA homeowners' lots. On August 11, 2017, the District issued Notice of Intended Agency Action for approval of ERP No. 43000205.002 ("Modified Permit") to Elysium HOA, authorizing a minor modification to the drainage swale.

On August 11, 2017, the District issued Notice of Intended Agency Action for approval of ERP No. 43000205.002 ("Permit") to Elysium HOA, authorizing the drainage swale elevation modification. Plaintiff contends the modified swale is insufficient and will result in flooding on Plaintiff's property. Plaintiff served its Complaint for Injunctive Relief ("Complaint") on the District on October 2, 2017. The Complaint requests that an Order be entered (1) to compel the District to enforce the original permit, (2) to enjoin SWFWMD and Elysium HOA from causing flooding on Majestic Oaks' property, (3) to compel construction of the swale as permitted in the original permit, or modification of the permit to allow zero discharge onto Majestic Oaks' property, (4) to compel Kevin Dunbar to allow construction on his real property of any swales required to prevent flooding onto Majestic Oaks' property, and (5) to award Plaintiff its reasonable costs and attorney's fees. The District has 20 days from October 2, 2017, to file an answer or appropriate motion.

On October 20, 2017, the District filed a motion to dismiss, or, in the alternative, to abate, arguing (1) that the Plaintiff has failed to exhaust its administrative remedies, (2) that alternatively, the doctrine of primary jurisdiction requires dismissal or, alternatively, abatement, and (3) that Plaintiff failed to attach a required document to its complaint. That motion is pending. Also on October 20th, Elysium filed its own motion to dismiss, which is also pending.

STYLE:
COURT/CASE NO.:
ATTORNEY:
ACTION:

SR 40, LLC v. Riverside Village Homeowners' Association and Southwest Florida Water Management District
Sixth Judicial Circuit/Pasco County; Case No. 2017CA2879CAAXWS
C. Tumminia/A. Vining
Complaint for Abatement Pursuant to Section 373.433, Florida Statutes, Damages Pursuant to Section 373.430, F.S., and Trespass

DESCRIPTION:

On March 3, 1987, the District issued Environmental Resource Permit ("ERP") No. 43000835.000 ("Permit") for the construction of a stormwater management system designed to serve a residential development known as Riverside Village

Unit 4 ("Development"), located in Pasco County, Florida. On March 3, 2017, the District received a complaint from SR 40, LLC, the owner of property adjacent to the Development, regarding potential flooding caused by a berm washing out along the east side of the Development. District staff investigated the complaint to determine whether the stormwater management system was functioning properly. District staff identified two maintenance issues and requested that Riverside Village Homeowners' Association ("Permittee") take action to bring the Permit into compliance. On September 1, 2017, District staff notified the Permittee that the required actions were completed and the compliance file would be closed. On October 9, 2017, the District was served with a Complaint for Abatement pursuant to Section 373.433, Florida Statutes ("F.S."), damages pursuant to Section 373.430, F.S., and trespass, alleging that the maintenance issues were not resolved and the Development continues to flood SR 40's property. The District has 30 days from October 9, 2017, to file an answer or appropriate motion.

APPEALS

1 Case as of October 24, 2017

STYLE: Suncoast Waterkeeper, Inc. and Kathe Fannon v. SWFWMD
COURT/CASE NO.: 2D17-2484
ATTORNEY: M. Bray/C. Tumminia
ACTION: Appeal of Dismissal of Petition for Administrative Hearing challenging Conceptual Environmental Resource Permit No. 49040157.006

DESCRIPTION: On April 12, 2017, the District issued Conceptual Environmental Resource Permit ("ERP") 49040157.006 to Long Bar Pointe, LLLP and Cargor Partners VIII – Long Bar Pointe LLLP modifying and replacing Conceptual ERP 49040157.002 issued in September 2015. On May 4, 2017, the District received a petition for administrative hearing concerning the proposed ERP. The petition was determined to be insufficient as a matter of law, because it did not contain the elements that are required to be present in petitions for administrative hearing, as described and enumerated in Rule 28-106.201, F.A.C. Due to those deficiencies, an order was entered dismissing the petition on May 17, 2017 ("Order of Dismissal Without Prejudice"). The Order of Dismissal Without Prejudice specifically identified the deficiencies in the petition, and provided the Petitioners 14 days to file an amended petition curing the specified deficiencies. No amended petition was filed, either within the 14-day period or thereafter. On June 1, 2017, the petition was dismissed with prejudice on the grounds that it was not in substantial compliance with the requirements of Section 120.569(2)(c), F.S. and Rule 28-106.201, F.A.C. On June 15, 2017, Suncoast Waterkeeper, Inc. and Kathe Fannon filed a notice of appeal. On June 30, 2017, the District filed a motion to dismiss the appeal, arguing that in failing to file an amended petition or otherwise object, the Appellants had waived their right to raise any objection for the first time in the appellate court, and that Appellants had failed to exhaust their administrative remedies. The District also filed a motion for attorneys' fees. Those motions are pending. On July 6, 2017, the Court denied the District's motion to dismiss the appeal without prejudice to argue the merits in the answer brief. The Court did not enter an order on the motion for attorneys' fees. On August 1, 2017, the District served copies of the index to the record on appeal, as required pursuant to Florida Rule of Appellate Procedure 9.110(e). On August 24, 2017, the Appellants served their initial brief. The District's answer brief is due by September 18, 2017. On September 18, 2017, the District filed and served the answer brief, and on September 29, 2017, the Appellants filed and served their reply brief. The parties currently await further action by the Court.

DELEGATED CONSENT ORDERS

0 Cases as of October 24, 2017

GENERAL COUNSEL'S REPORT

November 14, 2017

Routine Report

November 2017-Rulemaking Update

Staff Recommendation:

Presenter: Karen E. West, General Counsel

RULEMAKING UPDATE
NOVEMBER 2017
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 Amend Rule 40D-8.624, F.A.C., to adopt revised Minimum Levels for Lake Eva in Polk County	September 2016	TBD	September 2016
3. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to adopt revised Minimum Levels for Lake Lowery in Polk County	October 2016	TBD	October 2016
4. Initiation and Approval of Rulemaking to adopt Minimum Flows for Rule 40D-8.041, F.A.C., Rainbow River System	June 2017	TBD	June 2017
5. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to adopt revised Minimum Levels for Deer Lake in Hillsborough County	May 2017	TBD	May 2017
6. Initiation and Approval of Rulemaking to adopt Minimum Flows for Rule 40D-8.041, F.A.C., Crystal River/Kings Bay System	June 2017	TBD	June 2017
7. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to adopt revised Minimum Levels for Lake Aurora in Polk County	July 2017	TBD	July 2017
8. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to adopt revised Minimum Levels for Lake Easy in Polk County	August 2017	TBD	August 2017
9. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to adopt revised Minimum Levels for Lake Saddleback and Round Lakes in Hillsborough County	September 2017	TBD	September 2017

COMMITTEE/LIAISON REPORTS

November 14, 2017

Discussion Item

Industrial Advisory Committee

Report will provided under separate cover.

Staff Recommendation:

For information only.

Presenter: Rebecca Smith, Board Member

COMMITTEE/LIAISON REPORTS

November 14, 2017

Discussion Item

Public Supply Advisory Committee

Report will be provided under separate cover.

Staff Recommendation:

For information only.

Presenter: Paul Senft, Board Member

COMMITTEE/LIAISON REPORTS

November 14, 2017

Discussion Item

Other

Staff Recommendation:

Presenter: Board Members

EXECUTIVE DIRECTOR'S REPORT

November 14, 2017

Discussion Item

Executive Director's Report

Staff Recommendation:

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

CHAIR'S REPORT

November 14, 2017

Discussion Item

Chair's Report

Staff Recommendation:

Presenter: Randall S. Maggard, Chair

CHAIR'S REPORT

November 14, 2017

Discussion Item

Other

Staff Recommendation:

Presenter: Randall S. Maggard, Chair

CHAIR'S REPORT

November 14, 2017

Routine Report

Employee Milestones

Staff Recommendation:

This item is for information only and no action is required.

Presenter: Randall S. Maggard, Chair

Years of Service	Adjusted Hire Date	Preferred Full Name	Job Title	Location	Bureau
5	11/19/2012	James Fine	Project Management Office Office Chief	Brooksville	Project Management Office
10	11/13/2007	Scott VanOrsdale	Staff Engineer	Tampa	Environmental Resource Permit
15	11/4/2002	Stephanie Powers	Senior Environmental Scientist	Tampa	Natural Systems and Restoration
30	11/23/1987	Dave Goldberg-Dunnett	Senior Hydrologic Data Field Technician	Brooksville	Data Collection
30	11/23/1987	David Sauskojus	Lead Environmental Scientist	Tampa	Environmental Resource Permit