



**GOVERNING BOARD MEETING
TUESDAY, JULY 25, 2023 – 9:00 AM
7601 US 301 NORTH, TAMPA, FL 33637
(813) 985-7481**

MINUTES

Board Members Present

Ed Armstrong, Chair
Michelle Williamson, Vice Chair
John Mitten, Secretary
Jack Bispham, Treasurer
Joel Schleicher, Member
Kelly Rice, Member
Ashley Bell Barnett, Member*
John Hall, Member
James Holton, Member*
Robert Stern, Member

*Attended via Electronic Media

Board Members Absent

Dustin Rowland, Member

Staff Members

Brian J. Armstrong, Executive Director
Amanda Rice, Assistant Executive Director
Chris Tumminia, General Counsel
Brian Werthmiller, Inspector General
Jennette Seachrist, Division Director
Michelle Hopkins, Division Director
Brian Starford, Division Director
Michael Molligan, Division Director
Brandon Baldwin, Division Director

Board Administrative Support

Virginia Singer, Board & Executive Services Manager
Lori Manuel, Lead Administrative Coordinator

1. Convene Public Meeting

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m., July 25, 2023, at the Tampa Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

This meeting was available for live viewing through Internet streaming. An attendance roster is archived in the District's permanent records. Approved minutes from meetings can be found on the District's website at WaterMatters.org.

1.1 Call to Order

Chair Ed Armstrong called the meeting to order. He noted that the Board meeting was being recorded for broadcast on government access channels, and public input would be provided in person. Chair Armstrong stated that anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should complete and submit a "Request to Speak" card. Chair Armstrong stated that comments would be limited to three minutes per speaker, and when appropriate, exceptions to the three-minute limit may be granted by the Chair. He also requested that several individuals wishing to speak on the same topic designate a spokesperson. Chair Armstrong introduced each member

of the Governing Board and staff present at the dais (this served as roll call). A quorum was confirmed.

1.2 Invocation and Pledge of Allegiance

Board Member Joel Schleicher offered the invocation and led the Pledge of Allegiance.

1.3 Employee Recognition

Chair Armstrong recognized employees who have reached at least 20 years of service. Mr. Michael Bench was recognized.

1.4 Additions/Deletions to Agenda

Mr. Brian Armstrong, Executive Director, stated there were no additions or deletions to the agenda.

Board Member Schleicher requested the following items be moved for discussion:

Resource Management Committee

2.2 FARMS – Bethel Farms, LLLP – Phase 5 (H814), DeSoto County

2.3 FARMS – Midway Farms, LLC (H815), Polk County

There was good cause to approve the amended agenda as allowed by Section 120.525, Florida Statutes.

1.5 Public Input for Issues Not Listed on the Published Agenda

Mr. David Ballard Geddis spoke regarding intertidal waterways in Tampa Bay.

Consent Agenda

Finance/Outreach & Planning Committee

2.1 Independent Auditing Services Contract

Staff recommended the Board:

1. Exercise the renewal option within the current contract and approve the first amendment to the agreement engaging JMCO to perform the fiscal year 2022-23 auditing services; and
2. Authorize the Executive Director or designee to execute the first amendment to the current contract with JMCO to perform the fiscal year 2022-23 auditing services.

Resource Management Committee

2.2 FARMS – Bethel Farms, LLLP – Phase 5 (H814), DeSoto County

Staff recommended the Board:

1. Approve the Bethel Farms, LLLP Phase 5 project for a not to exceed project reimbursement of \$296,023 with \$296,023 provided by the Governing Board;
2. Authorize the transfer of \$296,023 from fund 010 H017 Governing Board FARMS Fund to the H814 Bethel Farms, LLLP Phase 5 project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

2.3 FARMS – Midway Farms, LLC (H815), Polk County

Staff recommended the Board:

1. Approve the Midway Farms, LLC project for a not to exceed project reimbursement of \$234,019 with \$234,019 provided by the Governing Board;
2. Authorize the transfer of \$234,019 from fund 010 H017 Governing Board FARMS Fund to the H815 Midway Farms, LLC project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

2.4 FARMS – Marshall Tree Farm, Inc. (H816), Levy County

Staff recommended the Board:

1. Approve the Marshall Tree Farm, Inc. project for a not-to-exceed project reimbursement of \$31,707 provided by the Governing Board;
2. Authorize the transfer of \$31,707 from fund 010 H017 Governing Board FARMS Fund to the H816 Marshall Tree Farm, Inc. project fund;
3. Authorize the Division Director to sign the agreement.

General Counsel's Report

2.5 Authorization to Issue Administrative Complaint and Order – Permit Condition Violations – Tampa Oaks Senior Living, LLC – Environmental Resource Permit No. 43042559.000 – CT No. 398974– Hillsborough County

Staff recommended the Board:

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

2.6 Approve Governing Board Minutes – June 27, 2023

Staff recommended the Board approve the minutes as presented.

A motion was made and seconded to approve the Consent Agenda. The motion carried unanimously. (Audio – 00:11:46:00)

Finance/Outreach & Planning Committee

Treasurer Jack Bispham called the committee to order.

3.1 Consent Item(s) Moved to Discussion - None

3.2 Investment Strategy Quarterly Update

Mr. John Grady, Public Trust Advisors, presented an overview of the District's portfolio strategy for the last quarter (April 1, 2023 through June 30, 2023). He presented information regarding Gross Domestic Product, inflation, Federal funds rate expectations and implied rates, jobs growth, the housing market, and interest rates. Mr. Grady presented historical data regarding Local Government Investment Pools and annual average return index comparisons. He addressed Federal funds rate hike expectations. Mr. Grady responded to questions.

Staff recommended the Board accept and place on file the District's Quarterly Investment Reports for the quarter ended June 30, 2023.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:04:00)

3.3 Fiscal Year (FY) 2024 Budget Development

A Request to Speak was received for this item.

Mr. David Ballard Geddis spoke in opposition of a tax levy from non-ad valorem assessments.

Mr. Brandon Baldwin, Business and IT Services Division Director, provided an overview of the Fiscal Year (FY) 2024 budget development calendar. He presented metrics for expenditure goals and outcomes; proposed millage rates and millage rate history; changes to revenues by source; changes to expenditures by category; and changes to expenditures by programs for FY2023 and FY2024. Mr. Baldwin stated the FY2024 budget meets all Governing Board metrics.

Mr. Baldwin outlined the changes to the proposed budget since the June Governing Board. He stated the total FY2024 budget is \$224.8 million. The proposed ad valorem totals \$126 million, which is a decrease of \$47,941 since presented in June. To offset increase in existing property values, the proposed rollback-millage rate is 0.2043 mill. This represents a savings of approximately \$13.9 million for taxpayers.

Mr. Baldwin stated other changes include \$5.2 million in state appropriations which includes approximately \$4 million in state appropriations for alternative water supply projects. He explained the actual amounts appropriated by the legislature will be confirmed in September. Mr. Baldwin explained a state grant of \$1.2 million was awarded for the District control structure S-160 to reduce flooding risks. The use of \$1.152 million from reserves will be used to offset reductions in budget.

Staff recommended the Board:

1. Approve Resolution No. 23-05, Adoption of Proposed Millage Rate for Fiscal Year 2024.
2. Approve the budget changes presented, adjusted for any modifications made by the Governing Board on July 25, and authorize staff to submit the Tentative Budget Submission for FY2024.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:16:16)

3.4 Budget Transfer Report

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

3.5 Office of Inspector General April 1, 2023 to June 30, 2023 Quarterly Update

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

Resource Management Committee

Vice Chair Michelle Williamson called the committee to order.

4.1 Consent Item(s) Moved to Discussion

2.2 FARMS – Bethel Farms, LLLP – Phase 5 (H814), DeSoto County

Ms. Carole Estes, FARMS Manager, presented an overview of the project which included a map outlining all phases of the project, benefits and costs associated.

Board Member Schleicher stated that he is not opposed to the FARMS program as it was originally developed. He expressed his opposition to the FARMS reimbursement of greater than 50 percent. Board Member Schleicher also expressed concerns regarding the continual requesting of reimbursement from the same project owners for different projects.

Board Member Ashley Bell Barnett asked if consideration can be given to limit the number of times an applicant can apply for reimbursement from the FARMS program. Ms. Jennette Seachrist responded that consideration can be given but cautioned that it would potentially limit the groundwater reduction benefits in the priority areas. Mr. Armstrong explained that FARMS does not fund anything required by permit. The program incentivizes the use of conservation and alternative water supply best management practices. Discussion ensued.

Staff recommended the Board:

1. Approve the Bethel Farms, LLLP – Phase 5 project for a not-to-exceed project reimbursement of \$296,023 with \$296,023 provided by the Governing Board;
2. Authorize the transfer of \$296,023 from fund 010 H017 Governing Board FARMS Fund to the H814 Bethel Farms, LLLP – Phase 5 project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

A motion was made and seconded to approve staff's recommendation. The motion passed with nine in favor and one opposed. (Audio – 01:42:33)

2.3 FARMS – Midway Farms, LLC (H815), Polk County

No presentation was requested for this item.

Staff recommended the Board:

1. Approve the Midway Farms, LLC project for a not-to-exceed project reimbursement of \$234,019 with \$234,019 provided by the Governing Board;
2. Authorize the transfer of \$234,019 from fund 010 H017 Governing Board FARMS Fund to the H815 Midway Farms, LLC project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

A motion was made and seconded to approve staff's recommendation. The motion passed with nine in favor and one opposed. (Audio – 01:17:21)

4.2 Draft Tampa Bay Surface Water Improvement and Management (SWIM) Plan (W020)

Mr. Randy Smith, Natural Systems and Restoration Bureau Chief, presented a review of the SWIM plan development and approval process, background information on development of SWIM plans, Tampa Bay SWIM plan information, a summary of issues and drivers and an overview of water quality and natural systems goals. He presented results for seagrass mapping from 1988 to present and discussed the decline in seagrasses. Mr. Smith outlined goals that have been established for water quality and natural systems. He responded to questions.

Staff recommended the Board authorize staff to submit the draft Tampa Bay SWIM Plan to the agencies and appropriate local governments in accordance with Section 373.453, F.S.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 02:10:34)

Operations, Lands & Resource Monitoring Committee

Board Member John Hall called the committee to order.

5.1 Consent Item(s) Moved to Discussion – None

5.2 Purchase and Sale Agreement – Jordan Ranch/Two-Mile Prairie Project, SWF Parcel No. 19-707-109

Mr. Mike Singer, Real Estate Services Manager, provided a summary of the Governing Board acquisition policy. He provided an overview of Jordan Ranch and stated it meets all four of the District's Areas of Responsibilities and connects to the Two-Mile Prairie project that the District already owns. He stated the Florida Forest Service has agreed to manage the property.

Board Member Schleicher expressed concerns regarding the expenditure of funds as related to the acquisition of property.

Staff recommended the Board:

- Accept the appraisals;
- Approve the Purchase and Sale Agreement and authorize the Executive Director or designee to sign on the behalf of the District;
- Designate SWF Parcel No. 19-707-109 as having been acquired for conservation purposes;
- Authorize staff to make minor changes or corrections to conform documents or correct

- errors; any substantive changes will be subject to Governing Board review and approval;
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms; and
 - Approval to encumber and roll the funds for payment in the following year, in the event the closing does not occur before the end of the current fiscal year.

A motion was made and seconded to approve staff's recommendation. The motion passed with nine in favor and one opposed. (Audio – 02:20:18)

Regulation Committee

Board Member Robert Stern called the committee to order.

6.1 Consent Item(s) Moved to Discussion - None

6.2 Denials Referred to the Governing Board

None were presented.

General Counsel's Report

7.1 Consent Item(s) Moved to Discussion - None

Committee/Liaison Reports

8.1 Agricultural and Green Industry Advisory Committee

A written summary of the June 13 meeting was provided.

Executive Director's Report

9.1 Executive Director's Report

Mr. Brian Armstrong, Executive Director, thanked staff for their efforts and the Board for their guidance related to the development of the FY2024 budget. He also expressed his appreciation to the Governor and the Legislature.

Vice Chair Michelle Williamson commended staff for their presentations at the Florida Environmental Permitting Summer School.

Chair's Report

10.1 Chair's Report

Chair Armstrong stated the next meeting is scheduled for Tuesday, August 22 at 9:00 a.m., in the Brooksville office.

10.2 Employee Milestones

A written summary was provided.

Adjournment

The meeting adjourned at 11:25 a.m.

