



**GOVERNING BOARD MEETING
TUESDAY, OCTOBER 24, 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
Kelly Rice, Member
John Hall, Member
Dustin Rowland, Member*
Robert Stern, Member
Nancy H. Watkins, Member

*Attended via electronic media

Board Members Absent

Ashley Bell Barnett, Member
James Holton, Member
Joel Schleicher, Member

Staff Members

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

Board Administrative Support

Virginia Singer, 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., October 24, 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 Robert Stern offered the invocation and led the Pledge of Allegiance.

1.3 Employee Recognition

None were presented.

1.4 Additions/Deletions to Agenda

Mr. Brian Armstrong, Executive Director, stated the following item was being deleted:

General Counsel's Report

7.2 Affirm Governing Board Committee Actions

Board Member Kelly Rice requested the following item be moved to Discussion:

Operations, Lands & Resource Monitoring Committee

2.8 Hálpata Yellow Timber Harvest Agreement

Treasurer Jack Bispham requested the following item be moved to Discussion:

Regulation Committee

2.10 Water Use Permit No. 20 002332.009, Town of Lake Hamilton / Town of Lake Hamilton (Polk County)

Chair Armstrong stated 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 pollution of water supply.

Consent Agenda

Finance/Planning & Outreach Committee

2.1 Knowledge Management: Promotion of District Programs and Objectives Governing Board Policy

Staff recommended the Board approve the Promotion of District Programs and Objectives Governing Board Policy as revised.

2.2 Office of Inspector General Performance Measures

Staff recommended the Board approve the OIG performance measures.

Resource Management Committee

2.3 Minimum Flows and Minimum Water Levels Priority List and Schedule Update

Staff recommended the Board approve the District's Minimum Flows and Minimum Water Levels 2023 Priority List and Schedule for submission to DEP for review and approval as required by Chapter 373, F.S.

2.4 Final Tampa Bay Surface Water Improvement and Management (SWIM) Plan (W020)

Staff recommended the Board approve the Tampa Bay SWIM Plan in accordance with Section 373.453, F.S.

2.5 FARMS – Wauchula Fresh, LLC (H820), Hardee County

Staff Recommended the Board:

1. Approve the Wauchula Fresh, LLC project for a not-to-exceed project reimbursement of \$541,701 provided by the Governing Board;
2. Authorize the transfer of \$541,701 from fund 010 H017 Governing Board FARMS Fund to the H820 Wauchula Fresh, LLC project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

Operations, Lands & Resource Monitoring Committee

2.6 Lake Panasoffkee Cattle Lease – SWF Parcel No. 19-528-162X

Staff recommended the Board approve the award of the Lake Panasoffkee Cattle Lease to Brian Bailey and execute the lease on behalf of the District.

2.7 Donation of Utility Easement to TECO – Harney Canal, SWF Parcel No. 13-136-154X

Staff recommended the Board:

- Approve the Easement and authorize the Chair and Secretary to execute on behalf of the District subject to release to TECO after USACE approval; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

~~2.8 Halpata Yellow Timber Harvest Agreement~~

~~Staff recommended the Board approve and execute the Halpata Yellow Timber Harvest Agreement 2024LMREV001.~~

Regulation Committee

2.9 Water Use Permit No. 20 021121.000, Tampa Bay Water / South Hillsborough County Production Well (Hillsborough County)

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

~~2.10 Water Use Permit No. 20 002332.009, Town of Lake Hamilton / Town of Lake Hamilton (Polk County)~~

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

Executive Director's Report

2.11 Approve Fiscal Year 2024 Final Budget Hearing Minutes

Staff recommended the Board approve the minutes as presented.

2.12 Approve Governing Board Minutes – September 26, 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 – 00:10:11)

Finance/Outreach and 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 information which included the economic forecast, federal funds rate expectations and implied rates, Gross Domestic Product, inflation/consumer price index, job, and unemployment rates. He also presented an overview of the District's portfolio strategy for the last quarter (July 1, 2023 through September 30, 2023). Mr. Grady responded to questions.

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

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 00:34:46)

3.3 Knowledge Management: Industrial, Commercial & Institutional Advisory Committee Policy

Ms. Robyn Felix, Communications and Board Services Bureau Chief, presented an overview

of the current Industrial Advisory Committee. She outlined the proposed changes to expand the committee, benefits associated, and outreach efforts. Ms. Felix stated that the current Industrial Committee is in support of this proposed expansion. She outlined future steps.

Staff recommended the Board approve the expansion of the Industrial Advisory Committee to the Industrial, Commercial & Institutional Advisory Committee.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 00:38:50)

3.4 Development of Preliminary Budget for Fiscal Year 2025

Mr. Brandon Baldwin, Business and IT Services Director, presented a timeline overview of the Fiscal Year (FY) 2025 budget cycle and outlined Governing Board budget metrics. He presented assumptions for salaries, benefits, operating expenses, contracted services, operating capital outlay, projects, revenue, fund balance and Ad Valorem growth. Mr. Baldwin presented a chart outlining new growth model and performance. Mr. Baldwin responded to questions.

Staff recommended the Board approve the general budget assumptions as outlined in the October 24, 2023, budget presentation for the development of the Preliminary Budget for FY2025.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 00:52:15)

3.5 Budget Transfer Report

This item was for information. No action was required.

3.6 Office of Inspector General Quarterly Update – July 1, 2023 to September 30, 2023

This item was for information. No action was required.

Resource Management Committee

Vice Chair Michelle Williamson called the committee to order.

4.1 Consent Item(s) Moved to Discussion - None

4.2 Peace River Manasota Regional Water Supply Authority - Regional Integrated Loop System Phase 3C Project – Third-Party Review (Q313)

Mr. Jay Hoecker, Water Resources Bureau Chief, presented the results from a third-party review for the Peace River Manasota Regional Water Supply Authority (Authority) Integrated Loop System Phase 3C project. He stated this is one of seven prioritized Alternative Water Supply (AWS) projects in the District's long term funding plan. Mr. Hoecker provided an overview of the project, benefits, design improvements, cost estimates, and funding sources. He stated the Authority submitted a revised conceptual total project cost of \$63,850,000 based on value engineering of the pumping and storage components and the pipeline GMP.

Board Member Robert Stern asked about costs for easements associated with the project. Mr. Hoecker stated those costs are not included in the District's funding share. Board Member Kelly Rice asked for a definition regarding the term "value engineering." Mr. Coates explained that is the refining of a project to reduce price but maintain the same benefits. Board Member Nancy Watkins asked what the District may be giving up through value engineering. Mr. Hoecker responded that for this project the District is getting the same benefit of pumping and storage, but at a different location. Board Member Watkins stated that for future projects she would like to know the differences and potential ramifications between the original conceptual design and the value-engineered design.

Staff recommended the Board:

1. Authorize final design, permitting, and construction of the pipeline and approve modification of the Cooperative Funding Agreement to include a pipeline cost of \$59,747,836 for the Regional Integrated Loop System Phase 3C Project (Q313).
2. Authorize the Peace River Manasota Regional Water Supply Authority, at their own cost, to perform an independent third-party review of the pumping and storage improvements at the Carlton facility for the Regional Integrated Loop System Phase 3C Project (Q313).

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:05:40)

Operations, Lands and Resource Monitoring Committee

Board Member John Hall called the committee to order.

5.1 Consent Item(s) Moved to Discussion

2.8 Hálpata Yellow Timber Harvest Agreement

Ms. Ellen Morrison, Land Resources Bureau Chief, provided a summary of the District's policies and procedures associated with timber harvesting. She provided an overview of the Hálpata Tasthanaki Preserve and the associated timber harvest agreement. Ms. Morrison summarized the ten-year timber management program and processes.

Board Member Rice asked if the District has Best Management Practices (BMPs) after the timber has been harvested that may benefit taxpayers. Specifically, he asked if the District replants timber after it has been harvested to continue revenue generation. Ms. Morrison responded that planting is only performed for habitat restoration not to generate revenue. Discussion ensued.

Mr. Chris Reed explained the cutting and planting process.

Staff recommended the Board approve and execute the Hálpata Yellow Timber Harvest Agreement 2024LMREV001.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:21:29)

5.2 Hydrologic Conditions

Ms. Tamera McBride, Hydrologic Data Manager, presented the hydrologic conditions report. She stated that some rainfall was received from Hurricane Idalia, however, rainfall has been below average. She provided information regarding rainfall, streamflow, groundwater levels, lake levels, public supply reservoirs, climate forecasts and a tropical storm forecast. Ms. McBride stated that a Phase 1 Water Shortage Order is being considered.

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

Regulation Committee

Board Member Robert Stern called the committee to order.

6.1 Consent Item(s) Moved to Discussion

2.10 Water Use Permit No. 20 002332.009, Town of Lake Hamilton / Town of Lake Hamilton (Polk County)

Treasurer Bispham asked for an explanation regarding transitional quantities. Mr. Brian Armstrong responded with an overview of water use permitting associated with land use transition as related to this permit. Treasurer Bispham asked how future agricultural interests are protected. Mr. Armstrong stated that all water users follow the same process as

outlined by the rules. Treasurer Bispham asked what consideration be given regarding how to protect agriculture and a presentation be provided at a future Board meeting. Board Member John Hall asked about the process of net benefit associated with water use permits. Mr. Armstrong and Ms. Michelle Hopkins, Regulation Director, responded. Ms. Hopkins and Ms. April Breton, Water Use Permitting Manager, responded to additional questions.

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

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:40:08)

6.2 Denials Referred to the Governing Board

None were presented.

General Counsel's Report

7.1 Consent Item(s) Moved to Discussion - None

7.2 Affirm Governing Board Committee Actions

~~Staff recommended the Board affirm the actions of the Governing Board Committees taken during the regularly scheduled Governing Board meeting.~~

Committee/Liaison Reports

8.1 Agricultural and Green Industry Advisory Committee

A written summary of the September 12 meeting was provided.

Executive Director's Report

9.1 Executive Director's Report

Mr. Brian Armstrong, Executive Director, provided an overview of his FY2024 goals. A written summary was provided.

Chair's Report

10.1 2023 Employee Evaluation and 2024 Performance Goals for the Executive Director and Inspector General

Chair Armstrong commended the culture of the District and credited it to the leadership of the Executive Director, Mr. Armstrong. He also praised the Directors for their dedication.

Chair Armstrong recommended a performance evaluation score of 4.95 and a five percent merit increase for Mr. Armstrong.

A motion was made and seconded to accept the Chair's recommendation for the Executive Director. The motion was seconded and passed unanimously.

(Audio – 01:44:20)

Treasurer Bispham commended Inspector General Brian Werthmiller and recommended a performance evaluation score of 4.80 and a five percent merit increase for Mr. Werthmiller.

A motion was made and seconded to accept the Treasurer's recommendation for the Inspector General. The motion was seconded and passed unanimously.

(Audio – 01:45:28)

10.2 Chair's Report

Chair Armstrong stated the next Governing Board meeting is scheduled on Tuesday, November 14 at 9:00 a.m., in the Tampa office. A Governing Board workshop will also be held following the meeting.

10.3 Employee Milestones

A written summary was provided.

Adjournment

The meeting adjourned at 10:47 a.m.