



South Florida Water Management District

GOVERNING BOARD MEETING AGENDA

This meeting is open to the public

June 10, 2010

9:00 AM

District Headquarters - B-1 Auditorium

3301 Gun Club Road

West Palm Beach, FL 33406

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.

1. **Call to Order** - Eric Buermann, Chairman, Governing Board
2. **Pledge of Allegiance** - Eric Buermann, Chairman, Governing Board
3. **Lieutenant General Robert L. Van Antwerp, Jr., Chief of Engineers, U.S. Army Corps of Engineers** - Eric Buermann, Chairman, Governing Board
4. **Employee Recognitions** - Presented by Carol Wehle, Executive Director
 - April Employee of the Month - Kevin Carter
 - May Employee of the Month - Marcia Kivett
 - June Employee of the Month - Brenda Mills
 - May Team of the Month - The Year Round Landscape Irrigation Rulemaking Team
 - June Team of the Month - The St. Lucie Water Reservation Team
 - 30 Years of Service - Gaye Rohde and Patti Nicholas
 - 35 Years of Service - Susan Coughanour

See supporting document: [35 Years Service Recognition - Susan Coughanour.pdf](#)

See supporting document: [June 2010 EOM - Brenda Mills.pdf](#)

See supporting document: [June 2010 TOM - The St. Lucie Water Reservation Team.pdf](#)

See supporting document: [April 2010 EOM - Kevin Carter.pdf](#)

See supporting document: [May 2010 EOM - Marcia Kivett.pdf](#)

See supporting document: [May 2010 TOM - The Year Round Landscape Irrigation Rulemaking Team.pdf](#)

See supporting document: [30 Years Service Recognition - Gaye Rohde.pdf](#)

See supporting document: [30 Years Service Recognition - Patti Nicholas.pdf](#)

5. **Distinguished Former Employee Awards** - Presented by Carol Wehle, Executive Director (Time certain 11:30 AM)
See supporting document: [DistinguishedFormerEmployeeAwards.pdf](#)
6. **ALS Association Contribution** - Presented by Dorothy Bradshaw, Jeffrey Cartwright and Angela Simpson to ALS Regional Director Donna Valin Ghioto
See supporting document: [ALS_Association.pdf](#)
7. **Leadership Challenge Plaque Presentation** - Presented by Merry Mott, Director of Industry Certifications, Florida Nursery Growers & Landscape Association
8. **Agenda Addendum** - Jacki McGorty, District Clerk
9. **Abstentions by Board Members from items on the Agenda**
10. **Water Resource Advisory Commission (WRAC) Report** - Shannon Estenoz, Chair
11. **Project & Lands Committee Report** - Pat Rooney, Chair

Consent Agenda

Members of the public wishing to address the Governing Board are to complete a Public Comment Card and submit the card to the front desk attendant. You will be called by the Board Chair or designee to speak. If you want to request that an item be removed from the Consent Agenda and be discussed by the Governing Board, please advise the Governing Board when you are called upon to speak. Governing Board directives limit comments from the public to 3 minutes unless otherwise determined by the Governing Board Chair. Your comments will be considered by the Governing Board prior to adoption of the Consent Agenda.

Unless otherwise determined by the Chair, Board action on pulled Consent Agenda items will occur at or after 9:00 a.m. on Thursday. Regulatory items pulled from the Consent Agenda for discussion will be heard during the Discussion Agenda. **Unless otherwise noted, all Consent Agenda items are recommended for approval.**

12. Public Comment on Consent Agenda

13. Pull Items for Discussion from Consent Agenda

14. Board Comment on Consent Agenda

Regulatory Matters

15. Denials

Consent Agreements

Conservation Easement Amendments and Releases

See supporting document: [ca_rp_rm_100_sd.pdf](#)

16. Right of Way Occupancy New Permits

Right of Way Occupancy Permit Modifications

Right of Way Permit Requests With Waiver of District Criteria

Relaxation of Standards as Allowed under District Rule 40E-6.011(9), FAC

See supporting document: [ca_om_rm_101_sd.pdf](#)

Everglades Restoration and Capital Projects

17. 2010-600 A Resolution of the Governing Board of the South Florida Water Management District to approve releasing road easement interests containing 0.90 acres, more or less, to the underlying fee owner, located within Orangebrook Estates (n/k/a/ Valencia Landings) Subdivision, in Section 1, Township 43 South, Range 28 East, and in Section 6, Township 43 South, Range 29 East, Hendry County, subject to satisfaction of certain terms, conditions and requirements, including conveyance of a replacement easement to the District; repealing Resolution No. 2009-602; providing an effective date. (Linda Schindeler, ext. 6838)

See supporting document: [ca_lr_100_sd.pdf](#)
See resolution document: [ca_lr_100_rd.pdf](#)
See supporting document: [ca_lr_100_map.pdf](#)

- 18. 2010-601** A Resolution of the Governing Board of the South Florida Water Management District to approve declaring surplus land interests containing 1097.04 acres, more or less, in Palm Beach, Highlands, Miami-Dade, Osceola and Martin counties, together with any structures and improvements and personal property appurtenant thereto and approve conveying said properties to another governmental entity upon terms and conditions approved by the Governing Board or conveying to the public for bid and to be sold for the highest price obtainable but not less than the appraised value subject to conditions; providing an effective date. (Ruth Clements, ext. 6271)
See supporting document: [ca_lr_110_sd.pdf](#)
See resolution document: [ca_lr_110_rd.pdf](#)
See supporting document: [ca_lr_110_ExhA.pdf](#)
- 19. 2010-602** A Resolution of the Governing Board of the South Florida Water Management District to approve the purchase of land interests containing 2.80 acres, more or less, for the Kissimmee Chain of Lakes Project, in Polk County, in the amount of \$113,022, and associated costs, for which ad valorem (Capital Projects Okeechobee) and dedicated (Florida Forever Trust Fund) funds are budgeted; providing an effective date. (Bob Schaeffer, ext. 2985)
See supporting document: [ca_lr_101_sd.pdf](#)
See resolution document: [ca_lr_101_rd.pdf](#)
See supporting document: [ca_lr_101_ExhA_legal.pdf](#)
See supporting document: [ca_lr_101_ExhAA_map.pdf](#)
- 20. 2010-603** A Resolution of the Governing Board of the South Florida Water Management District requesting the release of funds from the Florida Forever Trust Fund by the Department of Environmental Protection for the acquisition of land interests containing 2.80 acres, more or less, for the Kissimmee Chain of Lakes Project, in Polk County, in the amount of \$113,022, and associated costs; providing an effective date. (Bob Schaeffer, ext. 2985)
See resolution document: [ca_lr_102_rd.pdf](#)
See supporting document: [ca_lr_102_ExhA_legal.pdf](#)
See supporting document: [ca_lr_102_ExhAA_map.pdf](#)
- 21. 2010-604** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a three year work order contract, subject to successful negotiations with EAA Research & Management, Inc., one of three firms selected under Request for Proposal 6000000345 for Environmental Laboratory Operations Support Services, in an amount not to exceed the total funding of \$900,000 for all three contracts (4600002125, 4600002126, 4600002127), for which \$104,737 in ad valorem and dedicated funds are subject to Governing Board approval of the FY11 budget; and the remainder is subject to Governing Board approval of the FY12-13 budgets; providing an effective date. (Contract Number 4600002125) (Richard Walker, ext. 4525)

See supporting document: [ca_er_restsci_101_sd.pdf](#)

See resolution document: [ca_er_rd_15817_BFLD.pdf](#)

- 22. 2010-605** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a three year work order contract, subject to successful negotiations with Sutron Corporation, one of three firms selected under Request for Proposal 6000000345 for Environmental Laboratory Operations Support Services, in an amount not to exceed the total funding of \$900,000 for all three contracts (4600002125, 4600002126, 4600002127), for which \$104,737 in ad valorem and dedicated funds are subject to Governing Board approval of the FY11 budget; and the remainder is subject to Governing Board approval of the FY12-13 budgets; providing an effective date. (Contract Number 4600002126) (Richard Walker, ext. 4525)

See supporting document: [ca_er_restsci_101_sd.pdf](#)

See resolution document: [ca_er_rd_15819_BFLD.pdf](#)

- 23. 2010-606** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a three year work order contract, subject to successful negotiations with Laboratory Data Consultants FL, Inc., one of three firms selected under Request for Proposal 6000000345 for Environmental Laboratory Operations Support Services, in an amount not to exceed the total funding of \$900,000 for all three contracts (4600002125, 4600002126, 4600002127), for which \$104,737 in ad valorem and dedicated funds are subject to Governing Board approval of the FY11 budget; and the remainder is subject to Governing Board approval of the FY12-13 budgets; providing an effective date. (Contract Number 4600002127) (Richard Walker, ext. 4525)

See supporting document: [ca_er_restsci_101_sd.pdf](#)

See resolution document: [ca_er_rd_15821_BFLD.pdf](#)

- 24. 2010-607** A Resolution of the Governing Board of the South Florida Water Management District to approve the purchase of land interests containing 0.23 acre, more or less, for the Lakeside Ranch STA Project, in Martin County, in the amount of \$23,797 and associated costs, for which dedicated funds (Save Our Everglades Trust Fund) are budgeted; approve declaring surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition; providing an effective date. (Barbara Katz, ext. 6837)

See supporting document: [ca_lr_105_sd.pdf](#)

See resolution document: [ca_lr_105_rd.pdf](#)

See supporting document: [ca_lr_105_ExhA_legal.pdf](#)

See supporting document: [ca_lr_105_ExhAA_map.pdf](#)

- 25. 2010-608** A Resolution of the Governing Board of the South Florida Water Management District requesting release of funds from the Save Our Everglades Trust Fund by the Department of Environmental Protection for the acquisition of land interests containing 0.23 acre, more or less, in Martin County, Florida, for the Lakeside Ranch STA Project, in the amount of \$23,797, and associated costs; providing an effective date. (Barbara Katz, ext. 6837)

See resolution document: [ca_lr_106_rd.pdf](#)

See supporting document: [ca_lr_106_ExhA_legal.pdf](#)

See supporting document: [ca_lr_106_ExhAA_map.pdf](#)

- 26. 2010-609** A Resolution of the Governing Board of the South Florida Water Management District approving the purchase of land interests containing 0.63 acre, more or less, in Okeechobee County, in the amount of \$2,500, and associated costs; for which ad valorem funds, Okeechobee Basin, have been budgeted; approve declaring surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition; providing an effective date. (Barbara Katz, ext. 6837)

See supporting document: [ca_lr_109_sd.pdf](#)

See resolution document: [ca_lr_109_rd.pdf](#)

See supporting document: [ca_lr_109_ExhAA_map.pdf](#)

See supporting document: [ca_lr_109_ExhA_legal.pdf](#)

- 27. 2010-610** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 226-day contract with Hardrives, Inc., the lowest responsive and responsible bidder, for the CERP C-44 Reservoir/Stormwater Treatment Area Project's C-132 and northern C-133 canal maintenance in the amount of \$970,000 for which dedicated funds are budgeted in the Okeechobee Basin Capital Fund as a result of the January 2010 budget transfer approved by the Governing Board; providing an effective date. (Contract Number 4600002143) (John Mitnik, ext.3748)

See supporting document: [da_er_003_C44 Canals Map_sd.pdf](#)

See supporting document: [da_er_003_C-44 Canals Memo_sd.pdf](#)

See resolution document: [da_er_rd_15944_BFLD.pdf](#)

Executive Office

- 28. 2010-611** A Resolution of The South Florida Water Management District Governing Board; authorizing and directing execution and delivery of a Joinder to Agreement and Declaration of Trust Creating and Establishing the Florida Local Government Investment Trust; and providing an effective date. (Paul E. Dumars, Sr., ext. 6212)

See supporting document: [ca_ex_001_sd_memo_FLGIT.pdf](#)

See supporting document: [ca_ex_001_sd1_trans ltr 2-19-10.pdf](#)

See supporting document: [ca_ex_001_sd2_FLGIT Joinder Agreement.pdf](#)

See supporting document: [ca_ex_001_sd3_FLGIT Deed of Trust.pdf](#)

See resolution document: [ca_ex_001_rd_FLGIT to join.pdf](#)

- 29. 2010-612** A Resolution of the Governing Board of the South Florida Water Management District authorizing the transfer of funds within the District FY2009-2010 budget as shown on the attachment hereto; providing an effective date (Mike Smykowski, ext. 6295).

See supporting document: [ca_eo_001_sd.pdf](#)

See supporting document: [ca_eo_001_sd1.pdf](#)

See resolution document: [ca_eo_001_rd.pdf](#)

- 30. 2010-613** A Resolution of the Governing Board of the South Florida Water Management District authorizing intervention or participation as amicus curiae in two lawsuits pending before the United States District Court for the District of Columbia: *New Hope Power Company v. U. S. Army Corps of Engineers, Case No. 09-cv-02413* and *American Ram Bureau Federation v. U. S. Army Corps of Engineers, Case No. 10-cv-00489*. (Jim Nutt, ext. 6253)
See supporting document: [ca_oc_002_sd.pdf](#)
See resolution document: [ca_oc_002_rd.pdf](#)
- 31. 2010-614** A Resolution of the Governing Board of the South Florida Water Management District to authorize District staff to file suit to enforce District statutes, orders, and rules and to pursue any appropriate damages and remedies, and take all appropriate action, including the authority to settle the matter, subject to the approval of the Executive Director, against Images at Pembroke Pointe Homeowners Association, Inc., and any other appropriate or necessary parties, in the Broward County Circuit Court or other appropriate forum, regarding the unauthorized use of water occurring at property located in Section 18, Township 51, Range 41, in Pembroke Pines, Broward County, Florida. (Jennifer Bokankowitz, ext. 2258)
See supporting document: [ca_oc_001_sd.pdf](#)
See resolution document: [ca_oc_001_rd.pdf](#)
- 32. 2010-615** Any action associated with implementation of SB 550's provisions concerning discretionary Board authority to delegate the consumptive use permit program to the Executive Director, which may include a Resolution of the Governing Board of the South Florida Water Management District amending Section 101-41 of the District Policies Code relating to agency administration. (Beth Ross, ext. 6257)
See supporting document: [ca_oc_003_sd.pdf](#)
- 33. 2010-616** A Resolution of the Governing Board of the South Florida Water Management District to authorize approval of an amendment to contract 4600001266 with Carlton Fields, P.A. for legal services for the Teitelbaum v SFWMD (Bird Drive), Case No. 04-21282 CA 15. This amendment will provide an additional \$177,275.00 for which ad valorem funds are budgeted; providing an effective date. (Edward Artau, x6431)
See supporting document: [ca_oc_003_sd.pdf](#)
See resolution document: [ca_eo_rd_15971_BFLD.pdf](#)

Regulatory and Public Affairs

- 34.** Authorize publication of the Notice of Rule Development to amend Chapters 40E-1, 40E-4, 40E-40, 40E-41, 40E-63, 40E-400, F.A.C., and the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District to: 1) update and correct titles, references and citations; 2) correct typographical errors and other minor corrections; 3) delete obsolete forms and other documents; 4) update rules for consistency with statutory amendments; 5) update process for submitting forms and other documents to the District; 6) repeal rules that are unnecessary because they are duplicative of rules set forth in the Districts general rules, Chapter 40E-1, F.A.C.; 7) replace illegible maps in the Florida Administrative Code and renumber Figures for consistency; 8) update rule references from surface water management to environmental resource permitting; 9) delete rule titles following rule numbers within text; 10) correct effective date of forms to be consistent with effective date of rule; and 11) update rules incorporating materials by reference to conform to the Department of States rule regarding materials incorporated by reference (Anita Bain, ext 6866)
See supporting document: [ca_rp_102_sd.pdf](#)
- 35.** Authorize publication of Notice of Rulemaking in the Florida Administrative Weekly (FAW) to amend Rules 40E-63.400, 40E-63.401, 40E-63.402, 40E-63.404, 40E-63.406, 40E-63.415, 40E-63.420, 40E-63.430, and 40E-63.444, F.A.C., repeal Rules 40E-63.432, 40E-63.434, 40E-63.436, 40E-63.440, 40E-63.442, 40E-63.450, 40E-63.452, 40E-63.454, 40E-63.456, 40E-63.458, 40E-63.460, and 40E-63.470, F.A.C., and new Rules 40E-63.435, 40E-63.437, 40E-63.438, 40E-63.439, 40E-63.441, 40E-63.443, 40E-63.446, 40E-63.461, 40E-63.462, and 40E-63.464, F.A.C., and the materials incorporated by reference in Rule 40E-63.404, F.A.C., regarding the Everglades Regulatory Program: C-139 Basin (Pam Wade, ext. 6901).
See supporting document: [ca_rp_103_sd.pdf](#)
- 36.** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into an interagency agreement with the Southwest Florida Water Management District to designate to the South Florida Water Management District all regulatory responsibilities for environmental resource permitting under Part IV of Chapter 373, Florida Statutes, and Water Quality, for those activities that are associated with Rafter T Ranch Environmental Restoration Project located in Highlands County; providing an effective date. (Benita Whalen, ext 2957)
See supporting document: [ca_rp_105_sd.pdf](#)
See resolution document: [ca_rp_105_rd.pdf](#)
- 37.** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into an interagency agreement with the Southwest Florida Water Management District to designate to the South Florida Water Management District all regulatory responsibilities for environmental resource permitting under Part IV of Chapter 373, Florida Statutes, and Water Quality, for those activities that are associated with Santa Rosa Ranch Wetlands Restoration Project located in Highlands County; providing an effective date. (Benita Whalen, ext 2957)
See supporting document: [ca_rp_106_sd.pdf](#)
See resolution document: [ca_rp_106_rd.pdf](#)

- 38. 2010-617** A Resolution of the Governing Board of the South Florida Water Management District approving the Joint Agreement between the McDaniel Reserve Realty Holding, LLC. and the South Florida Water Management District for the purpose of implementing a Best Management Practices Program to reduce phosphorus in stormwater discharges to the Everglades Protection Area. (Pamela Wade, ext 6901)

See supporting document: [ca_rp_107_sd.pdf](#)

See resolution document: [ca_rp_107_rd.pdf](#)

Operations and Maintenance

- 39. 2010-618** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 3 year work order contract with Toler Enterprises Incorporated, the lowest responsive and responsible bidder, for Side Slope Mowing Services within the region of the Ft. Lauderdale Field Station, in the amount of \$508,586.20 for which ad valorem funds of \$36,574 are budgeted; and the remainder is subject to Governing Board approval of the FY11-FY13 budgets; providing an effective date. (Contract Number 4600002139) (Craig VanAuken, ext. 4838)

See supporting document: [ca_om_001_sd.pdf](#)

See resolution document: [ca_om_rd_15870_BFLD.pdf](#)

See supporting CJSS: [ca_om_001_cjss.pdf](#)

- 40. 2010-619** A Resolution of the Governing Board of the South Florida Water Management District authorizing the Florida Fish and Wildlife Conservation Commission to establish vacant undesignated lands consisting of approximately 1100 acres in the C-23/24 Project Area, St. Lucie County, as a Public Small Game Hunting Area for the 2010-11 Hunting Season and manage Small Game Hunting on such lands, subject to terms and conditions; providing an effective date. (Steve Coughlin, ext. 2603)

See supporting document: [ca_om_002_sd.pdf](#)

See resolution document: [ca_om_002_rd.pdf](#)

- 41. 2010-620** A Resolution of the Governing Board of the South Florida Water Management District authorizing the Florida Fish and Wildlife Conservation Commission to establish vacant undesignated lands consisting of approximately 100 acres in the Frog Pond Detention project, Miami-Dade County, as a Public Small Game Hunting Area for the 2010-11 and subsequent hunting seasons and manage said lands solely as a dove field, subject to terms and conditions; providing an effective date. (Steve Coughlin, ext. 2603)

See supporting document: [ca_om_003_sd.pdf](#)

See resolution document: [ca_om_003_rd.pdf](#)

- 42. Board Vote on Consent Agenda**

Workshop Agenda

43. State of Water Resources

A) Water Conditions & Water Supply Report - Susan Sylvester, Director, Operations Control & Hydro Management Department (ext. 6152)

B) Ecological Conditions Report - Linda Crean, Water Quality Monitoring Division Director, Restoration Sciences Department (ext. 4745).

C) US Army Corps of Engineers' Lake Okeechobee Report - LTC Michael Kinard, Deputy District Commander, South Florida, Jacksonville District, US Army Corps of Engineers

Everglades Restoration and Capital Projects

44. Adaptive Protocols for Lake Okeechobee Operations Status Update - Susan Gray, Chief Environmental Scientist, Restoration Sciences Department (ext. 6919)

45. Water Quality Standards - Regulation (Part 2) - Kirk Burns, Sr. Practice Expert, Office of Counsel (ext. 6546) and Georgia Vince, Permitting Section Leader, Policy and Coordination Department, Everglades Restoration and Capital Projects (ext. 4084)

Regulatory and Public Affairs

46. Overlap in Consumptive Use Permits with More Than One Source of Water - Dean Powell, Acting Director, Water Supply Department (ext. 6787)

47. Natural Systems - Relationship to Water Use Permitting - Anita Bain, Director, Environmental Resource Permitting Division (ext. 6866)

Discussion Agenda

Everglades Restoration and Capital Projects

- 48. 2010-621** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 240-day contract with Lucas Marine Construction, LLC, the lowest responsive and responsible bidder from the District's pre-qualified firms, for construction of Compartment B Buildout Stormwater Treatment Area G-434 and G-435 Pump Stations' concrete bridges in an amount not to exceed \$1,879,000 of which dedicated funds (proceeds from Series 2006 Certificates of Participation) in the amount of \$95,449 are budgeted and the remainder is subject to Governing Board approval of the FY11 budget; providing an effective date. (Contract Number 4600002142) (John Mitnik, ext. 3748)
See supporting document: [da_er_002_Bridge Map_sd.pdf](#)
See supporting document: [da_er_002_Bridge Memo_sd.pdf](#)
See resolution document: [da_er_rd_15941_BFLD.pdf](#)

Regulatory and Public Affairs

- 49.** Enter an Order authorizing a one year pilot project by the City of West Palm Beach for the temporary interception and storage of tidal discharges from C-51 Canal. (Terrie Bates, ext. 6952)

Corporate Resources

- 50. 2010-622** A Resolution of the Governing Board of the South Florida Water Management District to authorize approval of a three year lease agreement with Dell Marketing L.P. the lowest responsive quote using State Of Florida Contract #250-040-08-01 for personal computer leasing in an amount not to exceed \$4,500,000 of which \$147,500 of ad valorem funds are budgeted in FY10, and the remainder is subject to Governing Board approval of the FY11-13 Budgets; providing an effective date. (RFQ 6000000350) (Sharon Trost, ext. 6214)

See supporting document: [da_cr_201_sd.pdf](#)

See resolution document: [da_cr_rd_15947_BFLD.pdf](#)

- 51.** Public Comment
- Regulatory Policy Issues
 - General Public Comment

Staff Reports

- 52. **General Counsel Report - Sheryl Wood**

- 53. **Executive Director's Report - Carol Wehle**
 - Report on Permits Issued by Authority Delegated to Executive Director from May 1 to May 31, 2010
 - See supporting document: [IP Issued by ED May 2010.pdf](#)

- 54. **Board Comment**

Attorney Client Sessions

Executive Office

- 55.** Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in United States of America v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno.

ATTENDEES: Governing Board Members S. Batchelor, E. Buermann, J. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney, G. Waldman; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, K. Burns, J. Nutt, F. Bartolone. (Sheryl. G. Wood, ext. 6976)

Action Items (if any) Stemming from Attorney Client Session

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in United States of America v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno. (Sheryl. G. Wood, ext. 6976)

- 56.** Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in Miccosukee Tribe of Indians of Florida, et al. v. South Florida Water Management District, Supreme Court of Florida, Case No. SC09-1817, and New Hope Sugar Company, et al. v. South Florida Water Management District, Supreme Court of Florida, Case No. SC09-1818.

ATTENDEES: Governing Board Members S. Batchelor, E. Buermann, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney, G. Waldman; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, K. Burns, J. Nutt, F. Bartolone, D. Moore. (Sheryl. G. Wood, ext. 6976)

Action Items (if any) Stemming from Attorney Client Session

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in Miccosukee Tribe of Indians of Florida, et al. v. South Florida Water Management District, Supreme Court of Florida, Case No. SC09-1817, and New Hope Sugar Company, et al. v. South Florida Water Management District, Supreme Court of Florida, Case No. SC09-1818. (Sheryl. G. Wood, ext. 69976)

57. Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in B & E Ranch & Grove, LC. v. South Florida Water Management District, Nineteenth Judicial Circuit, Okeechobee County, Case No. 2007-CA-19; Chandler, et al. v. South Florida Water Management District, Nineteenth Judicial Circuit, Okeechobee County, Case No. 2007-CA-110; and Estate of Marvin Thomas, et al. v. South Florida Water Management District, Nineteenth Judicial Circuit, Okeechobee County, Case N0. 2007-CA-20.

ATTENDEES: Governing Board Members E. Buermann, J. Collins, S. Batchelor, G. Waldman, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt, K. Williams, F. Bartolone. (Sheryl G. Wood, ext. 6976)

Action Items (if any) Stemming from Attorney Client Session

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in B & E Ranch & Grove, LC. v. South Florida Water Management District, Nineteenth Judicial Circuit, Okeechobee County, Case No. 2007-CA-19; Chandler, et al. v. South Florida Water Management District, Nineteenth Judicial Circuit, Okeechobee County, Case No. 2007-CA-110; and Estate of Marvin Thomas, et al. v. South Florida Water Management District, Nineteenth Judicial Circuit, Okeechobee County, Case N0. 2007-CA-20. (Sheryl G. Wood, ext. 6976)

58. Attorney client session pursuant to Section 286.011(8) Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in Ann Teitelbaum, et al. vs. South Florida Water Management District, 11th Judicial Circuit, Miami-Dade County, Florida Case No. 04-21282 CA15. (Sheryl G. Wood, ext. 6976)

ATTENDEES: Governing Board Members E. Buermann, J. Collins, M. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, E. Artau, J. Nutt, P. Nettleton.

Action Items (if any) Stemming from Attorney Client Session

Attorney client session pursuant to Section 286.011(8) Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in Ann Teitelbaum, et al. vs. South Florida Water Management District, 11th Judicial Circuit, Miami-Dade County, Florida Case No. 04-21282 CA15. (Sheryl G. Wood, ext. 6976)

Adjournment

59. Adjourn