

## **REAL ESTATE DEPARTMENT EXECUTIVE SUMMARY**

- PROJECT:** District Policy Code – Section 140-10
- PURPOSE:** Amend Subsections 2 and 6, Section 140-10, Administration of Agricultural Leases
- REQUEST:** Authorize an Amendment to the District Policy Code, Subsections 2 and 6, Section 140-10 to (i) require all leases to be brought to the Project and Lands Committee a minimum of six (6) months prior to their expiration for consideration of an extension, (ii) prohibit negotiations with lessee concerning an extension prior to Project and Lands Committee’s consideration of the extension, and (iii) change delegation for approving exceptions to the policy from the “Land Resources and Construction Committee” to the “Project and Lands Committee”.

### **BACKGROUND:**

In November 2003, the Governing Board of the South Florida Water Management District ("District") established District Land Management Policies related to the Administration of Agricultural Leases in order to provide a source of revenue to offset construction project costs, defer land management costs and build public-private partnerships for the stewardship of the lands. The Policy was amended in March 2006 to revise certain language. Currently, Section 140-10(2)(a) allows for an existing lease to be renewed and the competitive bid process waived if the existing lessee meets a number of enumerated conditions set forth in Section 140-10(2)(a)(1) through (4). Staff proposes to revise the section to add a pre-condition to require staff to present all leases to the Project and Lands Committee a minimum of six (6) months prior to their expiration for consideration of an extension, and to prohibit the District from negotiating with a lessee concerning an extension prior to the Project and Lands Committee’s consideration of the matter. In addition, staff is requesting that the reference in Subsection 140-10(6) to the “Land Resources and Construction Committee” be changed to the “Project and Lands Committee”.

### **RECOMMENDATION:**

That the Governing Board of the South Florida Water Management District authorize amending Sections 2 and 6 of Section 140-10, District Policy Code, regarding administration of agricultural leases to (i) require staff to present all leases to the Project and Lands Committee a minimum of six (6) months prior to their expiration for consideration of an extension, (ii) prohibit the District from negotiating with a lessee concerning extending the lease term prior to Project and Lands Committee considering the extension, and (iii) change delegation for approving exceptions to the policy from the “Land Resources and Construction Committee” to the “Project and Lands Committee”.

Governing Board Members  
March 10, 2011  
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