

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2008 _____

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT RELATING TO PROCUREMENT RESULTING FROM EMERGENCY CONDITIONS AND AMENDING THE DISTRICT'S FISCAL YEAR 2007-2008 BUDGET; AUTHORIZING THE EXECUTIVE DIRECTOR PURSUANT TO SEC. 155-6(5)(A), SOUTH FLORIDA WATER MANAGEMENT DISTRICT POLICIES AND PROCEDURES FOR THE PURPOSE OF PROCEEDING WITH PROCUREMENT OF THE EQUIPMENT, SERVICES, AND COMMODITIES NECESSITATED BY EMERGENCY CONDITIONS CREATED BY UNPRECEDENTED LOW WATER LEVELS FOR LAKE OKEECHOBEE RESULTING IN WATER SUPPLY DISRUPTIONS AT S-351, S-352, AND S-354 AS WELL AS UNACCEPTABLE HEAD WATER DIFFERENTIALS AT DISTRICT STRUCTURES S-65E, S-71, S-72 AND S-84 AND AUTHORIZE BUDGET TRANSFERS IN AN AMOUNT NOT TO EXCEED \$32,000,000 FROM RESERVES, VARIOUS PROGRAMS AND RESOURCE AREAS AS NEEDED TO THE OPERATIONS AND MAINTENANCE PROGRAM; AMENDING THE DISTRICT'S 2007-2008 FISCAL YEAR BUDGET TO ACCOMMODATE PROCUREMENTS AUTHORIZED IN THIS RESOLUTION; RESCINDING RESOLUTION 2008-120 RELATING TO THE SAME SUBJECT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, if the Executive Director or the Executive Director's delegate determines that the procurement of services without competition is necessary in order to respond to an immediate danger to the public health, safety, welfare or other substantial loss to the

public, the Executive Director or the Executive Director's delegate may pursuant to Section 155-6(5)(a), South Florida Water Management District Policies and Procedures proceed with such procurement not to exceed \$500,000.00; and

WHEREAS, if there is a need to make procurement of services in an amount greater than \$500,000.00, the Governing Board must make a determination that emergency conditions exist;

WHEREAS, the emergency conditions necessitating this procurement also necessitate that the District's 2007-2008 fiscal year budget be amended; and

WHEREAS, the Governing Board of the South Florida Water Management District on September 25, 2007 adopted Resolution No. 2007-943 "Adoption of Budget for Fiscal Year 2007-08", and

WHEREAS, the Governing Board of the South Florida Water Management District on November 15, 2007 adopted Resolution No. 2007-1125 "Amendment of Budget for Fiscal Year 2007-08", and

WHEREAS, the Governing Board of the South Florida Water Management District on January 8, 2008 adopted Resolution No. 2008-108 "Amendment of Budget for Fiscal Year 2007-08", and

WHEREAS, the notice of intention to amend was published in the notice of the Governing Board meeting at which the Budget Amendment will be considered pursuant to Section 373.536 (4), F.S.; **now therefore**

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby determines that emergency conditions currently exist to necessitate the Executive Director or the Executive Director's delegate to proceed with procurements without competition in an amount greater than \$500,000.00 for equipment, services, and commodities necessary to prepare, maintain and repair the District structures located at S-65E, S-71, S-72, S-84 , S-351, S-352 and S-354, including but not limited to the rental, purchase, installation, operation and maintenance of temporary pumps.

Section 2. The need for all such procurements without competition is demonstrated in the attached presentation.

Section 3. The Governing Board authorizes transfers from reserves, various programs and resource areas in an amount not to exceed \$32 million to the Operations and Maintenance Program for the purpose of proceeding with procurement of the equipment, services, and commodities necessitated by emergency conditions that currently exist at S-65E, S-71, S-72, S-84, S-351, S-352 and S-354, including but not limited to the rental, purchase, installation, operation and maintenance of temporary pumps.

Section 4. To accommodate the procurements made necessary by the emergency conditions recited in this resolution, the District's fiscal year 2007-2008 budget is required to be amended as follows:

	General Fund	Special Revenue Funds	Capital Projects Funds	Internal Service Fund	Total
FY2007-08 Amended Revenues and Balances	\$208,359,201	\$291,310,905	\$787,429,197	\$7,782,442	\$1,294,881,745
<i>Amendments:</i>					
Undesignated Fund Balance		7,700,000			\$7,700,000
Operating Transfers In			7,700,000		\$7,700,000
Operating Transfers Out		(7,700,000)			(\$7,700,000)
Total Amended Revenues and Balances	\$208,359,201	\$291,310,905	\$795,129,197	\$7,782,442	\$1,302,581,745
Encumbrances Funded by Fund Balance	19,736,996	75,482,106	160,052,876	21,694	\$255,293,672
Encumbrances Funded by Future Revenue		8,637,882	11,703,431		\$20,341,313
Total Amended Sources	\$228,096,197	\$375,430,893	\$966,885,504	\$7,804,136	\$1,578,216,730
FY2007-08 Amended Appropriations	\$208,359,201	\$291,310,905	\$787,429,197	\$7,782,442	\$1,294,881,745
<i>Amendments:</i>					
Managerial Reserves Operations and Maintenance			7,700,000		\$7,700,000
Total Amended Appropriations	\$208,359,201	\$291,310,905	\$795,129,197	\$7,782,442	\$1,302,581,745
Reserved for Encumbrances	19,736,996	84,119,988	171,756,307	21,694	\$275,634,985
Total Amended Appropriations & Encumbrances	\$228,096,197	\$375,430,893	\$966,885,504	\$7,804,136	\$1,578,216,730

Section 5. This resolution rescinds Resolution No. 2008-120 relating to the same subject and shall take effect immediately upon adoption.

Section 6. Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this _____ day of _____, 2008.

South Florida Water
Management District, BY ITS
GOVERNING BOARD

By:

ATTEST:

District Clerk

Approved as to form:

By:
