GOVERNING BOARD MONTHLY MEETING
EXECUTIVE SUMMARY AGENDA

This meeting is open to the public
January 15, 2015
9:00 AM
Murray Nelson Government Center
102050 Overseas Highway
Key Largo, FL 33037

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 - Dan O'Keefe, Chairman, Governing Board
2. Pledge of Allegiance - Dan O'Keefe, Chairman, Governing Board
3. Local Government Officials - Dan O'Keefe, Chairman, Governing Board
4. Agenda Revisions - Jacki McGorty, District Clerk
5. Abstentions by Board Members from items on the Agenda
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.

7. Public Comment on Consent Agenda
8. Pull Items for Discussion from Consent Agenda
9. Board Comment on Consent Agenda
10. Approval of the Minutes for the December 11, 2014, Governing Board Regular Business meeting held in West Palm Beach, Florida.
12. Regulatory Consent Items
   - Consent Orders
     - Park Square Homes; Sonoma Resort - Phase 1 (Osceola County) - Settlement of an enforcement action regarding unauthorized off-site discharge into Shingle Creek.
     - Avatar Properties, Inc.; Waterview - Phase 3 Mod & Lot Size (Osceola County) - Settlement of an enforcement action regarding unauthorized off-site discharge into adjacent wetlands.
   - Conservation Easements, Amendments and Releases
     - City of Pembroke Pines, City of Pembroke Pines F P L Easement Parking (Broward County) - Staff recommends the approval of a request for the release of a 32.48 acre existing conservation easement related to the Pembroke Pines City Hall Additional Parking project in the City of Pembroke Pines (City) in Broward County. On July 5, 2011, to offset wetland impacts associated with the City Hall Additional Parking project, the District issued Environmental Resource Permit No. 06-06270-P authorizing the construction of a 32.48 acre wetland mitigation area at the offsite Raintree development. While the conservation easement was subsequently recorded, construction of the offsite permitted wetland mitigation area was never initiated. The City has now applied to both modify the onsite parking design (Application Number 140718-2) and to relocate the required wetland mitigation area to the offsite Foxcroft Property (Application Number 141125-11). Therefore, the 32.48 acre existing conservation easement is requested to be released.
Reef Enterprizes, LLC, Enclave on Riviera (Monroe County) - Staff recommends the approval of a request for the release of a 3.23 acre existing conservation easement for the Enclave on Riviera project located in the City of Key West in Monroe County. On June 8, 2010, the District issued Environmental Resource Permit (ERP) No. 44-00460-P (Application No. 080509-15) for construction of the Chabad of Key West institutional development on a 4.25 acre parcel. This ERP authorized wetland impacts, on-site wetland mitigation and wetland preservation. Subsequently a 3.23 acre conservation easement over the wetland mitigation, buffer, and preservation areas was recorded with Monroe County. On October 31, 2013, the District received an application (Application No. 131031-3) requesting to transfer the ERP to the new property owner, modify the ERP for construction of the Enclave on Riviera multi-family residential development, and release the recorded conservation easement. Based upon more detailed site specific environmental information for the site, a new modified conservation easement will be recorded as part of the pending application that is being processed for the Enclave on Riviera.

13. Resolution No. 2015 - 0101 Approve release of canal and mineral reservations. (RE, Kathy Massey, ext. 6835)

Summary:
The District has jurisdiction over certain reserved rights to construct canal and road right of ways, and mineral rights, together with the right of ingress, egress and exploration. Applications requesting releases of these reservations are routinely received from landowners, attorneys, title companies and lending institutions, who consider the reservations to be title defects. Applications are reviewed by appropriate District staff and applicable local governmental agencies to determine that there is no present or future need for the reservations.

Staff Recommendation:
Staff recommends approval of the following:

- Release of District canal reservations for Boynton Beach Associates XXIV, LLLP, a Florida limited liability limited partnership, (File No. 18608) for 412.13 acres in Palm Beach County
- Release of District mineral reservations for Steven Clunk and Priscilla Campbell, Husband and Wife (File No. 18607) for 0.65 acres in Palm Beach County

14. Resolution No. 2015 - 0102 Approve the release of portions of two Irrigation, Drainage and Crossing Easement Agreements encumbering 0.36 acre, more or less, located in Sections 34, 35 and 36, Township 42 South, Range 30 East and Section 31, Township 42 South, Range 31 East, Glades County, adjacent to the Caloosahatchee River Basin Water Quality Treatment & Testing Facility Project; to the Florida Department of Transportation. (RE, Ray Palmer, ext. 2246)

Summary:
The Florida Department of Transportation (FDOT) is implementing its State Road 80 Project F.P. No.: 4082865, in Glades County, which includes widening of State Road 80 and modifications of the existing bridges over Barron Water Control District’s Canals C-2 and C-3 located adjacent to the Caloosahatchee River Basin Water Quality Treatment & Testing Facility Project (SFWMD’s project). FDOT has determined that it is necessary to obtain a release of easement interest comprising
0.36 acre, more or less, from South Florida Water Management District (SFWMD) of its interest in the Barron Water Control District Canals C-2 and C-3 (bridge release parcels) located adjacent to the SFWMD’s project (see attached map). FDOT has filed eminent domain proceedings against the SFWMD to obtain such easement interests. SFWMD staff has reviewed FDOT’s request and determined that releasing these parcels will have no impact on present or future use of SFWMD’s project. SFWMD and FDOT staff have agreed to the release of bridge release parcels contingent upon a) payment to SFWMD of $1,000 application fee, b) FDOT acquiring fee title to the bridge release parcels from Barron Water Control District; c) dismissal with prejudice of SFWMD from eminent domain proceedings filed in Glades County; and d) compliance with these requirements by, but no later than, March 9, 2015.

Staff Recommendation:
Approve the release of portions of two Irrigation, Drainage and Crossing Easement Agreements encumbering 0.36 acre, more or less, located in Sections 34, 35 and 36, Township 42 South, Range 30 East and Section 31, Township 42 South, Range 31 East, Glades County, adjacent to the Caloosahatchee River Basin Water Quality Treatment & Testing Facility Project; to the Florida Department of Transportation; providing an effective date.

15. Resolution No. 2015 - 0103 Authorizing a one (1) year agreement with the City of Naples in an amount not to exceed $325,000 for construction of the Lake Manor Restoration project, for which dedicated Big Cypress Basin ad valorem funds are budgeted; providing an effective date. (Agreement No. 4600003151) (BCB, Lisa Koehler, ext. 7603)

Summary
Since FY06, the District has provided financial assistance to local governments within the Big Cypress Basin for flood control, natural system restoration, water quality improvement, and alternative water supply projects that meet objectives of the Big Cypress Basin 5-Year Strategic Plan. This item is being brought before the Governing Board for authorization by resolution to enter into a one-year cost share agreement with the City of Naples, which has requested financial assistance for restoration of Lake Manor.

Lake Manor is a 5-acre stormwater lake within the City of Naples that receives runoff from the surrounding 81-acres. Lake Manor discharges to nearby Gordon River which empties into Naples Bay. Naples Bay has been identified as an impaired water body with respect to dissolved oxygen, fecal coliform, copper, iron, and mercury in fish tissue. An accumulation of organic detritus within Lake Manor has created a muck layer that has impaired pollutant removal abilities of the lake. Based on water quality monitoring data available since 2008; the City of Naples has determined that significant reductions in loading of total nitrogen, total phosphorus, fecal coliform, copper, and suspended solids to Naples Bay can be achieved through restoration of Lake Manor. The estimated total project cost for Lake Manor Restoration is approximately $1.3 million.

Staff Recommendation
Staff recommends execution of a one-year Agreement (4600003151) that will provide up to $325,000 or 25% of actual eligible project costs, whichever is less, to the City of Naples for Lake Manor Restoration.
16. **Resolution No. 2015 - 0104**  Authorize entering into a 3-year cooperative agreement with the University of Florida Institute of Food and Agricultural Sciences for the C-111 Spreader Canal Western Project Groundwater Monitoring and Analysis in the amount of $381,874, of which $145,583 are budgeted; and the remainder is subject to Governing Board approval of the FY16-17 budgets; providing an effective date. (Contract Number 4600003189) (EPC, Matt Morrison, ext. 6844)

**Summary**
The U.S. Army Corps of Engineers (USACE) issued a Section 404 permit under the Clean Water Act for the C-111 Spreader Canal Western Project on October 14, 2009. Special Conditions 7 and 9 of the permit require the District to conduct hydrometeorological monitoring as identified in the Project Monitoring Plan - Annex E of the January 2011 Final Integrated Project Implementation Report and Environmental Impact Statement (FPIR/EIS) and ensure that operation of project features do not adversely affect adjacent agricultural lands. The University of Florida Institute of Food and Agricultural Sciences (IFAS) is specifically designated as the organization to conduct this work by reference in the monitoring plan. This agreement provides for the continuation of one of the monitoring elements required by permit and described in Annex E of the FPIR/EIS. Specifically, IFAS will develop soil water retention curves and correlate soil moisture data to local groundwater levels and canal stages in areas east of the C-111 Spreader Canal Western Project.

**Staff Recommendation**
Staff recommends approval of this contract with IFAS. The work is required by permit, determines the effects of the project and addresses concerns from agricultural interests on project operations and local agricultural production.

17. **Resolution No. 2015 - 0105**  Approving the Underwriting Team for a period of five years for the purpose of marketing the Certificates of Participation (COPs) and other debt instruments to be issued in order to refund the current Certificates of Participation. (AS, Lucie Weinberg, ext. 2808)

**Summary**
In an effort to reduce recurring annual debt service payments, the District has issued an RFP to update its financial underwriters listing; which puts us in position to advance refund a portion or all of the outstanding Series 2006 COPs depending on market conditions. These COPs were issued to provide for the lease-purchase financing of the acquisition, construction, installation and equipping of certain facilities and improvements to land for the restoration, protection and preservation of the Everglades ecosystem; primarily the expansion of STA 2, expansion of STA 5/6, and the construction of the EAA A-1 Flow Equalization Basin. The selected financial underwriters will assist in the structuring and timing of fixed rate COP transactions.

**Staff Recommendation**
Staff recommends approval of this ranked list of underwriters.

18. **Resolution No. 2015 - 0106**  Approving the update to Chapter 130 of the District Policies Code, reducing the seventeen page policy to two pages, addressing the administration, responsibilities, and appropriate use for all Information Technology resources. (AS, Duane Piper, ext. 2638)

**Summary**
A minor revision to the Information Technology Policy was adopted in March 2012;
however, the last comprehensive revision was in March 2008. The policy must be revised to simplify the language while remaining applicable as information technology continuously evolves. Therefore, the seventeen page policy was reduced to two pages addressing the administration, responsibilities, and appropriate use for all Information Technology resources.

**Staff Recommendation**
Staff recommends approving the new Information Technology Policy to explain the administration, responsibility, and appropriate use regarding all District Information Technology resources.

19. Board Vote on Consent Agenda
20. General Public Comment
21. Board Comment
Discussion Agenda

22. Technical Reports
   A) Water Conditions Report - Jeff Kivett, Division Director, Operations, Engineering and Construction Division (ext. 2680)

   B) Ecological Conditions Report - Terrie Bates, Division Director, Water Resources Division (ext. 6952)

23. Operations, Maintenance and Construction Update (part 3) - Jeff Kivett, Division Director, Operations, Engineering and Construction Division (ext. 2680)

Summary
The presentation will be the third in a series of presentations detailing OMC’s Field Operations and Maintenance. Last month’s presentation highlighted the District’s progression from past, present and just touched on the future of maintaining and operating the infrastructure. This month will cover how we are looking at efficiencies that can be utilized to continue improving the District's Water Management System and associated assets through logistics and technology.

Staff Recommendation
This item is for information only; no action is required.

24. Resolution No. 2015 - 0107 Approving the finalized Inter-Local Agreement with other agency/governmental partners for the expanded Indian River Lagoon National Estuary Program. (Contract No. 4600003137) (EXO, Dan DeLisi, ext. 6232)

Summary
The Indian River Lagoon National Estuary Program (IRL NEP) was established in 1990 through the Environmental Protection Agency’s (EPA) designation of the IRL as an “estuary of national significance.” The IRL NEP provides a non-regulatory, stakeholder-driven, collaborative approach to coastal watershed restoration and protection. In 1991, a Management Conference was established to guide development of the IRL NEP Comprehensive Conservation Management Plan (CCMP) and its future implementation. The St. Johns River Water Management District (SJRWMD) was selected as IRL NEP’s local sponsoring agency and has provided administrative, personnel and facility support to the IRL NEP since its inception in 1991.

In August 2014, the SFWMD Governing Board was briefed on proposed organizational changes designed to increase community participation and expand project opportunities. In September 2014, the Governing Board approved an initial investment of funds and was updated on development of an Inter-local Agreement.

In December 2014, the IRL NEP advisory board, an interagency and stakeholder body that oversees the program, reviewed and approved the finalized Inter-local Agreement presented here. The Agreement increases community participation and expands project opportunities to benefit the IRL. It also creates the Indian River Lagoon Council, an entity under Chapter 163, Florida Statutes, to oversee the...
revised and expanded IRL NEP program. This month staff is requesting Governing Board approval of the finalized Inter-local Agreement.

**Staff Recommendation**
Staff recommends approval of this item as the project leverages state dollars with federal and local cost-share funds to implement water resource projects/programs that directly benefit the Indian River Lagoon.


**Summary**
Staff will provide a status update on the ongoing rule development process associated with the Kissimmee Basin Water Reservations. An integral component of the Kissimmee River Restoration Project (KRRP) is the protection of water for fish and wildlife. The water identified for fish and wildlife will be protected through a water reservation as authorized by Florida law. The KRRP will restore over 40 square miles of river/floodplain ecosystem including 43 miles of meandering river channel and 27,000 acres of wetlands and is a joint partnership between the District and U.S. Army Corps of Engineers (USACE). Consumptive use permitting rules for potential allocation of water supplies above that needed for the protection of fish and wildlife are proposed and may play a role in developing future water supply for the Central Florida Water Initiative area.

**Staff Recommendation**
This item is for information only; no action is required.

26. **Resolution No. 2015 - 0108**
Authorize entering into a 300 day contract with Florida Design Contractors, Inc., the lowest responsive and responsible bidder, for the Information Technology Shelters Replacement Project Central Package, for a total amount of $2,344,000, for which ad valorem funds are budgeted in FY15. (Contract number 4600003192) (OEC, John P. Mitnik, P.E., ext. 2679)

**Summary**
The District operates and maintains an expansive water management network of canals and levees, including pump stations and water control structures. The data obtained from this infrastructure is relayed via communication towers and network systems. As communication towers and equipment are being upgraded, shelters at four (4) locations including Clewiston Field Station, West Palm Beach Field Station, S5A Pump Station, and ACME Tower Site, need to be replaced as the existing shelters do not have the capacity to allow for further expansion to accommodate any equipment upgrades.

The project is located in Palm Beach County and Hendry County. It consists of installing five (5) precast concrete buildings and integrating or installing emergency power to these new buildings. The IT equipment integration will be completed by the District.

**Staff Recommendation**
Staff recommends approval to enter into a 300 day contract in the amount of $2,344,000 with Florida Design Contractors, Inc., the lowest responsive and
27. Resolution No. 2015 - 0109 Authorize entering into a 425 day contract with Mitchell & Stark Construction Co., Inc. For The C-43 Reservoir Early Start Demolition and Berm Construction Project, in the amount of $1,937,860, for which $1,937,860 of dedicated funds (Save Our Everglades Trust Fund and/or State Appropriations) are budgeted in FY15. (Contract number 4600003193) (OEC, John P. Mitnik, P.E., ext. 2679)

Summary
The Caloosahatchee River C-43 West Basin Storage Reservoir project was authorized in the Water Resources and Reform Development Act (WRRDA) 2014 facilitating the ability of the state to move forward with early start construction of the authorized project. The C-43 Early Start project will initiate efforts to begin realizing the benefits of the Caloosahatchee River (C43) West Basin Storage Reservoir. The Early Start project will consist of a temporary storage facility located in the southwest corner of the Reservoir project site with an objective to provide interim shallow storage on the site.

This phase of the Early Start project involves demolition of existing features (buried pipes, underdrains, culverts and above ground facilities) along an east - west alignment that is approximately 15,000 feet long and approximately 100 feet wide. Within the same footprint, this phase includes the construction of the north berm, which will be approximately 3 miles in length and will provide the northern boundary for the 3,500 acre impoundment. The height of the berm will range between 3 feet to approximately 8 feet and provide a maximum resulting pool depth of 4 feet.

Staff Recommendation
Board approval is requested at the January Governing Board meeting to initiate construction of the north berm of the C-43 Early Start Project. Not implementing the Caloosahatchee River (C-43) West Basin Storage Reservoir - Early Start Project will delay the ability to capture runoff from the basin and regulatory releases from Lake Okeechobee in order to improve timing, quantity, and quality of freshwater flows to the river and estuary.

28. Healthcare Insurance Update - Doug Bergstrom, Division Director, Administrative Services Division (ext. 6214)

Summary
Cam Potter of Aon Hewitt Benefits Consulting will be on-hand to present Aon’s Health Plan Analysis and key findings/recommendations for the District’s insurance benefits program.

Staff Recommendation
This item is for information only; no action is required.

29. General Public Comment
Public Hearing


Summary:

Highlights
The 2015 SFER - Volume II, Chapter 6A presents the 2015 Florida Forever Work Plan. This chapter identifies projects eligible for funding under the Florida Forever Act (Section 259.105, Florida Statutes) as well as projects eligible for land acquisition funding from state-appropriated accounts or trust funds under Section 373.139(3)(c), Florida Statutes. Land acquisition activity during FY2014 is also provided in this chapter, while the land acquisition status of Florida Forever/Save Our Rivers (FF/SOR) projects is presented in Chapter 6B of this volume.

Work Plan Updates
There were 46 eligible projects identified under the Florida Forever Program, Northern Everglades and Estuaries Protection Program, Comprehensive Everglades Restoration Plan, and other water resource projects.

Four of the projects were added for implementation of Restoration Strategies:
- Stormwater Treatment Area 1W Expansion
- Lainhart & Masten Dam Conveyance
- Bolles Canal (G-341)
- G-716 Structure Expansion (S-375)

Several project modifications were made:
- The Indian River Lagoon - South, Palmar Complex - Natural Storage and Treatment Area feature was updated in accordance with the December 11, 2014 adopted amendment to 2014 Florida Forever Work Plan modifying the project boundary.
- The C-111 South Dade Project boundary was modified to incorporate approximately 6,020 acres associated the Southern Glades, FF/SOR project and approximately 5,274 acres associated within the Frog Pond, FF/SOR project for the purpose of Everglades restoration and flood protection.
- The Sam Jones/Abiake Prairie has been established as a FF/SOR project, using approximately 15,000 acres of previously acquired District-owned lands, to provide hydrologic benefits to groundwater, surface water and water supply, once the lands are restored as part of the C-139 Annex Restoration Project.
Staff Reports

31. Monthly Financial Report - Doug Bergstrom, Division Director, Administrative Services Division

32. Executive Director's Report - Blake Guillory
   • Report of permits issued by authority delegated to the Executive Director from December 1-31, 2014.

33. Board Comment
Attorney Client Sessions

34. Attorney Client Session - USA - **ITEM DELETED**

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2013), 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.


**Action Items, (if any), Stemming from Attorney/Client Session**

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2013), 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. (Kirk Burns, ext. 6546)

35. Adjourn