



South Florida Water Management District

GOVERNING BOARD MEETING MINUTES

May 10, 2007

9:00 AM

District Headquarters - B-1 Auditorium

3301 Gun Club Road

West Palm Beach, FL 33406

Members Present:

Eric Buermann, Chair

Michael Collins

Charles Dauray

Shannon Estenoz

Nicolás Gutiérrez, Vice-Chair

Lennart Lindahl

Kevin McCarty,

Harkley Thornton

Malcolm Wade

1. **Call to Order** - Kevin McCarty, Chair, Governing Board

Chair McCarty called the meeting to order at 9:12 am.

2. **Pledge of Allegiance** - Kevin McCarty, Chair, Governing Board

Len Lindahl led the group in the pledge of allegiance.

3. **Administer Oath of Office**

Jacki McGorty, District Clerk, swore in Governor's Crist's recommendation for a new Governing Board member. Ms. Shannon Estenoz is the new appointment. All Governing Board appointments must be confirmed by the Florida Senate. Chair McCarty recognized Miya Burt-Stewart, who was not in attendance, for serving on the South Florida Water Management District Governing Board.

4. **Employee Recognition**

Carol Wehle, Executive Director, recognized the May 2007 Employee of the month and the May 2007 Team of the month.

An update of the sub-tropical storm Andrea was provided.

5. **Agenda Addendum**

Jacki McGorty, District Clerk, read into the record the agenda addendum. Copies were made available to the public.

6. Water Resource Advisory Commission Update - Michael Collins, Chair

Mike Collins provided an update on WRAC Lake Okeechobee Committee meeting which was held on 4/25/07 in Okeechobee, FL and also provided a WRAC meeting update which was held on 5/3/07.

Mr. Collins requested the June WRAC meeting take place in Broward County.

Ms. Estenoz agreed.

Mr. Collins reported on WRAC memberships and that the appointments needed to be filled by the Governing Board.

Ken Ammon provided information on the City of Weston.

Ms. Estenoz requested a briefing with Mr. Ammon regarding the City of Weston.

7. Abstentions by Board Members from items on the Agenda

Eric Buermann abstained from Regular Consent Agenda Item 35, City of Naples.

Malcolm Wade abstained from Item 12, Page 5, #1, Dease Pasture-Nicodemus(061213-12); Discussion Agenda Item 51 #D, Discussion Agenda Item 51 #E, and Public Hearing Agenda Item 57.

8. Pull Items for Discussion from Governing Board Meeting Agenda

No items were pulled from the Consent agenda to the Discussion agenda.

9. Public Comment on Consent Agenda

Public Comment: Rosa Durando, Audubon of Florida, Lake Worth provided comment on Wellington Golf and Country Club (070212-21, Item 12, page 18 #5)and The President Country Club (061218-14, Item 12, page 17 #4). She opposes increased water allocations for these golf courses.

10. Board Comment on Consent Agenda

There was no Board comment on the Consent Agenda.

Consent Agenda

Water Resources

- 11.** Right of Way Occupancy New Permits
Right of Way Occupancy Permit Modifications
Right of Way Occupancy Permit Applications for Denial
Right of Way Occupancy Permit Requests with Waiver of District Criteria

12. Water Use Permit Applications

Surface Water Management Permit Applications (includes Conservation Easements)

Environmental Resource Permit Applications (includes Conservation Easements)

Everglades Works of the District Permit Applications

Denials

Surface Water Management Permit Extensions

Environmental Resource Permit Extensions

Consent Agreements

Page 1 No 2 Deer Creek Golf Course (WU): **Postponed** to June Board

Page 1 No 3 Fort Lauderdale Country Club (WU): **Postponed**

Page 1 No 4 Northern Broward County Recharge System (WU): **Postponed** to June Board

Page 2 No 5 Woodlands Country Club (WU): **Postponed** to June Board

Page 19 No 1 Becker Groves B-10 (WU): **Removed** from agenda

Page 19 No 3 Fort Pierce Utilities Authority (WU): **Postponed** to July Board

Page 19 No 4 Tesoro (WU): **Postponed** to August Board

Page 22 No 1 Westport WWTF/Tesoro Reuse (WU Denial): **Postponed** to June Board

- 13.** Authorize publication of a Notice of Rulemaking in the Florida Administrative Weekly (FAW) to amend Chapters 40E-4 and 40E-400, Florida Administrative Code (F.A.C.) to develop Exemptions for minor roadway safety projects and recreational paths, and to modify activities to be granted Noticed General Permits to the Florida Department of Transportation, Counties and Municipalities for minor bridge alteration, replacement, maintenance and operation and for minor activities within existing Rights-of-way or Easements (Damon Meiers, ext 6876)

- 14.** Authorize publication of a Notice of Rule Development in the Florida Administrative Weekly (FAW) to amend the Districts rules to incorporate unified stormwater permitting rules proposed by the Department of Environmental Protection for inclusion in 62-347, F.A.C. (Damon Meiers, ext 6876)

15. Authorize publication of the Notice of Rulemaking in the Florida Administrative Weekly (FAW) and adopt proposed amendments, subject to no request being made for a public hearing within 21 days of publication of the Notice, to: 1) amend Rules 40E-40.051 and 40E-40.061, F.A.C., to include Regulatory Managers as one of those delegated or appointed by the Governing Board to review and take final agency action on all general environmental resource and surface water management permit applications issued under 40E-1, 40E-40, and 40E-400, F.A.C., and associated Sovereign Submerged Lands authorizations; 2) amend Rules 40E-4.041, 40E-4.042, 40E-4.091, 40E-4.301, 40E-4.302, 40E-4.361 and 40E-4.381, F.A.C., to update references to the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District (BOR); 3) correct clerical errors in Section 4.2.8 and Appendix 2 of the BOR; and 4) amend Rule 40E-1.659, F.A.C., and the District's forms incorporated therein to reflect service center changes (Anita Bain, ext 6866)

16. **2007-500** A Resolution of the Governing Board of the South Florida Water Management District releasing a Partial Release of Conservation Easement for a project known as Shallowford Estates (Lee County); providing an effective date (Anita Bain, ext 6866)

17. **2007-501** A Resolution of the Governing Board of the South Florida Water Management District approving a Release of Conservation Easement for a project known as Lake Forest Park (St. Lucie County); providing an effective date (Anita Bain, ext 6866)

18. **2007-502** A Resolution of the Governing Board of the South Florida Water Management District approving an Interagency Agreement between the St. Johns River Water Management District (SJRWMD) and the South Florida Water Management District (SFWMD) for proposed improvements to SR 528 in Orange County that will cross the jurisdictional boundaries of the SJRWMD and the SFWMD and that will require an Environmental Resource Permit; providing an effective date (Anthony Waterhouse, ext 6867)

19. Approve extending the term of a temporary Water Use Permit for Orange County Utilities (South Water Service Area) to meet the interim demands of the existing population while the renewal of permit 48-00134-W (Application 030319-12) is being finalized. The temporary permit will expire on June 14 unless renewed by the Governing Board (Keith Smith, ext 6620)

20. **2007-503** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 1 year cost share agreement with the East County Water Control District (ECWCD) for construction of a series of water quality improvement projects in the total amount of \$1,000,000, of which the District's total contribution is \$500,000 in dedicated funds (state appropriations), which is budgeted; providing an effective date. (Contract 4600000840)(Steve Sentes, ext. 7754)

21. Enter Final Orders Concurring with the Granting of Temporary Variances from Water Shortage Restrictions Imposed within the Lower East Coast, Lake Okeechobee Service Area, Upper East Coast and Lower West Coast (Terrie Bates, ext. 6952)
22. Enter Final Orders Denying Applications for Variances from Water Shortage Restrictions Imposed within the Lower East Coast, Lake Okeechobee Service Area, Upper East Coast, Lower West Coast and the Indian Prairie Water Use Basin (Terrie Bates, ext. 6952)
23. **2007-504** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 1 year cost share agreement with the City of Fort Myers for construction of a water quality park, which includes a lake and filter marsh(es) in the total amount of \$2,500,000 of which the District's total contribution is \$500,000 in dedicated funds (state appropriations), which is budgeted; providing an effective date. (Contract 460000727) (Steve Sentes, ext. 7754)

Everglades Restoration Resources

24. **2007-505** A Resolution of the Governing Board of the South Florida Water Management District approving Staff recommendations for Releases of District Canal, Mineral and Road Reservations, Releases of Trustees of the Internal Improvement Trust Fund (T.I.I.T.F.) Canal Reservations, and Issuance of Non-Use Commitments; providing an effective date. (V. Rada, x6836)
25. **2007-506** A Resolution of the Governing Board of the South Florida Water Management District to approve the purchase of land interests containing 0.12 acres, more or less, for the C-4 Flood Mitigation Project, Sweetwater Berm, Phase 4 (Belen Area), in unincorporated Miami-Dade County, in the amount of \$39,400 and associated costs, of which dedicated (FEMA) funds 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. (B. Katz, x6837)
26. **2007-507** Approve a Resolution of the Governing Board of the South Florida Water Management District authorizing entering into a cooperative agreement with Polk County for the management and ownership of a boat ramp and public use area on Lake Kissimmee, at no additional cost to the District; providing an effective date. (Contract Number 4600000643) (R. Clements, x6271)
27. **2007-508** A Resolution of the Governing Board of the South Florida Water Management District to approve joining in a reciprocal release of easement that releases any interest the District may have regarding an irrigation system agreement that encumbers District Tract No. 34100-066, and adjacent properties, in Section 6, Township 43 South, Range 39 East, Hendry County; providing an effective date. (L. Schindeler, x6838)

28. **2007-509** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 3-year contract with Florida Gulf Coast University as the sole respondent under RFP 600000081 and subject to successful negotiations, to establish a CERP ecological monitoring baseline that includes oyster health and habitat in the Caloosahatchee Estuary in an amount not to exceed \$686,085 of which dedicated funds (Comprehensive Everglades Restoration Plan Fund) in the amount of \$50,000 are budgeted and the remainder is subject to Governing Board approval of the FY08-FY10 budgets; providing an effective date. (Contract Number 4600000815) (Patty Goodman, ext. 3716)

29. **2007-510** A Resolution of the Governing Board of the South Florida Water Management District designating Stormwater Treatment Area 3/4 and Taylor Creek Stormwater Treatment Area as "Stormwater Treatment Areas", as that term is defined in Rule 40E-7.521(29), Florida Administrative Code, for purposes of Chapter 40E-7, Part V, Florida Administrative Code; providing an effective date. (R. Clements, x6271)

30. **2007-511** A Resolution of the Governing Board of the South Florida Water Management District authorizing the Executive Director to take appropriate action in the casting of South Florida Water Management District landowner votes in the June, 2007 Election for the Board of Supervisors of the Troup Indiantown Water Control District for the purpose of protecting the District's interests; providing an effective date. (R. Clements, x6271)

31. **2007-512** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a two-year contract with the Florida Department of Environmental Protection for staff support to review and process District permit applications in the not-to-exceed amount of \$615,000 for which dedicated funds (Comprehensive Everglades Restoration Plan Fund and Everglades Restoration Trust Fund) in the amount of \$100,000 are available and the remainder is subject to Governing Board approval of the FY08-FY09 budgets; providing an effective date. (Contract Number 4600000843) (John Mitnik, ext. 4014)

32. **2007-513** A Resolution of the Governing Board of the South Florida Water Management District authorizing the Executive Director to take appropriate action in the casting of District landowner votes in the June, 2007 Election for the Board of Supervisors of the Pal Mar Water Control District for the purpose of protecting the District's interests; providing an effective date. (R. Clements, x6271)

Executive Office

33. **2007-514** A Resolution of the Governing Board of the South Florida Water Management District to authorize District staff to file suit, 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 NCM Properties, LLC., Melton Grant, and any other appropriate or necessary parties, in Highlands County Circuit Court or other appropriate forum, regarding the property located in Section 1, Township 38 South, Range 30 East, Highlands County, providing an effective date. (Michael Compagno, x6842)

- 34. 2007-515** A Resolution of the Governing Board of the South Florida Water Management District to authorize District staff to file suit, 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 Hopeton Briscoe and Christopher Briscoe, and any other appropriate or necessary parties, in Highlands County Circuit Court or other appropriate forum, regarding the property located in Section 1, Township 38 South, Range 30 East, Highlands County, providing an effective date. (Michael Compagno, x6842)
- 35. 2007-516** A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to cooperative agreement 4600000626 with the City of Naples for the Naples Basin III Phase I Stormwater Management System Improvements to increase the amount of funding by \$350,000, for which dedicated funds (\$200,000 Big Cypress Basin Funds and \$150,000 State Appropriations) are budgeted; providing an effective date. (Contract 4600000626-A01; Max Guerra, ext. 7612)
- 36. 2007-517** A Resolution of the Governing Board of the South Florida Water Management District to authorize District staff to file suit or administrative complaint and take all appropriate action, including authority to settle subject to approval of the Executive Director, against The Ronto Group Inc., Sanfilco LLC, and any other appropriate or necessary parties, in the appropriate court or administrative forum to address violations of Chapter 373, Florida Statutes, Chapter 40E, Florida Administrative Code, and the improper use of District property located in Section 35, Township 47 South, Range 26 East, Lee County, providing an effective date. (Sarah Nall, x6244)
- 38. 2007-518** A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to 4500006678 with Zenith Consulting, Inc. for a SAP HR Lead Functional Consultant, from May 15, 2007 to September 30, 2008, in the amount of \$458,200, of which \$115,000 of ad valorem funds are budgeted in FY07 and the remainder is subject to Governing Board approval of the FY08 budget; providing an effective date. (Purchase Order 4500006678) (Bernardo Camarena, ext. 6421)
- 39. 2007-519** A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to 4500007059 with Zenith Consulting, Inc. for a SAP payroll/time functional consultant, from May 15, 2007 to September 30, 2008, in the amount of \$453,900, of which \$131,500 of ad valorem funds are budgeted in FY07 and the remainder is subject to Governing Board approval of the FY08 budget; providing an effective date. (Purchase Order 4500007059) (Bernardo Camarena, ext. 6421)

Corporate Resources

40. **2007-520** A Resolution of the Governing Board of the South Florida Water Management District authorizing the transfer of funds within the District Budget as shown on the attachment hereto; providing an effective date

Project Sponsor: Doug Bergstrom, ext. 6214

41. Authorize publication of the Notice of Proposed Rulemaking in the Florida Administrative Weekly for amendments to the Small Business Enterprise Rule 40E-7, Part VI, F.A.C., to clarify the South Florida Water Management Districts Procurement process as it relates to the Small Business Enterprise Rule. (Frank Hayden ext.6043)

Operations and Maintenance

42. **2007-521** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 3 year contract with 2 one year renewal options with G&K Services, Incorporated, the lowest responsive and responsible bidder, for Operations & Maintenance field personnel Uniform Services, in the amount of \$525,992.40 for which ad valorem funds of \$58,443.60 are budgeted and the remainder is subject to Governing Board approval of the FY08-FY10 budgets; providing an effective date. (Contact Number 4600000838) (Jim Goodwin, ext. 2519)

43. Board Vote on Consent Agenda

Eric Buermann abstained from Regular Consent Agenda Item 35, City of Naples.

Malcolm Wade abstained from Item 12, Page 5, #1, Dease Pasture-Nicodemus(061213-12).

Motion made by Michael Collins, seconded by Nicolás Gutiérrez to Approve the following item(s): 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, 42

Vote called. Voting yes: Michael Collins, Nicolás Gutiérrez, Eric Buermann, Charles Dauray, Shannon Estenoz, Lennart Lindahl, Kevin McCarty, Harkley Thornton, Malcolm Wade. Motion passed.

Workshop Agenda

Everglades Restoration Resources

44. **Acceler8 Update** - Tommy Strowd, Assistant Deputy Executive Director, CERP, Paul E. Dumars, Sr., Chief Financial Officer

Tommy Strowd, Assistant Deputy Executive Director, Acceler8, provided an update on engineering and construction costs for the Acceler8 projects.

45. **Hydrologic & Environmental Systems Modeling (HESM) Department Realignment into a Project Management Matrix** - Jayantha Obeysekera, Department Director, and Rich Sands, Principal Project Manager, Hydrologic & Environmental Systems Modeling Department

Jayantha Obeysekera, Director, Hydrologic & Environmental Systems Modeling Department, reported on the modeling process, the Interagency Modeling Center, and the recent improvements in modeling.

Rich Sands, Principal Project Manager, Hydrologic & Environmental Systems Modeling Department, reported on the re-alignment of the Hydrologic and Environmental Systems Modeling (HESM) Department.

Mr. Lindahl provided comment on the modeling procedures and matrix management.

Mr. Wade asked about the modeling for the Northern Everglades projects.

Mr. Obeysekera provided additional information regarding the Northern Everglades projects and the Regional Simulation Model (RSM).

46. Broward Water Preserve Areas (WPAs) Basis of Design Report Update - Michael Hind, Project Manager, CERP, SFWMD

Mike Hind, Project Manager, CERP, provided an update on the design report for Broward Water Preserve Areas (WPAs). Mr. Hind reported on the C-11 Impoundment, 3A/3B Seepage Management Area, and the C-9 Impoundment. Mr. Hind also reported on the cost estimates for these projects.

Ms. Estenoz provided comment on growth management, Everglades Restoration, and the Broward Water Preserve Area projects.

67. Acceler8 Small Business and Workforce Development - Alvin Jackson

Alvin Jackson, Outreach Manager, Nova Consulting, Inc., provided information on the Acceler8 workforce training for small businesses.

Mr. Jackson reported on the local and labor approaches and the successes for this job training. Mr. Jackson also reported on the small businesses that are participating in this program.

Mr. Wade commended Mr. Jackson for his dedication to this program.

Ms. Estenoz also commended Mr. Jackson on this outstanding initiative.

Executive Office

47. Presentation of the Districts Comprehensive Annual Financial Report - Tony Brunson and Kevin Adderley, Sharpton Brunson & Company; P.A.

Mr. John Williams, Inspector General, introduced Tony Brunson and Kevin Adderley of Sharpton Brunson & Company and requested approval of the Annual Financial Report.

Tony Brunson, Senior Audit Partner, Sharpton Brunson & Company, Inc., provided information on the District's Comprehensive Annual Financial Report. A copy of the report was provided to each Governing Board member.

Mr. Brunson provided the highlights of the audit.

Kevin Adderley, Senior Manager, Sharpton Brunson & Company, reported on the audit recommendations.

Motion made by Nicolás Gutiérrez, seconded by Malcolm Wade to Approve the following item(s): 47

Vote called. Voting yes: Nicolás Gutiérrez, Malcolm Wade, Eric Buermann, Michael Collins, Charles Dauray, Shannon Estenoz, Lennart Lindahl, Kevin McCarty, Harkley Thornton. Motion passed.

Corporate Resources

48. Presentation of Mid-year Status of the FY2007 Annual Work Plan, and Approve Mid-Year Annual Work Plan Changes - Doug Bergstrom, Director, Budget Division (ext. 6214)

Doug Bergstrom, Director, Budget Division, presented introductory information on the financial status for the eleven District programs.

George Horne, Deputy Executive Director, Operations & Maintenance, reported on the financial and work plan status of Operations & Maintenance.

Ken Ammon, Deputy Executive Director, Everglades Restoration, reported on the financial and work plan status for CERP, Acceler8 and the Land Stewardship programs.

Chip Merriam, Deputy Executive Director, Water Resources, reported on the financial and work plan status for the District Everglades Program, the Regulation program, the Water Supply Program, the Coastal Watersheds program, the Lake Okeechobee program, the Modeling and Scientific Support program, and the Kissimmee Watershed Program.

Sandra Turnquest, Deputy Executive Director, Corporate Resources, reported on the financial and work plan status for the Mission Support Program.

Mr. Wade requested Mr. Merriam consolidate data for the Everglades Consolidated Report.

Mr. Collins provided comment on scientific methods and the PEER Review Panel.

Motion made by Michael Collins, seconded by Nicolás Gutiérrez to Approve the following item(s): 48

Vote called. Voting yes: Michael Collins, Nicolás Gutiérrez, Eric Buermann, Charles Dauray, Shannon Estenoz, Lennart Lindahl, Kevin McCarty, Harkley Thornton, Malcolm Wade. Motion passed.

49. Review and Distribution of Draft District FY 2008 - 2017 Strategic Plan - Tom Olliff, Assistant Executive Director (ext. 2132)

Tom Olliff, Assistant Executive Director, presented information on the strategic plan with additional initiatives. Those included in the Strategic Plan are:

- Northern Everglades.
- Drought Management.
- Transitioning from A8 to Environmental Construction.
- System wide vs. project-by-project approach.
- Added responsibility - stretching staffing.
- Fiscal Constraints.

Mr. Olliff reported on the priorities which are:

- Expedite Everglades Restoration by advancing construction schedules of key projects.
- Achieve Everglades water quality standards by implementing the Long Term Plan.
- Protect and restore the natural systems in the Northern Everglades by increasing storage capacity and water quality treatment.
- Refurbish the regional water management system by implementing the 50-year plan.
- Meet the current and future demands of water users and the environment through implementation of regional water supply plans.
- Retain and recruit high quality, diverse workforce by continuing to recognize the value of employees.

Mr. Wade requested a Taskforce which would consist of different agencies coordinating a Drought Management Plan.

Motion made by Michael Collins, seconded by Nicolás Gutiérrez to Approve the following item(s): 49

Vote called. Voting yes: Michael Collins, Nicolás Gutiérrez, Eric Buermann, Charles Dauray, Shannon Estenoz, Lennart Lindahl, Harkley Thornton, Malcolm Wade. Not present: Kevin McCarty. Motion passed.

Discussion Agenda

Water Resources

50. Water Conditions Report - Susan Sylvester

A. Water Conditions & Outlook (Susan Sylvester)

B. System wide monitoring plan and weekly water conditions, analysis and trigger evaluation (Sharon Trost)

Susan Sylvester, Director, Operations Control, Operations & Maintenance, provided an overview of the District's water conditions.

Chip Merriam, Deputy Executive Director, Water Resources, reported on a deviation request and an environmental impact statement process for the next dry season.

Sharon Trost, Department Director, Information Technology, and part of the Emergency Operations Center Management Team, due to her knowledge & experience as a Hydrogeologist, reported on the Water Shortage Emergency Unified Command Team. Ms. Trost reported on groundwater and surface water monitoring, and wellfield pumpage.

Ms. Trost also reported on the monitoring in the Kissimmee, Lower West Coast, Lower East Coast and the Upper East Coast regions.

51. **2007-522** Water Shortage Emergency Update & Action Items including, but not limited to, imposing increased restrictions in areas presently under water shortage restrictions, if necessary, additional water shortage declarations, Lake Okeechobee environmental enhancement project contracts and / or any other necessary actions to address the water shortage conditions. (Terrie Bates, ext 6952)

A. A resolution of the Governing Board of the South Florida Water Management District to authorize entering into contracts under the emergency procurement procedure and authorize transfer of ad valorem and Water Management Lands Trust Funds in an amount not to exceed \$7.2 million from managerial reserves and other District programs to the Lake Okeechobee Program as necessary for muck removal while drought conditions persist. (Susan Gray, ext 6919)

B. A resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 6 month cooperative agreement with the City of Belle Glade for dredging services in the Belle Glade Marina, in the amount of \$325,000, which is unbudgeted, and is subject to approval of budget transfers from funding to be identified for drought related emergency activities; providing an effective date. (Kim O'Dell, ext. 2650)

C. Enter a Final Order concurring with the Executive Director's Emergency Order for the Purpose of Immediate Water Supply Relief for the City of West Palm Beach, Florida (Order No. 2007-101-DAO WU).

D. Enter a Final Order extending the Irrigation Permit Basin Application and Expiration dates for the Lake Okeechobee Basin to October 30, 2008 and February 28, 2009 respectively.

E. Authorize publication of a Notice of Rule Development in the Florida Administrative Weekly to amend Chapter 40E-2 and 40E-20, F.A.C., and the Basis of Review for Water Use Applications Within the South Florida Water Management District, incorporated therein, to extend Irrigation Permit Basin Application and Expiration dates for the Lake Okeechobee Basin.

F. Approve Consent Agreements resolving water use violations, including the payment of fines, and authorizing the temporary withdrawal of water regarding minor standard general consumptive use permits, major standard general consumptive use permits and individual consumptive use permits subject to conditions.

1. Approve Consent Agreements resolving water use violations, including the payment of fines, and authorizing the temporary withdrawal of water for Heritage Green Golf Enterprise for a project known as Arrowhead Golf Course (Application No. 060926-32) and Martin Downs Country Club for a project known as Crane Creek / Osprey Ridge (Application No. 061026-18).

2. Enter an Order authorizing the temporary withdrawal of water for Sun Groves Miami, Inc. for a project known as Sun Groves Miami (Application No. 070214-24).

G. A Resolution of the Governing Board of the South Florida Water Management District delegating to specified staff the authority to enter into and execute Consent Orders resolving water use violations, including the payment of fines, and authorizing the temporary withdrawal of water regarding minor standard general consumptive use permits, major standard general consumptive use permits and individual consumptive use permits subject to conditions, in light of the ongoing drought conditions; providing an effective date.

H. Enter a Final Order concurring with the Executive Director's Modification of Declaration of Emergency Modified Phase II Severe Water Shortage Restrictions (modifying Order No. 2007-056-DAO-WS) within Martin, Palm Beach, Broward, Miami-Dade, and Monroe Counties

I. Enter a Final Order concurring with the Executive Director's Modification of Declaration of Emergency Modified Phase II Severe Water Shortage Restrictions (modifying Order No. 2007-060-DAO-WS) within Lee, Glades, Hendry, Collier, and portions of Charlotte Counties

Terrie Bates, Assistant Deputy Executive Director, Water Resources, reported on the Water Shortage Emergency Actions.

Public Comment: Elise Ryan, representing the Florida, Nursery, Growers, Landscape Association (FNGLA), thanked District staff for their continued support and reported on the adverse economic impact to Florida nurseries.

Public Comment: Michelle Diffenderfer, representing Lake Worth Drainage District, provided comment on water needs, diversion and impoundment, and wells.

Public Comment: John Adornato representing the National Parks Conservation Association, supports Phase III water restrictions for Broward and Palm Beach Counties.

There were nine individual votes for Agenda Item 51.

Item 51, A: Motion made by Malcolm Wade and seconded by Nicolás Gutiérrez to approve Item A, Agenda Item 51. Vote called. Voting Yes: Buermann, Estenoz, Wade, Lindahl, Collins, McCarty, Gutiérrez, and Dauray. Not present: Harkley Thornton. Motion passed.

Item 51, B: Motion made by Malcolm Wade and seconded by Nicolás Gutiérrez to approve Item B, Agenda Item 51. Vote called. Voting Yes: Buermann, Estenoz, Wade, Lindahl, Collins, McCarty, Gutiérrez, and Dauray. Not present: Harkley Thornton. Motion passed.

Item 51, C: Motion made by Malcolm Wade and seconded by Lennart Lindahl to approve Item C, Agenda Item 51. Vote called. Voting Yes: Buermann, Estenoz, Wade, Lindahl, Collins, McCarty, Gutiérrez, and Dauray. Not present: Harkley Thornton. Motion passed.

Item 51, D: Motion made by Nicolás Gutiérrez and seconded by Shannon Estenoz to approve Item D, Agenda Item 51. Vote called. Voting Yes: Buermann, Estenoz, Lindahl, Collins, McCarty, Gutiérrez, Thornton and Dauray. Abstained: Malcolm Wade. Motion passed.

Item 51, E: Motion made by Nicolás Gutiérrez and seconded by Shannon Estenoz to approve Item E, Agenda Item 51. Vote called. Voting Yes: Buermann, Estenoz, Lindahl, Collins, McCarty, Gutiérrez, Thornton and Dauray. Abstained: Malcolm Wade. Motion passed.

Item 51, F: Motion made by Malcolm Wade and seconded by Shannon Estenoz to approve Item F, Agenda Item 51. Vote called. Voting Yes: Buermann, Estenoz, Wade, Lindahl, Collins, McCarty, Gutiérrez, Thornton and Dauray. Motion passed.

Item 51, G: Motion made by Malcolm Wade and seconded by Nicolás Gutiérrez to approve Item G, Agenda Item 51. Vote called. Voting Yes: Buermann, Estenoz, Wade, Lindahl, Collins, McCarty, Gutiérrez, Thornton and Dauray. Motion passed.

Item 51, H: Motion made by Malcolm Wade and seconded by Shannon Estenoz to approve Item H, Agenda Item 51. Vote called. Voting Yes: Buermann, Estenoz, Wade, Lindahl, Collins, McCarty, Gutiérrez, Thornton and Dauray. Motion passed.

Item 51, I: Motion made by Malcolm Wade and seconded by Nicolás Gutiérrez to approve Item I, Agenda Item 51. Vote called. Voting Yes: Buermann, Estenoz, Wade, Lindahl, Collins, McCarty, Gutiérrez, Thornton and Dauray. Motion passed.

- 69.** Continuation of Water Shortage Emergency Update & Action Items including, but not limited to, imposing increased restrictions in areas presently under water shortage restrictions, if necessary, additional water shortage declarations, Lake Okeechobee environmental enhancement project contracts and / or any other necessary actions to address the water shortage conditions. (Terrie Bates, ext 6952):

J. Enter an Emergency Water Shortage Order within Portions of the Lower East Coast Region imposing modified Phase III Extreme Water Shortage Restrictions within Palm Beach and Broward Counties and a portion of Martin County.

K. Enter an Emergency Order imposing specific water supply related actions concerning the City of Lake Worth's public water supply facilities (Water Use Permit No. 50-00234-W) within Palm Beach County.

L. Enter an Emergency Order imposing specific water supply related actions concerning the Town of Lantanas public water supply facilities (Water Use Permit No. 50-00575-W) within Palm Beach County.

M. Enter an Emergency Order imposing specific water supply related actions concerning the City of Dania Beach's public water supply facilities (Water Use Permit No. 06-00187-W) within Broward County.

N. Enter an Emergency Order imposing specific water supply related actions concerning the City of Hallandale's public water supply facilities (Water Use Permit No. 06-00138-W) within Broward County.

O. Enter an Emergency Water Shortage Order within the Upper East Coast Region imposing Modified Phase II Severe Water Shortage Restrictions within all or part of Martin and St. Lucie Counties.

P. Enter an Emergency Water Shortage Declaration imposing Modified Phase III Restrictions affecting portions of the Kissimmee River Valley Water Use Basin, the Entire Indian Prairie Water Use Basin, and that portion of the Lakeshore Perimeter Water Use Basin lying south of the L-59, L-60 and L-61 Canals and between the Kissimmee River and the L-50 Canal, and that portion of the Istokpoga Canal that lies between the Lake and G-85 and Imposition of a Mandatory Water Delivery Plan.

Sharon Trost, Department Director, Information Technology, provided information on the emergency water shortage orders.

Ms. Estenoz asked about irrigation and hand watering.

Ms. Trost provided additional information on this issue.

Ms. Wehle said staff will be working to modify the water conservation rules. There will be workshops regarding these rules.

Mr. Wade provided comment on irrigation and water conservation.

Mr. Lindahl provided comment on the utility companies and their emergency operation plans. He also asked about the economic impacts with the Phase III water restrictions.

Ms. Estenoz asked about the economic impacts pertaining to the water restrictions.

Bruce Adams, Water Conservation Officer, Division of Implementation, provided information on the water use rule and the economic impacts.

Public Comment: Cynthia Plockelman, citizen, reported on the water shortage and xeriscaping.

Public Comment: Michael Good, City Manager, City of Hallandale Beach, spoke on the water restrictions and said District staff have worked closely with City of Hallandale staff and he supports the water restrictions.

There were seven individual votes for Agenda Item 69.

Item 69, J: Motion made by Malcolm Wade and seconded by Nicolás Gutiérrez to approve Item J, Agenda Item 69. Vote called. Voting Yes: Buermann, Estenoz, Wade, Lindahl, Collins, McCarty, Gutiérrez, Thornton and Dauray. Motion passed.

Item 69, K: Motion made by Malcolm Wade and seconded by Lennart Lindahl to approve Item K, Agenda Item 69. Vote called. Voting Yes: Buermann, Estenoz, Wade, Lindahl, Collins, McCarty, Gutiérrez, Thornton and Dauray. Motion passed.

Item 69, L: Motion made by Malcolm Wade and seconded by Shannon Estenoz to approve Item L, Agenda Item 69. Vote called. Voting Yes: Buermann, Estenoz, Wade, Lindahl, Collins, McCarty, Gutiérrez, Thornton and Dauray. Motion passed.

Item 69, M: Motion made by Malcolm Wade and seconded by Nicolás Gutiérrez to approve Item M, Agenda Item 69. Vote called. Voting Yes: Buermann, Estenoz, Wade, Lindahl, Collins, McCarty, Gutiérrez, Thornton and Dauray. Motion passed.

Item 69, N: Motion made by Malcolm Wade and seconded by Shannon Estenoz to approve Item N, Agenda Item 69. Vote called. Voting Yes: Buermann, Estenoz, Wade, Lindahl, Collins, McCarty, Gutiérrez, Thornton and Dauray. Motion passed.

Item 69, O: Motion made by Malcolm Wade and seconded by Shannon Estenoz to approve Item O, Agenda Item 69. Vote called. Voting Yes: Buermann, Estenoz, Wade, Lindahl, Collins, McCarty, Gutiérrez, Thornton and Dauray. Motion passed.

Item 69, P: Motion made by Malcolm Wade and seconded by Nicolás Gutiérrez to approve Item P, Agenda Item 69. Vote called. Voting Yes: Buermann, Estenoz, Wade, Lindahl, Collins, McCarty, Gutiérrez, Thornton and Dauray. Motion passed.

Everglades Restoration Resources

- 52. 2007-523** A Resolution of the Governing Board of the South Florida Water Management District to approve the purchase of land interests containing 763.99 acres, more or less, for the Everglades Agricultural Area Reservoir Project, Comprehensive Everglades Restoration Plan (CERP), in Palm Beach County, in the amount of \$4,923,535, and associated costs; for which dedicated funds (Save Our Everglades Trust Fund) are available, subject to a budget amendment; 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. (B. Hall, x6541)

No presentation was provided.

Motion made by Michael Collins, seconded by Lennart Lindahl to Approve the following item(s): 52

Vote called. Voting yes: Michael Collins, Lennart Lindahl, Eric Buermann, Charles Dauray, Shannon Estenoz, Kevin McCarty. Not present: Nicolás Gutiérrez, Harkley Thornton, Malcolm Wade. Motion passed.

- 53. 2007-524** A Resolution of the Governing Board of the South Florida Water Management District requesting reimbursement from the Department of Environmental Protection for the purchase of land interests containing 763.99 acres, more or less, in the amount of \$4,923,535 from Save Our Everglades Trust Fund; and associated costs; for the Everglades Agricultural Area Reservoir Project, Comprehensive Everglades Restoration Plan (CERP), in Palm Beach County; providing an effective date. (B. Hall, x6541)

No presentation was provided.

Motion made by Michael Collins, seconded by Shannon Estenoz to Approve the following item(s): 53

Vote called. Voting yes: Michael Collins, Shannon Estenoz, Eric Buermann, Charles Dauray, Lennart Lindahl, Kevin McCarty. Not present: Nicolás Gutiérrez, Harkley Thornton, Malcolm Wade. Motion passed.

- 73. 2007-530** A Resolution of the Governing Board of the South Florida Water Management District to (1) Authorize Amendment No. 1 to Contract 3600000433, an MOU with the Village of Wellington, providing for (a) construction of a variety of water control structures known as local features of the ACME Basin B Project to increase the initial \$150,000 contract amount by \$7,086,486 to include additional efforts for which dedicated funds (Everglades Restoration Trust Fund) are budgeted, and (b) South Florida Water Management Districts conveyance to Village of Wellington the land interests necessary for the Project, and (2) Declare as surplus the land interests to be conveyed to the Village of Wellington, together with the Districts Interest in and privilege to mine and develop all phosphate, minerals, metals and petroleum in, on, or under lands to be conveyed in fee title to the Village of Wellington, and (3) Authorize modifying the STA-1E Grant Agreement dated January 30, 1998, to provide for releasing from the Grant Agreement the land interests to be conveyed to the Village of Wellington and substituting other equivalent District land interests in their place; providing an effective date. (Contract Number 3600000433-A01) (Mike Hind, ext. 4033)

Tommy Strowd, Assistant Deputy Executive Director, provided background information on the Memorandum of Understanding (MOU) with the Village of Wellington. Mr. Strowd reported on the ACME Basin B project.

Note: Resolution was modified to read as follows:

A resolution of the Governing Board of the South Florida Water Management District to (1) Authorize Amendment No. 1 to Contract 3600000433, an MOU with the Village of Wellington, providing for (a) construction of a variety of water control structures known as local features of the ACME Basin B Project to increase the initial \$150,000 contract amount by \$7,086,486 to include additional efforts for which dedicated funds (Everglades Restoration Trust Fund) are budgeted, and (b) South Florida Water Management Districts conveyance to Village of Wellington the land interests of approximately 2 acres necessary for the Project, and (2) Declare as surplus the land interests to be conveyed to the Village of Wellington, and (3) Authorize Modifying the STA-1E Grant Agreement dated 30, 1998, to provide releasing from the Grant Agreement the land interests to be conveyed to the Village of Wellington and substituting other equivalent District land interests in their place; providing an effective date. (Contract Number 3600000433-A01)

Public Comment: James Harvey, representing Wellington, provided background information on the Everglades Protection Act and the Village of Wellington.

Public Comment: Rosa Durando, Audubon of Florida, Lake Worth, thanked staff for reviewing the resolution on this Agenda item.

Jamie Furgang, Audubon of Florida, requested the backup information be provided to the public on items added to the addendum.

Motion made by Michael Collins, seconded by Nicolás Gutiérrez to Approve the following item(s): 73

Vote called. Voting yes: Michael Collins, Nicolás Gutiérrez, Eric Buermann, Charles Dauray, Shannon Estenoz, Lennart Lindahl, Kevin McCarty, Harkley Thornton, Malcolm Wade. Motion passed.

Executive Office

- 72. 2007-529** A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to 4500007174 with Radiant Consulting, Inc. for a SAP BW Consultant, from May 18, 2007 to September 30, 2008, in the amount of \$424,710, of which \$141,570 of ad valorem funds are budgeted in FY07 and the remainder is subject to Governing Board approval of the FY08 budget; providing an effective date. (Purchase Order 4500007174, Project Manager: Bernardo Camarena, ext 6421)

No presentation was provided.

Motion made by Lennart Lindahl, seconded by Nicolás Gutiérrez to Approve the following item(s): 72

Vote called. Voting yes: Lennart Lindahl, Nicolás Gutiérrez, Eric Buermann, Charles Dauray, Shannon Estenoz, Kevin McCarty, Harkley Thornton, Malcolm Wade. Not present: Michael Collins. Motion passed.

- 70. 2007-527** A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to 4500005772 with Radiant Consulting, Inc. for a SAP Basis Administrator, from June 1, 2007 to September 30, 2008, in the amount of \$458,200, of which \$115,000 of ad valorem funds are budgeted in FY07 and the remainder is subject to Governing Board approval of the FY08 budget; providing an effective date. (Purchase Order 4500005772, Project Manager: Bernardo Camarena, ext. 6421)

No presentation was provided.

Motion made by Lennart Lindahl, seconded by Nicolás Gutiérrez to Approve the following item(s): 70

Vote called. Voting yes: Lennart Lindahl, Nicolás Gutiérrez, Eric Buermann, Charles Dauray, Shannon Estenoz, Kevin McCarty, Harkley Thornton, Malcolm Wade. Not present: Michael Collins. Motion passed.

- 71. 2007-528** A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to 4500007414 with Radiant Consulting, Inc. for a SAP ABAP Developer, from May 15, 2007 to September 30, 2008, in the amount of \$409,860, of which \$136,620 of ad valorem funds are budgeted in FY07 and the remainder is subject to Governing Board approval of the FY08 budget; providing an effective date. (Purchase Order 4500007414, Project Manager: Bernardo Camarena, ext 6421)

No presentation was provided.

Motion made by Lennart Lindahl, seconded by Nicolás Gutiérrez to Approve the following item(s): 71

Vote called. Voting yes: Lennart Lindahl, Nicolás Gutiérrez, Eric Buermann, Charles Dauray, Shannon Estenoz, Kevin McCarty, Harkley Thornton, Malcolm Wade. Not present: Michael Collins. Motion passed.

Corporate Resources

- 68. 2007-526** A Resolution of the Governing Board of the South Florida Water Management District nominating one of its members to fill a vacant seat on the Board of Trustees of the Florida Municipal Construction Insurance Trust (Carrie Hill, ext 2506)

Carrie Hill, Assistant Deputy Executive Director, Corporate Resources, provided information on this agenda item.

Mr. Collins made a motion to accept staff's recommendation pending the appointment of the Human Resources and Outreach Committee Chair. The Chair of the Human Resources and Outreach Committee will be the nominee for the vacant seat on the Board of Trustees of the Florida Municipal Construction Insurance Trust.

Motion made by Michael Collins, seconded by Lennart Lindahl to Approve the following item(s): 68

Vote called. Voting yes: Michael Collins, Lennart Lindahl, Eric Buermann, Charles Dauray, Shannon Estenoz, Kevin McCarty, Malcolm Wade. Not present: Nicolás Gutiérrez, Harkley Thornton. Motion passed.

- 54. Public Comment**

Public Comment: Rosa Durando, Audubon of Florida, Lake Worth, requested better communication between the Governing Board and the Palm Beach County's Commission Board regarding Callery Judge Grove.

Public Hearing

Water Resources

55.

Continuation of Public Hearing

Adopt amendments to Rules 40E-4.091, and 40E-4.302, F.A.C., to incorporate the amended "Operating Agreement Concerning Regulation under Part IV, Chapter 373, F.S., Between the South Florida Water Management District and the Department of Environmental Protection", with an effective date of July 1, 2007 (Susan Martin, ext 6251)

Close Public Hearing

Chair McCarty continued the Public Hearing from April 12, 2007.

Susan Martin, Sr. Attorney, Office of Counsel, provided information on this agenda item.

Chair McCarty closed the Public Hearing.

Motion made by Michael Collins, seconded by Lennart Lindahl to Approve the following item(s): 55

Vote called. Voting yes: Michael Collins, Lennart Lindahl, Eric Buermann, Charles Dauray, Shannon Estenoz, Nicolás Gutiérrez, Kevin McCarty, Malcolm Wade. Not present: Harkley Thornton. Motion passed.

56. **2007-525** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into an Operating Agreement under Part IV, Chapter 373, F.S., Between the South Florida Water Management District and the Department of Environmental Protection"; providing an effective date. (Anita Bain, ext 6866)

Motion made by Michael Collins, seconded by Lennart Lindahl to Approve the following item(s): 56

Vote called. Voting yes: Michael Collins, Lennart Lindahl, Eric Buermann, Charles Dauray, Shannon Estenoz, Nicolás Gutiérrez, Kevin McCarty, Malcolm Wade. Not present: Harkley Thornton. Motion passed.

57. **Open Public Hearing**

Adopt Amendments to Chapter 40E-63, F.A.C., Part IV, Sections 40E-63.432 and 40E-63.434, to extend the Duration of Existing Works of the District (WOD) Permits in the C-139 Basin (Pam Sievers, ext 6901)

Close Public Hearing

Chair McCarty opened the Public Hearing.

Pam Sievers, Director, Everglades Regulation Division, provided information on this agenda item.

Chair McCarty closed the Public Hearing.

Motion made by Michael Collins, seconded by Lennart Lindahl to Approve the following item(s): 57

Vote called. Voting yes: Michael Collins, Lennart Lindahl, Eric Buermann, Charles Dauray, Shannon Estenoz, Nicolás Gutiérrez, Kevin McCarty. Abstained: Malcolm Wade. Not present: Harkley Thornton. Motion passed.

Staff Reports

58. Office of Policy and Legislation Update - Ernie Barnett

Ernie Barnett, Director, Office of Policy and Legislation, provided an update on the Water Resource Development Act (WRDA) Bill.

59. General Counsel Report - Sheryl Wood

No report was provided.

60. Executive Director's Report - Carol Wehle

No report was provided.

61. Emergency Operations Report: Water Shortage and Hurricane Exercise - Olivia McLean, Director, Emergency and Security Management

Olivia McLean, Director of Emergency and Security Management, presented information on the wildfires in Florida. Ms. McLean reported on Governor Crist's Order declaring a State of Emergency for wildfire and drought.

Ms. McLean reported on sub-tropical depression Andrea and on the 2007 District's Hurricane Exercise.

62. Board Comment

Mr. Gutiérrez recognized Mr. Goodbread's hospitality and thanked staff for hosting the Governing Board meeting in Okeechobee.

Mr. Dauray commended staff for their professionalism during the drought.

Mr. Buermann thanked staff for their hospitality and kindness during the transition period with the new Governing Board members.

Ms. Estenoz said she was delighted to be back and representing Broward County.

Mr. Wade reported on the drought, the leadership team, and commended staff working with the public regarding the drought.

Chair McCarty said how proud he was to serve on the Governing Board for the last four years and how proud he was working with the Board members and staff. He reported on the accomplishments of the District over the last four years. (Note: Chair McCarty is not seeking re-appointment and will be leaving the Governing Board).

Len Lindahl announced his resignation from the Governing Board effective May 11th. Mr. Lindahl reported on the District's accomplishments over the past seven years. He thanked the Board members and staff.

Mr. Collins made a motion, seconded by Mr. Wade and approved unanimously to nominate Eric Buermann as Chairman of the SFWMD Governing Board and for Nicolás Gutiérrez to become Vice-Chair.

Chair Buermann thanked the Board for their confidence and trust.

Closed Door Agenda

Executive Office

63. Closed-door Session

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in Gabriel v. South Florida Water Management District, 15th Judicial Circuit, Palm Beach County, Case No. 502004 CA 004488 Gerber.

Sheryl G. Wood, General Counsel, Office of Counsel, x6976

Action Items (if any) Stemming from Closed Sessions

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in Gabriel v. South Florida Water Management District, 15th Judicial Circuit, Palm Beach County, Case No. 502004 CA 004488 Gerber.

Sheryl G. Wood, General Counsel, Office of Counsel, x6976

Chair McCarty announced that the Governing Board would adjourn to Closed-Door Session at 12:15 pm and would reconvene in approximately 30 minutes.

Chair McCarty reconvened the meeting at 1:15 pm.

Sheryl Wood, General Counsel, Office of Counsel, said she had specific direction from the Governing Board and that she does not need any motion regarding Agenda Item 63.

64. Closed-door Session

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in Roker v. South Florida Water Management District, et al. United States District Court, Southern District of Florida, Case No. 06-80768 CIV-Middlebrooks/Johnson.

Sheryl G. Wood, General Counsel, Office of Counsel, x6976

Action Items (if any) Stemming from Closed Sessions

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in Roker v. South Florida Water Management District, et al. United States District Court, Southern District of Florida, Case No. 06-80768 CIV-Middlebrooks/Johnson.

Sheryl G. Wood, General Counsel, Office of Counsel, x6976

Sheryl Wood, General Counsel, Office of Counsel, said she had specific direction from the Governing Board and that she does not need any motion regarding Agenda Item 64.

65. Closed-door Session

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in Pietrucha v. South Florida Water Management District, 15th Judicial Circuit, Palm Beach County, Case No. 50-2005 CA 006879 Kelley.

Sheryl G. Wood, General Counsel, Office of Counsel, x6976

Action Items (if any) Stemming from Closed Sessions

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in Pietrucha v. South Florida Water Management District, 15th Judicial Circuit, Palm Beach County, Case No. 50-2005 CA 006879 Kelley.

Sheryl G. Wood, General Counsel, Office of Counsel, x6976

This item was postponed.

Adjournment

66. **Adjourn**

Chair Buermann adjourned the meeting at 3:47 pm.

Eric Buermann
Chairman
South Florida Water Management District Governing Board

Recorded By:

Cathy Widness
Administrative Assistant Senior
Governing Board and Executive Services
SFWMD