



South Florida Water Management District

GOVERNING BOARD WORKSHOP ADDENDUM

August 13, 2008

Section 120.525, Florida Statutes, allows the District to change the published agenda for good cause shown. Based upon that authority, the Chair of the Governing Board of the South Florida Water Management District determines that good cause exists to make the following changes.

The following item has been changed:

Item #:7

Original Item Text:

"River of Grass" Project Acquisition Update - Ken Ammon, Deputy Executive Director, Everglades Restoration, and Sheryl Wood, General Counsel, Office of Counsel (ext. 4220 / 6976)

Original Item With Changes:

"River of Grass" Project Acquisition Update - ~~Ken~~ Sheryl G. Wood, General Counsel, Kenneth G. Ammon, P.E., Deputy Executive Director, Everglades Restoration, and Paul E. Dumars, Sr., Chief Financial Officer A Resolution of the Governing Board of the South Florida Water Management District addressing its actions in approving the nonbinding Statement of Principles approved on June 30, 2008 for a potential acquisition by the District of land and assets from the United States Sugar Corporation; reaffirming its commitment to full and complete public disclosure and discussion of any proposed transaction; providing general policy guidance regarding this acquisition; providing for severability; and providing an effective date. (Sheryl G. Wood, Ext. Office of Counsel (ext. 4220 / 6976)

Modified Item Text:

"River of Grass" Project Acquisition Update - Sheryl G. Wood, General Counsel, Kenneth G. Ammon, P.E., Deputy Executive Director, Everglades Restoration, and Paul E. Dumars, Sr., Chief Financial Officer

A Resolution of the Governing Board of the South Florida Water Management District addressing its actions in approving the nonbinding Statement of Principles approved on June 30, 2008 for a potential acquisition by the District of land and assets from the United States Sugar Corporation; reaffirming its commitment to full and complete public disclosure and discussion of any proposed transaction; providing general policy guidance regarding this acquisition; providing for severability; and providing an effective date. (Sheryl G. Wood, Ext. 6976)

Supporting documents for the following item have been added:

Item #:7

See resolution document: [ca_oc_005_rd .pdf](#)

- 29 (a) At no time has the Governing Board acted to delegate or authorize
30 any member or members of the Governing Board to act in connection
31 with this potential acquisition.
- 32 (b) No member of the Governing Board had any input or influence over
33 the content of the nonbinding Statement of Principles.
- 34 (c) The intent of the approval of the nonbinding Statement of Principles,
35 as affirmatively established by the statements in it regarding its
36 nonbinding nature, was not to bind the District; rather the approval by
37 the Governing Board was intended to be understood as an indication
38 to the public and the United States Sugar Corporation that the
39 Governing Board supports authorizing the commencement of
40 negotiations.
- 41 (d) The Governing Board, irrespective of the contents of the nonbinding
42 Statement of Principles, will consider only an agreement that it
43 believes is in the best interest of the District and taxpayers and that is
44 consistent with the restoration goals of the District.

45 **Section 2.** Because this matter is of significant importance to the public, it is
46 imperative that, to the extent possible without jeopardizing the negotiations, the public is
47 advised frequently and comprehensively regarding the progress being made regarding the
48 potential acquisition; consequently, frequent periodic updates will be provided to the
49 Governing Board and the public regarding the progress in the negotiations. Further, when
50 all applicable exemptions expire, all legally available documents regarding the proposed
51 transaction shall be made available to the public as appropriate in advance of the
52 Governing Board meeting to consider the transaction or when negotiations are terminated.

53 **Section 3.** If any section, subsection, subdivision, paragraph, sentence, clause or
54 phrase of this resolution is for any reason held to be unconstitutional or invalid or ineffective
55 by any court of competent jurisdiction, such decision shall not affect the validity or
56 effectiveness of the remaining portions of this resolution.

The following item has been changed:

Item #:10

Original Item Text:

Everglades Agricultural Area (EAA) and C-139 Compliance Annual Update
Pamela Wade, Director, Everglades Regulation Division (ext. 6901)

Original Item With Changes:

Everglades Agricultural Area (EAA) and C-139 Compliance Annual Update
Pamela Wade, Director, Everglades Everglades Regulation Division (ext. 6901)

Modified Item Text:

Everglades Agricultural Area (EAA) and C-139 Compliance Annual Update
Pamela Wade, Director, Everglades Regulation Division (ext. 6901)

The following item has been deleted:

Item #:12

Closed Door Session

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2007) to discuss strategy related to litigation expenditures 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)

Action Items (if any) Stemming from Closed Sessions

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2007) to discuss strategy related to litigation expenditures 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)

The following item has been deleted:

Item #:13

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2007) to discuss strategy related to litigation expenditures in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 02-80309-CV-Altonaga/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein. (Sheryl G. Wood, Ext. 6976)

Action Items (if any) Stemming from Closed Sessions

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2007) to discuss strategy related to litigation expenditures in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 02-80309-CV-Altonaga/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein. (Sheryl G. Wood, Ext. 6976)

The following item has been deleted:

Item #:14

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2007) to discuss strategy related to litigation expenditures in Natural Resources Defense Council, Inc., et al. v. Van Antwerp, et al., United States District Court, Southern District of Florida, Case No. 07-80444-CIV-Middlebrooks. (Sheryl G. Wood, Ext. 6976)

Action Items (if any) Stemming from Closed Sessions

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2007) to discuss strategy related to litigation expenditures in Natural Resources Defense Council, Inc., et al. v. Van Antwerp, et al., United States District Court, Southern District of Florida, Case No. 07-80444-CIV-Middlebrooks. (Sheryl G. Wood, Ext. 6976)