



South Florida Water Management District

MINUTES GOVERNING BOARD WORKSHOP

June 13, 2007

1:00 PM

Rosen Centre Hotel - Signature 1 Meeting Room

9840 International Drive

Orlando, FL 32819-8122

Members Present:

Eric Buermann, Chair

Michael Collins

Charles Dauray

Shannon Estenoz

Nicolás Gutiérrez, Vice-Chair

Melissa Meeker

Patrick Rooney

Harkley Thornton

Malcolm Wade

1. **Call to Order** - Eric Buermann, Chairman, Governing Board

Chair Buermann called the meeting to order at 1:05 pm.

Chair Buermann welcomed the new Governing Board members Melissa Meeker and Patrick J. Rooney, Jr.

2. **Pledge of Allegiance** - Eric Buermann, Chairman, Governing Board

Patrick Rooney led the group in the Pledge of Allegiance.

3. **Administer Oath of Office** - Annette Carter, Director, Office of Governing Board and Executive Services

Annette Carter, Director of Governing Board and Executive Services, swore in Governor Crist's recommendation for new Governing Board members. Ms. Melissa Meeker and Mr. Patrick J. Rooney, Jr. are the new appointments. All Governing Board appointments must be confirmed by the Florida Senate.

4. **Approval of Minutes from the last month's Governing Board Meeting**

Approval of minutes from May 9, 2007, Workshop in Okeechobee, FL, and May 10, 2007, Meeting in West Palm Beach, FL

Motion made by Malcolm Wade, seconded by Michael Collins to Approve the following item(s): 4

Vote called. Voting yes: Malcolm Wade, Michael Collins, Eric Buermann, Charles Dauray, Shannon Estenoz, Nicolás Gutiérrez, Melissa Meeker, Patrick Rooney, Harkley Thornton. Motion passed.

5. Agenda Addendum - Annette Carter, Director, Governing Board and Executive Services

Annette Carter, Director of Office of Governing Board and Executive Services, read into the record the agenda addendum. Copies were made available to the public.

6. Pull Items for Discussion from Governing Board Meeting Agenda

Ms. Estenoz requested Item 33 be pulled from the Consent agenda to the Discussion agenda.

7. Water Resources Advisory Commission (WRAC) Monthly Report - Michael Collins, WRAC Chair

Mr. Collins reported on the Water Resource Advisory Commission (WRAC) meeting which was held on June 7, 2007 in Coconut Creek, Florida.

Mr. Collins reported on the Broward Greenway and Trail and the Basis of Design Report for the Broward Water Preserves Area. The action item discussed was for the U.S. Army Corps. of Engineers to work with the District and Broward County to include language in either the Chief of Engineer's Report or the Record of Decision on the Project Implementation Report. Mr. Collins asked this be presented to the Quarterly Review Board (QRB) as soon as possible. Mr. Collins asked Ms. Wehle to proceed with this action item.

8. 2007-600 WRAC Resolution

A Resolution of the Governing Board of the South Florida Water Management District amending Sections 150-4 and 150-6 of the district policy code regarding the Water Resources Advisory Commission (WRAC) to revise procedures regarding WRAC minutes, the WRAC priority plan and ratification of balancing appointments; providing for inclusion in the district policy code; providing for severability; providing an effective date (Rick Smith, ext. 6517).

Rick Smith, Water Resource Advisory Commission Facilitator, provided background information on this Agenda item.

Motion made by Nicolás Gutiérrez, seconded by Michael Collins to Approve the following item(s): 8

Vote called. Voting yes: Nicolás Gutiérrez, Michael Collins, Eric Buermann, Charles Dauray, Shannon Estenoz, Melissa Meeker, Patrick Rooney, Harkley Thornton, Malcolm Wade. Motion passed.

9. WRAC Member Appointments and Reappointments - Michael Collins, WRAC Chair

The Governing Board members provided their recommendations of appointments and reappointments to the Water Resource Advisory Commission. They were as follows:

Chair Buermann - Chair Buermann announced his reappointments of James Humble and James Murley to WRAC.

Michael Collins - Mr. Collins announced his reappointments of Michael Bauer and Thomas Kenny to WRAC.

Charles Dauray - Mr. Dauray announced his reappointments of David Burr and Beverly Grady to WRAC.

Shannon Estenoz - Ms. Estenoz announced her reappointment of Kristin Jacobs to WRAC. Ms. Estenoz will announce her other appointment at the July Governing Board meeting.

Nicolás Gutiérrez - Mr. Gutiérrez announced his appointments of Irela Bagué and Alina Gonzalez to WRAC.

Melissa Meeker - Ms. Meeker announced her reappointment of Douglas Bournique and appointment of Mark Perry to WRAC.

Patrick Rooney - Mr. Rooney will announce his appointments at the July Governing Board meeting.

Harkley Thornton - Mr. Thornton announced his reappointments of Joe Collins and Jody Thomas to WRAC.

Malcolm Wade - Mr. Wade announced his reappointment of Tom Jones and appointment of Charles Shin to WRAC.

Mr. Collins asked the Board to review the proposed list and bring back to the Board any appointments and reappointments they wish to add.

Motion made by Michael Collins, seconded by Nicolás Gutiérrez to Approve the following item(s): 9

Vote called. Voting yes: Michael Collins, Nicolás Gutiérrez, Eric Buermann, Charles Dauray, Shannon Estenoz, Melissa Meeker, Patrick Rooney, Harkley Thornton, Malcolm Wade. Motion passed.

Water Resources

10. Expedition Kissimmee River Expedition Documentary - Introduction of Harris Rosen and Virginia Johnson by Tom Genovese

Tom Genovese, Director, Orlando Service Center, welcomed the Board and staff to Orlando. He provided introductory information on the Kissimmee River Expedition Documentary. Mr. Genovese introduced Mr. Harris Rosen, owner of the Rosen Hotels.

Mr. Rosen welcomed the Board and staff to the Rosen Centre Hotel. He provided background information on Shingle Creek and the expedition of the Kissimmee River.

Virginia Johnson, Executive Producer, Brighthouse Networks, also provided introductory information on the expedition of the Kissimmee River documentary which was shown at the meeting.

11. Central Florida Coordination Area Public Water Supply Consumptive Use Permits - Chip Merriam, Deputy Executive Director, Water Resources

Chip Merriam, Deputy Executive Director, provided information on this agenda item. Mr. Merriam thanked staff for their efforts on this project.

Mr. Merriam provided background on the Central Florida Coordination Area (CFCA) which included South Florida, St. John's River, and Southwest Florida Water Management Districts.

Mr. Merriam reported on the STOPR (St. Cloud, Toho Water Authority, Orange County Utilities, Polk County Utilities, and Reedy Creek Improvement District) consumptive use permit applications and provided a summary of each permit.

Michael Sole, Secretary, Florida, Department of Environmental Protection, welcomed the Board and said he is grateful for their leadership throughout the drought.

Ms. Wehle reported on the protection of the resources and commended staff for their hard work during the drought.

Public Comment: Mayor Richard Crotty, Orange County, supports the Central Florida Coordination Area Public Water Supply Consumptive Use Permits.

Public Comment: Bob English representing Polk County Board of County Commissioners reported on water conservation in Polk County.

Public Comment: Bill Lane representing Osceola County said he supports the Central Florida Coordination Area Public Water Supply consumptive use permits.

Public Comment: Ray Maxwell representing Reedy Creek Improvement District supports the consumptive use permits and thanked staff for their hard work on this issue.

Public Comment: Bruce VanMeter representing Toho Water Authority said he supports the consumptive use permits.

Public Comment: Charles Lee representing Audubon of Florida commended staff on this agreement. He stated concerns regarding surface water supplies and groundwater withdrawals.

Ms. Estenoz asked about the surface water boundaries.

Mr. Merriam provided additional information on the boundaries.

Mr. Dauray asked about consolidating all three water management districts.

Secretary Sole said the three water management districts have worked together and will continue to work together.

Everglades Restoration Resources

12. Everglades Restoration Engineering and Construction Update - Tommy Strowd, Assistant Deputy Executive Director, Everglades Restoration Resources

Tommy Strowd, Assistant Deputy Executive Director, Everglades Restoration Resources, provided an Everglades Restoration Engineering and Construction update.

Mr. Strowd reported on the 10-County Coalition EAA Flowway.

Ms. Meeker and Mr. Buermann requested briefings on the flowway concept.

Mr. Dauray reported on outreach and the amount of staff attending meetings. He requested that policies be reviewed about travel expenses and staff time.

Ms. Wehle said she will look into this issue.

Mr. Wade provided comment on the flowway concept.

Ken Ammon, Deputy Executive Director, reported on the impacts to Acceler8 and the State-Federal commitments and the Water Resource Development Act (WRDA) of 2000. Mr. Ammon reported on the need to provide clarification of State commitments related to short-term and long-term assurances for implementing the Acceler8 Program.

Mr. Dauray provided comment on alternative water supply.

Mr. Collins provided comment on the stakeholders and modeling issues.

Ms. Estenoz provided comment on project assurances and the Water Resource Development Act (WRDA) 2000 legislation.

13. Northern Everglades Initiative Update - Tom Teets, Program Implementation Manager, Everglades Restoration Resources

Tom Teets, Program Implementation Manager, Everglades Restoration Resources, reported on the Northern Everglades Initiatives.

Mr. Teets reported on the Technical Plan for Phase II of the Lake Okeechobee Watershed Construction Project.

Public Comment: Patrick Hayes representing the Loxahatchee Coalition reported on drainage and Environmental Resource permitting.

Operations and Maintenance

14. St. Cloud Field Station Relocation - George Horne, Deputy Executive Director, Operations and Maintenance

George Horne, Deputy Executive Director, Operations and Maintenance provided an update on the relocation of the St. Cloud Field Station.

Mr. Dauray requested a workshop to discuss capital expenses.

15. Board Comment

(The Governing Board of the South Florida Water Management District and Local Government officials will adjourn to the outdoor patio located on Level Two of the facility for a reception at the close of the Workshop.)

Chair Buermann announced that the Governing Board of the South Florida Water Management District and local government officials will adjourn to Salon 8 of the facility for a reception at the close of the Workshop.

Executive Office

16. 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, Ext 6976

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, Ext 6976

Chair Buermann announced that the Governing Board would adjourn to Closed Door Session at 4:30 pm. The meeting would reconvene in approximately 30 minutes.

Chair Buermann reconvened the meeting at 5:01 pm.

17. 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, Ext 6976

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Sheryl. G. Wood, General Counsel, Office of Counsel, Ext 6976

Chair Buermann announced the Governing Board will consider action in Roker v. South Florida Water Management District, et. al.

Michael Collins made a motion to approve a Resolution No. 2007-6143 authorizing a settlement for \$347,500.00 for Cecil Roker v. South Florida Water Management District, US District Court, Southern District of Florida, Case No.: 06-80768; seconded by Shannon Estenoz.

Motion made by Michael Collins, seconded by Shannon Estenoz to Approve the following item(s): 17

Vote called. Voting yes: Michael Collins, Shannon Estenoz, Eric Buermann, Charles Dauray, Nicolás Gutiérrez, Melissa Meeker, Patrick Rooney, Harkley Thornton, Malcolm Wade. Motion passed.

18. Adjourn

Chair Buermann adjourned the meeting at 5:05 pm.

Eric Buermann
Chairman
South Florida Water Management District Governing Board

Recorded By:

Cathy Widness
Administrative Assistant Senior
Governing Board and Executive Services
SFWMD