



- 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  
46 is 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,  
54 clause or phrase of this resolution is for any reason held to be unconstitutional or invalid or  
55 ineffective by any court of competent jurisdiction, such decision shall not affect the validity  
56 or effectiveness of the remaining portions of this resolution.

57 **Section 4.** This resolution shall take effect immediately on adoption.

Resolution 2008-827

57 **Section 4.** This resolution shall take effect immediately on adoption.

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59 PASSED and ADOPTED this 13 day of August 2008.

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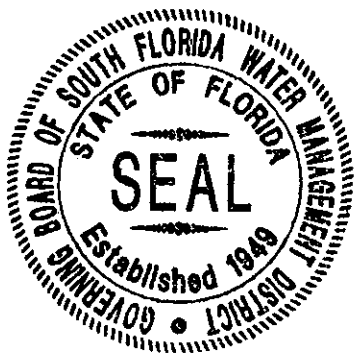
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SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD

By:



Chairman



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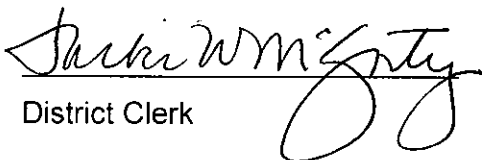
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68 ATTEST

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District Clerk

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Approved as to form:

BY: 

Office of Counsel

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