



South Florida Water Management District

GOVERNING BOARD MONTHLY MEETING AGENDA

This meeting is open to the public

July 10, 2014

9:00 AM

District Headquarters - B-1 Auditorium
3301 Gun Club Road
West Palm Beach, FL 33406

FINAL

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. Oath of Office - Administered by Marcia Kivett, Director, Office of Governing Board & Executive Services
4. Recognition of Tim Sargent - Dan O'Keefe, Chairman, Governing Board
5. Employee Recognitions - Presented by Blake Guillory, Executive Director
 - June Employee of the Month - Marjorie Moore, Lead Scientist, Field Operations & Land Management Division
 - July Team of the Month - FPL Site Certification Team

- 40- Year Service Award - Richard Champlin, Superintendent, Clewiston Field Station, Field Operations & Land Management Division
- 6. Agenda Revisions - Jacki McGorty, District Clerk
- 7. Abstentions by Board Members from items on the Agenda
- 8. Water Resources Advisory Commission (WRAC) Report - Jim Moran, Chair
- 9. Big Cypress Basin Board Report - Rick Barber, Chair

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.***

10. Public Comment on Consent Agenda
11. Pull Items for Discussion from Consent Agenda
12. Board Comment on Consent Agenda
13. Approval of the Minutes for the June 12, 2014 Regular Business Governing Board meeting held in Kissimmee, Florida
14. Waivers for Water Resource Advisory Commission (WRAC) members pursuant to Section 112.313, Florida Statutes
15. Regulatory Consent Items
 - Consent Orders
 - **Club Everglades, Inc; Pleasure Island at Club Everglades (Collier County)** - Settlement of an enforcement action regarding non-compliance with permit conditions for mangrove trimming outside the designated trimming area.
 - **Ryland Group, Inc; Friars Cove Phase 4, 5 and 6 (Osceola County)** - Settlement of an enforcement action regarding non-compliance with permit conditions due to turbid water off-site discharge and failure to comply with the District's Best Management Practices.
 - **KB Home Orlando, LLC; Enclave at Tapestry (Osceola County)** - Settlement of an enforcement action regarding non-compliance with permit conditions due to unpermitted off-site discharge and failure to comply with the District's Best Management Practices.
 - Conservation Easements, Amendments and Releases
 - **Martin County Board of County Commissioners, Bessey Creek HWTT (Martin County)** - Staff recommends the approval of a request for the release of a 22.654 acre area of wetlands within an overall 56.1338 acre conservation easement for the Bessey Creek Hybrid Wetland Treatment Technology (HWTT) Project in Martin County. The release is requested in order to authorize construction and operation of the project for water quality improvement and is being processed concurrently with an Environmental Resource Permit Modification (Application No. 140611-16). The HWTT Project will be a retrofit of the existing water quality treatment marsh previously constructed as part of the Western Palm City Corridor Project (Permit No.

43-01748-P).

- Water Use Variances
 - **Mahlbacher Residence; James C. Mahlbacher (Palm Beach County)** - Enter a Final Order granting a variance to James C. Mahlbacher, authorizing a variance from the day of the week landscape irrigation measures specified in Chapter 40E-24, F.A.C., to provide for water conservation through implementation of an advanced irrigation system.
- Seminole Tribe Work Plans
 - Staff recommends concurrence with the Ninth Amendment to the **Twenty Seventh Annual Work Plan for the Seminole Tribe of Florida**. Works in the Brighton Reservation include the replacement of culvert HP02 and HP03 with upgraded structures to be renamed S-287 and S-286 respectively at the current existing locations, construction of a catwalk on the L-61 Canal for the purpose of installing a tailwater level recorder of the Seminole Tribe of Florida "D" Pump Station; works in the Hollywood Reservation include the phased construction of five (5) townhomes in approximately 2.71 acres.

16. **Resolution No. 2014 - 0701** Approving release of canal reservations and issuance of non-use commitments. (OMC, Kathy Massey, ext. 6835)

Summary

The District has jurisdiction over certain reserved rights to construct canal 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 Trustees canal reservations and issuance of non-use commitment to Weston Commercial Properties, Ltd. (File Nos. 5-14-1 and NUC 1650) for 16.62 acres in Broward County
- Release of District canal reservations and issuance of non-use commitment to Direct Property Investments, Inc. (File Nos. 18591 and NUC 1652) for 1.00 acre in Palm Beach County

17. **Resolution No. 2014 - 0702** Approve the acquisition of a revocable temporary license, at no cost, over a portion of Collier County's Freedom Park for the installation and monitoring of a rain gauge and associated telemetry equipment in Collier County, Big Cypress Basin. (OMC, Bruce Hall, ext. 6541)

Summary

This Revocable Temporary License Agreement will allow the District to install and monitor a rain gauge and associated telemetry equipment and provide future routine and emergency repair services on public property at Collier County's Freedom Park. This rain gauge and associated telemetry equipment replaces a rain gauge that had been installed on nearby private lands since the 1940's and is an important area to continue to monitor for the successful decision making and operation of both the

primary and secondary flood control systems in the Big Cypress Basin and Collier County. District and County staff have reviewed and agreed upon the location for this rain gauge and associated telemetry equipment. (See attached map) However, the District's rights under this proposed license agreement are subordinate and subject to Collier County's right to terminate this license agreement upon sixty (60) days written notice. Additionally, the City of Naples has superior rights as to location of ASR Wells within Freedom Park. Also, Florida Power & Light Company has easements rights within the park. The potential exists for the District to be required at a future date to remove and/or relocate this proposed rain gauge and associated telemetry equipment. The removal and/or relocation would be at District expense.

Staff Recommendation

Approve the acquisition of a revocable temporary license from Collier County, at no cost, over a portion of Collier County's Freedom Park for the installation and monitoring of a rain gauge and associated telemetry equipment in Collier County, Big Cypress Basin.

18. **Resolution No. 2014 - 0703** Approving a new 10-year lease agreement for approximately 670.31 acres in St. Lucie County, with Diamond 3 Cattle Co. LLC, the highest responsive and responsible bidder, with a bid amount of \$22,260.00 annually, as more particularly described herein. (Contract No. 4600003076) (OMC, Ray Palmer, ext. 2246)

Summary

As part of the Indian River Lagoon - South (IRL) Comprehensive Everglades Restoration Project (CERP), the District acquired various properties in St. Lucie County containing approximately 5,744 acres. The properties were acquired to construct Storm Water Treatment Areas (STAs) to reduce sediment, phosphorus and nitrogen entering the IRL and to construct surface water reservoirs for increased water storage.

The properties offered for lease are abandoned fallow citrus groves. The District desires to lease a 670.31 acre property identified as Encumbrance ID KE10E-048 (See Exhibit "A") for cattle grazing. The revenues generated from this lease will assist Land Management with maintenance and management of other District lands.

Request for bid 6000000638 for a new agricultural grazing lease with a ten year term for the subject lands was issued May 13, 2014. Responsive bids were due June 20, 2014. The winning bid was submitted by Diamond 3 Cattle Co. LLC in the annual amount of \$22,260.00. Diamond 3 Cattle Co. LLC is the proposed Lessee for the new ten-year term grazing lease with contract number 4600003076 (the "New Lease").

There is one Special Provision in the New Lease. The Lessee shall construct perimeter fencing on the property, with respect to which the Lessee will be granted a fencing credit of \$26,247.50, which will be deducted proportionally from the annual rent due for the first seven years of the New Lease. The resulting net revenue to the District during the 10 year lease term will be approximately \$196,353.00, subject to a market rent adjustment after year five.

Staff Recommendation

Staff recommends approval of ten year cattle grazing lease.

19. **Resolution No. 2014 - 0704** Approving a new 10-year lease agreement for approximately 651.52 acres in St. Lucie County, with Diamond 3 Cattle Co. LLC, the highest responsive and responsible bidder, with a bid amount of \$17,490.00 annually, as more particularly described herein. (Contract No. 4600003079) (OMC, Ray Palmer, ext. 2246)

Summary

As part of the Indian River Lagoon - South (IRL) Comprehensive Everglades Restoration Project (CERP), the District acquired various properties in St. Lucie County containing approximately 5,744 acres. The properties were acquired to construct Storm Water Treatment Areas (STAs) to reduce sediment, phosphorus and nitrogen entering the IRL and to construct surface water reservoirs for increased water storage.

The properties offered for lease are abandoned fallow citrus groves. The District desires to lease a 651.52 acre property identified as Encumbrance ID KE10E-049 (See Exhibit "A") for cattle grazing. The revenues generated from this lease will assist Land Management with maintenance and management of other District lands.

Request for bid 6000000638 for a new agricultural grazing lease with a ten year term for the subject lands was issued May 13, 2014. Responsive bids were due June 20, 2014. The winning bid was submitted by Diamond 3 Cattle Co. LLC in the annual amount of \$17,490.00. Diamond 3 Cattle Co. LLC is the proposed Lessee for the new ten-year term grazing lease with contract number 4600003079 (the "New Lease").

There is one Special Provision in the New Lease. The Lessee shall construct perimeter fencing on the property, with respect to which the Lessee will be granted a fencing credit of \$26,351.25, which will be deducted proportionally from the annual rent due for the first seven years of the New Lease. The resulting net revenue to the District during the 10 year lease term will be approximately \$148,549.00, subject to a market rent adjustment after year five.

Staff Recommendation

Staff recommends approval of ten year cattle grazing lease.

20. **Resolution No. 2014 - 0705** Approving a new 10-year lease agreement for approximately 1,422.28 acres in Martin County, with Albert J. Gamot, the highest responsive and responsible bidder, with a bid amount of \$34,604.00 annually, as more particularly described herein. (Contract No. 4600003065) (OMC, Ray Palmer, ext. 2246)

Summary

As part of the 2007 Northern Everglades & Estuaries Protection Program, the District acquired approximately 2,600 acres in western Martin County to construct a water clean-up project known as the Lakeside Ranch Project. Phase I of the Lakeside Ranch Stormwater Treatment Area (STA) is featured in the Lake Okeechobee Watershed Construction Project Phase II Technical Plan and consists of canals, embankments, water control structures and the S-650 Pump Station. Phase II portion of the STA is not ready to begin construction, and as an interim land management tool, the District desires to lease the 1,422.28 acre Property (See Exhibit "A") for cattle grazing. The revenues generated from this lease will assist Land Management in managing this and other District-owned Interim and Restoration lands.

Request for bid 6000000635 for a new agricultural grazing lease with a ten year term for the subject lands was issued May 6, 2014. Responsive bids were due June 10, 2014. The winning bid was submitted by Albert J. Gamot in the annual amount of \$34,604.00. Mr. Gamot is the proposed Lessee for the new ten-year term grazing lease with contract number 4600003065 (the "New Lease").

There is one Special Provision in the New Lease. The Lessee shall construct perimeter fencing on the property, with respect to which the Lessee will be granted a fencing credit of \$69,513.75, which will be deducted proportionally from the annual rent due for the first five years of the New Lease. The resulting net revenue to the District during the first 5 years will be approximately \$103,506.00 and approximately \$173,000.00 net revenue during the second 5 years, subject to a market rent adjustment.

Staff Recommendation

Staff recommends approval of ten year cattle grazing lease.

21. **Resolution No. 2014 - 0706** Approving a new 10-year lease agreement for approximately 1,202.40 acres In St. Lucie County, with Mancil's Tractor Service Inc., the highest responsive and responsible bidder, with a bid amount of \$26,425.00 annually, as more particularly described herein. (Contract No. 4600003074) (OMC, Ray Palmer, ext. 2246)

Summary

As part of the Indian River Lagoon - South (IRL) Comprehensive Everglades Restoration Project (CERP), the District acquired various properties in St. Lucie County containing approximately 5,744 acres. The properties were acquired to construct Storm Water Treatment Areas (STAs) to reduce sediment, phosphorus and nitrogen entering the IRL and to construct surface water reservoirs for increased water storage.

The properties offered for lease are abandoned fallow citrus groves. The District desires to lease a 1,202.40 acre property identified as Encumbrance ID KE10E-047 (See Exhibit "A") for cattle grazing. The revenues generated from this lease will assist Land Management with maintenance and management of other District lands.

Request for bid 6000000638 for a new agricultural grazing lease with a ten year term for the subject lands was issued May 13, 2014. Responsive bids were due June 20, 2014. The winning bid was submitted by Mancil's Tractor Service Inc. in the gross annual amount of \$26,425.00. Mancil's Tractor Service, Inc. is the proposed Lessee for the new ten-year term grazing lease with contract number 4600003074 (the "New Lease").

There are two Special Provisions in the New Lease. First, the property is subject to an additional property assessment imposed by the North St. Lucie River Water Control District. The assessment rate is approximately \$11.25 per acre. Secondly, the Lessee shall construct perimeter fencing on the property, with respect to which the Lessee will be granted a fencing credit of \$69,836.25, which will be deducted proportionally from the annual rent due for the first seven years of the New Lease. The resulting net revenue to the District during the 10 year lease term will be approximately \$194,414.00, subject to a market rent adjustment after year five.

Staff Recommendation

Staff recommends approval of ten year cattle grazing lease.

22. **Resolution No. 2014 - 0707** Revising Chapter 101, Article II, Division 2, Section 101-41 of the District Policies Code revising delegations to the Executive Director for the taking of final action under Parts II and IV of Chapter 373, Florida Statutes and Chapter 403, Florida Statutes and any Rules promulgated thereunder, providing for inclusion in the District Policies Code; providing for severability; providing an effective date. (REG, Anita Bain, ext. 6866)

Summary

This revision of the District Policies Code regarding delegations to the Executive Director clarifies the existing policy contained in Chapter 101 , Article II, Division 2, Section 101-41 of the District Policies Code to specifically include verification of exemptions to permitting criteria under Parts II and IV of Chapter 373, Florida Statutes, and Chapter 403, Florida Statutes, and any rules promulgated thereunder.

Staff Recommendation

Staff recommends approval of this revision to existing District Policy.

23. Adopt amendments to Rule 40E-1.607, F.A.C., for CUPcon with change based on comment received from the Joint Administrative Procedures Committee. (REG, Maria Clemente, ext. 2308)

Summary:

The Florida Department of Environmental Protection (DEP) is leading a statewide effort (referred to as CUP consistency) to improve consistency in the consumptive use permitting programs implemented by the water management districts (WMDs). The individual water management district consumptive use permitting rules, while all developed under the authority of Chapter 373, Florida Statutes, are inconsistent among the WMDs. Some differences are based on differing physical and natural characteristics; others result from development of separate rules and procedures over time.

Staff Recommendation:

Adopt amendments to Rule 40E-1.607, F.A.C., with change based on comment received from the Joint Administrative Procedures Committee.

24. Authorize publication of Notice of Rule Development in the Florida Administrative Register (FAR), and request review by the Office of Fiscal Accountability and Regulatory Reform, to create and implement the newly passed legislation regarding the lobbyist registration process for Water Management Districts, in an effort to provide a uniform system of lobbyist registrations. (OC, Derek Brown, ext. 6278)

Summary

The Legislature passed and the Governor signed into law with an effective date of July 1, 2014, Senate Bill 846 which requires all Water Management Districts to implement a Lobbyist registration process. District staff is requesting authority to initiate rule development to implement this requirement. This will include a website and online database that is available to the public which allows individuals to register with the District as Lobbyists and view such registrations. The District's rules will be consistent with other Water Management District rules and relate to the Executive Branch's requirements on lobbyist registration in an effort to provide a uniform system of lobbyist registrations. The Florida Commission on Ethics has authority to investigate complaints pertaining to lobbyist registrations. At this time the District is

not implementing any costs to individuals to register as a lobbyist.

Staff Recommendation

Authorize publication of Notice of Rule Development in the Florida Administrative Register (FAR), and request for review by the Office of Fiscal Accountability and Regulatory Reform, to implement the newly passed legislation and create a rule regarding the lobbyist registration process. The District will work with the other Water Management Districts in an effort to provide a uniform system of lobbyist registrations.

25. **Resolution No. 2014 - 0708** Authorizing a settlement agreement for \$836,125, inclusive of \$620,900 for acquisition in fee simple of 62.09 acres, more or less (Tract SG100-132), and \$215,225 for attorney's fees, expert's fees, and costs, for which Save Our Everglades Trust Funds are budgeted, for the Picayune Strand Restoration Project, in Circuit Court case styled VIBID Group, Inc. v. South Florida Water Management District, et al., filed in the 20th Judicial Circuit for Collier County, Florida, Case No. 07-3329-CA. (OC, Keith L. Williams, ext. 2791)

Summary

VIBID Group Inc. (VIBID) sued the District in November 2007, alleging a taking of 62.09 acres, more or less (Tract SG100-132), located in the Southern Belle Meade portion of the Picayune Strand Restoration Project. In January 2014, the District Governing Board approved by resolution (Resolution No. 2014-0114), inclusion of property within the Southern Belle Meade portion of the Picayune Strand Restoration Project in its Florida Forever Work Plan for future land acquisition planning purposes. In May 2014, District staff reached a settlement agreement with VIBID to acquire its property within the Picayune Strand Restoration Project area and resolve all issues of compensation for condemnation of the 62.09 acres.

Staff Recommendation

Authorize approval of the settlement agreement to acquire the property interests owned by VIBID Group, Inc. This settlement is inclusive of all attorneys' fees, experts' fees, and costs that have been incurred by VIBID since November 2007.

26. **Resolution No. 2014 - 0709** FY14 Budget Amendment Recognizing FY15 State Appropriations. (AS, Candida Heater, ext. 6486)

Summary

FY2014-2015 State Appropriation 1622A allocated \$3 million from the Florida Department of Environmental Protection for Dispersed Water Management. This proposed budget amendment is to recognize \$2,759,684 out of the \$3,000,000 and to reduce Save Our Everglades Trust Fund (SOETF) funding for the same amount to fund continuation of Dispersed Water Management projects. These projects facilitate multi-purpose water management operations, water storage and water quality improvement within the Northern Everglades and Estuaries Protection Area.

Staff Recommendation

Staff recommends Governing Board approval of this budget amendment.

27. **Resolution No. 2014 - 0710** Authorizing a transfer of funds within the District FY2013-2014 budget to fund District fuel & electric demands as needed to respond to operational requirements. (AS, Candida Heater, ext. 6486).

Summary

The fuel and electric needs of the District fluctuate in response to a number of factors including weather; wet or dry events, water quality, and fuel prices. The purpose of this resolution is to provide maximum flexibility within the existing budget appropriation to respond to District fuel and electric demands to respond to operational requirements within FY2014. The \$50M Economic Stabilization Reserve will be accessed only as a last resort because that would trigger repayment requirements within a three year period per District policy.

Staff Recommendation

Staff recommends approval to transfer funds up to \$3,000,000 among the Districts Divisions, District Programs and from Managerial Reserves (as a last resort) as needed to respond to District fuel and electric demands in support of operational requirements, primarily for pumping operations.

28. Board Vote on Consent Agenda
29. General Public Comment
30. Board Comment

Discussion Agenda

31. 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)
32. Lower Kissimmee Basin Water Supply Plan Status Update - Cynthia Gefvert, Section Leader, Water Supply Planning (ext. 2610)

Summary

The Lower Kissimmee Basin Draft Water Supply Plan is being developed for the Lower Kissimmee Basin (LKB), which includes portions of Okeechobee, Highlands, and Glades counties, which formerly was included in the Kissimmee Basin Water Supply Plan. The Draft Plan was released for public review in mid-June and is currently scheduled for approval in September. The water supply plan purpose is to identify options for an adequate supply of water to meet existing and future reasonable-beneficial uses while protecting the environment and water resources. This presentation is for information only and will provide an overview of the Draft LKB Water Supply Plan.

Staff Recommendation

This item is for information only; no action is required

33. **Resolution No. 2014 - 0711** Authorizing entering into Amendment No. 1 to the Project Partnership Agreement with the U.S. Department of the Army for construction, operation, maintenance, repair, replacement and rehabilitation of the Indian River Lagoon South Phase 1 Project, a component of the Comprehensive Everglades Restoration Plan; to amend the South Florida Water Management District's construction responsibilities and to update the project cost estimates, for which the South Florida Water Management District will be responsible for 50 percent cost-share; affirming South Florida Water Management District's financial capability to satisfy the obligations of the Non-Federal Sponsor described in the Project Partnership Agreement, as amended, for which funding, if any, is subject to approval of future fiscal year state budgets by the State Legislature and Governor, and District budgets for the Indian River Lagoon South Phase 1 Project by the State Legislature, Governor and District Governing Board. (Contract Number 4600002153-A01) (EPC, Tom Teets, ext. 6993)

Summary

The South Florida Water Management District (SFWMD) entered into a Project Partnership Agreement (PPA) with the U.S. Department of the Army for the Indian River Lagoon South Phase 1 Project on September 9, 2010. Under this Project Partnership Agreement, the SFWMD is responsible for providing 50 percent of the cost for constructing, operating, maintaining, repairing, replacing and rehabilitating the Indian River Lagoon South Phase 1 Project. The SFWMD's 50% cost-share is to be provided through acquisition of lands needed for the project, constructing portions

of the project, or providing cash contributions, if necessary. The Indian River Lagoon South Phase 1 Project includes the following project components:

- C-44 Reservoir and Stormwater Treatment Areas
- C-23/C-24 Reservoir and Stormwater Treatment Area
- C-25 Reservoir and Stormwater Treatment Area.

At the time of signing the original Project Partnership Agreement, the U.S. Army Corps of Engineers (Corps) had planned to construct the entire C-44 Reservoir and Stormwater Treatment Areas Project. However, in order to expedite completion of the C-44 Reservoir and Stormwater Treatment Areas Project and help balance the 50-50 programmatic cost-share for the Comprehensive Everglades Restoration Plan (CERP), the SFWMD recently agreed to construct the C-44 stormwater treatment areas, the pump station and a portion of the system discharge canal. Under Corps policy requirements, the Project Partnership Agreement must be amended to identify the construction “In-kind Work” to be provided by the SFWMD. In order to qualify for credit, the PPA must be amended prior to SFWMD awarding a contract for construction.

Additionally, the estimated Project construction cost has been updated from \$1.133 Billion to \$1.387 Billion and the estimated Project design cost has been updated from \$48 Million to \$111 Million.

Staff Recommendation

Staff recommends approving Amendment No. 1 to the Project Partnership Agreement with the U.S. Department of the Army for the Indian River Lagoon South Phase 1 Project.

34. **Resolution No. 2014 - 0712** Authorize entering into a First Amendment to the Project Cooperation Agreement between the U.S. Army Corps of Engineers and the South Florida Water Management District for construction of modifications to the C-111 Project at a total estimated project cost of \$300,996,000; for which the South Florida Water Management District will be responsible for providing a 50% cost-share; for which South Florida Water Management District is also responsible for performing operations and maintenance with reimbursement by the U.S. Army Corps of Engineers of sixty percent of annual pumping costs; affirming South Florida Water Management District’s financial capability to satisfy its obligations as the Non-Federal Sponsor; for which funding, if any, is subject to approval of future fiscal year state budgets by the State Legislature and Governor, and future fiscal year SFWMD budgets by the State Legislature, Governor and Governing Board. (Contract number C-6021/360000228-A01) (EPC, Tom Teets, ext. 6993)

Summary

In January 1995, the U.S. Army Corps of Engineers (USACE) and the South Florida Water Management District (SFWMD) entered into a Project Cooperation Agreement (PCA) for construction of modifications to the C-111 Project as set forth in the May 1994 Final Integrated General Re-Evaluation Report and Environmental Impact Statement, and approved by the Secretary of the Army on July 1, 1994 (“1994 GRR”).

Section 316 of the Water Resources Development Act of 1996 changed the cost-sharing obligations for the Project, thereby requiring an amendment to the PCA. Numerous unresolved issues over the years prevented the parties from amending the PCA. Over the past year, these issues have been resolved enabling the parties to move forward with execution of the First Amendment to the PCA. This makes it possible to construct the northern detention area (Contract 8), which is critical to operation of the C-111 Project and provides operational flexibility for the Modified Water Deliveries to Everglades National Park Project.

Staff Recommendation

Staff recommends approval of the First Amendment to the PCA.

- 35. **Resolution No. 2014 - 0713** Approving submission of the proposed FY2014-2015 millage rates for the purpose of advising county Property Appraisers for publication on Truth-in-Millage (TRIM) notices. (AS, Doug Bergstrom, ext. 6214)

Summary

Each year, the Governing Board discusses proposed millage rates as part of the statutorily mandated Truth-in-Millage (TRIM) process. These rates are then provided to each county property appraiser within the boundaries of the District for inclusion on TRIM required proposed property tax notices.

The millage rates proposed for FY2014-2015 have been calculated to comply with the TRIM process to calculate the rolled-back rate. To achieve the proposed level of ad valorem revenues, the following millage rates are proposed consistent with Governing Board strategic guidance:

District-at-Large:	0.1577 mils
Okeechobee Basin:	0.1717 mils
Everglades Construction Project:	0.0548 mils
Big Cypress Basin:	0.1520 mils

Staff Recommendation

Approval of the proposed millage rates.

36. **Resolution No. 2014 - 0714** Authorizing the official ranking of firms and entering into a three-year contract, with two (2) one-year extensions, with Mock, Roos & Associates, Inc.; AECOM Technical Services, Inc.; Stanley Consultants, Inc.; R. J. Behar & Co., Inc.; Atkins North America, Inc.; King Engineering Associates, Inc.; Parsons Environment & Infrastructure Group, Inc.; Hazen and Sawyer PC; CSA Central, Inc.; EAC Consulting, Inc.; Burns and McDonnell Engineering Co., Inc.; CES Consultants, Inc.; T.Y. Lin International; A.D.A. Engineering, Inc.; and Black and Veatch Corporation; subject to successful negotiations to provide professional engineering services for the District OMRR&R Project, in an amount not-to-exceed \$75,000,000 for all 15 contracts, for which \$4,000,000 in ad valorem funds are budgeted in FY14 and the remainder is subject to Governing Board approval of the FY15-FY20 budgets; providing an effective date. (Contract Number 4600003085, 4600003094, 4600003086, 4600003087, 4600003095, 4600003088, 4600003096, 4600003089, 4600003098, 4600003090, 4600003091, 4600003099, 4600003092, 4600003093, 4600003097) (OMC, John Mitnik, ext. 2679)

Summary

The purpose of this Request For Proposals was to solicit qualifications and technical proposals to provide engineering services for the District's Operations, Maintenance, Repair, Rehabilitation, and Replacement (OMRR&R) project. Multiple contract awards are anticipated. Contracts will be for a three-year period with two (2) one-year options to renew.

Staff Recommendation

Staff recommends approval to enter into contract negotiations with Mock, Roos & Associates, Inc.; AECOM Technical Services, Inc.; Stanley Consultants, Inc.; R. J. Behar & Co., Inc.; Atkins North America, Inc.; King Engineering Associates, Inc.; Parsons Environment & Infrastructure Group, Inc.; Hazen and Sawyer PC; CSA Central, Inc.; EAC Consulting, Inc.; Burns and McDonnell Engineering Co., Inc.; CES Consultants, Inc.; T.Y. Lin International; A.D.A. Engineering, Inc.; and Black and Veatch Corporation.

37. General Public Comment

Staff Reports

38. Monthly Financial Report - Doug Bergstrom, Division Director, Administrative Services Division
39. General Counsel's Report - Ed Artau
40. Executive Director's Report - Blake Guillory
Report on permits issued by authority delegate to the Executive Director from June 1-30, 2014
41. Board Comment

Attorney Client Sessions

42. Attorney Client Session - USA

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.

ATTENDEES: Governing Board Members F. Barber, S. Batchelor, M. Hutchcraft, J. Moran, D. O'Keefe, M. Peterson, J. Portuondo, K. Powers, G. Waldman; Executive Director B. Guillory; District attorneys E. Artau, K. Burns, J. Collier, C. Kowalsky. (Edward L. Artau, ext. 6431)

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. (Edward L. Artau, ext. 6431)

43. Attorney Client Session - FEMA

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2013), to discuss strategy related to litigation expenditures and/or settlement negotiations in South Florida Water Management District v. FEMA, et al., United States District Court, Southern District of Florida, Case No. 13-80533-CIV-Middlebrooks/Brannon.

ATTENDEES: Governing Board Members F. Barber, S. Batchelor, M. Hutchcraft, J. Moran, D. O'Keefe, M. Peterson, J. Portuondo, K. Powers, G. Waldman; Executive Director B. Guillory; District attorneys E. Artau, K. Burns, J. Collier, C. Kowalsky. (Edward L. Artau, ext. 6431)

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 South Florida Water Management District v. FEMA, et al., United States District Court, Southern District of Florida, Case No. 13-80533-CIV-Middlebrooks/Brannon. (Edward L. Artau, ext. 6431)

44. Attorney Client Session - Montoya Ranch

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2013), to discuss strategy related to litigation expenditures and/or settlement negotiations in South Florida Water Management District v. Montoya Ranch, Inc., et al., Circuit Court of the Nineteenth Judicial Circuit in and for Okeechobee County, Florida, Case No. 2012-CA-251-Judge Gary L. Sweet.

ATTENDEES: Governing Board Members F. Barber, S. Batchelor, M. Hutchcraft, J. Moran, D. O'Keefe, M. Peterson, J. Portuondo, K. Powers, G.

Waldman; Executive Director B. Guillory; District attorneys E. Artau, K. Burns, J. Collier, C. Kowalsky, K. Williams. (Edward L. Artau, ext. 6431)

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 South Florida Water Management District v. Montoya Ranch, Inc., et al., Circuit Court of the Nineteenth Judicial Circuit in and for Okeechobee County, Florida, Case No. 2012-CA-251-Judge Gary L. Sweet. (Edward L. Artau, ext. 6431)

45. Attorney Client Session - Caloosahatchee

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2013), to discuss strategy related to litigation expenditures and/or settlement negotiations in Florida Wildlife Federation et al. v. U. S. Army Corps of Engineers et al., United States District Court, Northern District of Florida, Case No. 4:12-cv-00355-RH-CAS.

ATTENDEES: Governing Board Members F. Barber, S. Batchelor, M. Hutchcraft, J. Moran, D. O'Keefe, M. Peterson, J. Portuondo, K. Powers, G. Waldman; Executive Director B. Guillory; District attorneys E. Artau, K. Burns, J. Collier, C. Kowalsky, J. Nutt. (Edward L. Artau, ext. 6431)

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 Florida Wildlife Federation et al. v. U. S. Army Corps of Engineers et al., United States District Court, Northern District of Florida, Case No. 4:12-cv-00355-RH-CAS.

46. Adjourn

June Employee of the Month
Marjorie Moore – Lead Scientist
Field Operations and Land Management

Marjorie is the project manager for the 1,256-acre Loxahatchee Mitigation Bank – one of the first in the nation established through a public/private partnership. This innovative concept allows for a private contractor to perform ecological and hydrologic restoration activities on District-owned land and sell the resulting mitigation credits generated by the restoration of the property to satisfy mitigation needs for off-site development.

The Loxahatchee Mitigation Bank reached a major milestone this year. In response to the sale of mitigation credits, the District received its first profit payment in March of \$2.7 million. To date, the District has received more than \$5 million generated from the Loxahatchee Mitigation Bank.

Marjorie has played a lead role in developing the District's Mitigation Bank Program since its inception in 1995. Her committed efforts have taken this project from a statutorily authorized concept to an approved mitigation bank, proving to be both ecologically and financially successful.

Marjorie's ability to overcome the many obstacles and challenges that could have directly impacted the program's success is commendable. She is a role model for how to resolve complicated and controversial issues in a responsive and productive manner.

Congratulations, Marjorie!

July Team of the Month

Ruth Holmes – Senior Attorney, Office of Counsel

Sean Sculley – Principal Engineer, Water Resources Division

FPL Site Certification Team

In May of this year, the Governor and Cabinet issued a Final Site Certification for Florida Power & Light's two new nuclear reactors, Unit 6 & 7, and the associated transmission line corridors. Though this milestone was achieved by the work of many, Ruth and Sean were the key staff members responsible for shepherding review of the project. Their tireless efforts during the course of DEP's four-year Site Certification process included countless meetings and continuous communication with FPL to resolve issues and reach agreement on stipulated conditions.

The final site certification order included dozens of special conditions and provisions necessary to protect the integrity of the Central and Southern Florida System, restoration projects and water resources. The review of the transmission line corridors, new power plant facilities and an alternative corridor proposal, entailed hundreds of hours of staff time from every part of the agency. Work products included three separate reports with recommended certification conditions for Governing Board approval.

Ruth and Sean are to be commended for their professionalism, detailed project management, interagency coordination skills and ability to work through and resolve every issue that came their way through this lengthy site certification application process. Congratulations, Ruth and Sean!

40-Year Service Award
Richard Champlin – Superintendent, Clewiston Field Station
Field Operations and Land Management

Richard was employed by the District on July 8, 1974, and worked in the Land Management Division where he assisted in establishing the canal and levee right-of-way. For 10 years, he worked in the Pump Station Division as a supervisor. His entire operation was reassigned to the West Palm Beach Field Station and, in 1987, he was promoted and supervised the Sign, Machine and Carpenter Shops and the Maintenance Support facility. He was responsible for establishing budgets for commodities and scheduling projects that provided services to the entire District.

In 2002, Richard was promoted to Senior Field Operations Supervisor at the Clewiston Field Station. In 2003, he was promoted to his current position of Clewiston Field Station Superintendent. Today, he oversees and ensures operations and maintenance for 23 pump stations, 166 water control structures and 500 miles of canals – including STA facilities.

For 40 years, Richard's enthusiasm and dedication have never waivered. Highly disciplined and a true team player, Richard mentors new hires and promotes the Field Operations and Land Management spirit. Well respected by his peers, Richard uses his vast experience and field expertise to accomplish the District's mission.

Congratulations Richard on a long and outstanding career!

CONSENT AGENDA TABLE OF CONTENTS
REGULATORY ITEMS FOR GOVERNING BOARD ACTION
July 10, 2014

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II CONSERVATION EASEMENT AMENDMENTS AND RELEASES	2
III WATER USE VARIANCES	3
IV SEMINOLE TRIBE WORK PLANS	4

REGULATION AGENDA ITEMS

PERMIT DENIAL: Those listed on the consent agenda are routine in nature and non-controversial. Such denials are typically due to failure of applicant to complete the application. Unique or controversial projects or those requiring a policy decision are normally listed as discussion items. Permit types include:

Environmental Resource (ERP): Permits that consider such factors as the storage of storm water to prevent flooding of a project (upstream or downstream projects); the treatment of stormwater prior to discharge from the site to remove pollutants; and the protection of wetlands on the project site.

Surface Water Management: Permits for drainage systems, which address flood protection, water quality, and environmental protection of wetlands.

Water Use: Permits for the use of ground and/or surface water from wells, canals, or lakes.

Lake Okeechobee Works of the District: Permits that set concentration limits for total phosphorus in surface discharge from individual parcels in the Lake Okeechobee Basin.

EAA Works of the District: Permits to reduce the total phosphorus load from the EAA by 25 percent in water discharged to Works of the District.

Wetland Resource: Permits for dredge and fill activities within Waters of the State and their associated wetlands.

ADMINISTRATIVE HEARING: A case in litigation conducted pursuant to the Administrative Procedures Act (Chapter 120, Florida Statutes) involving the determination of a suit upon its merits. Administrative hearings provide for a timely and cost effective dispute resolution forum for interested persons objecting to agency action.

FINAL ORDER: The Administrative Procedures Act requires the District to timely render a final order for an administrative hearing after the hearing officer submits a recommended order. The final order must be in writing and include findings of fact and conclusions of law.

CONSENT ORDER: A voluntary contractual agreement between the District and a party in dispute which legally binds the parties to the terms and conditions contained in the agreement. Normally used as a vehicle to outline the terms and conditions regarding settlement of an enforcement action.

CONSERVATION EASEMENT: A perpetual interest to the District in real property that retains land or water areas in their existing, natural, vegetative, hydrologic, scenic, open or wooded condition and retains such areas as suitable habitat for fish, plants, or wildlife in accordance with Section 704.06, F.S.

TECHNICAL DENIAL: This action normally takes place when a proposed project design does not meet water management criteria or the applicant does not supply information necessary to complete the technical review of an application.

EMERGENCY ORDER and AUTHORIZATION: An immediate final order issued without notice by the Executive Director, with the concurrence and advice of the Governing Board, pursuant to (Section 373.119(2), Florida Statutes, when a situation arises that requires timely action to protect the public health, safety or welfare and other resources enumerated by rule and statute.

MEMORANDUM OF AGREEMENT/UNDERSTANDING: A contractual arrangement between the District and a named party or parties. This instrument typically is used to define or explain parameters of a long-term relationship and may establish certain procedures or joint operating decisions.

PETITION: An objection in writing to the District, requesting either a formal or an informal administrative hearing, regarding an agency action or a proposed agency action. Usually a petition filed pursuant to Chapter 120, Florida Statutes, challenges agency action, a permit, or a rule. Virtually all agency action is subject to petition by substantially affected persons.

SEMINOLE TRIBE WORK PLAN: The District and the Seminole Indians signed a Water Use Compact in 1987. Under the compact, annual work plans are submitted to the District for review and approval. This plan keeps the District informed about the tribe plans for use of their land and the natural resources. Although this is not a permit, the staff has water resource related input to this plan.

SITE CERTIFICATIONS: Certain types of projects (power plants, transmission lines, etc.) are permitted by the Governor and Cabinet under special one-stop permitting processes that supercede normal District permits. The Water Management Districts, DEP, DCA, FGFWFC, and other public agencies are mandatory participants. DEP usually coordinates these processes for the Governor and Cabinet.

VARIANCES FROM, OR WAIVERS OF, PERMIT CRITERIA: The Florida Administrative Procedures Act provides that persons subject to an agency rule may petition the agency for a variance from, or waiver of, a permitting rule. The Governing Board may grant a petition for variance or waiver when the petitioner demonstrates that 1) the purpose of the underlying statute will be or has been achieved by other means and, 2) when application of the rule would create a substantial hardship or would violate principles of fairness.

1. RESPONDENT: CLUB EVERGLADES, INC.
PROJECT: PLEASURE ISLAND AT CLUB EVERGLADES

SEC 14 TWP 53S RGE 49E COLLIER COUNTY
SETTLEMENT OF AN ENFORCEMENT ACTION REGARDING NON-COMPLIANCE WITH PERMIT
CONDITIONS FOR MANGROVE TRIMMING OUTSIDE OF THE DESIGNATED TRIMMING AREA

2. RESPONDENT: RYLAND GROUP, INC.
PROJECT: FRIARS COVE PHASE 4, 5 AND 6

SEC 34,35 TWP 26S RGE 30E OSCEOLA COUNTY
SETTLEMENT OF AN ENFORCEMENT ACTION REGARDING NON-COMPLIANCE WITH PERMIT
CONDITIONS DUE TO TURBID WATER OFF-SITE DISCHARGE AND FAILURE TO COMPLY WITH THE
DISTRICT'S BEST MANAGEMENT PRACTICES

3. RESPONDENT: KB HOME ORLANDO, LLC
PROJECT: ENCLAVE AT TAPESTRY

SEC 7,8 TWP 25S RGE 29E OSCEOLA COUNTY
SETTLEMENT OF AN ENFORCEMENT ACTION REGARDING NON-COMPLIANCE WITH PERMIT
CONDITIONS DUE TO UNPERMITTED OFF-SITE DISCHARGE AND FAILURE TO COMPLY WITH THE
DISTRICT'S BEST MANAGEMENT PRACTICES

Attachment: ca_reg_rm_100_sd (1964 : Regulatory Consent Agenda)

-
1. PERMITTEE: MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS
PROJECT: BESSEY CREEK H W T T

MARTIN COUNTY

APPROVE A REQUEST FOR RELEASE OF A 22.654 ACRE AREA OF WETLANDS WITHIN AN OVERALL 56.1338 ACRE CONSERVATION EASEMENT FOR THE BESSEY CREEK HYBRID WETLAND TREATMENT TECHNOLOGY (HWTT) PROJECT IN MARTIN COUNTY. THE RELEASE IS REQUESTED IN ORDER TO AUTHORIZE CONSTRUCTION AND OPERATION OF THE PROJECT FOR WATER QUALITY IMPROVEMENT AND IS BEING PROCESSED CONCURRENTLY WITH AN ENVIRONMENTAL RESOURCE PERMIT MODIFICATION (APPLICATION NO. 140611-16). THE HWTT PROJECT WILL BE A RETROFIT OF THE EXISTING WATER QUALITY TREATMENT MARSH PREVIOUSLY CONSTRUCTED AS PART OF THE WESTERN PALM CITY CORRIDOR PROJECT (PERMIT NO. 43-01748-P).

WATER USE VARIANCES

1. PERMITTEE: JAMES C. MAHLBACHER
PROJECT: MAHLBACHER RESIDENCE

VARIANCE NO. 140515-3

PALM BEACH COUNTY

ENTER A FINAL ORDER GRANTING A PETITION FOR VARIANCE TO JAMES C. MAHLBACHER AUTHORIZING A VARIANCE FROM THE DAY OF THE WEEK LANDSCAPE IRRIGATION MEASURES SPECIFIED IN CHAPTER 40E-24, F.A.C., TO PROVIDE FOR WATER CONSERVATION THROUGH IMPLEMENTATION OF AN ADVANCED IRRIGATION SYSTEM.

-
1. CONCUR WITH THE NINTH AMENDMENT TO THE TWENTY SEVENTH ANNUAL WORK PLAN FOR THE SEMINOLE TRIBE OF FLORIDA. WORKS IN THE BRIGHTON RESERVATION INCLUDE THE REPLACEMENT OF CULVERT HP02 AND HP03 WITH UPGRADED STRUCTURES TO BE RENAMED S-287 AND S-286 RESPECTIVELY AT THE CURRENT EXISITING LOCATIONS, CONSTRUCTION OF A CATWALK ON THE L-61 CANAL FOR THE PURPOSE OF INSTALLING A TAILWATER LEVEL RECORDER OF THE SEMINOLE TRIBE OF FLORIDA "D" PUMP STATION; WORKS IN THE HOLLYWOOD RESERVATION INCLUDE THE PHASED CONSTRUCTION OF FIVE (5) TOWNHOMES IN APPROXIMATELY 2.71 ACRES.
-

MEMORANDUM

TO: Governing Board Members
FROM: Karen Estock, Division Director
DATE: July 10, 2014
SUBJECT: Release of Reservations

Summary

The District has jurisdiction over certain reserved rights to construct canal 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 Trustees canal reservations and issuance of non-use commitment to Weston Commercial Properties, Ltd. (File Nos. 5-14-1 and NUC 1650) for 16.62 acres in Broward County
- Release of District canal reservations and issuance of non-use commitment to Direct Property Investments, Inc. (File Nos. 18591 and NUC 1652) for 1.00 acre in Palm Beach County

Additional Background

See Memorandum Exhibit "A" and maps attached hereto and made a part hereof, which contain the details and locations of the releases and non-use commitments to be approved and issued.

Core Mission and Strategic Priorities

Pursuant to Section 373.096 of the Florida Statutes, the Governing Board of the District may release any reservation for which it has no present or apparent use under terms and conditions determined by the Board.

Funding Source

None; reservations were acquired at no cost to the District.

Staff Contact and/or Presenter

Kathy Massey, ext. 6835

MEMORANDUM - EXHIBIT "A"

File Nos.: 5-14-1 and NUC 1650
 Applicant: Weston Commercial Properties, Ltd., a Florida limited partnership
 Reserving Deeds: E-2224 (DB 470-310, 1/16/1945) and 16198 (DB 46-240, 12/24/1908)
 Fee paid: \$825.00
 Action: Approve release of Trustees canal reservations and issuance of non-use commitment
 Acres: 13.62 acres, more or less
 Legal Description: Portion of Parcel "A", Sectors 3 and 4 Boundary Plat, PB 146-18, and Portion of Parcels "A" and "B", Sector 1 Boundary Plat, PB 165-16, Section 35, Township 49 South, Range 39 East
 Location: Glades Circle (South of I-75 and West of Glades Parkway), Weston, Broward County
 Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and City of Weston

File Nos.: 18591 and NUC 1652
 Applicant: Direct Property Investments, Inc., a Florida corporation
 Reserving Deed: E-5482 (DB 780-35, 9/5/1946)
 Fee Paid: \$250.00
 Action: Approve release of District canal reservations and issuance of non-use commitment
 Acres: 1.00 acre, more or less
 Legal Description: Portion of the E ½ of the SE ¼ of the SE ¼ of the NE ¼ of Section 16, Township 46 South, Range 42 East
 Location: Hagen Ranch Road (North of West Atlantic Avenue), Delray Beach, Palm Beach County
 Reviewed by: Lake Worth Drainage District; no internal routing due to size and land use

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0701

A Resolution of the Governing Board of the South Florida Water Management District approving release of canal reservations and issuance of non-use commitments; providing an effective date.

WHEREAS, certain underlying landowners have requested that the South Florida Water Management District (District) release certain canal reservations, and issue non-use commitments as to mineral reservations;

WHEREAS, the District is empowered to grant such releases and non-use commitments pursuant to Section 373.096, Florida Statutes;

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves the release of canal reservations and issuance of non-use commitments, as described in Resolution Exhibit "A", attached hereto and made a part hereof.

Section 2. This Resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this 10th day of July, 2014.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD
By:

Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

RESOLUTION - EXHIBIT "A"

RELEASE OF DISTRICT CANAL RESERVATIONS:

File No.: 18591
 Applicant: Direct Property Investments, Inc., a Florida corporation
 Reserving Deed: E-5482 (DB 780-35, 9/5/1946)
 Acres: 1.00 acre, more or less
 Legal Description: Portion of the E ½ of the SE ¼ of the SE ¼ of the NE ¼ of Section 16, Township 46 South, Range 42 East
 Location: Hagen Ranch Road (North of West Atlantic Avenue), Delray Beach, Palm Beach County

RELEASE OF TIITF CANAL RESERVATIONS:

File No.: 5-14-1
 Applicant: Weston Commercial Properties, Ltd., a Florida limited partnership
 Reserving Deed: 16198 (DB 46-240, 12/24/1908)
 Acres: 13.62 acres, more or less
 Legal Description: Portion of Parcel "A", Sectors 3 and 4 Boundary Plat, PB 146-18, and Portion of Parcels "A" and "B", Sector 1 Boundary Plat, PB 165-16, Section 35, Township 49 South, Range 39 East
 Location: Glades Circle (South of I-75 and West of Glades Parkway), Weston, Broward County

ISSUANCE OF NON-USE COMMITMENT:

File No.: NUC 1650
 Applicant: Weston Commercial Properties, Ltd., a Florida limited partnership
 Reserving Deed: E-2224 (DB 470-310, 1/16/1945)
 Acres: 13.62 acres, more or less
 Legal Description: Portion of Parcel "A", Sectors 3 and 4 Boundary Plat, PB 146-18, and Portion of Parcels "A" and "B", Sector 1 Boundary Plat, PB 165-16, Section 35, Township 49 South, Range 39 East
 Location: Glades Circle (South of I-75 and West of Glades Parkway), Weston, Broward County

File No.: NUC 1652
 Applicant: Direct Property Investments, Inc., a Florida corporation
 Reserving Deed: E-5482 (DB 780-35, 9/5/1946)
 Acres: 1.00 acre, more or less
 Legal Description: Portion of the E ½ of the SE ¼ of the SE ¼ of the NE ¼ of Section 16, Township 46 South, Range 42 East
 Location: Hagen Ranch Road (North of West Atlantic Avenue), Delray Beach, Palm Beach County

Release of Reservations Broward County



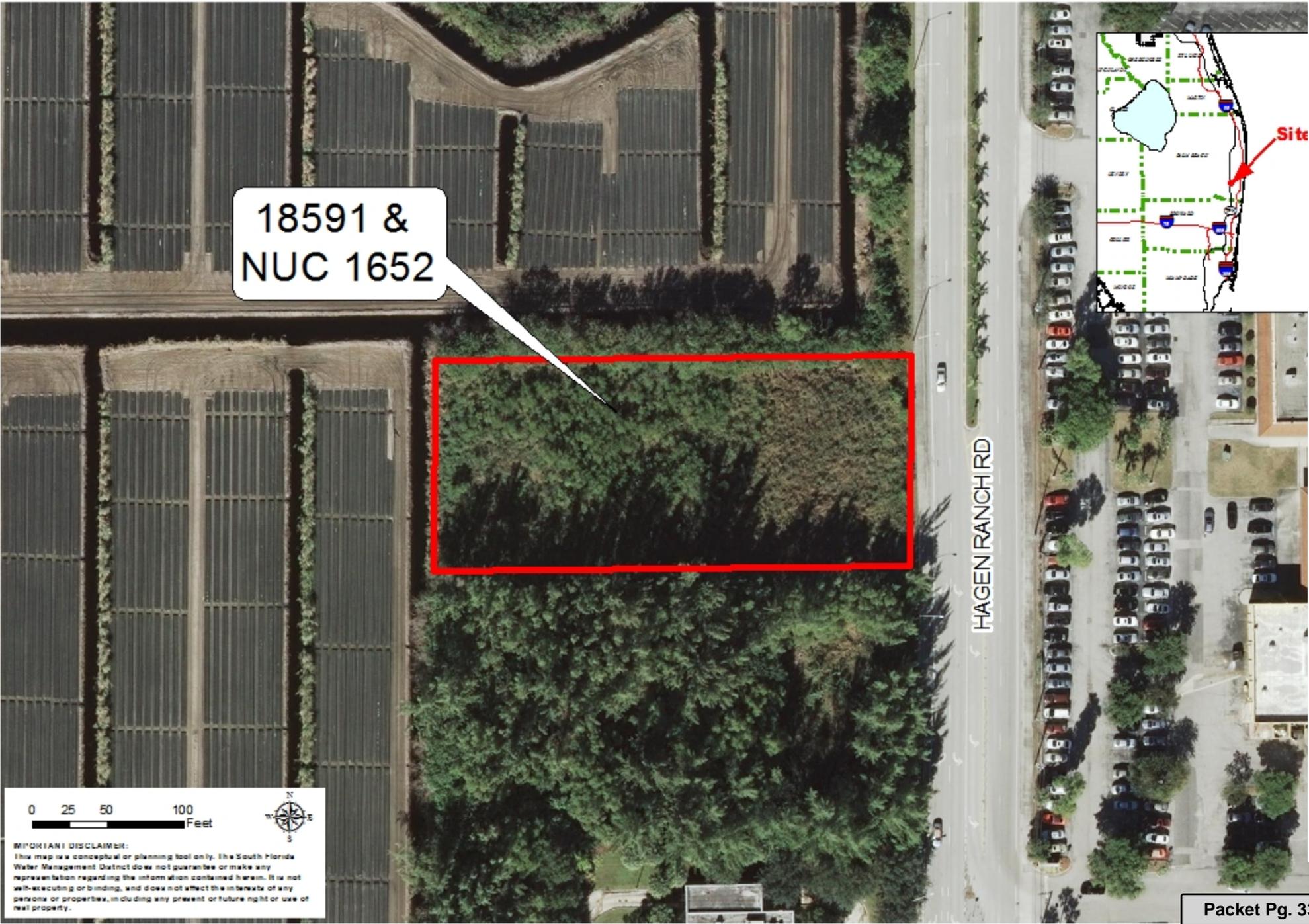
NUC 1650
and 5-14-1

IMPORTANT DISCLAIMER:
This map is a conceptual or planning tool only. The South Florida Water Management District does not guarantee or make any representation regarding the information contained herein. It is not self-executing or binding, and does not affect the interests of any persons or properties, including any present or future right or use of real property.

Attachment: ca_om_200_Massey_Releases_GB_Jul14_NUC1650and5_14_1 (Resolution No. 2014 - 0701 :

For copies of this map: \\arc_data\maps\ReleaseOfReservations\GB_Jul14_NUC1650and5_14_1.mxd, created by af, contact the Real Estate Section.

Release of Reservations Palm Beach County



18591 &
NUC 1652

HAGEN RANCH RD



0 25 50 100
Feet



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MEMORANDUM

TO: Governing Board Members

FROM: Karen Estock, Division Director

DATE: July 10, 2014

SUBJECT: Installation and monitoring of rain gauge over a portion of Collier County's Freedom Park

Summary

This Revocable Temporary License Agreement will allow the District to install and monitor a rain gauge and associated telemetry equipment and provide future routine and emergency repair services on public property at Collier County's Freedom Park. This rain gauge and associated telemetry equipment replaces a rain gauge that had been installed on nearby private lands since the 1940's and is an important area to continue to monitor for the successful decision making and operation of both the primary and secondary flood control systems in the Big Cypress Basin and Collier County. District and County staff have reviewed and agreed upon the location for this rain gauge and associated telemetry equipment. (See attached map) However, the District's rights under this proposed license agreement are subordinate and subject to Collier County's right to terminate this license agreement upon sixty (60) days written notice. Additionally, the City of Naples has superior rights as to location of ASR Wells within Freedom Park. Also, Florida Power & Light Company has easements rights within the park. The potential exists for the District to be required at a future date to remove and/or relocate this proposed rain gauge and associated telemetry equipment. The removal and/or relocation would be at District expense.

Staff Recommendation

Approve the acquisition of a revocable temporary license from Collier County, at no cost, over a portion of Collier County's Freedom Park for the installation and monitoring of a rain gauge and associated telemetry equipment in Collier County, Big Cypress Basin.

Additional Background

N/A

Core Mission and Strategic Priorities

Replacement of this rain gauge will once again allow measurements at a key location in the headwaters of Naples Bay. This improved coverage of urban Collier County will enhance decision-making and operational capabilities of the Big Cypress Basin. SCADA and Big Cypress Basin staff will be responsible for implementing this project.

Funding Source

This revocable temporary license is being obtained from Collier County at no cost to the District. For installation and monitoring activities, the funding source is from SCADA's consumable budget.

Staff Contact and/or Presenter

Ray Palmer, rpalmer@sfwmd.gov <<mailto:rpalmer@sfwmd.gov>>, 561-682-2246

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0702

A Resolution of the Governing Board of the South Florida Water Management District to approve the acquisition of a revocable temporary license, at no cost, over a portion of Collier County's Freedom Park for the installation and monitoring of a rain gauge and associated telemetry equipment in Collier County, Big Cypress Basin; providing an effective date.

WHEREAS, the South Florida Water Management District desires to acquire a revocable temporary license, at no cost, from Collier County over a portion of Collier County's Freedom Park for the installation and monitoring of a rain gauge and associated telemetry equipment; and

WHEREAS, the South Florida Water Management District is authorized to acquire land, or interests or rights in land, from governmental entities pursuant to Section 373.056, Florida Statutes.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves the acquisition of a revocable temporary license, at no cost, over a portion of Collier County's Freedom Park for the installation and monitoring of a rain gauge and associated telemetry equipment in Collier County, Big Cypress Basin. Collier County and South Florida Water Management District shall each have the unilateral right to terminate the license upon sixty (60) days written notice.

Section 2. The Governing Board of the South Florida Water Management District hereby authorizes the Chairman to execute the Revocable Temporary License.

Section 3. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 10th day of July, 2014.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

District Clerk/Secretary

Legal form approved:

By:

Office of Counsel

Print name:

Rain Gauge and Telemetry Area at Collier County's Freedom Park



01100-222



0 20 40 80
Feet



IMPORTANT DISCLAIMER:
This map is a conceptual or planning tool only. The South Florida Water Management District does not guarantee or make any representation regarding the information contained herein. It is not self-executing or binding, and does not affect the interests of any persons or properties, including any present or future right or use of real property.

For copies of this map (\\arc_data\map\gpr\col\am\GIS\14_FreedomPark.mxd), created by af, contact the Real Estate Section.

M E M O R A N D U M

TO: Governing Board Members

FROM: Karen Estock, Division Director

DATE: July 10, 2014

SUBJECT: Cattle grazing lease on approximately 670.31 acres, Encumbrance KE10E-048, St. Lucie County

Summary

As part of the Indian River Lagoon - South (IRL) Comprehensive Everglades Restoration Project (CERP), the District acquired various properties in St. Lucie County containing approximately 5,744 acres. The properties were acquired to construct Storm Water Treatment Areas (STAs) to reduce sediment, phosphorus and nitrogen entering the IRL and to construct surface water reservoirs for increased water storage.

The properties offered for lease are abandoned fallow citrus groves. The District desires to lease a 670.31 acre property identified as Encumbrance ID KE10E-048 (See Exhibit "A") for cattle grazing. The revenues generated from this lease will assist Land Management with maintenance and management of other District lands.

Request for bid 6000000638 for a new agricultural grazing lease with a ten year term for the subject lands was issued May 13, 2014. Responsive bids were due June 20, 2014. The winning bid was submitted by Diamond 3 Cattle Co. LLC in the annual amount of \$22,260.00. Diamond 3 Cattle Co. LLC is the proposed Lessee for the new ten-year term grazing lease with contract number 4600003076 (the "New Lease").

There is one Special Provision in the New Lease. The Lessee shall construct perimeter fencing on the property, with respect to which the Lessee will be granted a fencing credit of \$26,247.50, which will be deducted proportionally from the annual rent due for the first seven years of the New Lease. The resulting net revenue to the District during the 10 year lease term will be approximately \$196,353.00, subject to a market rent adjustment after year five.

Staff Recommendation

Staff recommends approval of ten year cattle grazing lease.

Core Mission and Strategic Priorities

The objective of this lease is to obtain assistance in the stewardship and maintenance of this land by utilizing beef cattle grazing as a tool in the maintenance of grass pastures and native range and provide revenue for the maintenance and management of District lands.

The revenues generated from this lease will assist Land Management in managing this and other District-owned Interim and Restoration lands.

Funding Source

There are no District costs associated with this item other than the cost of administering the lease. This new lease is estimated to bring in \$196,353.00 of net revenue to the District over the life of the ten year lease.

Staff Contact and/or Presenter

Ray Palmer, rpalmer@sfwmd.gov <<mailto:rpalmer@sfwmd.gov>>, 561-682-2246

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0703

A Resolution of the Governing Board of the South Florida Water Management District approving a new 10-year lease agreement for approximately 670.31 acres in St. Lucie County, with Diamond 3 Cattle Co. LLC, the highest responsive and responsible bidder, with a bid amount of \$22,260.00 annually, as more particularly described herein; providing an effective date. (Contract No. 4600003076)

WHEREAS, the Governing Board, pursuant to Section 373.093, of the Florida Statutes, may lease lands or interests in land under terms and conditions determined by the Governing Board; and

WHEREAS, the District and Diamond 3 Cattle Co. LLC, desire to enter into a Lease Agreement on the premises for a 10-year term under contract number 4600003076 (the "Lease Agreement"); and

WHEREAS, the Lessee's main use of the Premises will be cattle grazing which will assist in the stewardship and maintenance of the grass pastures and native range.

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to approve Diamond 3 Cattle Co. LLC as the highest responsive and responsible bidder to solicitation number 6000000638 for a new agricultural grazing lease on approximately 670.31 acres in St. Lucie County (the "premises") in the gross amount of \$22,260.00 annually;

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves entering into contract number 4600003076 with Diamond 3 Cattle Co. LLC for a 10 year cattle grazing lease on approximately 670.31 acres in St. Lucie County.

Section 2. This Resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this 10th day of July, 2014.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

District Clerk/Secretary

Legal form approved:

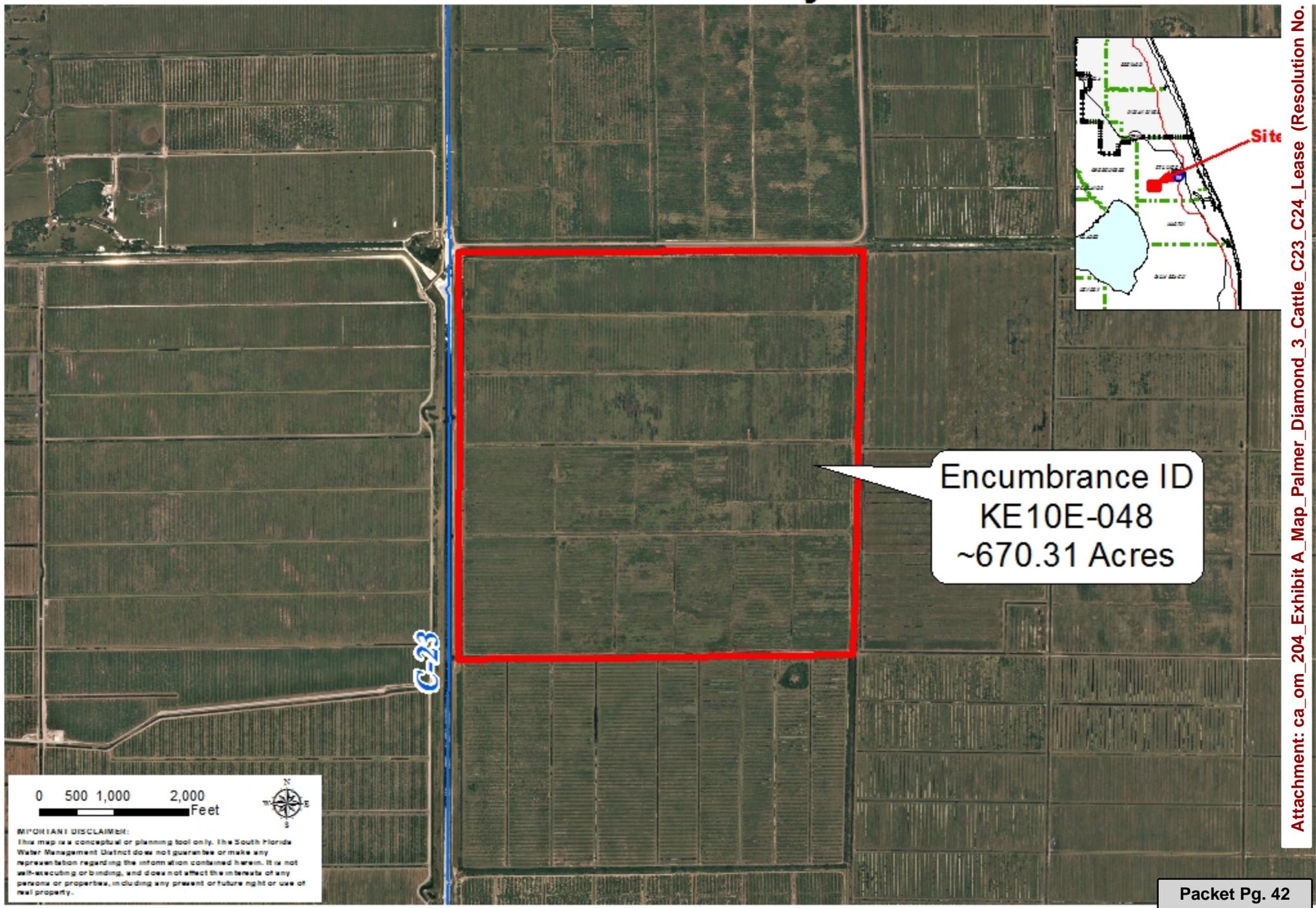
By:

Office of Counsel

Print name:

Cattle Lease St. Lucie County

Exhibit A



Encumbrance ID
KE10E-048
~670.31 Acres

C-23

0 500 1,000 2,000 Feet

IMPORTANT DISCLAIMER:
This map is a conceptual or planning tool only. The South Florida Water Management District does not guarantee or make any representation regarding the information contained herein. It is not self-executing or binding, and does not affect the interests of any persons or properties, including any present or future right or use of real property.

For copies of this map (\\arc_data\maps\Leasing\m106_Jul14_Lease_KE10E048.mxd), created by sf, contact the Real Estate Section.

Attachment: ca_om_204_Exhibit A_Map_Palmer Diamond 3 Cattle_C23_C24_Lease (Resolution No.

MEMORANDUM

TO: Governing Board Members

FROM: Karen Estock, Division Director

DATE: July 10, 2014

SUBJECT: Cattle grazing lease on approximately 651.52 acres, Encumbrance KE10E-049, St. Lucie County

Summary

As part of the Indian River Lagoon - South (IRL) Comprehensive Everglades Restoration Project (CERP), the District acquired various properties in St. Lucie County containing approximately 5,744 acres. The properties were acquired to construct Storm Water Treatment Areas (STAs) to reduce sediment, phosphorus and nitrogen entering the IRL and to construct surface water reservoirs for increased water storage.

The properties offered for lease are abandoned fallow citrus groves. The District desires to lease a 651.52 acre property identified as Encumbrance ID KE10E-049 (See Exhibit "A") for cattle grazing. The revenues generated from this lease will assist Land Management with maintenance and management of other District lands.

Request for bid 6000000638 for a new agricultural grazing lease with a ten year term for the subject lands was issued May 13, 2014. Responsive bids were due June 20, 2014. The winning bid was submitted by Diamond 3 Cattle Co. LLC in the annual amount of \$17,490.00. Diamond 3 Cattle Co. LLC is the proposed Lessee for the new ten-year term grazing lease with contract number 4600003079 (the "New Lease").

There is one Special Provision in the New Lease. The Lessee shall construct perimeter fencing on the property, with respect to which the Lessee will be granted a fencing credit of \$26,351.25, which will be deducted proportionally from the annual rent due for the first seven years of the New Lease. The resulting net revenue to the District during the 10 year lease term will be approximately \$148,549.00, subject to a market rent adjustment after year five.

Staff Recommendation

Staff recommends approval of ten year cattle grazing lease.

Core Mission and Strategic Priorities

The objective of this lease is to obtain assistance in the stewardship and maintenance of this land by utilizing beef cattle grazing as a tool in the maintenance of grass pastures and native range and provide revenue for the maintenance and management of District lands.

The revenues generated from this lease will assist Land Management in managing this and other District-owned Interim and Restoration lands.

Funding Source

There are no District costs associated with this item other than the cost of administering the lease. This new lease is estimated to bring in \$148,549.00 of net revenue to the District over the life of the ten year lease.

Staff Contact and/or Presenter

Ray Palmer, rpalmer@sfwmd.gov <<mailto:rpalmer@sfwmd.gov>>, 561-682-2246

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0704

A Resolution of the Governing Board of the South Florida Water Management District approving a new 10-year lease agreement for approximately 651.52 acres in St. Lucie County, with Diamond 3 Cattle Co. LLC, the highest responsive and responsible bidder, with a bid amount of \$17,490.00 annually, as more particularly described herein; providing an effective date. (Contract No. 4600003079)

WHEREAS, the Governing Board, pursuant to Section 373.093, of the Florida Statutes, may lease lands or interests in land under terms and conditions determined by the Governing Board; and

WHEREAS, the District and Diamond 3 Cattle Co. LLC, desire to enter into a Lease Agreement on the premises for a 10-year term under contract number 4600003079 (the "Lease Agreement"); and

WHEREAS, the Lessee's main use of the Premises will be cattle grazing which will assist in the stewardship and maintenance of the grass pastures and native range.

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to approve Diamond 3 Cattle Co. LLC as the highest responsive and responsible bidder to solicitation number 6000000638 for a new agricultural grazing lease on approximately 651.52 acres in St. Lucie County (the "premises") in the gross amount of \$17,490.00 annually;

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves entering into contract number 4600003079 with Diamond 3 Cattle Co. LLC for a 10 year cattle grazing lease on approximately 651.52 acres in St. Lucie County.

Section 2. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 10th day of July, 2014.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

District Clerk/Secretary

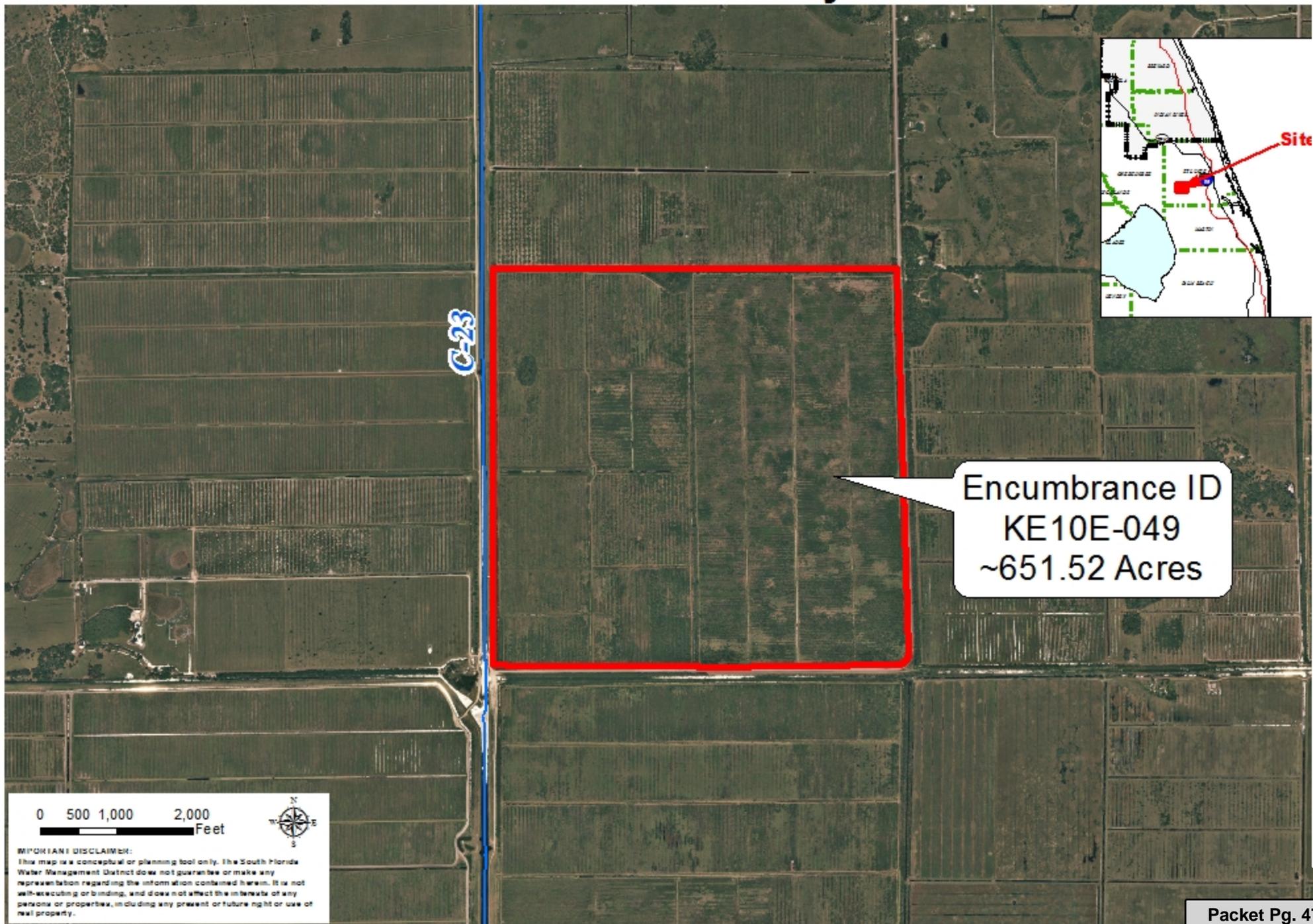
Legal form approved:

By:

Office of Counsel

Print name:

Cattle Lease St. Lucie County



Attachment: ca_om_205_Exhibit A_Map_Palmer Diamond 3 Cattle_C23_C24_Lease (Resolution No.

For copies of this map (\\arc_data\maps\Leasing\am106_Jul14_Lease_KE10E049.mxd), created by sf, contact the Real Estate Section.

M E M O R A N D U M

TO: Governing Board Members

FROM: Karen Estock, Division Director

DATE: July 10, 2014

SUBJECT: Cattle grazing lease on 1,422.28 acres in western Martin County, known as Lakeside Ranch Phase II

Summary

As part of the 2007 Northern Everglades & Estuaries Protection Program, the District acquired approximately 2,600 acres in western Martin County to construct a water clean-up project known as the Lakeside Ranch Project. Phase I of the Lakeside Ranch Stormwater Treatment Area (STA) is featured in the Lake Okeechobee Watershed Construction Project Phase II Technical Plan and consists of canals, embankments, water control structures and the S-650 Pump Station. Phase II portion of the STA is not ready to begin construction, and as an interim land management tool, the District desires to lease the 1,422.28 acre Property (See Exhibit "A") for cattle grazing. The revenues generated from this lease will assist Land Management in managing this and other District-owned Interim and Restoration lands.

Request for bid 6000000635 for a new agricultural grazing lease with a ten year term for the subject lands was issued May 6, 2014. Responsive bids were due June 10, 2014. The winning bid was submitted by Albert J. Gamot in the annual amount of \$34,604.00. Mr. Gamot is the proposed Lessee for the new ten-year term grazing lease with contract number 4600003065 (the "New Lease").

There is one Special Provision in the New Lease. The Lessee shall construct perimeter fencing on the property, with respect to which the Lessee will be granted a fencing credit of \$69,513.75, which will be deducted proportionally from the annual rent due for the first five years of the New Lease. The resulting net revenue to the District during the first 5 years will be approximately \$103,506.00 and approximately \$173,000.00 net revenue during the second 5 years, subject to a market rent adjustment.

Staff Recommendation

Staff recommends approval of ten year cattle grazing lease.

Core Mission and Strategic Priorities

The objective of this lease is to obtain assistance in the stewardship and maintenance of this land by utilizing beef cattle grazing as a tool in the maintenance of grass pastures and native range and provide revenue for the maintenance and management of District lands.

The revenues generated from this lease will assist Land Management in managing this and other District-owned Interim and Restoration lands.

Funding Source

There are no District costs associated with this item other than the cost of administering the lease. This new lease is estimated to bring in \$276,506.00 of net revenue to the District over the life of the ten year lease.

Staff Contact and/or Presenter

Ray Palmer, rpalmer@sfwmd.gov <<mailto:rpalmer@sfwmd.gov>>, 561-682-2246

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0705

A Resolution of the Governing Board of the South Florida Water Management District approving a new 10-year lease agreement for approximately 1,422.28 acres in Martin County, with Albert J. Gamot, the highest responsive and responsible bidder, with a bid amount of \$34,604.00 annually, as more particularly described herein; providing an effective date. (Contract No. 4600003065)

WHEREAS, the Governing Board, pursuant to Section 373.093, of the Florida Statutes, may lease lands or interests in land under terms and conditions determined by the Governing Board;

WHEREAS, the District and Albert J. Gamot, desire to enter into a Lease Agreement on the premises for a 10-year term under Contract number 4600003065 (the "Lease Agreement"); and

WHEREAS, the Lessee's main use of the Premises will be cattle grazing which will assist in the stewardship and maintenance of the grass pastures and native range.

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to approve Albert J. Gamot as the highest responsive and responsible bidder to solicitation number 6000000635 for a new agricultural grazing lease on approximately 1,422.28 acres in Martin County (the "premises") in the gross amount of \$34,604.00 annually;

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves entering into Contract No. 4600003065 with Albert J. Gamot for a 10 year cattle grazing lease on approximately 1,422.28 acres in Martin County.

Section 2. This Resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this 10th day of July, 2014.

SOUTH FLORIDA WATER MANAGEMENT
DISTRICT, BY ITS GOVERNING BOARD
By:

Chairman

Attest:

District Clerk/Secretary

Legal form approved:
By:

Office of Counsel

Print name:

Lakeside Ranch Lease Martin County



Attachment: ca_om_202_map_Exhibit A (Resolution No. 2014 - 0705 : Cattle grazing lease on 1,422.28

M E M O R A N D U M

TO: Governing Board Members

FROM: Karen Estock, Division Director

DATE: July 10, 2014

SUBJECT: Cattle grazing lease on approximately 1,202.40 acres, Encumbrance KE10E-047, St. Lucie County

Summary

As part of the Indian River Lagoon - South (IRL) Comprehensive Everglades Restoration Project (CERP), the District acquired various properties in St. Lucie County containing approximately 5,744 acres. The properties were acquired to construct Storm Water Treatment Areas (STAs) to reduce sediment, phosphorus and nitrogen entering the IRL and to construct surface water reservoirs for increased water storage.

The properties offered for lease are abandoned fallow citrus groves. The District desires to lease a 1,202.40 acre property identified as Encumbrance ID KE10E-047 (See Exhibit "A") for cattle grazing. The revenues generated from this lease will assist Land Management with maintenance and management of other District lands.

Request for bid 6000000638 for a new agricultural grazing lease with a ten year term for the subject lands was issued May 13, 2014. Responsive bids were due June 20, 2014. The winning bid was submitted by Mancil's Tractor Service Inc. in the gross annual amount of \$26,425.00. Mancil's Tractor Service, Inc. is the proposed Lessee for the new ten-year term grazing lease with contract number 4600003074 (the "New Lease").

There are two Special Provisions in the New Lease. First, the property is subject to an additional property assessment imposed by the North St. Lucie River Water Control District. The assessment rate is approximately \$11.25 per acre. Secondly, the Lessee shall construct perimeter fencing on the property, with respect to which the Lessee will be granted a fencing credit of \$69,836.25, which will be deducted proportionally from the annual rent due for the first seven years of the New Lease. The resulting net revenue to the District during the 10 year lease term will be approximately \$194,414.00, subject to a market rent adjustment after year five.

Staff Recommendation

Staff recommends approval of ten year cattle grazing lease.

Core Mission and Strategic Priorities

The objective of this lease is to obtain assistance in the stewardship and maintenance of this land by utilizing beef cattle grazing as a tool in the maintenance of grass pastures and native range and provide revenue for the maintenance and management of District lands.

The revenues generated from this lease will assist Land Management in managing this and other District-owned Interim and Restoration lands.

Funding Source

There are no District costs associated with this item other than the cost of administering the lease. This new lease is estimated to bring in \$194,414.00 of net revenue to the District over the life of the ten year lease.

Staff Contact and/or Presenter

Ray Palmer, rpalmer@sfwmd.gov <<mailto:rpalmer@sfwmd.gov>>, 561-682-2246

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0706

A Resolution of the Governing Board of the South Florida Water Management District approving a new 10-year lease agreement for approximately 1,202.40 acres in St. Lucie County, with Mancil's Tractor Service Inc., the highest responsive and responsible bidder, with a bid amount of \$26,425.00 annually, as more particularly described herein; providing an effective date. (Contract No. 4600003074)

WHEREAS, the Governing Board, pursuant to Section 373.093, of the Florida Statutes, may lease lands or interests in land under terms and conditions determined by the Governing Board; and

WHEREAS, the District and Mancil's Tractor Service, Inc., desire to enter into a Lease Agreement on the premises for a 10-year term under contract number 4600003074 (the "Lease Agreement"); and

WHEREAS, the Lessee's main use of the Premises will be cattle grazing which will assist in the stewardship and maintenance of the grass pastures and native range.

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to approve Mancil's Tractor Service, Inc. as the highest responsive and responsible bidder to solicitation number 6000000638 for a new agricultural grazing lease on approximately 1,202.40 acres in St. Lucie County (the "premises") in the gross amount of \$26,425.00 annually;

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves entering into contract number 4600003074 with Mancil's Tractor Service, Inc. for a 10 year cattle grazing lease on approximately 1,202.40 acres in St. Lucie County.

Section 2. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 10th day of July, 2014.

SOUTH FLORIDA WATER MANAGEMENT
DISTRICT, BY ITS GOVERNING BOARD
By:

Chairman

Attest:

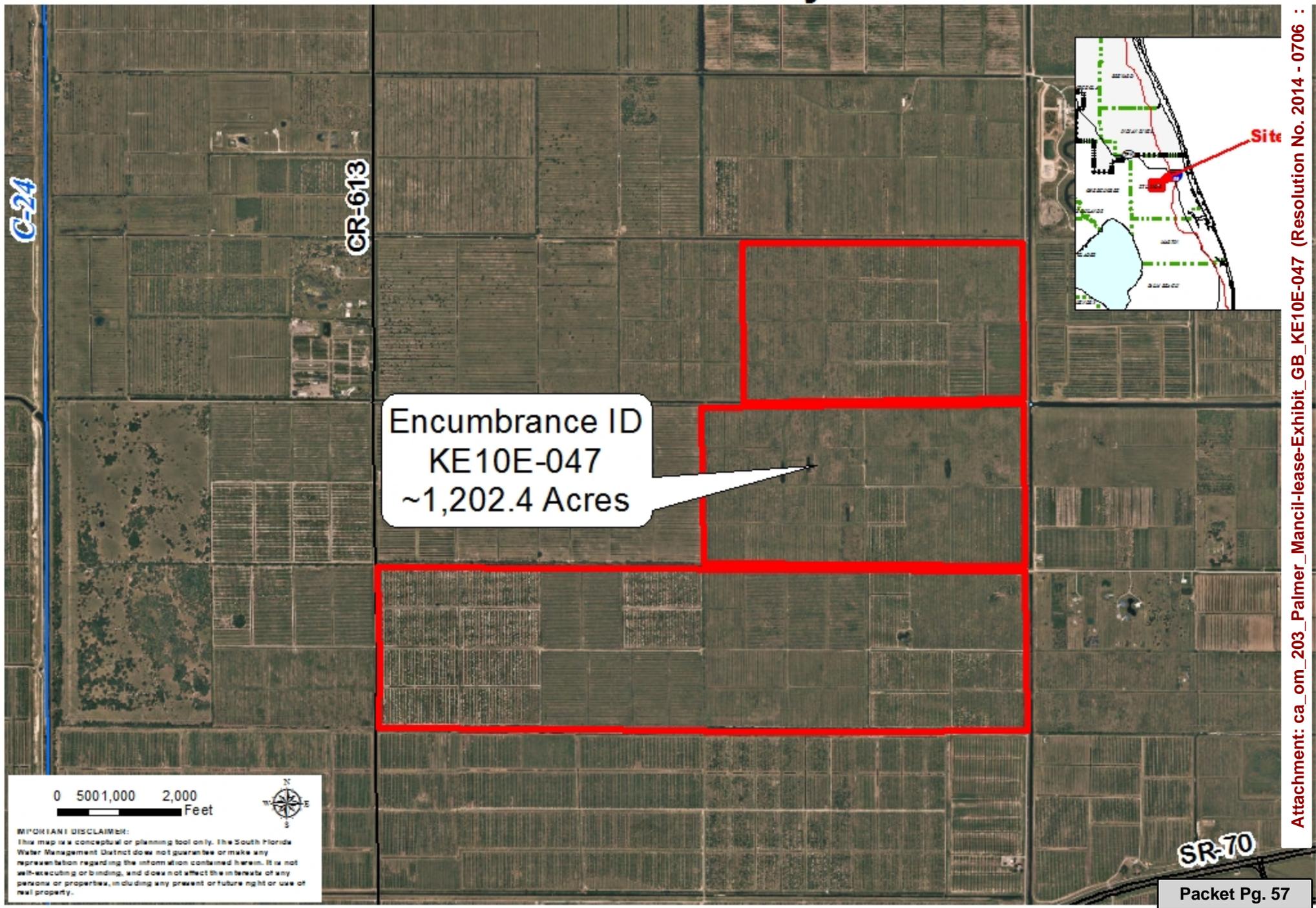
District Clerk/Secretary

Legal form approved:
By:

Office of Counsel

Print name:

Cattle Lease St. Lucie County



Encumbrance ID
KE10E-047
~1,202.4 Acres

C-24

CR-613



Attachment: ca_om_203_Palmer_Mancil-lease-Exhibit_GB_KE10E-047 (Resolution No. 2014 - 0706 :

0 500 1,000 2,000 Feet

IMPORTANT DISCLAIMER:
This map is a conceptual or planning tool only. The South Florida Water Management District does not guarantee or make any representation regarding the information contained herein. It is not self-executing or binding, and does not affect the interests of any persons or properties, including any present or future right or use of real property.

SR-70

For copies of this map (\\arc_data\maps\Leasing\GIS\Jul14_Lease_KE10E047.mxd), created by sf, contact the Real Estate Section.

MEMORANDUM

TO: Governing Board Members

FROM: Sharon M. Trost, P.G., AICP, Director, Regulation Division

DATE: July 10, 2014

SUBJECT: Revising Section 101-41 of District Policy Code clarifying delegations to the Executive Director

Summary

This revision of the District Policies Code regarding delegations to the Executive Director clarifies the existing policy contained in Chapter 101 , Article II, Division 2, Section 101-41 of the District Policies Code to specifically include verification of exemptions to permitting criteria under Parts II and IV of Chapter 373, Florida Statutes, and Chapter 403, Florida Statutes, and any rules promulgated thereunder.

Staff Recommendation

Staff recommends approval of this revision to existing District Policy.

Core Mission and Strategic Priorities

This item supports the District's regulatory program related to Chapter 373, Florida Statutes, and Chapter 403, Florida Statutes.

Funding Source

There is no associated cost with this revision of District Policy.

Staff Contact and/or Presenter

Anita Bain, Bureau Chief, Environmental Resource Permitting. Ext. 6866

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0707

A Resolution of the Governing Board of the South Florida Water Management District revising Chapter 101, Article II, Division 2, Section 101-41 of the District Policies Code revising delegations to the Executive Director for the taking of final action under Parts II and IV of Chapter 373, Florida Statutes and Chapter 403, Florida Statutes and any Rules promulgated thereunder, providing for inclusion in the District Policies Code; providing for severability; providing an effective date.

WHEREAS the Governing Board had determined that it is necessary, appropriate and in the public interest to revise Chapter 101, Article II, Division 2, Section 101-41 of the District Policies Code regarding delegations to the Executive Director for the taking of final action under Part IV of Chapter 373, Florida Statutes to specifically include verification of exemptions to permitting criteria under Part IV of Chapter 373, Florida Statutes and Chapter 403, Florida Statutes, and any rules promulgated thereunder; **now therefore**

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board adopts the following revisions to the District Policies Code:

CHAPTER 101	AGENCY ADMINISTRATION
ARTICLE II.	GOVERNING BOARD DELEGATIONS OF AUTHORITY
DIVISION 2.	SPECIFIC DELEGATIONS
Sec. 101-41.	Agency Administration Delegations.

(a) The Governing Board delegates to the Executive Director its authority to:

(1) Take final action on permit applications under parts II or IV of Chapter 373, Florida Statutes, or petitions for variances or waivers of permitting requirements under parts II or IV of Chapter 373, Florida Statutes or verification of exemptions to permitting criteria under part IV of Chapter 373, Florida Statutes and Chapter 403, Florida Statutes, and any rules promulgated thereunder. The Executive Director may execute this delegated authority through designated staff.

(2) Employ an Ombudsman.

(b) The Governing Board delegates to the Executive Director and General Counsel the authority to:

(1) Accept donations of property to the District, including real property, interests

in real property, and personal property.

(2) Grant rights of entry onto District property and accepting rights of entry onto non-District property.

(3) Execute all permit applications for permits sought by the District.

(4) Certify rules for filing with the Department of State or the District Clerk.

(5) Certify, pursuant to Section 112.31901, Florida Statutes, that investigatory records of the Inspector General require an exemption from disclosure under the Public Records Law, Chapter 119, Florida Statutes, to protect the integrity of an investigation or avoid unwarranted damage to an individual's good name or reputation.

(c) The Governing Board delegates to the General Counsel, and Office of Counsel Attorneys the authority to: Accept service of process for the District or staff acting in their official capacity.

Section 2. Inclusion of Sections 1 of this resolution in the District Policies Code is authorized and directed.

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

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

PASSED and **ADOPTED** this 10th day of July, 2014.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD
By:

Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

M E M O R A N D U M

TO: Governing Board Members

FROM: Sharon M. Trost, P.G., AICP, Director, Regulation Division

DATE: July 10, 2014

SUBJECT: Adopt Amendment with change to Rule 40E-1.607 for CUPcon

Summary:

The Florida Department of Environmental Protection (DEP) is leading a statewide effort (referred to as CUP consistency) to improve consistency in the consumptive use permitting programs implemented by the water management districts (WMDs). The individual water management district consumptive use permitting rules, while all developed under the authority of Chapter 373, Florida Statutes, are inconsistent among the WMDs. Some differences are based on differing physical and natural characteristics; others result from development of separate rules and procedures over time.

Staff Recommendation:

Adopt amendments to Rule 40E-1.607, F.A.C., with change based on comment received from the Joint Administrative Procedures Committee.

Additional Background

The Governing Board adopted the proposed rule at its Governing Board meeting in May, 2014, provided no request for public hearing received, and no changes are made to the proposed rule text. Since that time, the District received a comment from the Joint Administrative Procedures Committee to underline the phrase "maximum monthly allocation: greater than 15 mgm" in the category for Individual Irrigation Permits.

Core Mission and Strategic Priorities

This item supports the core mission by simplifying the consumptive use permitting process for its permittees while protecting the water resources of the District. The Water Use Permitting Bureau will implement the CUP consistency amendments.

Funding Source

The cost for publication of the Notice of Change will be funded from the Office of Counsel's budget.

Staff Contact: **Maria C. Clemente, P.E., Water Use Bureau Chief**
Phone (561) 682-2308
Jennifer Bokankowitz, Attorney, Office of Counsel
Phone (561) 682-2258

An excerpt of the change based on the comment received from the Joint Administrative Procedures Committee is as follows:

Individual Irrigation with a duration less than 20 years

Maximum monthly allocation:

Greater than 15 mgm

\$1,000

The full text of the rule with changes is as follows:

40E-1.607 Permit Application Processing Fees.

A permit application processing fee is required and shall be paid to the District when certain applications are filed pursuant to District rules. An application shall not be considered complete until the appropriate application fee is submitted. These fees are assessed in order to defray the cost of evaluating, processing, monitoring, and inspecting for compliance required in connection with consideration of such applications. Fees are non-refundable in whole or part unless the activity for which an application is filed is determined by the District to be exempt or the fee submitted is determined by the District to be incorrect. Failure of any person to pay the applicable fees established herein will result in denial of an application. Activities that do not require a permit and are exempt pursuant to Rule 40E-2.051 or 40E-3.051, F.A.C., are not subject to the following permit application fees. The District’s permit application processing fees are as follows:

(1) Water Use Permit Application processing fees are in the following table:

TABLE 40E-1.607(1)

**PERMIT APPLICATION PROCESSING FEES FOR
WATER USE PERMIT APPLICATIONS**

REVIEWED PURSUANT TO CHAPTERS ~~40E-2 AND 40E-20~~, F.A.C.

Fee amounts shall apply to applications for new permits, permit modifications, and permit renewals, except as noted.

Category	Amount
<u>Individual Permit, except Mining/Dewatering (applies to all durations)</u>	
<u>Maximum monthly allocation:</u>	
<u>Up to 3 million gallons per month (mgm)</u>	<u>\$350</u>

Attachment: ph_reg_102_sd (1976 : Adopt Amendment with change to Rule 40E-1.607 for CUPcon)

Greater than 3 mgm through 15 mgm \$1,000

Individual Public Water Supply with a duration less than 20 years

Maximum monthly allocation:

Greater than 15 ~~million gallons per month~~ (mgm) through 30 mgm \$2,700

Greater than 30 mgm through 300 mgm \$5,500

Greater than 300 mgm \$7,000

Individual Public Water Supply with a duration of at least 20 years

Maximum monthly allocation:

Greater than 15 ~~million gallons per month~~ (mgm) through 30 mgm \$4,200

Greater than 30 mgm through 300 mgm \$8,500

Greater than 300 mgm \$11,500

Individual Irrigation with a duration less than 20 years \$1,000

Maximum monthly allocation:

Greater than 15 mgm \$1,000

Individual Irrigation with a duration of at least 20 years

Maximum monthly allocation:

Greater than 15 mgm through 30 mgm \$1,600

Greater than 30 mgm through 300 mgm \$3,400

Greater than 300 mgm \$5,600

Individual Mining / (Dewatering)

Attachment: ph_reg_102_sd (1976 : Adopt Amendment with change to Rule 40E-1.607 for CUPcon)

~~Maximum monthly allocation~~

<u>Standard Individual Permit for up to one year</u>	Greater than 15 mgm through 30 mgm	\$500
		\$1,800
<u>Standard Individual Permit greater than one year</u>	Greater than 30 mgm through 300 mgm	\$1,800
		\$3,250
<u>Master Individual Permit</u>	Greater than 300 mgm	\$4,000

Individual Commercial/Industrial with a duration less than 20 years

Maximum monthly allocation:

Greater than 15 mgm through 30 mgm	\$1,400
Greater than 30 mgm through 300 mgm	\$2,750
Greater than 300 mgm	\$3,500

Individual Commercial/Industrial with a duration of at least 20 years

Maximum monthly allocation:

Greater than 15 mgm through 30 mgm	\$2,000
Greater than 30 mgm through 300 mgm	\$3,650
Greater than 300 mgm	\$5,600

Individual Diversion and Impoundment with a duration less than 20 years ~~Maximum monthly allocation~~

Maximum monthly allocation:

Greater than 15 mgm through 30 mgm	\$1,400
Greater than 30 mgm through 300 mgm	\$2,750
Greater than 300 mgm	\$3,500

Attachment: ph_reg_102_sd (1976 : Adopt Amendment with change to Rule 40E-1.607 for CUPcon)

Individual Diversion and Impoundment with a duration of at least 20 years

Maximum monthly allocation:

Greater than 15 mgm through 30 mgm	\$2,000
Greater than 30 mgm through 300 mgm	\$3,950
Greater than 300 mgm	\$6,200

Independent Secondary User of a Diversion and Impoundment (applies to all durations)
with a duration of 20 years

Maximum monthly allocation:

Greater than 15 mgm through 30 mgm	\$1,000
Greater than 30 mgm through 300 mgm	\$2,000
Greater than 300 mgm	\$3,200

Noticed General ~~Standard~~ Water Use Permit

Applications filed electronically at www.sfwmd.gov/ePermitting ~~Maximum monthly allocation through Aquifer Storage and Recovery~~ \$100

Application filed by other means ~~Less than 3 million gallons per month (mgm) (Minor)~~ \$350

~~Greater than 3 mgm through 15 mgm (Major)~~ \$1,000

~~Short term Dewatering~~ \$500

Aquifer Storage and Recovery: (cost added to the applicable use type listed above) \$1,000

Permit Transfer to Another Entity Pursuant to Rules 40E-0.107 and 40E-2.351, F.A.C. \$300

Attachment: ph_reg_102_sd (1976 : Adopt Amendment with change to Rule 40E-1.607 for CUPcon)

Letter Modification to ~~Individual Permit~~ no fee

Letter Modification to ~~General Permit~~ no fee

General Permit by Rule no fee

(2) through (7) No change.

*Rulemaking Authority 373.044, 373.109, 373.113, 373.171, 373.421(2), 373.421(6)(b), 373.4131
FS. Law Implemented 218.075, 373.109, 373.4131, 373.421(2), 373.421(6)(b), 403.201 FS.
History–New 1-8-89, Amended 1-2-91, 11-15-92, 6-1-93, 1-23-94, 10-3-95, 4-1-96, 11-8-99, 5-
24-00, 6-26-02, 7-11-02, 8-10-03, 8-14-03, 11-18-07, 11-1-09, 12-15-11, 10-23-12, 10-1-
13,_____.*

MEMORANDUM

TO: Governing Board Members

FROM: Edward L. Artau, Interim General Counsel

DATE: July 10, 2014

SUBJECT: Authorize Publication of Rule Development - Lobbyist Registration Process

Summary

The Legislature passed and the Governor signed into law with an effective date of July 1, 2014, Senate Bill 846 which requires all Water Management Districts to implement a Lobbyist registration process. The District staff is requesting authority to initiate rule development to implement this requirement. This will include a website and online database that is available to the public which allows individuals to register with the District as Lobbyists and view such registrations. The District's rules will be consistent with other Water Management District rules and relate to the Executive Branch's requirements on lobbyist registration in an effort to provide a uniform system of lobbyist registrations. The Florida Commission on Ethics has authority to investigate complaints pertaining to lobbyist registrations. At this time the District is not implementing any costs to individuals to register as a lobbyist.

Staff Recommendation

Authorize publication of Notice of Rule Development in the Florida Administrative Register (FAR), and request for review by the Office of Fiscal Accountability and Regulatory Reform, to implement the newly passed legislation and create a rule regarding the lobbyist registration process. The District will work with the other Water Management Districts in an effort to provide a uniform system of lobbyist registrations.

Core Mission and Strategic Priorities

To propose Rule Development to establish Lobbyist registration for consistency with the newly enacted legislation that becomes effective July 1, 2014. This item affects all water management districts created in Section 373.069 F.S., which operate under the authority of Chapter 373.

Funding Source

No costs are associated with the Rule development.

Staff Contact and/or Presenter

Derek Brown, Senior Attorney Office of Counsel ext. 6278

MEMORANDUM

TO: Governing Board Members

FROM: Edward L. Artau, Interim General Counsel

DATE: July 10, 2014

SUBJECT: Settlement of Inverse Condemnation Action – VIBID Group, Inc. v. SFWMD, et al. (Parcel SG100-132)

Summary

VIBID Group Inc. (VIBID) sued the District in November 2007, alleging a taking of 62.09 acres, more or less (Tract SG100-132), located in the Southern Belle Meade portion of the Picayune Strand Restoration Project. In January 2014, the District Governing Board approved by resolution (Resolution No. 2014-0114), inclusion of property within the Southern Belle Meade portion of the Picayune Strand Restoration Project in its Florida Forever Work Plan for future land acquisition planning purposes. In May 2014, District staff reached a settlement agreement with VIBID to acquire its property within the Picayune Strand Restoration Project area and resolve all issues of compensation for condemnation of the 62.09 acres.

Staff Recommendation

Authorize approval of the settlement agreement to acquire the property interests owned by VIBID Group, Inc. This settlement is inclusive of all attorneys' fees, experts' fees, and costs that have been incurred by VIBID since November 2007.

Additional Background

The proposed settlement provides for the acquisition of fee simple interests in six parcels totaling 62.09 acres, more or less, at a value of \$620,900.00, located within the Southern Belle Meade portion of the Picayune Strand Restoration Project in Collier County, plus the payment of \$215,225.00 for attorney's fees, expert's fees, and costs. Terms of the settlement are consistent with prevailing land values at the time the inverse condemnation action was filed.

Core Mission and Strategic Priorities

This settlement eliminates any alleged liability against the District and acquires property interests needed within the Southern Belle Mead portion of the Picayune Strand Restoration Project in Collier County.

Funding Source

We have been advised by the Real Estate Department that this settlement will be funded using the Save Our Everglades Trust Fund.

Staff Contact and/or Presenter

Keith L. Williams, Senior Attorney, Office of Counsel
(561) 682-2791
kwilliam@sfwmd.gov

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0708

A Resolution of the Governing Board of the South Florida Water Management District authorizing a settlement agreement for \$836,125, inclusive of \$620,900 for acquisition in fee simple of 62.09 acres, more or less (Tract SG100-132), and \$215,225 for attorney's fees, expert's fees, and costs, for which Save Our Everglades Trust Funds are budgeted, for the Picayune Strand Restoration Project, in Circuit Court case styled VIBID Group, Inc. v. South Florida Water Management District, et al., filed in the 20th Judicial Circuit for Collier County, Florida, Case No. 07-3329-CA; providing an effective date.

WHEREAS, Sections 373.083(1), 373.129, 373.139, Florida Statutes, authorize the South Florida Water Management District to settle existing lawsuits; and,

WHEREAS, the Parties have been engaged in negotiations in an attempt to acquire the subject property without trial; and,

WHEREAS, the Parties have been successful in presenting a proposed settlement to the Governing Board of the South Florida Water Management District.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves a settlement agreement for \$836,125, inclusive of \$620,900 for acquisition in fee simple of 62.09 acres, more or less (Tract SG100-132), and \$215,225 for attorney's fees, expert's fees, and costs, for the Picayune Strand Restoration Project, in Circuit Court case styled VIBID Group, Inc. v. South Florida Water Management District, et al., filed in the 20th Judicial Circuit for Collier County, Florida, Case No. 07-3329-CA.

Section 2. A copy of the Proposed Settlement Agreement is attached hereto and made a part hereof.

Section 3. The Governing Board of the South Florida Water Management District hereby authorizes District staff to proceed with and finalize the terms and intent of the Settlement Agreement, including any modifications thereto that do not materially alter the financial terms of the settlement in order to accomplish the contemplated acquisition by either an order of taking process, real estate closing, or otherwise, and authorizes the payment of any and all necessary closing and other costs associated with the contemplated acquisition.

Section 4. This resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this 10th day of July, 2014.

SOUTH FLORIDA WATER MANAGEMENT
DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

Legal form approved:

By:

District Clerk/Secretary

Office of Counsel

Print name:

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR COLLIER COUNTY, FLORIDA
CIVIL DIVISION

VIBID GROUP, INC.

Case No: 07-3329-CA

Plaintiff,

v.

COLLIER COUNTY, a political subdivision of
the State of Florida, and SOUTH FLORIDA
WATER MANAGEMENT DISTRICT, an
agency of the State of Florida,

Defendants.

_____ /

**SETTLEMENT AGREEMENT BETWEEN THE SOUTH FLORIDA WATER
MANAGEMENT DISTRICT AND VIBID GROUP, INC.**

Following a Mediation Conference held on Thursday, March 6, 2014, and continuing settlement discussions, the undersigned parties reached the following Settlement Agreement, contingent upon approval by the South Florida Water Management District's ("District") Governing Board and the Florida Department of Environmental Protection. The parties agree that the case will be stayed as to each other pending the pursuit of said approval except as required to preserve appellate review and to protect claims for attorney's fees and costs. The District shall have 60 days from the date of this Agreement (June ____, 2014) to obtain the approval from the District's Governing Board and the Florida Department of Environmental Protection, unless otherwise extended by the parties. District's undersigned counsel and District staff confirm and agree that they will recommend to the District Governing Board the approval of settlement under the terms set forth herein.

1. The District will pay to Plaintiff, VIBID Group, Inc., (hereinafter "VIBID"), the sum of Six Hundred and Twenty Thousand, Nine Hundred Dollars (\$620,900.00), in exchange for VIBID conveying to the District, in fee simple, all right, title, and interest in the enumerated properties owned by VIBID as represented by the following Collier County Parcel Identification Numbers:

- a. 00747880305, totaling approximately 20.69 acres, more or less;
- b. 00747880509, totaling approximately 5.23 acres, more or less;
- c. 00747880606, totaling approximately 5.41 acres, more or less;
- d. 00747880703, totaling approximately 20.38 acres, more or less;
- e. 00747880800, totaling approximately 5.09 acres, more or less, and;
- f. 00747880907, totaling approximately 5.29 acres, more or less;

which together consist of a contiguous parcel totaling 62.09 acres, more or less. A more specific and detailed legal description of the above parcels is attached to this agreement as Exhibit "A" and incorporated herein. The payment from the District to VIBID is in settlement of any and all claims of VIBID for compensation for inverse condemnation or involuntary taking of real property in Collier County which includes, but is not limited to, any and all property interests of any kind, statutory interest claims, access rights, apportionment claims, and rights or interests in: fill materials, rock materials, minerals, oil and gas, and metals, and other interests, as well as any and all damage, diminution, remainder, or other claims or damages to any on site or off-site properties owned by VIBID related to the above styled matter.

The District further agrees to pay the sum of Two Hundred Fifteen Thousand Two Hundred Twenty-five Dollars (\$215,225.00) in settlement of any and all claims of VIBID for attorney's fees, expert's fees, and costs incurred by VIBID in this matter. Said sums, together with the full compensation for land interests taken in Paragraph 1 total Eight Hundred Thirty-six Thousand One Hundred Twenty-five Dollars (\$836,125.00), are in full settlement of any and all claims of VIBID. The \$620,900.00 in compensation is not subject to any claims of apportionment by any other person or entity except that said sum shall be subject to any claims for unpaid or pro-rated property taxes, liens, or assessments held by Collier County, any liens, taxes, or assessments due to any governmental entity of the State of Florida, or any liens, taxes, or assessments due governmental entity of the United States of America, where such indebtedness arises from the above subject parcels. Fees and costs are not subject to any third party claims.

2. Counsel for VIBID and the District will jointly submit to the Court for signature a mutually approved Stipulated Order of Taking and Final Judgment in this matter as soon as practical after approval by the District's Governing Board and/or the Florida Department of Environmental Protection, unless rejected.

3. If requested by the District for purposes of pursuing its approval from the District's Governing Board and/or the Florida Department of Environmental Protection, VIBID will execute the mutually approved Stipulated Order of Taking and Final Judgment for presentation to the District's Governing Board and the Florida Department of Environmental Protection for approval, and will allow the District and its contractors to enter, upon terms and conditions set forth therein, the properties of VIBID for purposes of inspections, and surveys, if deemed necessary by the District during its process of its approval from the District's Governing Board and/or the Florida Department of Environmental Protection upon reasonable notice.

4. Settlement of this case is conditioned upon final approval by the South Florida Water Management District Board and the Florida Department of Environmental Protection.

5. The Parties agree that this Settlement Agreement is the result of a compromise of disputed issues of liability, and that the execution and delivery of this Settlement Agreement by any of the Parties shall not constitute or be construed as an admission of any liability or wrongdoing on the part of any of them.

6. Upon approval of this agreement by the District's Governing Board and/or the Florida Department of Environmental Protection, VIBID Group, Inc. and the District agree to release and forever discharge each other from any and all known and unknown past, present or future claims, demands, obligations, actions, causes of action, rights, damages, costs, expenses and compensation of any nature whatsoever, whether based on inverse condemnation, eminent domain, a tort, contract, statutory or other theory of recovery, whether known or unknown, and whether asserted in the instant matter or not.

7. Attached hereto is an Exhibit to this agreement: X Yes No.

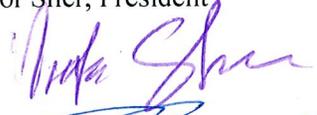
8. This agreement dated June , 2014, and attached exhibit, if any, contain(s) all of the agreements of the parties.

SOUTH FLORIDA WATER
MANAGEMENT DISTRICT

VIDIB GROUP, INC.

By: _____
Lennart Lindahl
Assistant Executive Director

By: 
Victor Sher, President



Keith L. Williams, Senior Attorney
Florida Bar No. 135615
Attorney for Defendant
South Florida Water Management District
3301 Gun Club Rd., MS 1410
West Palm Beach, FL 33406
(561) 682-6279
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John M. LeRoux, Esq.
Florida Bar No. 0773166
Attorney for Plaintiff, Vibid Group, Inc.
Policastro & LeRoux, P.A.
3090 Charles Ave., Suite 200
Clearwater FL 33761
(727) 712-1137
Email: John@jmleroux.com

Attachment: proposed Settlement Agreement VIBID (Resolution No. 2014 - 0708 : Settlement of Inverse Condemnation Action – VIBID Group,

EXHIBIT "A"
VIBID Group, Inc. v. SFWMD, et al.
20th Judicial Circuit, Collier County, Florida
Case No: 2007-3329-CA

General Legal Descriptions for parcels to be conveyed by VIBID Group, Inc. to the South Florida Water Management District as referenced in the Settlement Agreement:

Parcel No. 00747880305 is generally described as a parcel of land situated within Section 2, Township 51 South, Range 27 East, containing approximately 20.69 acres, more or less, in fee simple, in Collier County, Florida.

Parcel No. 00747880509 is generally described as a parcel of land situated within Section 2, Township 51 South, Range 27 East, containing approximately 5.23 acres, more or less, in fee simple, in Collier County, Florida.

Parcel No. 00747880606 is generally described as a parcel of land situated within Section 2, Township 51 South, Range 27 East, containing approximately 5.41 acres, more or less, in fee simple, in Collier County, Florida.

Parcel No. 00747880703 is generally described as a parcel of land situated within Section 2, Township 51 South, Range 27 East, containing approximately 20.38 acres, more or less, in fee simple, in Collier County, Florida.

Parcel No. 00747880800 is generally described as a parcel of land situated within Section 2, Township 51 South, Range 27 East, containing approximately 5.09 acres, more or less, in fee simple, in Collier County, Florida.

Parcel No. 00747880907 is generally described as a parcel of land situated within Section 2, Township 51 South, Range 27 East, containing approximately 5.29 acres, more or less, in fee simple, in Collier County, Florida.

A more detailed legal description of these parcels will be prepared and shall replace this general legal description of the parcels upon being certified and sealed by a licensed Florida land surveyor employed or under contract with the District.

MEMORANDUM

TO: Governing Board Members

FROM: Doug Bergstrom, Director, Administrative Services Division

DATE: July 10, 2014

SUBJECT: Budget Amendment Recognizing FY15 State Appropriations

Summary

FY2014-2015 State Appropriation 1622A allocated \$3 million from the Florida Department of Environmental Protection for Dispersed Water Management. This proposed budget amendment is to recognize \$2,759,684 out of the \$3,000,000 and to reduce Save Our Everglades Trust Fund (SOETF) funding for the same amount to fund continuation of Dispersed Water Management projects. These projects facilitate multi-purpose water management operations, water storage and water quality improvement within the Northern Everglades and Estuaries Protection Area.

Staff Recommendation

Staff recommends Governing Board approval of this budget amendment.

Additional Background

The District's current FY2014 budget includes over \$7 million for Dispersed Water Management, of which over \$3.5 million is from the Save Our Everglades Trust Fund (SOETF) carried forward from a prior year. This action reduces the need for Save Our Everglades funds, which will then be directed to the C-44 reservoir and STA project in the FY15 budget. The balance of the \$3 million will be budgeted in FY15 for Dispersed Water Management. The proposed budget amendment would not change the South Florida Water Management District's Fiscal Year 2013-2014 budget.

Core Mission and Strategic Priorities

This item supports the Dispersed Management Program within the Office of Everglades Policy and Coordination. The budget for this program is within the Office of Everglades Policy and Coordination.

Funding Source

State General Revenues approved for the Dispersed Management Program in the 2014 Legislative session.

Staff Contact and/or Presenter

Beth Lewis - blewis@sfwmd.gov <<mailto:blewis@sfwmd.gov>> (561) 682-6343

Doug Bergstrom - dbergstr@sfwmd.gov <<mailto:dbergstr@sfwmd.gov>> (561) 682-6214

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0709

See attachment

SOUTH FLORIDA WATER MANAGEMENT
DISTRICT, BY ITS GOVERNING BOARD
By:

Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

Resolution No. 2014 -

**A Resolution of the Governing Board of the South Florida Water Management District
amending the Fiscal Year 2013 - 14 Budget; providing an effective date**

WHEREAS, the Governing Board of the South Florida Water Management District on September 24, 2013 adopted Resolution No. 2013-931 "Adoption of Budget for Fiscal Year 2013-14", and

WHEREAS, the Governing Board of the South Florida Water Management District on April 10, 2014 adopted Resolution No. 2014-0404 "Amendment of Budget for Fiscal Year 2013-14", and

WHEREAS, the Governing Board of the South Florida Water Management District on May 15, 2014 adopted Resolution No. 2014-0502 "Amendment of Budget for Fiscal Year 2013-14", and

WHEREAS, pursuant to Section 373.536(4) F.S., If the district receives unanticipated funds after the adoption of the final budget, the final budget may be amended, following review and approval by the Executive Office of the Governor, and

WHEREAS, pursuant to Section 373.536(4) F.S., the notice of intention to amend was published in the notice of the Governing Board meeting at which the Budget Amendment will be considered, and

WHEREAS, implementation of this budget amendment is contingent upon approval by the Executive Office of the Governor, and

NOW, THEREFORE, be it resolved by the Governing Board of the South Florida Water Management District that the Fiscal Year 2013-14 Budget be amended as follows:

	GENERAL FUND	TOTAL SPECIAL REVENUE FUNDS	TOTAL CAPITAL PROJECTS FUNDS	INTERNAL SERVICE FUNDS	TRUST & AGENCY FUND	TOTAL FINAL BUDGET
FY14 AMENDED REVENUES, TRANSFERS AND BALANCES						
Estimated Fund Balance and Net Assets						
Fund Balance, beginning of year (Net of Encumbrances)	\$59,857,750	\$141,534,498	\$206,960,111	\$0	\$14,037,630	\$422,389,989
Net Assets, beginning of year				17,284,889		17,284,889
Sub-Total Estimated Fund Balance and Net Assets	59,857,750	141,534,498	206,960,111	17,284,889	14,037,630	439,674,878
Encumbrances Funded By Fund Balance/Future Revenue	6,178,734	21,626,534	67,567,014	9,069	0	95,381,351
Total Estimated Fund Balance and Net Assets, beginning of year	66,036,484	163,161,032	274,527,125	17,293,958	14,037,630	535,056,229
FY14 Amended Revenue	115,493,967	207,927,780	67,132,581	28,799,913	0	419,354,241
Intergovernmental		0				0
Total Amended Revenues	115,493,967	207,927,780	67,132,581	28,799,913	0	419,354,241
FY14 Amended Operating Transfers (Net)	-14,893,226	-55,619,399	69,692,276	0	820,349	0
Total Amended Operating Transfers (Net)	-14,893,226	-55,619,399	69,692,276	0	820,349	0
TOTAL AMENDED ESTIMATED REVENUES, TRANSFERS AND FUTURE DESIG. BALANCES	\$166,637,225	\$315,469,413	\$411,351,982	\$46,093,871	\$14,857,979	\$954,410,470
FY14 AMENDED EXPENDITURES AND ENCUMBRANCES						
FY14 Amended Expenditures	127,339,688	237,105,855	227,379,559	30,569,722	820,349	623,215,173
Administrative Services & Executive Offices						
Lake Okeechobee Program	0	0		0	0	0
Total Amended Expenditures	127,339,688	237,105,855	227,379,559	30,569,722	820,349	623,215,173
Encumbrances (Estimate)	6,178,734	21,626,534	67,567,014	9,069	0	95,381,351
TOTAL AMENDED EXPENDITURES AND ENCUMBRANCES	133,518,422	258,732,389	294,946,573	30,578,791	820,349	718,596,524
NET ASSETS, RESTRICTIONS, COMMITMENTS AND UNASSIGNED						
Net Assets (Worker's Compensation Fund Actuarial Need)	0	0	0	15,515,080	0	15,515,080
Nonspendable	201,145	6,080,612	0	0	14,037,630	20,319,387
Restricted	0	50,656,412	116,347,799	0	0	167,004,211
Committed	27,514,703		57,610	0	0	27,572,313
Amended Net Assets, Restrictions and Commitments	27,715,848	56,737,024	116,405,409	15,515,080	14,037,630	230,410,991
Unassigned	5,402,955	0	0	0	0	5,402,955
TOTAL AMENDED EXPENDITURES, ENCUMBRANCES, NET ASSETS, RESTRICTIONS, COMMITMENTS AND UNASSIGNED	\$166,637,225	\$315,469,413	\$411,351,982	\$46,093,871	\$14,857,979	\$954,410,470

This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 10th day of July, 2014

Approved as to form:

By: _____
Office of Counsel

SOUTH FLORIDA WATER MANAGEMENT DISTRICT,
BY ITS GOVERNING BOARD

By: _____
Chairman

Print Name: _____

ATTEST:

District Clerk/Secretary

Attachment: FY14 BA#3 Resolution - Amendment #3 (Resolution No. 2014 - 0709 : Budget Amendment Recognizing FY15 State Appropriations)

MEMORANDUM

TO: Governing Board Members

FROM: Doug Bergstrom, Director, Administrative Services Division

DATE: July 10, 2014

SUBJECT: FY15 Budget Transfer for Fuel & Electric

Summary

The fuel and electric needs of the District fluctuate in response to a number of factors including weather; wet or dry events, water quality, and fuel prices. The purpose of this resolution is to provide maximum flexibility within the existing budget appropriation to respond to District fuel and electric demands to respond to operational requirements within FY2014. The \$50M Economic Stabilization Reserve will be accessed only as a last resort because that would trigger repayment requirements within a three year period per District policy.

Staff Recommendation

Staff recommends approval to transfer funds up to \$3,000,000 among the Districts Divisions, District Programs and from Managerial Reserves (as a last resort) as needed to respond to District fuel and electric demands in support of operational requirements, primarily for pumping operations.

Additional Background

In accordance with the District's budgetary and financial control policy, any transfer of budget authority between divisions and/or between programs and between bureaus or program elements that exceed the non-capital threshold of \$150,000 and the capital threshold of \$500,000 requires Governing Board approval. Transactions will not alter the overall budget amount. Transfers will be processed if current authority is expended; this agenda item provides the authority to transfer up to \$3,000,000 as needed dependent on fuel and electric demands during FY2014.

Core Mission and Strategic Priorities

This resolution supports the Districts flood control operations to maintain water levels. The need to transfer funds in response to fuel and electric demands during FY2014 could impact all of the Divisions and Programs of the District. The District's geography in whole is potentially impacted by this item dependent on weather, science and economic conditions during FY2014.

Funding Source

This resolution could redirect District funds.

Staff Contact and/or Presenter

Candida Heater, Interim Budget Bureau Chief, 561-682-6486, cheater@sfwmd.gov

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0710

A Resolution of the Governing Board of the South Florida Water Management District authorizing the transfer of funds within the District FY2013-2014 budget to fund District fuel & electric demands as needed to respond to operational requirements; providing an effective date.

WHEREAS, Section 373.536 (4)(a), Florida Statutes, provides that transfers of funds may be made within the budget by action of the Governing Board at a public meeting of the governing board; and

WHEREAS, a request is being brought to the Governing Board for the authorization to transfer funds within the District FY2013-2014 budget for the purpose of responding to District fuel and electric demands up to \$3,000,000; and

WHEREAS, the Executive Director recommends that this transfer be approved in order to facilitate the operations of the District; now therefore

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves the FY2013-2014 budget transfer for the purpose of responding to District fuel and electric demands up to \$3,000,000.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this 10th day of July, 2014.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD
By:

Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

MEMORANDUM

TO: Governing Board Members

FROM: Terrie Bates, Director, Water Resources Division

DATE: July 10, 2014

SUBJECT: Status Update Regarding Lower Kissimmee Basin Water Supply Plan

Summary

The Lower Kissimmee Basin Draft Water Supply Plan is being developed for the Lower Kissimmee Basin (LKB), which includes portions of Okeechobee, Highlands, and Glades counties, which formerly was included in the Kissimmee Basin Water Supply Plan. The Draft Plan was released for public review in mid-June and is currently scheduled for approval in September. The water supply plan purpose is to identify options for an adequate supply of water to meet existing and future reasonable-beneficial uses while protecting the environment and water resources. This presentation is for information only and will provide an overview of the Draft LKB Water Supply Plan.

Staff Recommendation

This item is for information only; no action is required

Additional Background

Regional water supply plans are required to be updated at least every five years pursuant to Chapter 373, F.S. The first Kissimmee Basin Regional Water Supply Plan was completed in 2000 and updated in 2005-2006. With the advent of the Central Florida Water Initiative, the District's Kissimmee Basin was divided into the Upper Kissimmee Basin, which is included in the CFWI, and the Lower Kissimmee Basin. This Draft 2014 Lower Kissimmee Basin Water Supply Plan builds on the previous Kissimmee Basin plans.

The LKB Plan concludes that the future water needs of the LKB Planning Area can continue to be met through the 2035 planning horizon with appropriate management, conservation, and implementation of projects identified in this plan. Based on projections, public water supply utilities and most agricultural users have sufficient water to meet their demands up to a 1-in-10 drought condition without building additional projects. Meeting the future water needs is dependent on completion of USACE's Herbert Hoover Dike Rehabilitation Project and implementation of a new Lake Okeechobee regulation schedule that could return the lake to MFL prevention status, enhance the level of certainty to existing permitted users, and support other environmental objectives; and, implementation of CERP and other projects identified in MFL prevention and recovery strategies.

The Draft LKB Plan was developed in an open public forum with participation by water users, water utilities, local governments, environmental organizations, agricultural interests, and other stakeholders through the District's Water Resources Advisory Commission. Two workshops were held during the plan development process to solicit input and to provide information about planning results and progress and other meetings were also held with stakeholders. Approval of this LKB Plan Update in September will trigger actions by local governments, in coordination

with utilities, to consider these recommendations for incorporation into their required 10-Year Facilities Work Plans.

Core Mission and Strategic Priorities

Water Supply is one of the District's core missions. Developing and updating regional water supply plans in coordination with local governments and other stakeholders to meet the current and future demands of the water users and the environment is a strategic priority.

Funding Source

NA

Staff Contact and/or Presenter

Terrie Bates, tbates@sfwmd.gov <<mailto:tbates@sfwmd.gov>>, (561) 682-6952

MEMORANDUM

TO: Governing Board Members

FROM: Temperince Morgan, Division Director

DATE: July 10, 2014

SUBJECT: IRL-S PPA Amendment

Summary

The South Florida Water Management District (SFWMD) entered into a Project Partnership Agreement (PPA) with the U.S. Department of the Army for the Indian River Lagoon South Phase 1 Project on September 9, 2010. Under this Project Partnership Agreement, the SFWMD is responsible for providing 50 percent of the cost for constructing, operating, maintaining, repairing, replacing and rehabilitating the Indian River Lagoon South Phase 1 Project. The SFWMD's 50% cost-share is to be provided through acquisition of lands needed for the project, constructing portions of the project, or providing cash contributions, if necessary. The Indian River Lagoon South Phase 1 Project includes the following project components:

- C-44 Reservoir and Stormwater Treatment Areas
- C-23/C-24 Reservoir and Stormwater Treatment Area
- C-25 Reservoir and Stormwater Treatment Area.

At the time of signing the original Project Partnership Agreement, the U.S. Army Corps of Engineers (Corps) had planned to construct the entire C-44 Reservoir and Stormwater Treatment Areas Project. However, in order to expedite completion of the C-44 Reservoir and Stormwater Treatment Areas Project and help balance the 50-50 programmatic cost-share for the Comprehensive Everglades Restoration Plan (CERP), the SFWMD recently agreed to construct the C-44 stormwater treatment areas, the pump station and a portion of the system discharge canal. Under Corps policy requirements, the Project Partnership Agreement must be amended to identify the construction "In-kind Work" to be provided by the SFWMD. In order to qualify for credit, the PPA must be amended prior to SFWMD awarding a contract for construction.

Additionally, the estimated Project construction cost has been updated from \$1.133 Billion to \$1.387 Billion and the estimated Project design cost has been updated from \$48 Million to \$111 Million.

Staff Recommendation

Staff recommends approving Amendment No. 1 to the Project Partnership Agreement with the U.S. Department of the Army for the Indian River Lagoon South Phase 1 Project.

Additional Background

The estimated cost of SFWMD's In-Kind Work is \$235 million, which includes the Army Corps' estimated costs for construction of the C-44 System Discharge, Stormwater Treatment Area, Pump Station and Communications Tower, as well as the costs for operational testing and monitoring of all of the reservoirs and stormwater treatment areas included in the Indian River

Lagoon South Phase 1. Under the present schedule and subject to funding availability, SFWMD construction will be completed in September 2017. The Army Corps is scheduled to complete construction of the C-44 Reservoir component by February 2020. It is anticipated that after a 2 ½ -year operational testing and monitoring period to ensure that the reservoir and STA are operating as designed, the project facilities will be transferred to the SFWMD for operation and maintenance by August 2022.

The Project Partnership Agreement is also being amended to include updated estimated costs for the land and construction as follows:

<u>Category</u>	<u>Original Estimate</u>	<u>Updated Estimate</u>
Total Construction Costs:	\$1,133,000,000	\$1,387,690,000
SFWMD Share of Construction Costs:	\$ 566,500,000	\$ 693,845,000
SFWMD Land Credit:	\$ 394,815,000	\$ 406,030,000
SFWMD Credit for In-Kind Work:	\$ 57,400,000	\$ 235,141,000

In addition to the land and in-kind work credits already included in the PPA Amendment, SFWMD will be responsible for providing another \$52,674,000 to meet its 50% share for the Project. This will be fulfilled through additional in-kind work on C-23/C-24 Reservoirs and STAs or cash contributions. The increase in construction cost from 2010 is due to a number of factors including: a) inflation from 2010 through the mid-point of construction for each future construction contract; b) the need for additional features on the C-44 components, such as toe trench drains and sand linings for the perimeter canals, necessary to compensate for site specific geotechnical characteristics and new dam safety requirements; c) an increase in the contingency to accommodate uncertainty with respect to features for which site specific information is not yet available; and d) increased fuel costs.

Project design costs are not governed by the PPA, but the estimated design costs are referenced in the PPA. The PPA Amendment updates the design cost estimate from \$48,148,653 in the original PPA to \$110,957,000 in the Amendment. Design costs also increased due to inflation, as well as to incorporate items that were not included in the 2010 estimate, such as: a) the cost to develop the PIR; b) estimated costs for engineering during construction; and c) SFWMD's design costs for the C-44 reservoir and STA, including the test cell design, construction and operation. An updated SFWMD Certification of Financial Capability will be provided based on the updated estimated costs.

Core Mission and Strategic Priorities

The Indian River Lagoon South is a project in the CERP. Implementation of CERP is critical to meeting all elements of the SFWMD's mission and is critical to reducing the intensity of freshwater discharges to the St. Lucie Estuary.

Funding Source

The source of funding for SFWMD's construction activities is the Save Our Everglades Trust Fund.

Staff Contact and/or Presenter

Tom Teets, Federal Policy Chief, Office of Everglades Policy & Coordination
561-682-6993/ tteets@sfwmd.gov

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0711

A Resolution of the Governing Board of the South Florida Water Management District authorizing entering into Amendment No. 1 to the Project Partnership Agreement with the U.S. Department of the Army for construction, operation, maintenance, repair, replacement and rehabilitation of the Indian River Lagoon South Phase 1 Project, a component of the Comprehensive Everglades Restoration Plan; to amend the South Florida Water Management District's construction responsibilities and to update the project cost estimates, for which the South Florida Water Management District will be responsible for 50 percent cost-share; affirming South Florida Water Management District's financial capability to satisfy the obligations of the Non-Federal Sponsor described in the Project Partnership Agreement, as amended, for which funding, if any, is subject to approval of future fiscal year state budgets by the State Legislature and Governor, and District budgets for the Indian River Lagoon South Phase 1 Project by the State Legislature, Governor and District Governing Board; and providing an effective date. (Contract Number 4600002153-A01)

WHEREAS, the Indian River Lagoon South Project, a component of the Comprehensive Everglades Restoration Plan, was authorized by Congress in Section 1001(14) of the Water Resources Development Act of 2007; and

WHEREAS, on September 9, 2010, the South Florida Water Management District (SFWMD) entered into a Project Partnership Agreement with the U.S. Department of the Army (Contract No. 4600002153) to set forth the parties' responsibilities for the construction, operation, maintenance, repair, replacement and rehabilitation of the Indian River Lagoon South Phase 1 Project; and

WHEREAS, the Project Partnership Agreement required annual review of the status of the 50-50 cost-share balance for authorized projects under the Comprehensive Everglades Restoration Plan, and anticipated the potential for amendments to the Project Partnership Agreement to adjust the amount of construction "In-kind Work" to be provided by the SFWMD to maintain its 50 percent share; and

WHEREAS, the SFWMD and the U.S. Department of the Army desire to amend the Project Partnership Agreement for Phase 1 of the Indian River Lagoon South Project to identify additional "In-Kind Work" to be provided by SFWMD on the C-44 Reservoir and Stormwater Treatment Area and to update the estimated construction cost estimates;

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District

hereby authorizes execution of Amendment No. 1 to Contract No. 4600002153 with the U.S. Department of the Army for construction, operation, maintenance, repair, replacement and rehabilitation of the Indian River Lagoon South Phase 1 Project, a component of the Comprehensive Everglades Restoration Plan, at an updated total estimated construction cost of \$1,387,690,000 and an updated estimated annual operations and maintenance cost of \$5,000,000, subject to approval of future fiscal year state budgets by the State Legislature and Governor, and District budgets for the Indian River Lagoon South Phase 1 Project by the State Legislature, Governor and District Governing Board.

Section 2. The Governing Board of the South Florida Water Management District further authorizes SFWMD to construct the system discharge, stormwater treatment area, pump station and communications tower for the C-44 Reservoir and Stormwater Treatment Area. The U.S. Department of the Army will be responsible for constructing the intake canal and reservoir for the C-44 Reservoir and Stormwater Treatment Area and the remaining C-23/C-24 and C-25 reservoirs and stormwater treatment areas.

Section 3. The Governing Board hereby authorizes the Director of Administrative Services Division to sign a Non-Federal Sponsor’s Self-Certification of Financial Capability expressing SFWMD’s financial capability to satisfy the Non-Federal Sponsor’s obligations set forth in Amendment No. 1 to the Project Partnership Agreement for Indian River Lagoon South Phase 1 Project.

Section 4. This resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this 10th day of July, 2014.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

_____ Chairman

Attest:

Legal form approved:

By:

_____ District Clerk/Secretary

_____ Office of Counsel

Print name:

**INDIAN RIVER LAGOON SOUTH PHASE 1 – FIRST AMENDMENT
NON-FEDERAL SPONSOR'S
SELF-CERTIFICATION OF FINANCIAL
CAPABILITY FOR AGREEMENTS**

I, Douglas Bergstrom, do hereby certify that I am the Director for the Administrative Services Division of the South Florida Water Management District (the "Non-Federal Sponsor"); that I am aware of the financial obligations that the Non-Federal Sponsor will incur in the First Amendment of the Project Partnership Agreement for Phase 1 of the Indian River Lagoon South Project, if the First Amendment of the Project Partnership Agreement is approved by the Non-Federal Sponsor's Governing Board and signed by the Chair; and I certify that the Non-Federal Sponsor has the financial capability to satisfy the Non-Federal Sponsor's obligations under that First Amendment to the Project Partnership Agreement for Phase 1 of the Indian River Lagoon South Project, subject to approval of future fiscal year state budgets by the State Legislature and Governor, and SFWMD budgets by the State Legislature, Governor and SFWMD Governing Board.

IN WITNESS WHEREOF, I have made and executed this certification this _____ day of _____, 2014

BY: _____
Douglas A. Bergstrom

TITLE: Director, Administrative Services Division

DATE: _____

Attachment: IRLS_PA_PPA_Amendment_FinCap_071014 (Resolution No. 2014 - 0711 : IRL-S PPA Amendment)

M E M O R A N D U M

TO: Governing Board Members

FROM: Temperince Morgan, Division Director

DATE: July 10, 2014

SUBJECT: C-111 South Dade PCA Amendment

Summary

In January 1995, the U.S. Army Corps of Engineers (USACE) and the South Florida Water Management District (SFWMD) entered into a Project Cooperation Agreement (PCA) for construction of modifications to the C-111 Project as set forth in the May 1994 Final Integrated General Re-Evaluation Report and Environmental Impact Statement, and approved by the Secretary of the Army on July 1, 1994 ("1994 GRR").

Section 316 of the Water Resources Development Act of 1996 changed the cost-sharing obligations for the Project, thereby requiring an amendment to the PCA. Numerous unresolved issues over the years prevented the parties from amending the PCA. Over the past year, these issues have been resolved enabling the parties to move forward with execution of the First Amendment to the PCA. This makes it possible to construct the northern detention area (Contract 8), which is critical to operation of the C-111 Project and provides operational flexibility for the Modified Water Deliveries to Everglades National Park Project.

Staff Recommendation

Staff recommends approval of the First Amendment to the PCA.

Additional Background

Key obligations under the original PCA included:

- The USACE was responsible for designing and constructing the modifications and for paying 80 percent of total project construction cost, which at that time was estimated to total approximately \$58,481,000;
- The SFWMD was responsible for providing all real estate interests for the project (with no credit provided for real estate acquisition costs) plus 20 percent of the construction cost (approximately \$11,696,000);
- The SFWMD was responsible for operation, maintenance, repair, replacement and rehabilitation (OMRR&R) of the C-111 Project features and the USACE was responsible for reimbursing the SFWMD for 60 percent of the annual pumping costs, including costs for fuel, lubricants, proportional depreciation and repairs, and operating labor.

Section 316 of WRDA 1996 modified the project cost-sharing as follows:

- The authorized project cost-share was changed to 50-50, with the value of lands provided by SFWMD being credited toward SFWMD's 50 percent share; and
- The USACE was directed to reimburse the SFWMD for 60 percent of the costs of operating and maintaining pump stations that pump water into Taylor Slough located in Everglades National Park.

Implementing the Section 316 project authorization changes required an amendment to the PCA; however, numerous unresolved issues prevented the amendment. Since that time, the estimated project cost has increased to approximately \$301 Million because of the addition of an estimated \$133 Million in land acquisition costs, increased planning and design costs, and significant increases in the costs of construction since the 1994 GRR. Additionally, the USACE installed temporary pump stations S-332B and S-332C along with associated detention areas to avoid jeopardy to the Cape Sable Seaside Sparrow.

After lengthy discussions with USACE Headquarters and the Office of Assistant Secretary of the Army for Civil Works, the parties have reached agreement on the terms of the First Amendment to the PCA. As part of the approval of this item, the Governing Board is also requested to affirm that the South Florida Water Management District has the financial capability to satisfy its obligation as the Non-Federal Sponsor under the First Amendment to the PCA. The proposed amendment to the PCA includes the following:

- SFWMD's 50% of the total project cost-share is estimated to be approximately \$150.5 Million, which includes an estimated \$133 Million credit for past and future acquisition of Project lands and a future cash contribution estimated at \$11.3 Million. Expenditures over FY 2014 - FY 2017 includes acquisition of approximately 530 acres of land in the Southern Glades at an estimated cost of \$3.2 Million and the first cash payment of \$5 Million is scheduled for FY 2016.
- SFWMD will receive an estimated \$133 Million credit for the acquisition of Project lands. This includes credit based on SFWMD's acquisition costs for the Frog Pond lands (approximately 5,275 acres) and Southern Glades lands (approximately 29,500 acres) and the market value of the Rocky Glades lands (approximately 6,000 acres). Market value will be determined at the time SFWMD certified to the USACE availability of the Rocky Glades lands for the Project. SFWMD is obtaining an updated appraisal for the Rocky Glades subject to USACE review.
- SFWMD can receive credit for in-kind work so long as such credit combined with its real estate credit and cash contribution does not exceed its 50% cost-share estimated at approximately \$150.5 Million.
- SFWMD is responsible for OMRR&R of Project features subject to a USACE reimbursement of 60 percent of the costs for operation, maintenance and repair of all three C-111 Project pump stations (i.e., S-332B, S-332C and S-332D), as well as annual depreciation payments for future replacement and/or rehabilitation of these pump stations.
- Under a separate cost-sharing agreement to be negotiated in the future, the parties will develop a post authorization change report, which will require Congressional authorization to modify the Project. The post-authorization change report will evaluate various alternatives, including:
 - Construction of new hardened, hurricane resistant pump stations to replace temporary pump stations S-332B and S-332C.
 - Construction of new concrete-lined discharge canals to replace the corrugated steel pipes
 - USACE contributing 60% to SFWMD's OMRR&R of Project features

The next steps to complete actions identified in the First Amendment to the PCA and to complete construction of remaining C-111 Project features include the following:

- SFWMD and USACE execute the First Amendment to the PCA
- Update real estate credit estimate within 90 days, which may result in an increase or decrease in the projected SFWMD cash contribution

- USACE to estimate construction cost estimate for remaining features
- USACE to estimate of annual depreciation payments for future replacement of pump stations
- SFWMD continue acquisition of approximately 530 acres in Southern Glades
- USACE scheduled to award Contract No. 8 in FY15

Core Mission and Strategic Priorities

The C-111 Project is critical to completion and effective operation of the Modified Water Deliveries to Everglades National Park Project and providing the operational flexibility for restoration benefits to Everglades National Park including Florida Bay. It is a foundation project for the Comprehensive Everglades Restoration Plan (CERP) providing significant hydrologic restoration for the Taylor Slough portion of Everglades National Park. Many of the anticipated CERP projects would not be technically feasible without implementation of the C-111 Project or would cost significantly more to provide the same benefits.

Funding Source

The Construction of Modifications to the C-111 Project will become a 50-50 cost share project with the approval of the First Amendment to the PCA. As per the Resolution, future financial commitments are subject to approval of future fiscal year state budgets by the State Legislature and Governor, and future fiscal year SFWMD budgets by the State Legislature, Governor, and Governing Board. It is anticipated that future funding required under this PCA will be provided from Save Our Everglades Trust Fund and Alligator Alley Toll Road Funds.

Staff Contact and/or Presenter

Tom Teets, Federal Policy Chief, Office of Everglades Policy & Coordination
561-682-6993/ tteets@sfwmd.gov <<mailto:tteets@sfwmd.gov>>

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0712

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a First Amendment to the Project Cooperation Agreement between the U.S. Army Corps of Engineers and the South Florida Water Management District for construction of modifications to the C-111 Project at a total estimated project cost of \$300,996,000; for which the South Florida Water Management District will be responsible for providing a 50% cost-share; for which South Florida Water Management District is also responsible for performing operations and maintenance with reimbursement by the U.S. Army Corps of Engineers of sixty percent of annual pumping costs; affirming South Florida Water Management District's financial capability to satisfy its obligations as the Non-Federal Sponsor; for which funding, if any, is subject to approval of future fiscal year state budgets by the State Legislature and Governor, and future fiscal year SFWMD budgets by the State Legislature, Governor and Governing Board; providing an effective date. (Contract number C-6021/360000228-A01)

WHEREAS, on January 13, 1995, the U.S. Army Corps of Engineers (USACE) and the South Florida Water Management District (SFWMD) entered into a Project Cooperation Agreement (Contract No. C-6021/360000228) for construction of modifications to the C-111 Project based on project features as set forth in the Final Integrated General Re-Evaluation Report and Environmental Impact Statement, dated May 1994 and approved by the Secretary of the Army on July 1, 1994 ("1994 GRR");

WHEREAS, in Section 316 of the Water Resources Development Act of 1996, Congress modified the Federal cost-share for implementing the C-111 Project to 50 percent and authorized the USACE to credit the SFWMD for the value of real estate interests provided toward the SFWMD's 50 percent cost-share; and

WHEREAS, an amendment to the Project Cooperation Agreement is required that includes: establishing the parties 50/50 cost share responsibility, providing SFWMD credit for lands acquired for the Project, updating the estimated total Project costs to \$300,996,000 based on design modifications contained in the authorized 1994 GRR to optimize water deliveries to Everglades National Park, and clarifying USACE's responsibility to reimburse SFWMD for 60% of annual pump station operation and maintenance costs.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby authorizes entering into a First Amendment to the C-111 Project

Cooperation Agreement (Contract No. C-6021/360000228-A01) at a total estimated project cost of \$300,996,000. The Governing Board affirms the South Florida Water Management District's financial capability as the Non-Federal Sponsor to satisfy its obligations under the First Amendment to the Project Cooperation Agreement, for which funding, if any, is subject to approval of future fiscal year state budgets by the State Legislature and Governor, and future fiscal year SFWMD budgets by the State Legislature, Governor and Governing Board.

Section 2. The Executive Director may execute the First Amendment on behalf of the South Florida Water Management District.

Section 3. This resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this 10th day of July, 2014.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

Legal form approved:

By:

District Clerk/Secretary

Office of Counsel

Print name:

**NON-FEDRAL SPONSOR'S
SELF-CERTIFICATION OF FINANCIAL
CAPABILITY FOR AGREEMENTS**

I, Douglas Bergstrom, do hereby certify that I am the Division Director for Administrative Services of the South Florida Water Management District (the "Non-Federal Sponsor"); that I am aware of the financial obligations that the Non-Federal Sponsor will incur in the First Amendment to the Project Cooperation Agreement for Construction of Modifications to the C-111 Project, if the First Amendment to the Project Cooperation Agreement is approved by the Non-Federal Sponsor's Governing Board and signed by the Chair; and I certify that the Non-Federal Sponsor has the financial capability to satisfy the Non-Federal Sponsor's obligations under that First Amendment to the Project Cooperation Agreement for Construction of Modifications to the C-111 Project, for which funding, if any, is subject to approval of future fiscal year state budgets by the State Legislature and Governor, and future fiscal year SFWMD budgets by the State Legislature, Governor and Governing Board.

IN WITNESS WHEREOF, I have made and executed this certification this

_____ day of _____, 2014

BY: _____
Douglas Bergstrom

TITLE: Division Director, Administrative Services

DATE: _____

Attachment: C-111 SD PCA Amendment_FinCap_071014 (Resolution No. 2014 - 0712 : C-111 South Dade PCA Amendment)

M E M O R A N D U M

TO: Governing Board Members

FROM: Doug Bergstrom, Director, Administrative Services Division

DATE: July 10, 2014

SUBJECT: FY15 Budget Update and Preliminary Millage Adoption

Summary

Each year, the Governing Board discusses proposed millage rates as part of the statutorily mandated Truth-in-Millage (TRIM) process. These rates are then provided to each county property appraiser within the boundaries of the District for inclusion on TRIM required proposed property tax notices.

The millage rates proposed for FY2014-2015 have been calculated to comply with the TRIM process to calculate the rolled-back rate. To achieve the proposed level of ad valorem revenues, the following millage rates are proposed consistent with Governing Board strategic guidance:

District-at-Large:	0.1577 mils
Okeechobee Basin:	0.1717 mils
Everglades Construction Project:	0.0548 mils
Big Cypress Basin:	0.1520 mils

Staff Recommendation

Approval of the proposed millage rates.

Additional Background

For illustration purposes, based on the proposed millage rates, a homeowner residing within the Okeechobee Basin (all counties except Collier and northwest Monroe) with a home assessed at \$150,000 less a \$50,000 homestead exemption will pay \$38.42 in property taxes to the District this upcoming fiscal year. A comparable homeowner in the Big Cypress Basin will pay \$30.97 in property taxes.

This action effectively sets the maximum millage rates that the Governing Board can approve for FY2014-2015, as it is cost-prohibitive (first class mail notification is statutorily required) to set a higher rate at the two required public hearings in September.

The county property appraisers will be notified of these rates, with Governing Board concurrence, for publication on truth-in-millage (TRIM) notices which are sent to each tax payer within District boundaries. Approval of proposed FY2014-2015 millage rates for TRIM purposes by the Governing Board is an important part of our statutory compliance requirements for annual budget development.

Core Mission and Strategic Priorities

Certification of the proposed millage rates to county property appraisers for TRIM purposes is required as part of the District's annual compliance with Chapter 200, F.S.

Funding Source

Ad Valorem Taxes

Staff Contact and/or Presenter

Doug Bergstrom / (561) 682-6214

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0713

A Resolution of the Governing Board of the South Florida Water Management District approving submission of the proposed FY2014-2015 millage rates for the purpose of advising county Property Appraisers for publication on Truth-in-Millage (TRIM) notices; providing an effective date.

WHEREAS, Section 200.065(2)(b), Florida Statutes, provides that each taxing authority shall advise the property appraiser of its proposed FY2014-2015 millage rates for publication on Truth-in-Millage TRIM notices; and

WHEREAS, the Governing Board is being requested to approve the proposed FY2014-2015 millage rates for submission to the property appraisers; and

WHEREAS the Executive Director recommends that these millage rates be approved in order for property appraisers to notify taxpayers of proposed FY2014-2015 millage rates to be levied; **now therefore**

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby authorizes submission of the following proposed FY2014-2015 millage rates in order for property appraisers to notify taxpayers of proposed millage rates to be levied:

District-at-Large:	0.1577 mils
Okeechobee Basin:	0.1717 mils
Everglades Construction Project:	0.0548 mils
Big Cypress Basin:	0.1520 mils

Section 2. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 10th day of July, 2014.

SOUTH FLORIDA WATER MANAGEMENT
DISTRICT, BY ITS GOVERNING BOARD
By:

Chairman

Attest:

District Clerk/Secretary

Legal form approved:
By:

Office of Counsel

Print name:

MEMORANDUM

TO: Governing Board Members
FROM: Jeff Kivett, Division Director
DATE: July 10, 2014
SUBJECT: Engineering Service Contracts

Summary

The purpose of this Request For Proposals was to solicit qualifications and technical proposals to provide engineering services for the District's Operations, Maintenance, Repair, Rehabilitation, and Replacement (OMRR&R) project. Multiple contract awards are anticipated. Contracts will be for a three-year period with two (2) one-year options to renew.

Staff Recommendation

Staff recommends approval to enter into contract negotiations with Mock, Roos & Associates, Inc.; AECOM Technical Services, Inc.; Stanley Consultants, Inc.; R. J. Behar & Co., Inc.; Atkins North America, Inc.; King Engineering Associates, Inc.; Parsons Environment & Infrastructure Group, Inc.; Hazen and Sawyer PC; CSA Central, Inc.; EAC Consulting, Inc.; Burns and McDonnell Engineering Co., Inc.; CES Consultants, Inc.; T.Y. Lin International; A.D.A. Engineering, Inc.; and Black and Veatch Corporation.

Core Mission and Strategic Priorities

One of the District's most critical missions is maintaining the District's existing infrastructure. In an effort to pursue the District's ongoing commitment to this, the approval of these contracts will provide for the continued design and construction oversight of these efforts.

Funding Source

This funding request in an amount not to exceed \$75,000,000 for all 15 contracts; for which \$4,000,000 in ad valorem funds are budgeted in FY14; and the remainder is subject to the Governing Board approval of the FY15-FY20 budgets; providing an effective date.

Staff Contact

John Mitnik, Bureau Chief, Engineering and Construction
561-682-2679 / jmitnik@sfwmd.gov <<mailto:jmitnik@sfwmd.gov>>

**The Summary and Staff Recommendation will be included in the Executive Summary.*

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0714

A Resolution of the Governing Board of the South Florida Water Management District authorizing the official ranking of firms and entering into a three-year contract, with two (2) one-year extensions, with Mock, Roos & Associates, Inc.; AECOM Technical Services, Inc.; Stanley Consultants, Inc.; R. J. Behar & Co., Inc.; Atkins North America, Inc.; King Engineering Associates, Inc.; Parsons Environment & Infrastructure Group, Inc.; Hazen and Sawyer PC; CSA Central, Inc.; EAC Consulting, Inc.; Burns and McDonnell Engineering Co., Inc.; CES Consultants, Inc.; T.Y. Lin International; A.D.A. Engineering, Inc.; and Black and Veatch Corporation; subject to successful negotiations to provide professional engineering services for the District OMRR&R Project, in an amount not-to-exceed \$75,000,000 for all 15 contracts, for which \$4,000,000 in ad valorem funds are budgeted in FY14 and the remainder is subject to Governing Board approval of the FY15-FY20 budgets; providing an effective date. (Contract Number 4600003085, 4600003094, 4600003086, 4600003087, 4600003095, 4600003088, 4600003096, 4600003089, 4600003098, 4600003090, 4600003091, 4600003099, 4600003092, 4600003093, 4600003097) (OMC, John Mitnik, ext. 2679)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize the official ranking of firms and entering into a three-year contract, with two (2) one-year extensions, with Mock, Roos & Associates, Inc.; AECOM Technical Services, Inc.; Stanley Consultants, Inc.; R. J. Behar & Co., Inc.; Atkins North America, Inc.; King Engineering Associates, Inc.; Parsons Environment & Infrastructure Group, Inc.; Hazen and Sawyer PC; CSA Central, Inc.; EAC Consulting, Inc.; Burns and McDonnell Engineering Co., Inc.; CES Consultants, Inc.; T.Y. Lin International; A.D.A. Engineering, Inc.; and Black and Veatch Corporation; subject to successful negotiations to provide professional engineering services for the District OMRR&R Project, in an amount not-to-exceed \$75,000,000 for all 15 contracts, for which \$4,000,000 in ad valorem funds are budgeted in FY14 and the remainder is subject to Governing Board approval of the FY15-FY20 budgets; **now therefore**

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District approves entering into a contract with Mock, Roos & Associates, Inc.;

AECOM Technical Services, Inc.; Stanley Consultants, Inc.; R. J. Behar & Co., Inc.; Atkins North America, Inc.; King Engineering Associates, Inc.; Parsons Environment & Infrastructure Group, Inc.; Hazen and Sawyer PC; CSA Central, Inc.; EAC Consulting, Inc.; Burns and McDonnell Engineering Co., Inc.; CES Consultants, Inc.; T.Y. Lin International; A.D.A. Engineering, Inc.; and Black and Veatch Corporation subject to successful negotiations to provide professional engineering services for the District's OMRR&R Project in an amount not-to-exceed \$75,000,000.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this 10th day of July, 2014.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD
By:

Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

M E M O R A N D U M

TO: Governing Board Members

FROM: Doug Bergstrom, Director, Administrative Services Division

DATE: July 10, 2014

SUBJECT: Monthly Financial Statement – May 2014

The attached financial status report is provided for your review. This report provides a high-level snapshot of District financial activity and includes revenue collections by source and expenditures by program. Also attached is a summary in the State Program format in compliance with Chapter 373.536(4)(e) F.S., requiring each District to provide a monthly financial statement in the form and manner prescribed by the Department of Financial Services to the District's Governing Board and make such monthly financial statement available for public access on its website. This unaudited financial statement is provided as of May 31, 2014, with 66.7% of the fiscal year completed.

Schedule of Sources and Uses – This financial statement compares revenues received and encumbrances/expenditures made against the District's FY14 \$718.6 million consumable budget. Encumbrances represent orders for goods and services which have not yet been received.

- With the fiscal year 66.7% complete, 88.2% of the District's budgeted operating revenue (excludes fund balance) has been collected. The primary source of operating revenue received to date is taxes. Ad Valorem taxes comprise 64.0% of the budgeted operating revenues and drive collections based on the annual cycle of the property tax bill. The remaining revenue source is fund balance which represents the amount of prior year residual revenue that is budgeted in the current year and has already been received. Total FY14 sources collected were 93.1% of budget or \$669.2 million.
- 97% of budgeted Ad Valorem tax revenue and 100.9% of Agricultural Privilege tax revenue have been collected to date. Ad Valorem and Agricultural Privilege tax collections peak November through January driven by the mailing of property tax bills in October and the 4.0% maximum discount available when paid in full by November 30. These taxes are budgeted at a discounted rate of 95.0% to allow for the discounts property owners may take advantage of through early payment options. Historical ad valorem trends for the past five years through May average a collection rate of 93.6%.
- There is \$9.1 million in budgeted intergovernmental revenue in ad valorem funds, which includes \$4.4 million in Alligator Alley toll revenue, \$2.8 million in WMLTF for moving water south, \$1.6 million in USACE reimbursements, and \$304K in DEP reimbursements for aquatic plant control activities. Actual revenues earned as of the end of May amount to \$8.6 million.
- There is \$93.0 million in budgeted intergovernmental revenue in dedicated funds, comprised of \$74.8 million in SOETF reimbursements, \$5.0 million in reimbursements from the Florida Fish and Wildlife Conservation Commission (FWC) for aquatic/invasive

plant control and \$15K for Model Lands, \$6.9 million in WMLTF reimbursements for debt service expenses related to bonds and \$4.0 million for the Corbett Levee, reimbursement of federal revenues of \$538K for St. Lucie Watershed Water Farming and \$375K for Tropical Storm Isaac repairs, \$240K from Indian River Lagoon and Everglades License Tag proceeds, and \$175K reimbursement from FDEP for water quality studies. FY14 actual revenue to date amounts to \$45.8 million. Reimbursement requests are submitted to the state based on actual expenses incurred and are typically received later in the fiscal year.

- The District budgeted \$2.9 million in investment earnings in ad valorem funds for FY14. Total revenue to date is \$4.1 million or 142% of budgeted Investment Earnings; \$3.1 million or 108.6% of investment earnings in ad valorem funds and \$957K in dedicated funds.
- Lease revenue represents amounts collected from leases of real property owned by the District. The timing of revenue received is based on the fee schedules within the agreements – monthly, semi-annual, or annual payments – and these varying timing issues impact the collection rate. The District has received \$3.3 million which represents 107.6% of the current year budgeted lease revenue. The use of lease revenue collected for lands purchased with State or Federal funds is restricted based on the guidelines in the acquisition or grant.
- There is \$3.9 million in budgeted permit fee revenue, which includes water use permits (\$549K), right of way permits (\$68K), Environmental Resource Permit (ERP) application fees (\$1.5 million), and wetland mitigation fees for C-139 Annex Restoration (\$1.8 million). FY14 revenue amounts received include \$646K from water use permits, \$1.9 million from ERP Application Fees, \$12.7 million in unbudgeted revenues from Lake Belt Mitigation fees, \$2.3 million from Loxahatchee Wetland Mitigation and \$63K from other applications and fees.
- Budgeted revenue in the Other category includes \$210K in civil penalties and enforcement fees and \$251K in miscellaneous revenues such as cash discounts, insurance reimbursements, refunds for prior year expenditures, and sale of recycled oil and scrap metal. Fiscal year collections amount to \$1.7 million at the end of May, representing 367.9% of the budgeted \$461K. \$1.1 million of the amount received was a refund of prior year expenditures from Florida League of Cities.
- Sale of District Property represents the sale of real property and land. This is budgeted conservatively at \$250K due to the uncertainty involved. FY14 revenues received total \$366K.
- Self-insurance premiums represent the District's contribution and the contribution from active and retired District employees to the self-funded health benefits program. Also included is the District's contribution to the workers compensation, auto and general liability self-insurance program. Contributions of \$18.4 million received through May equate to 64% of the \$28.8 million budget.

Expenditure and Encumbrance Status:

As of May 31, 2014, with 66.7% of the year complete, the District has expended **\$303 million or 47.5%** and has encumbered **\$165 million or 25.9%** of its non-reserve budget. The District has obligated (encumbrances plus expenditures) **\$468 million or 73.4%** of its non-reserve budget.

Summary of Expenditures and Encumbrances by Program – This financial statement illustrates the effort to date for each of the District's program areas. Provided below is a discussion of the primary uses of funds by program.

- The Comprehensive Everglades Restoration Plan Program has obligated 62.2% and expended 32.9% of their \$149.8 million budget. Principal expenditures include personnel services (\$3.5 million), contractual services (\$9.2 million), operating (\$358K), and capital outlay (\$36.3 million). Capital outlay encumbrances (\$38.6 million) and contractual services encumbrances (\$5.3 million) include the following projects: Southern CREW, Biscayne Bay Coastal Wetlands, C-111 Spreader Canal, L-8 Flow Equalization Basin, C-44 Reservoir/STA Project, Loxahatchee Impoundment Landscape Assessment, Picayune Strand, WCA3 Decentralization and Sheetflow Equalization, CERP Monitoring and Assessment, Modified Water Deliveries & South Dade C-111 Project, CERP Water Quality Study, and CERP Data Management.
- The Coastal Watersheds Program has obligated 65.3% and expended 30.0% of their total \$21.5 million budget. Principal expenditures include personnel services (\$2.2 million), contractual services (\$4.0 million), and capital outlay (\$226K). Contractual services encumbrances primarily consist of regional projects (\$3.9 million) including: St. Lucie River and Indian River Lagoon Initiatives, Loxahatchee River Preservation Initiative, Lakes Park Restoration, Spanish Creek/Four Corners Initiative, Mirror Lakes/Halfway Pond Rehydration, and Big Cypress Basin Stormwater Projects; remaining contractual encumbrances (\$1.2 million) include: St. Lucie River Watershed WaSh Model Upgrade; St. Lucie and Caloosahatchee River Watersheds nutrient study; water quality monitoring in St. Lucie River, Indian River Lagoon, Loxahatchee River, and Caloosahatchee River; water quality monitoring, modeling, nutrient, ecological, and hydrological studies for the Florida Bay and Coastal Wetlands Project; Biscayne Bay water quality and submerged aquatic monitoring; Lake Trafford monitoring; public process to develop a restoration vision of the Caloosahatchee River and Estuary; hydro model for Naples and Rookery Bay, Naples Bay salinity data collection, and Collier County water quality monitoring. Capital outlay encumbrances (\$2.4 million) are for the Lake Hicpochee Hydrologic Enhancement project.
- The District Everglades Program has obligated 76.9% and expended 36.9% of their total \$104.3 million budget. Principal expenditures include personnel services (\$11.9 million), contractual services (\$2.8 million), operating (\$4.4 million), and capital outlay (\$19.4 million). Contractual services encumbrances (\$2.9 million) primarily include the operations monitoring, maintenance, and repair of Stormwater Treatment Areas (STA), L-40 and STA 1E Exterior Levee Certification, STA Structure Inspection Program, Restoration Strategies Science Plan projects and the Everglades Regulation Source Control. Operating encumbrances (\$597K) are in support of the overall operations and the maintenance of vegetation and exotic plant control of the STA's. Capital outlay encumbrances (\$38.2 million) include work on Everglades Agricultural Area A1 Flow

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Equalization Basin, STA 1W Expansion, Restoration Strategies Science Plan projects and completion of the Compartment B Cell 8 repairs.

- The Kissimmee Watershed Program has obligated 59.6% and expended 7.3% of their total \$27.0 million budget. Principal expenditures include personnel services (\$1.2 million), contractual services (\$402K), and operating (\$411K). Contractual services and operating encumbrances (\$666K) primarily consist of Kissimmee River Restoration Evaluation (\$136K), Kissimmee Basin Modeling and Operating System (\$86K), the Oak Creek project (\$50K), Rolling Meadows project (\$5K), hydrologic monitoring (\$81K), Orange County Area Stormwater Improvements (\$281K), land acquisition related costs, environmental risk assessments and electrical services (\$26K). Capital outlay encumbrances (\$13.4 million) are primarily for the Kissimmee River Restoration land acquisition and associated costs.
- The Lake Okeechobee Program has obligated 79.6% and expended 44.2% of their total \$20.0 million budget. Principal expenditures include personnel services (\$2.5 million), contractual services (\$5.9 million), operating (\$131K), and capital outlay (\$337K). Contractual services and operating encumbrances (\$6.4 million) primarily consist of Dispersed Water Management and Florida Ranchland Environmental Services Projects (\$4.9 million), Northshore Navigation Canal project (\$1.1 million), Lake Okeechobee Watershed Pre-Drainage Characterization study (\$76K), Lake Istokpoga Marsh project (\$34K), C43 Berry Groves Interim Storage (100K), computer hardware/software maintenance and support (\$39K), utilities (\$54K) and water quality assessments/improvements and reporting (\$80K).
- The Land Stewardship Program has obligated 71.2% and expended 47.4% of their total \$18.1 million budget. Principal expenditures include personnel services (\$2.8 million), contractual services (\$4.1 million), operating (\$1.4 million), and capital outlay (\$343K). Contractual services and operating encumbrances (\$4.1 million) include the maintenance of vegetation and exotic plant control, work on the C-139 Annex Mitigation project, provision of law enforcement services, and management of District owned lands and facilities. Capital Outlay encumbrances (\$242K) include work on the C-139 Annex Mitigation project.
- The Mission Support Program has obligated 78.2% and expended 69.7% of their total \$45.4 million budget. Principal expenditures include personnel services (\$14.2 million), contractual services (\$4.2 million), operating (\$12.0 million), and capital (\$1.1 million). Contractual services encumbrances (\$2.3 million) include legal and technical support services, IT consulting services, hardware/software, systems maintenance for the fiscal year, and facilities maintenance and repair services. Operating encumbrances (\$1.1 million) include utilities and space rental. Capital outlay encumbrances (\$413K) include design, construction, and inspection work to upgrade the chiller system to provide redundant cooling capacity for the IT data center, located within the Emergency Operations Center and computer hardware components.
- The Modeling and Science Support Program has obligated 74.3% and expended 69.3% of their total \$12.7 million budget. Principal expenditures include personnel services (\$6.6 million), contractual services (\$1.6 million), operating (\$438K), and capital outlay (\$139K). Contractual services and operating encumbrances (\$630K) include water quality

sampling, technical assistance and peer reviews, model maintenance and enhancements, computer hardware/software maintenance and consulting, and utilities.

- The **Operations and Maintenance Program** has obligated 76.8% and expended 52.6% of their total \$153.4 million budget. Principal expenditures include personnel services (\$34.1 million), contractual services (\$15.1 million), operating (\$18.6 million), and capital outlay (\$12.8 million). Encumbrances for contractual services and capital outlay (\$35.4 million) primarily relate to the O&M capital program for maintenance and repair of existing water management system canals and water control structures including, Miami B-47 Building Replacement, Diesel Oxidation Catalyst Installation, S-21 Cathodic Protection, C-4 Canal Bank Improvements, S-5A Hardening and Service Bridge Refurbishment, S-235 Automation, C-100A Canal Bank Repairs, BCB Field Station Design/Build, Miller Weir #3, Hillsboro Canal Bank Repairs, S-9 Access Bridge Replacement, S-6 Tower Replacement, North Shore Trash Rake Project, S-13 Repower and Automation, G-94 A-D Refurbishment and Repairs, S-150 Replacement and Automation, G-151 Structure Replacement, Central and Southern Flood Control Structure Inspections, and NAVD88 Vertical Datum Upgrades. Operating encumbrances (\$1.7 million) are primarily associated with field station daily operations and maintenance including vegetation and exotic plant control for the Central and Southern Flood Control system.
- The **Regulation Program** has obligated 67% and expended 64.6% of their total \$23.0 million budget. Principal expenditures include personnel services (\$10.9 million), contractual services (\$1.2 million), operating (\$2.4 million), and capital outlay (\$329K). Contractual services and operating encumbrances (\$497K) include application development, permit scanning contractors/support, computer hardware/software, and advertising services. Capital outlay encumbrances (\$50K) consist primarily of the ePermitting enhancement project which saves time and expenses with online filing/searching of permits.
- The **Water Supply Program** has obligated 74.9% and expended 54.5% of their total \$21.0 million budget. Principal expenditures include personnel services (\$3.7 million), contractual services (\$1.5 million), operating (\$6.0 million), and capital outlay (\$38K). Contractual services and operating encumbrances (\$4.2 million) include the Caloosahatchee Rule Making (\$2K), Central Florida Water Initiative (\$107K), WaterSIP grants (\$250K), Lower Floridan Aquifer (\$18K), interagency agreements for Alternative Water Supply projects (\$381K), Big Cypress Basin (\$3.1 million), Mobile Irrigation Lab (\$28K), hydrologic data gathering and analysis (\$290K), Water Supply Plan implementation (\$25K), and Outreach and Education (\$13K).
- **Debt Service** expenses amount to the total \$42.1 million budget. Debt service principal and interest payments include Land Acquisition Bonds issued through the Water Management Lands Trust Fund and Certificates of Participation. Scheduled debt service payments are structured into a single principal payment and partial payment of interest in October and the balance of interest in April.
- **Reserves** of \$80.6 million are held for future transfer to program areas as project needs and requirements are identified by staff and presented to the Governing Board for review. Sixty million dollars (\$60.0 million) of these reserves are designated as economic stabilization reserves, including \$10.0 million for O&M capital projects. Remaining

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managerial reserves include \$1.7 million in cost savings and \$19 million in FY14 funds intended for FY15 re-budget.

We hope these reports and the associated narrative will aid in understanding the District's financial condition as well as expenditure performance against the approved budget. If you have any questions, please feel free to contact Candida Heater at (561) 682-6486.

DB/CJH
Attachment

South Florida Water Management District
Statement of Sources and Uses of Funds (Unaudited)
 For the month ended: May 31, 2014. Percent of fiscal year completed: 66.7%

Attachment: Statement of Sources and Uses of Funds_Programmatic_May14 (1984 : Monthly Financial

SOURCES	ANNUAL BUDGET	ACTUALS		ACTUALS AS A % OF BUDGET
		THROUGH 05/31/2014	VARIANCE (UNDER) / OVER BUDGET	
Ad Valorem Property Taxes	\$ 266,557,178	\$ 258,627,121	\$ (7,930,057)	97.0%
Agricultural Privilege Taxes	11,300,000	11,404,971	104,971	100.9%
Intergovernmental - Ad Valorem Funds	9,136,087	8,615,362	(520,725)	94.3%
Intergovernmental - Non Ad Valorem Funds	93,026,091	45,766,860	(47,259,231)	49.2%
Intergovernmental Total	102,162,178	54,382,221	(47,779,957)	53.2%
Investment Earnings - Ad Valorem Funds	2,870,000	3,117,309	247,309	108.6%
Investment Earnings - Non Ad Valorem Funds	-	957,031	957,031	-
Investment Earnings Total	2,870,000	4,074,341	1,204,341	142.0%
Leases	3,041,656	3,272,887	231,231	107.6%
Permit Fees/Miscellaneous Fees	2,110,999	4,942,855	2,831,856	234.1%
Mitigation Fees - Lake Belt & Wetlands	1,801,117	12,743,875	10,942,758	707.6%
Licenses, Permits and Fees Total	3,912,116	17,686,731	13,774,615	452.1%
Other	461,200	1,696,655	1,235,455	367.9%
Sale of District Property	250,000	366,265	116,265	146.5%
Self Insurance Premiums	28,799,913	18,434,068	(10,365,845)	64.0%
SUB-TOTAL OPERATING REVENUES	419,354,241	369,945,260	(49,408,981)	88.2%
Fund Balance	299,242,283	299,242,283	-	100.0%
TOTAL SOURCES	\$ 718,596,524	\$ 669,187,543	\$ (49,408,981)	93.1%

USES	ANNUAL BUDGET	EXPENDITURES	ENCUMBRANCES ¹	REPORTED	% EXPENDED	% ENCUMBERED	% OBLIGATED ²
				AVAILABLE BUDGET			
CERP	\$ 149,811,171	\$ 49,312,215	\$ 43,856,496	\$ 56,642,460	32.9%	29.3%	62.2%
Coastal Watersheds	21,518,782	6,458,609	7,586,073	7,474,100	30.0%	35.3%	65.3%
District Everglades	104,323,867	38,498,287	41,706,002	24,119,578	36.9%	40.0%	76.9%
Kissimmee Watershed	26,996,531	1,977,605	14,104,958	10,913,968	7.3%	52.2%	59.6%
Lake Okeechobee	19,938,335	8,811,150	7,058,664	4,068,521	44.2%	35.4%	79.6%
Land Stewardship	18,138,364	8,593,333	4,313,724	5,231,308	47.4%	23.8%	71.2%
Mission Support	45,434,718	31,687,097	3,857,525	9,890,095	69.7%	8.5%	78.2%
Modeling & Sci Supp	12,738,870	8,830,344	632,784	3,275,743	69.3%	5.0%	74.3%
Ops & Maintenance	153,440,029	80,698,294	37,119,355	35,622,381	52.6%	24.2%	76.8%
Regulation	22,965,760	14,831,521	550,214	7,584,025	64.6%	2.4%	67.0%
Water Supply	20,614,388	11,231,560	4,209,171	5,173,657	54.5%	20.4%	74.9%
Debt Service	42,074,439	42,074,438	-	1	100.0%	0.0%	100.0%
SUB-TOTAL NON-RESERVES USES	637,995,253	303,004,451	164,994,964	169,995,838	47.5%	25.9%	73.4%
Reserves	\$ 80,601,271	\$ -	\$ -	80,601,271	0.0%	0.0%	0.0%
TOTAL USES	\$ 718,596,524	\$ 303,004,451	\$ 164,994,964	\$ 250,597,109	42.2%	23.0%	65.1%

¹ Represents unexpended balances of open purchase orders

² Represents the sum of expenditures and encumbrances as a percentage of the annual budget

South Florida Water Management District
Statement of Sources and Uses of Funds (Unaudited)
 For the month ended: May 31, 2014. Percent of fiscal year completed: 66.7%

	CURRENT BUDGET	ACTUALS THROUGH 05/31/2014	VARIANCE (UNDER) / OVER BUDGET	ACTUALS AS A % OF BUDGET
Sources				
Taxes ¹	\$ 277,857,178	\$ 270,032,092	\$ (7,825,086)	97.18%
Intergovernmental Revenues	102,162,178	54,382,221	(47,779,957)	53.23%
Interest on Invested Funds	2,870,000	4,074,341	1,204,341	142.0%
License and Permit Fees	3,912,116	17,686,731	13,774,615	452.1%
Other ²	32,552,769	23,769,876	(8,782,893)	73.0%
Fund Balance	299,242,283	299,242,283	-	100.0%
Total Sources	\$ 718,596,524	\$ 669,187,543	\$ (49,408,981)	93.1%

¹ Includes Ad Valorem and Agricultural Privilege Taxes

² Includes Leases, Sale of District Property, and Self Insurance Premiums

	CURRENT BUDGET	EXPENDITURES	ENCUMBRANCES ³	AVAILABLE BUDGET	% EXPENDED	% OBLIGATED ⁴
Uses						
Water Resources Planning and Monitoring	\$ 52,937,388	\$ 32,362,470	\$ 7,836,006	\$ 12,738,912	61.1%	75.9%
Acquisition, Restoration and Public Works	332,086,041	117,770,429	109,223,573	105,092,038	35.5%	68.4%
Operation and Maintenance of Lands and Works	268,643,206	108,610,082	45,278,942	114,754,182	40.4%	57.3%
Regulation	26,448,203	16,836,021	739,666	8,872,515	63.7%	66.5%
Outreach	2,407,698	1,647,836	21,406	738,456	68.4%	69.3%
Management and Administration	36,073,988	25,777,613	1,895,370	8,401,005	71.5%	76.7%
Total Uses	\$ 718,596,524	\$ 303,004,451	\$ 164,994,964	\$ 250,597,109	42.2%	65.1%

³ Encumbrances represent unexpended balances of open purchase orders and contracts.

⁴ Represents the sum of expenditures and encumbrances as a percentage of the current budget.

This unaudited financial statement is prepared as of May 31, 2014, and covers the interim period since the most recent audited financial statements.

South Florida Water Management District
Statement of Sources and Uses of Funds (Unaudited)
For the month ended: May 31, 2014. Percent of fiscal year completed: 66.7%

	Annual Budget	Expenditures	Encumbrances	Reported Available Budget	% Expended	% Encumbered	% Obligated
CERP							
Personnel Services	\$ 6,680,108	\$ 3,499,723	\$ -	\$ 3,180,385	52.4%	0.0%	52.4%
Contractual Services	19,158,873	9,164,279	5,290,154	4,704,441	47.8%	27.6%	75.4%
Operating	1,452,549	358,163	10,270	1,084,116	24.7%	0.7%	25.4%
Travel	26,030	10,484	427	15,120	40.3%	1.6%	41.9%
Capital Outlay	119,160,643	36,279,567	38,555,645	44,325,430	30.4%	32.4%	62.8%
CERP Indirect	3,332,968	-	-	3,332,968	0.0%	0.0%	0.0%
Total CERP	149,811,171	49,312,215	43,856,496	56,642,460	32.9%	29.3%	62.2%
Coastal Watersheds							
Personnel Services	3,528,047	2,151,009	-	1,377,037	61.0%	0.0%	61.0%
Contractual Services	10,240,681	4,024,986	5,130,156	1,085,539	39.3%	50.1%	89.4%
Operating	140,206	43,410	10,824	85,972	31.0%	7.7%	38.7%
Travel	27,035	12,841	-	14,194	47.5%	0.0%	47.5%
Capital Outlay	7,582,814	226,363	2,445,093	4,911,358	3.0%	32.2%	35.2%
Total Coastal Watersheds	21,518,782	6,458,609	7,586,073	7,474,100	30.0%	35.3%	65.3%
District Everglades							
Personnel Services	18,299,671	11,913,853	-	6,385,817	65.1%	0.0%	65.1%
Contractual Services	10,315,054	2,766,885	2,920,891	4,627,277	26.8%	28.3%	55.1%
Operating	9,746,533	4,408,805	597,047	4,740,681	45.2%	6.1%	51.4%
Travel	31,313	9,512	227	21,575	30.4%	0.7%	31.1%
Capital Outlay	65,931,296	19,399,231	38,187,837	8,344,229	29.4%	57.9%	87.3%
Total District Everglades	104,323,867	38,498,287	41,706,002	24,119,578	36.9%	40.0%	76.9%
Kissimmee Watershed							
Personnel Services	2,127,157	1,155,346	-	971,810	54.3%	0.0%	54.3%
Contractual Services	7,565,878	402,411	655,101	6,508,365	5.3%	8.7%	14.0%
Operating	447,031	410,898	10,601	25,532	91.9%	2.4%	94.3%
Travel	20,803	8,092	628	12,083	38.9%	3.0%	41.9%
Capital Outlay	16,835,662	857	13,438,628	3,396,177	0.0%	79.8%	79.8%
Total Kissimmee Watershed	\$ 26,996,531	\$ 1,977,605	\$ 14,104,958	\$ 10,913,968	7.3%	52.2%	59.6%

Attachment: Summary of Uses of Funds_May14 (1984 : Monthly Financial Statement - May 2014)

South Florida Water Management District
Statement of Sources and Uses of Funds (Unaudited)
For the month ended: May 31, 2014. Percent of fiscal year completed: 66.7%

	Annual Budget	Expenditures	Encumbrances	Reported Available Budget	% Expended	% Encumbered	% Obligated
Lake Okeechobee							
Personnel Services	\$ 3,930,750	\$ 2,481,672	\$ -	\$ 1,449,079	63.1%	0.0%	63.1%
Contractual Services	14,545,660	5,861,449	6,301,441	2,382,770	40.3%	43.3%	83.6%
Operating	305,394	131,319	53,853	120,222	43.0%	17.6%	60.6%
Travel	7,458	79	-	7,379	1.1%	0.0%	1.1%
Capital Outlay	1,149,072	336,631	703,369	109,072	29.3%	61.2%	90.5%
Total Lake Okeechobee	19,938,335	8,811,150	7,058,664	4,068,521	44.2%	35.4%	79.6%
Land Stewardship							
Personnel Services	4,120,548	2,775,316	-	1,345,232	67.4%	0.0%	67.4%
Contractual Services	9,913,603	4,094,240	3,952,686	1,866,678	41.3%	39.9%	81.2%
Operating	2,474,543	1,376,202	118,731	979,609	55.6%	4.8%	60.4%
Travel	15,610	5,007	-	10,604	32.1%	0.0%	32.1%
Capital Outlay	1,614,059	342,568	242,307	1,029,184	21.2%	15.0%	36.2%
Total Land Stewardship	18,138,364	8,593,333	4,313,724	5,231,308	47.4%	23.8%	71.2%
Mission Support							
Personnel Services	21,858,001	14,170,813	-	7,687,188	64.8%	0.0%	64.8%
Contractual Services	7,972,000	4,189,949	2,342,856	1,439,196	52.6%	29.4%	81.9%
Operating	16,849,201	12,000,225	1,090,624	3,758,353	71.2%	6.5%	77.7%
Travel	297,156	208,565	11,394	77,197	70.2%	3.8%	74.0%
Capital Outlay	1,791,327	1,117,546	412,652	261,129	62.4%	23.0%	85.4%
CERP Indirect	(3,332,968)	-	-	(3,332,968)	0.0%	0.0%	0.0%
Total Mission Support	45,434,718	31,687,097	3,857,525	9,890,095	69.7%	8.5%	78.2%
Modeling & Science Support							
Personnel Services	9,490,907	6,638,328	-	2,852,580	69.9%	0.0%	69.9%
Contractual Services	2,423,682	1,602,867	507,964	312,852	66.1%	21.0%	87.1%
Operating	640,207	437,679	122,415	80,114	68.4%	19.1%	87.5%
Travel	42,818	11,978	2,405	28,435	28.0%	5.6%	33.6%
Capital Outlay	141,255	139,492	-	1,763	98.8%	0.0%	98.8%
Total Modeling & Science Support	\$ 12,738,870	\$ 8,830,344	\$ 632,784	\$ 3,275,743	69.3%	5.0%	74.3%

South Florida Water Management District
Statement of Sources and Uses of Funds (Unaudited)
 For the month ended: May 31, 2014. Percent of fiscal year completed: 66.7%

	Annual Budget	Expenditures	Encumbrances	Reported Available Budget	% Expended	% Encumbered	% Obligated
Operations & Maintenance							
Personnel Services	\$ 52,352,534	\$ 34,099,468	\$ -	\$ 18,253,066	65.1%	0.0%	65.1%
Contractual Services	38,668,995	15,100,935	17,486,717	6,081,342	39.1%	45.2%	84.3%
Operating	31,027,672	18,555,592	1,743,925	10,728,154	59.8%	5.6%	65.4%
Travel	163,784	95,895	21,749	46,140	58.5%	13.3%	71.8%
Capital Outlay	31,227,045	12,846,403	17,866,963	513,679	41.1%	57.2%	98.4%
Total Operations & Maintenance	153,440,029	80,698,294	37,119,355	35,622,381	52.6%	24.2%	76.8%
Regulation							
Personnel Services	17,114,376	10,878,704	-	6,235,673	63.6%	0.0%	63.6%
Contractual Services	1,634,034	1,202,732	388,667	42,635	73.6%	23.8%	97.4%
Operating	3,809,763	2,410,000	108,676	1,291,087	63.3%	2.9%	66.1%
Travel	28,587	11,086	2,871	14,630	38.8%	10.0%	48.8%
Capital Outlay	378,999	328,999	50,000	-	86.8%	13.2%	100.0%
Total Regulation	22,965,760	14,831,521	550,214	7,584,025	64.6%	2.4%	67.0%
Water Supply							
Personnel Services	5,646,578	3,689,122	-	1,957,456	65.3%	0.0%	65.3%
Contractual Services	5,804,939	1,460,493	4,199,223	145,224	25.2%	72.3%	97.5%
Operating	9,112,777	6,041,846	9,750	3,061,180	66.3%	0.1%	66.4%
Travel	12,239	2,243	198	9,798	18.3%	1.6%	19.9%
Capital Outlay	37,855	37,855	-	-	100.0%	0.0%	100.0%
Total Water Supply	20,614,388	11,231,560	4,209,171	5,173,657	54.5%	20.4%	74.9%
Reserves							
Reserves	80,601,271	-	-	80,601,271	0.0%	0.0%	0.0%
Total Reserves	80,601,271	-	-	80,601,271	0.0%	0.0%	0.0%
Debt Service							
Debt Service	42,074,439	42,074,438	-	1	100.0%	0.0%	100.0%
Total Debt Service	42,074,439	42,074,438	-	1	100.0%	0.0%	100.0%
Grand Total	\$ 718,596,524	\$ 303,004,451	\$ 164,994,964	\$ 250,597,109	42.2%	23.0%	65.1%

Attachment: Summary of Uses of Funds_May14 (1984 : Monthly Financial Statement - May 2014)

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INDIVIDUAL PERMITS ISSUED BY
AUTHORITY DELEGATED TO EXECUTIVE DIRECTOR
FROM June 1, 2014 TO June 30, 2014

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1. HOME TOWER CONDOMINIUM APPL. NO. 140106-10
 HOME TOWER CONDOMINIUM INC PERMIT NO. 06-05658-W
 SEC 15 TWP 51S RGE 42E ACREAGE: 1.00
 LAND USE: INDUSTRIAL

PERMIT TYPE: WATER USE RENEWAL
 WATER SOURCE: BISCAYNE AQUIFER
 ALLOCATION: 36.5 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: JULY 24, 2014

2. PINE ISLAND MARKETPLACE 4826 APPL. NO. 131125-3
 MS. CYNTHIA VARAT -TRUSTEE PERMIT NO. 06-06856-P
 SEC 4 TWP 51S RGE 41E ACREAGE: 11.24
 LAND USE: COMMERCIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW CONSTRUCTION/OPERATION)
 RECEIVING BODY: PINE ISLAND ROAD SWM SYSTEM
 LAST DATE FOR AGENCY ACTION: JULY 4, 2014

3. PINES CROSSING PLAZA APPL. NO. 131104-4
 PINES CROSSING L L C PERMIT NO. 06-04731-P
 SEC 13 TWP 51S RGE 39E ACREAGE: 6.93
 LAND USE: COMMERCIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONCEPTUAL APPROVAL AND NEW
 CONSTRUCTION/OPERATION), INCLUDES CONSERVATION EASEMENT TO THE
 DISTRICT)
 RECEIVING BODY: SBDD S-5 MASTER SYSTEM
 LAST DATE FOR AGENCY ACTION: JULY 15, 2014

Attachment: IP Issued by ED June 2014 (1983 : Executive Director's Report)

1. FIDDLERS CREEK
 F C C MARSH, L L C
 SEC 11,13,14,15,18,19,22,23,24,29 TWP 51S RGE
 26,27E
 APPL. NO. 140314-5
 PERMIT NO. 11-01808-W
 ACREAGE: 783.23
 LAND USE: GOLF COURSE
 LANDSCAPE
 PERMIT TYPE: WATER USE MODIFICATION
 WATER SOURCE: ON-SITE LAKES/PONDS
 ALLOCATION: 137.6 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: JULY 15, 2014

2. OFF-ROAD VEHICLE TRAIL STABILIZATION
 UNITED STATES OF AMERICA C/ O NATIONAL PARK SERVICE
 SEC TWP 53S RGE 33E
 APPL. NO. 130718-23
 PERMIT NO. 11-02135-P
 ACREAGE: 32.66
 LAND USE: GOVERNMENT
 PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)
 RECEIVING BODY:
 LAST DATE FOR AGENCY ACTION: JUNE 28, 2014

3. SYNGENTA SEEDS
 SYNGENTA SEEDS INC
 SEC 6,7 TWP 51S RGE 27E
 APPL. NO. 140407-11
 PERMIT NO. 11-00116-W
 ACREAGE: 122.00
 LAND USE: AGRICULTURAL
 PERMIT TYPE: WATER USE RENEWAL
 WATER SOURCE: WATER TABLE AQUIFER, LOWER TAMIAMI AQUIFER
 ALLOCATION: 40.34 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: JULY 6, 2014

4. VALENCIA GOLF COURSE
 ORANGETREE ASSOCIATES
 SEC 23, 24 TWP 48S RGE 27E
 APPL. NO. 140110-9
 PERMIT NO. 11-01444-W
 ACREAGE: 156.60
 LAND USE: GOLF COURSE
 PERMIT TYPE: WATER USE RENEWAL
 WATER SOURCE: ON-SITE LAKES, LOWER TAMIAMI AQUIFER
 ALLOCATION: 27.03 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: JUNE 24, 2014

1. ESTATES AT ENTRADA APPL. NO. 140124-4
 ANGEL ARAMIS L L C PERMIT NO. 36-06057-P
 SEC 27,28 TWP 43S RGE 24E ACREAGE: 180.50
 LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONCEPTUAL APPROVAL MODIFICATION AND NEW CONSTRUCTION/OPERATION), INCLUDES CONSERVATION EASEMENT TO THE DISTRICT)

RECEIVING BODY: LEE COUNTY CANAL AND EXISTING ONSITE WETLANDS

LAST DATE FOR AGENCY ACTION: JUNE 20, 2014

2. FARMER MIKE'S PRODUCE, INC. APPL. NO. 140106-13
 FARMER MIKE'S PRODUCE, INC. PERMIT NO. 36-06721-W
 SEC 29, 30 TWP 47S RGE 26E ACREAGE: 119.60
 LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL

WATER SOURCE: WATER TABLE AQUIFER, LOWER TAMIAMI AQUIFER

ALLOCATION: 26.7 MILLION GALLONS PER MONTH

LAST DATE FOR AGENCY ACTION: JULY 1, 2014

3. FMCC WATER QUALITY IMPROVEMENTS AND RENOVATION APPL. NO. 140307-23
 CITY OF FORT MYERS PERMIT NO. 36-06607-P
 SEC 335 TWP 44S RGE 24E ACREAGE: 129.40
 LAND USE: GOLF COURSE
 DEVELOPMENT

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)

RECEIVING BODY:

LAST DATE FOR AGENCY ACTION: JUNE 23, 2014

4. THE PRESERVE AT CORKSCREW APPL. NO. 140121-30
 R C S CORKSCREW LAND L L C PERMIT NO. 36-07551-W
 SEC 20, 29 TWP 46S RGE 26E ACREAGE: 111.34
 LAND USE: LANDSCAPE

PERMIT TYPE: WATER USE MODIFICATION

WATER SOURCE: MID-HAWTHORN AQUIFER, SANDSTONE AQUIFER, ON-SITE LAKES, LOWER TAMIAMI AQUIFER

ALLOCATION: 19.22 MILLION GALLONS PER MONTH

LAST DATE FOR AGENCY ACTION: JUNE 29, 2014

1. CLAY ISLAND FARMS
 SOUTH FLORIDA WATER MANAGEMENT DISTRICT LESSOR
 SEC 4 TWP 39S RGE 37E

APPL. NO. 140502-15
 PERMIT NO. 43-01263-W
 ACREAGE: 160.00
 LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE RENEWAL
 WATER SOURCE: SFWMD CANAL (L-65)
 ALLOCATION: 29.1 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: JULY 31, 2014

2. SEABRANCH
 AVALON VENTURES L L C
 SEC 42 TWP 38S RGE 34E

APPL. NO. 130708-2
 PERMIT NO. 43-02624-P
 ACREAGE: 19.70
 LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW CONSTRUCTION/OPERATION), INCLUDES
 CONSERVATION EASEMENT TO THE DISTRICT)
 RECEIVING BODY: FDOT DITCH
 LAST DATE FOR AGENCY ACTION: JULY 1, 2014

Attachment: IP Issued by ED June 2014 (1983 : Executive Director's Report)

1. FLORIDA CITY WATER TREATMENT PLANT
CITY OF FLORIDA CITY
SEC 19,24 TWP 57S RGE 38,39E

APPL. NO. 060310-20
PERMIT NO. 13-00029-W
ACREAGE: N/A
LAND USE: PUBLIC WATER
SUPPLY

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
WATER SOURCE: BISCAYNE AQUIFER
ALLOCATION: 72.06 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: JUNE 29, 2014

1. 304TH STREET QUARRY
SAND HILL ROCK, LLC
SEC 20 TWP 34S RGE 36E

APPL. NO. 140131-2
PERMIT NO. 47-00678-W
ACREAGE: 93.00
LAND USE: DEWATERING

PERMIT TYPE: WATER USE EXPIRED/PREVIOUSLY PERMITTED
WATER SOURCE: ON-SITE BORROW PITS
ALLOCATION: NOT REQUIRED
LAST DATE FOR AGENCY ACTION: JULY 1, 2014

Attachment: IP Issued by ED June 2014 (1983 : Executive Director's Report)

1. HAMLIN NORTH
 S L F I V / BOYD HORIZON WEST J V L L C
 SEC 17 TWP 23S RGE 27E

APPL. NO. 140409-6
 PERMIT NO. 48-02176-P-02

ACREAGE: 124.36
 LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONCEPTUAL APPROVAL MODIFICATION AND
 CONSTRUCTION/OPERATION MODIFICATION)
 RECEIVING BODY: LAKE HARTLEY
 LAST DATE FOR AGENCY ACTION: AUGUST 3, 2014

2. LAKE NONA GOLF AND COUNTRY CLUB
 LAKE NONA GOLF AND COUNTRY CLUB
 SEC 1,6,8,12,17 TWP 24S RGE 30,31E

APPL. NO. 140110-12
 PERMIT NO. 48-00192-W

ACREAGE: 210.00
 LAND USE: GOLF COURSE
 LANDSCAPE

PERMIT TYPE: WATER USE RENEWAL
 WATER SOURCE: FLORIDAN AQUIFER SYSTEM, ON-SITE LAKES/PONDS
 ALLOCATION: 38.86 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: JUNE 11, 2014

3. O I A - SOUTH AIRPORT A P M AND I T F COMPLEX
 GREATER ORLANDO AVIATION AUTHORITY
 SEC 9,10 TWP 24S RGE 30E

APPL. NO. 140430-2
 PERMIT NO. 48-00063-S

ACREAGE: 215.50
 LAND USE: AIRPORT RELATED
 FACILITIES

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW VARIANCE)
 RECEIVING BODY:
 LAST DATE FOR AGENCY ACTION: JUNE 29, 2014

Attachment: IP Issued by ED June 2014 (1983 : Executive Director's Report)

1. BRIDGES
BOCA RATON ASSOCIATES VI LLLP
SEC 29 TWP 46S RGE 42E

APPL. NO. 140327-13
PERMIT NO. 50-08917-W
ACREAGE: 157.89
LAND USE: LANDSCAPE

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
WATER SOURCE: ON-SITE LAKES
ALLOCATION: 29.7 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: JULY 31, 2014

1. VITALIA AT TRADITION - PHASE 3
AVATAR PROPERTIES INC
SEC 4,5,8,9 TWP 37S RGE 39E

APPL. NO. 140410-13
PERMIT NO. 56-03282-W
ACREAGE: 105.00
LAND USE: DEWATERING

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
WATER SOURCE: WATER TABLE AQUIFER
ALLOCATION: NOT REQUIRED
LAST DATE FOR AGENCY ACTION: JULY 9, 2014

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