



South Florida Water Management District

GOVERNING BOARD MONTHLY MEETING AGENDA

This meeting is open to the public

February 14, 2013

9:00 AM

Greater Orlando Aviation Authority

Carl T. Langford Board Room

One Jeff Fuqua Boulevard, Orlando, FL 32827

FINAL REVISED 02/12/2013 4:08 PM

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 - Joe Collins, Chairman, Governing Board
2. Pledge of Allegiance - Joe Collins, Chairman, Governing Board
3. Recognition of Local Officials - Presented by Daniel O'Keefe, Governing Board Member
4. Welcome and Presentation by Greater Orlando Aviation Authority - Phil Brown, Executive Director, Greater Orlando Aviation Authority
5. Employee Recognitions - Presented by Melissa Meeker, Executive Director
- 25 Years of Service: Shawn Spry, Industrial Electrician, St. Cloud Field Station, Operations, Maintenance and Construction Division

- 30 Years of Service: Donald Ostrander, Industrial Electrician, St. Cloud Field Station, Operations, Maintenance and Construction Division
6. Agenda Revisions - Reagan Walker, Director, Office of Governing Board & Executive Services
 7. Abstentions by Board Members from Items on the Agenda
 8. Water Resources Advisory Commission (WRAC) Report - Kevin Powers, 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.***

9. Public Comment on Consent Agenda
 10. Pull Items for Discussion from Consent Agenda
 11. Board Comment on Consent Agenda
- Consent Items
12. Minutes for the January 10, 2013, Regular Business meeting held in West Palm Beach, Florida
 13. Permit Denials, Consent Orders, Conservation Easement Amendments and Releases, Water Use Variances and Seminole Tribe Work Plans (REG, Sharon Trost, ext. 6814)
 14. Right of Way Occupancy Permit Modifications (OMC, Tommy Strowd, ext. 6998)
 15. Waivers for Water Resources Advisory Commission (WRAC) Members pursuant to Section 112.313, Florida Statutes
 16. Enter into an order authorizing the withdrawal and use of surface water from the C-17 Canal by the City of West Palm Beach (REG, Maria Clemente, ext. 2308)
 17. Enter into an order authorizing the withdrawal and use of surface water from the C-51 Canal by the City of West Palm Beach (REG, Maria Clemente, ext. 2308)

18. **Resolution No. 2013 - 0201** A Resolution of the Governing Board of the South Florida Water Management District approving an amendment of the 2012 Regulatory Plan to include revisions to Rules regarding public access and use of District lands, and the Small Business Enterprise Contracting Program, and authorizing staff to submit the amended 2012 Regulatory Plan to the Office of Fiscal Accountability and Regulatory Reform, in accordance with Executive Order 11-211, and to the Speaker of the House, President of the Senate and Joint Administrative Procedures Committee, in accordance with Section 120.74(3), Florida Statutes; effective immediately. (OC, Frank Mendez, ext. 6260) - **SUPPORTING DOCUMENTS ADDED**
19. **Resolution No. 2013 - 0202** A Resolution of the Governing Board of the South Florida Water Management District authorizing the transfer of funds within the District's FY2012-2013 budget totaling \$296,304 for the Corbett Levee Project; providing an effective date. (ADM, Doug Bergstrom, ext. 6214)
20. **Resolution No. 2013 - 0203** A Resolution of the Governing Board of the South Florida Water Management District adopting the FY2013 Five-Year Capital Improvements Plan; providing an effective date. (ADM, Doug Bergstrom, ext. 6214)
21. **Resolution No. 2013 - 0204** A Resolution of the Governing Board of the South Florida Water Management District authorizing the recording of the Disposition of Fixed Assets, during FY2012; providing an effective date. (ADM, Chris Flierl, ext. 6078)
22. **Resolution No. 2013 - 0205** A Resolution of the Governing Board of the South Florida Water Management District approving release of District canal, road and mineral reservations, and release of Trustees of the Internal Improvement Trust Fund canal reservations; providing an effective date. (OMC, Kathy Massey, ext. 6835)
23. **Resolution No. 2013 - 0206** A Resolution of the Governing Board of the South Florida Water Management to authorize entering into a three-year contract with two (2) one-year renewal options with YSI Incorporated, the lowest responsive and responsible bidder, for Datalogger Recorder Maintenance Services at ground water and surface water monitoring sites in the central and northern region of the District in an amount not to exceed \$892,800 for which \$162,200 in ad valorem funds are budgeted; and the remainder is subject to Governing Board approval of the FY14-FY17 budgets; providing an effective date. (OMC, Garnett Ritchie, ext. 4616)
24. **Resolution No. 2013 - 0207** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a three-year contract with two (2) one-year renewal options with Toler Enterprises, Inc., the lowest responsive and responsible bidder for slope mowing services in the West Palm Beach Field Station area, in the amount of \$182,700 for three years, of which \$60,900 in ad valorem funds are budgeted and the remainder is subject to Governing Board approval of the FY14 and FY15 budgets; providing an effective date. (OMC, Mark Hubinger, ext. 4132)

25. **Resolution No. 2013 - 0208** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a three-year contract with two (2) one-year renewal options with Toler Enterprises, Inc., the lowest responsive and responsible bidder, for Slope Mowing Services in the Miami Field Station area, in the amount of \$263,854.80 for three years, of which \$87,951.60 in ad valorem funds are budgeted and the remainder is subject to Governing Board approval of the FY14 and FY15 budgets; providing an effective date. (OMC, Christopher Miranda, ext. 7014)
26. Board Vote on Consent Agenda
27. General Public Comment

Workshop

28. Technical Reports
 - A) Water Conditions Report - Tommy Strowd, Division Director, Operations, Maintenance & Construction Division (ext. 6998)
 - B) Ecological Conditions Report - Terrie Bates, Division Director, Water Resources Division (ext. 6952)
29. Lake Point Public Works Project Update – Tommy Strowd, Division Director, Operations, Maintenance & Construction Division (ext. 6998) - **ITEM DELETED**
30. Central Everglades Planning Project Update - Tom Teets, Federal Policy Chief, Office of Everglades Policy & Coordination (ext. 6993)
31. C-139 Annex Restoration Update - Ernie Barnett, Director of Everglades Policy and Coordination (ext. 2110)
32. Land Assessment Process Update - Ray Palmer, Section Leader, Real Estate Section (ext. 2246)
33. Central Florida Water Supply Update
 - A) Central Florida Water Initiative - Dean Powell, Bureau Chief, Water Supply Bureau, Water Resources Division (ext. 6787)
 - B) Water Cooperative of Central Florida - Brian Wheeler, Executive Director, Toho Water Authority
 - C) Southeast Polk County Wellfield Project - Sharon Trost, Division Director, Regulation Division (ext. 6814)

Discussion Agenda

34. **Resolution No. 2013 - 0209** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a one-year cooperative agreement with the Tohopekaliga Water Authority, as agent of the Water Cooperative of Central Florida; providing for financial assistance to develop a water supply transmission and distribution plan and satisfying requirements set forth in settlement agreements with Orange County and the City of St. Cloud and providing for a conceptual design for the transmission and distribution of water from the Cypress Lake Wellfield to several cooperating utilities; in the amount of \$465,000 for which ad valorem funds are budgeted; providing an effective date. (Contract Number 4600002793) (WR, Dean Powell, ext. 6787)

35. **Resolution No. 2013 - 0210** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into an 850-day contract with Douglas N. Higgins, the lowest responsive and responsible bidder for S-133, S-135 and S-153 Trash Rakes, Gates, and Paving Project, in an amount of \$9,678,000, for which \$3,247,190.39 in ad valorem funds are budgeted; and the remainder is subject to Governing Board approval of the FY14 and FY15 budgets; providing an effective date. (Contract Number 4600002808) (OMC, Jeff Kivett, ext. 2680)

36. General Public Comment

Staff Reports

37. Monthly Financial Statement - Doug Bergstrom, Division Director,
Administrative Services Division
38. General Counsel's Report - Carolyn S. Ansay
39. Executive Director's Report - Melissa L. Meeker
Report on permits issued by authority delegated to the Executive Director
from January 1-31, 2013.
40. Board Comment

Attorney Client Sessions

41. Attorney client session pursuant to Section 286.011(8), Florida Statutes (2012), 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. - **ITEM DELETED**

ATTENDEES: Governing Board Members S. Batchelor, J. Collins, D. DeLisi, J. Moran, D. O'Keefe, J. Portuondo, K. Powers, T. Sargent, G. Waldman; Executive Director M. Meeker; District attorneys C. Ansay, K. Burns, C. Kowalsky, D. MacLaughlin. (Carolyn S. Ansay, ext. 6976)

Action Items (if any) Stemming from Attorney Client Session

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2012), 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. (Carolyn S. Ansay, ext. 6976)

42. Attorney client session pursuant to Section 286.011(8), Florida Statutes (2012), to discuss strategy related to litigation expenditures and/or settlement negotiations in Florida Wildlife Federation, Inc. et al. v. United States Army Corps of Engineers, United States District Court, Northern District of Florida, Case No. 4:12cv355-RH/CAS. - **ITEM DELETED**

ATTENDEES: Governing Board Members S. Batchelor, J. Collins, D. DeLisi, J. Moran, D. O'Keefe, J. Portuondo, K. Powers, T. Sargent, G. Waldman; Executive Director M. Meeker; District attorneys C. Ansay, K. Burns, C. Kowalsky, D. MacLaughlin, J. Nutt, E. Ross. (Carolyn S. Ansay, ext. 6976)

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Attorney client session pursuant to Section 286.011(8), Florida Statutes (2012), to discuss strategy related to litigation expenditures and/or settlement negotiations in Florida Wildlife Federation, Inc. et al. v. United States Army Corps of Engineers, United States District Court, Northern District of Florida, Case No. 4:12cv355-RH/CAS. (Carolyn S. Ansay, ext. 6976)

43. Attorney client session pursuant to Section 286.011(8), Florida Statutes (2012), to discuss strategy related to litigation expenditures and/or settlement negotiations in Administrative Appeal dated November 15, 2012, by the South Florida Water Management District to Major Phillip May, Regional Administrator, Region IV, Federal Emergency Management Agency (FEMA) of the FEMA decision to deobligate funds for the 2004-2005 Hurricanes. (Carolyn S. Ansay, ext. 6976) - **ITEM DELETED**

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Executive Director M. Meeker; District attorneys C. Ansay, K. Burns, C. Kowalsky, D. MacLaughlin. (Carolyn S. Ansay, ext. 6976)

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44. Attorney client session pursuant to Section 286.011(8), Florida Statutes (2012), to discuss strategy related to litigation expenditures and/or settlement negotiations in South Florida Water Management District v. Cook of Bonita Springs Limited Partnership, C.M. Cook, Jr., Trustee, et al., 20th Judicial Circuit Court, Lee County, Florida, Case No. 11-CA-002067.

ATTENDEES: Governing Board Members S. Batchelor, J. Collins, D. DeLisi, J. Moran, D. O'Keefe, J. Portuondo, K. Powers, T. Sargent, G. Waldman; Executive Director M. Meeker; District attorneys C. Ansay, K. Burns, C. Kowalsky, D. MacLaughlin, E. Artau. (Carolyn S. Ansay, ext. 6976)

Action Items (if any) Stemming from Attorney Client Session

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2012), to discuss strategy related to litigation expenditures and/or settlement negotiations in South Florida Water Management District v. Cook of Bonita Springs Limited Partnership, C.M. Cook, Jr., Trustee, et al., 20th Judicial Circuit Court, Lee County, Florida, Case No. 11-CA-002067. (Carolyn S. Ansay, ext. 6976)

45. Adjourn

25 Year Service Recognition

Shawn Spry – St. Cloud Field Station

Operations, Maintenance and Construction Division

In 1988, Shawn Spry was hired as an electrician at the West Palm Beach Field Station. By 1995, he had worked his way up to the position of Industrial Electrician.

Shawn transferred to the Kissimmee Field Station and became an integral part of the electrical program that included load testing and operation of the three boat locks in the area. He now works at the Saint Cloud Field Station and is involved in all facets of working the new security, generator and air ventilation systems.

Shawn is known for his strong work ethic and positive attitude that he brings to the job every day.

Congratulations, Shawn, for 25 years of service to the District.

30 Year Service Recognition
Donald Ostrander – St. Cloud Field Station
Operations, Maintenance and Construction Division

Donald Ostrander joined the military after graduating from Forest Hill High School and served in the United States Navy as an Electrician's Mate third class. In 1983, he was hired at the District as an Electrical Trades Helper.

Don's father was employed with the District as an electrician, so Don was familiar with the work of our agency. In 1989, he was promoted to Industrial Electrician. In 1993 Don was recognized with the District's Safety Awareness Award.

Don is a humble, family-oriented man, with a smile on his face and a good sense of humor. Don arrives early to work and is always willing to do whatever you ask of him...and he always does it well.

Congratulations, Don, for 30 years of service to the District.

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CONSENT AGENDA TABLE OF CONTENTS
REGULATORY ITEMS FOR GOVERNING BOARD ACTION
February 14, 2013

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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 fee ownership in real property that retains such land or water area in its predominantly natural, scenic, open, or wooded condition. Conservation easements generally limit the use of the conservation area to passive, recreational activities such as hiking and bicycling. The District will consider as mitigation for the adverse impacts to wetlands or other surface waters functions caused by a proposed project, the preservation, by conservation easement, of wetland ecosystems.

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.

MIAMI-DADE COUNTY

1. BLUE HERON DEVELOPMENT AKA INCREDIBLE UNIVERSE APPL. NO. 061106-25
AAAA UNIVERSE LLC PERMIT NO. 83-00054-S
SEC 27 TWP 53S RGE 40E ACREAGE: 27.28
 LAND USE: COMMERCIAL

PERMIT TYPE: SURFACE WATER MANAGEMENT (CONCEPTUAL APPROVAL MODIFICATION)
RECEIVING BODY: TOTAL ON-SITE RETENTION
PRIMARY ISSUES: FINAL ORDER TO DENY DUE TO APPLICANT'S FAILURE TO COMPLETE
 APPLICATION
LAST DATE FOR BOARD ACTION: MARCH 14, 2013

Attachment: ca_reg_rm_100_sd (1116 : Regulatory Consent Agenda)

CONSENT ORDERS

1. RESPONDENT: STEEL CONSTRUCTIONS SYSTEMS
PROJECT: CSR RINKER/SCS

SEC 15 TWP 24S RGE 29E ORANGE COUNTY
SETTLEMENT OF AN ENFORCEMENT ACTION REGARDING NON COMPLIANCE WITH PERMIT
CONDITION FOR FAILURE TO SUBMIT A CONSTRUCTION COMPLETION CERTIFICATION

2. RESPONDENT: GARY SUHL
PROJECT: SUHL WAREHOUSE PARK

SEC 30 TWP 25S RGE 29E OSCEOLA COUNTY
SETTLEMENT OF AN ENFORCEMENT ACTION REGARDING NON COMPLIANCE WITH PERMIT
CONDITION FOR FAILURE TO SUBMIT A CONSTRUCTION COMPLETION CERTIFICATION

-
- 1. PERMITTEE: FLORIDA DEPARTMENT OF TRANSPORTATION
PROJECT: WIDENING OF I-4 FROM S KIRKMAN ROAD TO SOUTH OF ORANGE BLOSSOM TRAIL

ORANGE COUNTY

PARTIAL RELEASE OF A CONSERVATION EASEMENT WITHIN THE DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY, NECESSARY TO ADMIT DESIGN MODIFICATIONS FOR THE INTERSTATE 4 (SR 400) ACCESS RAMP FOR A PROJECT KNOWN AS WIDENING OF I-4 FROM SOUTH KIRKMAN ROAD TO SOUTH ORANGE BLOSSOM TRAIL (060823-9) IN ORANGE COUNTY. THE EXISTING EASEMENT WAS RECORDED IN 2008 IN ACCORDANCE WITH THE WINDRUSH-RADEBAUGH PERMIT (APPLICATION NO. 080131-1) WHERE THE EASEMENT WAS RECONFIGURED TO GRANT THE FLORIDA DEPARTMENT OF TRANSPORTATION WITH THE RIGHT-OF-WAY PARCEL KNOWN AS TRACT F. THE PERMITTED TRANSPORTATION PROJECT (060823-9 WIDENING OF I-4) REQUIRED THE RELEASE OF A 2,074 SQUARE FOOT PORTION OF EASEMENT TO ACCOMMODATE A DEEPER CURVE THAN PREVIOUSLY INDICATED IN SUBMITTAL INFORMATION, NECESSARY FOR SAFETY. COMPENSATION FOR THE REMOVAL OF THE 2,074 SQUARE FEET FROM THE CONSERVATION AREA IS NOT REQUIRED AS THE ORIGINAL PERMIT (APPLICATION NUMBER 060221-34) PROVIDED SUFFICIENT MITIGATION TO OFFSET WETLAND AND SECONDARY IMPACTS.

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- 2. PERMITTEE: OSCEOLA COUNTY BOARD OF COUNTY COMMISSIONERS
PROJECT: OSCEOLA COUNTY SHERRIF'S OFFICE ACCESS ROAD

OSCEOLA COUNTY

PARTIAL RELEASE OF A CONSERVATION EASEMENT IN A PROJECT AREA KNOWN AS OSCEOLA COUNTY SHERRIFF'S ACCESS ROAD (APPLICATION NO. 121029-12) IN OSCEOLA COUNTY. THE EXISTING EASEMENT WAS RECORDED IN 2005 AS PART OF THE OSCEOLA COUNTY SHERIFF ADMINISTRATION COMPLEX, PERMIT APPLICATION NO. 030205-8. SPECIFICALLY, 0.20 ACRES OF WETLANDS AS WELL AS 1.097 ACRES OF AN EXISTING FDOT DRAINAGE DITCH WILL BE REMOVED FROM THE EXISTING CONSERVATION EASEMENT. THE APPLICANT WILL PURCHASE 0.22 UMAM CREDITS FROM THE HATCHINEAHA RANCH MITIGATION BANK TO OFFSET THE NEW IMPACTS.

Attachment: ca_reg_rm_100_sd (1116 : Regulatory Consent Agenda)

3. PERMITTEE: OSCAR LEWIS DANIEL
PROJECT: DANIEL RANCH

PARTIAL RELEASE OF A CONSERVATION EASEMENT RECORDED ON NOVEMBER 1, 2006, THAT WAS GRANTED PURSUANT TO CONSENT AGREEMENT ORDER NO. SFWMD 2006 068 CO ERP ENTERED INTO BETWEEN OSCAR "BUCK" LEWIS DANIEL AND R BAR ESTATES, INC. (COLLECTIVELY, "DANIEL") AND THE DISTRICT, TO MITIGATE FOR UNAUTHORIZED WETLAND IMPACTS IN ANTICIPATION OF DANIEL APPLYING FOR AND OBTAINING AN ENVIRONMENTAL RESOURCE PERMIT ("PERMIT") TO ADDRESS THE WETLAND IMPACTS. SINCE THE CONSERVATION EASEMENT WAS GRANTED, DANIEL HAS CEASED THE AGRICULTURAL OPERATIONS THAT LED TO THE WETLAND VIOLATIONS AND HAS ADDRESSED CERTAIN WETLAND IMPACTS AND CONSEQUENTLY, NO LONGER INTENDS TO OBTAIN A PERMIT. DANIEL ALSO INTENDS TO MODIFY WATER CONTROL STRUCTURES IN ORDER TO PROVIDE HYDRATION TO SEVERAL WETLANDS. PARTIAL RELEASE OF 79.66 ACRES OF THE EXISTING 188 ACRE CONSERVATION EASEMENT IS BEING REQUESTED DUE TO THE CHANGE IN LAND USE AND SITE CONDITIONS AND IN CONJUNCTION WITH A CONSENT FINAL JUDGMENT THAT WILL RESOLVE THE ON-GOING LITIGATION OF THIS MATTER.

Attachment: ca_reg_rm_100_sd (1116 : Regulatory Consent Agenda)

WATER USE VARIANCES

1. PERMITTEE: LOST TREE VILLAGE PROPERTY OWNER'S ASSOCIATION, INC.
PROJECT: LOST TREE VILLAGE VARIANCE NO. 120814-7

PALM BEACH COUNTY

ENTER A FINAL ORDER GRANTING A PETITION FOR VARIANCE TO LOST TREE VILLAGE
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 A SMART IRRIGATION SYSTEM.

-
1. CONCUR WITH THE SECOND AMENDMENT TO THE TWENTY SIXTH ANNUAL WORK PLAN FOR THE SEMINOLE TRIBE OF FLORIDA. WORKS IN THE BRIGHTON RESERVATION INCLUDE A PROPOSED CONSTRUCTION OF A WIDER BALL FIELD ROAD (FROM A 10 FOOT ROADWAY TO A 20 FOOT ROADWAY), THE PROPOSED MODIFICATION TO THE PLANS FOR THE CONSTRUCTION OF THE BILLY HANK WAY, AND THE PROPOSED CONSTRUCTION OF PANTHER LANE ROAD.
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**RIGHT OF WAY OCCUPANCY CONSENT AGENDA FOR GOVERNING BOARD APPROVAL
February 14, 2013**

	PAGE
I RIGHT OF WAY OCCUPANCY PERMIT MODIFICATIONS:	
Governing Board action is required for routine requests which involve a change, addition or deletion to a use of the right of way which was previously permitted. Items are placed on this Consent Agenda when the staff's recommendation is for approval.	2

Attachment: ca_om_rm_101_sd (1117 : Right of Way Regulatory Consent Agenda)

RIGHT OF WAY OCCUPANCY PERMIT MODIFICATIONS

1. GIROUARD, NORMAN
COUNTY: BROWARD

Permit Number: 7837
Appl No.: 12-1211-4
Fee

AUTHORIZING:

EXISTING SEAWALL AND PROPOSED REPAIRS THERETO, EXISTING BRICK BARBECUE/FIREPLACE, LANDSCAPING, DECK WITH ROOF OVERHANG AND PARTIALLY CONSTRUCTED COVERED DECK WITH PATIO AND BURIED ELECTRICAL SERVICE WITHIN THE SOUTH RIGHT OF WAY OF C-14 AT THE REAR OF 1701 NE 64TH STREET (LOT 7, BLOCK 2, BOULEVARD PARK ISLES). (LOCATED WITHIN AREA PREVIOUSLY RELAXED BY THE DISTRICT'S GOVERNING BOARD).

LAST DATE FOR BOARD ACTION: **February 14, 2013**

Attachment: ca_om_rm_101_sd (1117 : Right of Way Regulatory Consent Agenda)

MEMORANDUM

TO: Governing Board Members
FROM: Carolyn S. Ansay, General Counsel
DATE: February 14, 2013
SUBJECT: Amend 2012 Regulatory Plan to include amendments to Chapter 40E-7, F.A.C.

Agenda Item Description

A Resolution of the Governing Board of the South Florida Water Management District approving the amendment of the 2012 Regulatory Plan to include rules relating to Small Business Enterprise and Public Use of District Lands, and authorize staff to submit the amended 2012 Regulatory Plan to the Office of Fiscal Accountability and Regulatory Reform, in accordance with Executive Order 11-211, and to the Speaker of the House, President of the Senate, and Joint Administrative Procedures Committee, in accordance with Section 120.74,(3), F.S., effective immediately.

Background

The Governor's Executive Order 11-211 requires each agency under the direction of the Governor to submit to the Office of Fiscal Accountability and Regulatory Reform (OFARR) by July 1 of each year, an annual regulatory plan that identifies and describes each rule the agency expects to begin promulgating during the next twelve-month period. OFARR has provided all agencies with a detailed form that, when completed, constitutes the agency's regulatory plan. Section 120.74(3), Florida Statutes, requires each agency to file their regulatory plan with the President of the Senate, the Speaker of the House of Representatives, and the Joint Administrative Procedures Committee on or before July 1 of each year, beginning in 2012. The District proposes to amend the Regulatory Plan provided on July 1, 2012 to include the following rules:

1. Revisions to the SBE Rules in Chapter 40E-7, F.A.C., will assist in streamlining the process for small businesses doing business with the South Florida Water Management District.
2. Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.

The Resolution approving the amendment to the 2012 Regulatory Plan is attached for Board consideration.

Core Mission and Strategic Priorities

The amended 2012 Regulatory Plan helps the District's 10-Year Strategic Plan by providing a detailed list of topics and anticipated effect of rule development efforts. Additionally, the amended 2012 Regulatory Plan complies with statutory and Executive Order requirements.

Funding Source

Staff time will be used to implement the amended Regulatory Plan. Ad valorem funds may be used to prepare the economic impact analysis that may be required for certain rules.

Staff Recommendation

The amended Regulatory Plan will increase regulatory efficiencies. Delivery of the Plan to OFARR, the Joint Administrative Procedures Committee, the Speaker of the House, and the President of the Senate, is in accordance with the Governor's Executive Order 11-211 and section 120.74(3) Fla. Stat.

If you have any questions, please call Carolyn Ansay, General Counsel at ext. 6292 or Carlyn Kowalsky at 6240.

FMM/caf

Attachments: Resolution
 Amended Regulatory Plan

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0201

A Resolution of the Governing Board of the South Florida Water Management District approving an amendment of the 2012 Regulatory Plan to include revisions to Rules regarding public access and use of District lands, and the Small Business Enterprise Contracting Program, and authorizing staff to submit the amended 2012 Regulatory Plan to the Office of Fiscal Accountability and Regulatory Reform, in accordance with Executive Order 11-211, and to the Speaker of the House, President of the Senate and Joint Administrative Procedures Committee, in accordance with Section 120.74(3), Florida Statutes; effective immediately. (OC, Frank Mendez, ext. 6260)

WHEREAS, in accordance with the Governor's Executive Order 11-211, the District submitted its regulatory plan identifying and describing each rule the District expected to begin promulgating between July 1, 2012, and June 30, 2013.

WHEREAS, the District filed its regulatory plan on July 1, 2012 with the President of the Senate, the Speaker of the House of Representatives, and the Joint Administrative Procedures Committee in accordance with Section 120.74(3), Florida Statutes.

WHEREAS, since submission of the regulatory plan on July 1, 2012, the District has determined that the rules regarding public access and use of District lands should be amended to clarify rules relating to public use of District lands.

WHEREAS, since submission of the regulatory plan on July 1, 2012, the District has determined that the rules regarding the Small Business Enterprise Contracting Program, should be amended in order to further assist staff in streamlining the process to further assist small businesses contracting with 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 the amended 2012 Regulatory Plan.

Section 2. The Governing Board of the South Florida Water Management District authorizes District staff to submit the amended 2012 Regulatory Plan to the Office of Fiscal Accountability and Regulatory Reform, the Speaker of the House, the President of the Senate, and the Joint Administrative Procedures Committee.

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

PASSED and **ADOPTED** this 14th day of February, 2013.

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

Chairman

Attest:

Legal form approved:

By:

District Clerk/Secretary

Office of Counsel

Print name:

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-7.511	Policy and Purpose	Amend	The purpose of this rule is to implement the legislative intent in Chapter 373 and 140 F.S. as it relates to regulations governing public access to certain District lands.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.520	Scope and Applicability	Amend	Regulations governing use and conduct upon District lands.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.521	Definitions	Amend	Definitions as used in this rule.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.523	Access to District Lands; Closures	Amend	Access to District lands and criteria for closures.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.525	Use of Vehicles, Vessels, and Aircraft; Navigational Restrictions	Amend	Operation of licensed and unlicensed vehicles on District lands.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.526	Equestrian Activities; Use of Saddle Animals	Amend	Where equestrian activities are allowed on District lands.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.527	Hunting	Amend	Types of hunting allowed on District lands.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.528	Bicycling	Amend	Designation of bicycle use on District lands.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.529	Overnight camping	Amend	Regulations for overnight camping on District lands.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.530	Trapping	Amend	Prohibition of trapping on District Lands.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.532	Operating Hours	Amend	Operating hours for District lands.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.534	Special Use Licenses	Amend	Purpose of special use licenses on District lands.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.535	Event Authorization	Amend	When and what activities require event authorization to use District lands.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.537	General Prohibitions	Amend	General prohibitions regarding conduct and use on district lands.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.538	Special Provisions for Management Areas of the District Open to the Public	Amend	Provisions and use of District lands located in Management areas.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.5381	Special Provisions for Right of Way of the District	Amend	Provisions and use of District lands located on the District's Right of Way.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO

40E-7.5382	Special Provisions for Vacant Undesignated District Lands Open to the Public	Amend	Provisions and use of District lands open to the public located on vacant undesignated lands.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.5383	Special Provisions for Stormwater Treatment Areas (STA's) of the District open to the public	Amend	Provisions and use of District lands open to the public located in the Stormwater Treatment Areas (STA's) .	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.5384	Special Provisions for Impoundment Areas of the District Open to the Public	Amend	Provisions and use of District lands open to the public for Impoundment areas.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.539	Penalties	Amend	Penalties for violating the above rules and regulations under this section.	Amendments to the Public Use Rules in Chapter 40E-7, F.A.C., will clarify rules relating to public use of District lands.	Update	None	NO
40E-7.668	Policy	N/A	Establishes policy for the Small Business Enterprise program.	No changes to be made at this time.	This rule may be affected as a result of the amendment to the District's Small Business Enterprise (SBE) Rule process.	None	N/A
40E-7.669	Definitions	N/A	Defines the major terms used in this rule.	No changes to be made at this time.	This rule may be affected as a result of the amendment to the District's Small Business Enterprise (SBE) Rule process.	None	N/A
40E-7.670	Competitive Solicitation Preferences	Amend	The rules under this Small Business Enterprise Contracting Program establish policies and procedures designed to help small businesses, including those owned by women and minorities, to participate in the South Florida Water Management's procurement and contract activities.	In order to streamline the rule District is contemplating: amending (3)(a) by clarifying how the availability of SBE's are determined. (3)(b) by distinguishing between a standard and work order proposals are evaluated by SBE participation; for thereby adding a new section (3)(c) which will require District contractors to identify SBE firms at the work order phase of the contract. The amendments may require changes to the related forms.	Update	None	No
40E-7.671	District Implementation	Amend	Amends how the program will be monitored and how staff will be utilized.	This amendment will assist in alleviating the administrative burden to staff.	Update	None	No
40E-7.672	Compliance	Amend	This section of the SBE Rule allows the District to monitor and evaluate performance.	In order to better monitor and evaluate performance, the proposed amendment will amend section (5) which requires a Prime Contractor to notify the District when a need to replace a SBE contractor arises.	Update	None	No
40E-7.673	Certification Eligibility- Small Business Enterprise	N/A	Describes the requirements needed to be certified by the District as a Small Business Enterprise.	No changes to be made at this time.	This rule may be affected as a result of the amendment to the District's Small Business Enterprise (SBE) Rule process.	None	No
40E-7.674	Certification Review Procedures	Amend	Rule currently allows thirty days for staff to complete review process and also thirty days for vendor to provide any additional documentation.	Change the days required to review certification application by staff and request for additional information from vendor from thirty to sixty days.	Update	None	No
40E-7.675	Recertification Review Procedures	Amend	Rule currently allows thirty days for staff to complete review process and also thirty days for vendor to provide	Change the days required to review re-certification application by staff and request for additional information from vendor from thirty to sixty days	Update	None	No

40E-7.676	Decertification	N/A	Describes the process by which the District shall retract a business's certification.	No changes to be made at this time.	This rule may be affected as a result of the amendment to the District's Small Business Enterprise (SBE) Rule process.	None	No
40E-7.677	Reciprocity	Amend	The District's reciprocity process.	Create a process in which other agency may do business with the District, without going through the administrative burden, based on similar program requirements.	Update	None	No
40E-7.678	Administrative Hearings	N/A	Identifies the due process laws as established under Chapter 120 Florida Statutes as it relates to Notice of Rights for interested and affected persons.	No changes to be made at this time.	This rule may be affected as a result of the amendment to the District's Small Business Enterprise (SBE) Rule process.	None	No

MEMORANDUM

TO: Governing Board Members
FROM: Doug Bergstrom, Director, Administrative Services Division
DATE: February 14, 2013
SUBJECT: February Governing Board – FY13 Budget Transfers

Background: Budget transfer totaling \$296,304 is proposed to support the following:

(1) \$296,304 - Transferring funds from the Restoration Program in the Water Resources Division to the Operations & Maintenance Program in the Operations, Maintenance & Construction Division for \$71,901 and from the Restoration Program to Operations & Maintenance Program within the Operations, Maintenance & Construction Division for \$224,403. The transfers will provide the survey and geotechnical services for the Corbett Levee project.

How this helps meet the District's 10 Year Strategic Plan? Budget transfers will redirect budget authority to support the completion of projects that are linked to the 10 Year Strategic Plan.

Funding Source Impacted: The funding sources impacted are the General Fund, the General Fund Matching, the Okeechobee Basin Fund, the CERP Non-Capital General Fund.

This Board item impacts the following areas of the District, both divisions and geography: The division impacted by this transfer are the Operations, Maintenance & Construction Division.

What concerns could this Board item raise? Transactions will not alter the overall budget amount.

Why should the Governing Board approve this item? In accordance with the District's budgetary and financial control policy, any transfer of budget authority between divisions/offices and/or between programs and between bureaus or program elements that exceed the non-capital threshold of \$150,000 or the capital threshold of \$500,000 requires Governing Board approval. Additionally, budget transfers of personnel costs if the budgeted personnel appropriation within a given budget fund is exceeded requires Governing Board approval.

If you have any questions, please do not hesitate to call me at ext. 6214.

DB/MS/mq/ds
Attachment - Resolution

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0202

A Resolution of the Governing Board of the South Florida Water Management District authorizing the transfer of funds within the District's FY2012-2013 budget totaling \$296,304 for the Corbett Levee Project; providing an effective date. (ADM, Doug Bergstrom, ext. 6214)

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 transfer of funds and a copy of the proposed transfer is attached to this resolution; 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 FY2012-2013 budget transfer in the amount of \$296,304 as reflected in the attached spreadsheet.

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

PASSED and **ADOPTED** this 14th day of February, 2013.

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

Chairman

Attest:

Legal form approved:

By:

District Clerk/Secretary

Office of Counsel

Print name:

**FY2013 BUDGET TRANSFERS - GOVERNING BOARD MATRIX
FEBRUARY 2013**

<i>TRANSFER FROM</i>				<i>TRANSFER TO</i>			
FUND	DIVISION	PROGRAM / ELEMENT	AMOUNT	FUND	DIVISION	PROGRAM / ELEMENT	AMOUNT
PROPOSED TRANSFER #1							
101000	<u>Water Resources Division</u>			101000	<u>Operations, Maintenance & Construction Division</u>		
	Restoration				Operations & Maintenance		
	Appliance Research and Model Development	\$	22,637		Operations & Maintenance Program Support	\$	22,637
101001	<u>Water Resources Division</u>			101001	<u>Operations, Maintenance & Construction Division</u>		
	Restoration				Operations & Maintenance		
	St. Lucie River and Estuary Indian River Lagoon	\$	17,014		Operations & Maintenance Program Support	\$	17,014
101410	<u>Water Resources Division</u>			101410	<u>Operations, Maintenance & Construction Division</u>		
	Restoration				Operations & Maintenance		
	CERP Projects	\$	32,250		Operations & Maintenance Program Support	\$	32,250
202000	<u>Operations, Maintenance & Construction Division</u>			202000	<u>Operations, Maintenance & Construction Division</u>		
	Restoration				Operations & Maintenance		
	Lake Okechobee Watershed Protection Program Construction Projects	\$	224,403		Operations & Maintenance Program Support	\$	224,403
SUBTOTAL PROPOSED TRANSFER #1			\$ 296,304				\$ 296,304
BUDGET TRANSFER TOTAL			\$ 296,304				\$ 296,304

Attachment: 05_2013 Budget Transfer Matrix (Resolution No. 2013 - 0202 : February Governing Board -

M E M O R A N D U M

TO: Governing Board Members

FROM: Doug Bergstrom, Director, Administrative Services Division

DATE: February 14, 2013

SUBJECT: Five-Year Capital Improvements Plan

Background: Section 373.536(6)(a)3, Florida Statutes, requires the District to develop a five-year Capital Improvements Plan (CIP). The plan must include expected sources of revenue for planned improvements and must be prepared in a manner comparable to the fixed capital outlay format set forth in Section 216.043, F.S. http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0216/Sec043.HTM Pursuant to Section 373.036(7), the FY2013 Five-Year Capital Improvements Plan will be published in the 2013 South Florida Environmental Report, Volume II, Chapter 4.

Highlights: The FY2013 Five-Year CIP identifies the capital projects contained in the FY2013 adopted budget, an adjusted FY2013 based on latest project schedules and planned future capital projects for the period of FY2014 through FY2017.

Save Our Everglades Trust Fund proceeds are based on the \$50M allocated for Everglades Restoration, which includes \$3M annually for the Florida Department of Agriculture and Consumer Services (FDACS), with the remaining \$47M annually available for capital project funding currently represented in the FY2014 plan for: C-44 \$2.3M, Picayune \$12.7M and Restoration Strategies \$32M. FY2015-2017 reflects an estimated amount of \$32M per fiscal year for Restoration Strategies.

The FY2013 adopted budget included a planned capital improvements project budget of \$220.6 million. Based on the revised estimated project schedules, the District's Five-Year CIP has been adjusted to a total of \$180.7 million for FY2013. The difference of \$39.9 million has been re-budgeted and included in the FY2014 amount in the plan, reflecting the preliminary budget submitted to the Florida Legislature on January 15.

Over the next five years, FY2013 (adjusted) through FY2017, the District estimates spending \$977.5 million on projects contained in the Five-Year CIP. Currently, the plan reflects ongoing commitments to Governing Board priorities including \$399.6 million dedicated for Restoration Strategies projects, \$255.1M in recurring ad valorem funds allocated for the refurbishment, replacement and improvement of South Florida's flood control infrastructure, and other Agency water supply and restoration priorities included in the Spend Down Plan.

The plan over the 5-year period includes funding for the following major projects:

Restoration Strategies:

- Loxahatchee Watershed (L-8 pump station & land acquisition): \$100.5M
- A-1 FEB: \$70.6M
- STA-1W Expansion's 1&2: \$175.5M
- Source Control: \$13.5M
- Science Plan: \$39.5M

O&M Capital:

- O&M Capital Projects: \$255.1M for the five year period. This results in an annual average of approximately \$50M per year.
 - STA capital refurbishment : \$8M
 - Pump station modification/repair: \$72.2M
 - Canal/levee maintenance/canal conveyance: \$74.1M
 - Structure/bridge/modification/repair: \$67.4M

BCB:

- Picayune Strand: \$13M
- Alternative Water Supply: \$2.4M
- Henderson Creek Diversion: \$4.5M
- BCB Field Station design and construction: \$8M

Spend Down Plan:

- C-44 Reservoir: \$21.2M
- Loxahatchee Watershed agreement: \$795K
- C-111 South Contract: \$9M
- Lake Hicpochee: \$18.0M
- Dispersed Water Management/Florida Ranchland Environmental Services Project (FRESP): \$25.8M
- Alternative water supply and water conservation: \$2.6M
- Central Florida Water Initiative and Lower Floridan Aquifer Investigation (Kissimmee): \$1.4M

Other:

- The plan also reflects debt service payments associated with the 2006 COPs issuance over the five year period of \$175.9M, annual of approximately \$35.2M.
- Corbett Levee protection: \$8.6M

How this helps meet the District's 10-Year Strategic Plan: The FY2013 Five-Year Capital Improvements Plan is a precursor to the Strategic Plan. It reflects all the capital projects included in the District's FY2013 adopted budget, and provides a forward look to program requirements through the remainder of the five year window. This information should provide a framework from which to develop the updates to the Districts Strategic Plan.

Funding Sources: Multiple funding sources were identified for funding the FY2013 Five-Year Capital Improvements Plan. These include (figures are for the 5-year period):

1. \$426.2M of general and Okeechobee basin ad valorem sources
2. \$26.1M of Big Cypress Basin ad valorem
3. \$204M of EFA ad valorem and agricultural privilege taxes
4. \$29.6M of New Construction ad valorem sources
5. \$205.4M from the Save Our Everglades Trust Fund
6. \$8.3M from Future State Appropriations
7. \$47M of debt proceeds (2006 COPs)
8. \$4.3M from the Lake Okeechobee Trust Fund
9. \$1.5M Florida Bay funds, State Appropriations
10. \$1.8M Other CERP Creditable
11. \$8.3M from the Wetland Mitigation Fund
12. \$15M from the Lake Belt Mitigation Fund

This Board item impacts what areas of the District, both resource areas and geography: The FY2013 Five-Year Capital Improvements Plan impacts all resource areas and spans most of the District's geographic boundaries.

What concerns could this Board item raise? The FY2013 Five-Year Capital Improvements Plan contains priority projects. Many other worthwhile projects were not included in the Plan due to budget constraints. Additionally, a main source of CIP revenue, the Save Our Everglades Trust Fund, is contingent on annual appropriation from the legislature.

Why should the Governing Board approve this item? The District is required by Section 373.536(6)(a)3, Florida Statutes to furnish copies of this report to, among others, the Governor, the President of the Senate and the Speaker of the House of Representatives.

If you have any questions, please do not hesitate to call me at extension 6214.

DB/MS/CH/kdb

Attachment - Resolution

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0203

A Resolution of the Governing Board of the South Florida Water Management District adopting the FY2013 Five-Year Capital Improvements Plan; providing an effective date. (ADM, Doug Bergstrom, ext. 6214)

WHEREAS, pursuant to Section 373.536(6)(a)3, F.S., the District is required to develop a Five-Year Capital Improvements Plan, and

WHEREAS, pursuant to Section 373.536(6)(a)3, F.S., the plan must include expected sources of revenue for planned improvements and must be prepared in a manner comparable to the fixed capital outlay format set forth in Section 216.043 F.S., and

WHEREAS, pursuant to Section 373.036 (7), F.S., the FY2013 Five-Year Capital Improvements Plan will be contained in Chapter 4, Volume II of the 2013 South Florida Environmental Report.

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 adopts the FY2013 Five-Year Capital Improvements Plan, to be included as Chapter 4, Volume II of the 2013 South Florida Environmental Report.

Section 2. A copy of the plan will be made available at <http://www.sfwmd.gov/sfer>.

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

PASSED and ADOPTED this 14th day of February, 2013.

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

Chairman

Attest:

District Clerk/Secretary

Legal form approved:
By:

Office of Counsel

Print name:

**FIVE-YEAR CAPITAL IMPROVEMENTS PLAN
FISCAL YEARS 2013-2017
SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

FY13-17 Resolu

SUMMARY:

Revenues	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
Ad Valorem - District/Okeechobee Basin	\$ 108,383,455	\$ 87,411,339	\$ 118,880,801	\$ 72,092,668	\$ 74,201,773	\$ 73,655,190	\$ 426,241,000
Big Cypress Basin Ad Valorem	2,138,322	2,138,322	5,930,438	9,637,900	5,350,000	3,050,000	26,106,000
Everglades Construction Project - Ad Valorem, Aq Tax	34,394,956	23,770,557	36,651,079	83,987,042	27,512,020	31,986,012	203,906,000
Ad Valorem - New Construction	-	-	2,901,278	1,910,174	7,187,509	17,649,092	29,648,000
Save Our Everglades Trust Fund	62,391,377	60,509,837	48,881,540	32,000,000	32,000,000	32,000,000	205,391,000
Future State Appropriations	-	-	8,300,000	-	-	-	8,300,000
Debt Proceeds	-	-	32,845,687	14,161,284	-	-	47,006,971
Lake Okeechobee Trust Fund	2,819,681	1,558,895	1,260,786	1,491,544	-	-	4,311,000
Florida Bay Fund	1,500,000	-	1,500,000	-	-	-	1,500,000
CERP Other Creditable	1,751,433	1,751,433	-	-	-	-	1,751,433
Wetland Mitigation	4,262,610	531,433	7,233,158	538,966	-	-	8,303,000
Lake Belt Mitigation	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	15,000,000
Total Revenues	\$ 220,641,834	\$ 180,671,816	\$ 267,384,767	\$ 218,819,578	\$ 149,251,302	\$ 161,340,294	\$ 977,467,767

Expenditures	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
Restoration Program :							
Everglades Restoration	\$ 143,300,153	\$ 114,247,701	\$ 159,344,022	\$ 151,949,377	\$ 87,855,456	\$ 108,340,294	\$ 621,736,000
Lake Okeechobee	9,589,141	4,584,292	11,276,479	7,780,011	4,595,846	-	28,236,000
Kissimmee Watershed	2,927,610	531,433	3,898,158	538,966	-	-	4,968,000
Coastal Watersheds	2,637,204	455,664	18,757,430	-	-	-	19,213,000
Restoration Program Total	\$ 158,454,108	\$ 119,819,090	\$ 193,276,089	\$ 160,268,354	\$ 92,451,302	\$ 108,340,294	\$ 674,155,000
Operations & Maintenance:							
O&M Capital Refurbishment	\$ 52,478,617	\$ 52,478,617	\$ 52,617,678	\$ 50,051,224	\$ 50,000,000	\$ 50,000,000	\$ 255,147,000
O&M Capital Other	179,061	479,061	11,300,000	5,500,000	3,800,000	-	21,079,000
Operations & Maintenance Total:	\$ 52,657,678	\$ 52,957,678	\$ 63,917,678	\$ 55,551,224	\$ 53,800,000	\$ 50,000,000	\$ 276,226,000
Land Stewardship	\$ 4,335,000	\$ 3,000,000	\$ 6,335,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 18,335,000
Water Supply	\$ 4,010,048	\$ 4,010,048	\$ 2,368,000	\$ -	\$ -	\$ -	\$ 6,378,000
Mission Support	\$ 1,185,000	\$ 885,000	\$ 1,488,000	\$ -	\$ -	\$ -	\$ 2,373,000
Total Expenditures	\$ 220,641,834	\$ 180,671,816	\$ 267,384,767	\$ 218,819,578	\$ 149,251,302	\$ 161,340,294	\$ 977,467,767

PROGRAM DETAIL:

Restoration Program

Everglades Restoration	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
REVENUES							
ECP - Ad Valorem, Aq Tax	\$ 30,782,557	\$ 20,158,158	\$ 34,552,758	\$ 83,637,042	\$ 26,512,020	\$ 30,986,012	\$ 195,845,000
Ad Valorem - District/Okeechobee Basin	49,121,677	32,193,624	40,400,808	20,240,877	22,155,927	27,705,190	142,696,000
Ad Valorem - New Construction	-	-	2,901,278	1,910,174	7,187,509	17,649,092	29,648,000
Big Cypress Basin - Ad Valorem	205,791	205,791	143,491	-	-	-	349,000
Save Our Everglades Trust Fund	59,938,695	59,938,695	47,000,000	32,000,000	32,000,000	32,000,000	202,938,000
Florida Bay Fund	1,500,000	-	1,500,000	-	-	-	1,500,000
Other CERP Creditable (Fund Balance)	1,751,433	1,751,433	-	-	-	-	1,751,433
Debt Proceeds- 2006 COPs	-	-	32,845,687	14,161,284	-	-	47,006,971
TOTAL	\$ 143,300,153	\$ 114,247,701	\$ 159,344,022	\$ 151,949,377	\$ 87,855,456	\$ 108,340,294	\$ 621,736,000
EXPENDITURES							
Southern Crew	\$ 125,000	\$ 125,000	\$ -	\$ -	\$ -	\$ -	\$ 125,000
C-44 Reservoir and STA	5,054,785	2,054,785	10,659,402	2,049,389	6,438,061	-	21,201,000
Picayune Strand	205,791	205,791	12,806,491	-	-	-	13,012,000
Loxahatchee Watershed	71,966,256	71,171,256	27,641,400	2,466,079	-	-	101,278,000
C-111 South Contract	14,500,000	-	9,000,000	-	-	-	9,000,000
C-111 Spreader Canal	133,053	-	-	-	-	-	133,053
LTP EAA STA Compartment B Design Construction & Build Outs	136,500	136,500	-	-	-	-	136,500
LTP EAA STA Compartment C Design Construction & Build Outs	410,000	410,000	-	-	-	-	410,000
A-1 FEB	5,200,000	3,200,000	42,495,687	24,920,055	-	-	70,615,000
STA-1W Expansion #1	5,232,600	-	12,961,403	71,862,462	32,000,000	36,972,906	153,796,000
STA-1W Expansion #2	-	-	-	-	-	21,687,899	21,687,899
Source Control	-	-	-	4,421,700	4,510,134	-	13,532,000
Science Plan	5,100,000	1,708,201	8,593,799	9,550,871	9,741,889	9,936,727	39,531,000
Debt Service - 2006 COPs	35,236,168	35,236,168	35,185,840	35,182,247	35,165,372	35,142,425	175,912,000
COPs Future Projects Reserve	-	-	-	1,496,574	-	-	1,496,574
TOTAL	\$ 143,300,153	\$ 114,247,701	\$ 159,344,022	\$ 151,949,377	\$ 87,855,456	\$ 108,340,294	\$ 621,736,000

Lake Okeechobee Program	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
REVENUES							
Ad Valorem - District/Okeechobee Basin	\$ 6,453,318	\$ 2,709,255	\$ 10,015,693	\$ 6,288,467	\$ 4,595,846	\$ -	\$ 23,609,000
Save Our Everglades Trust Fund	316,142	316,142	-	-	-	-	316,142
Lake Okeechobee Trust Fund	2,819,681	1,558,895	1,260,786	1,491,544	-	-	4,311,000
TOTAL	\$ 9,589,141	\$ 4,584,292	\$ 11,276,479	\$ 7,780,011	\$ 4,595,846	\$ -	\$ 28,236,000
EXPENDITURES							
Lakeside Ranch STA Phase I	\$ 85,731	\$ 85,731	\$ -	\$ -	\$ -	\$ -	\$ 85,731
Dispersed Water Management	8,703,410	4,428,707	10,546,333	6,288,467	4,595,846	-	25,859,000
Lemkin Creek	800,000	69,854	730,146	-	-	-	800,000
Lake Okeechobee Project Reserves	-	-	-	1,491,544	-	-	1,491,544
TOTAL	\$ 9,589,141	\$ 4,584,292	\$ 11,276,479	\$ 7,780,011	\$ 4,595,846	\$ -	\$ 28,236,000

Attachment: FY13-FY17 CIP_PORTAL (Resolution No. 2013 - 0203 : Five-Year Capital Improvements Plan)

**FIVE-YEAR CAPITAL IMPROVEMENTS PLAN
FISCAL YEARS 2013-2017
SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

Kissimmee Watershed Program							
REVENUES	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
Wetland Mitigation Trust Fund	\$ 2,927,610	\$ 531,433	\$ 3,898,158	\$ 538,966	\$ -	\$ -	\$ 4,968,157
TOTAL	\$ 2,927,610	\$ 531,433	\$ 3,898,158	\$ 538,966	\$ -	\$ -	\$ 4,968,157
EXPENDITURES	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
Rolling Meadows Design / Construction	\$ 2,927,610	\$ 531,433	\$ 3,898,158	\$ 538,966	\$ -	\$ -	\$ 4,968,157
TOTAL	\$ 2,927,610	\$ 531,433	\$ 3,898,158	\$ 538,966	\$ -	\$ -	\$ 4,968,157

Coastal Watersheds							
REVENUES	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
Save Our Everglades Trust Fund	\$ 2,136,540	\$ 255,000	\$ 1,881,540	\$ -	\$ -	\$ -	\$ 2,136,540
Ad Valorem - District/Okeechobee Basin	500,664	200,664	16,875,890	-	-	-	17,077,198
TOTAL	\$ 2,637,204	\$ 455,664	\$ 18,757,430	\$ -	\$ -	\$ -	\$ 19,213,028
EXPENDITURES	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
Lake Hicpochee	\$ 1,450,664	\$ 150,664	\$ 17,875,890	\$ -	\$ -	\$ -	\$ 18,027,218
Spanish Creek/Four Corners Initiative	205,000	205,000	-	-	-	-	205,000
Mirror Lakes	50,000	50,000	-	-	-	-	50,000
C-43 Water Quality Treatment Facility	931,540	50,000	881,540	-	-	-	931,540
TOTAL	\$ 2,637,204	\$ 455,664	\$ 18,757,430	\$ -	\$ -	\$ -	\$ 19,213,028

Operations & Maintenance Program

Operations & Maintenance Program							
REVENUES	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
Ad Valorem - Big Cypress Basin	\$ 724,531	\$ 724,531	\$ 4,578,947	\$ 9,637,900	\$ 5,350,000	\$ 3,050,000	\$ 23,341,378
Ad Valorem -Okeechobee Basin	48,320,748	48,620,748	48,940,410	45,563,324	47,450,000	45,950,000	236,524,830
Future State Appropriations	-	-	8,300,000	-	-	-	8,300,000
ECP - Ad Valorem, Ag Tax	3,612,399	3,612,399	2,098,321	350,000	1,000,000	1,000,000	8,060,000
TOTAL	\$ 52,657,678	\$ 52,957,678	\$ 63,917,678	\$ 55,551,224	\$ 53,800,000	\$ 50,000,000	\$ 276,226,580
EXPENDITURES	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
Golden Gate Canal Weir #4 Retrofit	\$ -	\$ -	\$ -	\$ 50,000	\$ 1,500,000	\$ 2,000,000	\$ 3,550,000
Miller Weir #3 Rehabilitation	171,109	171,109	1,169,586	1,600,000	-	-	2,940,704
Henderson Creek Weir #2 Retrofit	-	-	60,000	2,000,000	-	-	2,060,000
FAKA Union Weir 6&7 Retrofit	-	-	-	-	-	50,000	50,000
CIFER (BCB)	-	-	-	250,000	-	-	250,000
Fall Protection for BCB	-	-	-	237,900	-	-	237,900
Cypress Canal Weir 41A Retrofit	-	-	-	-	50,000	1,000,000	1,050,000
BCB Structure/Bridge/Modification/Repair	374,361	374,361	349,361	-	-	-	723,722
Communication & Control Systems	253,031	253,031	130,031	4,448,225	2,160,000	1,000,000	7,991,317
Pump Station Modification/Repair	10,206,802	10,206,802	16,290,305	20,302,399	12,652,267	12,714,400	72,166,573
Project Culverts- Capital Improvements	183,806	183,806	858,806	-	-	-	1,042,612
Structure/Bridge/Modification/Repair	6,869,242	6,869,242	13,465,441	9,735,000	19,400,100	17,925,000	67,394,783
O&M Facility Construction/Improvements	335,966	335,966	135,966	-	1,795,862	-	2,267,794
Canal/Levee Maint/Canal Conveyance	27,448,038	27,448,038	14,823,044	8,072,100	9,936,171	13,805,000	74,084,353
System Automation (ODSS)	787,046	787,046	-	-	-	-	787,046
Project Culverts- Capital Replacements	536,817	536,817	536,817	505,600	505,600	505,600	2,590,434
Critical Infrastructure Field Equipment (CIFER)	1,000,000	1,000,000	1,000,000	1,000,000	-	-	4,000,000
Vertical Datum (NAVD 88)	700,000	700,000	1,700,000	1,500,000	1,000,000	-	4,900,000
O & M STA Capital Construction	3,612,399	3,612,399	2,098,321	350,000	1,000,000	1,000,000	8,060,000
O&M Capital Refurbishment	52,478,617	52,478,617	52,617,678	50,051,224	50,000,000	50,000,000	255,147,519
Henderson Creek Diversion	179,061	179,061	1,000,000	1,500,000	1,800,000	-	4,479,061
BCB Field Station Design & Construction	-	-	2,000,000	4,000,000	2,000,000	-	8,000,000
Corbett Levee	-	300,000	8,300,000	-	-	-	8,600,000
O&M Capital Other	179,061	479,061	11,300,000	5,500,000	3,800,000	-	21,079,061
TOTAL	\$ 52,657,678	\$ 52,957,678	\$ 63,917,678	\$ 55,551,224	\$ 53,800,000	\$ 50,000,000	\$ 276,226,580

Land Stewardship Program

Land Stewardship Program							
REVENUES	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
Wetlands Mitigation	1,335,000	-	3,335,000	-	-	-	3,335,000
Lake Belt Mitigation	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	15,000,000
TOTAL	\$ 4,335,000	\$ 3,000,000	\$ 6,335,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 18,335,000
EXPENDITURES	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
8 1/2 Sq. Mile Mitigation Project	\$ 1,335,000	\$ -	\$ 3,335,000	\$ -	\$ -	\$ -	\$ 3,335,000
C-139 Annex Restoration	1,020,000	1,020,000	1,040,400	1,061,208	1,082,432	1,104,081	5,308,121
Lake Belt Mitigation Reserves	1,980,000	1,980,000	1,959,600	1,938,792	1,917,568	1,895,919	9,691,879
TOTAL	\$ 4,335,000	\$ 3,000,000	\$ 6,335,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 18,335,000

Attachment: FY13-FY17 CIP_PORTAL (Resolution No. 2013 - 0203 : Five-Year Capital Improvements Plan)

**FIVE-YEAR CAPITAL IMPROVEMENTS PLAN
FISCAL YEARS 2013-2017
SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

Water Supply Program

Water Supply							
REVENUES	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
Ad Valorem - District/Okeechobee Basin	\$ 2,802,048	\$ 2,802,048	\$ 1,160,000	\$ -	\$ -	\$ -	\$ 3,962,048
BCB Ad Valorem	1,208,000	1,208,000	1,208,000	-	-	-	2,416,000
TOTAL	\$ 4,010,048	\$ 4,010,048	\$ 2,368,000	\$ -	\$ -	\$ -	\$ 6,378,048
EXPENDITURES	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
Big Cypress Basin Alternative Water Supply Projects	\$ 1,208,000	\$ 1,208,000	\$ 1,208,000	\$ -	\$ -	\$ -	\$ 2,416,000
Central Florida Water Initiative and Lower Floridan Aquifer Investigation (Kissimmee)	952,048	952,048	410,000	-	-	-	1,362,048
Alternative Water Supply/Water Conservation	1,600,000	1,600,000	500,000	-	-	-	2,100,000
Water Conservation	250,000	250,000	250,000	-	-	-	500,000
TOTAL	\$ 4,010,048	\$ 4,010,048	\$ 2,368,000	\$ -	\$ -	\$ -	\$ 6,378,048

Mission Support Program

Mission Support Program							
REVENUES	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
Ad Valorem - District/Okeechobee Basin	\$ 1,185,000	\$ 885,000	\$ 1,488,000	\$ -	\$ -	\$ -	\$ 2,373,000
TOTAL	\$ 1,185,000	\$ 885,000	\$ 1,488,000	\$ -	\$ -	\$ -	\$ 2,373,000
EXPENDITURES	FY2013 Adopted	FY2013 Adjusted	FY2014	FY2015	FY2016	FY2017	Total
EOC Chiller/Condenser	\$ 600,000	\$ 300,000	\$ 900,000	\$ -	\$ -	\$ -	\$ 1,200,000
Facilities Replacement/Improvements	585,000	585,000	588,000	-	-	-	1,173,000
TOTAL	\$ 1,185,000	\$ 885,000	\$ 1,488,000	\$ -	\$ -	\$ -	\$ 2,373,000
TOTAL CAPITAL EXPENDITURES	\$ 220,641,834	\$ 180,671,816	\$ 267,384,767	\$ 218,819,578	\$ 149,251,302	\$ 161,340,294	\$ 977,467,781

Attachment: FY13-FY17 CIP_PORTAL (Resolution No. 2013 - 0203 : Five-Year Capital Improvements Plan)

MEMORANDUM

TO: Governing Board Members

FROM: Doug Bergstrom, Director, Administrative Services Division

DATE: February 14, 2013

SUBJECT: 2012 Disposition of Fixed Assets Report

Background:

In accordance with Florida Statutes, the Governing Board has the authority and responsibility over the acquisition, management, and disposal of all District fixed assets. A "fixed asset" is defined as any item of property that is tangible in nature, costs \$1,000 or more, and has a useful life of more than one year.

The Governing Board has delegated control over District fixed assets to the Executive Director who has delegated disposal authority to the Administrative Services Division Director. Throughout the year, authorization to dispose of fixed assets declared as surplus is given after review and evaluation is performed by the District's asset management staff under the supervision of the Finance Bureau Chief.

In fiscal year 2012, a total of 513 fixed assets were removed from the District's fixed asset records. Disposed assets include cabinetry and equipment from the rented Skees Road laboratory, antiquated computer items and peripherals, vehicles, communication equipment, and miscellaneous other equipment. A detailed schedule of all fixed assets disposed of in FY2012 is available on CD in the District's Clerk's Office.

How this helps meet the District's 10 Year Strategic Plan:

Timely removal of obsolete, damaged, lost or stolen assets from the District fixed asset records is an agency "best practice" and is required in accordance with statutory guidelines and District policies and procedures. Further, this allows the District to receive maximum value for items sold at auction.

Funding Source:

In fiscal year 2012, 513 fixed assets with a net book value of \$554,114 were disposed of. The District received \$386,019 in sales proceeds for these assets resulting in a net loss of \$168,095 representing .26% of the total book value of all District tangible assets at year end.

This Board item impacts what areas of the District, both resource areas and geography:

Each year, old, obsolete, missing and broken assets are retired throughout the District's sixteen county region. The process of asset retirement and disposal is centralized within the Finance Bureau.

What concerns could this Board item raise?

Maintaining a complete and accurate accounting and disposal of fixed assets is fundamental to sound financial management. Without proper safeguards, standards, and policies in place over the acquisition, management, and disposal of District property, the Governing Board would be at risk of jeopardizing public trust and taxpayer resources.

Why should the Governing Board approve this item?

The Governing Board has the ultimate authority and responsibility for the acquisition, management and disposal of District fixed assets. Chapter 274.07, Florida Statutes and the District fixed asset policy (Article V, Section 110-66) require the disposition of all fixed assets to be recorded in the minutes of the Governing Board on an annual basis.

If you have any questions, please do not hesitate to call me at ext. 6078.

Attachment - Resolution

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0204

A Resolution of the Governing Board of the South Florida Water Management District authorizing the recording of the Disposition of Fixed Assets, during FY2012; providing an effective date. (ADM, Chris Flierl, ext. 6078)

WHEREAS, Section 274.07, Florida Statutes requires that governmental units such as the South Florida Water Management District record in its minutes the authority for the disposition of property; and

WHEREAS, for viewing purposes, a list of the property recommended for disposition is available in the General Services Section and a CD is available in the Office of Board and Executive Services; now therefore

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

Section 1. Pursuant to Chapter 274, Florida Statutes, the Governing Board of the South Florida Water Management District hereby approves the disposition of the property.

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

PASSED and ADOPTED this 14 day of February, 2013.

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: Tommy Strowd, Director, Operations, Maintenance & Construction

DATE: February 14, 2013

SUBJECT: Approving Release of District Canal, Road and Mineral Reservations

BACKGROUND INFORMATION: Canal reservations evolved from efforts to provide infrastructure, without cost to the taxpayers, to carry out drainage and reclamation projects, and provide roads. Many, but not all, conveyances of land by the State of Florida through the Trustees of the Internal Improvement Trust Fund (TIITF) and the Everglades Drainage District (EDD), a predecessor to the South Florida Water Management District, reserved rights to construct future water control works, percentages of the mineral rights, together with the right of ingress, egress and exploration, and reservations for State and County road rights-of-way.

The District routinely receives applications for releases of these reservations from landowners, attorneys, title companies and lending institutions, who consider the reservations to be title defects; applications are processed by the Real Estate Management Section. Applications are reviewed by appropriate District personnel and applicable local governmental agencies to determine that there is no present or future need for the canal reservation. Also, TIITF requires the District to review and issue a written approval to the Department of Environmental Protection (DEP) prior to releasing TIITF canal reservations. Road reservations are released upon review and approval by the affected county and the Florida Department of Transportation. Mineral reservations are released for parcels containing 1.25+/- acres or less, and non-use commitments are issued for parcels greater than 1.25+/- acres. When a non-use commitment is issued, the District agrees not to exercise its right of ingress and egress for the exploration of minerals, provided the landowner does not explore for the same. The District retains its interest in the mineral estate and is entitled to any future proceeds should exploration occur.

CONSIDERATIONS: See Exhibit "A" attached hereto and made a part hereof, which contains the details of releases and approvals to be approved and issued.

AUTHORIZATION: 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.

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

RECOMMENDATION: A Resolution of the Governing Board of the South Florida Water Management District approving release of District canal, road and mineral reservations, and release of Trustees of the Internal Improvement Trust Fund canal reservations; providing an effective date.

EXHIBIT "A"

File Nos.: NUC 1621 and 18520
 Applicant: Genesis RE Holdings 7, LLC, a Florida limited liability company
 Reserving Deed: E-3020 (DB 483-220, 4/30/1945)
 Fee paid: \$350.00
 Action: Approve release of District canal and road reservations, and issue non-use commitment
 Acres: 4.42 acres, more or less
 Legal Description: Portion of Parcel "A", O'DONNELL FARMS PLAT NO. 1, PB 117-47, Section 31, Township 47 South, Range 42 East
 Location: Saxon Road, Coconut Creek, Broward County
 Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, Florida Department of Transportation, Broward County, and Cocomar Drainage District

File Nos.: 18521 and 18522
 Applicant: Diocese of Southeast Florida, Inc., a Florida not-for-profit corporation
 Reserving Deed: E-6866 (DB 877-164, 5/7/1949)
 Fee paid: \$500.00
 Action: Approve release of District canal and mineral reservations
 Acres: 0.86 acres, more or less
 Legal Description: Lot 1, RIDGE CREST GARDENS, PB 24-138 and a portion of Lot 8, Block 8, SUBDIVISION OF SECTION 8-42-37, PB 7-29, Section 8, Township 42 South, Range 37 East
 Location: 1050 and 1020 East Main Street, Pahokee, Palm Beach County
 Reviewed by: East Branch Drainage District (no internal routing required, due to parcel size and land use)

File No.: 12-12-1
 Applicant: Terra Doral Commons Commercial, LLC, a Florida limited liability company
 Reserving Deed: TIITF 16284 (DB 50-407, 5/28/1910)
 Fee paid: \$250.00
 Action: Approve release of TIITF canal reservations
 Acres: 38.7 acres, more or less
 Legal Description: Portion of the Southwest one-quarter (SW ¼) of Section 8, Township 53 South, Range 40 East
 Location: NW 74th Street, between NW 97th Avenue and NW 107th Avenue, Doral, Miami-Dade County
 Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Miami-Dade County

File No.: 12-12-2
 Applicant: Terra Doral Commons Residential, LLC, a Florida limited liability company

Reserving Deed: TIITF 16284 (DB 50-407, 5/28/1910)
Fee paid: \$250.00
Action: Approve release of TIITF canal reservations
Acres: 45.20 acres, more or less
Legal Description: Portion of the Southeast one-quarter (SE ¼) of Section 8, Township 53 South, Range 40 East
Location: NW 74th Street, between NW 97th Avenue and NW 107th Avenue, Doral, Miami-Dade County
Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Miami-Dade County

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0205

A Resolution of the Governing Board of the South Florida Water Management District approving release of District canal, road and mineral reservations, and release of Trustees of the Internal Improvement Trust Fund canal reservations; providing an effective date. (OMC, Kathy Massey, ext. 6835)

WHEREAS, certain underlying landowners have requested that the South Florida Water Management District (“District”) release certain canal, road and mineral reservations, and approve release of certain Trustees of the Internal Improvement Trust Fund (“TIITF”) canal reservations;

WHEREAS, the District is empowered to grant such releases and approvals 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 District canal, road and mineral reservations, and TIITF canal reservations, as described in Exhibit “A”, attached hereto and made a part hereof;

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

PASSED and **ADOPTED** this 14 day of February, 2013.

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

Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

NUC 1621 and Release 18520 Palm Beach County



**Release of
Reservation**



NW 72ND PL

SAXON RD

LYONS RD

NW 73RD ST

NW 44TH LN

NW 44TH TER

NW 47TH LN

NW 47TH WAY

NW 45TH AVE

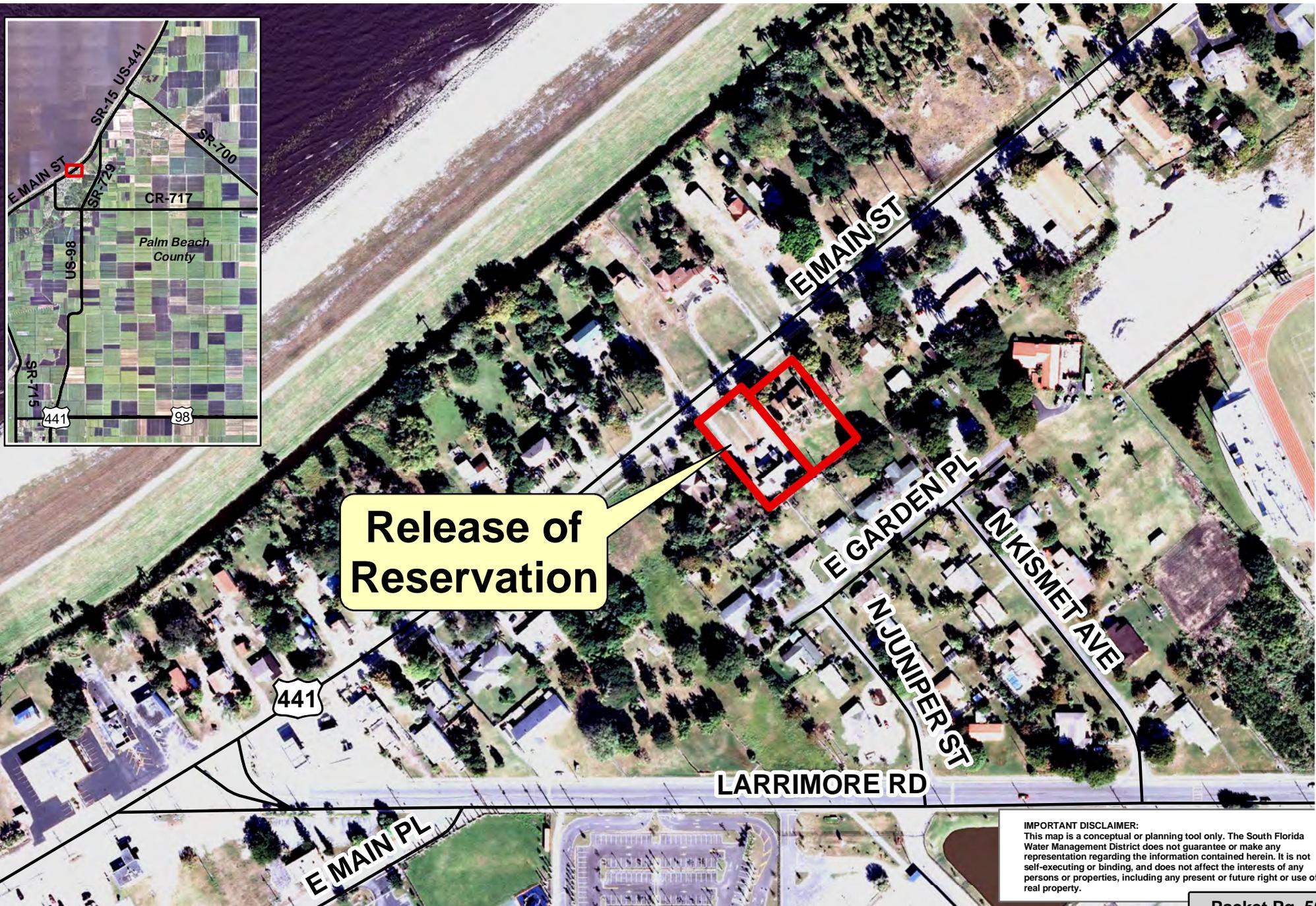
NW 71ST PL

NW 71ST ST

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_map1 (Resolution No. 2013 - 0205 : Approving Release of District Canal, Road

18521 & 18522 Palm Beach County



**Release of
Reservation**

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Attachment: ca_om_200_map2 (Resolution No. 2013 - 0205 : Approving Release of District Canal, Road

12-12-1 and 12-12-2 Miami-Dade County



**Release of
Reservation**



NW 74TH ST

NW 97TH AVE

NW 107TH CT

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MEMORANDUM

TO: Governing Board Members

FROM: Tommy Strowd, Director, Operations, Maintenance & Construction

DATE: February 14, 2013

SUBJECT: Contract Number 4600002807 - Central & Northern Area Datalogger Maintenance

Background:

The mission of the South Florida Water Management District (District) is to manage and protect water resources of the region by balancing and improving water quality, flood control, natural systems, and water supply. The District spans sixteen (16) counties with a total population of about six (6) million residents. This geographic region covers 17,930 square miles and includes vast areas of agricultural lands, water conservation areas, and areas of enormous urban growth and development. To support its mission, the District operates and maintains a surface and ground water network that includes 1,800 miles of canals and levees, 25 major pumping stations, and about 200 large and 2,000 smaller water control structures. Supervisory Control and Data Acquisition (SCADA) systems monitor and control a network of over 1100 sites.

Due to limited staff resources and the vastness in the coverage area, SCADA Maintenance Unit (SM) is requesting permission to obtain contractual services to maintain 195 sites for a period of three (3) years, with two (2) one-year renewal options. These sites are located within the counties of Martin, Glades, Highlands, St. Lucie Okeechobee, Polk, Osceola and Orange.

These sites provide continuous monitoring of surface and ground water levels, gate and pump status, water quality monitoring and meteorological parameters. This network provides information to District staff responsible for flood control, environmental monitoring and assessment and is in support of the following legislative mandates: Central & Southern Florida (C&SF) project-authorized by ch. 373 Florida Statutes which require the operations and maintenance of water management infrastructure, flood mitigation, water supply and enhancement, and the Comprehensive Everglades Restoration Plan (CERP) authorized by the Water Resources Development Act for 2000 (WRDA 2000).

How this helps meet the District's 10-year Strategic Plan:

Data derived from these monitoring sites is very critical in supporting the District's mission of flood control, environmental monitoring, assessment and protection as mandated by the Federal Government.

Funding Source:

This is a three (3) year contract with two (2) one-year renewal options at the discretion of the District with YSI Incorporated for a not-to-exceed amount of \$892,000 of which ad valorem funds in the amount of \$162,200 are budgeted and the remainder is subject to Governing Board approval of the FY14-FY17 budgets.

This Board item impacts what areas of the District, both resource areas and geography:

This item impacts the Operations and Maintenance, Operations Control, Hydro Data Management and SCADA Section staff who will be managing or utilizing data and resources supplied by this contract. The maintenance services of this contract will be utilized throughout the District's central and northern coverage area.

What concerns could this Board item raise?

The SM Unit does not have the necessary manpower to perform the required maintenance, data collection and verification and repairs at these sites to ensure the accuracy of the hydrologic records and continuous uninterrupted data flow. These activities are vital to support the District's mission of flood control, environmental monitoring and assessment and mandated requirements.

Why should the Governing Board approve this item?

These sites provide invaluable data to several District groups and external customers from which decisions are made concerning flood control, water supply, environmental monitoring and assessment and modeling as mandated by the Federal Government. Due to limited personnel resources, the SM Unit is requesting all mentioned services be placed under contract which will allow us the ability to provide continuous, accurate and reliable data flow to our customers for all monitored hydrologic and meteorologic parameters and to ensure the protection of life and property through flood control.

If you have any questions, please call me at ext. 6998 or Karen Estock at ext. 6282.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0206

A Resolution of the Governing Board of the South Florida Water Management to authorize entering into a three-year contract with two (2) one-year renewal options with YSI Incorporated, the lowest responsive and responsible bidder, for Datalogger Recorder Maintenance Services at ground water and surface water monitoring sites in the central and northern region of the District in an amount not to exceed \$892,800 for which \$162,200 in ad valorem funds are budgeted; and the remainder is subject to Governing Board approval of the FY14-FY17 budgets; providing an effective date. (OMC, Garnett Ritchie, ext. 4616)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize entering into a three-year contract with two (2) one-year renewal options with YSI Incorporated, the lowest responsive and responsible bidder, for Datalogger Recorder Maintenance Services at ground water and surface water monitoring sites in the Central & Northern region of the District, in an amount not to exceed \$892,800 for which \$162,200 in ad valorem funds are budgeted; and the remainder is subject to Governing Board approval of the FY14-FY17 budgets; providing an effective date. (Contract Number 4600002807) (Garnett Ritchie, ext. 4616)

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 the execution of Contract Number 4600002807 with YSI Incorporated.

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

PASSED and ADOPTED this 14th day of February, 2013.

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: Tommy Strowd, Director, Operations, Maintenance & Construction

DATE: February 14, 2013

SUBJECT: Contract Number 4600002810 - Slope Mowing Services

Agenda Item Description

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a three-year contract with two (2) one-year renewal options with Toler Enterprises, Inc., the lowest responsive and responsible bidder for Slope Mowing Services in the West Palm Beach Field Station area, in the amount of \$182,700 for three years, of which \$60,900 in ad valorem funds are budgeted and the remainder is subject to Governing Board approval of the FY14 and FY15 budgets; providing an effective date.

Background

Maintenance of the Right of Ways is required to ensure that vegetation is controlled at a manageable height and will uphold the operational integrity of the District's flood control system. This project for the West Palm Beach Field Station area, will contract approximately 406 acres to be mowed on an annual basis. The lowest responsive and responsible bidder is Toler Enterprises, Inc., at \$150 per acre. Since this is a work order contract, the amount of acres to be mowed will fluctuate, based on the weather, budget, and construction projects in these areas.

Core Mission and Strategic Priorities

Mowing the District's Right of Ways will reduce and control vegetative growth along canal banks which can impede operations, inspections and access to the District's water control facility.

Funding Source

This is a three-year contract with two (2) one-year renewal options, in the amount of \$182,700 for which \$60,900 in ad valorem funds are budgeted in FY13 and the remainder is subject to Governing Board approval of the FY14 and FY15 budgets.

Staff Recommendation

Staff recommends authorizing the approval of Contract Number 4600002810, as this item supports continual operations and maintenance of the District canal system. If not mowed and maintained, these areas would become a potential hazard to the public as well as District employees.

If you have any questions, please call Tommy B. Strowd, P.E., at ext. 6998 or Joel Arrieta at ext. 2915.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0207

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a three-year contract with two (2) one-year renewal options with Toler Enterprises, Inc., the lowest responsive and responsible bidder for slope mowing services in the West Palm Beach Field Station area, in the amount of \$182,700 for three years, of which \$60,900 in ad valorem funds are budgeted and the remainder is subject to Governing Board approval of the FY14 and FY15 budgets; providing an effective date. (OMC, Mark Hubinger, ext. 4132)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize entering into a three-year contract with two (2) one-year renewal options with Toler Enterprises, Inc., the lowest responsive and responsible bidder, for Slope Mowing Services in the West Palm Beach Field Station area, in the amount of \$182,700 for three years, of which \$60,900 in ad valorem funds are budgeted and the remainder is subject to Governing Board approval of the FY14 and FY15 budgets; providing an effective date. (Contract Number 4600002810) (Mark Hubinger, ext. 4132)

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 the execution of Contract Number 4600002810 with Toler Enterprises, Inc.

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

PASSED and ADOPTED this 14th day of February, 2013.

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: Tommy Strowd, Director, Operations, Maintenance & Construction

DATE: February 14, 2013

SUBJECT: Contract Number 4600002812 - Slope Mowing Services

Agenda Item Description

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a three-year contract with two (2) one-year renewal options with Toler Enterprises, Inc., the lowest responsive and responsible bidder for Slope Mowing Services in the Miami Field Station area, in the amount of \$263,854.80 for three years, of which \$87,951.60 in ad valorem funds are budgeted and the remainder is subject to Governing Board approval of the FY14 and FY15 budgets; providing an effective date.

Background

Maintenance of the Right of Ways is required to ensure that vegetation is controlled at a manageable height and will uphold the operational integrity of the District's flood control system. This project for the Miami Field Station area, will contract approximately 533.04 acres to be mowed on an annual basis. The lowest responsive and responsible bidder is Toler Enterprises, Inc., at \$165 per acre. Since this is a work order contract, the amount of acres to be mowed will fluctuate, based on the weather, budget, and construction projects in these areas.

Core Mission and Strategic Priorities

Mowing the District's Right of Ways will reduce and control vegetative growth along canal banks which can impede operations, inspections and access to the District's water control facility.

Funding Source

This is a three-year contract with two (2) one-year renewal options, in the amount of \$263,854.80 for which \$87,951.60 in ad valorem funds are budgeted in FY13 and the remainder is subject to Governing Board approval of the FY14 and FY15 budgets.

Staff Recommendation

Staff recommends authorizing the approval of Contract Number 4600002812, as this item supports continual operations and maintenance of the District canal system. If not mowed and maintained, these areas would become a potential hazard to the public as well as District employees.

If you have any questions, please call Tommy B. Strowd, P.E., at ext. 6998 or Michael Gallagher at ext. 2124.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0208

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a three-year contract with two (2) one-year renewal options with Toler Enterprises, Inc., the lowest responsive and responsible bidder, for Slope Mowing Services in the Miami Field Station area, in the amount of \$263,854.80 for three years, of which \$87,951.60 in ad valorem funds are budgeted and the remainder is subject to Governing Board approval of the FY14 and FY15 budgets; providing an effective date. (OMC, Christopher Miranda, ext. 7014)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize entering into a three-year contract with two (2) one-year renewal options with Toler Enterprises, Inc., the lowest responsive and responsible bidder, for Slope Mowing Services in the Miami Field Station area, in the amount of \$263,854.80 for three years, of which \$87,951.60 in ad valorem funds are budgeted and the remainder is subject to Governing Board approval of the FY14 and FY15 budgets; providing an effective date. (Contract Number 4600002812) (Christopher Miranda, ext. 7014)

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 the execution of Contract Number 4600002812 with Toler Enterprises, Inc.

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

PASSED and **ADOPTED** this 14th day of February, 2013.

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: Terrie Bates, Director, Water Resources Division

DATE: February 14, 2013

SUBJECT: Water Cooperative of Central Florida Agreement

Agenda Item Description

This is a contract with Tohopekaliga Water Authority acting as an agent for the Water Cooperative of Central Florida. It will cost share conceptual design of a “water wheeling” system intended to optimize transmission and distribution of water from the recently permitted Cypress Lakes wellfield to multiple central Florida utilities. It will evaluate operations, transmission and distribution systems, and existing and proposed system interconnections among the utilities. The purpose is to facilitate the efficient and cost-effective transfer and transmission of potable water between several cooperating utilities.

Background

On December 13, 2007, the South Florida Water Management District (District) denied two consumptive use permit applications that proposed surface water withdrawals from the Kissimmee Chain of Lakes system. Orange County and the City of St. Cloud, the permit applicants, both filed administrative challenges to the District’s denial with the Florida Department of Administrative Hearings. Polk County, Osceola County, Tohopekaliga Water Authority, and Audubon of Florida intervened in the cases.

Ultimately, Settlement Agreements were executed and the cases were dismissed. The permit applications were also withdrawn. The Settlement Agreements contemplated development of a comprehensive water supply plan for the area, and the District agreed to contribute \$500,000 toward development of that plan. Completion of this contract will satisfy all outstanding District funding requirements required by the Settlement Agreements.

Core Mission and Strategic Priorities

This project supports the Water Supply Strategic Priority of developing and implementing regional water supply plans in cooperation with local governments and stakeholders. The Water Supply Bureau is responsible for executing and managing this effort.

Funding Source

The total cost of the study is \$1,123,692.52. The District’s share will not exceed \$465,000.00. The remainder will be funded by the City of St. Cloud, Tohopekaliga Water Authority, Orange County, Polk County and Reedy Creek Improvement District. District funds were budgeted when the Settlement Agreements were executed and have been held in reserve since 2008.

Staff Recommendation

This project will assist central Florida utilities in planning to meet their future water demands. It satisfies the funding requirements contained in the Settlement Agreements and is consistent with the District Strategic Plan.

If you have any questions, please call Terrie Bates at ext. 6952 or Dean Powell at ext. 6787.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0209

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a one-year cooperative agreement with the Tohopekaliga Water Authority, as agent of the Water Cooperative of Central Florida; providing for financial assistance to develop a water supply transmission and distribution plan and satisfying requirements set forth in settlement agreements with Orange County and the City of St. Cloud and providing for a conceptual design for the transmission and distribution of water from the Cypress Lake Wellfield to several cooperating utilities; in the amount of \$465,000 for which ad valorem funds are budgeted; providing an effective date. (Contract Number 4600002793) (WR, Dean Powell, ext. 6787)

WHEREAS, the District, the City of St. Cloud and Orange County entered into settlement agreements for challenges to the District's denial of consumptive use permit applications with the Division of Administrative Hearings. (Case numbers 08-0259, 08-2624RU, and 08-0260). The settlement agreements include a provision for the District to cost share a central Florida comprehensive water supply plan with Member Governments and other entities to identify sufficient alternative water supply sources; and

WHEREAS, the District desires to satisfy the settlement agreements and provide financial assistance to the Tohopekaliga Water Authority as an agent of the Water Cooperative of Central Florida to develop a Conceptual Design to include the optimization of the Cypress Lake Wellfield, an alternative water supply source; and

WHEREAS, the Cooperative was created by interlocal agreement between Reedy Creek Improvement District, City of St. Cloud, Orange County, Polk County and Tohopekaliga Water Authority relating to the conceptual design and permitting of a distribution system for water from the Cypress Lake Wellfield. This agreement provides a mechanism for administration and funding of the development of the conceptual design and names the Tohopekaliga Water Authority as the project administrator; **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 the execution of contract number 4600002793 with the Tohopekaliga Water Authority, as agent of the Water Cooperative of Central Florida.

Section 2. A copy of the agreement is attached hereto and made a part hereof.

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

PASSED and ADOPTED this 14th day of February, 2013.

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: Tommy Strowd, Director, Operations, Maintenance & Construction

DATE: February 14, 2013

SUBJECT: Contract Number 4600002808 - North Shore Trash Rakes

Agenda Item Description

The objective is to Provide North Shore S-133, S-135 and S-153 Trash Rakes, Gates and Paving Project with automatic trash rakes placed on an upstream concrete bridge; paved access roads; repair parking areas as well as provide drainage for runoff; replace manual bypass Gates with automated gates.

Background

The North Shore S-133, S-135 and S-153 Trash Rakes, Gates and Paving Project is part of the automated Pump Station efforts to remotely operate the Structures.

The North Shore S-133, S-135 and S-153 Trash Rakes, Gates and Paving Project are located as follows: S-133: on the northeast shore Lake Okeechobee in the alignment of Levee D-4 at U.S. Highway No. 98, 3 miles SE of City of Okeechobee in Okeechobee County; S-135: on the northeast shore Lake Okeechobee in the alignment of Levee 47 and Chancy Bay at US 441, 15 miles SE of City of Okeechobee; and S-153: on the St. Lucie Canal approximately 1 mile east of US 441 in Martin County .

Core Mission and Strategic Priorities

The North Shore S-133, S-135 and S-153 Trash Rakes, Gates and Paving Project, is included in the FY 2013 Annual Work Plan and 10-year Strategic Plan. This Project helps the Operation and Maintenance Program strategic goal to maintain the infrastructure to design conditions.

Funding Source

The lowest responsive and responsible bidder is Douglas N. Higgins, Inc., with a total amount of \$9,678,000, for which ad valorem funds of \$3,247,190.39 are budgeted within the Operations, Maintenance and Construction Capital Program and the remainder is subject to Governing Board approval of the FY14 & FY15 budgets; providing an effective date.

Staff Recommendation

Board approval is required at the February Governing Board meeting. By not implementing the proposed North Shore S-133, S-135 and S-153 Trash Rakes, Gates and Paving Project, If not implemented the Pump Stations will not have the capability to be operated remotely and will continue to require needed Resources and funding that

could otherwise be utilized in other sections of the District. The proposed North Shore S-133, S-135 and S-153 Trash Rakes, Gates and Paving Project is consistent with the Strategic plan and was included in the FY 2013 budget.

If you have any questions, please call Tommy B. Strowd, P.E., Division Director at ext. 6998 or Jeff Kivett, Bureau Chief at ext. 2680

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0210

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into an 850-day contract with Douglas N. Higgins, the lowest responsive and responsible bidder for S-133, S-135 and S-153 Trash Rakes, Gates, and Paving Project, in an amount of \$9,678,000, for which \$3,247,190.39 in ad valorem funds are budgeted; and the remainder is subject to Governing Board approval of the FY14 and FY15 budgets; providing an effective date. (Contract Number 4600002808) (OMC, Jeff Kivett, ext. 2680)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize entering into a 850-day contract with Douglas N. Higgins, Inc., the lowest responsive and responsible bidder, for the S-133, S-135 and S-153 Trash Rakes, Gates and Paving Project, in an amount of \$9,678,000 for which \$3,247,190.39 in ad valorem funds are budgeted; and the remainder is subject to Governing Board approval of the FY14 & FY15 budgets; providing an effective date. (Contract Number 4600002808)

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 the execution of Contract Number 4600002808 with Douglas N. Higgins, Inc.

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

PASSED and ADOPTED this 14th day of February, 2013.

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

Chairman

Attest:

District Clerk/Secretary

Legal form approved:
By:

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: February 14, 2013

SUBJECT: Monthly Financial Statement – December 2012

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 2012 SB 1986 revising 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 December 31, 2012, with 25% of the fiscal year completed.

Schedule of Sources and Uses – This financial statement compares revenues received and encumbrances / expenditures made against the District's FY2013 \$622.0 million consumable budget. Encumbrances represent orders for goods and services which have not yet been received.

- As of December 31, 2012, with the fiscal year 25% complete, 46.2% of the District's budgeted operating revenue has been collected. The primary source of operating revenue received to date is taxes. Ad Valorem taxes comprise 68% 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 FY2013 sources collected were 65.8% of budget or \$409.5 million.
- As of December 31, 2012, 57.2% of budgeted Ad Valorem tax revenue and 91.5% of budgeted Agricultural Privilege tax revenue have been collected. Ad Valorem and Agricultural Privilege tax collections peak November through January driven by the mailing of property tax bills in October and the 4% maximum discount available when paid in full by November 30. These taxes are budgeted at a discounted rate of 95% 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 the first quarter, support an average collection rate of 70%. Actual amounts in the first quarter of FY2013 are lower due to late receipt of Miami-Dade collections which were posted in January instead of December.
- As of December 31, 2012, 5.8% of budgeted intergovernmental revenues have been collected. In addition to reimbursement agreements, intergovernmental revenues include proceeds from the sale of Indian River Lagoon and Everglades license plates. Revenue received through December for the sale of license plates totals \$51K. The bulk of intergovernmental revenue is from reimbursements from the Save Our Everglades Trust Fund, Water Management Lands Trust Fund, and the Florida Fish and Wildlife

Conservation Commission. Reimbursement requests are submitted to the state based on actual expenses incurred and are typically received later in the fiscal year.

- As of December 31, 2012, \$1.4 million or 28.4% of budgeted Investment Earnings have been realized. The District budgeted a conservative \$4.95 million in investment earnings for FY2013 distributed as follows: \$4.59M in ad valorem funds and \$362K in non ad valorem funds. Year to date interest earnings in ad valorem funds amount to \$1.1M or 24.2% of the budgeted amount, while interest earnings in non ad valorem funds amount to \$299K or 82.5% of the budgeted level. Investment earnings reflect a downward trend over the past years and are representative of lower cash balances, reduced ad valorem tax levies and lower interest rate yields.
- 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 currently collected \$972K which represents 36.1% of the current year budgeted lease revenue of \$2.7 million. The lease revenue collected for lands within restricted categories such as Farm Bill and State Lands require these funds be used within strict guidelines as defined by acquisition agreements.
- Budgeted licenses, permits and fees revenue is from water use permits, environmental resource permits and right of way permits. FY2013 income received totals \$5.6 million and is primarily due to unbudgeted receipts of \$5.0 million from dedicated Lake Belt and Wetland mitigation fees from restoration projects and fees for mining tonnage removed. The balance of receipts includes permit fees \$191K and licenses / miscellaneous fees of \$437K.
- Budgeted revenue in the Other category includes \$275K in civil penalties and enforcement fees and \$250K 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 \$85K yielding 16.2% of the budgeted \$525K.
- Sale of District Property represents the sale of real property and land. This is budgeted conservatively due to the uncertainty involved. FY2013 revenues received total \$48K.
- 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 \$5.7 million received through December equate to 22.2% of the \$25.7 million budget and are reflective of monthly premiums through December.

Expenditure and Encumbrance Status:

As of December 31, 2012, with 25% of the year complete, the District has expended **\$105.0 million or 18.7%** and has encumbered **\$136.1 million or 24.2%** of its non-reserve budget. The District has obligated (encumbrances plus expenditures) **\$241.0 million or 42.9%** 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 38.7% and expended 3.6% of their \$125.5 million budget. Principal expenditures include personnel services (\$1.4 million), contractual services (\$496K), and capital outlay (\$2.2 million). Capital outlay encumbrances (\$34.6 million) and contractual services encumbrances (\$9.3 million) include the following projects: L-8 Flow Equalization Basin, C-44 Reservoir/STA Project, CERP Monitoring and Assessment, C-111 Spreader Canal, Southern Crew, Loxahatchee Impoundment Landscape Initiative, Picayune Strand, Modwaters and South Dade C-111 Federal Project, South Miami Dade Seasonal Operations Study, Biscayne Bay, WCA3 Decompartmentalization, Central Everglades Planning Study, and Lake Okeechobee Critical Restoration STA Repairs.
- The **Coastal Watersheds Program** has obligated 41.1% and expended 11.7% of their total \$18.0 million budget. Principal expenditures include personnel services (\$779K), contractual services (\$1.3 million), and capital outlay (\$32K). Contractual services encumbrances primarily consist of interagency agreements (\$4.0 million) including: St. Lucie River and Indian River Lagoon Initiatives, St. Lucie River License Tag Projects, Loxahatchee River Preservation Initiative, Lakes Park Restoration, Big Cypress Basin Stormwater Projects, Spanish Creek/Four Corners, Mirror Lakes/Halfway Pond Rehydration; remaining contractual encumbrances (\$958K) include: St. Lucie River and Caloosahatchee River Regulatory Source Controls; Loxahatchee River, St. Lucie River and Caloosahatchee Watershed Research and Water Quality Monitoring; C-43 Water Quality Treatment Facility Project - Dual-Nutrient Remediation Study; Hydro Model for Naples and Rookery Bay; Florida Bay and Coastal Wetlands Project; Biscayne Bay Water Quality and Submerged Aquatic Monitoring; Lake Trafford Biological Monitoring; and Collier County Water Quality Monitoring. Capital outlay encumbrances (\$267K) are for the Lake Hicpochee Hydrologic Enhancement project.
- The **District Everglades Program** has obligated 33.1% and expended 14.4% of their total \$52.5 million budget. Principal expenditures include personnel services (\$4.3 million), contractual services (\$1.2 million), operating (\$1.7 million), and capital outlay (\$449K). Contractual services encumbrances (\$3.7 million) primarily include the operations monitoring, maintenance, and repair of Stormwater Treatment Areas (STA's), Diesel Oxidation Catalyst Installation, Loxahatchee Impoundment Landscape Initiative, STA 1E Exterior Levee Certification, STA Structure Inspection Program, Sulfur Action Plan, and the Everglades Regulation Source Control. Operating encumbrances (\$313K) are in support of the overall operations and the maintenance of vegetation and exotic plant control of the STA's. Capital outlay encumbrances (\$5.8 million) include work on Everglades Agricultural Area A1 Flow Equalization Basin and L-8 Divide Structure, completing Compartments B & C, G-250S and G-337 Pump Bearing replacement, and construction on the G-251 Trash Rake Replacement.
- The **Kissimmee Watershed Program** has obligated 54.8% and expended 3.3% of their total \$31.7 million budget. Principal expenditures include personnel services (\$377K), contractual services (\$190K), and capital outlay (\$453K). Contractual services and operating encumbrances (\$1.2 million) primarily consist of the Kissimmee River Restoration Evaluation (\$354K), Kissimmee Basin Modeling and Operating System

(\$491K), the Oak Creek project (\$136K), Rolling Meadows (\$83K), hydrologic monitoring (\$117K), and land acquisition costs and environmental risk assessments (\$40K). Capital outlay encumbrances (\$15.1 million) are primarily for the Kissimmee River Restoration land acquisition cases and the Rolling Meadows wetland restoration project.

- The **Lake Okeechobee Program** has obligated 39.7% and expended 8.1% of their total \$23.5 million budget. Principal expenditures include personnel services (\$954K), contractual services (\$800K), and operating (\$100K). Contractual services and operating encumbrances (\$7.4 million) are primarily for the following: Dispersed Water Management and Florida Ranchland Environmental Services Projects (\$6.2 million), Fisheating Creek project (\$18K), Information Technology Support (\$743K), Northshore Navigation Canal project (\$95K), Lake Okeechobee Watershed Pre-Drainage Characterization study (\$68K), Phosphorous Source Control project (\$61K), Lemkin Creek (\$70K), Phosphorus Reduction projects (\$113K), Water Quality Assessments and reporting (\$24K), and Lakeside Ranch STA (\$18K).
- The **Land Stewardship Program** has obligated 21.5% and expended 8.9% of their total \$19.4 million budget. Principal expenditures include personnel services (\$904K), contractual services (\$491K), and operating (\$313K). Contractual and operating encumbrances (\$2.4 million) include the maintenance of vegetation and exotic plant control, provision of law enforcement services, and management of District owned lands and facilities.
- The **Mission Support Program** has obligated 31.7% and expended 20.7% of their total \$52.4 million budget. Principal expenditures include personnel services (\$5.9 million), contractual services (\$1.8 million), operating (\$2.9 million), and capital outlay (\$172K). Contractual services encumbrances (\$3.3 million) include IT consulting services, hardware, software, and systems maintenance for the fiscal year; facilities maintenance and repair services, and audit and legal professional services. Operating encumbrances (\$2.0 million) include utilities, property insurance premiums, equipment rental and space rental. Capital outlay encumbrances (\$220K) include computer hardware and design work for the Emergency Operations Center air conditioner system.
- The **Modeling and Science Support Program** has obligated 36.6% and expended 22.4% of their total \$13.1 million budget. Principal expenditures include personnel services (\$2.2 million), contractual services (\$550K), and operating (\$149K). Contractual services and operating encumbrances (\$1.8 million) include technical and peer reviews, computer hardware and software, organic analysis, sediment/water quality sampling, computer hardware and software, fuel, utilities, and equipment rental.
- The **Operations and Maintenance Program** has obligated 51.1% and expended 23.9% of their total \$140.7 million budget. Principal expenditures include personnel services (\$13.2 million), contractual services (\$9.4 million), operating (\$9.2 million), and capital outlay (\$1.8 million). Encumbrances for contractual services and capital outlay (\$36.6 million) primarily relate to the O&M capital program for maintenance and repair of existing water management system canals and water control structures including C-41A Canal Bank Stabilization, Miami B-47 Building Replacement, Hillsboro Canal Bank Stabilization Design, S-193 Navigation Lock Refurbishment, S-197 Replacement, Diesel Oxidation Catalyst Installation, S-5A Hardening and Service Bridge Refurbishment, S-331 Repower and Gearbox Replacement, S-140 Pump Station Refurbishment, S-21 Cathodic Protection, S-2, S-3, S-4 Roof Replacements, Central and Southern Flood

Control Structure Inspections, L-40 Exterior Levee Certification, East Coast Protective Levee, Central Bridges Repairs/Replacements, project culvert replacements, and Operations Decision Support System software. 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 29.2% and expended 23.7% of their total \$25.5 million budget. Principal expenditures include personnel services (\$4.2 million), contractual services (\$498K), and operating (\$1.3 million). Contractual services encumbrances (\$953K) include application development, permit scanning contractors/support, and computer hardware and software. Operating encumbrances (\$371K) primarily include hardware, software, fuel, and equipment. Capital outlay encumbrances (\$73K) consist primarily of the ePermitting enhancement project which saves time and expenses with online filing/searching of permits.
- The **Water Supply Program** has obligated 37.7% and expended 17.5% of their total \$17.6 million budget. Principal expenditures include personnel services (\$1.4 million), contractual services (\$305K), and operating (\$1.3 million). Contractual services and operating encumbrances (\$3.4 million) include the Caloosahatchee Rule Making (\$159K), Central Florida Water Initiative (\$156K), WaterSIP grants (\$265K), Florida Automated Weather Network (\$50K), Lower Floridan Aquifer (\$97K), interagency agreements for Alternative Water Supply projects (\$1.8 million), Big Cypress Basin (\$400K), hydrologic data gathering (\$499K), and education/outreach (\$17K). Capital outlay encumbrances (\$158K) consist primarily of the Lower Floridan Aquifer project.
- **Reserves** of \$60.0 million are designated as economic stabilization reserves, including \$10.0 million for O&M capital projects.
- **Debt Service** expenses amount to 70.0% (\$29.5 million) of 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.

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 call Chris Flierl at (561) 682-6078 or Mike Smykowski at (561) 682-6295.

DB/CF/MS
 Attachment

South Florida Water Management District
 Summary of Uses - Statement of Sources and Uses of Funds (Unaudited)
 As of: December 31, 2012

	Annual Budget	Expenditures	Encumbrances	Reported	%	%	%
				Available Budget	Expended	Encumbered	Obligated
CERP							
Personnel Services	\$ 6,581,186	\$ 1,385,385		\$ 5,195,801	21.1%	0.0%	21.1%
Contractual Services	18,139,036	495,570	9,336,976	8,306,490	2.7%	51.5%	54.2%
Operating	1,263,399	478,138	30,225	755,036	37.8%	2.4%	40.2%
CERP Indirect	4,750,000			4,750,000	0.0%	0.0%	0.0%
Travel	28,918	1,516	302	27,100	5.2%	1.0%	6.3%
Capital Outlay	94,699,357	2,194,533	34,573,409	57,931,415	2.3%	36.5%	38.8%
Total CERP	125,461,896	4,555,143	43,940,911	76,965,843	3.6%	35.0%	38.7%
Coastal Watersheds							
Personnel Services	3,395,221	779,393		2,615,828	23.0%	0.0%	23.0%
Contractual Services	12,781,026	1,255,502	5,020,734	6,504,791	9.8%	39.3%	49.1%
Operating	99,331	23,754	2,413	73,165	23.9%	2.4%	26.3%
Travel	31,209	680	-	30,529	2.2%	0.0%	2.2%
Capital Outlay	1,644,126	31,971	267,019	1,345,136	1.9%	16.2%	18.2%
Total Coastal Watersheds	17,950,913	2,091,299	5,290,166	10,569,448	11.7%	29.5%	41.1%
District Everglades							
Personnel Services	16,800,326	4,269,702		12,530,624	25.4%	0.0%	25.4%
Contractual Services	12,297,979	1,192,572	3,668,385	7,437,021	9.7%	29.8%	39.5%
Operating	7,106,968	1,664,828	313,430	5,128,711	23.4%	4.4%	27.8%
Travel	31,846	2,276	-	29,570	7.1%	0.0%	7.1%
Capital Outlay	16,256,609	449,083	5,837,538	9,969,988	2.8%	35.9%	38.7%
Total District Everglades	52,493,728	7,578,461	9,819,353	35,095,914	14.4%	18.7%	33.1%
Kissimmee Watershed							
Personnel Services	2,231,940	376,549		1,855,391	16.9%	0.0%	16.9%
Contractual Services	11,450,262	189,537	1,214,661	10,046,064	1.7%	10.6%	12.3%
Operating	71,671	11,252	23,500	36,919	15.7%	32.8%	48.5%
Travel	22,465	3,015	220	19,230	13.4%	1.0%	14.4%
Capital Outlay	17,950,078	452,958	15,098,943	2,398,177	2.5%	84.1%	86.6%
Total Kissimmee Watershed	31,726,416	1,033,310	16,337,324	14,355,782	3.3%	51.5%	54.8%

South Florida Water Management District
 Summary of Uses - Statement of Sources and Uses of Funds (Unaudited)
 As of: December 31, 2012

	Annual Budget	Expenditures	Encumbrances	Reported	%	%	%
				Available Budget	Expended	Encumbered	Obligated
Lake Okeechobee							
Personnel Services	\$ 4,348,705	\$ 954,078	\$ -	\$ 3,394,627	21.9%	0.0%	21.9%
Contractual Services	18,408,851	800,094	7,249,258	10,359,500	4.3%	39.4%	43.7%
Operating	528,608	100,144	170,839	257,625	18.9%	32.3%	51.3%
Travel	6,356	210	-	6,146	3.3%	0.0%	3.3%
Capital Outlay	221,040	61,408	257	159,375	27.8%	0.1%	27.9%
Total Lake Okeechobee	23,513,562	1,915,934	7,420,354	14,177,273	8.1%	31.6%	39.7%
Land Stewardship							
Personnel Services	3,512,984	903,776		2,609,208	25.7%	0.0%	25.7%
Contractual Services	13,239,243	490,920	2,299,806	10,448,517	3.7%	17.4%	21.1%
Operating	1,243,943	313,454	132,467	798,022	25.2%	10.6%	35.8%
Travel	16,165	208	-	15,957	1.3%	0.0%	1.3%
Capital Outlay	1,345,074	12,074	-	1,333,000	0.9%	0.0%	0.9%
Total Land Stewardship	19,357,409	1,720,432	2,432,273	15,204,704	8.9%	12.6%	21.5%
Mission Support							
Personnel Services	22,598,476	5,903,671	200,000	16,494,805	26.1%	0.9%	27.0%
Contractual Services	8,871,060	1,772,522	3,292,935	3,805,603	20.0%	37.1%	57.1%
Operating	23,307,129	2,883,498	2,021,306	18,402,325	12.4%	8.7%	21.0%
CERP Indirect	(4,750,000)			(4,750,000)	0.0%	0.0%	0.0%
Travel	337,010	113,206	30,504	193,300	33.6%	9.1%	42.6%
Capital Outlay	2,054,283	171,703	220,266	1,662,313	8.4%	10.7%	19.1%
Total Mission Support	52,417,956	10,844,599	5,765,012	35,808,346	20.7%	11.0%	31.7%
Modeling & Science Support							
Personnel Services	9,237,921	2,176,774		7,061,147	23.6%	0.0%	23.6%
Contractual Services	3,021,198	550,322	1,584,479	886,397	18.2%	52.4%	70.7%
Operating	681,731	148,943	260,528	272,260	21.8%	38.2%	60.1%
Travel	43,485	3,309	573	39,603	7.6%	1.3%	8.9%
Capital Outlay	75,620	49,967	2,120	23,533	66.1%	2.8%	68.9%
Total Modeling & Science Support	13,059,954	2,929,316	1,847,699	8,282,940	22.4%	14.1%	36.6%

South Florida Water Management District
 Summary of Uses - Statement of Sources and Uses of Funds (Unaudited)
 As of: December 31, 2012

	Annual Budget	Expenditures	Encumbrances	Reported	%	%	%
				Available Budget	Expended	Encumbered	Obligated
Operations & Maintenance							
Personnel Services	\$ 50,115,482	\$ 13,241,488		\$ 36,873,993	26.4%	0.0%	26.4%
Contractual Services	45,341,643	9,429,098	27,067,188	8,845,356	20.8%	59.7%	80.5%
Operating	27,678,047	9,163,562	1,660,784	16,853,700	33.1%	6.0%	39.1%
Travel	116,890	26,928	829	89,133	23.0%	0.7%	23.7%
Capital Outlay	17,451,787	1,793,023	9,554,086	6,104,678	10.3%	54.7%	65.0%
Total Operations & Maintenance	140,703,848	33,654,100	38,282,888	68,766,860	23.9%	27.2%	51.1%
Regulation							
Personnel Services	16,613,180	4,178,610		12,434,570	25.2%	0.0%	25.2%
Contractual Services	2,026,895	497,707	953,212	575,977	24.6%	47.0%	71.6%
Operating	6,373,553	1,342,314	371,336	4,659,903	21.1%	5.8%	26.9%
Travel	25,829	5,979	-	19,850	23.1%	0.0%	23.1%
Capital Outlay	465,888	31,248	73,237	361,403	6.7%	15.7%	22.4%
Total Regulation	25,505,346	6,055,858	1,397,785	18,051,703	23.7%	5.5%	29.2%
Water Supply							
Personnel Services	5,697,912	1,374,077		4,323,835	24.1%	0.0%	24.1%
Contractual Services	6,121,184	304,745	3,390,704	2,425,735	5.0%	55.4%	60.4%
Operating	5,556,423	1,333,464	6,129	4,216,830	24.0%	0.1%	24.1%
Travel	9,926	2,030	-	7,896	20.4%	0.0%	20.4%
Capital Outlay	249,005	75,917	158,187	14,901	30.5%	63.5%	94.0%
Total Water Supply	17,634,450	3,090,231	3,555,020	10,989,198	17.5%	20.2%	37.7%
Reserves							
Reserves	60,033,025			60,033,025	0.00%	0.00%	0.00%
Total Reserves	60,033,025			60,033,025	0.00%	0.00%	0.00%
Debt Service							
Debt Service	42,136,957	29,482,154	-	12,654,803	69.97%	0.00%	69.97%
Total Debt Service	42,136,957	29,482,154	-	12,654,803	69.97%	0.00%	69.97%
Grand Total	\$ 621,995,460	\$ 104,950,837	\$ 136,088,784	\$ 380,955,839	16.9%	21.9%	38.8%

South Florida Water Management District Statement of Sources and Uses of Funds (Unaudited)

For the month ended: December 31, 2012. Percent of fiscal year completed: 25%

SOURCES	ANNUAL BUDGET	ACTUALS THROUGH 12/31/2012	VARIANCE (UNDER) / OVER BUDGET	ACTUALS AS A % OF BUDGET
Ad Valorem Property Taxes	\$ 268,114,920	\$ 153,334,204	\$ (114,780,716)	57.2%
Agricultural Privilege Taxes	11,352,040	10,392,433	(959,607.49)	91.5%
Intergovernmental	78,596,829	4,529,460	(74,067,369.49)	5.8%
Investment Earnings - Ad Valorem	4,592,000	1,109,462	(3,482,537.91)	24.2%
Investment Earnings - Non Ad Valorem	362,300	298,840	(63,460.17)	82.5%
Investment Earnings Total	4,954,300	1,408,302	(3,545,998)	28.4%
Leases	2,692,618	971,833	(1,720,784.80)	36.1%
Permit Fees	812,160	191,075	(621,085.00)	23.5%
Licenses and Misc. Fees	1,487,150	436,736	(1,050,414.00)	29.4%
Mitigation Fees - Lake Belt & Wetlands	105,000	5,015,390	4,910,389.79	4776.6%
Licenses, Permits and Fees Total	2,404,310	5,643,201	3,238,891	234.7%
Other	525,000	85,091	(439,909)	16.2%
Sale of District Property	250,000	48,437	(201,563)	19.4%
Self Insurance Premiums	25,712,821	5,718,566	(19,994,255)	22.2%
SUB-TOTAL OPERATING REVENUES	394,602,838	182,131,525	(212,471,313)	46.2%
Fund Balance	227,392,622	227,392,622	-	100.0%
TOTAL SOURCES	\$ 621,995,460	\$ 409,524,147	\$ (212,471,313)	65.8%

USES	ANNUAL BUDGET	EXPENDITURES	ENCUMBRANCES ¹	REPORTED AVAILABLE BUDGET	% EXPENDED	% ENCUMBERED	% OBLIGATED ²
CERP	\$ 125,461,896	\$ 4,555,143	\$ 43,940,911	\$ 76,965,843	3.6%	35.0%	38.7%
Coastal Watersheds	17,950,913	2,091,299	5,290,166	10,569,448	11.7%	29.5%	41.1%
District Everglades	52,493,728	7,578,461	9,819,353	35,095,914	14.4%	18.7%	33.1%
Kissimmee Watershed	31,726,416	1,033,310	16,337,324	14,355,782	3.3%	51.5%	54.8%
Lake Okeechobee	23,513,562	1,915,934	7,420,354	14,177,273	8.1%	31.6%	39.7%
Land Stewardship	19,357,409	1,720,432	2,432,273	15,204,704	8.9%	12.6%	21.5%
Mission Support	52,417,956	10,844,599	5,765,012	35,808,346	20.7%	11.0%	31.7%
Modeling & Sci Supp	13,059,954	2,929,316	1,847,699	8,282,940	22.4%	14.1%	36.6%
Ops & Maintenance	140,703,848	33,654,100	38,282,888	68,766,860	23.9%	27.2%	51.1%
Regulation	25,505,346	6,055,858	1,397,785	18,051,703	23.7%	5.5%	29.2%
Water Supply	17,634,450	3,090,231	3,555,020	10,989,198	17.5%	20.2%	37.7%
Debt Service	42,136,957	29,482,154	-	12,654,803	69.97%	0.00%	69.97%
SUB-TOTAL NON-RESERVES USES	561,962,435	104,950,837	136,088,784	320,922,814	18.7%	24.2%	42.9%
Reserves	60,033,025	-	-	60,033,025	0.00%	0.00%	0.00%
TOTAL USES	\$ 621,995,460	\$ 104,950,837	\$ 136,088,784	\$ 380,955,839	16.9%	21.9%	38.8%

¹ Represents unexpended balances of open purchase orders

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

Attachment: Statement of Sources and Uses of Funds_December FY13 programmatic (1130 : Monthly

**South Florida Water Management District
Statement of Sources and Uses of Funds
For the Month ending December 31, 2012
(Unaudited)**

	Current Budget	Actuals Through 11/30/2012	Variance (under)/Over Budget	Actuals As A % of Budget
Sources				
Taxes ¹	\$ 279,466,960	\$ 163,726,637	\$ (115,740,323)	58.6%
Intergovernmental Revenues	78,596,829	4,529,460	(74,067,369)	5.8%
Interest on Invested Funds	4,954,300	1,408,302	(3,545,998)	28.4%
License and Permit Fees	2,404,310	5,643,201	3,238,891	234.7%
Other ²	29,180,439	6,823,927	(22,356,512)	23.4%
Fund Balance	227,392,622	227,392,622	-	100.0%
Total Sources	\$ 621,995,460	\$ 409,524,147	\$ (212,471,313)	65.8%

¹ Includes Ad Valorem and Agricultural Privilege Taxes

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

	Current Budget	Expenditures	Encumbrances³	Available Budget	%Expended	%Obligated⁴
Uses						
Water Resources Planning and Monitoring	\$ 54,810,312	\$ 10,273,174	\$ 10,863,483	\$ 33,673,655	18.7%	38.6%
Acquisition, Restoration and Public Works	241,616,332	30,984,202	74,350,325	136,281,805	12.8%	43.6%
Operation and Maintenance of Lands and Works	250,606,170	47,153,109	45,731,816	157,721,244	18.8%	37.1%
Regulation	29,375,863	6,834,085	1,871,357	20,670,421	23.3%	29.6%
Outreach	2,735,052	691,948	47,248	1,995,855	25.3%	27.0%
Management and Administration	42,851,731	9,014,319	3,224,553	30,612,858	21.0%	28.6%
Total Uses	\$ 621,995,460	\$ 104,950,837	\$ 136,088,784	\$ 380,955,839	16.9%	38.8%

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

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

This unaudited financial statement is prepared as of December 31, 2012, and covers the interim period since the most recent audited financial statements.