

Minutes of Board of Directors Meeting
PEACE RIVER MANASOTA REGIONAL WATER SUPPLY AUTHORITY
Charlotte County Administration Building
Commission Chambers, Room 119
18500 Murdock Circle, Port Charlotte, Florida

December 5, 2018

Board Members Present:

Commissioner Alan Maio, Sarasota County, Chairman
Commissioner Elton Langford, DeSoto County, Vice Chairman
Commissioner Ken Doherty, Charlotte County
Commissioner Priscilla Trace, Manatee County

Staff Present:

Patrick Lehman, Executive Director
Doug Manson, General Counsel
Mike Coates, Deputy Director
Ann Lee, Finance & Administration Manager
Kevin Morris, Engineering & Projects Manager
Richard Anderson, System Operations Manager
Rachel Kersten, Agency Clerk

Others Present:

A list of others presents who signed the attendance roster for this meeting is filed with the permanent records of the Authority.

CALL TO ORDER

Commissioner Maio called the meeting to order at 9:30 a.m.

INVOCATION

Commissioner Elton Langford offered the invocation.

PLEDGE OF ALLEGIANCE

The Board led the Pledge of Allegiance to the Flag of the United States.

PUBLIC COMMENTS

Commissioner Maio announced the following in regards to the public comments proceedings: If you have public comment on an agenda item on today's meeting, please sign up and provide your comments during the first public comment period.

For those commenting on issues that are not on today's agenda, your comments will be heard at the end of the meeting during our second public comment item on the agenda. Matters relating to phosphate mining

are not on the agenda today, so we will hear those comments during the public comment provided at the end of the meeting.

Each person will be provided three minutes for public comment. A timer will be used to measure the allotted time. Please be respectful of other speakers that wish to participate and be mindful of your time limit.

Doug Manson added to Commissioner Maio's announcement that the Peace River Manasota Regional Water Supply Authority is not a land use entity. We monitor and may provide comments and other input on environmental permits, not land-use determinations. The Authority's comments or input are based on whether or not the activity may adversely impact the Peace River regarding Florida department of environmental protection and U.S. Army Corps of Engineer mining permits.

There were no public comments for the first comment period.

RESOLUTIONS/PRESENTATIONS

1. Employee Service Recognition

The Authority recognized staff members Tom Dobbs, Construction Manager and Linda Burke, Administrative Secretary II for their years of dedicated service upon both of their upcoming retirements at the end of December.

CONSENT AGENDA

Commissioner Doherty requested Consent Items 4, 5 and 7 be removed for discussion.

- 1. Minutes of October 3, 2018 Board of Directors Meeting**
- 2. Minutes of October 3, 2018 Board Workshop**
- 3. Board of Directors' Meeting Schedule for Calendar Year 2019**
- 4. Salary Survey Market Analysis**
 - a. Consultant's Findings and Recommendations (The Archer Company, October 2018)**
 - b. Authority Pay Plan Revisions**
- 5. Authority Procurement Policy Revisions**
- 6. Declaration of Surplus**
- 7. Interlocal Agreement for Phase 1 Interconnect Between Peace River Manasota Regional Water Supply Authority and the City of Punta Gorda - Amendment 1**
- 8. Closed Door Attorney – Client Session pursuant to Section 286.011(8), Florida Statutes, on December 5, 2018 @ 11:30 a.m. (or as soon thereafter) in Charlotte County Board Conference Room to discuss settlement negotiations and/or strategy related to litigation expenditures covering the DOAH hearing captioned Polk Regional Water Cooperative (Case No. 18-3276), Polk County (Case No. 18-3278), City of Bartow (Case No. 18-3280), City of Ft. Meade (Case No. 18-3282), City of Lakeland (Case No. 18-3283) City of Wauchula (Case No. 18-3288) and City of Winter Haven (Case No. 18-3289) vs. Peace River Manasota Regional Water Supply Authority and Southwest Florida Water Management District.**

Motion was made by Commissioner Langford, seconded by Commissioner Doherty, to approve the Consent Agenda, with the exception of Items 4, 5 and 7. Motion was approved unanimously.

4. Salary Survey Market Analysis**a. Consultant's Findings and Recommendations (The Archer Company, October 2018)****b. Authority Pay Plan Revisions**

Commissioner Doherty asked for confirmation that what The Archer Company has recommended is an increase of 2.5% for all of the Authority's pay ranges, and that with this adjustment all employees will still fall within their current pay range.

Mr. Lehman stated that is correct, everyone will stay within their current range with this adjustment.

Commissioner Doherty asked for clarification on Archer's recommendation regarding the Executive Director's salary range and whether or not that suggested 10% increase was being included and considered in the report statement that there will be no net financial impact to the Authority with the acceptance of these recommended adjustments.

Mr. Lehman explained that because the Executive Director is under contract, it is not included in the salary study and is excluded from Archer's report.

Commissioner Trace stated for the record that she feels the salary ranges of current employees are where they should be in order to remain competitive with the neighboring counties.

Motion was made by Commissioner Doherty, seconded by Commissioner Langford, to approve Consent Agenda Item 4 a & b. Motion was approved unanimously.

5. Authority Procurement Policy Revisions

Commissioner Doherty thanked Mr. Lehman for following up after their pre-agenda meeting and sending out a redlined version of the document showing the proposed policy changes. He then asked for confirmation that this item was shared with the professional staff members during the meeting held on November 7, 2018 and that their concurrence on the matter was received.

Mr. Lehman confirmed that is correct.

Motion was made by Commissioner Doherty, seconded by Commissioner Langford, to approve Consent Agenda Item 5. Motion was approved unanimously.

7. Interlocal Agreement for Phase 1 Interconnect Between Peace River Manasota Regional Water Supply Authority and the City of Punta Gorda - Amendment 1

Commissioner Doherty asked Mr. Lehman to confirm his understanding that the financial relationship between the Authority and the City of Punta Gorda was identified in the original Interlocal Agreement, and that this amendment does not change the financial arrangements between the City of Punta Gorda, the Authority, SWFWMD, etc.

Mr. Lehman stated that is correct. This amendment is only extends the term of the Agreement until December 2021.

Motion was made by Commissioner Doherty, seconded by Commissioner Trace, to approve Consent Agenda Item 7. Motion was approved unanimously.

REGULAR AGENDA

1. Water Supply Conditions – Staff Presentation

Richard Anderson presented the current rainfall, supply, and storage conditions at the Peace River Facility and reviewed the Regional Customer deliveries for the Water Year 2018.

- Water Supply Quantity: Excellent
- Treated Water Quality: Excellent

November Water Demand	24.32 MGD
November Water Withdrawals	39.67 MGD
<u>Storage Volume:</u>	
Reservoirs	6.71 BG
ASR	<u>7.81 BG</u>
Total	14.52 BG

Rainfall in the Peace River basin remains close to average for this time of year with 1.7 inches received through November 15th and a total average rainfall for the month of 3.1 inches.

River flows are staying steady and there is water available for harvest. Today there is 350 CFS flow in the river which yields us about 28 MGD in withdrawals, and we averaged 39.7 MGD in withdrawals through the month of November.

Reservoir storage as of November 15th was at 6.71 BG. Mr. Anderson stated that the ASR system is still in storage mode with over 7.8 BG. Our total available storage as of today is at 14.52 BG

Mr. Anderson said the Authority and its customers have about 105 MGD in average day production capacity. In the month of October 22.4 MGD was delivered by the Authority and 46.5 MGD was produced by Authority customers for a total regional production of 68.9 MGD. Of that amount, about 3.5 MGD was exported to non-Authority customers. This makes the total water demand for Authority Customers approximately 65.35 MGD for the month.

Commissioner Maio commented on the 25 years’ worth of data that is included in these reports on our withdrawals from the river and stated that things are going wonderfully in that we are currently only using two-thirds of our capacity. He then asked Mr. Anderson if he recalled approximately how many gallons of water flowed through the river past our intake and into the Gulf during Tropical Storm Irma.

Mr. Anderson stated that approximately 19 BG of water flowed past our intake structure in the 24-hour period during Tropical Storm Irma. That is enough water to fill our reservoirs three times.

2. **Regional Integrated Loop System Phase 1 Interconnect Project [U.S. 17 to Punta Gorda]**
 - a. **Award contract to Reynolds Construction for Construction of the Phase 1 Regional Interconnect for an amount not-to-exceed \$8,228,000**
 - b. **Approve Work Order No. 3 to King Engineering Associates for Construction Phase Services on the Phase 1 Interconnect for an amount not-to-exceed \$897,470**
 - c. **Approve Negotiated Settlements on Four Properties for the Phase 1 Interconnect**

Ford Ritz provided the Board with a project overview and bidding results for the Regional Integrated Loop System Phase 1 Interconnect Project.

This project will bolster regional reliability by creating emergency backup water supplies for both the City of Punta Gorda & DeSoto County, and provide water to the rapidly developing US 17 corridor in Charlotte County. Construction will consist of approximately 6-miles of 24-inch diameter pipe to create a plant to plant connection from the southern terminus of the Authority's transmission system in Desoto County to the City of Punta Gorda;s Shell Creek Water Treatment Facility.

The bid results for the project were extremely favorable. Five bids were received with the bid amounts ranging from a low of \$8.2 million to a high of \$10.8 million with the spread between the three lowest bids being less than 5%. The total project cost, including engineering, is well below the project budget of \$12 million.

Mr. Ritz requested that the Board accept the Authority's recommendations and move approval the construction contract, work order and property settlement actions associated with the Regional Integrated Loop System Phase 1 Interconnect Project.

Commissioner Doherty commented that he thinks it's important that we emphasize to the public that we are \$1.2 million below the budget on this project. This is something that rarely happens at the start of the game. He then asked for clarification on how that \$1.2 million savings is resolved.

Mike Coates explained that the agreement with the Water Management District and the City of Punta Gorda provides that any savings associated with this project accrue to the Water Management District.

Commissioner Maio commented that he knows a lot of jurisdictions struggle because everyone is so busy now and the project bids are coming in high. But this shows that it's known that when you work with the Authority your life is not a lot of stress and strain because the staff and our engineers are so very well organized.

Motion was made by Commissioner Doherty, seconded by Commissioner Trace to approve and authorize Executive Director to execute construction contract for the Regional Integrated Loop System Phase 1 Interconnect Project to Reynolds Construction, LLC for an amount not-to-exceed \$8,228,000. Motion was approved unanimously.

Motion was made by Commissioner Doherty, seconded by Commissioner Trace to approve and authorize Executive Director to execute 'Work Order No. 3 – Construction Phase Services' with King Engineering Associates Inc. for the Regional Integrated Loop System Phase 1 Interconnect Project for an amount not-to-exceed \$897,470. Motion was approved unanimously.

Motion was made by Commissioner Doherty, seconded by Commissioner Trace to approve 4 Stipulated Order of Taking and Final Judgement(s) which collectively provide 3 temporary construction and 3 permanent utility easements necessary for the Phase 1 Regional Interconnect with a collective cost of \$171,717.50. Motion was approved unanimously.

3. Lakewood Ranch Administrative Office Building Acquisition

Ann Lee presented the Board with the options of continuing to lease the current Lakewood Ranch office property, purchasing the currently leased building, or building a new administrative building at the Peace River Facility.

Ms. Lee explained there are several factors to be considered while evaluating each of the options for the administrative office location. These include what functions the administrative office serves, how these functions can be performed with the most efficiency and effectiveness, the impact to our current LWR office employees and how our member counties' are organized in this regard. In addition to these items, cost is also a consideration, particularly what will be the most cost-effective option now and in the future.

Ms. Lee stated that the administrative office has three major departments: Executive Management, Finance/Admin and Engineering. These include policy implementation, strategic planning and outreach, finance, human resources, engineering and compliance. The functions of the operations group located at the Peace River Facility are related exclusively to the production and delivery of water, and include the operations, maintenance, water quality laboratory and land management.

Currently, the administrative office has 10 employees of which 9 live north of Lakewood Ranch. If we moved the office to the facility, we would be extending those employees' commute by 45 miles each direction. These employees were hired specifically for positions located in Lakewood Ranch, and those polled stated they would be unable to commute the extra distances due to family obligations.

We also reviewed how our member counties were organized and if any had a single combined location for their administrative and treatment functions. We found that none of these member organizations have their administrative functions located at their water treatment facilities.

Ms. Lee provided a cost information break down outlining the impact of all 3 potential location options.

Ms. Lee explained that once we had evaluated the options based on the administrative functions, employee impact, member organization and cost, the option of acquiring the current office is the highest ranking, most cost-effective option, while relocating the office to the facility is the lowest ranked and least cost-effective option.

With this information provided, Ms. Lee stated that the Staff recommendation is Board approval of the acquisition of the Lakewood Ranch Administrative Office building for \$2,125,000, which includes total escrow deposits of \$125,000, and authorize Chairman to execute documents and bank note upon review and approval by Legal Counsel.

Commissioner Doherty said that this particular agenda item received a considerable amount of discussion at their board meeting last week. He has independently taken the time to go through the presentation data and had come up with a different conclusion utilizing the same data as Ms. Lee..

Commissioner Doherty asked Ms. Lee go back to her presentation slide discussing the member counties not having their administrative offices located at their treatment facilities, as it is not exactly accurate. Using printed aerial map images that he distributed to the Board and staff members, Commissioner Doherty pointed out Charlotte County Utilities' Administrative Complex and its close proximity to their East Port Water Reclamation Facility. He said that while it may not be on the exact same parcel, Charlotte County's administrative office is located adjacent to their treatment facility, and the long range plan is to move both the Public Works Administration and all utilities to the plant location. He stated that while

they not only believe that going to the plant is the right option, it is something that they are actually doing themselves.

In reference to the cost comparison breakdown and the \$3M estimated cost listed to build at the facility, Commissioner Doherty stated that there was no real way for him to verify this because no program was given on how the number was developed. However, he does not believe that constructing a building will cost the Authority as much as acquiring Lakewood Ranch. He reached \$1.8M when estimating site costs using a rule of thumb for the square footage of circulation and conference room areas, and double the amount of current Lakewood Ranch Employees.

Commissioner Maio asked Commissioner Doherty what dollar amount he used in his cost to construct calculations. Commissioner Doherty answered \$250 per square foot. When asked, Ms. Lee stated that her cost estimate was completed using \$252 per square foot and the size of the current office in Lakewood Ranch which is 11,886 square feet.

Commissioner Doherty replied that the current office is a two tenant facility and this is a case of what do we need versus what do we want. He stated that he believes that when you truly look at the needs of the Authority over the next 20 or 30 years and you consider the locations of our current members, the staff being located at the plant would certainly serve The City of North Port, Desoto and Charlotte Counties better than being in Lakewood Ranch.

Commissioner Doherty stated that his fellow commissioners in Charlotte County directed him to vote no if this motion as present by staff is actually moved, for they would prefer us to spend more time on a more objective evaluation for the plant site.

Commissioner Maio thanked Commissioner Doherty for his thoroughness and asked if the other commissioners had comment on the item.

Commissioner Trace stated that she feels the acquisition is a good deal. Lakewood Ranch is centrally located and none of the employees that currently work out of that office have anything to do with turning the water on and off. The administrative staff should be kept where they are and when you consider how much of the work they do with SWFWMD and that their offices are located in Sarasota and Tampa, keeping them where they are located right now is actually quite efficient.

Commissioner Langford stated while he appreciates the work and time that Commissioner Doherty spent on looking through this information, he respectfully disagrees with his opinion. The location of the current office has been working fine and purchasing the building would give us an asset that we could disperse of in the future if we determine that it's no longer needed.

Commissioner Langford then asked for clarification on the building's configuration and if it is setup in a way that would allow us to lease out the portion not being utilized by the Authority to another operation.

Ms. Lee confirmed that yes, the other side of the building is currently being leased by another organization. If the building is acquired then the Authority would assume this lease agreement and receive annual rental income of just over \$65,000 plus 33% of all common area maintenance charges from the tenant.

Commissioner Maio stated that his comments are that he has closely followed and monitored this item and met with the staff as the Board chair and reviewed the data. Commissioner Maio continued by saying he wants this acquisition to happen. He believes that this is a good idea and would vote for it. And with that, the Chair will entertain a motion on the item.

Motion was made by Commissioner Trace, seconded by Commissioner Langford to approve acquisition of the Lakewood Ranch Administrative Office building for \$2,125,000, which includes total escrow deposits of \$125,000, and authorize Chairman to execute documents and bank note upon review and approval by Legal Counsel. Motion as approved three – to – one with Commissioner Doherty voting no.

4. Legislative Priorities for 2019

Pat Lehman presented the draft legislative priorities for the upcoming 2019 legislative session for Board consideration on behalf of Diane Salz, legislative consultant to the Authority, who was unable to be present. The legislative priorities as included in the draft are fairly consistent from the prior year and certainly consistent with the Authority's strategic plan.

We continue to move forward with the 'Partially Treated Water Aquifer Storage and Recovery (ASR) Project and will be submitting a \$1M state funding request to move onto the next step. Also added to this year's priorities is monitoring of the Portable Reuse Commission's recommendations and any resulting legislation.

Mr. Lehman stated that the legislative priorities as outlined in the draft will be presented at each of the Authority members' respective upcoming County Delegation meetings and asked that Board move to adopt the Legislative Priorities for 2019 as presented.

Motion was made by Commissioner Doherty, seconded by Commissioner Trace, to approve the Legislative Priorities for 2019. Motion was approved unanimously.

5. Environmental Stewardship Programs – Staff Presentation

Mike Coates provided the Board with a summary of the Authority's Environmental Stewardship Programs. The Environmental Stewardship Programs support protection of the resources and guide the Authority in development and operation of sustainable regional water supplies and efforts to interconnect the region. Each of the monitoring programs are integral to the Authority's environmental stewardship efforts and overall management of our water supply.

The Authority's Peace River Basin environmental stewardship efforts have been ongoing for decades. Our Hydro-Biological Monitoring Program (HBMP) is the longest running and most comprehensive environmental monitoring program on Peace River, continuously collecting data since 1976. The Horse Creek Stewardship Program (HCSP), which began in 2003, is a collaborative effort between the Authority and Mosaic to monitor conditions on Horse Creek to ensure that mining activities in the upper reaches of the Horse Creek basin don't adversely affect the system and impair the drinking water resource. Environmental management and monitoring efforts are ongoing on RV Griffin Reserve.

Commissioner Doherty thanked Mr. Coates & Mr. Lehman for their efforts in putting the presentation together and stated that he feels it is important that the public understands that there is monitoring going on and safe guards in place to protect our water supply. Most importantly, we have the ability to shut down the intake system and still have useable storage for approximately 7 – 8 months. Another facet is the safeguard that we are working hard on interconnecting our supply sources between the 4 counties.

Commissioner Maio stated that the interconnect is a great thing. There are instances in that past that it has been put to use - during the draught, in the event of hurricanes, and even just in times of maintenance. And even though we are currently only using two-thirds of our capacity, we are not stalling. We have

desires and plans that extend way into the future to make the water supply that continues to win awards available for the next 50+ years.

Commissioner Doherty added that it is important for the public to remember what the Authority's mission is specifically – and that is to monitor the river for our supply purposes. There are other potential environmental impacts that other entities are going to have to keep track of and be responsible for. It is important that we as the Authority stay focused on what our responsibilities are.

6. Rate Consultant Presentation and Board Discussion

Mike Coates along with Eric Grau of Stantec Consulting provided the Board with a presentation examining the Authority's current capital project funding structure and evaluating various funding alternatives for their discussion and direction. Mr. Coates relayed to the Board that this information was also presented at the recent professional staff meeting for their review and discussion.

Mr. Coates said that the next steps, with the Board's approval, would be to consult with the Customer's water rate consultants and Customer staff on capital costs fee structures. And that we would still need to develop a working definition for our common benefit projects and options for sustained funding of those projects, and take a more extensive look at non-member partnership projects and how to charge for future connections to the regional water supply system. But this item is intended for the Board to tell us what they would like to see us do in all of this.

Commissioner Doherty said that he thinks the outlined next steps are reasonable and this is looks like a good road map. Charlotte County is currently looking at their rates as well, and trying to build an understand of not only their own CIP needs and so forth, but how those rates are affected by our contributions to the Authority. So, it is really critical that we get all these people together in the same room and start looking at what we're all doing individually and make sure our staff and administrators are coming back to us with their recommendations.

Commissioner Maio agreed that this is a great place to start, but as is always the case he is reluctant to step too far out ahead of his commission. So, that's why to do the next steps is one thing, but proceeding beyond that is an entirely different matter. He stated that what he will need to do is schedule a longer than usual meeting with his county staff, and potentially some of the Authority staff, to drill down into all of this and prepare a fuller presentation to take back to his Board. Because again, as he has said time and time again over the four years that he has been a part of the Authority Board, he is not going to get ahead of the other four commissioners that he sits with.

Commissioner Maio asked Mr. Coates if the he was looking for a motion to take the next steps.

Mr. Coates responded that a motion is not needed yet, just the Board's consensus that the Authority staff is moving in the right direction currently or if there is another direction they would like us to take.

Board consensus was received to proceed moving forward with in discussions with the Customer's water rate consultants and Customer staff on the capital costs fee structures.

GENERAL COUNSEL'S REPORT

Doug Manson provided a litigation update stating that the climate on the matter is changing to one of resolution. On November 7th an informal, eight-point, conceptual settlement agreement was drafted and agreed upon by the opponents designated attorneys. Based on the points of agreement, the administrative

judge has canceled the January hearing date and a settlement agreement is to be drafted for adoption by the parties within 45 days.

Mr. Manson stated that there are still a lot of details to tie up which will be discussed during the shade meeting. However, he feels confident and so do the other parties that by mid-January we should have a full-blown settlement reached, and the goal is to have a document for the Authority Board to approve in mid-December. With that, we would like to request a motion to schedule a Special Board Meeting for December 19, 2018 to be held at the SWFWMD Sarasota Service Office to consider such settlement agreement.

Motion was made by Commissioner Trace, seconded by Commissioner Doherty to approve scheduling a Special Board Meeting to consider the proposed 'Peace River Cooperation Agreement' settlement with Polk Regional Water Cooperative, et al for December 19, 2018 @ 9:30 a.m. at the Southwest Florida Water Management District Sarasota Service Office, 6750 Fruitville Road, Sarasota, Florida. Motion was approved unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Lehman stated that there were no additional updates to provide and he extended his thanks and warm wishes to the Board and staff members this holiday season.

CHAIRMAN'S REPORT

Authority policy provides that the chairman shall review the evaluation forms completed and submitted by each Board member and develop any appropriate recommendations which shall be presented for consideration by the Board. Commissioner Maio stated that all of the performance evaluations were reviewed during the last Board meeting and were favorable. A letter signed by him was recently sent out to each of the Authority Board members containing his recommendations.

To review the high points included in that letter, the Archer Company conducted a salary analysis and they have pointed out that Mr. Lehman is in his position for 21 years and suggested that his current salary of \$148,200 does not reach the midpoint range for the role. Specific points to be aware of so that the item may be considered fully are that no raises were issued to Mr. Lehman for the four years (inclusive of 2009 to 2012) due to the recession, and salary increases since 2012 have resulted in an annual average increase of 1.6% over the past 10 years.

Commissioner Maio stated that after reviewing the Board members' evaluation comments, the Archer Company's memorandum and meeting with Mr. Lehman, he recommends the following amendment be made to Mr. Lehman's Employment Agreement:

- One time 'catch up' in annual salary of \$12,000,
- Conversion of car allowance to salary, and
- Provides a one-time overall 7.5% net increase in salary (annual average increase of 2.5% over the past 10 years) that remains below the recommended midpoint, but amenable to Mr. Lehman.

With that, Commissioner Maio stated that he would like to open the item up for additional discussion.

Commissioner Doherty mentioned that he did not have a lot of time to conduct any internal comparisons to understand where the suggested salary range fits in and would like help clarify some information. Archer is indicating a minimum, midpoint, and maximum salary range for this particular position, but what is the comparable job title. Is it Executive Director of a Water Authority, County Administrator,

County Manager? It is not quite clear how the range was developed.

Ann Lee replied that the Archer Company looked at the county administrator positions as well as the executive management staff positions at local water authorities such as Polk County, Tampa Bay Water, etc. and using this combined data they created an average to identify the different range points.

Commissioner Doherty commented that he was curious if utility directors were also included in that mix of administrators and managers. Commissioner Doherty continued by saying that is trying to see a connection that makes complete sense, but he knows for a fact that Mr. Lehman has done a good job in his role and that he is going to trust the Chairman's recommendation.

Motion was made by Commissioner Langford, seconded by Commissioner Trace to approve Amendment to Employment Agreement for Executive Director effective October 1, 2018. Motion was approved unanimously.

ROUTINE STATUS REPORTS

Commissioner Doherty commented that the check registers for September and October 2018 that are included in the Routine Status Reports as Item 2 came up during his County Commission meeting last week. Specifically, there was a question regarding whether or not this Board previously approved payment for the additional services being billed by Mr. Manson's firm.

Commissioner Doherty stated for the record that he did go back and verify that during the Board Meeting of May 30th the Board granted approval for the payment of these additional services and per Section 13.2 and 13.3 of the Agreement for General Counsel Services, Mr. Manson is authorized by this Board to provide litigation legal services.

Mr. Manson confirmed that yes, the Agreement for General Counsel Services was amended with Board approval to include the litigation both for condemnation and for the Peace River Water Use Permit case.

RECESS BOARD OF DIRECTORS MEETING

Commissioner Maio announced the closed door Attorney - Client Session pursuant to Section 286.011(8), Florida Statutes at 11:30 am (or as soon thereafter) in the Charlotte County Administrative Conference Room (5th Floor), Charlotte County Administrative Center, 18500 Murdock Circle, Port Charlotte, Florida 34266 to discuss settlement negotiations and/or strategy related to litigation expenditures in the Polk Regional Water Cooperative (Case No. 18-3276), Polk County (Case No. 18-3278), City of Bartow (Case No. 18-3280), City of Ft. Meade (Case No. 18-3282), City of Lakeland (Case No. 18-3283) City of Wauchula (Case No. 18-3288) and City of Winter Haven (Case No. 18-3289) vs. Peace River Manasota Regional Water Supply Authority and Southwest Florida Water Management District.

The closed door attorney-client session will be attended by the following: Commissioners Maio, Langford, Doherty and Trace; Executive Director Patrick Lehman; General Counsel Douglas Manson; and court reporter.

RECONVENE BOARD OF DIRECTORS MEETING

Chair Maio announced the termination of the closed door attorney-client session.

BOARD MEMBER COMMENTS

There were no additional Board Member comments.

PUBLIC COMMENTS

Public comments were made by Paul DeGaeta, Rhett Morris, Tim Ritchie, Ellen Pope, Lee Richardson, Lin Richardson, Phoebe Menzer, Leon Dean, Cptn. Josh Greer, Cptn. Chris Fanelli, Cptn. Ryan McGee, John Hall, & Garrett Stuart.

ANNOUNCEMENTS

Next Authority Board Meeting

Wednesday, February 6, 2019 @ 9:30 a.m.
Peace River Facility, Water Quality/Training Facility
8998 SW County Road 769, Arcadia, Florida

Future Authority Board Meeting

Wednesday, April 3, 2019 @ 9:30 a.m.

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 12:20 p.m.

BOARD APPROVED

FEB - 6 2019

Peace River Manasota
Regional Water Supply Authority



Commissioner Alan Maio
Chairman