

Minutes of Board of Directors Meeting  
**PEACE RIVER MANASOTA REGIONAL WATER SUPPLY AUTHORITY**  
DeSoto County Administration Building  
Commission Chambers, First Floor  
201 East Oak Street, Arcadia, Florida

October 3, 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  
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 meeting to order at 9:30 a.m.

**INVOCATION**

Douglas Manson offered the invocation.

**PLEDGE OF ALLEGIANCE**

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

**HOST COUNTY REMARKS**

DeSoto County Administrator Mandy Hines provided the host county opening remarks and presented a brief overview of DeSoto's county upcoming projects for the year.

**PUBLIC COMMENTS**

There were no public comments.

**RESOLUTIONS/PRESENTATIONS****1. Employee Service Recognition**

The Authority recognized three (3) employees who had achieved significant milestones in their service to the agency.

**2. Recognition of Kevin Morris certification as Public Works Executive by the American Public Works Association**

Kevin Morris was recognized by the American Public Works Association with certification as Public Works Executive at the Association's national recognition ceremony on August 27.

**CONSENT AGENDA**

1. Minutes of July 25, 2018 Board of Directors meeting
2. Transfer of \$330,000 from the General Fund to Utility Reserve Fund
3. Fund disbursements in accordance with the FY 2019 Budget (FY 2018 debt service coverage Payments)
4. Consultant ranking and authorize the Executive Director to execute the Agreement for Professional Services Related to the Maintenance Facility Project Construction Phase Services with AECOM Technical Services, Inc. for an amount not-to-exceed \$260,170
5. Letter of appreciation to Michael Babb for service on the SWFWMD Governing Board
6. Authorize submittal of FY 2020 Cooperative Funding Initiative applications to SWFWMD for two regional projects and approve recommended project co-funding ranking (1) Regional Integrated Loop System – Phase 3B Interconnect, (2) Partially Treated Water ASR
7. First Amendment to Agreement for State Lobbyist Services with Diane R. Salz Governmental Consulting
8. Fourth Amendment to Agreement to Peace River Manasota Regional Water Supply Authority Agreement for General Counsel Services with Manson Bolves Donaldson Varn, P.A.
9. Authorize the Executive Director to approve a Work Order to Hazen and Sawyer for the 2020 Water Quality Master Plan with a cost not-to-exceed \$174,010
10. Conduct Closed Door Attorney – Client Session pursuant to Section 286.011(8), Florida Statutes, on October 3, 2018 @ 11:30 a.m. (or as soon thereafter) in DeSoto 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.

Commissioner Doherty commented that he is pleased to see Consent Item 9 for the Water Quality Master Plan. This is something that was discussed at the first workshop last year, and he is looking forward to seeing it move forward.

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

**REGULAR AGENDA**

**1. Water Supply Conditions - Staff Presentation**

Richard Anderson presented Water Supply Conditions at the Peace River Facility as of September 18, 2018.

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

September Water Demand	20.01 MGD
September River Withdrawals	28.15 MGD
<u>Storage Volume:</u>	
Reservoirs	6.40 BG
ASR	<u>7.45 BG</u>
Total	13.85 BG

Rainfall in the Peace River basin averaged around 6-inches during the month of August, which is about half of what we averaged over the course of July. As of September 30<sup>th</sup> the basin had averaged about 5-inches total rainfall.

Reservoir storage as of September 18<sup>th</sup> day was at 6.40BG. Mr. Anderson stated that the ASR system is still in storage mode with almost 7.5 BG in storage.

Mr. Anderson said the Authority and its customers have about 105 MGD in average day production capacity. In the month of June, 22.9 MGD was delivered by the Authority and 46.5 MGD was produced by Authority customers for a total regional production of 69.4 MGD. Of that amount, about 3.5 MGD was exported to non-Authority customers. This makes the total water demand for Authority Customers approximately 65.9 MGD for the month.

Mr. Anderson reviewed the current demand and supply conditions for each of the customers for the month of June and the cumulative historical annual average usage of the region.

Mr. Lehman commented that a year ago the Board was discussing Desoto County struggling with exceeding their water allocation. This year, thanks to Mandy Hines and her staff, along with Mr. Anderson and our staff and Black & Veatch, they are back on track and finished out the fiscal year well within their water allocation. This means they are not just saving water but also money.

**2. Annual Review of Executive Director**

The Board discussed Mr. Lehman’s annual review noting that his performance in the past year has been commendable. Commissioner Maio explained that things will be discussed in full during the December meeting and asked if there were any comments that the Board Members would like to add regarding Mr. Lehman’s performance.

Commissioner Trace stated that being new to the Board she is still accessing what is going on, but overall commends Mr. Lehman for great performance.

Commissioner Doherty said he wanted to extend his appreciation to Mr. Lehman and his staff for the progress that has been made over the last year with the CIP and other efforts. The more frequent workshops will only help advance that progress and Mr. Lehman continues to do an excellent job. Commissioner Doherty again thanked him for his efforts.

Commissioner Langford commented that he appreciates what Mr. Lehman does and stated that it goes to show that if you surround yourself with good people, good things happen. He reiterated that because of how important the Authority is to our region, he appreciated Mr. Lehman's ability to build and maintain his team of staff to continue to make the Authority the success that is.

Commissioner Maio thanked Mr. Lehman for his continued willingness to visit and meet with him during this period of his being Chairman. He agreed with Commissioner Doherty that the more frequent workshops are going to be a great improvement and help change how business is done. Commissioner Maio stated that he is looking forward to continuing to work with Mr. Lehman, given his commission allows him to stay on the Board for the coming year.

## **GENERAL COUNSEL'S REPORT**

### **1. Peace River Facility Water Use Permit Modification/Renewal**

Mr. Manson provided a brief litigation update on the seven petitions filed and gave a presentation provided by Brian Armstrong of the Southwest Florida Water Management District during the meeting with the Polk County Co-Op which Mr. Manson and Mr. Lehman Attended.

Mr. Manson explained the concept of the presented SHARP/SHARE project with the Board. Hillsborough County, in partnership with the SWFWMD, has created a substantial source of Upper Floridan groundwater through a saltwater barrier project. This project is known as SHARP/SHARP. This water could be shared with Polk County and others to meet future water supply needs

He explained that the project proposal components include that all parties (Polk County Cooperative, Tampa Bay Water, Peace River Manasota Water Supply Authority and the SWFWMD) stand down on litigation and competing water use applications for up to one year to work on this project elements and agreements. That Hillsborough County would be fairly compensated for generation of the water supply by those taking the groundwater, and that Polk County Cooperative enters into an agreement to share water from SHARP/SHARE.

Mr. Manson suggested a motion following the closed-door attorney session to authorize the General Counsel to agree to an abeyance of up to one year of the litigation by the seven parties challenging the Authority's Water Use Permit to allow the District and necessary parties involved time to come to an agreement for a new water supply through the SHARP/SHARE project.

Commissioner Doherty asked if Mr. Manson knew if this process or theory of SHARP/SHARE has ever actually been implemented and permitted.

Mr. Manson stated that he could not say that there was anything exactly like this within SWFWMD but there have been processes that are similar.

Mr. Manson advised the Board that based on the seven petitions requesting formal administrative hearings that have been filed with the Southwest Florida Water Management District associated with the issuance of the Authority's water use permit 20010420.010, I advise the Board of Directors that a closed door attorney-client session should be scheduled for December 5<sup>th</sup> (in addition to the closed door session

schedule for today's meeting) to discuss settlement negotiations and/or strategy related to litigation expenditures.

## **2. Phase 1 Regional Interconnect Property Acquisition**

Mr. Manson announced that an agreement with the opposed counsel regarding the property acquisition needed for the U.S. 17 City of Punta Gorda to Shell Creek has been reached and we should have titles to all eight (8) parcels within the next 30 days.

## **EXECUTIVE DIRECTOR'S REPORT**

### **1. Lakewood Ranch Administrative Office Negotiation Update**

Mr. Lehman provided the Board with an update on the discussions surrounding the potential acquisition of the Lakewood Ranch office property. The appraisal has been done and once that is received and discussions are had the Board will be presented with the options of purchasing the property where the Lakewood Ranch office currently resides versus relocating to the water treatment facility.

## **ROUTINE STATUS REPORTS**

There were no Board comments on routine status reports.

## **RECESS BOARD OF DIRECTORS MEETING**

Board of Directors meeting recessed for workshop and closed door attorney-client session.

Commissioner Maio announced the closed door Attorney - Client Session pursuant to Section 286.011(8), Florida Statutes @ 11:30 a.m. (or as soon thereafter) in DeSoto 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.

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: I now announce the termination of the closed door attorney-client session related to 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 Doherty, seconded by Commissioner Langford, to authorize the General Counsel to agree to an abeyance of up to one year of the litigation by the seven parties challenging the Authority's Water Use Permit to allow the District and necessary parties involved**

**time to come to an agreement for a new water supply through the SHARP/SHARE project. Motion was approved unanimously.**

**BOARD MEMBER COMMENTS**

Commissioner Doherty stated that Water Quality was quite the topic at the FWAC Conference last week, and it was not restricted to just those on the east coast of Florida with the current red tide situation. There is a growing concern in the community related to the water quality of the Peace River and the expansion of Mosaic phosphate mine. Commissioner Doherty stated that he would like us to be proactive in our approach to a stance on this, and direct the staff to create a map that shows the existing mines and how they relate to the Peace River. Possibly, as an additional server, one of our existing engineering firms could monitor the situation and report as it relates to us.

Commissioner Maio stated that he did not want to see something happen in the future that would cause the Authority to be targeted with “where were you” statements so if a graphic or map would be helpful to prevent that then he supports the concept.

Commissioner Trace stated that Manatee County does have mining and it is a state right to do so – it is a land use right. However, she agrees that working with them rather than working against them and monitoring the water quality is a great idea.

**PUBLIC COMMENTS**

There were no public comments.

**ANNOUNCEMENTS**

Next Authority Board Meeting  
Wednesday, December 5, 2018 @ 9:30 a.m.  
Charlotte County Administration Center  
Commission Chambers, Room 119  
18500 Murdock Circle, Port Charlotte, Florida

Future Authority Board Meetings  
Wednesday, February 6, 2019 @ 9:30am

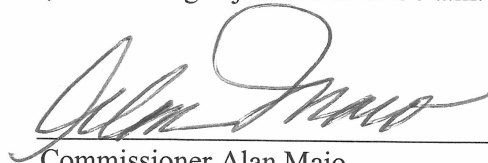
**ADJOURNMENT**

There being no further business to come before the Board, the meeting adjourned at 11:38 a.m.

**BOARD APPROVED**

**DEC - 5 2018**

**Peace River Manasota  
Regional Water Supply Authority**



Commissioner Alan Maio  
Chairman