



**WITHLACOOCHEE
REGIONAL
WATER
SUPPLY
AUTHORITY**

Board Meeting Package

July 15, 2015
3:30 p.m.

Meeting Location:

Lecanto Government Building
Room 166
3600 W. Sovereign Path
Lecanto, Florida 34461

**MEMORANDUM**

To: Water Supply Authority Board of Directors and Interested Parties

From: Richard S. Owen, Executive Director

Date: July 3, 2015

Subject: Monthly Meeting of the Withlacoochee Regional Water Supply Authority

The next meeting of the Withlacoochee Regional Water Supply Authority will be on **Wednesday, July 15, 2015, 3:30 p.m., at the Lecanto Government Center Building, Room 166, 3600 Sovereign Path, Lecanto, FL 34461.**

Enclosed for your review are the following items:

- Agenda
- Minutes of the June 17, 2015 meeting
- Board Package*

Please note that if a party decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting, that party will need a record of the proceedings, and for such purpose, that party may need to ensure that a verbatim record of the proceedings is made, which record includes that testimony and evidence upon which the appeal is to be based.

Enclosures

- * Copies of the Board Package are available through the Internet. Log on to www.wrwsa.org. On the Authority's Home Page go to the left side of the page and click on "Meetings." On the slide out menu is a button for the current Board Package. Click on the Board Package to download and print the Board Package.

**WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY
BOARD OF DIRECTORS MEETING
AGENDA**

**LECANTO GOVERNMENT BUILDING
3600 W. SOVEREIGN PATH, ROOM 166, LECANTO, FLORIDA 34461
July 15, 2015 @ 3:30 p.m.**

At the discretion of the Board, items may be taken out of order to accommodate the needs of the Board and the public.

- 1. Call to Order**
- 2. Roll Call**
- 3. Introductions and Announcements**
- 4. Approval of Minutes**
- 5. Public Comment**
- 6. Irrigation Audit Program Status Report . . . Nancy Smith, WRWSA**
- 7. Local Government Grant Applications Review . . . Richard Owen, WRWSA**
- 8. Executive Director's Report . . . Richard Owen, WRWSA**
 - a. Bills to be Paid [June 2015 Bills to be Provided in hand-out]**
 - b. Annual Calendar of Fiscal Year 2015-16 Meeting Dates**
 - c. Correspondence**
 - d. News Articles**
 - e. Other**
- 9. Legislative Report . . . Diane Salz, Governmental Affairs Consultant**
- 10. Attorney's Report . . . Larry Haag, WRWSA Attorney**
- 11. Other Business**
- 12. Next Meeting Time and Location . . . August 19, 2015, 3:30 p.m., Lecanto Government Building, Room 166, 3600 W. Sovereign Path, Lecanto, Florida 34461**
- 13. Adjournment**

Please note that if a party decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting, that party will need a record of the proceedings, and for such purpose, that party may need to ensure that a verbatim record of the proceedings is made, which record includes that testimony and evidence upon which the appeal is to be based.

**Item 4.
Minutes**

**WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY
BOARD OF DIRECTORS MEETING MINUTES
June 17, 2015**

TIME: 3:30 p.m.
PLACE: Lecanto Government Building
3600 W. Sovereign Path, Room 166
Lecanto, Florida 34461

The numbers preceding the items listed below correspond with the revised published agenda.

1. Call to Order

Commissioner Dennis Damato, Treasurer, called the Withlacoochee Regional Water Supply Authority (WRWSA) meeting to order at 3:35 p.m. and asked for a roll call.

2. Roll Call

Richard Owen, Executive Director, called the roll and a quorum was declared present.

MEMBERS PRESENT

Dennis Damato, *Treasurer*, Citrus County Commissioner
Jim Adkins, Hernando County Commissioner
Robert Battista, Brooksville City Councilor
Ken Brown, Crystal River City Councilor
Gary Ernst, Belleview City Councilor
Nick Nicholson, Hernando County Commissioner

ALTERNATES PRESENT

Bruce Hickle, City of Bushnell
Flip Mellinger, Marion County

MEMBERS ABSENT

Al Butler, *Vice-Chairman*, Sumter County Commissioner
Stan McClain, *Vice-Chairman*, Marion County Commissioner
Earl Arnett, Marion County Commissioner
Kathy Bryant, Marion County Commissioner
Scott Carnahan, Citrus County Commissioner
Don Hahnfeldt, Sumter County Commissioner
Dale Swain, Bushnell City Councilor

3. Introductions and Announcements

STAFF PRESENT

Richard Owen, Executive Director
Larry Haag, WRWSA Attorney
Diane Salz, Governmental Affairs Liaison
Nancy Smith, WRWSA Administrative Assistant

OTHERS PRESENT

Al Grubman
Jan Grubman
Debra Burden, Citrus County Water Conservation

Richard Radack, DPW City of Brooksville
Angel Roussel, Hernando County Utilities Department
Chester Bradshaw, Watershed Environmentalist

4. Approval of Minutes

A copy of the May 20, 2015 minutes was provided in the Board packet for review.

Following consideration, a motion was made by Mr. Adkins to approve the minutes for the May 20, 2015 meeting. The motion was seconded by Mr. Brown and carried unanimously.

<Mr. Ernst arrived.>

5. Public Comment

There was no public comment.

6. SJRWMD Report on North Central Florida Water Initiative . . . Lou Donnangelo, SRJWMD

Mr. Owen advised the Board that Mr. Donnangelo informed him last week that he would not be able to attend today's meeting. Mr. Owen requested that Mr. Donnangelo attend the July 15th Board meeting, but he has not confirmed that he will be available at that meeting.

This item was presented for the Board's information; no action was required.

7. Resolution Opposing SWFWMD Headquarters Relocation . . . Richard Owen, WRWSA

Mr. Owen presented a draft resolution opposing the potential relocation of SWFWMD headquarters from Brooksville to Tampa. Following discussion at the May Board meeting, the Board directed staff to prepare a letter for the Chairman's signature to express the Authority's concerns with this potential move. A copy of the letter sent to the SWFWMD Governing Board was included in the Board's packet. The Board also directed staff to prepare a resolution for the June meeting. Staff recommends that the Board approve Resolution 2015-03 recommending that the SWFWMD maintain its headquarters in Brooksville, Florida. Discussion by the Board followed. Mr. Brown stated that the Crystal River City Council approved a resolution opposing any potential relocation of headquarters on June 8, 2015. He further asked that the Board include an additional whereas to more clearly state the value of actual infrastructure and investment in the facility in Brooksville.

Mr. Nicholson told the Board that he, Brooksville City Manager Ms. Norman-Vacha, and Mr. Sossamon, Hernando County Administrator, met with Robert Beltran, SWFWMD Executive Director, today regarding the potential relocation of SWFWMD headquarters. Mr. Beltran cited a study that encouraged SWFWMD to relocate its headquarters in order to attract and maintain the best employees. This report concluded that the best recruitment possibilities are in Tampa. Mr. Nicholson informed Mr. Beltran that this reasoning was an excuse. The next Governing Board meeting is June 23. However, the relocation issue is not on the Governing Board's agenda until the July 28th meeting. Mr. Nicholson and others plan to meet with Mr. Beltran prior to that meeting.

Following consideration, a motion was made by Mr. Adkins to approve Resolution 2015-03 recommending that SWFWMD maintain its headquarters in Brooksville, Florida as presented, with the addition of language in the fifth "whereas" statement as follows: "that could be put in jeopardy should the headquarters be relocated." The motion was seconded by Mr. Ernst and carried unanimously.

8. General Technical/Engineering As-Needed Services Contract Extensions . . . Richard Owen, WRWSA

Mr. Owen requested that the Board consider approving a one-year extension to seven existing General Technical/Engineering Contracts. These firms were selected following a Request for Qualifications process and may be called upon by the WRWSA to provide services as needed. The contracts between the WRWSA and the firms were for an initial term of three years, ending in November 2015, with the ability to extend each contract twice by a period of one year. Mr. Owen requested that the Board approve a First Addendum to each of the agreements with Atkins, C & D Engineering, Cardno, Hoyle, Tanner & Associates, Jones Edmunds, Progressive Water Resources and Water Resource Associates, with a new ending date of November 2016.

Following consideration, **a motion was made by Mr. Adkins to approve the First Addendum to the Agreements for General Technical/Engineering Services with the following seven firms: Atkins; C & C Engineering; Cardno; Hoyle, Tanner & Associates; Jones Edmunds; Progressive Water Resources; and Water Resource Associates. The addendum extends each contract by one year, from November 2015 to November 2016. The motion was seconded by Mr. Brown and carried unanimously.**

9. Executive Director's Report . . . Richard Owen, WRWSA

a. Bills to be Paid

Mr. Owen presented the June 2015 bills and requested approval of payment of the bills totaling \$44,418.43

Following consideration, **a motion was made by Mr. Ernst to approve payment of the June 2015 bills of \$44,418.43. The motion was seconded by Mr. Battista and carried unanimously.**

b. 2nd Quarter Financial Report

Mr. Owen presented the 2nd Quarter Financial report compiled by Purvis Gray and Company.

Following consideration, **a motion was made by Mr. Nicholson to accept the 2nd Quarter Financial Report as presented. The motion was seconded by Mr. Adkins and carried unanimously.**

c. Correspondence

Recent correspondence was provided in the Board's packet and handout. This item was presented for the Board's information; no action was required.

d. News Articles

Mr. Owen noted that the Board's packet and handout include several news articles. This item was presented for the Board's information; no action was required.

e. Administrative Services Contract

Mr. Owen presented a letter from Nancy H. Smith requesting termination of the agreement between the WRWSA and her firm for administrative assistant services. The agreement provides for a period of 60 days between notification and end of contract. Mr. Owen has begun the recruitment process with the goal of having a replacement by the July 15 Board meeting and allowing Ms. Smith to leave the Authority by the end of July.

Mr. Owen requested that the Board authorize the Executive Director to perform three actions in the process to select a new administrative assistant:

1. Enter into a contract for administrative support services in an annual amount not to exceed \$37,500. The contract will be substantively the same as the existing contract for administrative services and will be reviewed by the Authority's attorney.
2. Transfer \$2,200 from reserves for purposes of having the new administrative support staff overlap with the existing staff, and to amend the current budget to include these funds.
3. Transfer \$6,000 from reserves for the purchase of computer equipment, amending the current year budget to include these funds for that purpose, and for the Executive Director to purchase replacement computer equipment for an amount not to exceed \$6,000 and to surplus the existing equipment.

Following consideration, a motion was made by Mr. Nicholson to accept the letter of termination from Nancy H. Smith and to authorize the Executive Director to proceed with the steps as presented. The motion was seconded by Mr. Adkins and carried unanimously.

f. Other

- *Sumter Ag Alliance.* Mr. Owen informed the Board that he had been invited to speak at a recent meeting of the Sumter Ag Alliance. It was interesting to discuss water supply concerns with the agriculture industry. He told the Ag Alliance that the WRWSA and agricultural community needed to work in partnership, as water supply is critical to agriculture, to public supply and to the economy of the area.
- *Hernando Groundwater Guardians.* Mr. Owen attended the *Springs into Action* workshop on June 5. It was a great workshop and well attended. The WRWSA is a partial sponsor through the water conservation grant funding and was recognized for their contribution at the workshop.

11. Legislative Report . . . Diane Salz, Governmental Affairs Consultant

Mrs. Salz congratulated each of the local governments who will receive project funding based on the draft 2015-16 state budget. The Legislature reached an agreement on the budget on Tuesday, June 16 with a vote to be taken on Friday, June 19th. Mrs. Salz itemized funding for several local projects including Crystal River Kings' Bay pilot project, Silver Springs stormwater project, Ocala well and septic tank project, two Brooksville line items, one for drainage restoration and the second is for drainage correction project and a Lower Florida well in the City of Wildwood. She will continue to review the 1,000 page budget document and may have additional information to present at later meetings.

Mrs. Salz expects that discussion on new bills for water legislation will begin in August since the 2016 Legislative session begins in January. She also reminded the Board that a statewide appointed board, a Water Resource Advisory Council, was removed from the 2015 legislation, but she expects this idea to be a component of proposed legislation in 2016. This was to be a statewide-appointed board responsible for making recommendations on projects to the legislature. The water management districts, under the Department of Environmental Protection, are currently responsible for vetting projects. The water management districts also provide matching funds for the approved projects. The statewide Board may appeal to the larger projects and will likely not be sensitive to medium and small projects. She encouraged the Board members to discuss this issue with members of their legislative delegation. The Senate was in favor of a new appointed board while the House was not.

Board discussion followed. Mr. Damato said that there is already a model for reviewing projects and making recommendations to the legislature: that is the Springs Steering Committee. This model is a much better model and allows local input. Mr. Brown discussed that the Kings Bay project is a pilot study to remove, not dredge, lyngbya, from two canals leading into Hunters

Springs. The City is glad to have the project, but it is only a small portion of the problem and it is only a beginning point. Other actions would include continuation of the lymbya removal process, removal of septic tanks and installation of living shorelines.

12. Attorney's Report . . . Larry Haag, WRWSA Attorney

There was no report from the attorney.

13. Other Business

Chester Bradshaw, volunteer with Watershed Environmentalists, addressed the Board regarding legislative action on Amendment 1 and SB 536. There was urgent information presented in workshops by the SWFWMD regarding the Withlacoochee River. SWFWMD has not fully understood what has happened to the river, or what could and should be done. Amendment 1 included language for restoration projects to capture rainfall and restore watersheds and wetlands. Mr. Bradshaw asked the WRWSA to take a more aggressive role in natural wetlands and watershed restoration and to make it an agenda item.

14. Next Meeting Time and Location

The next meeting is scheduled for July 15, 2015, 3:30 p.m., at the Lecanto Government Building, Room 166, 3600 W. Sovereign Path, Lecanto, Florida 34461.

15. Adjournment

Chair Damato announced there was no further business or discussion to come before the WRWSA and adjourned the meeting at 4:26 p.m.

Al Butler, Chairman

Richard S. Owen, Executive Director

Item 6.
Irrigation Audit Program
Status Report

Item 6. Irrigation System Evaluation Programs Report . . . Nancy H. Smith, WRWSA

The WRWSA has two Cooperative Funding Initiative programs for residential water conservation currently under way: Phase 2 and Phase 3, Regional Irrigation System Evaluation Program. These programs are designed to assist the member utilities to reach and maintain a goal of 150 gallons of water used per capita per day.

PHASE 2, Regional Irrigation System Evaluation Program (N491): March 2013 through December 2015

Phase 2 began in March 2013. Utilities in Citrus, Hernando and Marion counties and two utilities in The Villages of Sumter County participate in this phase of the program.

Evaluations

- September 30, 2014: On-site evaluations complete.
 - 162 single-family residential sites evaluated or 42% of 384 anticipated evaluations.
- May 1, 2014 – September 2015: Follow up inspections.
 - 35 follow-up evaluations (22%) are completed to date

Water Savings Data Collection

- September and October 2015: the county utilities will collect the water use data for each participating customer for the pre-and post-evaluation time periods and submit that information to the WRWSA.

Final Report

- September 2015: Customer satisfaction surveys are being collected with a total of 48 (35% return) responses to date.
 - **November 30, 2015: The Final Report is due to the SWFWMD**
-

PHASE 3, Regional Irrigation System Evaluation Program (N640): October 2014 through September 2017

Phase 3 began October 1, 2015. This is a continuation of the Pilot and Phase 2 programs co-funded through the SWFWMD Cooperative Funding Initiative. Three county utilities participate in this phase: Citrus, Hernando and Marion. Jack Overdorff, Eco Land Design, was selected to provide the irrigation system evaluations and follow-ups at the WRWSA Board meeting on November 19, 2015.

Evaluations

- January 8, 2015 through January 16, 2016: On-site evaluations.
 - 68 irrigation system evaluations are complete, or 49 % of 140 target evaluations.
 - Citrus, 45; Hernando County, 15; and Marion County, 8 completed evaluations.

Program Completion Schedule

- January 2016 – January 2017: Follow-up inspections
- January 2016 – January 2017: Customer satisfaction surveys
- February and March 2017: Water savings data (pre-evaluation and post-evaluation) for participating customers will be collected by the utilities
- March 30, 2017: Final Report due

Staff Recommendation: This item is presented for information only; no action is required.

Item 7.
Local Government Grant
Applications

Item 7. Local Government Grant Applications Review . . . Richard Owen, WRWSA

At the Authority's March 18, 2015 meeting, the Board approved an allocation of \$130,000 for the Fiscal Year 2015-16 grants program. The Board also provided direction that the grants program should focus on supporting water conservation activities. The Authority has received three grant applications, one each from Citrus, Hernando and Marion counties. Exhibit A provides a summary of the applications while copies of the applications are included as exhibits to this item.

The three applications received reflect continuations of member government proven effective water conservation programs. Staff analysis of the applications indicates these water conservation programs continue to meet the Authority's grant program requirements. Staff representatives from Citrus, Hernando and Marion counties have been invited to provide a brief overview to the Board of their respective water conservation grant applications.

Staff Recommendation: Staff recommends Board approval of the grants in the amounts shown in Exhibit A for Fiscal Year 2015-16.

See Exhibit A and Applications.

Exhibit A

2015-16 WRWSA Grant Applications and Staff Recommendations

Applicant / Program	Amount Requested	Amount Recommended
Citrus County / Water Conservation	\$36,875	\$36,875
Hernando County / Water Conservation	\$47,750	\$47,750
Marion County / Water Conservation	\$35,475	\$35,475
Total	\$120,100	\$120,100



**Citrus County Board of County Commissioners
DEPARTMENT OF WATER RESOURCES**

3600 W. Sovereign Path, Suite 202
Lecanto, Florida 34461
Phone: (352) 527-7669 Fax: (352) 527-5429
www.bocc.citrus.fl.us

May 05, 2015

WCL-2015-02

Mr. Richard Owen, Executive Director
Withlacoochee Regional Water Supply Authority
3600 W Sovereign Path, Suite 228
Lecanto, FL 34461

Re: Local Government Water Supply Funding Assistance Program

Dear Mr. Owen,

Citrus County is seeking funding assistance through the 2016 Withlacoochee Regional Water Supply Authority's Local Government Water Supply Funding Assistance Program. Per the submittal requirements, enclosed are Citrus County's application, Resolution No. 2015-067 indicating that funds are budgeted, and a summary of project tasks and associated costs. Citrus County intends to expend all grant funding for the 2016 program by September 30, 2016.

The Withlacoochee Regional Water Supply Authority's annual grant funding allows Citrus County to offer valuable water conservation education and incentives. The Authority's continued support is greatly appreciated.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, reading "Debra R. Burden".

Debra R. Burden
Water Conservation Manager
Citrus County Department of Water Resources

Enclosures: Grant Application Form
Exhibit "A" Scope of Work
Citrus County BOCC Approved Resolution #2015-067

Cc: Ken Cheek, Director, Department of Water Resources

GRANT APPLICATION FORM:

Name of local government:

Citrus County Water Resources

List previous grants received from WRWSA and date completed:

Resolution 2014-059, \$40,250, to be completed September 2015

Resolution 2013-084, \$40,250, completed September 2014

Resolution 2012-071, \$50,000, completed September 2013

Resolution 2011-074, \$41,500, completed September 2012

Resolution 2010-075, \$45,000, completed September 2011

Resolution 2009-124, \$45,000, completed in August 2010

Resolution 2008-124, \$25,000, completed in August 2009

Resolution 2007-112, \$17,500, completed in August 2008

Short description of proposed water conservation project:

The Citrus County Water Resources water conservation program will offer its annual rebate incentives program to Citrus County Utilities customers. The rebates include water efficient toilets, high-efficiency clothes washers, rain sensors, and Water Sense irrigation controllers. The conservation program will continue to supply and install free indoor retrofit kits to customers, including low-flow showerheads, bathroom faucet aerators and kitchen faucet aerators. Grant funding will also support monthly bill inserts to Citrus County Utilities' customers, educational workshops, and other educational tools that support the water conservation program.

Attachments to application:

1. Resolution of support that includes the following commitments:
 - a. The local government will budget and expend its matching funds as required by the grant program.
2. A summary of the project tasks (scope of services) with estimated costs by task, if applicable.
3. A time schedule for the project and expected completion date that will be inserted in the local government contract.

Return Application to:

Richard S. Owen, Executive Director
WRWSA, 3600 W. Sovereign Path, Suite 228, Lecanto, Florida 34461

A copy of the guidelines for the Local Government Grants Program may be found at the Authority's web page. Go to www.wrwsa.org. On the Home Page click "Grant Program" on the menu at the left side of the page. Select the Grant Application Process" from the drop down menu.

RESOLUTION NO. 2015 - 067

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AUTHORIZING SUBMISSION OF THE WRWSA WATER CONSERVATION GRANT PROPOSAL AND, COMMITTING FUNDS TO MATCH GRANT FUNDING FOR A WATER CONSERVATION AND PUBLIC OUTREACH PROGRAM

WHEREAS, the Citrus County Board of County Commissioners recognizes and supports an ongoing effort to educate our customers and the general public on the importance of water conservation; and

WHEREAS, pursuant to the Citrus County Utilities' Consumptive Use Permits No. 20007121.006 and 20009791.008 and 20002842.010, the County must continue to develop, improve upon, and expand the water conservation programs to reduce demands on the water resources of the service areas and increase efficiency of use; and

WHEREAS, the Withlacoochee Regional Water Supply Authority provides funding assistance to local governments for projects and programs with an emphasis on water conservation; and

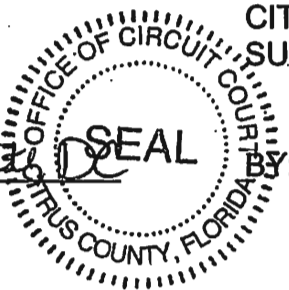
WHEREAS, the proposed Citrus County water conservation program meets the grant funding eligibility requirements of the WRWSA,

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida in regular session this 28th day of April, 2015, as follows:

Authorize staff to submit the WRWSA water conservation program grant proposal for submission to the WRWSA Board with estimated program costs as listed in Exhibit "A".

ATTEST:

for Tyanni L. White
ANGELA VICK, CLERK



CITRUS COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF FLORIDA

Scott Adams
SCOTT ADAMS, CHAIRMAN

APPROVED AS TO FORM FOR
THE RELIANCE OF CITRUS
COUNTY ONLY:

Denise Lyn
DENISE LYN
INTERIM COUNTY ATTORNEY

Exhibit A 2016

The following programs were created to increase water conservation awareness and reduce water consumption:

PROJECT	TASKS	COUNTY	WRWSA	TOTAL
Rebate Incentive Program	Offer rebates to customers for installing water efficient toilets, rain sensors, high-efficiency clothes washers, and WaterSense® approved irrigation controllers.	\$21,000	\$21,000	\$42,000
Faucet Aerator & Low-flow Showerhead Retrofit Program	Install/give away kitchen and bathroom faucet aerators and low-flow showerheads to reduce indoor water consumption.	\$3,375	\$3,375	\$6,750
Water Conservation Education & Programming	Bill inserts, advertisements, youth conservation education, retrofit and promotional items, and water conservation workshops.	\$12,500	\$12,500	\$25,000
Total:		\$36,875	\$36,875	\$73,750

Programming will begin October 2015. Citrus County intends to expend all grant funding by September 30, 2016.



FY 2015-16

GRANT APPLICATION FORM:**Name of local government:**

Hernando County Utilities Department

List previous grants received from WRWSA and date completed:

Grants: 2002-2015 All completed as required by 30 September of the Fiscal Year awarded.

Short description of proposed water conservation project:

Hernando County water conservation program includes incentive based programs/projects for HCUD customers. Countywide workshop and educational opportunities, student education, and conservation and resource protection messaging through a variety of media sources (radio, television, news print, social media).

Attachments to application:

1. Resolution of support that includes the following commitment:
 - The local government will budget and expend its matching funds as required by the grant program.
2. A summary of the project tasks (scope of services) with estimated costs by task, if applicable.
3. A time schedule for the project and expected completion date that will be inserted in the local government contract.

Return Application to:

Richard S. Owen, Executive Director
WRWSA, 3600 W. Sovereign Path, Suite 228, Lecanto, Florida 34461

A copy of the guidelines for the Local Government Grants Program may be found at the Authority's web page. Go to www.wrwsa.org. On the Home Page click "Grant Program" on the menu at the left side of the page. Select the "Grant Application Process" from the drop down menu.

DRAFT AGREEMENT

WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY LOCAL GOVERNMENT WATER CONSERVATION FUNDING ASSISTANCE PROGRAM

PROJECT GRANT AGREEMENT

This Agreement is made and entered into this ____ day ____, 2015, by and between the **WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY**, (hereinafter called the "AUTHORITY"), and ____, **FLORIDA**, (hereinafter called the "GRANTEE"), in furtherance of funding assistance in the development of the "____ WATER CONSERVATION PROGRAM". In consideration of the mutual covenants contained herein and pursuant to Chapter 163, Laws of Florida, Florida Interlocal Cooperation Act of 1969, as subsequently amended, and Section 373.1962(2)(l), Florida Statutes, the parties hereto agree as follows:

1. The AUTHORITY has found that the implementation of water conservation programs by a member government is the primary purpose of the project known as the "____ WATER CONSERVATION PROGRAM" (hereinafter called the "PROJECT"), and enters into this Agreement with the GRANTEE for assisting in the funding of water conservation programs more particularly described in its Application. The PROJECT application is attached hereto marked Exhibit "A" and made a part hereof.

2. The GRANTEE shall provide the AUTHORITY with a copy of the GRANTEE's contract documents executed for the PROJECT and the third party vendor providing said services in order to confirm the total project costs.

3. PROJECT FUNDING:

A. The AUTHORITY agrees to pay, on a reimbursement basis, to the GRANTEE, the sum of \$____ of the proposed \$0.00 total budget cost for the PROJECT.

B. The GRANTEE shall assume the first one-half (1/2) of said PROJECT costs before the AUTHORITY's reimbursement begins.

C. The GRANTEE shall provide the AUTHORITY with a schedule and description of "tasks" for the PROJECT with the cost associated with each task set forth.

D. All PROJECT reimbursement requests shall include all documentation required by the AUTHORITY for proper audit review. The GRANTEE shall certify that each request for payment is appropriate and that said task or portion thereof has been completed.

DRAFT AGREEMENT

E. The AUTHORITY shall, within sixty (60) days after receipt of a payment request, review the work accomplished to date under this Agreement and, if the work and payment request are in accordance with all applicable requirements, approve the request for payment.

4. GRANTEE shall ensure that all services procured and all purchases of goods obtained for the accomplishment of the PROJECT shall be secured in accordance with applicable State and Federal laws and in accordance with the GRANTEE's adopted procurement procedures.

5. GRANTEE shall follow all State and Federal laws relating to its established audit and accounting procedures and as they relate to said PROJECT and cost reimbursements.

6. The GRANTEE shall retain all records supporting PROJECT costs for three (3) years after the fiscal year in which the final PROJECT payment was released by the AUTHORITY or until final resolution of matters resulting from any litigation, claim or audit that started prior to the expiration of the three-year retention period. The AUTHORITY, State Auditor General, State Comptroller, and other agencies or entities with jurisdiction shall have the right to inspect and audit the GRANTEE's records for said PROJECT within the retention period.

7. This Agreement shall become effective upon execution and the GRANTEE shall complete preparation and/or construction of all PROJECT elements on or before _____. 2016. The completion date may be extended by the AUTHORITY for good cause at the written request of the GRANTEE and must be made prior to PROJECT completion date.

8. The AUTHORITY's Executive Director for the purposes of this Agreement shall be responsible for ensuring performance of its terms and conditions and shall be responsible for recommending approval of all reimbursement requests to the AUTHORITY prior to payment. The GRANTEE's Liaison Agent, as identified in the PROJECT application, or successor, shall act on behalf of the GRANTEE relative to the provisions of this Agreement.

9. The Executive Director shall have the authority to approve budget changes within individual tasks up to a total amount not to exceed TEN PERCENT (10%) of total project costs without Board approval.

DRAFT AGREEMENT

10. All monies expended by the GRANTEE for the purpose contained herein at the option of the AUTHORITY shall be subject to audit review.

11. Each party hereto agrees that it shall be solely responsible for the wrongful acts of its employees and agents. However, nothing contained herein shall constitute a waiver by either party of its sovereign immunity or the provisions of §768.28, Florida Statutes.

12. The GRANTEE shall comply with all federal, state, and local rules and regulations in developing this PROJECT. The GRANTEE acknowledges that this requirement includes compliance with all federal, state, and local health and safety rules and regulations. The GRANTEE further agrees to ensure that the GRANTEE's contract will include this provision in all subcontracts issued as a result of this Agreement.

13. The AUTHORITY reserves the right to inspect said PROJECT and any and all records related thereto at any reasonable time.

14. This Agreement may be unilaterally canceled by the AUTHORITY in the event the GRANTEE refuses to allow public access to all documents, papers, letters or other material made or received in conjunction with this Agreement pursuant to Chapter 119, Florida Statutes.

15. The AUTHORITY shall also have the right to demand a refund, either in whole or in part, of the funds provided to the GRANTEE for non-compliance with the terms of this Agreement if not cured within thirty (30) days of written notice thereof from the AUTHORITY. The GRANTEE, upon notification from the AUTHORITY, agrees to refund and will forthwith pay to the AUTHORITY, the amount of money demanded by the AUTHORITY. Such refund shall include interest calculated at two percent (2%) over the prevailing prime rate as reported by the Federal Reserve on the date the AUTHORITY calculates the amount of refund due. Interest shall be calculated from the date(s) of payment(s) to the GRANTEE by the AUTHORITY.

16. The employment of unauthorized aliens by a GRANTEE is considered a violation of Section 274A(e) of the Immigration and Nationality Act. If the GRANTEE knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of this Agreement. The GRANTEE shall be responsible for including this provision in all subcontracts with private organizations issued as a result of this Agreement.

DRAFT AGREEMENT

17. No person on the grounds of race, creed, color, national origin, age, sex or marital status shall be excluded from participation in; be denied the proceeds or benefits of; or be otherwise subjected to discrimination in performance of this Agreement.

18. This Agreement strictly prohibits expenditure of these funds for the purpose of lobbying the Florida Legislature, the judicial branch, or a state agency.

19. The GRANTEE shall have an audit performed in accordance with the Rules of the Auditor General promulgated pursuant to §11.45, Florida Statutes, and have a statement prepared by an independent certified public accountant which attests that the GRANTEE has complied with the provisions of this Agreement and whether the audit results in an unqualified opinion.

20. A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crime may not perform work as a grantee, contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in §287.017, Florida Statutes, or Category Two, for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

21. A copy of the audit and attestation as required in Paragraph 19 shall be submitted to the AUTHORITY within one (1) year from the PROJECT completion date as set forth in Paragraph 7 or as extended by the AUTHORITY.

22. This Agreement is not intended nor shall it be construed as granting any rights, privileges or interest in any third party without mutual written agreement of the parties hereto.

23. This Agreement represents the entire agreement of the parties. Any alterations, variations, changes, modification or waivers of provisions of this Agreement shall only be valid when they have been reduced to writing, duly executed by each of the parties hereto, and attached to the original of this Agreement.

DRAFT AGREEMENT

IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed on the date and year first above written.

WITHLACOOCHEE REGIONAL WATER
SUPPLY AUTHORITY

By: _____
[PRINT NAME]
Chairperson

ATTEST:

By: _____
RICHARD S. OWEN
Executive Director

LOCAL GOVERNMENT NAME, a political
Subdivision of the State of Florida

By: _____
[PRINT NAME]
Chairperson

ATTEST:

By: _____
[PRINT NAME]
Clerk of Court

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: _____
[PRINT NAME]
Attorney

APPROVED AS TO FORM AND CORRECTNESS:

By: _____
LARRY M. HAAG
Attorney for Authority

RESOLUTION NO. 2015- 59

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, SITTING AS THE GOVERNING BOARD OF THE HERNANDO COUNTY WATER AND SEWER DISTRICT, SUPPORTING THE HERNANDO COUNTY UTILITIES DEPARTMENT'S "LOCAL GOVERNMENT WATER SUPPLY ASSISTANCE PROGRAM" APPLICATION TO THE WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY FOR THE DEVELOPMENT OF A COUNTYWIDE WATER CONSERVATION AND QUALITY PROTECTION PROGRAM; AUTHORIZING THE CHAIRMAN TO EXECUTE THE APPLICATION AND ANY RELATED DOCUMENTS THAT MAY BE REQUIRED; AUTHORIZING THE DIRECTOR OF THE UTILITIES DEPARTMENT TO DESIGNATE APPROPRIATE STAFF TO PERFORM THE TECHNICAL, FINANCIAL AND ADMINISTRATIVE ACTIVITIES ASSOCIATED HERewith; PROVIDING THAT THIS RESOLUTION SUPERSEDE PRIOR ACTIONS IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

WHEREAS, the Hernando County Water and Sewer District (the "District") was created by ordinance and established in all of the unincorporated area of the county; and

WHEREAS, the Hernando County Board of Commissioners (the "Board") is the Governing Board of the District; and,

WHEREAS, the Hernando County Utilities Department (the "HCUD") is responsible for the operation and maintenance of the water and wastewater facilities and infrastructure of the county; and,

WHEREAS, the Board recognized that in order to protect the water resources of unincorporated Hernando County and to properly plan for the future needs of its citizens, the establishment of a Water Conservation and Water Resource Protection Program for the County and the District is essential; and,

WHEREAS, the Southwest Florida Water Management District (the "SWFWMD") has identified water conservation as an essential planning and protection element of its water resource management program; and,

WHEREAS, the Withlacoochee Regional Water Supply Authority (the "Authority") was established, of which Hernando County is a member, to provide an entity to help ensure that an adequate and safe supply of water is available for the citizens of the region and the county; and,

WHEREAS, the Authority has established the "Local Government Water Supply Funding Assistance Program" to which a member may apply for cooperative funding for water supply projects or projects relating to the development of water supply; and,

WHEREAS, the Authority has determined that the establishment and development of water conservation programs support and further the intention of the water supply development of the region; and,

WHEREAS, the HCUD has submitted an application to the Authority's funding assistance program to seek financial assistance in the development of a countywide water conservation program (the "Project") in order to provide water conservation education throughout the entire county.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

SECTION 1. The above recitals are incorporated herein by reference and made a part hereof.

SECTION 2. The Board of County Commissioners ("Board") hereby gives its official support for the Hernando County Utilities Department to submit an application to the Withlacoochee Regional Water Supply Authority for cooperative funding in the development of the County's water conservation program.

SECTION 3. The Board, in order to meet the terms of the financial assistance program, agrees to budget and expend on the Project an amount equal to or greater than the required fifty percent (50%) matching funds as required by the program.

SECTION 4. The Board understands and agrees that it shall expend its required matching funds prior to the Authority expending its fifty percent (50%) match for the Project.

SECTION 5. The Board hereby authorizes its Chairman to execute the referenced Application and the Board further authorizes its Chairman to execute such additional documents including, compliance assurances and related documentation required by the Authority in connection with the foregoing.

SECTION 6. The Board further authorizes HCUD, Director Susan Goebel-Canning, to designate appropriate staff to perform the technical, financial and administrative activities associated herewith.

SECTION 7. In the event of any conflict between this Resolution and any prior resolution or actions of the Board, this Resolution shall supersede and control.

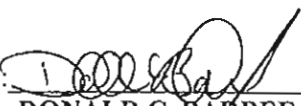
SECTION 8. If any section or part of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or part of this Resolution.

SECTION 9. This Resolution shall take effect immediately upon its adoption.


ADOPTED IN REGULAR SESSION THIS 12 DAY OF MAY, 2015 IN BROOKSVILLE, FLORIDA.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest:


**DONALD C. BARBEE, JR.
CLERK OF COURT &
COMPTROLLER**

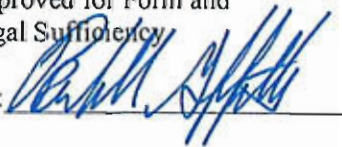
By:


**NICHOLAS W. NICHOLSON
CHAIRMAN**



Approved for Form and
Legal Sufficiency

By:



**WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY
LOCAL GOVERNMENT WATER SUPPLY FUNDING ASSISTANCE PROGRAM
DESCRIPTION OF PROPOSED PROJECT FOR FISCAL YEAR 2016**

**HERNANDO COUNTY UTILITIES DEPARTMENT
WATER CONSERVATION AND WATER RESOURCE PROTECTION PROGRAM**

Overview

The Hernando County Utilities Department (HCUD) is one of the first local governments in the Southwest Florida Water Management District (SWFWMD) to establish a conservation water rate structure and beginning in 2007 a drought rate/ emergency rate structure. The drought rates are applied when the SWFWMD declares water shortages and customers use over 20,000 gallons of water a month. Average water use in the residential sector (single-family homes) is approximately 8000 gallons a month. Hernando County Utilities Department supplies safe potable water and waste water services to nearly 85% of Hernando County. HCUD's customer accounts including, residential, commercial and industrial totals nearly 60,000 accounts. Hernando County was also one of the first local governments to implement a rain sensor rebate program for customers. We have continued these incentive-based water conservation programs including, low flow toilets, irrigation evaluation and audit programs, Florida Friendly certified landscapes, participation in Florida Friendly Landscaping programs and are adding rebate for high efficiency washing machine as a pilot program for this fiscal year. These programs, along with many others, show the deep commitment this utility has to the protection and conservation of Hernando County's water supply.

Information is collected from Hernando County residents and other water conservation program participants on types of programs that they believe is the most important. Using that information we put together a monthly series of water related programs. The Water Conservation Division of Hernando County Utilities Department holds monthly educational seminars. These programs collectively titled Hernando County Water Awareness Series 2015 covered a variety of water-related subjects and were the most highly attended programs we have had to date. This programs included: Homeowners Guide to Micro-Irrigation, Florida Friendly Landscaping for Beginners, Landscape Tree Workshop (where we gave away trees to the participants), Activities and stewardship of publicly held lands, Go Natives!, Rivers Run Through Here !, The A-B-C's of T-U-R-F!, Don't Worry, Be Happy! A hurricane preparedness program. Each program was recorded and shown on Hernando County Government Broadcast and shown on Brighthouse Channel 644. The series is being broadcast on our local government cable channel 644, which currently has a subscription rate of 33,000 and each program is shown once a week on WATER WEDNESDAY'S. Through the WRWSA Local Government Grant Program we support this division. The WRWSA provided support to this group and helped facilitate this important set of educational presentations.

Our most impact oriented program was with another volunteer group, Hernando County's Groundwater Guardian Team, which has been instrumental bringing the importance of the protection of springs, groundwater quality and quantity to local officials and residents. As a requirement for this team to stay affiliated with the National Groundwater Guardian

Foundation we have a series of Result Oriented Activities that are accomplished each year. The Groundwater Guardians are responsible for organizing and promoting a workshop every two years that targets local government leaders and community leaders on a variety of water related issues, best management practices and groundwater protection. SPRINGS INTO ACTION is our next 2015 is scheduled for the next Local Government Leaders Workshop. These workshops were supported by the WRWSA, Southwest Florida Water Management District, and private corporate partners. Promotional and educational items have been and are being used to educate the residents of Hernando County.

The assistance of the WRWSA Local Government Water Supply Funding Assistance Program, all residents of Hernando County may benefit by the water conservation and water quality programs.

PURPOSE & PROPOSED INITIATIVES

Major elements of the program consist of:

County-wide user advisory committee (Groundwater Guardian Team);
In-school education program (Springs Coast Environmental Education Center, Gulf Coast Academy of Science and Technology)
Conservation Messaging Campaign
Customer and Residents Incentive Programs and education pilot project.

In order to better serve all of the citizens of Hernando County, those served by the county's utility system as well as those who use private wells or customers of the City of Brooksville, the county is applying to the WRWSA for funding assistance in the continued development and expansion of its water conservation and quality protection program. With this funding, the programs will include all water users of the county.

Groundwater Guardian Team

This group is authorized by the Hernando County Board of County Commissioners and is organized under the auspices of the National Groundwater Foundation. Members represent the major water users of Hernando County. The user groups represented are power industry, agriculture, development, manufacturing, and recreational industries as well as representatives from the school system, city and county governments, and the Southwest Florida Water Management District (SWFWMD) and citizens. This group has developed, in accordance with the national foundation requirements, a "Result Oriented Plan" and implemented activities to communicate the importance of ground water protection in the community. The Team received its designation as a Groundwater Guardian Community in 2002 through 2015. The extraordinary efforts of this committee have received attention by the National Groundwater Foundation. This year the National Groundwater Foundation asked for (water resource manager and coordinator of the Hernando County Groundwater Guardian Committee) to speak at a national water conference in Las Vegas, NV. More recently was recognized for the Springs Partner Award from the SWFWMD. In order to retain its designation, the Team and the community must apply its plan and submit an annual report on the progress of implementation. The Hernando County Groundwater Guardians also bring groundwater protection issues to the Planning and Zoning Commission and Board of County Commissioners. (Budget items: educational materials, travel, field trips/seminars, award ceremonies, web site upkeep,

postage, meeting costs and other materials necessary to complete their Result Oriented Activities.)

Springs Coast Environmental Education Center (SCEEC)

The SWFWMD purchased Weeki Wachee Springs and the attraction property to be part of the Weeki Wachee Preserve. The District has committed approximately \$750,000 to construct an environmental education center on the property, under the condition that the Hernando County School District supply teachers, curriculum and equipment. The Hernando County Water and Sewer District (HCW&SD) Board and the Hernando County Board of County Commissioners have pledged to support this endeavor and have authorized a contribution to the Education Center. The doors of the unique learning center opened in April 2005. Initially it will serve fourth grade students of Hernando County, with plans to increase participation to through High School students. This past year the (SCEEC) hosted over 6,000 Hernando County students. The Hernando County Utilities Department has specifically provided support for the development of a water resource/quality protection and water conservation module of the curriculum. By providing support to the center, the Utilities Department is allocating its resources to those skilled in working with students - teachers. In addition, creation of the curriculum module ensures that a consistent and continuing message will be embedded in the educational process. In FY 2008 we added the Gulf Coast Academy of Science and Technology to our student educational efforts. GCA is committed to providing a unique education through weekly field experiences integrated with a hands-on advanced middle school curriculum. (Budget item: Springs Coast Environmental Education Center, Gulf Coast Academy)

Water Conservation media messaging campaign:

This campaign includes radio and televised educational programming through Hernando County Government Broadcast. SWFWMD has partnered with us in the past and they continue to assist by preparing radio spots and local media campaigns. The innovative and instructional media messages broadens public awareness and heightened the acceptance of water conservation was a way of life. As a partner in the campaign we have the opportunity to "tag" each message with our own contact information. Our "tag" has both the Hernando County Utilities Department and Withlacoochee Regional Water Supply Authority. (Budget items: commercial airtime, radio and print media)

Water Conservation (HCUD customer's only) Incentive Programs:

Through innovative conservation programs, the Hernando County Utilities Department will encourage residents to conserve our valuable water supply. Incentive programs include: Sprinkler Check Up program for high water users, continued participation with the regional irrigation evaluation and audit program. Our partners include, Withlacoochee Regional Water Supply Authority, Southwest Florida Water Management District, Citrus and Marion Counties. Other water conservation customer incentive programs include a Rain Sensor Rebate Program (\$50.00), Low-Flow Toilet Replacement Program (\$100.00), and promotion of Florida Friendly Landscaping workshop, where customer attendees receive a "tuition" reimbursement on their water bill. Incentives also help further the promotion of Hernando County's Florida Friendly

Landscaping (FFL) program. Customer rebates include a \$25 rebate for participating in the FYN rain barrel workshops and another \$25 rebate is available for certifying their landscape as a Florida Friendly Landscape. We are adding a new water conservation incentive program for FY 2016, High Efficiency Washing Machine rebates. (Budget items: water conservation incentive program features, such as low flow toilets, rain sensors, irrigation audits, Et/soil moisture sensors)

CONCLUSION

The above elements of the Hernando County Utilities Department's Water Conservation/Water Resource Program are diverse and purposefully set up that way. An effective water conservation program for a public supply utility must reach all of its customers and must strive to change behavior and attitudes towards conservation of water in order to affect reliable, long-term results. This must be accomplished through a multi-functional approach including education, outreach, and financial incentives.

IMPLEMENTATION SCHEDULE

All of the above projects and initiatives will be ongoing throughout this fiscal year (2015/2016). Funds from the current (FY2015) WRWSA assistance program will be encumbered by September 30, 2015. This meets the requirement in order to submit funding request for 2016 fiscal year. The water conservation initiatives for 2016 will begin October 1, 2015 and conclude with all grant assistance funds being encumbered by September 30, 2016.

*These descriptions are in lieu of the required "Scope of Services" and task list. The cost of the projects correlate to the items as identified in the attached Proposed Budget.

**FY 2016 Conservation Project Budget
Hernando County Utilities Department
Withlacoochee Regional Water Supply Authority
Funding Assistance Program**

Springs Coast Environmental Learning Center	\$4,000		
Gulf Coast Academy	\$3,000		
Water conservation/Quality Curriculum, texts, equipment		Total:	\$7000
Promotional Items & Workshops			
Pencils, pens, magnets (giveaways)	\$ 5,500		
Flyers, brochures, (educational information)	\$ 11,000		
Florida Friendly Landscape Workshop, Program			
Speaker stipends, venue rental	\$ 1,000		
		Total	\$17,500
Conservation Advertising Campaign			
Commercial media spots (television, radio, print)	\$ 5,000		
Hernando County Government Broadcast	\$ 8,000		
(broadcast of water conservation workshops, educational video and broadcast media commercial)			
		Total	\$13,000
Water Conservation (Customer) Incentives Program:			
Sprinkler Check Up Program	\$8,000		
High Efficiency Washing Machine Pilot Program	\$15,000		
Rain Sensor Rebate Program 2016	\$8,000		
Toilet Rebate Program 2016	\$20,000		
Florida Friendly Landscaping, Rain barrel workshops	\$1,500		
		Total	\$52,500
Presentation/Workshop Equipment			
Projector	\$ 1000	Total	\$1,000
Water Awareness Program-Citizen's Workshops			
(materials, field trips, stipend for speakers, travel)		Total	\$ 2,000
Groundwater Guardians			
(training, materials, field trips, web site upkeep, display Awards, travel)		Total	\$ 2,000
Florida Friendly Landscape Demonstration Supplies			
(items for FFL demonstration gardens)		Total	\$ 500
TOTAL PROPOSED BUDGET		TOTAL	\$ 95,500
Withlacoochee Regional Water Supply Authority share	(50%)	Total	\$47,750



Marion County
Board of County Commissioners

Office of the County Engineer

412 SE 25th Ave.
Ocala, FL 34471
Phone: 352-671-8686
Fax: 352-671-8687

June 18, 2015

Richard Owen, Executive Director
Withlacoochee River Water Supply Authority
3600 W. Sovereign Path, Suite 228
Lecanto, FL 34461

RE: FY 2015-2016 Water Conservation Grant Package for Marion County
Subject

Dear Withlacoochee Regional Water Supply Authority,

Enclosed you will find Marion County's application for your local government grant program. We are grateful for the Authority's support of our water conservation programs and look forward to continued collaboration in this all important endeavor.

Should you have any questions or concerns, please feel free to contact this office at (352) 671-8672.

Sincerely,

A handwritten signature in black ink, appearing to read "Jacob Arnette".

Jacob Arnette
Water Resources Coordinator

Encl: Grant Application Package for Marion County

"Meeting Needs by Exceeding Expectations"



GRANT APPLICATION FORM:

Name of local government:

Marion County

List previous grants received from WRWSA and date completed:

2015 - \$32,350 to be completed September 30, 2015

2014 - \$38,600 September 30, 2014 2013 - \$34,900 September 30, 2013

2012 - \$39,000 September 30, 2012 2011 - \$37,500 September 30, 2011

2010 - \$23,000 September 30, 2010 2009 - \$28,250 September 30, 2009

Short description of proposed water conservation project:

Marion County Water Resources and Marion County Utilities work cooperatively to plan, implement, and manage a comprehensive, goal-based water conservation program for the Marion County Board of County Commissioners. The program is conducted through public outreach, indirect public education, and direct water conservation incentives. The County requests funding for conservation initiatives including billing inserts, low-flow device distribution, irrigation system evaluations, and landscape/irrigation retrofit rebates which directly reduce water use among citizens of Marion County.

Attachments to application:

1. Resolution of support that includes the following commitment:
 - The local government will budget and expend its matching funds as required by the grant program.
2. A summary of the project tasks (scope of services) with estimated costs by task, if applicable.
3. A time schedule for the project and expected completion date that will be inserted in the local government contract.

Return Application to:

Richard S. Owen, Executive Director
WRWSA, 3600 W. Sovereign Path, Suite 228, Lecanto, Florida 34461

A copy of the guidelines for the Local Government Grants Program may be found at the Authority's web page. Go to www.wrwsa.org. On the Home Page click "Grant Program" on the menu at the left side of the page. Select the "Grant Application Process" from the drop down menu.

Program Description

The following is a breakdown of the costs of the various projects that Marion County requests grant funding for during fiscal year 2015/16:

Landscape and Irrigation Retrofit Rebates	\$ 40,000
Irrigation Evaluation Program (continuation)	\$ 18,750
Low-Flow Retrofit Kits to Homeowners (continuation)	\$ 5,000
Bi-monthly Utility Bill Inserts	\$ 7,200
Total Project Costs	\$ 70,950
50% Project Costs	\$ 35,475

These projects represent only a portion of the County's on-going Water Use Efficiency Program. A cost-share of \$ 35,475 will help to offset the cost of performing indoor and outdoor retrofits and conducting public outreach. The remainder of the program costs will be funded by the Marion County Board of County Commissioners and other cooperative partners.

Grant Timeline

Landscape and Irrigation Retrofit Rebates

Enroll participants	10/1/2015 – 8/1/2016
Issue rebates	10/1/2015 – 9/30/2016
Final report	1/31/2017

Irrigation Evaluations

Enroll participants	9/1/2015 – 9/1/16
Perform irrigation audits	10/1/2015-9/30/2016
Follow-up audits conducted	4/1/2016 – 4/1/2017
Final Irrigation Audit Report	6/1/2017

Low-Flow Kits for Homeowners

Order retrofit kits	10/1/2015 – 6/1/2015
Distribute and track retrofit kits	10/1/2015 – 9/30/2016

Bi-Monthly Utility Bill Inserts

Develop and print materials	10/1/2015 – 7/30/2016
Send inserts	10/1/2015 – 9/30/2016

RESOLUTION NO. 15 R- 182

A RESOLUTION OF MARION COUNTY, FLORIDA SUPPORTING THE MARION COUNTY BOARD OF COUNTY COMMISSIONERS' APPLICATION FOR LOCAL GOVERNMENT WATER SUPPLY FUNDING ASSISTANCE FROM THE WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY FOR LOCAL WATER CONSERVATION PROGRAM EFFORTS.

WHEREAS, the Marion County Board of County Commissioners (Board) recognizes the importance of efficient water use to protect and sustain its local water supply and related natural resources; and

WHEREAS, the Board is required by permit to promote water conservation initiatives, which include but are not limited to conservation rate structures, a countywide landscape irrigation ordinance, homeowner workshops, and irrigation evaluation and education services; and

WHEREAS, the Withlacoochee Regional Water Supply Authority (Authority), through its own recognition of the importance of water use efficiency, has created a local government water supply assistance program which provides funding to member governments specifically for water conservation projects; and

WHEREAS, the Board is seeking a grant through the Authority's funding assistance program for landscape and irrigation retrofit rebates and homeowner-education elements of its overall water conservation programming in Fiscal Year 2015/2016; and

WHEREAS, the Board is required, according to the terms of the Authority's funding assistance program, to budget and expend matching funds equal to or greater than fifty percent (50%) of the amount of the requested grant;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, that:

1. Marion County Board of County Commissioners supports the application to the Withlacoochee Regional Water Supply Authority for local program funding for the 2015/2016 fiscal year.
2. Marion County Board of County Commissioners agrees to budget \$70,950 as part of its on-going Water Use Efficiency Program.

This resolution shall become effective immediately upon adoption of the final budget for Fiscal Year 2015/2016 by the Board of County Commissioners of Marion County, Florida.

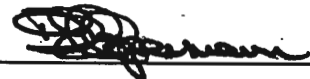
PASSED AND DULY ADOPTED this 16th day of June, 2015

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA

A handwritten signature in black ink, appearing to read "Stan McClain", is written over a horizontal line.

STAN MCCLAIN, CHAIRMAN

ATTEST:

A handwritten signature in black ink, appearing to read "David R. Ellspermann", is written over a horizontal line.

DAVID R. ELLSPERMANN, CLERK

Item 8.b.
WRWSA Annual Calendar

18

19

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**Item 8.b. Annual Calendar of Fiscal Year 2015-16 Meeting Dates . . . Richard Owen,
WRWSA**

The Authority is required to follow Florida Statute Chapter 189 concerning meeting notices. In response to these statutory requirements, the Authority publishes an annual calendar of meeting dates that is approved by the Board. Any changes to the meeting dates, times or locations must be published in area newspapers to notice the change from the originally published calendar.

Staff Recommendation: Staff recommends Board approval of the Fiscal Year 2015-16 meeting calendar as shown in the Exhibit, including any changes directed by the Board at the meeting.

See Exhibit.

Exhibit 8.b.

**Withlacoochee Regional Water Supply Authority
Fiscal Year 2015-16 Board Meeting Dates**

Location of Meetings:

Lecanto Government Building
Room 166, 3600 W. Sovereign Path
Lecanto, Florida 34461

Start Time: 3:30 p.m.

Meeting Dates:

October 21, 2015
November 18, 2015
December 16, 2015
January 20, 2016
February 17, 2016
March 16, 2016
April 20, 2016
May 18, 2016
June 15, 2016
July 20, 2016
August 17, 2016
September 21, 2016

Item 8.c.
Correspondence



July 2, 2015

David L. Moore, P.G.
Atkins North America, Inc.
4030 W. Boy Scout Boulevard, Suite 700
Tampa, Florida 33607

Dear Mr. Moore:

The Withlacoochee Regional Water Supply Authority and Atkins North America, Inc. entered into an Agreement for Technical/Engineering Services dated November 2012. This Agreement was for an initial three-year term with a provision for two one-year extensions to the Agreement. This Agreement is set to expire in November 2015 and the Authority desires to extend the term of the Agreement for one year with no changes in other Agreement provisions.

On June 17, 2015, the WRWSA Board approved an Addendum to the Agreement to extend the term by one year. We have enclosed two original copies of the Addendum for your approval. Please approve both originals, insert the appropriate date on the first page, keep one for your files and return one completed original to the Authority.

Please contact me should you have any questions or wish to discuss this matter. Thank you for your continued interest in the WRWSA.

Sincerely,

Richard S. Owen, AICP
Executive Director

Enclosure

RSO:nhs

**FIRST ADDENDUM TO AGREEMENT FOR GENERAL PROFESSIONAL
ENGINEERING/TECHNICAL SERVICES BETWEEN THE
WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY AND
ATKINS NORTH AMERICA, INC.**

THIS FIRST ADDENDUM is made and entered into this _____ day of July, 2015, by and between the **WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY**, a independent special district created pursuant to Section 373.1962, Florida Statutes, whose address is 3600 W. Sovereign Path, Suite 228, Lecanto, FL 34461, (hereinafter referred to as "AUTHORITY"), and **ATKINS NORTH AMERICA, INC.**, whose address is 4030 W. Boy Scout Blvd., Suite 700, Tampa, FL 33607, (hereinafter referred to as "CONSULTANT").

WHEREAS, AUTHORITY and CONSULTANT entered into an Agreement for General Professional Engineering/Technical Services on the 28th day of November, 2012; and,

WHEREAS, said Agreement provides, in SECTION 16. TERM OF AGREEMENT, that the term of the Agreement is for three years and may be extended for two one-year periods upon mutual written agreement of both parties; and,

WHEREAS, AUTHORITY and CONSULTANT wish to enter into this Addendum in order to extend the original Agreement for an additional year.

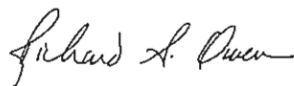
NOW THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

1. The above recitals are true and correct and made a part of this Agreement.
2. The Agreement between the parties dated November 28, 2012, is hereby extended for an additional one (1) year period.

3. The remainder of the original Agreement shall remain in full force and effect except as modified by this First Addendum.

IN WITNESS WHEREOF this First Addendum to Agreement for General Professional Engineering/Technical Services is entered into by the parties' duly authorized representatives on the date first above written.

**WITHLACOOCHEE REGIONAL WATER
SUPPLY AUTHORITY**



By: _____
RICHARD S. OWEN, AICP
Executive Director

ATTEST:

By:  _____
NANCY H. SMITH

ATKINS NORTH AMERICA, INC.

By: _____
Printed Name: _____
Title: _____

ATTEST:

By: _____
Printed Name: _____
Title: _____

Item 8.d.
News Articles

Amendment 1 Lawsuit Filed: Legislature Must Defend Its 'Land' Rationale

By NANCY SMITH

June 22, 2015 - 6:30pm

Insisting the Legislature has ignored Florida voters, environmental litigator Earthjustice filed suit Monday to compel lawmakers to comply with Amendment 1, Water and Land Legacy, in the state Constitution.

The suit (see attached document below) was filed in Leon County Circuit Court on behalf of the Florida Wildlife Federation, the St. Johns Riverkeeper, and the Environmental Confederation of Southwest Florida.

"The Legislature did not do what the amendment requires," said Manly Fuller, president of Florida Wildlife Federation. "Seventy-five percent of Florida voters approved this amendment last November, and they were clear that they want the state to buy conservation land. Instead, the Legislature took the money and used it for things it should not be spent on. This is a slap in the face to Florida voters, and it should not stand."

Fuller, with Earthjustice attorney David Guest and St. Johns Riverkeeper Lisa Rinaman, spoke with the press in a telephone conference after the suit was filed.

"The constitutional amendment is clear" said Guest. "A third of the tax on real estate deals is to be used to prevent every last inch of Florida land from getting chewed up by development. But most lawmakers are simply not listening. That's why we have to go to court."

Asked why the lawsuit was filed ahead of the governor's signature, Guest said the defendant is the Legislature, not the governor.

He said getting a temporary injunction was a consideration, but to do that, the plaintiffs would have to put up a bond in the tens of millions of dollars.

Guest emphasized that the lawsuit doesn't specify what lands should be bought or where. "We're not saying this is what you have to do, we're saying this is what you can't do," he said.

"We want the courts to identify what's permissible." The amendment is about management of qualifying lands, Guest said, not, for example, about maintenance of state forests, which were never part of the amendment. "There's tens of millions of dollars in salaries for the Department of Forestry (taken from Amendment 1 money)."

The Water and Land Conservation Amendment requires that, for the next 20 years, 33 percent of the proceeds from real estate documentary-stamp taxes go for land acquisition. For the upcoming year, the share of the real-estate tax is projected to bring in more than \$740 million.

"It's sad that a positive groundswell of popular support for conserving Florida's best places has come to this," said Rinaman. "It's a shame we have to go to court to force legislators to do what their constituents directed."

Becky Ayech of the Environmental Confederation of Southwest Florida did not participate in the conference call, but said this in a prepared release: "As a citizen who has worked her whole life to save what's left of our beautiful state, I was so happy to see Florida voters pass the Water and Land Conservation Amendment last fall by such a huge margin. And now, to see that victory get wrecked by a political bait-and-switch leaves me and so many other people outraged. We need the legal system to set this right."

In a statement issued Monday night, House Speaker Steve Crisafulli said, "The fact that the Legislature received news of the lawsuit from the media reveals much about the plaintiffs' motivation. The Legislature complied with both the spirit and the letter of the Constitution, and we look forward to defending against this politically motivated lawsuit."

According to the office of Senate President Andy Gardiner, these were the major environmental "issues" funded from the Land Acquisition Trust Fund (\$748.2 million) and other revenue sources and included in the budget sent to Gov. Rick Scott on Friday:

- Springs Protection – \$50 million (\$43.6 million LATF and \$6.4 million GR).
- Land Management Funding Increase \$77.4 million (\$1.8m GR, \$67.8m LATF and \$7.8m from other TF sources).
- Everglades Restoration \$81.8 million (\$22.9 million GR; \$58.9 million LATF).
- Beaches \$32.1 million (\$25 million LATF and \$7.1 million GR). State funds will leverage over \$100 million in local and federal funds.
- Land Acquisition \$55 million. This includes \$20 million for the Kissimmee River, \$32.4 million for Florida Forever programs, of that \$15 million for Rural and Family Lands, and \$2.6 million for other land purchases.
- Local Parks/FRDAP \$6 million.
- \$93.4 million for the Drinking Water and Wastewater Revolving Loan programs. State funds match federal funds, \$1 to \$5.
- Small County Wastewater grant program \$16 million; and

- Water Projects \$73.3 million (requests totaled over \$750 million).

The amendment did not provide new or additional revenue. Existing environmental programs were included with Amendment 1 documentary stamp tax revenue. Approximately 21 percent of current documentary stamp revenue supports environmental programs, and these expenditures were continued, according to the Senate president's office.

The constitutional amendment directed 33 percent to LATF. The General Revenue Fund, the fund that supports Florida's school system, health care, and other state needs was reduced \$174 million with implementation of Amendment 1.

Existing environmental programs supported from a documentary total \$482.4 million (\$473.2 million in the General Government Subcommittee programs and \$9.2 million for Historical Resources in the TED subcommittee). This is for existing debt obligations, almost \$200 million, and program base operations, such as Invasive Plant Control, Land Management (support for the State Park system, Forestry in the Department of Agriculture, Wildlife Management Areas and Lake Restoration in the Fish and Wildlife Commission), and Water Resource protection programs in DEP, Springs protection, Everglades, and the establishment of Total Maximum Daily Loads and Minimum Flows and Levels that protect water quality and quantity.

According to a memorandum dated May 13, 2013, from Florida's Water & Land Legacy, the amendment sponsors said they "see no legal reason why these dedicated revenues could not be used to fund" these purposes.

- See more at: http://www.sunshinestatenews.com/story/amendment-1-lawsuit-filed-legislature-must-defend-its-land-rationale?utm_source=Constant%20Contact&utm_medium=email&utm_campaign=Morning%20Lead&utm_source=June+23%2C+2015&utm_campaign=Morning+Lead+3%2F19&utm_medium=email#sthash.yn8woxbr.dpuf

Reach Nancy Smith at nsmith@sunshinestatenews.com or at 228-282-2423. Twitter: @NancyLBSmith

Subject: Fwd: TB Times: Environmentalists sue state over Amendment 1 conservation spending

From: Diane Salz <dialz@yahoo.com>

Date: Mon, Jun 22, 2015 4:38 pm

To: Nancy Smith <nsmith@wrwsa.org>, Richard Owen <richardowen@wrwsa.org>

Sent from my iPhone

Begin forwarded message:

From: Ryan Duffy <Ryan.Duffy@hkstrategies.com>

Date: June 22, 2015 at 4:33:41 PM EDT

To: Ryan Duffy <Ryan.Duffy@hkstrategies.com>

Subject: TB Times: Environmentalists sue state over Amendment 1 conservation spending

<http://www.tampabay.com/blogs/the-buzz-florida-politics/environmentalists-sue-state-over-amendment-1-conservation-spending/2234637>

Environmentalists sue state over Amendment 1 conservation spending

By Michael Auslen

Tampa Bay Times

June 22, 2015

Environmental group Earthjustice is suing the Florida Legislature and its leaders over their budget's use of money set aside for conservation by Amendment 1.

The lawsuit filed in Leon County on Monday against Senate President Andy Gardiner and House Speaker Steve Crisafulli alleges that almost half of the Amendment 1 money in the budget is being used for purposes that aren't permitted under state law.

"The Legislature did not do what the amendment requires," Florida Wildlife Federation president Manley Fuller said in a statement. "Seventy-five percent of Florida voters approved this amendment last November, and they were clear that they want the state to buy conservation land. Instead, the Legislature took the money and used it for things it should not be spent on. This is a slap in the face to Florida voters, and it should not stand."

The issue has drawn significant controversy since 75 percent of voters supported Amendment 1 last November. The amendment directs more than \$700 million to be spent on conservation.

The lawsuit was filed on behalf of the Florida Wildlife Federation, the St. Johns Riverkeeper, and the Environmental Confederation of Southwest Florida.

Subject: Fwd: H2O Coalition Clips, 6/22/15

From: Diane Salz <disalz@yahoo.com>

Date: Mon, Jun 22, 2015 11:53 am

To: Nancy Smith <nsmith@wrwsa.org>, Richard Owen <richardowen@wrwsa.org>

Sent from my iPhone

Begin forwarded message:

From: Ryan Duffy <Ryan.Duffy@hkstrategies.com>

Date: June 22, 2015 at 11:25:37 AM EDT

To: Ryan Duffy <Ryan.Duffy@hkstrategies.com>

Subject: H2O Coalition Clips, 6/22/15

<http://www.orlandosentinel.com/opinion/os-ed-water-land-funds-alan-hays-062115-20150619-story.html>

Column: State budget exceeds Amendment 1's requirements

By Alan Hays
Orlando Sentinel
June 21, 2015

In November 2014, 4.2 million Floridians, roughly 20 percent, or one in five of the nearly 20 million people who call our state home, voted in favor of the Water and Land Conservation Amendment (Amendment 1).

As stated in the ballot summary, the amendment dedicates 33 percent of documentary-stamp tax revenue to "acquire, restore, improve and manage conservation lands including wetlands and forests; fish and wildlife habitat; lands protecting water resources and drinking water sources, including the Everglades, and the water quality of rivers, lakes, and streams; beaches and shores; outdoor recreational lands; working farms and ranches; and historic or geologic sites," for 20 years.

The Legislature has worked diligently to implement this amendment, which will set aside \$741.8 million from existing revenue this year. It is projected to generate \$22.3 billion over the next 20 years.

The good news is the Legislature did not wait for the passage of Amendment 1 to renew its dedication to funding Florida's environment; nor did we limit funding for this purpose to the mandatory \$741.8 million.

Recovering from a recession that impacted every area of the budget, the Legislature last year appropriated well more than \$3 billion in funding for environmental programs, dedicating approximately 21 percent of documentary-stamp revenue as well as general revenue, federal grants and other state funds to conserve, protect and enhance the natural resources we Floridians treasure.

This tremendous level of funding demonstrates the long-term and broad-based commitment to conservation by our local, state and federal governments that has led to the purchase of more than 10 million total government-owned acres across Florida, a commitment clearly reflected in the balanced budget the Legislature passed on Friday.

The 2015-16 budget provides substantial funding for land acquisition, springs protection, recreational trails and restoration of the Everglades. The budget provides nearly \$200 million to pay for existing debt the state owes within Florida Forever, the Everglades and the Florida Keys. In addition to dedicating more than \$50 million toward the purchase of even more conservation land, the budget dedicates hundreds of millions to improve the management of and expand public access to lands the taxpayers already own.

We also dedicated tens of millions to nourish Florida's beaches, restore our lakes and protect rural and family lands from development. We set aside funds to protect endangered plants and to mitigate the harm caused by invasive species that threaten various habitats across Florida. We also allocated significant funding to improve the quality of our water resources.

As you can see, there is a whole lot more to being a conservationist than acquiring property.

And while the proponents of Amendment 1 would now like us to believe their purpose was to require the state to purchase more land, the ballot language above clearly shows there is no requirement to spend a specific portion solely on land acquisition. Neither does the language indicate the entire sum is to be used for new purchases.

Rather, the actual text of the amendment recognizes the broader responsibility in protecting and improving the state's natural resources. In fact, arguing in favor of Amendment 1 before its passage, proponents contended the amendment would not require cuts to other programs or increases in revenues since nothing in the amendment prevented the use of funds for existing programs, including operating expenses.

Some have compared Amendment 1 funding for the environment to the Florida Lottery funding dedicated to education. Let's be clear: The lottery generated new funding for the state. Amendment 1 does not generate any new funding. Rather, it mandates the allocation of an existing revenue stream now be set aside to fund environmental purposes. Currently, about 21 percent of doc-stamp revenue supports environmental programs, and these expenditures were continued. Amendment 1 required an increase to 33 percent, so the general revenue fund that supports our school system, health care and other state needs was reduced by \$174 million to implement the amendment.

Addressing Florida's environmental needs is a marathon, not a sprint. Our budget not only meets, but by every measure exceeds the requirements of Amendment 1, which, unlike the current rhetoric, recognizes that being good stewards of Florida's natural beauty means more than simply buying land.

Sen. Alan Hays represents District 11, which consists of parts of Lake, Marion, Orange and Sumter counties. He has served the last three terms as chair of the Senate Appropriations Subcommittee on General Government, which includes agriculture and natural resources.

<http://www.ocala.com/article/20150620/ARTICLES/150629997?Title=Unhappy-Amendment-1-backers-mull-their-next-move>

Unhappy Amendment 1 backers mull their next move

By Christopher Curry
Ocala Star-Banner
June 20, 2015

Some of driving forces behind Amendment 1 say the Legislature played the lottery and land conservation lost.

The political committee and others behind the water and land conservation constitutional amendment that passed with 75 percent support in November are drawing parallels between how the budget that lawmakers passed Friday spends the approximately \$742 million set aside by the measure and how the Legislature spent money generated by the Lottery following the 1986 voter referendum that approved over-the counter gambling in Florida.

The lottery was sold to voters as a way to enhance education funding but the money generated was quickly used as a substitute for general fund dollars and other sources in building the state education budget.

Representatives of Florida's Water & Land Legacy, the political action committee with members from more than a dozen environmental groups that formed to push Amendment 1, say the lawmakers are following that route again.

Alik Moncrief with Florida's Water & Land Legacy estimated that nearly \$230 million of the money that the amendment put into the state's land acquisition trust fund will be used as a substitute for general fund dollars and other sources to fund existing environmental programs' operating and administrative costs instead of going to restore the spending on land conservation purchases that dried up in the wake of the recession.

"Clearly that was not the intent," Alachua County Commissioner Robert "Hutch" Hutchinson, the former executive director of the Alachua Conservation Trust and an Amendment 1 backer, said of the Legislature's spending plan. "It's a Lottery switcharoo."

Leaders in the Legislature say they're spending the money legally and properly.

"There's not one word in the text of the amendment that prohibits land acquisition trust fund dollars from being spent on existing environmental programs that are otherwise eligible for funding under the amendment," House Agriculture & Natural Resources Subcommittee Chair Ben Albritton R-Bartow, said in prepared comments on the House floor Thursday. "If the amendment was intended to restrict the use of funds to new programs only, it could have been easily written to do so."

Eventually, a court may decide if the Legislature is following the letter of the law.

Moncrief said the Water 7 Land Legacy committee is keeping all options open at this point and has not ruled out a lawsuit or decided to pursue one.

What is certain right now is that Florida Forever – the state's signature conservation land purchasing program and the focal point of the political campaign to pass the amendment – will receive a pittance compared to salaries and personnel costs.

The 2015-16 budget puts \$15.1 in Amendment 1 monies and a total of \$17.4 million into Florida Forever, a far cry from the \$300 million a year heyday backers sought to see return.

By comparison, a review of the line items in the budget showed more than \$145 million going toward the salaries and benefits of employees in departments including the Florida Forest Service, the Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission, the Department of Agriculture and Consumer Services and the Florida Geological Survey.

Of that total, \$40.55 million will go to salaries and benefits of employees in the Florida Forest Service, \$28 million to state parks employees' salaries and benefits and \$11 million for boating law enforcement employees in the FWC.

Money will also flow to risk management insurance, some vehicle replacements, million in miscellaneous program expenses and to pay the state Department of Management Services for handling human resources services. In his comments on the House floor, Albritton defended those spending decisions.

"Government programs cannot function without the people and resources necessary to implement them," he said. "We cannot manage our conservation lands without well-equipped land managers or improve water quality in our lakes and rivers without scientists and technicians who work in the field with the resources to get the job done. That's one reason Land Acquisition Trust Fund dollars are used to pay the salaries and other expenses necessary to implement environmental programs authorized by the amendment."

Albritton went on to say that Amendment 1 authorized spending in a broad series of areas, not just on the purchase of conservation land, and the Legislature was implementing the "letter and spirit" of the measure.

Moncrief said the intent was to restore funding for programs gutted in recent years, to enhance spending to protect environmentally sensitive lands, springs and other water resources and add to the state's system of nature parks.

"When voters passed Amendment 1, they were not directing the Legislature to change how they do environmental bookkeeping," she said.

The ballot language for Amendment 1 says the measure will for 20 years direct one-third of the money raised by the state document stamp tax on real estate transactions to the land acquisition trust fund "to acquire, restore, improve, and manage conservation lands including wetlands and forests; fish and wildlife habitat; lands protecting water resources and drinking water sources, including the Everglades, and the water quality of rivers, lakes, and streams; beaches and shores; outdoor recreational lands; working farms and ranches; and historic or geologic sites."

The text of the constitutional amendment itself says the money will go "to finance or refinance the acquisition and improvement of land, water areas, and related property interests" including: conservation easements, wetlands, forests, fish and wildlife habitat; wildlife management areas; lands that protect water resources, drinking water sources, rivers, lakes, streams and springsheds; lands providing recharge for groundwater and aquifer systems; lands in the Everglades Agricultural Area and the Everglades Protection Area; beaches and shores; outdoor recreational lands such as recreational trails, parks, and urban open space; rural landscapes; working farms and ranches; and historic or geologic sites.

The money could also go to pay off the debt on prior conservation land purchases – and there is \$191 million going toward that – and toward the "management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands."

Of the money Amendment One directed to the land acquisition trust fund, nearly \$59 million goes to the Everglades restoration, more than \$38 million goes to springs restoration, \$25 million to beach renourishment, \$20 million to state parks improvements and \$15 million to conservation easements.

There's also funding for some programs that springs groups in this area have questioned as ineffective or as an improper use of public springs protection money.

There's nearly \$22 million to help agricultural businesses implement best management practices to reduce water use and pollution from things like nitrates. Of that, \$5 million is targeted toward operations near springs.

About \$10 million will go toward the state's total maximum daily loads (TMDL) program that sets caps on pollution and clean-up targets for water bodies. Money will also go toward setting the minimum flows and levels on water bodies at a time when area springs advocates say the MFLs recently set for the Ichetucknee and Lower Santa Fe rivers do not sufficiently protect rivers already deemed to have a reduced flow.

State Rep. Keith Perry R-Gainesville, noted that the House had sought to put more monies toward land conservation purchases but some leaders in the Senate opposed the plan to do so by issuing bonds.

"In the end, as with a lot of bills, to get something passed, it is a compromise," Perry said. "With the budget, and with every issue, someone is not going to be happy. One thing I can say it is is constitutional."

State Sen Rob Bradley R Fleming Island, whose district includes Alachua County, had pushed during the regular session to increase the flow of Amendment One monies toward conservation land purchases. Bradley says he's pleased about the money going toward springs restoration but he wants to see funding increased for the 2016-17 budget year.

"This was a unique session and the debate over health care took up a lot of air," Bradley said. "I look forward to having a more robust discussion about Amendment One and long-term decisions on that money next session."

<http://www.tampabay.com/news/politics/stateroundup/talk-of-big-legislative-session-for-environment-proved-wrong/2234478>

Talk of big legislative session for environment proved wrong

By Michael Auslen
Tampa Bay Times
June 20, 2015

TALLAHASSEE — Before a bitter dispute over health care funding ground the Legislature to a halt, this was going to be the year for water issues and the environment.

Four million voters had just passed Amendment 1, directing money to conservation. The new House speaker considered water policy among his top priorities, and economists projected a budget surplus. Plus, lawmakers pledged to pass legislation they said would protect springs and boost environmental spending.

"As our economy continues to improve, there will be huge increases of spending on environmental issues," House Speaker Steve Crisafulli, R-Merritt Island, said in January as he announced his joint agenda with the Senate president.

That never happened.

No meaningful environmental policy made its way into law, and the budget approved Friday by lawmakers during a special session includes \$48 million less in environmental spending than they included last year.

"The environmental part of the session wasn't a bang — it was a whimper," said Eric Draper, executive director of the Florida Audubon Society. "It started out with big expectations and didn't produce."

Draper and other conservation advocates point to what they say are serious lapses in the Legislature's handling of environmental issues.

"On the whole, it's just clear there's a war on the environment in this state in terms of the attitude and the hostility," said Clay Henderson, an Orlando lawyer who helped write Amendment 1.

Among the victories environmental groups consider when looking back on both the regular and special session is that lawmakers made no harmful changes to state law. They say the failure of Crisafulli's signature water bill could be counted as a win because it would have done little to protect the environment.

Those same groups say lawmakers actively ignored the will of voters by budgeting too little of the \$772 million set aside by Amendment 1 for buying new conservation lands and too much for salaries and agency operations. Half the money from the amendment will be spent on existing programs previously funded elsewhere in the budget.

"There is no way you can read that amendment to pay for those salaries," Draper said.

Republican lawmakers responsible for writing the budget agree that the state should buy more land so it can be conserved. Senate Budget Chairman Tom Lee, R-Brandon, said that he expects activists to be underwhelmed by the numbers and that "we can do better."

But Lee and others have countered claims that they ignored voters' intentions, and they've said environmentalists' critiques are unfair.

"We cannot manage our conservation lands without well equipped land managers or improve quality in our lakes and rivers without scientists and technicians who work in the field with the resources they need to get the job done," said Rep. Ben Albritton, R-Wauchula, the House's agriculture budget chairman, on Thursday.

Another top House policymaker on water and the environment, Rep. Matt Caldwell, R-North Fort Myers, called out those who have accused legislators of violating the Constitution, saying the claims are "spurious" and "obnoxious."

"It is the same to me as if you came and accused me of adultery on my wife," he said. "I am afraid people have become far too flippant when making that charge."

There's a clear divide between environmental groups and the elected officials who set conservation policy, especially in the case of Amendment 1, which was supported by three-quarters of voters.

It's not partisan, said Will Abberger, chairman of the Amendment 1 sponsor committee, though the House and Senate are controlled by Republicans.

Rather, it's a disagreement that stretches back a long time. Henderson, the lawyer who helped write Amendment 1, said much of the state's cleanup efforts today are the result of bad policies as the state grew rapidly in the past few decades.

Among the most sought-after cash in the budget is just over \$70 million devoted to fixing sewers and drainage in communities across the state. It's more money than the amount earmarked to buy land. Henderson said the problem is a lack of planning for the kind of infrastructure required for Florida to grow as quickly as it did.

"For years, we've just developed this state on the cheap," he said.

The clamor over water project money perplexes Draper, who said lawmakers should instead be fighting for money to buy new land that can be turned into state parks and wildlife preserves.

"Why does a legislator want to be able to brag about getting a sewer line, but they can't brag about getting a park?" Draper asked. "Can you imagine the mayor of St. Petersburg or the mayor of Tampa, if they had the opportunity to have a new park, would they be running away from it?"

Despite the acrimony, there are some areas where environmentalists and legislators can find common ground:

- In the budget that's now awaiting approval from Gov. Rick Scott, lawmakers set aside about \$50 million to restore and clean the state's freshwater springs. An additional \$81.8 million will be spent on preserving the Everglades.
- A proposed statewide network of trails will get \$25 million, and \$32.1 million will be used to clean up and preserve beaches.
- Debate over Crisafulli's water policy has forced the issue of clean water into discussions in the Capitol.

Those are victories that even the most critical environmental activists have lauded as important steps forward for Florida's natural resources and protecting water quality.

More changes could be coming soon.

Even before the special session ended, both groups started looking toward next year's session, when some issues that got dumped overboard this year could resurface.

Senate President Andy Gardiner, R-Orlando, said he wants to bring back the water and springs legislation. He also hopes to create more oversight over land purchases. Lee said he expects more Amendment 1 money to be freed up with each year's budget cycle, which could mean more funds for land acquisition.

"We need to take the long-term view," Lee said. "I'm sure the Legislature is going to get there. ... I think we can and I think we will do better over time."

Contact Michael Auslen at mauslen@tampabay.com. Follow @MichaelAuslen.

<http://www.heraldtribune.com/article/20150622/COLUMNIST/150619572/2127?Title=Robert-Martineau-Amendment-1-doesn-t-require-Legislature-to-fund-land-acquisition&tc=ar>

Column: Amendment 1 doesn't require Legislature to fund land acquisition

By ROBERT J. MARTINEAU

Sarasota Herald-Tribune

June 22, 2015

Florida newspapers have been nearly unanimous in condemning the Legislature for failing to carry out the will of the voters as expressed in Amendment 1, adopted last November, by not spending substantial funds to purchase or restore land for conservation purposes. The Herald-Tribune has published three editorials, a guest column, articles and letters to the editor, all claiming that the Legislature is violating at least the spirit of Amendment 1 to the state Constitution, adopted last fall by 75 percent of Florida voters, by not funding land purchases and restoration.

The amendment's ballot title read: "Water and Land Conservation-Dedicates funds to acquire and restore Florida conservation and recreation lands." The summary that appeared on the ballot began by stating: "Funds the Land Acquisition Trust Fund to acquire, restore, improve, and manage conservation lands. ..." Both the summary and the amendment, however, list 14 different types of properties covered in addition to conservation lands, including beaches and shores, farms and ranches, and historic and geologic sites. Thus the amendment includes not only acquiring conservation lands but other types of properties. It also included, in addition to acquisition, the restoring, improving, and managing of these properties and "enhancement of public access or recreational enjoyment of conservation lands."

To fund all of these activities, the amendment dedicated at least 33 percent of revenue from the excise tax on legal documents to be paid into the existing Land Acquisition Trust Fund. To prevent the Legislature from diverting the fund to other purposes, it prohibited transferring any of the fund into the state's general fund.

There are two main problems with the amendment. First, while it requires the documentary tax money to be put into the Land Acquisition Trust Fund, it does not require that any of the money be spent. It is simply there to be spent as provided in the budget adopted by the Legislature. There is no constitutional mandate to spend the money.

Second, given the broad description of the items that can be funded, the criticisms that the Legislature is violating the amendment by spending the fund on purposes other than the acquisition and restoration of conservation land are neither fair nor accurate. Unfortunately, Amendment 1 is so broadly written that it does not require the Legislature to use any of the fund for purchasing substantial amounts of — or even any — land for conservation purposes.

It allows the funds to be used not only to acquire and restore but to "improve and manage." It would have been difficult to have come up with broader words to allow for use of the funds for purposes other than land acquisition. Further, the range of properties included in the list — from beaches and historic or geologic sites to working farms and urban open spaces — is virtually open-ended, going far beyond large areas of open land. Even worse, the inclusion of "enhancing public access and recreational enjoyment" of any of the types of properties that can be acquired or improved is limitless. It is not an exaggeration to say it includes not only bike and hiking paths but roads and bridges to beaches, beach renourishment, golf courses or even hotels. These are all within the meaning of improving public access and recreational enjoyment.

Another defect in the amendment is that it does not set a minimum percentage of the fund that can be used only for acquisition. If it required a third or half of the fund to be used solely to acquire conservation lands, particularly open, undeveloped land, the Legislature could not use it solely or primarily for improvements in access and enjoyment.

The amendment also lacks a procedure to bypass legislative refusal to carry out the properly expressed intent. If it had established a committee that included a broad range of interests to draw up a list of conservation land to be acquired with trust funds, the Legislature could not avoid using the fund as the voters intended.

The past unwillingness of the Legislature to fund the acquisition and restoration of conservation lands gave rise to the demand for a constitutional amendment to force it to do so. The overwhelming vote for Amendment 1 shows the people of Florida want that to happen. Unfortunately, Amendment 1 was so poorly drafted it does not accomplish its primary goal. The Legislature may be making a bad policy choice not to fund the purchase of conservation land, but it is not violating Amendment 1. The only realistic remedy is another initiative amendment in 2016 to correct the defects in Amendment 1.

Robert J. Martineau of Sarasota County is Distinguished Research Professor of Law (Emeritus), University of

Cincinnati. He taught legislative drafting for many years, is the author of three books on drafting laws including constitutional amendments in plain English, and has extensive legislative drafting experience.

<http://www.theledger.com/article/20150622/EDIT02/150629888>

Letter to the Editor: Lawmakers Should Be Lauded for Their Environmental Work

Lakeland Ledger
June 22, 2015

Florida lawmakers should be commended for their wise and forward-looking priorities reflected in their environmental appropriations agreed to recently. They recognized the Everglades for what it is: a state treasure worthy of additional funds (\$81.8 million) to enable critical restoration projects to move forward.

Additionally, the \$20 million allocated for land purchases for the purpose of bringing improvement to the Kissimmee River is a great compliment.

Targeting the restoration of natural springs, to the sum of \$47.5 million, will help areas all over the central and northern parts of our state. Also, considering more than 28 percent of Florida land is already in conservation, \$17.4 million apportioned for Florida Forever is an appropriate designation.

The legislature showed tremendous financial restraint by not bonding money and potentially sending our state into debt. While interest rates may be low, debt is debt.

With dedicated, recurring Amendment 1 revenue guaranteed for 20 years, it is good government policy to reject incurring additional debt unless absolutely necessary.

Amendment 1 called for money to be used: "to acquire, restore, improve and manage conservation lands ... including the Everglades..."

While some from the more extreme side of environmentalism will criticize these allocations because they insisted land buying should be the priority, Floridians who voted for Amendment 1 should be pleased that positive steps toward the intended purpose of the voter-approved funds will be taken.

Legislators have honored the will of the people and negotiated effectively for the good of our state.

DAN PETERSON

Director

Center for Property Rights

The James Madison Institute

Tallahassee