

**Northwest Florida Water Management District
Governing Board Meeting Minutes
December 17, 2020**

1. Opening Ceremonies

Called to order at 1:03 p.m.

Brett Cyphers called the roll and a quorum was declared present.

Present: George Roberts, Chair; Jerry Pate, Vice Chair; Gus Andrews; Ted Everett; Nick Patronis; Kellie Ralston

2. Special Thanks and Recognition

None.

3. Changes to the Agenda

Removed: Agenda Item 19.

4. Approval of the Minutes for November 19, 2020

MOTIONED BY NICK PATRONIS, SECONDED BY KELLIE RALSTON, THAT THE GOVERNING BOARD APPROVE THE MINUTES FROM NOVEMBER 19, 2020. NO PUBLIC COMMENT WAS GIVEN. MOTION CARRIED.

5. Approval of the Financial Reports for the Month of October 2020

MOTIONED BY KELLIE RALSTON, SECONDED BY GUS ANDREWS, THAT THE GOVERNING BOARD APPROVE THE FINANCIAL REPORTS FOR THE MONTH OF OCTOBER 2020. NO PUBLIC COMMENT WAS GIVEN. MOTION CARRIED.

6. Consideration of Inspector General's Long Term and Annual Audit Work Plans

MOTIONED BY NICK PATRONIS, SECONDED BY KELLIE RALSTON, THAT THE GOVERNING BOARD APPROVE THE INSPECTOR GENERAL'S THREE-YEAR AUDIT WORK PLAN FOR FISCAL YEARS 2020-21 THROUGH 2022-23 AND AN ANNUAL AUDIT WORK PLAN FOR 2020-21. NO PUBLIC COMMENT WAS GIVEN. MOTION CARRIED.

7. Consideration of Fiscal Year 2021-2022 Preliminary Budget

MOTIONED BY TED EVERETT, SECONDED BY GUS ANDREWS, THAT THE GOVERNING BOARD APPROVE THE FISCAL YEAR 2021-2022 PRELIMINARY BUDGET AS PRESENTED AND ALLOW STAFF TO MAKE CHANGES BASED ON COLLABORATION WITH THE EXECUTIVE OFFICE OF THE GOVERNOR AND DEPARTMENT OF

ENVIRONMENTAL PROTECTION AND SUBMIT THE FINAL DOCUMENT TO THE LEGISLATURE BY JANUARY 15, 2021. NO PUBLIC COMMENT WAS GIVEN. MOTION CARRIED.

8. Consideration of Acceptance of Appraisals and Approval of Purchase and Sale Agreement for the Purchase of a Conservation Easement on Bruce Forest, LLC, Property located in Jackson County

MOTIONED BY KELLIE RALSTON, SECONDED BY NICK PATRONIS, THAT THE GOVERNING BOARD ACCEPT THE APPRAISALS PREPARED BY TRIGG, CATLETT & ASSOCIATES AND BELL, GRIFFITH & ASSOCIATES FOR THE BRUCE FOREST, LLC, PROPERTY LOCATED IN JACKSON COUNTY, AND AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE PURCHASE AND SALE AGREEMENT, CONSERVATION EASEMENT, AND ALL CLOSING DOCUMENTS ON BEHALF OF THE DISTRICT WITH BRUCE FOREST, LLC, FOR THE ACQUISITION OF LESS-THAN-FEE SIMPLE (CONSERVATION EASEMENT) FOR \$222,275.30, SUBJECT TO THE TERMS AND CONDITIONS OF THE AGREEMENT AND APPROVAL OF THE AGREEMENT BY LEGAL COUNSEL AND THE SELLER, AND AUTHORIZE THE EXECUTIVE DIRECTOR TO CORRECT TECHNICAL OR SCRIVENER ERRORS IN THE DOCUMENTS RELATED TO THIS ACQUISITION. NO PUBLIC COMMENT WAS GIVEN. MOTION CARRIED.

9. Consideration of Amendment No. 1 to the Hodson Conservation Easement located in the Econfina Creek WMA

MOTIONED BY NICK PATRONIS, SECONDED BY KELLIE RALSTON, THAT THE GOVERNING BOARD APPROVE AMENDMENT NO. 1 TO THE HODSON CONSERVATION EASEMENT AND AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE AMENDMENT, SUBJECT TO LEGAL COUNSEL REVIEW. NO PUBLIC COMMENT WAS GIVEN. MOTION CARRIED.

10. Consideration of Grant Agreement with Arbor Day Foundation

MOTIONED BY TED EVERETT, SECONDED BY KELLIE RALSTON, THAT THE GOVERNING BOARD AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH ARBOR DAY FOUNDATION TO RECEIVE A GRANT IN THE AMOUNT OF \$107,099.63 CONTINGENT UPON GOVERNING BOARD APPROVAL OF AN AMENDMENT TO THE FISCAL YEAR 2020-2021 BUDGET. NO PUBLIC COMMENT WAS GIVEN. MOTION CARRIED.

11. Consideration of Grant Agreement Extension for the North Bay Wastewater Reuse Project

MOTIONED BY TED EVERETT, SECONDED BY KELLIE RALSTON, THAT THE GOVERNING BOARD APPROVE EXTENDING THE GRANT AGREEMENT FOR THE BAY COUNTY NORTH BAY WASTEWATER REUSE PROJECT TO DECEMBER 31, 2021. NO PUBLIC COMMENT WAS GIVEN. MOTION CARRIED.

12. Grant Cycles for Springs and Alternative Water Supply Development

Informational purposes only.

13. Project Update: Lake Munson Innovative Technology Harmful Algal Bloom Abatement

Informational purposes only.

14. Comparison of Stream Responses to Hurricanes Michael and Sally, with Consideration of Effects of Debris Removal

Informational purposes only.

15. Rulemaking Update – Minimum Flow(s) for the Wakulla and Sally Ward Spring System

Informational purposes only.

16. Regulatory Metrics Update

Informational purposes only.

17. Executive Director’s Performance Evaluation

MOTIONED BY GUS ANDREWS, SECONDED BY NICK PATRONIS, THAT THE GOVERNING BOARD ACCEPT THE EVALUATIONS AND CONTINUE BRETT CYPHERS’ EMPLOYMENT ON HIS CURRENT TERMS. NO PUBLIC COMMENT WAS GIVEN. MOTION CARRIED.

18. Legal Counsel Report

No pending cases in which the District is a party.

Mr. Brannen provided an update on the case referenced below.

*Carmen Diaz vs. Northwest Florida Water Management District, and Palafox, LLC
State of Florida, Division of Administrative Hearings Case No. 19-5831*

19. Diaz v. Northwest Florida Water Management District and Palafox, LLC, DOAH Case No. 19-005831, Permit No. IND-73-288406-1, Consideration and Issuance of Supplemental Final Order

Removed.

Meeting was adjourned at 3:20 p.m.

NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT
 Financial Report
 Summary Statement of Receipts, Disbursements & Cash Balances
 For Month Ending November 30, 2020

Balance Forward - Operating Funds		\$41,361,715.10
Operating Funds Received in current month:		
Revenue Receipts, Current	\$611,809.51	
Contracts Receivable	432,080.41	
Other Deposits/Refunds/Adjustments	31,288.76	
Transfers from Lands Accounts	0.00	
Total Deposits during month	1,075,178.68	
Total Deposits and Balance Forward		\$ 42,436,893.78
Disbursements:		
Employee Salaries	544,306.46	
Employee Benefits	223,411.32	
Employee Flexible Spending Account	0.00	
Contractual Services (Professional)	496,926.33	
Operating Expenses - Services	67,117.06	
Operating Expenses - Commodities	10,062.10	
Operating Capital Outlay	1,050.00	
Grants and Aids	1,132,905.28	
Total Operating Expenses during month	2,475,778.55	
Payables, Prior Year	124,856.55	
Other Disbursements or (Credits)	24,366.24	
Total Funds Disbursed by check during month	2,625,001.34	
Bank Debits (Fees, Deposit Slips, etc.)	0.00	
Transfer to Land Acquisition Account	0.00	
Total Funds Disbursed		2,625,001.34
Cash Balance Operating Funds at month end		\$ 39,811,892.44
Operating Depositories:		
Petty Cash Fund	250.25	
Bank of America:		
General Fund Checking	904,863.01	
Payroll Account	6,325.76	
Passthrough (EFT) Account	0.00	
Investment Accounts:		
Fla. Board of Administration @ 0.22%		
General Fund	14,654,289.44	
Lands Fee Fund	5,618,194.82	
SWIM Fund	90,213.27	
Water Prot. & Sust. Program TF	100,140.40	
Okaloosa Regional Reuse	2,506,383.29	
Mitigation Fund	15,931,232.20	
Total Operating Depositories at month end		\$ 39,811,892.44

NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT
 Financial Report
 Summary Statement of Receipts, Disbursements & Cash Balances
 For Month Ending November 30, 2020

Land Acquisition Funds:

Fla. Board of Administration @ 0.22%	\$	300,008.80	
Total Land Acquisition Funds			300,008.80

Restricted Management Funds:

Fla. Board of Administration Phipps Land Management Account @ 0.22%		56,965.51	
Total Land Acquisition Funds			

Fla. Board of Administration Cypress Springs R&M Account @ 0.22%		844,826.16	
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Total Restricted Land Management Funds			<u>901,791.67</u>
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Total Land Acquisition, and Restricted Management Funds			<u>1,201,800.47</u>
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TOTAL OPERATING, LAND ACQUISITION, & RESTRICTED FUNDS AT MONTH END			<u><u>\$ 1,201,800.47</u></u>
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Approved: _____
 Chairman or Executive Director

Date: _____ January 14, 2021 _____

Northwest Florida Water Management District
Statement of Sources and Uses of Funds
For the Period ending November 30, 2020
(Unaudited)

	Current Budget	Actuals Through 11/30/2020	Variance (under)/Over Budget	Actuals As A % of Budget
Sources				
Ad Valorem Property Taxes	\$ 3,587,899	\$ 502,728	\$ (3,085,171)	14%
Intergovernmental Revenues	77,583,585	-	(77,583,585)	0%
Interest on Invested Funds	382,820	17,184	(365,636)	4%
License and Permit Fees	437,500	100,075	(337,425)	23%
Other	4,510,476	143,891	(4,366,585)	3%
Fund Balance	26,699,885		(26,699,885)	0%
Total Sources	\$ 113,202,165	\$ 763,878	\$ (112,438,287)	1%

	Current Budget	Expenditures	Encumbrances ¹	Available Budget	%Expended	%Obligated ²
Uses						
Water Resources Planning and Monitoring	\$ 7,233,145	\$ 335,151	\$ 186,915	\$ 6,711,079	5%	7%
Acquisition, Restoration and Public Works	69,227,458	193,562	9,951,151	59,082,744	0%	15%
Operation and Maintenance of Lands and Works	7,048,616	593,242	2,125,110	4,330,264	8%	39%
Regulation	3,880,386	462,718	153,593	3,264,075	12%	16%
Outreach	136,457	22,082	-	114,375	16%	16%
Management and Administration	2,083,595	260,477	33,077	1,790,041	13%	14%
Total Uses	\$ 89,609,657	\$ 1,867,232	\$ 12,449,846	\$ 75,292,578	2%	16%
Reserves	23,592,508			23,592,508	0%	0%
Total Uses and Reserves	\$ 113,202,165	\$ 1,867,232	\$ 12,449,846	\$ 98,885,086	2%	13%

¹ Encumbrances represent unexpended balances of open purchase orders.

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

This unaudited financial statement is prepared as of November 30, 2020, and covers the interim period since the most recent audited financial statements.

NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

SCHEDULE OF DISBURSEMENTS

GENERAL FUND

NOVEMBER 2020

CHECKS	11/5/2020	\$	87,448.18
AP EFT CHECKS	11/6/2020		1,187,333.09
CHECKS	11/5/2020		88,024.41
AP EFT CHECKS	11/6/2020		218,512.33
CHECKS	11/12/2020		11,260.29
AP EFT CHECKS	11/13/2020		108,459.74
DIRECT DISBURSEMENT	11/13/2020		420.00
CHECKS	11/19/2020		95,458.38
AP EFT CHECKS	11/20/2020		114,633.02
DIRECT DISBURSEMENT	11/20/2020		2,600.00
CHECKS	11/25/2020		40,765.11
AP EFT CHECKS	11/25/2020		42,646.04
RETIREMENT EFT	11/30/2019		56,893.23
VOIDED CHECKS	11/30/2020		5,537.16
			<hr/>
		\$	<u><u>2,054,453.82</u></u>

Chairman or Executive Director

January 14, 2021
Date

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT AP
COMPUTER PAID/EFT CHECKS**

VENDOR	NAME	CHECK DATE	INVOICE NET	INVOICE DESCRIPTION
2992	BANK OF AMERICA	11/05/2020	379.81	ONLINE ACCESS TO BANK ACCOUNT
2992	BANK OF AMERICA	11/05/2020	1,196.75	ACCOUNT ANALYSIS
5428	CARDNO, INC	11/05/2020	683.55	AS NEEDED ECOLOGICAL, HYROLOGI
5428	CARDNO, INC	11/05/2020	40,329.45	AS NEEDED ECOLOGICAL, HYROLOGI
5428	CARDNO, INC	11/05/2020	4,557.00	AS NEEDED ECOLOGICAL, HYROLOGI
5428	CARDNO, INC	11/05/2020	9,269.00	AS NEEDED ECOLOGICAL, HYROLOGI
1859	FL DEPT. OF ENVIRONMENTAL PROTECTION	11/05/2020	802.45	LABORATORY ANALYSIS - ECONFINA
1859	FL DEPT. OF ENVIRONMENTAL PROTECTION	11/05/2020	4,646.10	LABORATORY ANALYSIS - GROUNDWA
1859	FL DEPT. OF ENVIRONMENTAL PROTECTION	11/05/2020	88.61	DEP ECOSYSTEM INTEREST REFUND
2241	DEPT. OF THE INTERIOR - USGS	11/05/2020	5,000.00	INTRACOASTAL WATER WAY MONITOR
744	DEPT. OF THE INTERIOR - USGS	11/05/2020	4,154.00	GOES POTENTIAL AND REFERENCE E
5566	JAMIE ALLEN GREEN	11/05/2020	16,125.00	ENCUMBER CONTRACT # 18-043
5294	KRONOS, INCORPORATED	11/05/2020	4.20	TIMESHEET PROGRAM
5680	MCKENZIE MOTOR COMPANY	11/05/2020	59.95	VEHICLE SERVICE 2413
5737	TELECHECK SERVICES, INC.	11/05/2020	100.50	FEEES FOR ONLINE PAYMENTS
5737	TELECHECK SERVICES, INC.	11/05/2020	51.81	FEEES FOR ONLINE PAYMENTS
TOTAL CHECKS			<u>87,448.18</u>	
3126	DEWBERRY ENGINEERS, INC	11/06/2020	2,268.34	ENCUMBER CONTRACT # 16-086
2702	FISH AND WILDLIFE	11/06/2020	3,868.00	LAW ENFORCEMENT-CONTRACT NO. 1
2702	FISH AND WILDLIFE	11/06/2020	3,037.03	LAW ENFORCEMENT-CONTRACT NO. 1
2702	FISH AND WILDLIFE	11/06/2020	5,223.42	LAW ENFORCEMENT-CONTRACT NO. 1
5328	HSW ENGINEERING, INC	11/06/2020	42,734.75	AS NEEDED HYDROLOGICAL, ECOLOG
5235	JACKSON COUNTY BOARD OF COUNTY COMMISSIONERS	11/06/2020	29,309.10	ENCUMBER CONTRACT #17-061
5235	JACKSON COUNTY BOARD OF COUNTY COMMISSIONERS	11/06/2020	883,574.83	ENCUMBER CONTRACT # 16-045
5235	JACKSON COUNTY BOARD OF COUNTY COMMISSIONERS	11/06/2020	203,896.35	ENCUMBER CONTRACT # 16-045
3454	USDA, APHIS, WILDLIFE SERVICES	11/06/2020	1,991.27	18-002 AGREEMENT WITH USDA APH
3790	WILDLANDS SERVICE, INC.	11/06/2020	11,246.00	HURRICANE DEBRIS SERVICES
5060	EXTREME LOGISTICS GULF COAST, LLC	11/06/2020	100.00	3 REGULAR PORTABLE UNITS AND H
5060	EXTREME LOGISTICS GULF COAST, LLC	11/06/2020	84.00	DISPENSERS AND REFILLS
TOTAL ACH TRANSFER			<u>1,187,333.09</u>	
TOTAL AP			<u>1,274,781.27</u>	

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT AP
COMPUTER PAID/EFT CHECKS**

VENDOR	NAME	CHECK DATE	INVOICE NET	INVOICE DESCRIPTION
4662	AUTO CLINIC OF MARIANNA, INC	11/05/2020	109.99	RUNNING PURCHASE ORDER-VEHICLE
5045	BAKER METAL WORKS & SUPPLY LLC	11/05/2020	319.37	TILLEY LANDING PAVILION ROOFIN
1616	BLUE CROSS/BLUE SHIELD OF FLORIDA	11/05/2020	658.94	MEDICARE INSURANCE
1616	BLUE CROSS/BLUE SHIELD OF FLORIDA	11/05/2020	56,240.37	MEDICAL INSURANCE
5689	WILLIAM D JONES	11/05/2020	320.22	DECONGEST BATHROOM PIPE IN BAR
5625	TRIGG, CATLETT & ASSOCIATES	11/05/2020	4,100.00	APPRAISAL OF BRUCE FOREST LLC
3212	DLT SOLUTIONS, LLC	11/05/2020	638.01	AUTOCAD RENEWAL
26	FL. SECRETARY OF STATE DIV OF ADMIN SERV	11/05/2020	26.32	GOVERNING BOARD FAR ADS FY 20-
3399	FLORIDA STORMWATER ASSOC., INC.	11/05/2020	328.00	ONLINE CONFERENCE REGISTRATION
5733	GOLDEN OAK LAND GROUP	11/05/2020	8,250.00	P295370-1 REFUND CONCEPTUAL OV
916	GULF POWER COMPANY	11/05/2020	374.31	ELECTRIC-DEFUNIAK OFFICE
2029	HILLER SYSTEMS, INC	11/05/2020	593.00	FIRE EXTINGUISHER INSPECTION -
5618	PRESSRELATIONS, INC.	11/05/2020	2,399.40	MEDIA CLIPS SERVICE
5153	ALZO SLADE	11/05/2020	1,765.00	REPLACING CEILING GRID AND INS
5153	ALZO SLADE	11/05/2020	2,730.00	MAIN BUILDING MOLD RMOVAL/REPA
4832	SUN LIFE FINANCIAL	11/05/2020	93.80	PREPAID DENTAL ACCT 5
4832	SUN LIFE FINANCIAL	11/05/2020	5,338.32	PPO DENTAL ACCT 4
4834	SUN LIFE FINANCIAL	11/05/2020	86.70	EAP ACCT 7
4834	SUN LIFE FINANCIAL	11/05/2020	81.60	EAP ACCT 7
4834	SUN LIFE FINANCIAL	11/05/2020	969.78	AD&D ACCT 1
4833	SUN LIFE FINANCIAL	11/05/2020	992.29	VOL LTD ACCT 3
75	WALTON COUNTY PROPERTY APPRAISER	11/05/2020	1,447.95	1ST QTR FY 20-21
4626	WASTE PRO OF FLORIDA, INC	11/05/2020	161.04	SOLID WASTE - HQ

TOTAL CHECKS

88,024.41

3293	ANGUS G. ANDREWS, JR.	11/06/2020	8,125.00	ENCUMBER LEASE AGREEMENT - CON
1617	CAPITAL HEALTH PLAN	11/06/2020	79,399.26	MEDICAL INSURANCE
4944	BRETT CYPHERS	11/06/2020	103.24	TRAVEL REIMBURSEMENT
5368	KOUNTRY RENTAL NWF, INC.	11/06/2020	400.00	5 PORTABLE TOILETS FOR EFO STA
5368	KOUNTRY RENTAL NWF, INC.	11/06/2020	207.50	CLEANING OF ECONFINA OFFICE AN
5368	KOUNTRY RENTAL NWF, INC.	11/06/2020	7,840.00	RENTAL AND SERVICE OF PORTABLE
5728	MERIT FIRST LLC	11/06/2020	119,987.10	HURRICANE SERVICE DEBRIS

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT AP
COMPUTER PAID/EFT CHECKS**

4091	THE SHOE BOX	11/06/2020	310.48	SAFETY BOOTS - FACILITIES- KEA
3104	SOUTHERN WATER SERVICES, LLC	11/06/2020	85.00	ANNUAL BACKFLOW PREVENTION ASS
5218	WAGeworks, INC.	11/06/2020	254.75	FLEXIBLE SPENDING ACCOUNT ADMI
3790	WILDLANDS SERVICE, INC.	11/06/2020	1,800.00	RETURN PERF BOND 20-078 TO1
TOTAL ACH TRANSFER			<u>218,512.33</u>	
TOTAL AP			<u><u>306,536.74</u></u>	

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT AP
COMPUTER PAID/EFT CHECKS**

VENDOR	NAME	CHECK DATE	INVOICE NET	INVOICE DESCRIPTION
2417	BEARD EQUIPMENT COMPANY, INC.	11/12/2020	1,252.49	DIAGNOSTIC OF JD 650K DOZER ID
3904	DADE PAPER & BAG COMPANY	11/12/2020	587.04	SAFETY AND GROUNDS SUPPLIES
4748	EAST MILTON WATER SYSTEM	11/12/2020	10.00	WATER-MILTON OFFICE
410	GULF COUNTY TAX COLLECTOR	11/12/2020	4.14	PARCEL REFUND
5474	HATCHER PUBLISHING INC	11/12/2020	19.10	NOTICE OF RULE DEVELOPMENT
3193	INSURANCE INFORMATION EXCHANGE	11/12/2020	70.80	BACKGROUND SCREENING
76	LEON COUNTY PROPERTY APPRAISER	11/12/2020	2,354.70	1ST QTR FY 20-21
277	LIBERTY CO. PROPERTY APPRAISER	11/12/2020	226.51	1ST QTR FY 20-21
2299	LIBERTY COUNTY SOLID WASTE	11/12/2020	32.00	SOLID WASTE DUMPSTER-FL RIVER
288	OKALOOSA CO. PROPERTY APPRAISER	11/12/2020	1,851.23	1ST QTR FY 20-21
62	PENSACOLA NEWS-JOURNAL	11/12/2020	98.66	NOTICE OF RULE DEVELOPMENT
62	PENSACOLA NEWS-JOURNAL	11/12/2020	135.78	WATER USE PERMIT LEGAL AD
4577	SOUTHERN TIRE MART, LLC	11/12/2020	143.00	WMD 2402 - SCANDY WHITE BOAT T
105	TALLAHASSEE DEMOCRAT	11/12/2020	110.12	WATER USE PERMIT LEGAL AD
105	TALLAHASSEE DEMOCRAT	11/12/2020	75.14	NOTICE OF RULE DEVELOPMENT
110	TALQUIN ELECTRIC COOPERATIVE, INC.	11/12/2020	89.20	SECURITY LIGHTS - HQ
110	TALQUIN ELECTRIC COOPERATIVE, INC.	11/12/2020	259.66	WATER/SEWER - HQ
110	TALQUIN ELECTRIC COOPERATIVE, INC.	11/12/2020	2,671.27	ELECTRIC - HQ
4614	ST. JOE TIMBERLAND CO. OF DELAWARE LLC	11/12/2020	100.00	P28765-2 EPERMIT DISCOUNT REFU
5731	TODD LEAVINS WELL DRILLING	11/12/2020	900.00	CONTRACT WELL DRILLER-ROCKHILL
5218	WAGEWORKS, INC.	11/12/2020	56.55	COBRA ADMINISTRATION
4626	WASTE PRO OF FLORIDA, INC	11/12/2020	212.90	DUMPSTER FOR ECONFINA OFFICE A
TOTAL CHECKS			<u>11,260.29</u>	
5499	BCC WASTE SOLUTIONS, LLC	11/13/2020	224.00	DUMPSTER FOR ECONFINA OFFICE A
5729	CHIPOLA FORESTRY SERVICES LLC	11/13/2020	41,625.00	CONTRACT #20-070 TO 1
5729	CHIPOLA FORESTRY SERVICES LLC	11/13/2020	16,875.00	HURRICANE DEBRIS SERVICES
3771	CHOCTAWHATCHEE BASIN ALLIANCE	11/13/2020	24,041.31	CHOCTAWHATCHEE BASIN ALLIANCE
45	DMS	11/13/2020	304.00	OFFSITE DATA STORAGE
4855	ENVIRON SERVICES INCORPORATED	11/13/2020	2,583.34	JANITORIAL SERVICES, HEADQUART
3337	FORESTECH CONSULTING	11/13/2020	3,000.00	CENTRAL REGION LAND MANAGEMENT
3337	FORESTECH CONSULTING	11/13/2020	400.00	SUPPORT, TRAINING AND HOSTING

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT AP
COMPUTER PAID/EFT CHECKS**

5701	GRICE & SON PORT A POTTI, LLC	11/13/2020	380.00	PORTABLE TOILETS
3942	A & W VENTURES, L.C.	11/13/2020	125.00	PORTABLE TOILET FOR TALQUIN DA
3942	A & W VENTURES, L.C.	11/13/2020	156.34	PORTABLE TOILET FOR PHIPPS PAR
3942	A & W VENTURES, L.C.	11/13/2020	400.00	PORTABLE TOILETS FOR HQ
5653	L & R CONTRACTING, LLC	11/13/2020	1,050.00	ECONFINA BLUE SPRING CAMP SHOR
5146	MICHAEL CORRIE MANNION	11/13/2020	816.20	STAFF AUGMENTATION FOR CUSTOM
63	NORTHWEST FLORIDA DAILY NEWS	11/13/2020	76.32	NOTICE OF RULE DEVELOPMENT
3813	PENNINGTON, P.A.	11/13/2020	5,760.00	LEGAL COUNSEL
3813	PENNINGTON, P.A.	11/13/2020	2,420.00	REVELL ACQUISITION
5614	ZACHARY J. SELLERS	11/13/2020	787.50	DEFUNIAK OFFICE JANITORIAL
3851	SOUTHEASTERN SURVEYING & MAPPING CORP	11/13/2020	3,395.00	AS NEEDED PROFESSIONAL SURVEYI
5651	SGS TECHNOLOGIE, LLC	11/13/2020	373.33	HOSTINA AND MAINTAINING DISTRI
4799	STAPLES CONTRACT & COMMERCIAL, INC.	11/13/2020	40.50	ACCOUNTING 2021 CALENDAR ORDER
4955	TERRY'S HOME & LAWN MAINTENANCE, INC.	11/13/2020	3,426.90	PUBLIC RECREATION SITE CLEANUP
4955	TERRY'S HOME & LAWN MAINTENANCE, INC.	11/13/2020	200.00	JANITORIAL SERVICES FOR MILTON
TOTAL ACH TRANSFER			<u>108,459.74</u>	
5707	REFUND PAYEEZY	11/13/2020	100.00	BETHANY WOMACK P295731 WITHDRA
5707	REFUND PAYEEZY	11/13/2020	320.00	ANNE AMICARELLE P293773 WD REF
TOTAL DIRECT DISBURSEMENTS			<u>420.00</u>	
TOTAL AP			<u><u>120,140.03</u></u>	

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT AP
COMPUTER PAID/EFT CHECKS**

VENDOR	NAME	CHECK DATE	INVOICE NET	INVOICE DESCRIPTION
3638	B & B DUGGER, INC	11/19/2020	3,806.81	PRESCRIBED BURNING
3638	B & B DUGGER, INC	11/19/2020	20,994.00	PRESCRIBED BURNING
2967	BANK OF AMERICA	11/19/2020	2,810.46	P-CARD CHARGES
2967	BANK OF AMERICA	11/19/2020	1,043.66	SUBSCRIPTION SERVICE FOR MEDIA COVERAGE
2967	BANK OF AMERICA	11/19/2020	50.00	REG SUNPASS
2967	BANK OF AMERICA	11/19/2020	279.39	FIELD SUPPLIES & PRINTER-AMAZO
2967	BANK OF AMERICA	11/19/2020	238.78	FIELD SUPPLIES-AMAZON
2967	BANK OF AMERICA	11/19/2020	240.49	FAUCET AND WATER FILTERS
2967	BANK OF AMERICA	11/19/2020	59.94	CHARGING ADAPTER FOR NFWFMD WA
2967	BANK OF AMERICA	11/19/2020	99.99	CONFERENCE EXPENSE FOR CRAIG F
2967	BANK OF AMERICA	11/19/2020	505.82	AMAZON ORDER FOR IT
2992	BANK OF AMERICA	11/19/2020	388.26	ONLINE ACCESS TO BANK ACCOUNT
2992	BANK OF AMERICA	11/19/2020	1,042.46	ACCOUNT ANALYSIS
4778	BENSON'S HEATING AND AIR CONDITIONING, INC.	11/19/2020	75.00	DIAGNOSE LIEBERT - SERVER ROOM
5131	CITY OF DEFUNIAK SPRINGS	11/19/2020	190.32	WATER/SEWER DEFUNIAK SPRINGS
4676	CITY OF MILTON FLORIDA	11/19/2020	72.23	DUMPSTER SERVICE
4676	CITY OF MILTON FLORIDA	11/19/2020	20.70	SEWER MILTON OFFICE
5742	D&M TREE SERVICE AND STUMP REMOVAL LLC	11/19/2020	2,400.00	HYDROSEED - RATTLESNAKE SOUTH
2241	DEPT. OF THE INTERIOR - USGS	11/19/2020	21,074.25	CONTRACT #20-003
2241	DEPT. OF THE INTERIOR - USGS	11/19/2020	21,074.25	CONTRACT #20-003
2241	DEPT. OF THE INTERIOR - USGS	11/19/2020	5,000.00	CONTRACT #18-073
1292	FISHER SCIENTIFIC	11/19/2020	287.39	CALIBRATION STANDARDS
916	GULF POWER COMPANY	11/19/2020	543.99	ELECTRIC - MILTON FIELD OFFICE
5404	RIMINI STREET, INC.	11/19/2020	13,113.00	ORACLE TECHNOLOGY SUPPORT
4038	WINDSTREAM COMMUNICATIONS	11/19/2020	47.19	800 NUMBERS & EFO LONG DISTANCE
TOTAL CHECKS			<u>95,458.38</u>	
96	APALACHICOLA/CARRABELLE TIMES	11/20/2020	84.00	NOTICE OF RULE DEVELOPMENT
5729	CHIPOLA FORESTRY SERVICES LLC	11/20/2020	7,650.00	CONTRACT #20-070 TO 1 ALTHA TRACT
5729	CHIPOLA FORESTRY SERVICES LLC	11/20/2020	14,850.00	CONTRACT #20-070 TO 1 ALTHA TRACT
97	THE DEFUNIAK HERALD	11/20/2020	39.88	WATER USE PERMIT LEGAL AD
5071	GASTON TREE DEBRIS RECYCLING, LLC	11/20/2020	30,780.00	CONTRACT #20-061 HURRICANE DEBRIS SERVICES
3942	A & W VENTURES, L.C.	11/20/2020	66.72	PORTABLE TOILET FOR TALQUIN DA

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT AP
COMPUTER PAID/EFT CHECKS**

2268	INNOVATIVE OFFICE SOLUTIONS, INC	11/20/2020	837.00	PHONE MAINTENANCE
61	JACKSON COUNTY FLORIDAN	11/20/2020	78.25	WATER USE PERMIT LEGAL AD
61	JACKSON COUNTY FLORIDAN	11/20/2020	52.90	NOTICE OF RULE DEVELOPMENT
3603	JIM STIDHAM & ASSOCIATES, INC.	11/20/2020	6,613.08	CONTRACT #18-073 TO 2
3603	JIM STIDHAM & ASSOCIATES, INC.	11/20/2020	4,756.91	AS NEEDED HYDROLOGICAL SERVICE
3603	JIM STIDHAM & ASSOCIATES, INC.	11/20/2020	2,896.00	AS NEEDED HYDROLOGICAL SERVICE
3603	JIM STIDHAM & ASSOCIATES, INC.	11/20/2020	4,220.00	AS NEEDED HYDROLOGICAL SERVICE
3603	JIM STIDHAM & ASSOCIATES, INC.	11/20/2020	7,048.00	AS NEEDED HYDROLOGICAL SERVICE
3603	JIM STIDHAM & ASSOCIATES, INC.	11/20/2020	25,634.57	AS NEEDED HYDROLOGICAL SERVICE
5641	MUNROE FOREST & WILDLIFE MANAGEMENT, INC	11/20/2020	8,929.20	PRESCRIBED BURNING
4799	STAPLES CONTRACT & COMMERCIAL, INC.	11/20/2020	96.51	OFFICE SUPPLIES
TOTAL ACH TRANSFER			<u>114,633.02</u>	
5707	REFUND PAYEEZY	11/20/2020	2,500.00	AMANADA FUSSELL P290531-4 OVER
5707	REFUND PAYEEZY	11/20/2020	100.00	DAVID LISTRO P295972 WD TRANSF
TOTAL DIRECT DISBURSEMENTS			<u>2,600.00</u>	
TOTAL AP			<u><u>212,691.40</u></u>	

NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT AP

COMPUTER PAID/EFT CHECKS

VENDOR	NAME	CHECK DATE	INVOICE NET	INVOICE DESCRIPTION
5619	A&W EXCAVATIONS, INC.	11/25/2020	2,237.72	ROAD REPAIR MATERIALS - DEVILS
5522	CITY OF PANAMA CITY BEACH	11/25/2020	37,560.00	CONTRACT #19-027
3289	CITY OF TALLAHASSEE	11/25/2020	41.13	ELECTRIC DATA COLLECTION-LAKES
1292	FISHER SCIENTIFIC	11/25/2020	157.13	CALIBRATION STANDARDS
26	FL. SECRETARY OF STATE DIV OF ADMIN SERV	11/25/2020	25.34	FAR AD
26	FL. SECRETARY OF STATE DIV OF ADMIN SERV	11/25/2020	27.02	FAR AD
26	FL. SECRETARY OF STATE DIV OF ADMIN SERV	11/25/2020	29.40	GOVERNING BOARD FAR ADS FY 20-
26	FL. SECRETARY OF STATE DIV OF ADMIN SERV	11/25/2020	49.98	RULEMAKING NOTICES
3266	LOWE'S COMPANIES INC.	11/25/2020	379.05	TOOL BOX FOR WMD 96378
1205	OFFICE DEPOT, INC.	11/25/2020	12.17	OFFICE SUPPLIES
1205	OFFICE DEPOT, INC.	11/25/2020	12.28	OFFICE SUPPLIES
1205	OFFICE DEPOT, INC.	11/25/2020	22.87	OFFICE SUPPLIES
1205	OFFICE DEPOT, INC.	11/25/2020	40.26	OFFICE SUPPLIES
1205	OFFICE DEPOT, INC.	11/25/2020	46.68	OFFICE SUPPLIES-DFS
1205	OFFICE DEPOT, INC.	11/25/2020	61.12	OFFICE SUPPLIES-DFS
1205	OFFICE DEPOT, INC.	11/25/2020	62.96	OFFICE SUPPLIES-DFS
TOTAL CHECKS			<u>40,765.11</u>	
4845	CALHOUN COUNTY SHERIFF'S OFFICE	11/25/2020	1,007.60	LAW ENFORCEMENT - CONTRACT NO
45	DMS	11/25/2020	0.16	LAN PORTS & INTRANET/INTERNET
45	DMS	11/25/2020	1.54	MILTON LONG DISTANCE
45	DMS	11/25/2020	32.69	LAN PORTS & INTRANET/INTERNET
45	DMS	11/25/2020	65.28	HQ LONG DISTANCE
45	DMS	11/25/2020	70.08	MILTON LOCAL
45	DMS	11/25/2020	628.08	DEFUNIAK LOCAL
45	DMS	11/25/2020	1,343.40	HQ LOCAL
45	DMS	11/25/2020	1,384.02	DEFUNIAK ETHERNET & LONG DISTANCE
45	DMS	11/25/2020	6,909.67	HQ ETHERNET
2702	FISH AND WILDLIFE	11/25/2020	4,340.12	LAW ENFORCEMENT-CONTRACT NO. 1
3813	PENNINGTON, P.A.	11/25/2020	14,049.00	LEGAL COUNSEL
2631	WASHINGTON COUNTY SHERIFF'S OFFICE	11/25/2020	12,814.40	LAW ENFORCEMENT AND SECURITY
TOTAL ACH TRANSFER			<u>42,646.04</u>	
TOTAL AP			<u><u>83,411.15</u></u>	

NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

SCHEDULE OF DISBURSEMENTS

PAYROLL

NOVEMBER 2020

DIRECT DEPOSIT	11/06/2020	\$	215,007.10
CHECKS	11/06/2020		3,169.82
FLEX SPENDING EFT	11/6/2020		1,769.16
DIRECT DEPOSIT	11/13/2020		127,948.50
CHECKS	11/13/2020		2,012.01
DIRECT DEPOSIT	11/20/2020		214,327.52
CHECKS	11/20/2020		2,188.35
FLEX SPENDING	11/20/2020		1,769.16
			<hr/>
		\$	<u><u>568,191.62</u></u>

APPROVED:

Chairman or Executive Director

January 14, 2021

Date

NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

THROUGH: Brett J. Cyphers, Executive Director
Lyle Seigler, Chief of Staff

FROM: Wendy Dugan, Division of Administration Director

DATE: December 30, 2020

SUBJECT: Consideration of Amendments No. 1 through No. 3 to the Fiscal Year 2020-2021 Budget

Recommendation

Staff recommends the Governing Board adopt Resolution No. 880 amending the Fiscal Year 2020-2021 budget and allow staff to realign revenues and reserves to maintain the proper balance in each fund.

Background

These amendments realign budget within and across programs, projects, and budget categories. Amendments 1 and 2 involve budgeting unanticipated revenue. Per Section 373.536(4)(c), Florida Statutes, these amendments were submitted to the Executive Office of the Governor (EOG) for approval on December 18, 2020. Amendment 3 consists of transfers within existing expense and revenue budget.

Below are explanations for the amendments:

- No. 1 \$21,000 in unanticipated revenue funded by the Florida Department of Agriculture and Consumer Services (FDACS) to contract for prescribed burn activities on the Choctawhatchee River and Econfina Creek Water Management Areas. The project is to be completed by April 30, 2021.
- No. 2 \$107,100 in unanticipated revenue funded by the Arbor Day Foundation for the purchase of at least 664,614 longleaf and slash pine tubelings for reforestation efforts on District lands. Tubelings are to be planted in early 2021.
- No. 3 \$366,880 in budget transfers for the following:
- \$228,290 in budget transfers among and between budget categories in Activity 310 Land Management and Activity 260 Other Acquisition and Restoration Activities to support herbicide application and sand pine eradication needs resulting from debris removal.
 - \$71,975 in budget transfers from Fixed Capital Outlay budget in Activity 260 Other Acquisition and Restoration Activities to Interagency Expenditures (Grants) budget in

Activity 230 Surface Water Projects for a proposed septic-to-sewer project in Panama City Beach.

- \$25,115 in budget transfers from Operating Capital Outlay to Contracted Services within Activity 310 Land Management for recovery and repairs associated with Hurricane Michael impacts.
- \$21,500 in budget transfers from Operating Capital Outlay to Operating Expenses within Activity 310 Land Management for road and bridge supplies for Econfina Creek WMA.
- \$20,000 in budget transfers between Operating Capital Outlay and Operating Expenses within Activity 310 Land Management for firefighting equipment purchases.

Summary of Fund Impact to Expense Budget:

<u>Fund Source</u>	<u>Increase</u>	<u>Decrease</u>	<u>Impact</u>
General Fund	0	(0)	0
Land Acquisition Fund	0	(71,975)	(71,975)
Projects Fund	71,975	(0)	71,975
Lands Management Fund	423,005	(294,905)	128,100
Regulation Fund	0	(0)	0
Mitigation Fund	0	(0)	0
	<u>494,980</u>	<u>(366,880)</u>	<u>128,100</u>



Brett J. Cyphers
Executive Director

Northwest Florida Water Management District

81 Water Management Drive, Havana, Florida 32333-4712
(U.S. Highway 90, 10 miles west of Tallahassee)

Phone: (850) 539-5999 • Fax: (850) 539-2777

RESOLUTION NO. 880 AMENDMENT NUMBERS 1 THROUGH 3 TO FISCAL YEAR 2020-2021 BUDGET

WHEREAS, chapters 200 and 373, Florida Statutes, require the Governing Board of the Northwest Florida Water Management District (District) to adopt a final budget for each fiscal year; and

WHEREAS, by Resolution No. 877, after a public hearing on September 24, 2020, the Governing Board of the District adopted a final budget for the District covering its proposed operations and other requirements for the ensuing fiscal year, beginning October 1, 2020 through September 30, 2021; and

WHEREAS, in accordance with section 189.016(7), Florida Statutes, the District will post the adopted amendment on its official website within five days after its adoption; and

WHEREAS, a budget amendment involves an action that transfers, increases, or decreases to total appropriated Fund amounts in the budget; and

WHEREAS, pursuant to section 120.525, Florida Statutes, the District has provided notice of its intention to amend the Budget in the published notification of the Governing Board meeting at which the amendment will be considered; and

NOW THEREFORE BE IT RESOLVED by the Governing Board of the Northwest Florida Water Management District, that:

The budget is hereby amended as summarized in the memorandum dated December 30, 2020, requesting Amendments No. 1 through No. 3 to the Fiscal Year 2020-2021 budget. Amendments No. 1 and No. 2 increase spending authority and revenue by the following amounts:

- No. 1 \$21,000 in unanticipated revenue funded by the Florida Department of Agriculture and Consumer Services (FDACS) to contract for prescribed burn activities on the Choctawhatchee River and Econfina Creek Water Management Areas. The project is to be completed by April 30, 2021.
- No. 2 \$107,100 in unanticipated revenue funded by the Arbor Day Foundation for the purchase of at least 664,614 longleaf and slash pine tubelings for reforestation efforts on District lands. Tubelings are to be planted in early 2021.

GEORGE ROBERTS
Chair
Panama City

JERRY PATE
Vice Chair
Pensacola

GUS ANDREWS
DeFuniak Springs

TED EVERETT
Chipley

NICK PATRONIS
Panama City Beach

KELLIE RALSTON
Tallahassee

Amendment No. 3 provides for a cost-neutral budget transfer in the amount of \$366,880.

These amendments recognize new revenue, the use of reserves, and the reallocation of budget authority within and across programs, projects, and budget categories to properly reflect activities to be performed and accurately assign costs with an increase to the total District budget.

ADOPTED AND APPROVED this 14th day of January 2021, A.D.

ATTEST:

George Roberts, Chair

Brett Cyphers, Acting Secretary-Treasurer

NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

THROUGH: Brett Cyphers, Executive Director
Lyle Seigler, Chief of Staff

FROM: Wendy Dugan, Division of Administration Director

DATE: December 30, 2020

SUBJECT: Request for Release of Funds from the General Revenue Fund and Related Agreement for Alternative Water Supply Efforts

Recommendation

Staff recommends the Governing Board adopt Resolution No. 881 to request the Secretary of the Florida Department of Environmental Protection (DEP) to release up to \$2,994,900 from the General Revenue Fund for alternative water supply projects, and authorize the Executive Director to enter into an agreement with DEP for these funds, subject to legal counsel review.

Background

Resolution No. 881 requests the release of funds from the Department of Environmental Protection that were appropriated from the General Revenue Fund in the State of Florida's Fiscal Year 2020-2021 General Appropriations Act, line item 1622. The amount requested is up to \$2,994,900 and is included in the District's Fiscal Year 2020-2021 Adopted Budget for alternative water supply development projects.

The District will invoice DEP to obtain these funds in amounts and a manner agreed to by the Department, which includes a minimum of a memorandum of understanding agreement and a resolution adopted by the Governing Board.



Northwest Florida Water Management District

81 Water Management Drive, Havana, Florida 32333-4712

(U.S. Highway 90, 10 miles west of Tallahassee)

Brett J. Cyphers
Executive Director

Phone: (850) 539-5999 • Fax: (850) 539-2777

RESOLUTION NO. 881

Request for Fiscal Year 2020-2021 Monies for Northwest Florida Water Management District from the General Revenue Fund

WHEREAS, the Legislature provided funds to the Northwest Florida Water Management District in the Fiscal Year 2020-2021 General Appropriations Act from the General Revenue Fund specific line item No. 1622 for alternative water supply projects; and

WHEREAS, the monies available to the District in this line item and from the Department of Environmental Protection are included in the District's Fiscal Year 2020-2021 Adopted Budget in the amount of \$2,994,900 for alternative water supply projects; and

WHEREAS, the District understands that the funds provided are available and will invoice the Department of Environmental Protection to obtain these funds in amounts and a manner agreed to by the Department; and

NOW THEREFORE BE IT RESOLVED that the Governing Board of the Northwest Florida Water Management District hereby requests that the Secretary of the Department of Environmental Protection release from the General Revenue Fund an amount up to \$2,994,900; and

BE IT FURTHER RESOLVED that this resolution be transmitted to the Secretary of the Department of Environmental Protection; and

BE IT FURTHER RESOLVED that the Chairman of the Governing Board is authorized to affix his signature to this resolution on behalf of the Board and attested by its Secretary-Treasurer or Acting Secretary-Treasurer.

PASSED AND APPROVED this 14th day of January 2021, A.D.

The Governing Board of the
**NORTHWEST FLORIDA WATER
MANAGEMENT DISTRICT**

ATTEST:

George Roberts, Chair

Brett Cyphers, Acting Secretary-Treasurer

GEORGE ROBERTS
Chair
Panama City

JERRY PATE
Vice Chair
Pensacola

GUS ANDREWS
DeFuniak Springs

TED EVERETT
Chipley

NICK PATRONIS
Panama City Beach

KELLIE RALSTON
Tallahassee

NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

THROUGH: Brett Cyphers, Executive Director
Lyle Seigler, Chief of Staff
Carlos Herd, Director, Division of Resource Management

FROM: Paul Thorpe, Deputy Director, Division of Resource Management

DATE: December 30, 2020

SUBJECT: Consideration of Grant Agreement with the City of Panama City Beach for Septic Tank Abatement

Recommendation

Staff recommends the Governing Board authorize the Executive Director to enter into agreement with the City of Panama City Beach to provide up to \$71,975 in grant funding, subject to budget authority, to support the extension of sewer service and elimination of septic systems proximate to Grand Lagoon in the St. Andrew Bay watershed.

Background

The City of Panama City Beach has initiated the Beach Drive Utilities Improvements project, which will extend water and sewer utilities within the peninsula bordering Grand Lagoon. As part of this project, the City intends to construct approximately 2,780 linear feet of gravity sewer and 97 sewer service laterals along several residential streets within two blocks of the lagoon. This will ultimately facilitate removal of approximately 55 existing septic systems that discharge effluent within the Grand Lagoon basin. Elimination and abandonment of these systems would eliminate an estimated 1,689 pounds per year of nitrogen loading to the lagoon.

Grand Lagoon has consistently experienced water quality problems, including high nutrient and chlorophyll concentrations and diminished water clarity. Septic systems and stormwater runoff have been identified as sources of nutrient loading into the lagoon. The Florida Department of Environmental Protection currently lists this portion of St. Andrew Bay as impaired for nutrients due to Total Nitrogen levels exceeding State standards. Efforts by the City of Panama City Beach to connect existing residents to central sewer and reduce the number of septic systems within the contributing basin will help address one significant source of nitrogen loading to the lagoon.

The cost of the overall Beach Drive Utilities Improvements project is expected to exceed \$4 million. District grant funding will be applied specifically to the extension of sewer service and connections proximate to Grand Lagoon, helping to eliminate septic systems and associated pollutant loading. This work is consistent with and will help implement the District's St. Andrew Bay Watershed Surface Water Improvement and Management (SWIM) Plan.

MEMORANDUM

TO: Northwest Florida Water Management District Governing Board

FROM: J. Breck Brannen, General Counsel

RE: Legal Counsel Report

DATE: January 4, 2021

There are no pending cases in which the District is a party.

Carmen Diaz vs. Northwest Florida Water Management District, and Palafox, LLC

State of Florida, Division of Administrative Hearings Case No. 19-5831

In DOAH's Recommended Order issued on May 18, 2020, the ALJ reserved ruling on Palafox's Motion for Attorney's Fees and Sanctions. A hearing was held on that Motion on August 19, 2020. The District did not participate in the Hearing.

On October 30, 2020, DOAH issued a Supplemental Recommended Order (SRO), wherein the ALJ recommended that the District enter a Supplemental Final Order (SFO) finding that Palafox is entitled to an award of its reasonable attorney's fees and costs incurred in defending the Amended Petition. The fees and costs would be owed by Ms. Diaz because she brought her Amended Petition for an improper purpose (only seeking to delay issuance of the District's permit and increase Palafox's costs to obtain it). The amount of the award would be determined by DOAH on remand by the District.

The parties have filed exceptions and responses to the SRO with the District. The parties have not requested oral argument before the Board prior to issuance of a SFO. A proposed SFO will be presented to the Board at the January 14, 2021, Governing Board meeting, with the recommendation from legal counsel that the Board approve and issue the SFO

On October 30, 2020, DOAH also issued a Final Order in a newly opened case brought by Palafox against Ms. Diaz's attorney, Jefferson Braswell, seeking attorney's fees and costs from Mr. Braswell based on his filing of pleadings for an improper purpose. In the Final Order, the ALJ found that Palafox is not entitled to fees and costs from Mr. Braswell. This Final Order does not require further action from the District.