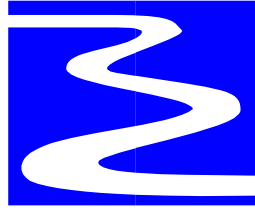




April 15, 2008
1:30 p.m.



www.hillsboroughriver.org



Tampa Union Station, 2nd Floor
601 N. Nebraska Avenue
Tampa, FL 33602
272-5940

Hillsborough River Technical Advisory Council AGENDA

- I. Call To Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Moment of Contemplation
- ★ V. Approval of Previous Meeting Minutes – 3/18/08*
- VI. *Ecosystem Management*:
 - a) Water Management District Water Use Rules
 - b) Update on Cruise-a-cade* (p.5)
 - c) Tampa Bay Water’s “Concept Shortlist”* (p.12)
 - d) May 14th River Board Agenda
 - e) Status of Hillsborough River Flows and Levels* (p.14)
- VII. *Ecosystem Safety and Education*:
 - 1. Notice of Upcoming Hillsborough River Related Events:
No Items.
- VIII. Agency Status Reports
- IX. Jurisdictional Status Reports
- X. Other Business* (p.18)

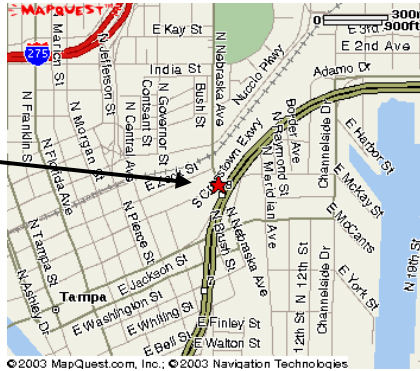
★ Indicates Action Required

* Indicates backup material provided

Presentations limited to 10 minutes. Public comment limited to three minutes please.

General Location Map to TAC Meeting

**Tampa Union Station
601 N. Nebraska Ave.
2nd Floor Conference Room
Elevator Access Available**

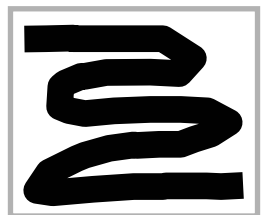


Parking

All meeting participants are requested to park in the south parking lots designated with the signs AMTRAK Passengers only. AMTRAK passengers are to be afforded the courtesy of parking in the front of or immediately adjacent to the building. Parking in spaces not marked as AMTRAK Passengers only are reserved for those who pay for monthly parking, and may result in your vehicle being ticketed.

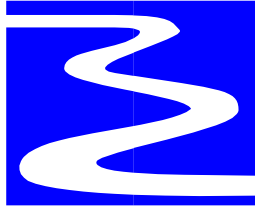
AGENDA ITEM V

Approval of Previous Meeting
Minutes





March 18, 2008
1:30 p.m.



www.hillsboroughriver.org



Tampa Union Station, 2nd Floor
601 N. Nebraska Avenue
Tampa, FL 33602
272-5940

Hillsborough River Technical Advisory Council

Meeting Summary

Robert Carnahan*	Ralph Lair *	Shawn College
Thalia Potter*	Peter Owens*	Kathleen Venzon
Glen Lockwood*	Miller Dowdy*	Suzanne Cooper*
Joe Gross*	Ralph Kerr	Darrin Herbst

* Denotes TAC Members or alternates

• Denotes Staff Ex Officio Members

I. Call to Order

TAC Chair Robert Carnahan called the meeting to order at 1:35 p.m.

II. Roll Call

A quorum was present.

III. Pledge of Allegiance

The TAC joined in the pledge of allegiance.

IV. Moment of Contemplation

The TAC observed a moment of silent contemplation prior.

V. Minutes from the 2/19/08 meeting were approved.

VI. Ecosystem Management

a) Water Use Permits in Hillsborough River Basin

Mr. Kerr presented an overview of water withdrawals associated with the Hillsborough River Basin. It was noted that business with individual Water Use Permits (WUPs) or that utilize reclaimed water may have differing rules for irrigation. The TAC asked that we place this issue on the agenda for next month and ask another representative from the SWFWMD to attend. It was noted that the SWFWMD can suspend WUPs in a water use emergency situation.

b) Update on Cruise-a-cade

Mr. College explained Mr. Shobe (City of Tampa) had conveyed to him that the City was seeking a judgment from the court that Cruise-a-cade had triggered the reverter clause. The TAC asked that we invite Mr. Shobe to the next meeting. The TAC also asked that we try to acquire a copy of the court filing by Tampa.

c) Tampa Bay Water

Mr. College explained that there appeared to be no new action regarding the new director of Tampa Bay Water. Mr. College explained that the packet contained the executive summary from the most recent performance audit of Tampa Bay Water. The audit appeared to find no major issues. The TAC asked that we invite the new director to attend a future meeting and discuss his vision for the future of Tampa Bay Water. The TAC also asked that the proposed future projects of Tampa Bay Water be included in next months packets.

d) Consistency Determinations – Tampa Port Authority Minor Work Permit Applications:

After discussion the TAC decided to recommend to the River Board that No. 07-052, 07-170R, 07-160, 07-189, 07-210 and 07-214 be found consistent with the Hillsborough River Master Plan.

e) Status of Hillsborough River Flows and Levels

It was noted that toward the end of the last 30 day period, the graph showed water running over the dam. It was also noted that this small amount of water over the dam would likely be offset by reduced pumping of water below the dam to meet Minimum Flow requirements, and would not result in higher net flows down the lower river.

VII. Ecosystem Safety and Education:

1. Notice of Upcoming Hillsborough River Related Events:

There were no events to discuss.

VIII. Agency Status Reports

There were no Agency status reports.

IX. Jurisdiction Status Reports

There were no Jurisdictional status reports.

X. Other Business

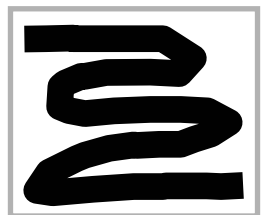
Mr. Lair noted that the Century Commission may have findings that are pertinent to the River Board.

Mrs. Cooper explained that the EPA is requiring the Tampa Bay Area to come up with a waste allocation load of nitrogen for Tampa Bay.

Mr. Carnahan asked about Mosaic phosphates spill prevention plans and monitoring. Mrs. Cooper said the rules have been revised since the last major spill that should help ensure it does not happen again.

Meeting was adjourned.

AGENDA ITEM VI.b.
Update on Cruise-a-cade



IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIVIL DIVISION

CITY OF TAMPA, a municipal corporation

CASE NO.: 06-CA-008709

Plaintiff,

DIVISION: B

vs.

TAMPA CRUIS-A-CADE CLUB, INC. a
non-profit corporation

Defendant.

COMPLAINT FOR DECLARATORY JUDGMENT

The Plaintiff, CITY OF TAMPA, files this action seeking declaratory relief against Defendant, Tampa Cruis-A-Cade, Inc., and alleges as follows:

Parties, Jurisdiction and Venue

1. The Plaintiff, City of Tampa (“City”), is a municipal corporation organized and duly existing under the laws of the State of Florida that is subject to the jurisdiction of the Court.

2. The Defendant, Tampa Cruis-A-Cade Club, Inc., is a non-profit corporation organized and existing under laws of the State of the Florida that is subject to the jurisdiction of the Court.

3. The Court has jurisdiction pursuant to Fla. Stat. § 86.011.

Background Facts

4. On or about September 15, 1959, the City adopted Resolution

2076-D (“Resolution”) authorizing the execution of a Fee Simple Deed by the City to Tampa Cruis-A-Cade Club, Inc., conveying certain land (“Property”) which is more particularly described in Section 1 of the Resolution, subject to said Property being used for public purposes in connection with the work and activities carried on by Tampa Cruis-A-Cade Club. (A true and correct copy of the Resolution is attached hereto as Exhibit “A”)

5. Consistent with the Resolution, on or about September 23, 1959 the City executed a Fee Simple Deed (“Deed”) which provides as follows:

This INDENTURE, made this 23rd day of September, A.D. 1959, between the CITY OF TAMPA, a Municipal Corporation, created, organized and existing under and by virtue of the laws of the State of Florida, party of the first part, and TAMPA CRUIS-A-CADE CLUB, a non-profit corporation organized and existing under the laws of the State of Florida, whose post office address is P.O. Box 1361, Tampa, Florida, party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars, lawful money of the Unites States of America, to it in hand paid by the said party of the second part at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, as granted, bargained, sold, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to its successors and assigns forever, all of the following described pieces, parcels, lots or tracts of land, lying and being in the County of Hillsborough and State of Florida, and described as follows, to-wit;

Beginning at the Southwest corner of Lost 5, Block D, Ridgewood park Subdivision, as recorded in the Public Records of Hillsborough County, Florida, in Plat Book 10, Page 6, go South and at right angles to the existing North R/W line of Ross Avenue a distance of 440 feet to a point; thence on a deflection angle to the left and a bearing of South 8 ° 30’ West a distance of 111.22 feet to a point; thence on the same bearing of S 8 ° 30’ West a distance of 388.78 feet to a point; thence Northwesterly along the waters of the Hillsborough River 260 feet more or less to a point, said point being 200 feet South and 283.56 feet West of the Point of Beginning;

thence go North a distance of 200 feet to a point; thence go East 283.56 feet to the Point of Beginning.

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or appertaining; and every right, title or interest, legal or equitable, of the said party of the first part, of, in and to the same.

TO HAVE AND TO HOLD the same in fee simple unto the said party of the second part, and its successors and assigns, to their proper use, benefit and behoof forever.

PROVIDED ALWAYS, And these presents are upon this express condition, that the aforesaid property shall be used by the grantee for public purposes in connection with the work and activities carried on by said non-profit corporation, and that the construction of a building or buildings shall commence not later than three (3) years from the date of the execution of this deed. In the event that the property herein shall cease to be used by the grantee for such public purposes as are stated herein, or in the event that construction of a building or buildings has not commenced within three (3) years from the date hereof, then and in that event this conveyance shall be null and void and the property described herein shall immediately revert to the grantor, City of Tampa. Provided however, in the event that it is necessary for the grantee to secure a mortgage upon said property for the purpose of constructing a building or buildings, the grantor herein, City of Tampa, agrees to subordinate its right of reverter to such mortgage, provided the same shall be for the purpose of erecting a building or buildings upon said property.

IN WITNESS WHEREOF, the said party of the first part has, pursuant to Resolution of its City Council, caused these presents to be executed in its name, by its Mayor, and attested by its Clerk, and its Seal to be hereto affixed on the day and year first above written.

(A certified copy of the Deed is attached hereto as Exhibit "B".) (Emphasis added.)

6. The City believes, and therefore avers, that Defendant has failed to utilize the Property for such public purposes, as required by the Deed, in that inter alia:

A) The City of Tampa asserts, upon information and belief, that the Defendant operates as a private membership club.

- B) The City of Tampa asserts, upon information and belief, that individuals desiring to join the Defendant's organization must meet certain subjective membership criteria.
- C) The City asserts, upon information and belief, that the determination of whether an individual has satisfactorily met the criteria for membership lies within the sole discretion of the membership committee of the Defendant's Board of Directors.
- D) The City asserts, upon information and belief, that all prospective members in the Defendant's organization must be approved by its Board of Directors and existing members.
- E) The City of Tampa asserts, upon information and belief, that the Defendant restricts access to, and use of, its property by the general public.
- F) The City of Tampa asserts, upon information and belief, that the Defendant utilizes its property primarily for the private enjoyment of its members.
- G) City of Tampa asserts, upon information and belief, that the Value Adjustment Board of Hillsborough County determined, in November 2005, that the Defendant's use of the property did not qualify for a "charitable" or "public purpose" tax exemption under Florida Statutes.

Count I – Declaratory Relief

- 7. The City incorporates herein by reference paragraphs 1 through 6

above as if fully set herein verbatim.

8. This is an action for Declaratory Judgment pursuant to Fla. Stat. § 86.011.

9. The City believes, and therefore avers, that the Defendant has violated the terms of the Deed by failing to utilize the Property for such public purposes as are required by the Deed; and that – consistent with the terms of the Deed – the conveyance of the Property to Defendant should be null and void and the Property should immediately revert to the City.

10. The City believes, and therefore avers, that it is the position of the Defendant that the Defendant has not violated the terms of the Deed, that the Defendant has utilized the Property for such public purposes as are required by the Deed, and that the Property should not immediately revert to the City.

11. As a result of the above dispute, the City is in doubt and is uncertain as to its rights in accordance with the Deed; and is in doubt and is uncertain as to its rights to have the Property revert to the City.

WHEREFORE, the City respectfully requests that this Court grant the following relief:

- a. Issue a Declaratory Judgment as follows:
 - (1) Declare that the City's legal position stated above is the correct legal position; and
 - (2) Declare that the Property shall immediately revert to the

City.

- b. Grant such further relief as the Court deems just and proper.

Respectfully submitted,

DAVID L. SMITH,
CITY ATTORNEY, CITY OF TAMPA

By: _____
David C. Shobe Jr., Assistant City Attorney
Counsel for the City of Tampa
FBN: 478768
315 E. Kennedy Boulevard, 5th Floor
Tampa, Florida 33602
Phone: (813) 274-1561
Fax: (813) 274-1927

AGENDA ITEM VI.c.

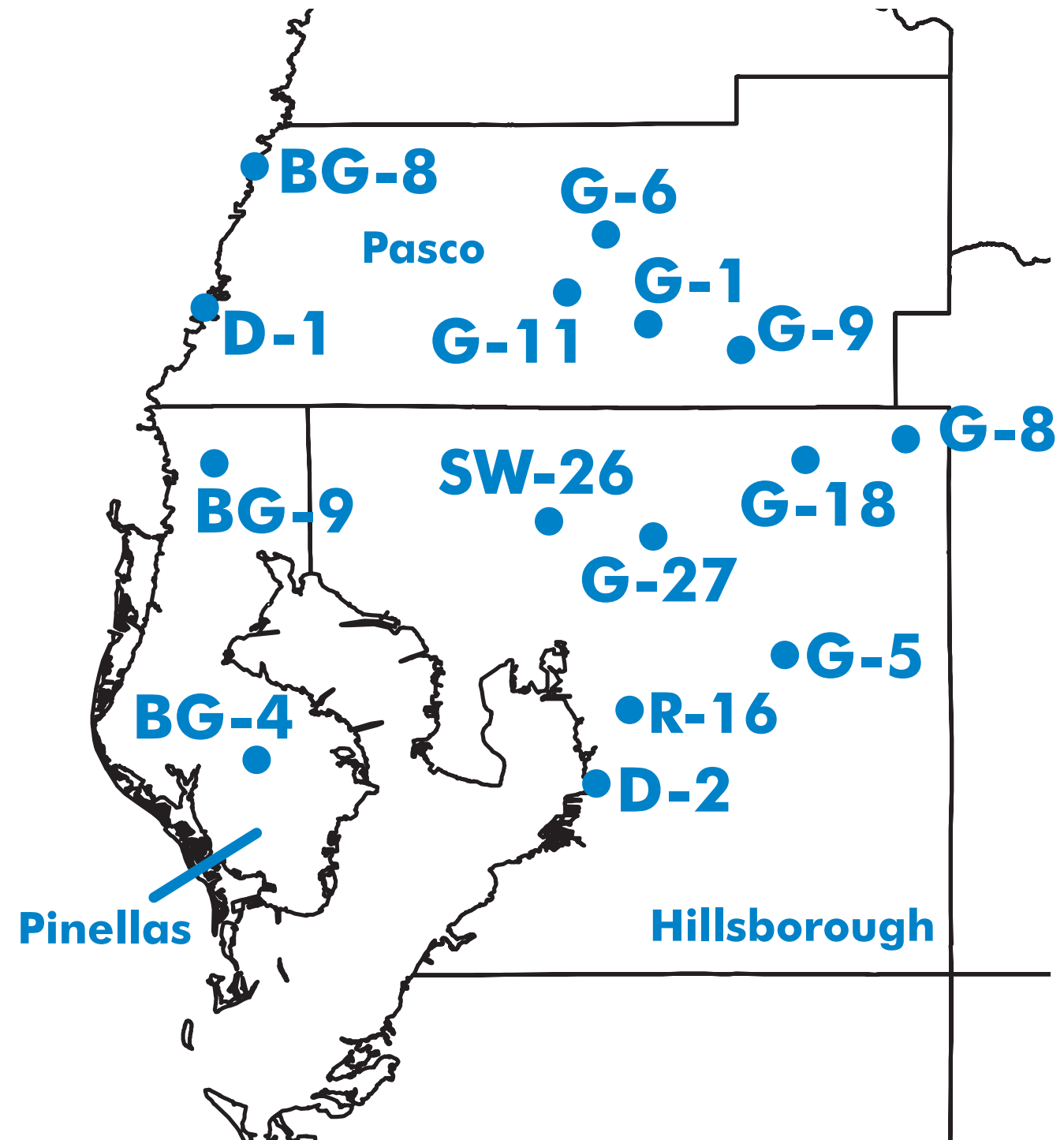
Tampa Bay Water's
"Concept Shortlist"



Concept Shortlist - To Be Evaluated Further in 2008

Concept Shortlist Locations

NUMBER	NAME	PROJECT DESCRIPTION
Brackish Groundwater		
BG-8	Small Footprint Reverse Osmosis (5 mgd +) - Pasco County	Reverse Osmosis treatment of surface water, seawater, or brackish water for potable use. Potential sites identified: Pasco Resource Recovery Site, Bayonet Point, Virginia City, Old Belcher Mine.
BG-4	Mid-Pinellas Brackish Groundwater Water Desalination Project	This project would develop new brackish ground water wells from the Upper Floridan aquifer in central Pinellas County.
BG-9	Small Footprint Reverse Osmosis (5 mgd +) Pinellas County	Reverse Osmosis treatment of surface water, seawater or brackish water for potable use. Potential locations include Lake Tarpon/US19, Pinellas Resource Recovery Site, Weedon Island Power Plant Site.
Seawater Desalination		
D-2	Big Bend Desalination Expansion	Expansion of Big Bend Desalination plant by 10 mgd.
D-1	Anclote Power Plant	Develop a facility that could produce 25 mgd of potable water for use in Tampa Bay Water's distribution system. The facility would be co-located with the existing Anclote Power Plant, which is located in southwestern Pasco County and owned and operated by Progress Energy.
Fresh Groundwater		
G-1	Additional Potable Ground-Water from Existing Wellfields	Increase production from wellfields.
G-11	East Pasco Regional Wellfield	Develop regional linear or dispersed wellfield between Cypress Creek and San Antonio. Treat at Cypress Creek WTP.
G-18	Northeast Hillsborough Regional Wellfield	Develop regional linear wellfield connecting to Morris Bridge WTP.
G-8	Cone Ranch & Dispersed Wells	Development of new groundwater wells.
G-6	Central Pasco Regional Wellfield	Develop regional linear wellfield connecting to Cypress Creek WTP.
G-9	Cypress Bridge II	Development of new groundwater wells.
G-27	Thonotosassa Wells	New wells on City of Tampa property near Thonotosassa.
G-5	Brandon Wellfield Enhancement	Expansion of existing wellfield through expansion of the current WUP and placement of additional wells.
Reclaimed Water		
R-16	Downstream Augmentation of Alafia River	Augmenting the flow of the Alafia River with surplus Howard F. Curren WWTP reclaimed water, at a point downstream of the withdrawal point for potable source. This augmentation would be designed to allow the increase of withdrawal increases from the Alafia River.
Surface Water		
SW-26	Enhancements: Phases C&D	This option consists of the phased enhancement of Tampa Bay Water's Enhanced Surface Water System (ESWS). Phase C includes a second potential storage reservoir for Alafia River water and Phase D includes downstream augmentation of the Hillsborough River.

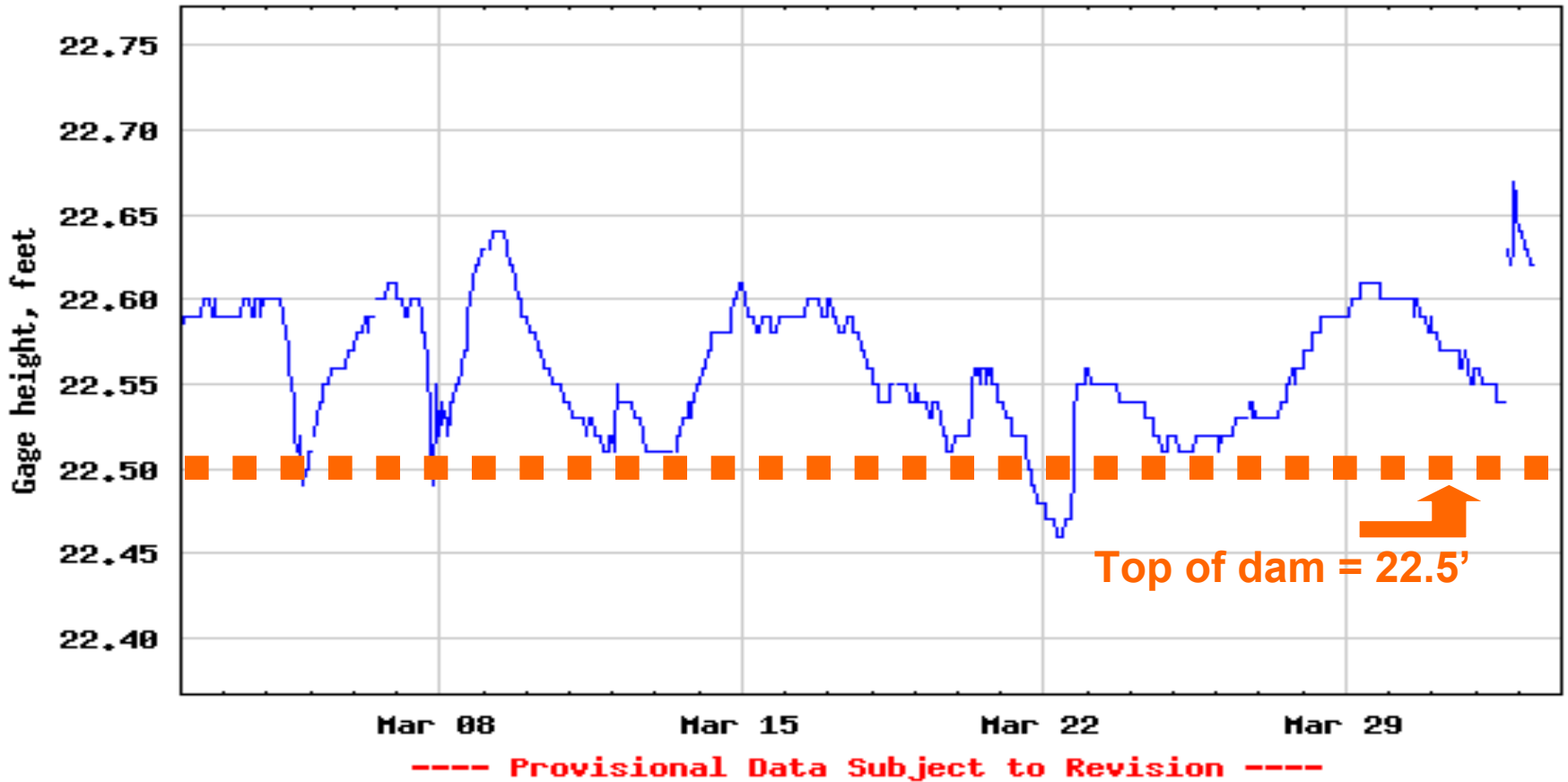


AGENDA ITEM VI.e.

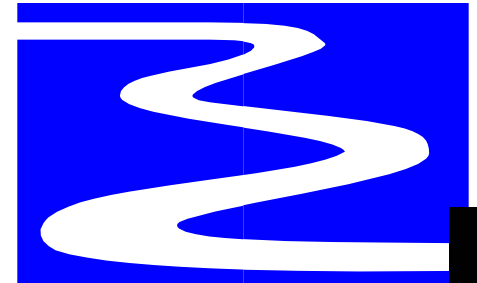
Status of Hillsborough River
Flows and Levels



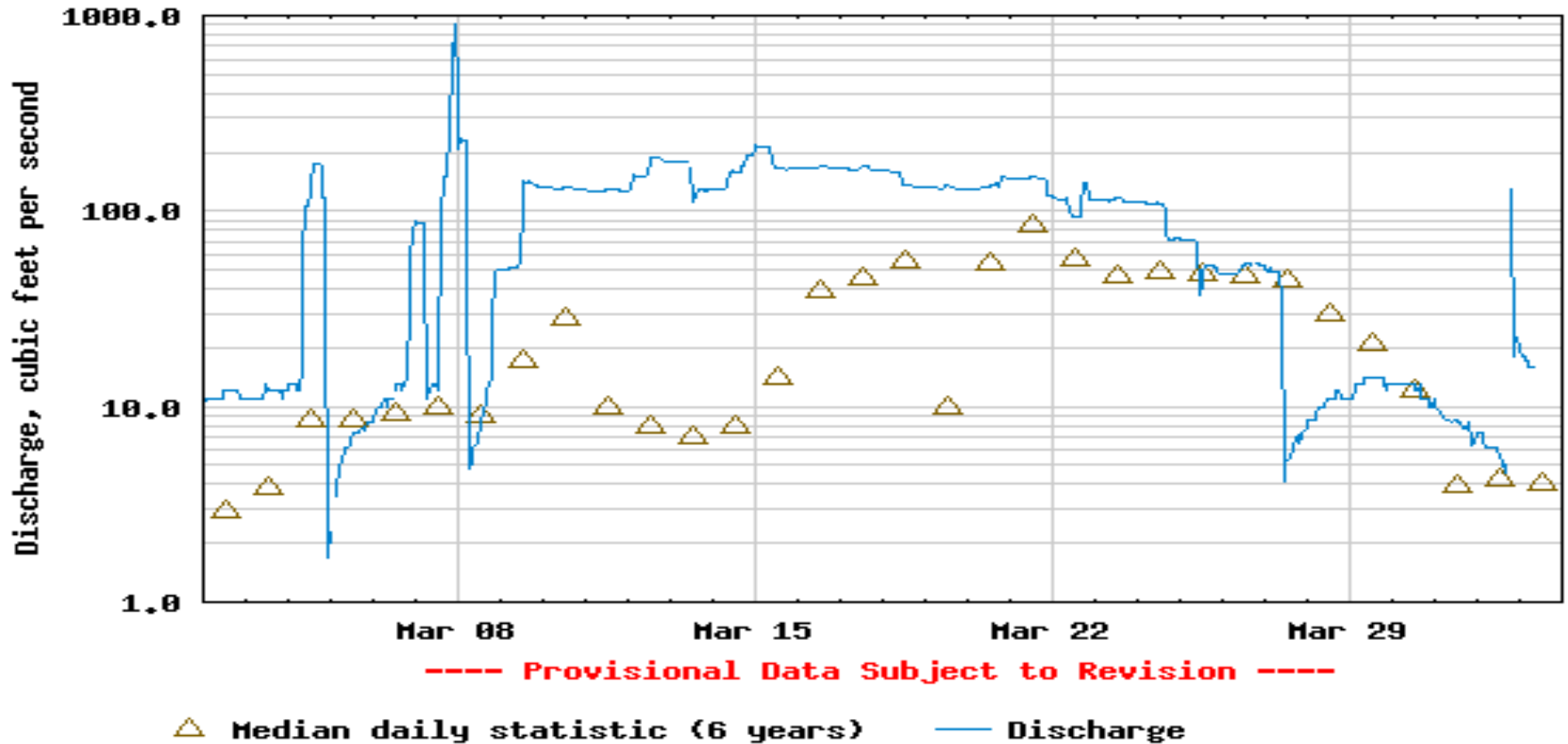
USGS 02304500 HILLSBOROUGH RIVER NEAR TAMPA FL



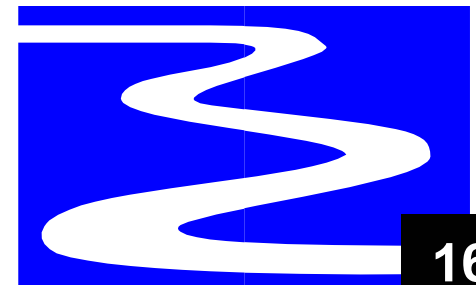
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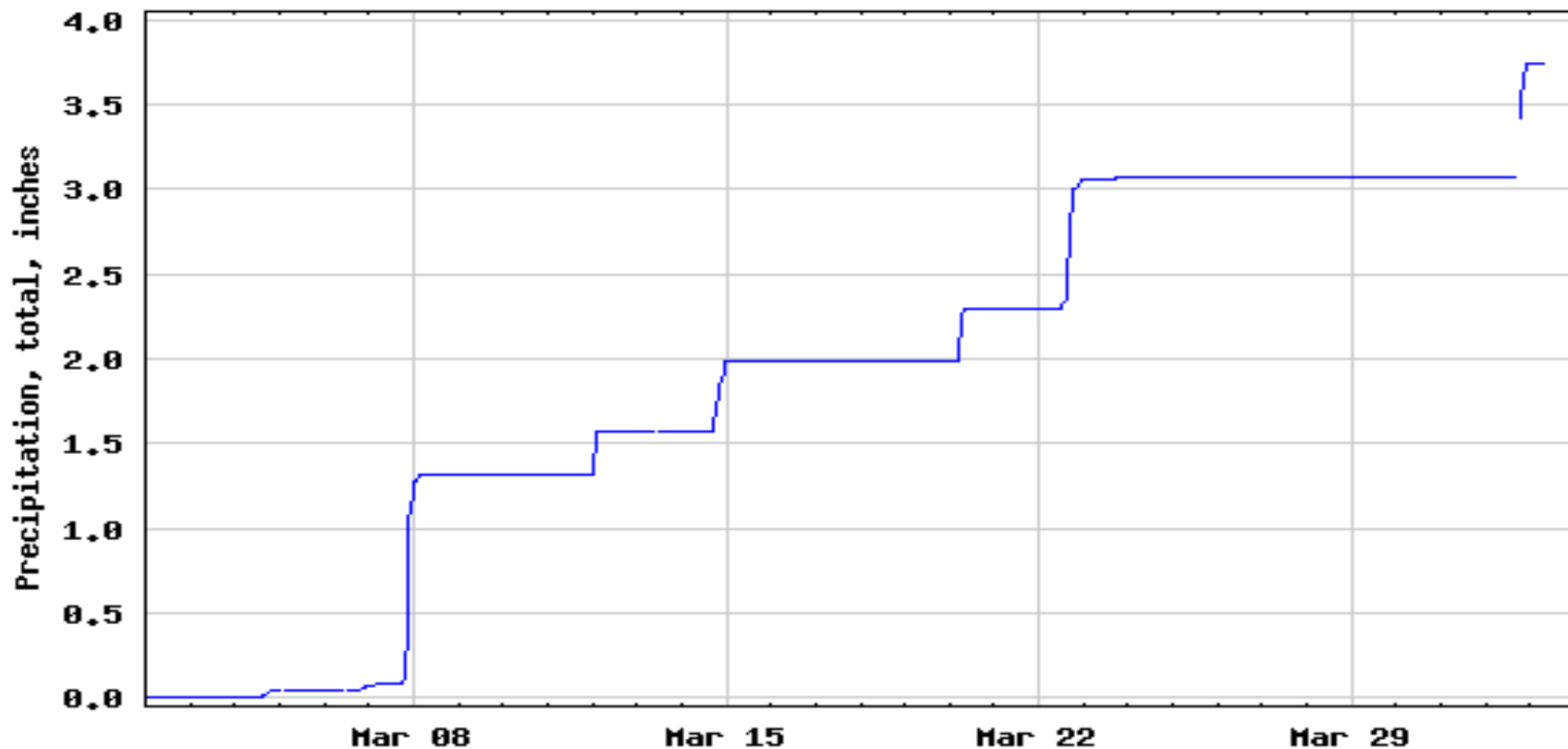
USGS 02304500 HILLSBOROUGH RIVER NEAR TAMPA FL



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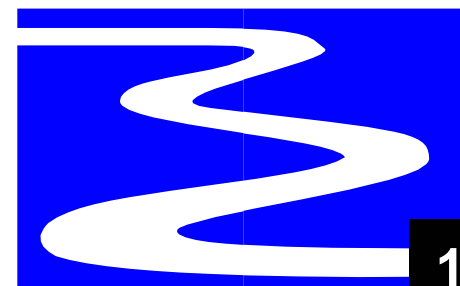


USGS 02304500 HILLSBOROUGH RIVER NEAR TAMPA FL



---- Provisional Data Subject to Revision ----

http://waterdata.usgs.gov/fl/nwis/uv/?site_no=02304500&agency_cd=USGS



AGENDA ITEM X.

Other Business



April 02, 2008

Cypress Creek Town Center on hold

WESLEY CHAPEL -- Cypress Creek Town Center is indefinitely on hold, a spokeswoman for the mall said today.

The Richard E. Jacobs Group, developers of the 1-million-square-foot project, and the prospective tenants of the mall agreed last week to halt all construction at the site on Interstate 75 and State Road 56 and postpone its opening, said Deanne Roberts.

The mall was originally scheduled to open in October. "I don't know what the new date will be," Roberts said.

The mall has long been dogged by controversy. Environmentalists sued the U.S. Army Corps of Engineers, saying the regulators should never have issued a permit for the Jacobs Group to fill 54 acres of wetlands at the site.

In February, the corps suspended the permit, halting work on the 54 acres that would have been part of the mall.

Mall officials said that they decided last week to stop all construction on the site, because they did not want to risk the mall opening as an incomplete construction. But Roberts denied Cypress Creek Town Center had lost any tenants because of these problems.

-- Chuin-Wei Yap, Times staff writer