

**LAKE COUNTY WATER AUTHORITY
REGULAR MEETING ANNOUNCEMENT AND SUMMARY AGENDA**

July 22, 2009 – 3:30 p.m.

Lake County Administration Building

2nd Floor - County Commission Chambers

315 West Main Street, Tavares, FL 32778

1. **Call to Order / Pledge of Allegiance**
2. **Approval of Minutes - Regular Board Meeting of June 24, 2009 and Special Education Meeting June 26, 2009**
3. **Executive Director Report**
4. **Discussion Items** **Presenter**
 - a. **F/Y 2009-10 Budget-Set Proposed Tentative Millage Rate** **Michael Perry**

Staff presented the draft budget for Fiscal Year 2009/10 at the July 08, 2009 Board budget meeting. At that meeting, staff provided an overview of the budget and discussed each budget section and identified any changes made since the budget distributed at the June 24, 2009 regular Board meeting. Staff has made the following changes to the FY 2009/10 budget as directed by the Board:

- 500-340 Other Contractual Services - Increase the amount for Trout Lake Nature Center from \$2,250 to \$5,000.
- 700-310 Professional Services - Increase the amount for Attorney Services from \$50,000 to \$200,000.
- 700-349 Harris Chain Restoration Council - Accurately reflect the current projects identified by the Council.
- Staff has also included a draft of a scope of work for the naturalist and a concept of the Dora canal Dredging project.

At this meeting, staff will review the changes made during the July 08, 2009 Board budget meeting and the Board can discuss the budget as needed. The Board must set a tentative millage rate and set a Tentative Budget Hearing date at this meeting. The proposed tentative rate will reflect the highest rate the board intends to consider. The board can still lower the millage rate as it continues with the budget process; however, it can go no higher than what the Board takes action on at this meeting.

The Board will have another opportunity to discuss the budget at the August 26, 2009 Board meeting and provide staff with direction in preparation for the Tentative Budget Hearing scheduled for September 9, 2009 at 5:05 pm.

Executive Director Recommendation:

Set a proposed tentative millage rate at 0.2130 mils and set the Tentative Budget Hearing for Wednesday, September 9, 2009, at 5:05 p.m. in the BCC Chambers/Administration Building, 315 West Main Street, Tavares, FL.

b. Fencing Options for M-5 Property

Ron Hart

At the May meeting, the Board requested staff to develop a set of fencing options for the M-5 site. At the June meeting staff was prepared to address the issue, however Ms. Adragna's attorney requested and received a continuance to allow him to complete a title review of Ms. Adragna's and the Water Authority's adjacent properties prior to the Board considering fencing alignments. As of the date of this memo, Attorney Barice has not received a response as to whether the review has been completed.

Should Ms. Adragna's attorney complete the title review and staff and Attorney Barice have sufficient time to review the findings staff will be prepared to update the Board at the meeting.

Staff had provided the following information to the Board at previous meetings and is included for the Board's reference. Ms. Adragna has a fence with five gated openings to the Water Authority's M-5 property. Should the Board desire to install a separate fence along the entire property line, the cost to install the approximately 1950' boundary field fence with one 14' access gate is around \$5600. A gate costs approximately \$250 to install.

The following attached diagram shows the most viable options pertaining to the access area for Ms. Adragna:

- Option 1 - Utilize only the existing fence Ms. Adragna has installed on her boundary. This option would assume that Ms. Adragna accepts the Board's position of not allowing her animals or placing pens, fencing or other structures on Water Authority property. The Board would direct staff to regularly visit the M-5 property to determine if there are any concerns. This option would not require the additional expense of a separate fence or gate.
- Option 2 - Install a new fence and gate around the "dogleg" portion of the Water Authority property with an extension to the river. This option would restrict Ms. Adragna's access to a 30' wide corridor to the river. The disadvantage is that the fence would also limit staffs access to the same area.
- Option 3 - Install a new fence and gate around the "dogleg" portion of the Water Authority property but without an extension to the river. This option cost about \$70 less and would allow access to both parties to the 30' wide corridor. Staff would still require Ms. Adragna to stay within this corridor and may post No Trespassing signs in place of the 30' fence.

Based on the Board Members comments and the May meeting, staff has included access gates in all of the options. If, however, problems arise associated with any unauthorized use of the property staff would recommend to the Board to permanently lock the gate.

Executive Director's Recommendation:

Do not install the redundant fence along the entire property line, however authorize the Executive Director to install fence around the "dogleg" and install a gate as shown in Option 3.

c. LCWA – GIS Overview

Ben Garcia

Board Member Bystrak has requested that staff provide the Board with an overview of the LCWA's Geographical Information System. Some of the major issues facing the Lake County today such as economic development, tourism, environmental impact, increasing population, improvement of

provided services, and so on, has a critical geographic dimension. The old adage "better information leads to better decisions" is true for GIS. A GIS is not just an automated decision making system but a tool to query, analyze, and map data in support of the decision making process.

At the Lake County Water Authority, GIS is used to help reach better decisions. The location of protected areas, including open preserves, is an example of how GIS could provide benefit for the enjoyment of the public. The waterways maintenance and other water related projects are other areas where GIS is an important factor in the decision-making process at the Water Authority.

The type of information can be presented succinctly and clearly in the form of a map and accompanying report, allowing decision makers to focus on the real issues rather than trying to understand the data. Because GIS products can be produced quickly, multiple scenarios can be evaluated efficiently and effectively.

The Water Authority has maintained a GIS system and participated in the sharing of updated data and the acquiring of new layers. The Water Authority routinely cooperates with other agencies and the public to produce county data layers, as well as maps of different sizes and perspectives. Such visual tools will include hydrologic analysis maps, maps of project locations, and maps of the rivers and lakes within the county. These maps and visual data become part of presentations, reports and discussions involving the resources of the county.

Executive Director's Recommendation:

For Information and discussion purposes only. No action required.

d. Revision of Lake Norris Conservation Area Land Management Agreement

Patricia Burgos

In 1996, the Lake County Water Authority entered into an Inter-governmental Management Agreement with the St. Johns River Water Management District (copy of agreement enclosed) for joint management of the 2,000+ acre Lake Norris Conservation Area. This property is owned by the District and it is located in northeast Lake County and within the Wekiva-Ocala Greenway CARL project. Between the years 1996 – 2000 the Lake County Water Authority provided under this management agreement, funds for the renovation of the security residence, for the development of the first Land Management Plan, to install burrowing owl cavities, and the installation of four (4) canoes, canoe rack, and locker for storage of safety vests and paddles, fire ring, and picnic bench for the camping area. Since 2000, the Water Authority has only provided security checks of the property, maintained a reservation program for the canoes and camping area, and maintained the Blackwater Creek by removal of downed trees on the paddle run.

Over the past two years Water Authority staff has had a few issues surface at the District's property:

- Staff was directed to install signs along Blackwater Creek discouraging paddling by visitors south of the Lake Norris Road Bridge, north & south of CR44A, and north and south of SR 44. These installations were in response to visitors getting lost and being rescued by the Sheriff's Department. These actions required close to \$2,000 worth of heavy duty metal, reflective signs paid for by the Water Authority and time and effort by LCWA staff to install the signs and get permission from a private landowner and the Florida Division of Forestry for installation.

- Due to the sandy access road leading to the camping and canoe areas, there were issues of visitors that had registered for these activities getting stuck on the road. Staff contacted the District and the District was able to fix it that time, but advised the Water Authority that due to its “lead manager” status under the agreement, the Water Authority would have to care for the road if it becomes a problem in the future.
- Groups and day users of the property were using a bucket near the camping area as a bathroom. LCWA Staff had to remove the bucket and dispose of the contents properly. Staff then approached the District about restroom facilities and was told that due to our agency’s “lead manager” role under the agreement, the Water Authority would have to pay for a bathroom or some other waste disposal program.
- Staff was contacted this past year by District staff about a gate on another portion of the property, not often frequented by Water Authority staff as being damaged and a request for us to check it out and repair if necessary. Staff did its best to accommodate, but the time and effort taken for this activity took away valuable time for land management needs on Water Authority properties.
- Staff has had to spend time twice this past year solving bee problems around the District’s information kiosk at the entrance to the property. The first incident necessitated cordoning off the area, calling a bee keeper and checking over several days to make sure visitors were safe in approaching the kiosk.
- District staff has updated the Lake Norris Conservation Plan once without Water Authority staff involvement or review and now the District is prepared to update the Land Management Plan a second time.

Because the District is updating the Lake Norris Conservation Area Land Management Plan, staff thought it would also be a good time to reassess the “lead manager” role of the Water Authority under the old Intergovernmental Agreement between the two agencies and possibly update the agreement. Due to LCWA staff’s increasing its focus on management, restoration and prescribed burning of Water Authority Preserves, staff is recommending that a letter be drafted to the District redefining the role the Water Authority could play in assisting the District in managing the Lake Norris Conservation Area. Currently, the District oversees the natural resource management of the property, the prescribed burn program for the property, and the infrastructure management of the property with the LCWA staff playing a minimal to a non-existent role in these decisions. Therefore, it is the LCWA staff’s contention that the lead manager role is misleading under this agreement and commits the Water Authority to more than it is financially able to do or that its personnel is able to accomplish.

Staff is recommending that the Water Authority step back from the “lead manager” role and offer instead to assist only with the management of the canoe and camping programs as a “recreation partner” for the Lake Norris Conservation Area. Staff has drafted a letter for the Board’s review and discussion.

Executive Director’s Recommendation:

Authorize staff to send a letter to the St. Johns River Water Management District redefining the Water Authority’s role at the Lake Norris Conservation Area and recommending that a new Intergovernmental Management Agreement be drafted for LCWA Board review.

e. Approval of Revisions to Mini-Grant Guidelines and Authorization to Advertise Mini-Grants

Patricia Burgos

On June 2, 2009, Michael Perry, Patricia Burgos, and Gail Goldberg met with Board members Linda Bystrak and John Harris to discuss the mini-grant program and to develop guidelines for the overall program and guidelines to distribute to educators and community groups seeking grants. Claudia Rowe, Secondary Science and Program Specialist for Lake County Schools was also invited to this committee meeting to provide information regarding teacher requests, Sunshine State Standards, School Board procedures and requisition processes.

Staff has enclosed the draft two (2) sets of guidelines resulting from this meeting for Board review and discussion. One set is for the overall grant program and the other set of guidelines are for the teachers and the community group applicants to read prior to submitting a grant application.

Authorization to Advertise the 2009-2010 “Drop-by-Drop: You Make A Difference!” Mini-Grants

The “Drop-by-Drop: You Make A Difference!” mini-grants have been awarded by the Water Authority Board since 2001. Over \$286,000 has been awarded to local schoolteachers and community groups working to promote a better understanding of our local water resource issues.

The Board has tentatively included \$43,500 in its FY 2009/10 budget for the annual “Drop-By-Drop You Make A Difference!” mini-grants. The grant money is under the following budget accounts:

500-810	Aids to Government Agencies	\$ 30,000	(teacher grants)
500-820	Aids to Private Entities	\$ 7,500	(community grants)
700-810	Aids to Government Agencies	\$ 3,000	(community grants)
700-820	Aids to Private Entities	<u>\$ 3,000</u>	(community grants)
	<i>Total grant money:</i>	\$ 43,500	

The different accounts are necessary for accounting purposes and allows the Board to award grant money to school teachers, community groups (e.g., Power Squadron) and local municipalities (e.g., City of Mount Dora).

Education Mini-grants: These grants have been awarded to Lake County educators in the public and private schools. This year staff is recommending that the grants amounts be \$2,000 even and that the categories of Consumable and Equipment be omitted so that there will only be one grant category.

A committee of five participants will once again be established to decide on which grants will be recommended to the Board for their review and approval at the November 2009 meeting. Board members are always encouraged to participate in the committee deliberations and decisions. Once approved by the full Board, winners and losers are then contacted by mail.

Community Mini-grants: These mini-grants target community groups and government entities within Lake County to promote water resource awareness and water safety education. As mentioned above, \$13,500 has been tentatively included in the FY 2009-2010 budget.

Upon Board approval, staff will begin advertising throughout the school system and the community to alert potential applicants of the grant program and deadline. It will be made clear that any grants awarded will be contingent upon Board approval of the FY 2009/10 budget in September 2009. Grant

recipients will be recommended by the committee and presented at the November Board meeting for discussion and action.

Executive Director Recommendation:

Approval of the “Drop-by-Drop: You Make A Difference!” Mini-grant program guidelines and guidelines for grant applicants.

Authorize staff to advertise the “Drop-by-Drop: You Make A Difference!” education and community mini-grants program for FY 2009/10 and assign a Board Member(s) to participate on the recommendation grant committee.

f. Approval to Award Palatlakaha River Restoration Project

Ron Hart

In February 2009, the Board authorized staff to the release a Request for Proposals (RFP) to select a firm to design, permit and provide construction management services for the Palatlakaha River Restoration Project. The RFP was released on March 20, 2009 and the following 17 firms responded:

BCI	CDM	Dave Schmitt Engineering
DRMP	ECT	Engineering & Env. Design
Entrix	Geo Syntec	King Engineering
Mactec	Mitigation Resources LLC	Springstead Engineering
Tetra Tech	The Milcor Group	URS
Wicks Consulting	WRS Compass	

A technical review team (TRT) comprised of Trustee Larry Everly, Michael Perry, Ron Hart, and Lance Lumbard reviewed each proposal and met to discuss the firm’s strengths and weaknesses. After thorough consideration, the TRT recommends the top three firms in order of ranking:

1. King Engineering
2. BCI Engineers & Scientists
3. CDM

The Board may request the top three firms to provide oral presentation at the next Board meeting before making the final selection. However in order to save, staff feels comfortable recommending the approval of the top three firms as ranked.

Should the Board approve this approach, staff would follow the requirements of the Consultant’s Competitive Negotiation Act and begin negotiations with the top ranked firm. If a favorable contract cannot be reached, negotiations will cease with the top firm and negotiations with the 2nd ranked firm will begin. If negotiations fail with the 2nd ranked firm, this process is repeated again.

The first phase of the project involves the design and permitting for the removal and modification of the M-4 and M-1 Dams. If staff is able to negotiate a favorable contract, it will be presented to the Board for approval.

Executive Director’s Recommendation:

Authorize the Executive Director to negotiate a contract for the Palatlahaha Restoration at M-1 and M-4 with one of the three top ranked firms in the following order:

1. King Engineering
2. BCI Engineers & Scientists
3. CDM

g. Approval of Use of Hickory Point for a Winter Solstice Event **Mildred Hodge**

Ms. Samantha Brower and Ms. Paula Baker, representing Phoenix Rising Productions, LLC, are requesting the use of Hickory Point Recreational Facility to host the 1st Annual Winter Solstice Celebration. They are requesting the use of Hickory Point on December 18, 2009 to set up the show, and December 19-20, 2009 for the actual event.

Their company hosts festivals, Renaissance faires, horse shows and other themed events in the State of Florida. This festival will be a body, mind and spirit festival, *free to the public*. It will feature vendors selling natural and holistic items, food vendors, massage therapists, tarot and psychic readers, live entertainment and arts and crafts for the children.

Special Events Daily Fee Schedule (9:00 a.m. - 8:00 p.m.)		
# Participants	In-County	Out-of-County
275	\$220.00	\$295.00
276-500	\$400.00	\$535.00
501-775	\$620.00	\$830.00
776-1,000	\$800.00	\$1,070.00
Security deposits equal to the reservation fee.		

An enclosed beer garden is requested, which if approved, will be confined to the Hickory Point pavilion. The event promoters will hire security guards for the hours the beer garden will be open.

The number of participants for this first time is estimated at a total of 1,000 for both days. Fees for this event will be consistent with the schedule approved by the Board for events of this size.

Executive Directors Recommendation:

Allow the 2009 Winter Solstice Event pending a signed contract between the Lake County Water Authority and Phoenix Rising Productions, LLC, detailing their responsibilities and limitations within the Hickory Point Recreational Facility during this three day event. Authorization will be awarded pending the receipt of all applicable fees paid in advance of the event, and all agreements of the signed contract being satisfactorily completed.

5. **Public Comment (5:00 pm or as soon thereafter as possible)**

6. **Legal Staff Report**

Carole Barice

7. **Action Items**

a. Authorization to Increase the Budgeted Funds for Permit Fees Necessary to Permit the Beauclair Restoration Project

Lance Lumbard

The Board has previously authorized staff to expend up to \$10,000 in permitting fees to the Florida Department of Environmental Protection (FDEP) for the Lake Beauclair Restoration Project. Recently, the FDEP increased their permit fees for all applications resulting in a new fee amount of \$14,020 for the Lake Beauclair project

Staff is in receipt of the 60% plans for Lake Beauclair and is working with the St. Johns Water Management District and BCI, Inc. to clarify some of the information prior to submitting the Environmental Resource Permit (ERP) application to FDEP. Once these issues are clarified, staff will instruct BCI to finalize the Design Report for the project and submit the ERP to the FDEP along with the permit fee.

Executive Director Recommendation:

Authorize payment of up to \$14,020 to FDEP for the Lake Beauclair Restoration Project ERP application fee.

b. Approval of Updated Public Facility Report

Linda Marino

In an effort to foster coordination between local government and independent special districts the State of Florida requires that special districts submit an updated public facilities report every five years. The last report submitted to Lake County was July 2004.

The report is to describe all of the existing public facilities that the special district owns or operates to include the following:

- Its current capacity
- The current demands placed upon the facility
- Its location

In addition, any proposed construction of a public facility within the next five years must be identified and details provided (financing, anticipated completion, anticipated capacity).

The attached report follows the same format as previously submitted LCWA Public Facilities Reports.

Executive Director's Recommendation:

Authorize the Executive Director to forward the Special District Public Facilities Report for the Lake County Water Authority dated July 2009 to the Lake County Board of County Commissioners.

c. Approval to Support County Regarding Habitat Conservation Plan

Patricia Burgos

Over a year ago, Lake County staff was approached by staff from the U.S. Fish and Wildlife Service about considering the development of a county-wide Habitat Conservation Plan. Because the County is rich in natural resources, the USFWS thought it would be a good idea to develop a plan that allowed for continued economic development and a property owner's lawful activities, as well as protection for listed species and conservation of the County's resources. They also felt that counties along the central ridge of Florida will be an important component to the continued survival of listed species, which is why they are approaching many of the central ridge counties. The County staff is now preparing a proposal to the USFWS that will allow the County to receive funds to develop this Habitat Conservation Plan, which could take between 1-3 years. As part of this proposal, the County must get letters of support from other entities including community groups and local government agencies to show that there is county-wide support for undergoing this process. Staff has included additional information about Habitat Conservation Plans for the Board's review and understanding.

The Habitat Conservation Plan will be coupled with a county-wide Incidental Take Permit. From the perspective of the USFWS, having smaller HCP's around the county for different developments or land impacting activities is detrimental and inefficient in trying to save listed species. Having a county-wide plan with the municipalities included will allow a larger plan to be developed with many entities coming to the table and understanding what can be taken and what needs to be mitigated. Basically USFWS wants everyone to be on "the same page."

The County is asking two things of the Lake County Water Authority at this point in the process:

1. A support letter from the Water Authority; and
2. Authorization to allow Water Authority staff to assist and work with County staff in preparing the plan where related to water resources, aquatic wildlife, and the Water Authority Preserves.

Staff has drafted the attached support letter for the Board's review and action.

Executive Director Recommendation:

Authorize staff to send the Board approved support letter to the County. Authorize staff to assist and work with County staff on the Habitat Conservation Plan.

8. Board Member Comments

9. Board Member Items for Future Agenda

10. Information Items

- a. Staff Report
- b. Monthly Financial Reports – June 2009

11. Announcement of Upcoming Meetings and Events

- Board Meeting – Wednesday, August 26, 2009 (3:30 pm) BCC Chambers/Admin Bldg.
- Tentative Budget Hearing – Wednesday, September 9, 2009 (5:05 pm) BCC Chambers/Admin. Bldg.

12. Adjournment