

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

October 28, 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 – Final Budget Hearing of September 23, 2009 and Regular Board Meeting of September 23, 2009**
3. **Executive Director Report**
4. **Discussion Items** **Presenter**
 - a. **City of Tavares Annexation of Hickory Point** **Michael Perry**

Mr. John Drury, the City Administrator for the City of Tavares has informed staff that the Tavares City Council has requested an update on the Water Authority's process of annexing Hickory Point into the city.

The Water Authority Board discussed this issue at its August 28, 2002 meeting. Staff has attached excerpts of the minutes for the Board's review. When Hickory Point was under development it required water and sewer service. The City of Tavares agreed to provide water and sewer service outside of their City limits. According to the City Administrator at that time, the Water Authority signed a covenant in support of annexation as a condition of the agreement to provide water and sewer services. The following issues were discussed by the Board at the August 2002 meeting:

- The City was not able to find any evidence that an agreement was signed. Attorney Crawford said he reviewed the utility agreement and annexation statutes and without an executed covenant, he felt it would be hard for the City to enforce the annexation;
- The Water Authority currently pays a premium for the water and sewer service. If annexed, the fee would go down significantly. Because Hickory Point is in public ownership it would not increase the tax base for the City.
- A Board member was concerned that should the Park be annexed, the Water Authority would have to approach the City every time the Water Authority wished to hold an event, or obtain a permit, and felt that annexation would not benefit the Authority;
- Attorney Crawford was concerned about the easement going through Hickory Point to the Hochberg property. He noted that the Authority, by not annexing, could not stop Mr. Hochberg from annexing and developing the property, but the Authority might be able to work out an agreement that the City will not allow access to a subdivision through the 25 foot easement. He

noted that it is substandard, but they could apply for variances and that someday the easement could become a street.

No action was taken at that meeting. The Board directed the Executive Director to attend a City of Tavares Council meeting to ask about the City's interest in annexation and to pass on the Board's concerns.

Mr. Drury intends to report on this issue to his City Council in November. He would like to be advised if the Water Authority has any issues with the annexation.

Executive Director Recommendation:

For discussion purposes only. No action required.

b. Harris Chain of Lakes Regulatory Schedule & Structure Operation

Michael Perry

During the lake levels portion of the Executive Director report at the beginning of the September 23rd Board meeting, Vice-Chairman Farner requested that someone from the District attend a future Water Authority meeting to discuss the District's approach to controlling water levels and the operation of the three flood control structures on the Harris Chain. Dave Walker from the SJRWMD will be present to discuss this issue with the Board.

The Harris Chain of Lakes are controlled by three flood control structures: the Moss Bluff Lock and Dam controls water levels in Lake Griffin; the Burrell Lock and Dam controls water levels in Lakes Beauclair, Dora, Eustis, and Harris; and the Apopka-Beauclair Lock and Dam controls water levels in Lake Apopka. The District has recently completed the Harris Bayou structure to move water from Lake Harris during flood conditions.

The District manages the lakes primarily for flood protection. There is a revised fluctuation schedule for Lake Griffin to enhance the lake level fluctuation for environmental benefits. No other lakes in the chain have a revised fluctuation schedule. The schedules may change, however, in conjunction with the establishment of the Minimum Flows and Levels. Attached is a graphic that depicts the most recent lake levels and regulatory schedules.

Executive Director Recommendation:

For information purposes only. No action required

c. Crooked River Tree Removal Bid

Ron Hart

At the August board meeting, staff was authorized to release a bid to remove the 26 hazard trees from Cooked River as shown on the following map:

The bid was prepared and advertised in the Orlando Sentinel. The contractors who submitted for our last tree removal bid were notified about the release of the bid. All bids are due on October 21st at 12 noon. Because the due date is after the time that the board books are sent, staff will prepare and present a recommendation for the Board's consideration at the October 28th meeting.

The bid document that was released for contractors to review and prepare their bids is included for the Boards information.

Executive Director's Recommendation:

To be provided at the meeting.

d. Benthic Invertebrate Monitoring Contract

Ron Hart

The Water Authority began a macroinvertebrate sampling program several years ago to provide staff with a means of assessing biological condition within the lakes. A specific indicator known as the Lake Condition Index (LCI) has been accepted by state and federal agencies as a method to quantify ecosystem health and identify impairment in Florida lakes. Four annual LCI's have been completed for the following waterbodies:

- Lake Beauclair (2 LCI sites)
- Lake Dora (3 LCI sites)
- Lake Griffin (2 LCI sites)
- Lake Eustis (2 LCI sites)
- Lake Harris (3 sites)
- Lake Yale (2 LCI sites)
- Lake Minneola (2 LCI sites)
- Lake Minnehaha (2 LCI sites)
- Lake Louisa (2 LCI sites)

To ensure that the collection of data is consistent, each lake has a scheduled time of the year for its sampling date. This allows comparison of not only the final LCI scores (for statistical significance) but also changes in the population of macroinvertebrates within these individual waterbodies as they respond to environmental influences (degradation or improvements).

Historically, staff was sampling each lake every year. However because of the change in staff and the cost of utilizing outside services, the Board authorized staff to change the sampling in each lake, except Lake Beauclair, to every three years. Lake Beauclair is still sampled annually because it is a key indicator of NuRF performance.

The contractor (Ms. Sandi Breuer, a former employee) is out of town and is unable to attend the meeting. However, she has agreed to attend a future meeting to update the board on the results of the recent Clermont Chain sampling. Ms. Breuer has also agreed to continue sampling and analyzing invertebrates for our agency on a contractual basis for the previously negotiated a price of \$1,605 per site for the first 6 sites. Afterward, the fee goes down to \$1,385 per site. For comparison, the fee for Water and Air Research to perform similar services was \$7,581 per site.

This year, the contract includes the annual sampling of Lake Beauclair and the analysis of samples previously collected for Lakes Dora, Griffin, Eustis, Harris, and Yale. The following Table shows the cost for each analysis:

Lake Name	LCI Sample Date Range	LCI Field Sampling, Sorting	Slide Mounting	Taxonomic ids & re-ids	LCI taxolist, calcs, reports	Materials	Workman's Comp Insurance	Cost
Beauclair East	10/23-11/03	580	290	260	210	45	220	\$1605
Beauclair West	11/3-11/13	580	290	260	210	45	220	1605
Dora East	11/16-11/28	-	-	-	210	-	220	430
Dora Center	12/5-12/28	-	-	-	210	-	220	430
Dora West	1/11- 1/24	-	-	-	210	-	220	430
Griffin South	1/14- 1/31	-	-	260	210	-	220	690
Griffin North	2/3- 2/15	-	290	260	210	45	220	1025
Eustis North	2/14- 2/27	-	290	260	210	45	-	805
Eustis South	3/7-3/13	-	290	260	210	45	-	805
Little Lake Harris	3/21-4/5	-	290	260	210	45	-	805
Harris East	4/11-4/25	-	290	260	210	45	-	805
Harris West	4/12-4/24	-	290	260	210	45	-	805
Yale South	5/11-5/18	-	290	260	210	45	-	805
Yale North	6/12-6/14	-	290	260	210	45	-	805
Total Cost:								\$11,850

The board included \$12,000 in the Fiscal Year 2009-10 budget for benthic invertebrate sampling. This amount is slightly more than the \$11,850 needed to analyze the Harris Chain. Staff further negotiated for Ms. Breuer to work a scheduled educational event at no additional cost.

Executive Director's Recommendation:

Authorize the Executive Director to execute a contract with Ms. Breuer for the collection and analysis of benthic invertebrates on the Harris Chain for an amount not to exceed \$11,850.

e. Approval of NuRF Letter of Credit Increase & CD Purchase Lance Lumbard

As part of the CC Ranch lease agreement with the St. Johns River Water Management District, the LCWA is required to maintain collateral equal to the expected cost of demolition of the Nutrient Reduction Facility (NuRF). The District agreed to allow the LCWA to accumulate the funds over five years with an initial deposit of \$500,000 and four consecutive deposits of \$175,000 for a total of \$1.2 million. The District requires a formal guarantee of these funds and specifies a Letter of Credit or a Demolition Bond in the lease agreement.

The LCWA selected a Letter of Credit (LOC) as the preferred instrument to guarantee these funds because it is tied to an interest-bearing Certificate of Deposit (CD). Last year's annual yield on a 12-month CD was about 4% while the annual commission rate tied to the LOC was 1%. This year, the 12-month CD is much lower at about 1% and has the potential of being less than the 1% commission fee for the LOC. Longer term CDs should generate additional interest and may be a more advantageous option since there is no expectation to use these funds in the near future. CD rates fluctuate day-to-day, so staff will provide current rates for several CD terms from different financial institutions at the October Board meeting.

The first \$500,000 CD was purchased from SunTrust Bank in November, 2007 along with the LOC. Last October, an additional \$175,000 CD was added to the total for a sum of \$675,000. The next \$175,000 installment is currently due and will bring the revised LOC total to \$850,000. Assuming a suitable rate (greater than 1%) can be arranged with SunTrust Bank they will perform all of the required transactions upon notice by the LCWA and according to the requirements stated in the District lease agreement. If SunTrust is not able to provide a rate of 1% or greater, staff recommends purchasing the CD and the Letter of Credit from an appropriate financial institution with the best rate. If the best rate is not through SunTrust, the St. Johns River Water Management District would need to release the existing Letter of Credit.

Executive Director Recommendation:

Authorize Executive Director to purchase an appropriate CD from SunTrust or another suitable bank for a total of \$850,000 and to increase the amount of the existing Letter of Credit to \$850,000.

f. Board Meeting Decorum & Role of the Chairman

Chairman Fullerton

Chairman Fullerton has requested this item be placed on the agenda. Prior to, and during her tenure as chair she has been concerned about the lack of a "job description" for the Chairman. She would like the Board to consider the issue of formalizing the role of the chairman, whether there should be term limits for a chairman and the progression of vice chair to chairman.

Chairman Fullerton would also like to review the issue of Board interaction and decorum during the meetings. She has asked that the following information, previously distributed to the Board by email, be attached to this agenda memo.

Executive Director Recommendation:

For discussion purposes only.

g. NuRF Alum Price Increase

Lance Lumbard

The LCWA currently purchases liquid aluminum sulfate (alum) for use at the Nutrient Reduction Facility (NuRF) from General Chemical Performance Products LLC. General Chemical was awarded the low bid of \$268.50 per dry ton (roughly \$0.67 per gallon) in November 2008 and a contract was executed on December 19th, 2008. The contract allows up to three annual renewals after consideration of price adjustments. General Chemical has indicated that this pricing is

good through January 31st, 2010 at which time the price will increase 6.5% to \$286.00 per dry ton.

Staff asked General Chemical to provide next year's alum pricing now to allow time for Board discussion and to determine if rebidding is necessary prior to the December 19, 2009 contract termination date. Since the second lowest bidder in 2008 was \$385.00 per dry ton (43% higher), staff is confident that General Chemical still offers the best product for the lowest cost. In addition, staff has contacted various alum consumers statewide and the increased price is still lower than the current price being paid by other consumers.

Staff recommends renewing the annual purchase contract on December 19th, 2009 with current pricing holding firm until January 31st, 2010. The price increase will take effect on February 1st, 2010 and will be firm through December 19th 2010 at which time the Board may consider another renewal.

Executive Director Recommendation:

Authorize Executive Director to amend the current alum purchase contract with General Chemical allowing an extension of the current \$268.50 price per dry ton through January 31st, 2010 and updated pricing of \$286.00 per dry ton beginning February 1st, 2010 and ending December 19th, 2010.

h. Executive Director Performance

Chairman Fullerton

5. Public Comment (5:00 p.m. or as soon thereafter as possible)

6. Legal Staff Report

7. Action Items

a. Authorization to Purchase Replacement Truck under State Contract Ron Hart

The Board included \$30,000 in the Fiscal Year 2009-10 budget for the purchase of a new medium duty truck. The truck would be a replacement vehicle for the old explorer that has 174,000 miles. Upon receipt of the new truck, the explorer will be surplus at public auction as authorized under Resolution 2003-04.

Staff recommends a new one-ton, four wheel drive, extended, or crew cab pickup with a full sized bed. The new truck will be utilized to haul boats including the barge, carry a water tank during controlled burns, and transport staff to and from work sites. The heavy equipment that is hauled or pulled by our agency has historically caused transmission problems in our ¾ ton vehicles. The larger motor and accompanying transmission should alleviate this issue.

The existing State Contract is due to expire at the end of the month and a new one with the newer models vehicles will begin next month. Under the old contract, One ton 4 wheel drive crew cab pickups run from \$24,000 to \$31,000. Staff expects the new models to have similar prices due to the current economy.

Staff recommends that the Board authorize the purchase of the new truck for an amount not to exceed \$28,000. This amount would provide some flexibility should the State's price increase slightly.

Executive Director's Recommendation:

Authorize the purchase of a one-ton, four wheel drive, extended, or crew cab pickup under the State Contract for an amount not to exceed \$28,000 and authorize the surplus of the old Ford Explorer.

b. Authorization to Release 2010 Stormwater Grant

Ron Hart

The Stormwater Grant Application originated in 1996 as a method of enhancing our lakes by reducing historical nutrient loads to our lakes from stormwater runoff. This fiscal year the Board budgeted \$500,000 to fund the 2010 Stormwater Grant Program. Because the funding is already in place, water quality related stormwater projects approved by the Board have the ability to receive immediate funding.

The grant application remains unchanged from last year. Further background information and a full explanation of the process can be found in the following grant funding application.

Executive Director's Recommendation:

Authorize staff to release the 2010 Stormwater Grant Application to the appropriate public agencies.

c. Approval of 2010 Board Calendar

Linda Marino

The Department of Community Affairs requires the Authority to file their meeting schedule with the Clerk of the Board of County Commissioners quarterly, semiannually, or annually. Traditionally the Water Authority has submitted an annual schedule to both the Clerk's Office and the Board of County Commissioners.

The attached schedule follows a similar pattern as 2010. The regular meetings are on the fourth Wednesday except during the November and December holidays, when they fall on the third Wednesday.

Staff will submit a BCC Chambers reservation request to the Board of County Commissioners for all of these dates except for the July 14, 2010 Budget Workshop.

Executive Director Recommendation:

Authorize staff to file the meeting schedule as presented.

d. Authorization to Enter into Agreements with Education Contractors

Patricia Burgos

The hiring of education contractors were part of a multi-faceted approach to not only get the Lake County Water Authority's name out into the community, but to promote awareness of

water resource issues through the school system, group organizations, and the public. There are three contracts that are due for renewal for FY 2009-10. The three contractors will be present at the November 19th meeting to provide a brief, year-end report to the Board detailing their work during the previous 2008-09 Fiscal Year. They will also be available for questions.

The following are the public outreach contractors and the proposed costs:

- Trout Lake Naturalist - \$5,000
- Maryann Krisovitch, SJRWMD Watershed Action Volunteer Coordinator (WAV) - \$5,000
- Teresa Watkins, host for “In Your Backyard” Weekly Radio Show and Water Conservation Programs - up to \$5,000

Trout Lake Nature Center Naturalist - In previous years, the Water Authority prepared a Scope of Services to be accomplished by Lavon Silvernell, the Trout Lake Naturalist, to promote water resource awareness through school programs at the Trout Lake Nature Center in Eustis. The Trout Lake Naturalist would also promote the Lake County Water Authority and its Preserves by scheduling monthly guided public tours on the properties and/or providing educational programs by request at the Preserves. For the 2009-10 staff would recommend that the Board consider the \$5,000 included in the Board’s FY 2009-10 budget as a “donation” to be used by the Trout Lake Nature Center in support of water resource education rather than prepare a Scope of Service and a contract.

Watershed Action Volunteer Coordinator - Promotes awareness of water quality issues to the public and schoolchildren, recruits volunteers for Water Authority activities as part of the “Preserve Pals” program, as well as participates in Water Authority-sponsored activities such as NuRF Grand Opening, water quality testing at Wolf Branch Sink and Hidden Waters Preserves, schedule Preserve clean-ups, as well as various outreach opportunities. A purchase order is issued to the SJRWMD for this service. Half of the \$5,000 payment is paid to the St. Johns River Water Management District mid-year and the other half is paid at the end of the fiscal year upon receipt of the final invoices.

“In Your Backyard” Radio Show and Water Conservation Programs - Hosts a weekly radio show on WLBE, 790 AM, Tuesdays from 11:00 am – Noon. The Water Authority co-sponsors this radio show with Lake County Environmental Utilities Department. The radio show promotes water conservation in the landscape, water quality awareness and discusses current water resource topics affecting Lake County. Upon request, Ms. Watkins will work with developers and community groups on water conservation issues and participate in Water Authority-sponsored events. Unlike the other contracts, Ms. Watkins sends the Water Authority a monthly invoice detailing the tasks that she has performed the previous month as per her scope of services, not to exceed the annual amount of \$5,000.

Executive Director Recommendation:

Authorize the Executive Director to:

1. Execute a Memorandum of Understanding (MOU) between the Water Authority and Trout Lake for an amount not to exceed \$5,000.

2. Execute a purchase order to the St. Johns River Water Management District to support the Watershed Action Volunteer Program for an amount not to exceed \$5,000.
3. Execute an agreement with Ms. Teresa Watkins to support the hosting duties of the weekly radio show and water conservation projects for an amount not to exceed \$5,000.

e. Authorization to Enter into Agreement for the Water Atlas Ben Garcia

The Water Resource Atlas has been up and operating since April 2003. This Web site (<http://wateratlas.co.lake.fl.us/>) consolidates information on the water bodies within Lake County. It is a web-based atlas designed to provide citizens, environmental professionals, planners, and anyone else interested in water resources with current and historical water resource data and information in Lake County. The Atlas provides a one-stop location to find comprehensive and current water quality, hydrologic, ecological and recreational information. The concept was developed by the University of South Florida's (USF) Center for Community Design and Research. The Lake County Water Authority together with other local government agencies have provided funding and/or assistance to create the Atlas.

Because the funding has not increased, USF charged Lake County a funding rate substantially lower than other Counties. When the current contract expires, the cost would increase, but the Lake County Water Authority share will be the same at \$20,000 dollars as it was last year.

As of last year the University of South Florida has done most of updates and maintenance duties and this change has provided the following benefits:

- USF is hosting the LCWA Historical Aerials in the mapping section of the Atlas for the public to display the topographic changes of the lakes and water bodies throughout the years.
- The Lake County Atlas works seamlessly with all other Atlases. (All of the other counties and agencies using the Atlas program have USF as their host including Orange County, Seminole County, Polk County, Hillsborough County, Pinellas County, City of Sarasota and now Volusia County.
- Presently there is minimal down time related to server problems, making the Atlas more accessible at all times.
- The current documentation is being updated frequently because USF is hosting the Atlas and not a secondary party.
- The overall cost of software, hardware and personnel time is lower now for Lake County, because these are part of the yearly maintenance of the Atlas.
- Once a tool is created for one of the other water atlas the same feature or tool could be added to any water atlas with minimal effort or fees.

The plan over the next few years is to integrate all Atlases to provide transparency to the user while giving each agency control over their own web pages. County staff and the LCWA staff have been in discussions with the USF to improve the user interaction/experience with a new interface and looks for the Water Atlas. Since the original development of Lake County's Atlas,

USF has made numerous improvements to the Water Atlas Program, but there are always new ideas and better ways to provide a superior product to its users. In order to do this, however, the Lake County Water Authority should continue funding this program in partnership with the Lake County BCC and others. Our logo is now incorporated in the interface as a partner. This partnership will result in greater efficiency and better services to our citizens.

The Lake County Water Authority Board of Trustees has included \$20,000 Atlas in its FY 2009-10 budget for maintenance support for the Water Resource. Lake County BCC will contribute at least that amount before LCWA contributes its share.

FUNDING

The following table shows the division of funding for maintenance and upgrades of the Lake Atlas for FY 2009-10.

Maintenance Contributors	FY2009-10
Lake County Environmental Services	17,734
Lake County Stormwater	17,733
Lake County Water Authority	17,733
Total Annual Maintenance	\$53,200

Executive Director Recommendation:

Authorize the Executive Director to enter into an agreement with the Lake County BCC to match their cash contribution up to an amount not to exceed \$17,733 to share in the cost of maintenance and upgrade support of the Water Resource Atlas for FY 2009-10.

- 8. **Board Member Comments**
- 9. **Board Member Items for Future Agenda**
- 10. **Information Items**
 - a. **Staff Report**
 - b. **Monthly Financial Reports – September 2009**
- 11. **Announcement of Upcoming Meetings and Events**
 - Board Meeting – Wednesday, November 18, 2009 (3:30 p.m.) BCC Chambers/
Admin. Building
- 12. **Adjournment**