

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

**November 18, 2009 – 3:30 p.m.**

**Lake County Administration Building**

**2<sup>nd</sup> 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 October 28, 2009**
3. **Executive Director Report**

4. **Discussion Items**

**Presenter**

a. **Montverde Fertilizer Ordinance**

**Michael Perry**

During the Public Comment period at the September 23, 2009 regular Board meeting, Mr. Sean Parks (past Board member) stated he is the Consulting Planner for the Town of Montverde and the Town requested that he come before the Board and thank them for the grant money that was used for an aeration system in Lake Florence. The system began operation in April 2009 and the Town noticed a marked improvement in water clarity and a cooler surface temperature.

Mr. Parks distributed to the Board the Town's fertilizer ordinance and noted that the Board had said they would give the Town a grant if the system was part of a comprehensive approach to the cleanup of that lake and the protection of Lake Apopka. The Town has enacted their new fertilizer ordinance and noted that it is stricter than the State's because it requires a 25' setback from the waterline, jurisdictional wetland limits, a two-month black out when fertilizer cannot be applied, a slow-release nitrogen requirement, and limits on phosphorus and nitrogen usage. Mr. Parks further stated that Florida has passed legislation saying if a municipality passes an ordinance, it has to be stricter than the State's model. He said they had to consult with the Institute of Food and Agricultural Services, the FDEP, the Agriculture Commission, and they are awaiting comments on their new fertilizer ordinance.

Mr. Parks also stated that the Mayor would like to come and relay the Council's thoughts on this ordinance at a future Board meeting. As such, Mr. Parks will be prepared to make a presentation at this meeting.

The appropriate portion of the September 23, 2009 meeting minutes are attached for the Board's reference.

**Executive Director Recommendation:**

For discussion purposes only. No action required.

**b. Restoration of Fish Habitat at Hickory Point**

**Michael Perry**

The Harris Chain of Lakes Restoration Council has been working to identify and implement projects that will improve water quality and/or improve habitat for fish and wildlife. One of the techniques available to lake managers to improve structural complexity of lake systems are through vegetation plantings, improvements to sediments, and the use of artificial reefs as fish attractors.

Using funds made available to the Harris Chain of Lakes Restoration Council from the Florida Legislature, the Council is working with the Florida LAKEWATCH and the Florida Fish and Wildlife Conservation Commission to install artificial reefs in Lakes Harris, Dora Eustis and Griffin over the next two years to function as fish attractors and critical fish habitat. The project will also involve the experimental planting of the floating-leafed plant spatterdock (*Nuphar luteum*) at each reef/fish attractor site.

During the first year, the focus would be near established docks or shorelines where shoreline fishing can take place. The Council is proposing that the first demonstration project could occur at Hickory Point. The Council proposes to establish reefs made of either limestone or clean concrete in specific areas around the piers and anchor planted spatterdock in the same areas.

**Executive Director Recommendation:**

Authorize the placement of artificial reefs and the planting of spatterdock in specific areas around the piers at Hickory Point to enhance the fishing opportunities from the piers.

**c. Board Meeting Decorum and 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.

**d. Executive Director Performance Appraisals**

**Chairman Fullerton**

**e. Use of LCWA Property for Gopher Tortoise Relocation**

**Patricia Burgos**

This past year saw a change in Florida Fish and Wildlife Conservation Commission (FWC) rules concerning gopher tortoise relocations and mitigation. Historically, the “taking” of gopher tortoises and paying into a mitigation bank seem to be the primary route for many developments. As the tortoise population decreased, the FWC reassessed their position on the taking, mitigation

and the relocation issues, as well as upgraded the gopher tortoise to a “Threatened Species” here in Florida.

Not only is grant money being made available to local governments with public lands to assist with the management and restoration in the hopes of “opening” up once degraded and fire-suppressed habitat lands to gopher tortoises, but many local governments are using these public lands as potential recipient sites for gopher tortoise relocations. Last month the Board authorized staff to submit a gopher tortoise assistance grant to support existing restoration efforts that are being done by the Water Authority.

Staff is now seeking the authorization to investigate the feasibility for turning some of the Preserves into gopher tortoise recipient sites. These sites could potentially receive gopher tortoises relocated from future development projects around the County.

Staff spoke with David Hanson, Lake County Land Manager and Mr. Hanson provided the following information regarding Lake County’s efforts to have County properties certified as recipient sites:

- Lake County is currently trying to certify a 90-acre parcel near the Green Swamp.
- Lake County hired LPG Consultant and spent approximately \$1800 to do a baseline tortoise survey that will assess how much of the 90-acre parcel is populated by tortoises and how many more can be accommodated as part of the certification process.
- Lake County is currently only considering relocating gopher tortoises that need to be relocated from County or “in-house” road projects and construction projects. In the future they may consider additional tortoises from private construction projects.
- According to Mr. Hanson, he would not view the Water Authority’s efforts to provide relocation sites as “competition,” rather he considers it as a service for the survival of the species. He considers the more sites that are available, the more cost effective it will be for private companies to move tortoises rather than bury them alive because there are “too few” sites to choose from.

Staff would additionally like to make the Board aware that back in April 2002, there were concerns related to the acceptance of gopher tortoises on Crooked River Preserve and the Water Authority competing with private mitigation banks. As a result the Board approved Policy #002:

Lake County Water Authority

Non-Competition With Private Sector Policy

The Board of Trustees of the Lake County Water Authority desires to ensure that it does not intentionally place the agency in direct competition with private sector businesses. As such, the Board of Trustees will strive to ensure that it does not create or gain an unfair competitive advantage over a private sector business when implementing the programs and projects pursuant to Chapter 29222, Laws of Florida

At this time, staff is only requesting permission to investigate the feasibility of certifying the Water Authority Preserves as future gopher tortoise relocation sites. Staff feels that in light of the Florida Fish and Wildlife Conservation Commission's recent rule changes and strong efforts to award grants so that local governments can restore their public lands for the benefit of upland species, in particular the gopher tortoises it is the appropriate time to review this issue with the Board. Once staff determines what the costs might be, the positive and negative aspects to certifying a portion of the Preserves that contain uplands, staff will return to the Board to do a full report.

**Executive Director Recommendation:**

Authorize staff to investigate the feasibility of certifying a portion of the LCWA Preserves as gopher tortoise relocation sites and return to a future LCWA Board for further direction.

**f.      Approval of Award FY 2009-2010 Mini Grants                      Patricia Burgos**

In an effort to continue the support of freshwater resource education and awareness in the community and schools, a mini-grant program was established over eight years ago. The Board gave approval to advertise the community and education grants. Staff received 32 grant applications by the October 16<sup>th</sup> deadline for consideration this year.

A committee of five (5) was formed to review the grants and make recommendations to the November Board. The committee members met on November 9<sup>th</sup> to discuss the community and education grants. The members of this committee included:

Linda Bystrak	LCWA Board Member
Carolyn M. Dillon	LCWA Board Member
John Harris	LCWA Board Member
Mike Perry	LCWA Executive Director
Patricia Burgos	LCWA Staff

**Education Mini-grants:** The \$2,000 maximum award mini-grants are to assist Lake County educators in the public and private sector. Staff would be unable to coordinate the grant program for the public school teachers without the cooperation of Claudia Rowe, School Board representative. She approves all the purchases and fieldtrips to make sure the expenditures by the teachers match the awarded grants.

Private school teachers that will be awarded a grant will purchase the items and then submit the receipts for reimbursement. This method is better for tracking and auditing. Grant funds that are not used by March 2010 are then returned to the Water Authority. The Board included \$30,000 in its FY 2009-10 budget for the education mini-grants.

**Community Mini-grants:** These \$2,000 maximum award mini-grants are for the benefit of community groups within Lake County and their efforts to promote freshwater resource education and boating safety education. These grants are also done on a reimbursement basis once staff receives and verifies the purchase receipts.

An EXCEL table listing the different schools and community groups that applied for 2009-10 grants is attached to this memo. The table also provides a description of the grant request, grade level, the amount requested and awarded, and comments. In particular, the information found in the comment section of the table allows the committee to detail why a grant request was reduced or denied. Grants that were denied are shaded in yellow.

**Executive Director’s Recommendation**

Approve the grant recipients and disbursement of the funds to the winners of the FY 2009-10 Education and Community “Drop-by-Drop: You Make A Difference!” mini-grant program.

**g. Approval of Purchase Order for Polymer for NuRF Lance Lumbard**

Polymer is a general term used in the water and wastewater industry to describe a broad array of chemicals manufactured for the purpose of making small suspended particles stick together to form larger particles. Selection of the proper polymer is critical in order for the centrifuge to produce a dry “cake” at the end of the alum floc dewatering process.

Unlike alum which is typically considered a commodity, polymer manufacturers generally develop proprietary formulae for polymers. Thousands of different proprietary polymers are available from numerous chemical manufacturers and distributors.

Because of the variety and proprietary nature of polymers, competitive bidding is not a suitable platform for finding the most economical and effective product. Therefore, staff has been working with five different polymer companies to find several polymers which may be suited for the LCWA’s purposes. Each company has sent a representative to the NuRF for at least a day to screen multiple polymers in a process called jar-testing.

Two or three polymers are typically selected by each company for full-scale testing. The company then provides several 5-gallon containers with their polymers of choice at no charge. If the polymer produces a satisfactory result, staff requests pricing and may elect to purchase a 300-gallon tote for general operation.

This process has worked extremely well at the NuRF as staff continues to work with vendors to identify the best polymer for the process. Three different polymers have been purchased with differing degrees of cost and effectiveness as outlined in the table below.

<b>Company</b>	<b>Polymer</b>	<b>Dose Rate @ 400gpm</b>	<b>Cost per hour</b>
Nalco	71321	6 gal / hr	\$ 64.44
CedarChem	8346	10 gal / hr	\$ 95.80
Fort Bend	C1682	18 gal / hr	\$172.44

The Nalco product is clearly the most efficient polymer identified to date and has other desirable attributes as well.

The Board included \$50,000 in its FY 2009-2010 budget for the purchase of polymer for the NuRF project. Staff is recommending authorization of a sole source purchase order to Nalco in

the amount of \$50,000. Staff intends to continue working with other interested polymer manufacturers to find even more efficient polymers. In the event that a better polymer is found, staff will return to the board with a recommendation to revise the purchase order.

**Executive Director Recommendation:**

Authorize Executive Director to generate a purchase order in the amount of \$50,000 for purchase of polymer 71321 from Nalco Company during FY 2009-2010.

**h. LCWA Tag Lines**

**Patricia Burgos**

As with all public agencies, private companies, etc. a constant effort to communicate with the public about one's mission is necessary. For a public agency like the Water Authority informing the public about the agency's mission, work projects, and accomplishments is more difficult due to the constraints of public funding. However, within this challenge comes opportunities to get the Water Authority's message out there by updating the agency's website with the latest news, posting on social media sites (e.g., Twitter), using roadside signs at Hickory Point & Main Street, having articles in the local newspapers, appearing at festivals and events, sending email updates through the Water Issue Network (W.I.N.), and leading public tours of LCWA facilities and properties.

Staff also feels that it is worthwhile and beneficial for the agency to come up with a "tag line" or "catch phrase" that can be included in the agency's stationery, envelopes, Preserve brochures, information kiosks, display posters/board, emails, website, business cards, etc. A tag line/catch phrase can be an easy to read phrase that informs the public about the Water Authority. In our everyday correspondence through letters or emails, the Water Authority can seize upon the available space and opportunity to keep informing those receiving the Water Authority information about our focus.

Following are examples of tag lines or catch phrases that the Water Authority has used in the past or can use in the future:

- Caring for the Beauty & Safety of Our Waterways (used in the past on stationery & brochures)
- Cleaner Lakes For Us All (used on the NuRF banner & postcards)
- Preserving and Protecting our Freshwater Resources
- Preserving and Protecting the Freshwater Resources of Lake County
- Working to Improve our Freshwater Resources
- Managing Our Water and Land for Future Generations
- Building a Better Tomorrow Through Healthier Lakes Today

Staff is seeking direction from the Board regarding the selection of a tag line or catch phrase to include on future stationery, business cards, website, email etc.

**Executive Director Recommendation:**

Provide direction to the staff regarding the choice of a tag line or catch phrase.

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

6. **Legal Staff Report**

7. **Action Items**

a. **Authorization to Release Bid for Naturalist** **Patricia Burgos**

Staff first presented the concept of hiring an LCWA Naturalist at the June 26<sup>th</sup> Special Board Meeting. For the past few years, staff has noticed an increase in requests from the public for more programming on the LCWA Preserves and properties, more appearances at events, and to provide talks in front of community groups. Two years ago, staff had the assistance of the Trout Lake Nature Center Naturalist to supplement public programming on the LCWA Preserves and events, but due to the increased workload at the Nature Center, the Naturalist was unable to continue to provide public tours on the Preserves.

The Board has included \$15,000 in its FY 2009-10 budget for the LCWA Naturalist. Staff is now seeking authorization from the Board to advertise for the Naturalist contractor position to assist LCWA staff with public programming. A Scope of Service has been drafted and is attached for the Board's review. The Contractor position will be advertised in the local newspapers and sent out through the email network. Similar to the SJRWMD WAV Coordinator contract and the "In Your Backyard" radio hosting contract, the Naturalist Contractor will be required to have the appropriate insurance and this contract position will not receive any benefits (e.g., health insurance, workers compensation, annual leave) from LCWA.

The candidates for the contracted Naturalist will be interviewed and a recommendation will be brought to the Board for final approval.

**Executive Director's Recommendation**

Authorize staff to advertise for the LCWA Naturalist Contract Position.

b. **No-cost Time Extension for City of Leesburg** **Lance Lumbard**  
**Lake Lucerne Restoration Project**

The City of Leesburg has run into some unexpected delays relating to right-of-way access and is requesting a 120-day extension for their Lake Lucerne Restoration Project. Funding for the project was awarded by the LCWA in December 2008 and the contract is currently set to expire on February 3, 2010. The revised contract termination date would be June 3, 2010.

**Executive Director Recommendation:**

Authorize Executive Director to execute a 120-day no-cost time extension for the Lake Lucerne Restoration Project.

8. **Board Member Comments**

9. **Board Member Items for Future Agenda**

**10. Information Items**

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

**11. Announcement of Upcoming Meetings and Events**

- Board Meeting – Wednesday, December 16, 2009 (3:30 pm) BCC Chambers/  
Admin. Building

**12. Adjournment**