

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

February 24, 2010 – 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 January 27, 2010**
3. **Executive Director Report**

4. **Discussion Items**

Presenter

a. **FY 2008-09 Audit**

Linda Marino

The Water Authority's annual audit for FY 2008-2009 is enclosed for your review. Patricia Sykes-Amos of Greenlee Kurras Rice and Brown will present it to the Board. The management letter states there were no problems found and the auditing firm had no recommendations for improvement.

Staff would like to thank Mr. Neil Kelly our Secretary-Treasurer, Barbara Lehman, Chief Deputy Clerk, Kristy Mullane, Accounting Director, and their staff for all their efforts during this past year, and for a successful audit.

Executive Director Recommendation:

Accept the audit results from Greenlee Kurras Rice and Brown.

b. **Approval to Extend Audit Agreement**

Linda Marino

The Board awarded the Auditing Services contract to Greenlee Kurras Rice and Brown in April 2007 following a competitive bid process. The audit bid award was for three years, with an option to renew for an additional two years. The three year time period has now expired.

Both LCWA staff and Clerk's Office Finance staff recommend renewing the agreement the Authority has with Greenlee Kurras Rice and Brown. Based on past experience Greenlee Kurras Rice and Brown is the only local auditing firm that meets the government auditing requirements and is interested in bidding. They have done a good job and when reviewing previous bids their fees are reasonable.

Greenlee Kurras Rice and Brown has submitted a renewal proposal which increases their fees to \$9,300 per year for fiscal years 2009-2010 and 2010-2011.

The following are the 2007 bid results: The bid for Annual Governmental Auditing Services was opened April 11, 2007, with the following results:

	<u>FY 2006-2007</u>	<u>FY 2007-2008</u>	<u>FY 2008-2009</u>
Grau & Associates	\$12,500	\$12,800	\$13,100
Greenlee Kurras Rice and Brown	\$8,900	\$9,100	\$9,100
James Moore & Company	\$17,000	\$17,850	\$18,750

Executive Director’s Recommendation:

Renew the Annual Governmental Auditing Services agreement with Greenlee Kurras Rice and Brown for fiscal years 2009/2010 and 2010/2011 at a cost of \$9,300 per year.

c. Funding Maximum Alum Use at NuRF

Michael Perry

At the January 2010 Board meeting, the Board continued the discussion regarding Trustee Clark’s concern about how the Board would fund the amount of alum needed should the area experience heavy rainfall resulting in flow from Lake Apopka for the year that exceeds the average annual flow. Mr. Clark presented data that represents the calculated cost of alum each year from 1984 to 2008. During that time period the highest annual cost for alum would have been \$4.84 million, the lowest would have been \$400,000 and the average is \$1.81 million.

During that 24 year time period: 19 years (78%) the cost was \$1,000,000 or more; 11 years (44%) was \$2,000,000 or more; 7 years (28%) was \$3,000,000 or more; and 1 year (4%) was \$4,000,000 or more.

The amount included for alum in the FY 2009-2010 budget was based on an average annual flow of 50 cubic feet per second (cfs). As part of the discussion, the Board determined that an alum reserve fund should be included in the budget. The Board felt that \$5,000,000 (made up of the budgeted line item for alum and a reserve fund) may be the appropriate level.

Staff was directed to identify how the reserve fund could be generated and to seek funding partners to accumulate the reserve. Since the January meeting, Trustee Clark prepared and delivered to staff a graph that plots the percent of time there would be a shortage of funds available for the purchase of alum assuming \$2,000,000 is budgeted and based on flow data from 1984-2008. The graph illustrates the amount of reserve funds necessary to achieve a certain level of frequency where funding is sufficient. For example, if the Board was comfortable in having a sufficient reserve to treat all of the flow 90% of the time, there would need to be an additional \$1,600,000 in reserve (beyond the budgeted \$2,000,000). Should the Board desire to be able to treat all of the flow 95% of the time, there would need to be an additional \$2,000,000 in reserve.

Staff has examined the 2009-2010 budget to identify areas where funds could be redirected to immediately provide for an alum reserve. The following table details how the funds could be accumulated:

Budget Line Item	Current Amount	Revised Amount	Funds Available
700-310 Professional Services			
Legal Services	\$ 200,000	\$ 50,000	\$ 150,000
700-311 Professional Services for Projects Under Consideration			
Dora Canal Dredging (Design and Permitting)	107,000	0	107,000
700-340 Other Contractual Services			
Lake Beauclair Restoration	9,478,303	9,278,303	200,000
700-810 Aid to Government Agencies			
2010 Stormwater Retrofit Grants	500,000	0	500,000
100-999 Contingency Reserve	150,000	0	150,000
Additional Cash Carried Forward - From Audit			1,706,351
Total:			2,813,351

The Board also has the option to redirect a portion of the funds immediately and then add to the reserve in future fiscal years; however staff would recommend that any reserve be created sooner, rather than later.

Executive Director Recommendation:

Direct staff to make the budget adjustments necessary to create an alum budget of \$4,000,000.

d. Introduction of Naturalist and Projects

Patricia Burgos

Marc Crail, the new LCWA Naturalist, started on February 1st. Mr. Crail has been reviewing the Florida State Sunshine Standards that will be the foundation of the NuRF and Hickory Point school programs, meeting with staff and Board member John Harris, as well as meeting and working with Claudia Rowe, K-12 Program Specialist, Lake County Schools.

Based upon the Naturalist’s Scope of Service, following are the priorities given to Mr. Crail to accomplish between February 1st and September 30th:

- To develop the high school program for presentation at the Nutrient Reduction Facility. An outline of the program is attached for Board review;
- To prepare a brief presentation to give to the Lake County School Board to introduce the Water Authority’s programs at NuRF and Hickory Point;
- To coordinate with the School Board’s representative a schedule of schools to visit both NuRF and Hickory Point during the remainder of this year;
- To develop the middle school program for presentation at the Hickory Point Recreational Facility. An outline of the program is attached for Board review; and
- To schedule public tours on the Preserves.

Lake Adventure Tours:

The Board included \$5,000 in its FY 2009-2010 budget to provide funds to take 5th-6th grade students for approximately an hour out into Little Lake Harris and Lake Harris for a water resource program. Staff has attached an outline of the proposed program for Board review.

Staff has, however, had a difficult time finding a boat tour operator within the county that has a boat captain’s license and a vessel(s) that can hold up to two classes (30-50). Although the table below lists companies that were contacted without success, there are two companies; Heritage Tours and JJ Fins’ Paddle Boat that, can handle more than 6 people.

Boat Company	Capacity	Cost	Comments
Adventure Tours	6 people	N/A	To re-open in 2010
Bartholomew’s Yesteryear Cruises	4 people	N/A	Boat too small
Boating with Captain Barry	4 people	N/A	Boat too small
Lake County Premier Boat Tours		N/A	Bought out by Heritage Lake Eco-Tours
Lake County Waterways Tour			No response
Mission Inn			Pontoon boats-no captain provided
Heritage Lake Eco-Tours	43 people	No response as of this memo date	Length of trip to Hickory Point concern regarding cost
JJ Fins Paddle Boat	48 people	\$500 for 2 hours,	But willing to negotiate cost for longer term commitment for trips

The only boat that regularly made the trip to Little Lake Harris was the JJ Fins Paddle Boat on their regular visit to Mission Inn. The Heritage Eco-Tour boat preferred to work out of Tavares's Wooten Park and travel through the Dora Canal for the lake tour.

Staff is seeking direction from the Board regarding the Lake Adventure Tours. The following are three potential scenarios:

Scenario #1 - With the new Naturalist, the Heritage Tour boat could originate from Tavares' Wooten Park, go through the Dora Canal, possibly travel through the Dead River and then back to Wooten Park. Hickory Point would not be a destination for this trip. This tour boat rides lower in the water and is more conducive to water studies and for students to use dip nets.

Scenario #2 - With the Naturalist, the JJ Fins Paddle Boat could pick up the students at Hickory Point, travel out into Little Lake Harris and Lake Harris go around Horseshoe Island and back to Hickory Point. The boat is a double-decker boat and does not have the best space on the first floor to do water studies; however the boat will travel to Hickory Point. The cost may be slightly more than the Heritage Tour boat, but at the time of this memo, there is no sufficient cost information to make a comparison. Staff will update the Board at the meeting should Heritage Boat Tours provide a price for the tours.

Scenario #3 - Determine that there is not a cost-effective means to provide this service in a meaningful way and terminate the effort.

Executive Director Recommendation:

1. Direct staff to continue working with the Lake County School Board and incorporate the Board's suggestions for the NuRF High School Program and the Hickory Point Middle School Program.
2. Provide direction to staff to regarding the Lake Adventure Boat Tours.

e. Request by For-Profit Entities to Use Preserves

Patricia Burgos

With the variety of Preserves owned by the Water Authority and the quality of the properties reflecting natural Florida, many visitors come to hike, horseback ride, birdwatch, paddle, and picnic. With close to 11,000 people visiting the Preserves in 2009, staff recognizes that some of the visitors are part of larger groups brought there by "for-profit" entities that have not registered with LCWA and staff or provided information regarding their activities.

There are some concerns regarding those groups that have not registered and those that would like to organize activities on the Preserves and charge the public. Staff is bringing this item to the Board to receive direction and act accordingly regarding the use of the Preserves by "for-profit" groups. The following are three recent requests for the Board's consideration:

Request #1 - Infinity Health and Wellness, a local company, has requested the use of three properties to host the "Lake County 5K Trail Run Series." These events are planned for Friday nights starting at 5:00 pm to be held on Sabal Bluff Preserve - April 2nd, Hidden Waters Preserve - April 16th, and Sawgrass Island Preserve - May 14th (for an awards ceremony). The events will be advertised to the public at a cost of \$15 per event or \$50 for the whole series of trail runs. The host planner is hoping for 30-50 participants at each event. The company has agreed to provide a certificate of insurance and have the LCWA as an "additional insured."

Request #2 - Not a Clue Adventures, is an outdoor company out of Tampa that has scheduled a weekend of camping/hiking/canoeing at Flat Island Preserve in April. This will be the second time that they have used Flat Island's group camping area and canoes for their introductory class. There are 22 people planned for this class at a cost of \$65/adult, \$50/senior or child under 16. This event is advertised to the public. Staff has not received information back from the event coordinator regarding how many participants are Lake county citizens versus from outside the county. Similar to the public requesting use of the facility, the company has paid a refundable deposit of \$250 for the campsite and the canoes.

Request #3 - A fitness instructor associated with Leesburg Regional Medical Center's Wellness Center has lead groups that utilize a combination of hiking techniques and poles (Nordic walking) on the Bourlay Historic Nature Park. Recently he requested consideration of developing a "Boot Camp" style exercise class from the Wellness Center and again utilize the Bourlay Park for part of this aerobic class. Previously he has led sunrise yoga classes in partnership with Lavon Silvernell's natural history tours of the park. LRMC Wellness center members are not charged extra for these activities. These activities have been advertised to the public.

Additional background information:

- Staff has been notified, usually after the fact, that groups have utilized the Preserves for events. For example, Sawgrass Island Preserve's parking area for a New Year's Eve party and canoe outfitters using Blackwater Creek at Lake Norris Conservation Area to lead paid groups on the lake. The difference with these activities is that staff does not have prior knowledge of the event, and the organizers of these activities also have not requested any special assistance from staff or LCWA equipment for their events.
- A parasailing company request to use Hickory Point as a launch area and setup for parasailing was discussed at the February 2008 and at the March 26, 2008 Board meeting. The request was not approved by the LCWA Board.

Staff has not reviewed the issue of the Preserves being used for activities hosted by private companies with the Board. Similar to Hickory Point's guidelines, staff could work with the LCWA attorney to develop guidelines for groups larger than 15 and return to a future board meeting for action. Guidelines could be crafted for liability issues/insurance, rules and regulations dictating use of campgrounds & equipment or a fee schedule if the Board wanted to recapture some of the wear and tear costs from larger groups.

Because these requests have been made and are time sensitive, especially for Request #1 and Request #2, staff is seeking direction from the Board. Because the Board did not allow a for-profit entity to use Hickory Point, staff is recommending that the Board maintain a consistent approach and do not allow for-profit entities to use the preserves.

Executive Director Recommendation:

Deny the requests from entities to use the Lake County Water Authority Preserves that charge the public for their services while at the Preserves.

f. Approval to Award Stormwater Grants

Ron Hart

In October, 2009, the Board of Trustees authorized staff to release the 2010 cooperative stormwater grant application. As a result, the Lake County Water Authority received eight competing grant applications for

the \$500,000 made available in the program. The following is a list of the agencies that submitted grant applications and their funding request:

<i>Agency</i>	<i>Project Name</i>	<i>Total Project Cost</i>	<i>Funding Request</i>	<i>% of Total</i>
City of Eustis	Cardinal/Bates Ave. Retention Pond	\$300,000	\$150,000	50
City of Tavares	Aesop's Park Stormwater Treatment Project	\$198,000	\$143,000	72
City of Clermont	Disston Avenue Stormwater Improvement	\$442,550	\$221,275	50
City of Umatilla	Palm Lake (Umatilla Alleyway Improvements)	\$233,177	\$116,588	50
City of Mount Dora	Grandview & Johns Ave. Baffle Box	\$100,240	\$50,120	50
City of Mount Dora	Flexstorm Inlet Filters	\$4,931	\$2,466	50
City of Mount Dora	Fourth & Donnelly St. Stormwater Project	\$90,767	\$45,383	50
City of Mount Dora	Lake Nettie Stormwater Project	\$88,798	\$44,399	50
Totals:		\$1,458,463	\$773,231	53

The Lake County Water Authority Review Team met to discuss the technical merits of each project and to average the application scores. Staff contacted the top-ranked applicants for answers to any additional technical questions and to remove ineligible portions of the funding request. The following table shows the scores and rankings along with the funding request:

<i>Rank</i>	<i>Score</i>	<i>Agency</i>	<i>Project Name</i>	<i>Total Project Cost</i>	<i>Funding Request</i>	<i>% of Total</i>
1	68.7	City of Eustis	Cardinal/Bates Ave. Retention Pond	\$300,000	\$150,000	50
2	68.3	City of Mount Dora	Fourth & Donnelly St. Stormwater Project	\$90,767	\$45,383	50
3	68.0	City of Mount Dora	Flexstorm Inlet Filters	\$4,931	\$2,466	50
4	67.3	City of Mount Dora	Grandview & Johns Ave. Baffle Box	\$100,240	\$50,120	50
5	64.3	City of Clermont	Disston Avenue Stormwater Improvement	\$442,550	\$221,275	50
6	54.7	City of Umatilla	Palm Lake (Umatilla Alleyway Improvements)	\$233,177	\$116,588	50
7	53.3	City of Tavares	Aesop's Park Stormwater Treatment Project	\$198,000	\$143,000	72
8	40.0	City of Mount Dora	Lake Nettie Stormwater Project	\$88,798	\$44,399	50
Totals				\$1,458,463	\$773,231	53

After thorough discussion, staff reached a consensus regarding each submitted project. The following is a short synopsis of each project along with staff's recommendation:

1. City of Eustis' Cardinal/Bates Ave. Retention Pond.

This project involves reimbursing the City for 50% of the cost associated with the construction of a 1.07-acre wet stormwater treatment pond between Cardinal and Bates Avenue. The pond will treat a 16.32 acre mixed high and low density residential area removing 4.68kg of total phosphorus per year that currently drains through a ditch to Trout Lake. The City is only asking for funds for the design and construction of the retention pond and not funds for any funds for the stormwater conveyance improvements.

Because of the quality of this project, staff feels comfortable recommending the 50% reimbursement for design and construction. By utilizing the board-approved grant application, the overall project received an average score of 68.7.

Executive Director Recommendation:

Authorize the Executive Director to execute a 50% cost share agreement with the City of Eustis for the water quality portion of the Cardinal/Bates Ave. Retention Pond for an amount not to exceed \$150,000.

2. City of Mount Dora's Fourth & Donnelly Street Stormwater Project

This project involves reimbursing the City for 50% of the cost associated with the installation of a nutrient separating sediment box at the corner of Fourth and Donnelly Street. The box will remove sediments and particulate matter in a 25 acre 90% impervious commercial downtown area prior to discharge to Lake Dora. This box is an addition to a previously funded unit which is currently being overwhelmed due to the volume of material in this basin. This project includes the cost of construction only.

Because of the quality of this project, staff feels comfortable recommending the 50% reimbursement for future expenses on this project. By utilizing the board-approved grant application, the overall project received an average score of 68.3.

Executive Director Recommendation:

Authorize the Executive Director to execute a 50% cost share agreement with Mt Dora for the water quality portion of the Fourth & Donnelly Street Stormwater Project for an amount not to exceed \$45,383.

3. City of Mount Dora's Flexstorm Inlet Filters

This project involves reimbursing the City for 50% of the cost to purchase 25 inlet filters. The filters are designed to capture large particulate matter as it enters at the mouth of existing storm inlets. The inlet filters are being proposed for the down town area as shown on grant application #3. The drainage basins are composed of a mixture of commercial and high density residential areas. The areas all drain to Lake Dora.

Because of the quality of this project, staff feels comfortable recommending the 50% reimbursement for future expenses on this project. By utilizing the board-approved grant application, the overall project received an average score of 68.0.

Executive Director Recommendation:

Authorize the Executive Director to execute a 50% cost share agreement with Mt Dora for the water quality portion of the Flexstorm Inlet Filters Project for an amount not to exceed \$2,466.

4. City of Mount Dora's Grandview & Johns Ave. Baffle Box

This project involves reimbursing the City for 50% of the cost associated with the installation of a nutrient separating sediment box at the corner of Grandview and Johns Avenue. The box will remove sediments and large particulate matter in a 106 acre 60% impervious medium-density residential area prior to discharge to Lake Dora. This project includes the cost of construction only.

Because of the quality of this project, staff feels comfortable recommending the 50% reimbursement for future expenses on this project. By utilizing the board-approved grant application, the overall project received an average score of 67.3.

Executive Director Recommendation:

Authorize the Executive Director to execute a 50% cost share agreement with Mt Dora for the water quality portion of the Grandview & Johns Ave. Baffle Box Project for an amount not to exceed \$50,120.

5. City of Clermont's Disston Avenue Stormwater Improvement

This project involves reimbursing the City for 50% of the cost to survey, design, permit, bid, and construct an infiltration system along Disston Avenue. The infiltration system will treat a 11.62-acre medium density residential basin removing 4.5kg of total phosphors per year that drains to Lake Minnehaha.

Because of the quality of this project, staff feels comfortable recommending the 50% reimbursement for future expenses on this project. By utilizing the board-approved grant application, the overall project received an average score of 64.3.

Executive Director Recommendation:

Authorize the Executive Director to execute a 50% cost share agreement with Clermont for the water quality portion of the Disston Avenue Stormwater Improvement Project for an amount not to exceed \$221,275.

6. City of Umatilla's Palm Lake (Umatilla Alleyway Improvements)

This project involves reimbursing the City for 50% of the cost to pave, curb and gutter, provide stormwater for an existing dirt alleyway. The infiltration system will treat a 1.29-acre commercial area prior to discharging to Palm Lake.

Because of the limited funds in this year's stormwater grant and the scores and pollutant load reductions of projects #1 through #5, staff is not recommending an award to this project this year. Staff would encourage the applicant to refine and resubmit the project next year. By utilizing the board-approved grant application, the project received an average score of 54.7.

Executive Director Recommendation:

No action is necessary

7. City of Tavares’ Aesop’s Park Stormwater Treatment Project

This project involves reimbursing the City for 72% of the cost to design and install two sediment boxes, construct a dry detention pond, and improve the existing stormwater pond and swale system. The current pond treats a 50-acre basin that includes a 9.87 nature park and drains to Lake Frances. Thirteen percent of the basin is impervious.

Because of the limited funds in this year’s stormwater grant and the scores and pollutant load reductions of projects #1 through #5, staff is not recommending an award to this project this year. Staff would encourage the applicant to revise and resubmit the project next year. By utilizing the board-approved grant application, the project received an average score of 53.3.

Executive Director Recommendation:

No action is necessary.

8. City of Mount Dora’s Lake Nettie Stormwater Project

This project involves reimbursing the City for 50% of the cost to install a sediment box and an outfall structure and pipe that will lower the outfall from Lake Nettie. The Lake Nettie Basin experiences flooding at times and the City desires to install a new outfall that will discharge high water elevations downstream to Lake John.

Staff does not support this project because it will likely result in an increase in loading to Lake John and Lake Gertrude. By utilizing the board-approved grant application, the project received an average score of 40.

Executive Director Recommendation:

No action is necessary.

The following table is a summary of grant request relevant to staff’s funding recommendations:

<i>Rank</i>	<i>Agency</i>	<i>Project Name</i>	<i>Funding Request</i>	<i>Staff Recommendation</i>	<i>Cumulative Total</i>
1	City of Eustis	Cardinal/Bates Ave. Retention Pond	\$150,000	\$150,000	\$150,000
2	City of Mount Dora	Fourth & Donnelly St. Stormwater Project	\$45,383	\$45,383	\$195,383
3	City of Mount Dora	Flexstorm Inlet Filters	\$2,466	\$2,466	\$197,849
4	City of Mount Dora	Grandview & Johns Ave. Baffle Box	\$50,120	\$50,120	\$247,969
5	City of Clermont	Disston Avenue Stormwater Improvement	\$221,275	\$221,275	\$469,244
6	City of Umatilla	Palm Lake (Umatilla Alleyway Improvements)	\$116,588	\$0	\$469,244
7	City of Tavares	Aesop’s Park Stormwater Treatment Project	\$143,000	\$0	\$469,244
8	City of Mount Dora	Lake Nettie Stormwater Project	\$44,399	\$0	\$469,244
		Totals:	\$773,231	\$469,244	\$469,244

g. Review of Changes Made to New Office Plans

Ron Hart

Last month, the Board directed staff to make three changes to the office building. The first was to move the office building 45' further away from Highway 19. The second was to move the garage opening to the side of the garage and the third was to move the handicap parking closer to the entrance of the building. Because several of the Board members expressed their concerns to staff that the parking should not be in front of the building, staff is proposing a compromise by reducing the distance from the parking lot to the front door by 50%. The attached plan shows the revisions as requested.

Executive Director's Recommendation:

Authorize staff to finalize the attached site plan and submit the revised site plan and supporting documents to the County for review.

h. Palatlakaha River Conservation Easement

Ron Hart

In March 2009, the Board authorized a letter of support to the City of Groveland for their request to receive a Florida Community Trust grant to acquire approximately 700 acres of the Palatlakaha River's ecosystem. Last month, the consultant for Groveland met with staff and to explore the Water Authority's interest in accepting a conservation easement on the property's wetlands.

Currently, the Water Authority has partial easements and the additional easement could fill the missing void and expand the area giving the Lake County Water Authority the ability to provide for future improvements to the channel. For example, if the Board desires to add meanders to the channel to force water back into the adjoining marshes, an easement across a broad section of river would provide the Board with the authority to make improvements in those areas. Staff would recommend that the Board agree to accept a conservation easement on the property.

Executive Director's Recommendation:

Authorize the Executive Director to negotiate the wording of a conservation easement with the City of Groveland if the City acquires the property along the Palatlakaha.

i. Staff Review of Draft Extended Leave Policy

Michael Perry

At the December 2009 Board meeting staff detailed the issues and concerns regarding an extended leave policy and the references to the Family Medical Leave Act. The Water Authority does not employ enough people to be required to follow the FMLA law. Since the law constantly changes and there can be serious repercussions should the Water Authority not act in strict compliance to the law, the Labor Attorney has recommended that we remove any reference to the FMLA law in the personnel policies.

The Board took action to immediately remove Section 28 - Family/Medical Leave Policy and directed staff to develop a replacement extended leave policy for the January meeting for the Board's review. The Board was concerned that without a policy, Water Authority employees would not have any extended leave policy in place and essentially removing a benefit the employees have had.

At the January 2010 Board meeting, staff presented a Draft Extended Leave Policy. Some Board members voiced some concern about the proposed changes. Because some of the changes resulted from recommendations from the labor attorney the morning of the Board meeting, the Executive Director

requested an opportunity to review the document with staff to identify any of their issues and return to the Board should any changes be identified.

Staff reviewed the policy and generally felt that the policy has been revised to the benefit of the agency and to the detriment of the employee. Staff expressed concerns primarily about sections 4 and 13.

In section 4, staff was concerned that the language under the FMLA policy, “An eligible employee who takes leave, in compliance with the Family and Medical Leave Act, will be able to return to the same job, or a job with equivalent status, pay, benefits and other employment terms. The position will be the same or one which entails substantially equivalent skill, effort, responsibility and authority” was changed to “The Water Authority may return an eligible employee who takes leave, to the same or similar job, or to a different position which does not have equivalent pay, benefits and other employment terms as the original job, depending upon the needs and programs of the Water Authority.”

In section 13, staff was concerned about changing the word fraudulently to erroneously. Staff also expressed concern about the language, “subject to the needs and programs of the Water Authority, as determined by the Executive Director” that appears in several places in the policy.

Should the Board desire to address the concerns of staff, the attached draft policy identifies potential changes, highlighted in blue. Any changes that were made to the original policy as presented to the Board at the January meeting are highlighted in yellow. Language to be deleted would be ~~stricken through~~ and any additions would be underlined.

Executive Director Recommendation:

Approve the revised Policy 28 and include it in the Lake County Water Authority Policies and Practices Employee Manual.

5. **Public Comment (5:00 pm or as soon thereafter as possible)**
6. **Legal Staff Report**
7. **Action Items**
 - a. **Amend Land Management Contracts to Add Additional Contractor** Patricia Burgos

In December 2008, the Board authorized staff to release a Request for Bids for Land Management Services. The RFB was released on April 5, 2009. Thirteen companies submitted bids. Staff reviewed the bids and based upon prices and qualifications, staff made a recommendation to the Board to enter into contracts with five firms.

Due to concerns with responsiveness and wildland land management experience with the current contractors, staff is requesting permission from the Board to allow more flexibility by entering into a contract with a sixth company, Mel-con, Inc. Based on prices, staff feels Mel-Con is the next most competitive bidder. The Water Authority has worked with Mel-Con in the past and staff knows that they have experience in wildland land management work. Mel-Con has agreed to honor their bid prices from the 2009 bid opening.

Mel-con, Inc. has been informed (similar to the other contractors) that there is no guarantee of any amount of work that may, or may not, be assigned. Staff is not requesting an increase in the budget, rather more flexibility in working with the contractors and matching work to the capabilities of the contractors.

Executive Director's Recommendation:

Authorize the Executive Director to add Mel-Con, Inc. to the list of approved land management services contractors and to enter into a contract with Mel-Con, Inc.

b. Amend Prescribed Fire Contracts to Include Additional Equipment Patricia Burgos

In September 2009, staff requested permission from the Board to amend the fire contract to include a specialized piece of fire equipment. The memo also makes reference to the addition of other equipment to the prescribed fire bid, but at the time the equipment was not available to present to the Board. Staff is now requesting approval to add additional equipment to the Prescribed Fire Contract to achieve the prescribed fire goals for 2009-2010 more safely and efficiently. Staff is not requesting additional money for this amendment, just the ability to increase the selection of available equipment to proceed with the fire program.

Staff has worked with the land management contractors, but has had some issues with them being able to perform the types of tasks required for prescribed fire preparation. Ground-tek of Central Florida was used to chop a burn unit to prepare it for burning. They were able to complete the work, but had many mechanical problems (punctured a gas tank twice and ripped the exhaust pipe off), which required almost double the time to complete the job (35 hours instead of 20 hours). Staff then chose to use Lake Gem Farms, the next cheapest contractor, for similar work in another unit. They have a skid steer (Bobcat-type) machine but needed to rent a cutting head to perform the work. After a week, they said they were unable to obtain a cutting head to rent, and were unable to perform the work. Staff then used Agri-timber to cut a temporary fire line at Scrub Point Preserve. The operator who ran the piece of rented equipment was not experienced on the machine causing more soil disturbance than what is desired.

This time of year is the optimum time to prepare the fire units due to appropriate fire weather. Since the weather is conducive for burning, the units need to be ready at any time. Time is of the essence, because staff never knows when conditions will change and we may not be able to burn. Last contract year, staff burned in December 2008; however could not burn again until June 2009 when consistent rains started again.

The Ralph White Company specializes in heavy equipment, including equipment-types required for prescribed burning. They are already a subcontractor on the Prescribed Fire Contract and were approved by the Board in September 2009 to provide a 4,000 gallon water truck. They can perform fire line preparation, including brush cutting, root raking and disking/harrowing. They can also provide the grappling front end loader to push pile burns, a low ground pressure all-terrain vehicle, and a 500-gallon water tender.

Wildland Resources can provide a tractor plow. Generally the Florida Division of Forestry has this type of equipment, however in the past staff has not been able to get them to perform standby on Water Authority burns. Usually during good fire weather, the Florida Division of Forestry is looking to burn their own properties.

Alshouse and Associates, Inc., the Prescribed Fire Contractor, can provide an airboat. If an attempt to burn the Sawgrass Island marsh as planned, additional airboats will be needed to mat down a “fire line” in the marsh to prevent the spread of flames.

Staff is seeking the Board’s approval to amend the existing Prescribed Fire Contract to include the following line items:

1. Grappling front-end loader with skilled/experienced operator for pile burning
 - a. Cost: \$850.00
 - b. Unit: Per Day
 - c. Mobilization Fee Round Trip: \$300.00
2. Fire Line Clearing (brush cutting, 20 ft. wide)
 - a. Cost: \$0.85
 - b. Unit: LN FT
 - c. Minimum Quantity: 1500
 - d. No mobilization charge
3. Fire Line Clearing (Root Rake)
 - a. Cost: \$1.25
 - b. Unit: LN FT
 - c. Minimum Quantity: 1000
 - d. No mobilization charge
4. Fire Line Maintenance with Forestry grade harrow and tractor. Offset harrow; 9 ft. wide; minimum 11,000 lbs.; 32 inch serrated blades; with hydraulic landing gear.
 - a. Cost: \$.36
 - b. Unit: LN FT
 - c. Minimum Quantity: 5,280 ft.
 - d. No mobilization charge
5. Large Low Ground Pressure Eco-All Terrain Vehicle.
 - a. Cost: \$750.00
 - b. Unit: Per Day
 - c. Mobilization Fee Round Trip: \$300.00
6. 500 gallon water tender trailer.
 - a. Cost: \$200.00
 - b. Unit: Per Day
 - c. Mobilization Fee Round Trip: \$300.00
7. Airboat.
 - a. Cost: \$300.00
 - b. Unit: Per Day
 - c. No mobilization charge
8. Fire Suppression support (Tractor and Plow) -- 70 or 150 hp tractor and a Florida Division of Forestry-type Fire Plow. Fire Plow is equipped with 65 gallons of water and uses the tractor’s engine for pumping. Tractors are fully armored for any terrain quick response. Rubber tire tractors are used to minimize unwanted soil disturbance and for quick response time.
 - a. Fire Suppression Support - Stand-by: \$85/ hr
 - b. Fire Suppression Support - Suppression (Actual use of fire plow by skilled operator for suppression, touch up of lines, and installation of lines: \$140/ hr
 - c. Mobilization Fee Round Trip: \$250

Executive Director’s Recommendation:

Authorize staff to amend the Prescribed Fire Services Contract to include additional line items as specified in the memo.

c. Approve Palatlakaha River Structure Removal Contract

Ron Hart

Last year, the Board approved King Engineering as the top ranked firm for the Palatlakaha River Restoration Project. The Board also authorized staff to negotiate a contract for the removal or modification of structures M-1 and M-4.

Following numerous meetings with the consultant, staff has negotiated a draft contract with the consultant that includes surveying, modeling, design, permitting, and construction management at the M-1 and M-4 sites. The negotiated cost to perform these services is \$149,999. This is just under this year’s budget of \$150,000 for professional services on the Palatlakaha Restoration Project.

Staff has provided the following draft contract for the Board’s review. Our attorney, Carol Barice, has reviewed the document and suggested numerous changes. Staff has implemented the changes into the provided contract.

Executive Director’s Recommendation:

Authorize the Executive Director to execute the contract with King Engineering for the Palatlakaha Restoration Project at Structures M-1 and M-4 for an amount not to exceed \$149,999.

8. Board Member Comments

9. Board Member Items for Future Agenda

10. Information Items

a. Staff Report

b. Monthly Financial Reports – January 2010

11. Announcement of Upcoming Meetings and Events

- *ibini tera* Lake Clean-up – Saturday, March 13, 2010 (8:00 a.m. – 12:00 p.m.)

Awards Event at Hickory Point after Clean-up

- Board Meeting – Wednesday, March 24, 2010 (3:30 p.m.) BCC Chambers/Admin. Bldg.

12. Adjournment