

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

July 28, 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 June 23, 2010 and Budget Meeting of July 14, 2010**
- 3. Executive Director Report**
- 4. Discussion Items**

	<u>Presenter</u>
a. <u>Review of Attorney General Opinion Regarding LCWA Funding LCSO Marine Unit Deputies</u>	Michael Perry

In July 2006, a member of the public addressed the Board expressing his concern about the Water Authority expending funds on fishing tournaments. At that time, the Board had budgeted funds to support fishing tournaments but no requests for support had been made.

On August 31, 2006 Senator Carey Baker wrote a letter to then Attorney General Charlie Crist asking for his opinion about the Water Authority's ability to fund fishing tournaments. In early September, the Office of Policy and Government Accountability (OPPAGA) contacted the Water Authority regarding this letter and offered the Water Authority an opportunity to provide an opinion and position. The Water Authority Board took action at its September 13, 2006 Tentative Budget Hearing to have Chairman Everly and the Executive Director write a letter stating the Board's various positions on fishing tournaments. The letter was drafted and sent on September 22, 2006.

On the same day the Water Authority's letter was sent (September 22, 2006), the Attorney General's Office sent a response to Senator Baker's office. The final paragraph of the letter states that, "Absent a request from the authority, this office is unable to make a definitive statement of whether the payment of funds to the Leesburg Chamber of Commerce for a fishing tournament accomplishes the purpose of the authority. The governing board of trustees of the authority is responsible for making the legislative finding that the expenditure of such funds complies with the authority's express grant of powers. As noted above, however, any reasonable doubt as to the existence of such power must be resolved against the exercise thereof."

The Water Authority Board discussed this issue again at its October 25, 2006 meeting. A motion was made to have the Board write the Attorney General and ask for an opinion about the Authority contributing funds to fishing tournaments. The motion failed 2-4.

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The Board discussed this issue further at its November 29, 2006 meeting. At that meeting, Attorney Crawford presented the Board with his analysis of the issue. There was considerable discussion among the Board; however no action was taken at that meeting.

The Water Authority Board discussed this issue further at its December 13, 2006 meeting. This meeting had followed the meeting of the Lake County Legislative Delegation. Chairman Everly told the Water Authority Board that the Delegation had also heard from two members of the public concerned about the fishing tournament issue. Chairman Everly said that the Delegation told him that they expected the Water Authority Board to do something about the issue of whether it is within the Authority's purview to contribute to fishing tournaments and if the Water Authority Board chose to do nothing, the Delegation would do something. After considerable discussion the Board took action to remove funds designated for fishing tournaments from the budget and transfer it to the Lake Beauclair Restoration Project. The Board took further action at that meeting to request the Auditor General give an opinion on whether the Authority could sponsor and promote fishing tournaments.

At the January 24, 2007 meeting, Chairman Everly stated that in light of the Delegation's dissatisfaction with the Authority, he would like to see the Board request an Attorney General opinion not only on fishing tournaments but on funding the Sheriff's Marine Patrol, Soccer League and land acquisition. The Board took action to ask for an Attorney General opinion of Authority expenditures for the following: fishing tournaments, soccer funding, land acquisition and funding the Sheriff's Department.

On February 24, 2007 Attorney Crawford submitted a letter to Attorney General Bill McCollum asking if the Lake County Water Authority has the legal authority to expend funds from its budget for the following purposes:

1. Assisting in providing sponsorship for fishing tournaments in lakes within Lake County;
2. Assist the Lake County Sheriff's Office in Marine Patrol funding;
3. Purchase and manage land for conservation purposes when such land is deemed by the Authority helpful in controlling and conserving the water resources of Lake County; and
4. Assist a private, nonprofit soccer league in providing funding to operate a recreational soccer league on Authority property, when such payments are required pursuant to a contract signed by a previous Board of Trustee of the Authority and Lake County.

On May 2, 2007 the Board received a response from Attorney General McCollum.

Regarding fishing tournaments and the soccer league, the Attorney General ruled, "The use of authority funds to host a fishing tournament or to sponsor a soccer league would not appear to be related to the authority's duties to foster and improve tourism through the improvement of streams, lakes and canals within the county. Nor do such expenditures of authority funds appear to relate to the other responsibilities or purposes of the district. Accordingly, I am of the opinion that the authority's enabling legislation does not permit authority funds to be used for such purposes.

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Regarding funding the Sheriff's Office Marine Unit, the Attorney General wrote, "You have not advised this office of the specific duties the Marine Patrol is performing on behalf of the Authority. Clearly, the authority may expend funds to carry out its duties and is authorized to enter into agreements with governmental entities for the purpose of carrying out, or in the judgment of the board assist it in carrying out, the purposes of the act. However, in the absence of specific information regarding the actual duties the Marine Patrol is performing on behalf of the authority, this office cannot definitively comment on the validity of funding the Marine Patrol."

Regarding land acquisition, the Attorney General wrote, "While 'controlling and conserving the county's freshwater resources' is one of the purposes for which the authority was established, such term must be considered in context of the duties imposed upon, and the actual powers granted to, the Authority. Thus, in purchasing property for conservation, the Authority must consider whether such purchase is in accordance with the actual powers granted to the Authority set out in section 9 of the authority's charter. Such a determination, however, would have to be made on a case by case basis, dependent upon the specific facts."

The Board reviewed the Attorney General's opinion at its May 23, 2007 meeting. There was considerable discussion regarding whether the Water Authority was obligated to meet the conditions of the agreement with the Soccer League. A motion was made to accept the Attorney General's opinion as written on fishing tournaments and the soccer league. The motion failed. After further discussion it was determined that the Water Authority would communicate with the Soccer League to let them know the Water Authority will not provide any funds to the for the duration of the existing agreement between the County, the Soccer League and the Water Authority as a result of the Attorney General's opinion. The Board then took action to accept the Attorney General's opinion to not fund fishing tournaments because the Authority fully recognizes and adheres to that opinion and it shall be reflected in the Authority's FY 2007-2008 budget process.

There was then discussion about the agreement with the Sheriff's Office and the Attorney General opinion. The Board took action to have the Authority send a copy of the Sheriff's agreement and their report for the past 12 months to the Attorney General. No action was taken to seek a revised or amended opinion regarding the Water Authority and the Sheriff's agreement.

This issue was discussed again at the August 22, 2007 meeting. Carole Barice is now the Water Authority's attorney. Attorney Barice stated that the Board considered forwarding the Soccer League and Sheriff contracts to the Attorney General and request that office revisit their Opinion and possibly provide further direction. She said she contacted the individual who assisted in the preparation of the original Opinion and they stated they are not inclined to revisit their Opinion because it is a matter for the Authority's attorney to advise the Board what they should do. The individual stated they do not get into construction contracts or mixed questions of fact and law and will not be rendering another Opinion. The board reiterated that the funding for the soccer league will be halted and the agreement revised.

At the September 23, 2009 meeting during the discussion regarding a motion to execute the Interlocal Agreement between the Water Authority and the Sheriff to support the Marine Unit Deputies, Board Member Charles Clark raised concerns about the Water Authority expenditure

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and whether it coincides with the purposes of the agency. Discussion ensued among the Board members and the Board took action to execute the agreement.

At the June 23, 2010 meeting, Board Member Charles Clark brought this issue up and stated he would like to propose at the July meeting that the Board discuss and finally settle this issue. He stated that the Water Authority should have given the Attorney General's Office the information they requested so they could have ruled on the validity of the funding and it needs to happen before the Water Authority gives the Sheriff's Office \$25,000 - \$40,000 toward a boat and motor.

Copies of the letters referenced above and copies of the meeting minutes where discussion of seeking or reviewing the Attorney General's opinion occurred are included for the Board's reference.

Executive Director Recommendation:

For discussion purposes only. No action required.

b. F/Y 2010-2011 Budget – Set Proposed Tentative Millage Rate **Michael Perry**

Staff presented the draft budget for Fiscal Year 2010-11 at the July 14, 2010 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 was distributed at the June 23, 2010 regular Board meeting. The Board did not make any specific changes, however identified several areas for additional discussion. The following are the areas of the FY 2010-11 budget identified by the Board:

- **100 & 700-420 - Freight and Postage**
Linda Bystrak noted that a postage increase is coming and to make adjustments if necessary
- **500 - Education**
The Board wanted the entire education section to be discussed
- **700-310 - Professional Services**
Attorney fees - Carole is to provide an estimate of costs for on-going legal actions
- **700-340 - Contractual Services**
Lake Atlas - LCBCB may not fund, Linda Bystrak seemed to feel strongly about keeping the Atlas going
Sheriff's request for increase for Marine Unit Deputies
Sheriff's request for a replacement Marine Unit boat
Linda Bystrak mentioned using LCBCB for NuRF water samples
- **700-470 - Printing and Binding**
Maps - Nancy Fullerton identified this as an area to reduce or eliminate

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- **700-490 - Other Current Charges & Obligations**
Boat registrations - Charles Clark questioned the accuracy of the cost to register seven vessels
- **700-540 - Professional Development and Publications**
Limnological books - Linda Bystrak questioned the need for additional reference books
- **700-640 - Machinery and Equipment**
Laptops - Larry Everly asked that this area be discussed further
- **700-810 - Aid to Government Agencies**
Community mini-grants - Nancy Fullerton requested that this be discussed further
Stormwater - Nancy Fullerton requested that this be discussed further
- **700-820 - Aid to Private Entities**
Community mini-grants - Nancy Fullerton requested that this be discussed
- **Revenue**
Update of Cash Brought Forward
Sale of LCWA property
Interest - Evaluate interest revenue from previous year

Set a tentative millage rate and Tentative Budget Hearing date

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 25, 2010 Board meeting and provide staff with direction in preparation for the Tentative Budget Hearing scheduled for September 8, 2010 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 8, 2010, at 5:05 p.m. in the BCC Chambers/Administration Building, 315 West Main Street, Tavares, FL.

- c. Authorize Alcohol (Beer) Following Rugby Match at Hickory Point Soccer Fields

Michael Perry

In September 2008 and again in September 2009, The Board authorized the Central Florida Sports Commission to hold a rugby tournament on the soccer fields at Hickory Point in October and allow beer at the event.

Rugby is a very intense, physical sport similar to American football where players are tackled to the ground, although the similarity ends there. Rugby players wear no protective equipment and the competition is fierce. Once the games are finished, the tradition is that the players gather

together to self-medicate with beer. The Board allowed the Lake County Soccer Club and the Central Florida Sports Commission to have beer at the 2008 and 2009 tournaments provided that any beer consumed must be limited to a designated and controlled access area, identifiable security guards are on-site and that the appropriate level of insurance is obtained in advance of the event and all other rules related to Hickory Point and the soccer fields are complied with. For the 2009 event, the insurance was not handled until the very last minute.

The Lake County Soccer League and the Central Florida Sports Commission are again seeking the Board's permission to allow beer at the soccer fields for an upcoming October 2010 rugby tournament. Staff recommends that the same conditions: any beer consumed must be limited to a designated and controlled access area; visible and identifiable security guards are provided; and that the appropriate level of insurance is **obtained and provided to the Water Authority no later than one month** in advance of the event; and all other rules related to Hickory Point and the soccer fields are complied with remain.

Executive Director Recommendation:

Authorize the Lake County Soccer League and the Central Florida Sports Commission to provide beer following the rugby tournament only if the beer consumed is limited to a designated and controlled access area, security guards are provided and that the appropriate level of insurance is **obtained and provided to the Water Authority no later than one month** in advance of the event and all other rules related to Hickory Point and the soccer fields are complied with.

d. City of Tavares Protection of Lake Dora

Michael Perry

At the May 2010 Lake County Water Authority meeting, Trustee Fullerton requested that the appropriate personnel from the City of Tavares speak to the Board regarding the actions the City is taking to protect the water quality in Lake Dora during the construction of the waterfront improvements and while the marina is operating.

Water Authority staff has contact Mr. John Drury, Tavares City Administrator, and he has assigned Mr. Steve Adams and Dr. Robert Taylor to represent the City and to be present at the Board meeting and speak on the City's behalf to address this issue.

Executive Director Recommendation:

For discussion purposes only. No action required.

e. Results of the Lakes Beauclair, Carlton, and Dora Creel Survey

Ron Hart

Six years ago, the St Johns River Water Management District expanded the gizzard shad harvesting program to include Lakes Beauclair and Dora. The harvesting of gizzard shad had the potential to impact recreational users, particularly anglers, due to nets and other equipment used by the harvesters. Because of these concerns, the Board approved funding for the creel survey as a means to monitor angler catches and effort on Lakes Dora and Beauclair.

A creel survey is performed by a Florida Fish and Wildlife Conservation Commission (FFWCC) employee who polls the anglers on each lake during the peak fishing season. The anglers are

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asked what fish they are trying to catch, how long they have been fishing, and how many fish they have caught.

Each summer, Mr. John Benton, Florida Fish and Wildlife Conservation Commission, provides the Board with the results of the creel survey. This year’s creel survey is a continuation of the existing program with some modifications due to the end of the shad harvesting, the potential continuation of the bass stocking program, and the operation of the NuRF. The creel survey is a method of measuring the impact from the bass stocking program combined with the gradual improvements expected from the NuRF operation.

This year’s survey, designed by the Florida Fish and Wildlife Conservation Commission, assessed the current fishing efforts of anglers on Lakes Beauclair, Dora, and Carlton. The resulting data was compared to the previous years and the historical data to determine changes in the fishing effort and fishing success in the lakes. Furthermore, the creel data is utilized by staff in conjunction with other investigations to support a comprehensive evaluation of the bass stocking program and to evaluate improvements as a result of the NuRF operation.

Mr. John Benton, FFWCC, will be present at the Board meeting to present the results of last year’s Creel Survey and to answer any questions.

Executive Director’s Recommendation:

For information purposes only. No action required.

f. Final Determination of Release for Beauclair Restoration Project **Lance Lumbard**

Staff has been able to obtain releases from all but five property owners within the project area. These properties are identified in the attached maps and are listed below:

AltKey	Mailing Address	Drawing #
2800011	29116 Beauclair Dr	5
2824352	29150 Beauclair Dr	1
1403031	28036 Lois Dr	4
1403022	28032 Lois Dr	4
1402778	218 Bearss Ave Ste 408	4
1539552	(Same as above)	4

Parcels with AltKey numbers 1402778, 1539552, and 2824352 are currently owned by management companies that have not returned releases despite being contacted several times. Owners of parcels with AltKey 2800011, 1403031, and 1403022 have indicated that they will not be signing a release.

There are a few irregularities with additional parcels that warrant discussion. Although the owner of parcels 1402662, 1402689, 1402697, and 1402719 signed a single release after significant efforts to contact him, staff requested a release for each parcel. Therefore, parcels 1402719, 1402697, and 1402689 are still shown as pending. No additional attempts to contact the owner have been successful. There is only one address and one home associated with these

parcels and they are contiguous, so staff would recommend that one release is acceptable for all four parcels.

Additionally, there is one parcel (1694752 – drawing 4) for which a release has been obtained, but no verification of ownership has yet been provided. According to the individual returning the release, he is the heir to the property but is not listed in the County's records as the owner.

Executive Director Recommendation:

Avoid dredging the properties that have not returned releases or have not indicated proof of ownership.

g. Consideration of Lake Beauclair Restoration Project Bid

Lance Lumbard

The Lake Beauclair Restoration Project mandatory pre-bid meeting was held at the LCWA office on June 18th and attendees were present from approximately 25 dredging companies from around the country. Bids for the project were due by 4:00 PM on July 14th.

Staff received 2 standard bids and 3 alternative bids. Two of the alternative bids were submitted by Clean to Green and arrived five minutes after the bid deadline. The bid results are provided in Attachment 1. Because the totals for the standard bids included all of the add-on options, bid sheets were re-tabulated by staff in order to list the add-ons separately. Staff will verify that the re-tabulated totals will still be honored by the bidders since the mobilization and demobilization costs were adjusted to reflect a percentage of the core bid items rather than a percentage of all items including add-on options. Bidders were informed in the bid package that any of the items (except mobilization and demobilization) could be deleted from the project by the Board.

Staff and BCI are currently evaluating the bids for responsiveness and will be reviewing the contractor qualifications. BCI will provide their review of the top three respondents at the Board meeting. Ranking information will be provided to the board as soon as it becomes available.

The add-ons are important considerations because the pending lease agreement with the SJRWMD for the F and G Cells requires the contractor to maintain water elevations in the disposal area above 65.5 feet and below 66.5 feet, including rainfall. In addition, the contractor will be required to stop dredging when the flow through the Apopka-Beauclair Canal is above 250 cfs unless a bypass system is constructed. Staff estimates that stand-by time without a bypass system will average 10% based on historic Apopka-Beauclair Canal flow data.

Bidders were required to include a pumping system capable of matching the volume of the dredge material sent to the F and G Cells with the volume of the water to the NuRF as part of their base bid. This system will always be operational unless water elevation in the disposal area drops below 65.6. Although this is manageable under steady conditions, significant rain events may exceed the capacity of the base transfer system, thus exposing the LCWA to risk and requiring the contractor to stop dredging. For these reasons staff felt it necessary to compare stand-by rates with alternatives allowing additional pumping during wet periods.

The first option is to instruct the contractor to stop dredging and pay a daily stand-by rate during high flow. This is easy to implement, but will impede the construction schedule thus pushing

the contractor toward the no-dredge window. The contractor is required by the bid to stand-by at no charge to the LCWA during this period if the project is not completed by June 15.

The second option is to construct a return water system which allows water from the F and G Cells to be pumped at increased rates to the NuRF. This allows rapid recovery of water levels within the F and G Cells following a major rain event but may still require dredging to stop until the Apopka-Beauclair Canal could accept additional volume from the dredge. This option could be deployed rapidly if needed.

The second option is to construct a return water system which allows return water from the F and G Cells to be pumped directly back to Lake Beauclair. This would operate in conjunction with the auxiliary system and would allow the dredge to operate in wet conditions as long as the water elevations in the F and G Cells were maintained within the range.

Staff and BCI will review the costs for these options and compare them to the stand-by rates as provided by the bidders. A detailed analysis will be presented during the Board meeting.

Environmental Resource Permit and Draft Lease Agreement Status

The draft permit was issued by the Florida Department of Environmental Protection (FDEP) on June 18th with a petition to file for an administrative hearing submitted shortly thereafter by Ms. Ann Griffin. Despite a request by LCWA for dismissal due to lack of standing, FDEP forwarded Ms. Griffin’s petition to the Florida Division of Administrative Hearings (DOAH). LCWA has filed a formal petition for dismissal with DOAH which is currently under review.

The draft lease agreement from the St. Johns River Water Management District has several issues of concern which staff and Ms. Barice are reviewing. Concerns are focused primarily around paragraph 12 which discusses site contamination. An update with recommended changes and District responses will be provided at the Board meeting.

Executive Director Recommendation:

Staff will be reviewing the bids and will provide a recommendation at the meeting.

- h. Approval to Negotiate Contract for Lake Beauclair Restoration Project construction Management

Lance Lumbard

Staff received five proposals for RFP 2010-04, Construction Management for the Lake Beauclair Aquatic Enhancement Project. Proposals and the respective consulting firms were reviewed by the Review Committee and a ranking of the top three firms is provided below.

Firm	Rank
BCI Scientists & Engineers, Inc.	1
Dredging & Marine Consultants, LLC	2
Booth, Ern, Straughan & Hiott, Inc.	3

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BCI received the highest ranking primarily because of their level of knowledge and experience related to dredging projects of similar size and complexity. BCI indicates that they have been involved with 33 dredging projects in the State of Florida alone. At least seven of these projects involved dredging 100,000 or more cubic yards of material and two of these exceeded one million cubic yards.

Dredging & Marine Consultants (DMC) was the only other firm to provide any details of significant experience with dredging projects. DMC did not specify a total number of dredge projects but staff identified approximately seven completed by DMC that were described in the proposal. The largest of these involved removal of approximately 380,000 cubic yards of material.

BCI's staffing availability and commitment was comparable to DMC's however; staff background at BCI is focused much more closely on restoration and dredging projects. BCI specifically lists cumulative staff experience on 30 projects specifically related to dredging and restoration.

Staff is confident in BCI's ability to manage this project and has direct experience working with them on past projects. BCI has always responded to LCWA's needs and followed through on even the most difficult tasks.

Executive Director Recommendation:

Authorize Executive Director to negotiate a contract with BCI Engineers & Scientists, Inc. for Lake Beauclair Aquatic Enhancement Construction Management.

i. Lake Joanna and Lake Saunders SR 441 FDOT Structure

Ron Hart

Lake Joanna is a 335-acre waterbody located between Hidden Waters Preserve and Highway 44B east of Eustis (Figure 1). The Lake receives water from Loch Leven and drains out to Lake Swatara and eventually to Lake Eustis. The lake historically has exceptional water quality with visibilities at time exceeding 18 feet.

During winter, staff was contacted by residents on Lake Joanna regarding an algal bloom. Staff visited the lake, noticed that visibility was down to approximately 7 feet, and sampled the water for later analysis. Under the microscope, staff discovered the dominant algal species was *Microcystis flos-aquae*. This species is indicative of higher phosphate levels. Staff next contacted LakeWatch to get the most recent results from our volunteer samplers and to inform them of the resident concerns regarding changing water quality.

Just two months ago, Dr. Canfield contacted staff and informed us that he received a request to look into what impacts the Lakes of Mount Dora (subdivision) was causing to Lake Joanna. Staff commented that it is our understanding that the Lakes of Mount Dora drains down Wolf Branch Sink and not to Lake Joanna; however, an adjoining subdivision (KB Homes) does drain that way utilizing the ditch from Loch Leven to Lake Joanna. Dr. Canfield stated that he was going to send a staff member to investigate the source of the nutrients and collect water samples.

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On June 24th, a resident contacted staff and e-mailed the attached LakeWatch report titled, *An Investigation into the Existence and Causes of Temporal Water Quality Trends in Lake Joanna, Lake County, Florida*. The report identifies the increasing nutrient concentrations over the last 20 years. It also identifies a nutrient spike that has occurred since October and the resultant increase in algal abundance and lowered water clarity. This coincides with the wet winter in the area. The report goes on to suggest that the nutrients have increased since the hurricanes in 2004 and that we re-examine the drainage from new developments.

As a result of resident concerns, a meeting was scheduled with Sen. Baker and with representatives of the Lake County Water Authority (Chairman Farner and Ron Hart), St. Johns River Water Management District (Bill Carlie and Nancy Cristman), Lake County Environmental Services (Cathie Cataseus), LakeWatch (Dr. Canfield), and John Pace (a local homeowner). Dr. Canfield felt that if there is a blockage to the potential outflow of water from Loch Leven to Wolf Branch Creek then the additional flow of water and nutrients to Lake Joanna could result in the decrease in water quality. Senator Baker asked for someone to check into it and we said we would get it done. The Senator also asked if someone could investigate the KB Homes subdivision discharge and Bill Carlie (SJRWMD) said he would check to see if they are in compliance with the permit. I followed up by stating that we should not vilify the subdivision based on a single water sample and recommended that we take additional samples to corroborate the sample taken by LakeWatch. Lake County agreed to provide the labor to collect the samples and our agency agreed to pay for the analysis. We also agreed to walk the connection between Loch Leven and Lake Joanna to find any readily observable illicit discharges that would explain nutrient spikes in the previous LakeWatch samples. In addition, Senator Baker scheduled a meeting on August 9th to report back on any findings.

Since the meeting, staff walked the former outfall ditch from Loch Leven to Wolf Branch Creek and found an area that was filled approximately 10 years ago. Staff has planned a second trip to determine if water would discharge out to Wolf Branch Creek, based on the ditch bottom elevation, if the fill material was removed. Staff also set up water quality sampling locations with Lake County that match LakeWatch's locations. On Friday, July 16th staff is scheduled to walk the outfall from County Road 44B to Lake Joanna with resident John Pace.

Lake Saunders

Lake Saunders is a 409 acre waterbody located between Highway 441, Old Highway 441, and Highway 19A south of Eustis. The lake receives pumped water from Lake Woodward and discharges to Lake Dora and has exceptional water quality. During the widening of Highway 441, the existing outfall to the lake was increased in size resulting in concerns by the public and staff.

Staff contacted the Department of Transportation (DOT) and requested that a representative attend our meeting who is familiar with the permitted outfall. DOT has agreed to our request and will be prepared to discuss the issue.

Executive Director's Recommendation:

For information purposes only. No action required.

j. NuRF Video and Authorization to Release Bid

Patricia Burgos

The Nutrient Reduction Facility (NuRF) is receiving more media and public attention as the word spreads about this one of a kind facility. Staff tries to meet the demand for information by scheduling an “open house,” tours, and appearing at community meetings and events to discuss the NuRF. Due to the questions being asked, staff is aware of the need to present more information about the Nutrient Reduction Facility. Although the board and staff have dealt with the functions and objective of the NuRF for years, the public is not as familiar and many request additional information. This past year staff saw a lot of enthusiasm and excitement regarding the NuRF within the school system and during public events. Staff feels that we should harness the public’s need for more information about the NuRF by developing a 9-10 minute information video. The potential audience for this video includes the public, school teachers, community groups, other government agencies, and even international interests. The 9-10 minute format is best for putting it on popular websites like YouTube and the Water Authority’s website.

From the education perspective, this video would allow teachers and their classes to learn about the NuRF prior to a facility field trip, allow staff to show this video during community events/talks, and allow the public from the convenience of their home to learn about the NuRF 24 hrs/day.

From the media/public relations/communication perspective, this video facilitates the public’s “right-to-know” how their tax dollars are being spent on cleaning up the lakes and it is a very cost effective way to demonstrate the Water Authority’s project versus other government agencies’ projects.

Although staff is proposing \$15,000 to be included in the FY 2010-2011 budget for this video, staff is seeking approval to release a bid for companies to provide prices to develop this informational video. The cost will be brought back to the September board for final discussion and action.

Executive Director’s Recommendation:

Authorize staff to release the NuRF Information Video Bid and return to the September Board with bid results.

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

6. Legal Staff Report

7. Action Items

- a. Approval to Issue Task Order with PBS&J for Prescribed Fire Services for 2010-2011

Patricia Burgos

The Water Authority Board authorized staff to release a bid for prescribed fire services in October 2009. Alan Alshouse & Associates was the lowest bidder and a contract for prescribed fire services was awarded in January 2010.

About a month ago, Mr. Alshouse informed staff that he was in the process of being hired fulltime by PBS&J, thereby “deactivating” his firm for the time being. Due to past experience and the difficulty of a small agency like the Water Authority releasing a bid for specialized services such as prescribed fire, staff investigated the possibility of PBS&J accepting the low bid prices and taking over the contract. PBS&J evaluated the bid amounts and has agreed to accept the prices that Mr. Alshouse had been charging the Water Authority.

PBS&J is one of the firms currently under contract for General Engineering Services. Staff is recommending that the Water Authority amend PBS&J’s current engineering contract to include prescribed fire services and issue a new task order for PBS&J. This amendment and task order will allow PBS&J to conduct the previously contracted burns on the preserves using Mr. Alshouse as the burn boss with additional PBS&J equipment and personnel if needed. The amendment will terminate on September 30, 2011 with a contract renewal for 2012 pending board approval.

There is no increase in cost associated with this staff request. Funds allocated for these contracted burns are available under Account 700-460 Repair & Maintenance.

Executive Director’s Recommendation:

Authorize staff to amend the PBS&J Engineering Contract to include prescribed fire services and to issue a new task order for PBS&J for Fiscal Year 2010-11.

b. Increasing Amounts and Purchase Orders for Polymer for NuRF Lance Lumbard

Staff has successfully implemented one of the largest alum floc management programs in the Country with by far the least amount of employees. There were many unknowns when the budget was being formulated for polymer including type and expense of polymer and actual amount of floc generated. Staff had only the engineer’s estimate to work from when developing the budget.

The NuRF operated for the first five months without any floc dewatering because of the need to accumulate enough floc to start-up and optimize the centrifuge. In addition, higher alum dose has generated more floc volume. Within the past six months, staff has become proficient enough with the dewatering equipment to process the additional alum floc at a rate which exceeds the amount currently budgeted for polymer. To date, staff has spent \$45,130 of the \$50,000 polymer budget and has approximately one month of inventory on-hand.

The floc settling ponds are sized sufficiently to collect surplus alum floc, but settling efficiency decreases as the ponds fill up. Given the Board’s desire to have the NuRF ready to operate in a worst case scenario, staff suggests keeping floc volume in the ponds to a minimum. Floc volume within the ponds has increased considerably with the recent high flow periods. Staff is requesting that additional funds be appropriated for polymer purchase this year in order to recover this volume.

Staff has been able to successfully reconfigure the alum mixing system to allow 30% less alum concentration at low flow and at least 10% at high flow which will reduce the amount of alum

floc generated and consequently the amount of polymer required in the future. The reduction in alum concentration will easily offset the additional cost of polymer currently being requested.

Staff continues to work with manufacturers' representatives to find a less expensive and more efficient polymer. Staff has identified at least one additional polymer from a manufacturer other than Nalco that promises to have similar performance characteristics. Staff has not yet received pricing for this polymer, but is requesting an additional \$4,000 to purchase an alternative polymer from Fort Bend Services or another company which staff determines may be competitive with the Nalco product. In the event another successful polymer is identified, staff will return to the Board with this information.

Since the Nalco product CoreShell 71321 continues to have superior performance, staff is requesting an additional \$13,000 and a corresponding purchase order increase to purchase up to four additional totes within this fiscal year. There are sufficient funds within Account 700-520 Operating Supplies to fund the additional polymer.

Executive Director Recommendation:

Authorize addition of \$13,000 to the existing purchase order with Nalco for polymer purchase and authorize up to \$4,000 for an alternative if identified.

c. Approval to Transfer Funds for Land Management Projects **Patricia Burgos**

The Water Authority Board has included two items: Bear Track & Bourlay Hydrology Engineering Analysis (\$10,000) and Hidden Waters Erosion Engineering (\$5,000) in the FY 2009-2010 budget in the Other Contractual Services account. The County finance department has recommended that the Water Authority move the money into the Professional Services which would be the correct account for payment.

As such, staff is requesting authorization to transfer \$15,000 in 2009-2010 budgeted funds **from** Account 700-340 Other Contractual Services **to** 700-310 Professional Services.

Executive Director's Recommendation:

Authorize staff to transfer \$15,000 from Account 700-340 Other Contractual Services to 700-310 Professional Services.

d. Approval of New Site Resident at the M-5 Structure **Ron Hart**

The Authority maintains annual leases with site residents living as caretakers on two of the water control structures. The site resident this year for M-5 is Lake County Sheriff's Office (LCSO) Deputy Kenneth Fratto. The water control structure residents own their own manufactured homes on the sites.

Early this month, Deputy Fratto informed staff that he would be leaving to join his family in California and he would like to sell his home to LCSO Deputy David Hanks. Staff has interviewed Deputy Hanks and has found him to be a suitable candidate to maintain and patrol the site.

Summary Agenda – July 28, 2010

Because only two months remain in the existing lease, staff recommends that the new lease not expire until the end of September 2011. Staff will utilize the previously approved Attorney Barice lease with the required \$500 deposit from last year.

Executive Director's Recommendation:

Authorize the Executive Director to execute an M-5 site resident lease agreement with Deputy Hanks.

8. Board Member Comments

9. Board Member Items for Future Agenda

10. Information Items

- a. Staff Report
- b. Monthly Financial Reports – June 2010

11. Announcement of Upcoming Meetings and Events

- Board Meeting – Wednesday, August 25, 2010 (3:30 p.m.) BCC Chambers/
Admin. Building
- Tentative Budget Hearing – Wednesday, September 8, 2010 (5:05 pm) BCC
Chambers/Admin. Building

12. Adjournment