

**LAKE COUNTY WATER AUTHORITY**  
**(352) 324-6141**  
**REGULAR MEETING ANNOUNCEMENT AND AGENDA**

**Wednesday, January 24, 2018**  
**3:30 pm**  
**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** - January 24, 2018 - Regular Meeting
- 3. Executive Director Report**
- 4. Consent Items**
  - a. None
- 5. Discussion Items**

<u>Tab 2</u>	a. Eddy Groves and Scrub Point Preserve Road	Ben Gugliotti
<u>Tab 3</u>	b. Tussock Harvesting at Marsh Park Boat Ramp Quotes	Ron Hart
<u>Tab 4</u>	c. Bear Track Preserve/Lake Norris Acres – Easement Issue Update	Ben Gugliotti
<u>Tab 5</u>	d. Education Budget Overview	Michael Perry
<u>Tab 6</u>	e. Sawgrass Island Preserve Restroom Update	Ben Gugliotti
<u>Tab 7</u>	f. Approval to Contract for Technical Services at the NuRF	Ron Hart

- 6. Public Comment** (5:00 pm or as soon thereafter as possible)
- 7. Legal Staff Report** Carole Barice
- 8. Board Member Comments**
- 9. Board Member Items for Future Agenda**
- 10. Information Items**
  - Tab 8 a. Staff Report
  - Tab 9 b. Monthly Financial Reports - January 2018

- 11. Announcement of Upcoming Meetings and Events**
  - Spring Creek Elementary STEM Night, Tuesday, January 16, 2018 (6:30 pm)
  - Astor Community Science Night – 1st Baptist Astor, Thursday, January 18, 2018 (6:30 pm)
  - Flat Island Preserve Long Hike, Saturday, January 20, 2018 (9 am to 12:00 pm)

- Spring Creek Elementary Career Day, Thursday, January 25, 2018 (10:00 am to 2:00 pm)
- Treadway Elementary Career Day, Friday, January 26, 2018 (10:00 am to 12:00 pm)
- Grassy Lake & Minneola Elementary 1st – 3rdgrade STEM night, Tuesday, January 30, 2018 (6:00 pm to 7:30 pm)
- Montverde Academy at NuRF, Wednesday, February 7, 2018 (9:00 am to 12:00 pm)
- Pre-Sweetheart Open House Hike at Wolfbranch Sink Preserve (if waterfall is present), Saturday, February 10, 2018 (8:30 am to 3 pm) or Alternate Hike at Crooked River Preserve (9 am to 12:00 pm)
- Lakes clean up Hickory Point, Saturday, February 24, 2018 (9:00 am to 12:00 pm)
- Flat Island Preserve Bat Hike, Saturday, March 10, 2018 (5 pm to 10 pm)
- Master Naturalists at NuRF & Hickory Point, Monday, March 12, 2018 (9:00 am to 4:00 pm)
- Hickory Point Fishing Clinic, Saturday, March 17, 2018 (8:00 am to 12:00 pm)
- Board Meeting - Wednesday, March 28, 2018 (3:30 pm)  
BCC Chambers/Admin. Building
- Lake Envirothon – Hickory Point, Thursday, March 29, 2018 (9:00 am to 1:00 pm)
- Round Lake Elementary 5th at Gilbert Park, Friday, March 30, 2018 (9:00 am to 1:00 pm)
- Hidden Water Preserve Nature and Fitness Hike, Saturday, April 14, 2008 (8 am to 11:30 am)

## **12. Adjournment**



**TO:** Lake County Water Authority Board of Trustees  
**FROM:** Ben Gugliotti, Land Resources Director  
**DATE:** January 10, 2018  
**SUBJECT:** Eddy Groves and Scrub Point Preserve Road

*Discussion Item*

***Eddy Groves and Scrub Point Preserve Road UPDATE***

Staff came to the October 25<sup>th</sup> Board meeting to discuss a proposed development to the southwest of Scrub Point Preserves on property known as the Eddy Groves. The discussion centered on the entrance road that was purchased by LCWA along with the northern property back in 1996 and the current alignment of the road. The board directed staff to continue discussing the issue with Mr. Chuck Piper who has a contract on the Eddy property and to do a survey of the road highlighting the easements.

Following are the activities since that October board meeting:

- November 7<sup>th</sup> - staff along with Trustee Peggy Cox attended the Clermont Planning and Zoning Commission meeting. The Commission heard the applicant’s request for a Large-Scale Comp Plan Amendment to change the City’s Future Land Use designation from Lake County Rural to City of Clermont Low Density Residential and a request to change the zoning from Urban Estate to Planned Unit Development (PUD). Minutes of the P & Z Commission meeting are attached.
- November 14<sup>th</sup> – staff with the Executive Director met with Mr. Piper at the LCWA offices on November 14<sup>th</sup> to discuss the road and access to the preserve.
- November 14<sup>th</sup> – Clermont City Council voted to transmit the Eddy Property Large Scale Comprehensive Plan Amendment to the Florida Department of Economic Opportunity and other state agencies for review.
- November 17<sup>th</sup> and November 20<sup>th</sup> - staff received a message from Mrs. Mary Eddy to call her back and discuss the entrance road.
- November 21<sup>st</sup> – staff returned Mrs. Eddy’s call to discuss the entrance road and the use of the road as an access for herself, the Osborne and Schaeffer families.
- November 28<sup>st</sup> – staff contracts with BESH Engineering to complete the road survey and clarify the easements.
- January 3<sup>rd</sup>, staff talked to the surveyor and they were finishing up the field work. Staff will provide the Board with a copy of the survey once it is complete.
- Once staff receives the survey, they will go out and figure out where the road could be relocated to in order to minimize the amount of trees that need to be removed and the impact on the resource.

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Upcoming Dates:

- January 10<sup>th</sup> – staff board memo due for January 24<sup>th</sup> meeting.
- January 23<sup>rd</sup> – Second presentation of the Eddy Property Rezoning Request and Large-Scale Planning Amendment to the Clermont City Council.

Due to the increased complexity of the situation regarding the entrance road with easements and the adjacent Eddy property, as well as Mrs. Eddy's pending request to use the Water Authority's entrance road, staff is unable to provide the board with a recommendation at this time. Staff is hoping to provide more information to the board for direction and/or bring a recommendation to the January 24<sup>th</sup> board meeting for discussion. This will allow staff and LCWA attorney additional time to receive the survey and review the easements and encumbrances, survey the trees within the 70-foot road boundaries and receive a formal request letter from Mrs. Eddy in anticipation of the January 24<sup>th</sup> board meeting.

**Executive Director's Recommendation:**

For information purposes only, no action required.



**TO:** Lake County Water Authority Board of Trustees  
**FROM:** Sergio Duarte, Water Resources Project Manager  
**DATE:** January 4, 2018  
**SUBJECT:** Authorization to Contract Lake Yale Aquatic Plant Harvesting

*Discussion Item*

*Authorization to Contract Lake Yale Aquatic Plant Harvesting*

Staff presented the background for this topic at the Board’s December 13, 2017 meeting. The south side of Lake Yale and the mouth of the Marsh Park Canal have large amounts of floating islands or tussocks, which have the potential to drift and block the lake access, generate large amount of muck and restrict the natural lake habitat. As stated during the December meeting, the Board included \$40,000 in its FY 2017-2018 budget for the removal of approximately 4 acres of tussocks in anticipation of the return of the water levels at Lake Yale with additional funding from the Florida Fish and Wildlife Conservation Commission (FWC) and the Lake County Parks participation.

After Hurricane Irma, the water levels at Lake Yale returned to a minimum level sufficient to lunch a harvester. In November 2017, Lake County renewed the interest to recover the lake access for the Marsh Park-boat ramp and FWC was recently able to secure \$60,000 for a multi-agency project between FWC and LCWA.

FWC allowed the use of their term contract (RFP FWC 15/16-131) to secure quotes for a mechanical plant harvesting on two work sites at Lake Yale. Staff is proposing the removal of 4.0 acres of tussocks under the funding of the LCWA (Work Site #1) and a site of 6.0 acres (Work Site #2) under the funding of FWC (see enclosed maps - Figure # 1 and # 2). The LCWA and FWC could split the mobilization and demobilization cost under the umbrella of a single or two joint contracts, with two separate payments upon the completion of each work site.

The Lake County - Department of Public Resources is already in agreement to: (1) Allow the use of the Marsh Park Ramp, (2) Provide two temporary storage place for 12,000 cubic yards of plant material next to the Marsh Park Boat ramp and (3) Fund the cost of the hauling/disposal of the plant material to a permitted landfill area. Nathalie Visscher (Regional Biologist from FWC) is also in agreement with the proposed mechanical plant removal project; and indicated that she will issue a plant removal permit for this project.

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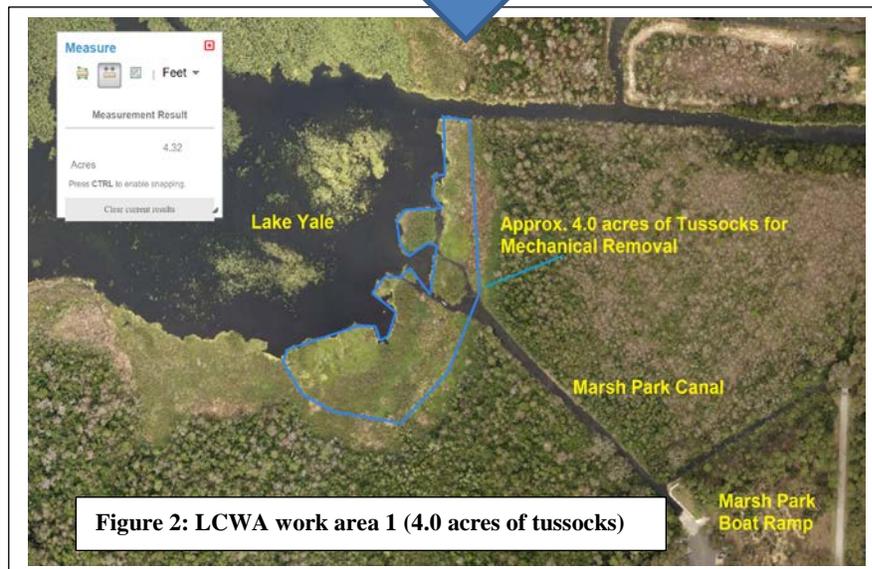
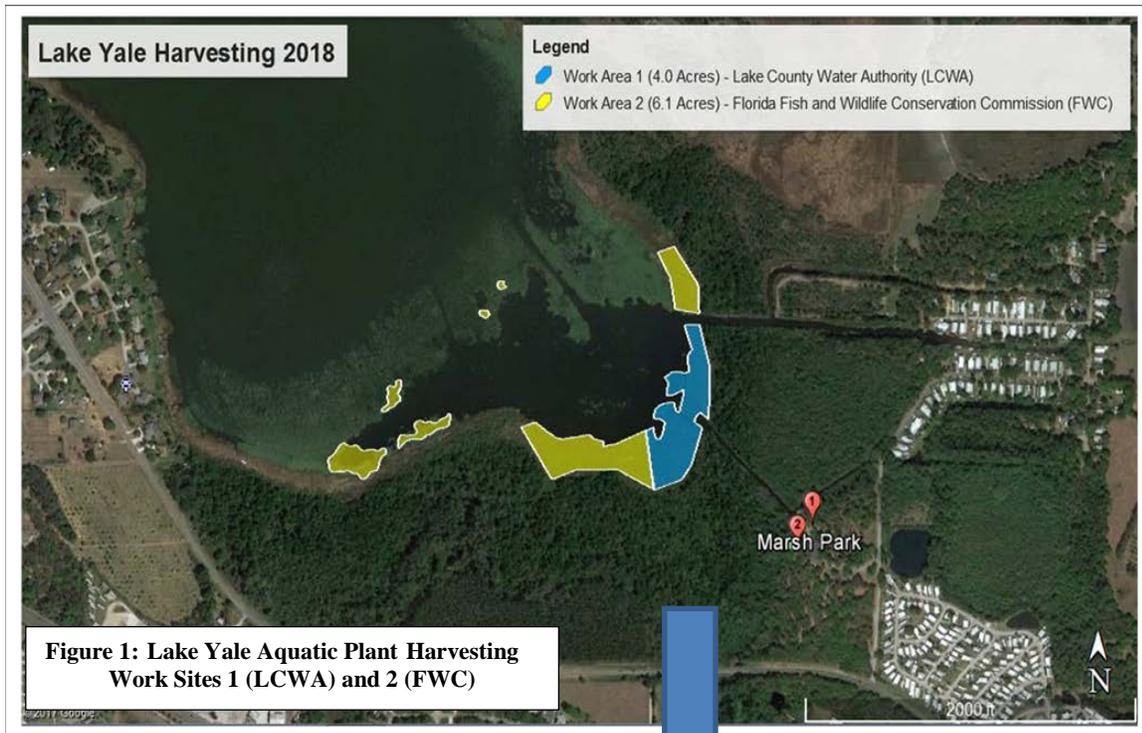
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FWC already released a request for quotes (RFQ#NPF-003) among the FWC term contractors. The project scope includes mechanical removal of aquatic vegetation and associated organic sediments on the proposed Work Sites #1 and #2, a pre-quote meeting on Tuesday **January 16, 2018** and a deadline on **Monday, January 22, 2018** to submit written quotes for work sites #1 and #2.

The concern now is that the water levels at Lake Yale are not going to hold and will start decreasing in the coming months. Because of this concern, staff has fast-tracked this item for the Board's consideration.

Staff will present the FWC term contractors quotes at the board meeting on January 24, 2018 to obtain the LCWA Board approval and proceed by mid-February with an aquatic plant harvesting project in partnership with the FWC and Lake County.

**Executive Director's Recommendation:**

Authorize the Executive Director to enter into a multi-agency project contract between FWC and the Lake County Water Authority to accomplish the harvesting of 10.1 acres of tussock at the south side of Lake Yale with the Water Authority's share of the project not to exceed \$40,000



TO: Lake County Water Authority Board of Trustees
FROM: Ben Gugliotti, Land Resources Director
DATE: January 10, 2018
SUBJECT: Bear Track Preserve/Lake Norris Acres – Easement Issues

Discussion Item

Bear track Preserve/Lake Norris Acres – Easement Issue Update

In December of 2016 the Lake County Water Authority purchased 15± acres on the south shore of Lake Norris and adjacent to the Bear Track Preserve, from Brian Richards. Staff worked with the state to purchase the remaining 80 acres of the Lake Norris Acres which Mr. Richards was selling.

On October 4, 2017, the state notified staff that they were not moving forward with the purchase because their title search found an environmental easement (conservation easement, recorded in Book 1051, Page 1930, Attachment 1) over a portion of the 80 acres. Mr. Mark Carson, a previous owner, signed the agreement with Lake County on March 28, 1990. The conservation easement also covered a portion of the 15 acres the Water Authority had already purchased (Map included as Attachment 2).

The question was raised as to why the Water Authority’s title search did not find the conservation easement and whether the Water Authority had overpaid for the 15 acres, if the property did not have full development rights.

On November 17, 2017, a meeting was held at the LCWA office with Brian Richards, Board Trustee Doug Bryant, Attorney Carol Barice (through conference call), Executive Director Michael Perry, and Ben Gugliotti. Mr. Richards said he did not believe that the conservation easement was ever accepted, however he did not have any documentation of that. He said that he did have a letter from Lake County from several years before which stated that he had full development rights on his entire property, and he felt that was proof the conservation easement was not enforced. Unfortunately, he was unable to locate the letter at the time of the meeting. The representatives of the LCWA at the meeting explained that it was Mr. Richard’s responsibility to go to Lake County and get documentation that the conservation easement was not accepted and there were no other encumbrances on the property, especially if there is any hope of resurrecting the deal with the state to purchase the remaining 80 acres. Staff has not received anything form Mr. Richards at this time.

Staff was still concerned about the potentially overvalued purchase price of the 15 acres, and contacted the Lake County Attorney’s office to try to find out if they were enforcing and/or even aware of any conservation easement. The response email is attached, (Attachment 3). The

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County Attorney's Office stated that they do not track conservation easements, but the Property Appraisers Office may if it affects the assessed value of the property. Staff is in the process of following up with the Property Appraisers Office.

Anna Ely used to work for the County and knew her way around the Official Records Books. From her computer, she was able to turn up an Affidavit recorded October 7, 1998, (Attachment 4, recorded in Book 1650, Page 215) stating that the environmental easement was erroneously recorded, was never accepted by Lake County and is therefore void. A contact of hers in the Lake County Planning and Zoning office also found a Certification of Granting of Vested Rights in the Wekiva River Protection Area to Mr. Mark Carson from the Lake County Department of Planning and Development dated August 8, 1990, (Attachment 5, recorded in Book 1073, Page 1706), which she emailed to Anna and the Lake County Attorney's Office.

Both of these documents were sent to Brian Richards and Attorney Carol Barice. Attorney Barice said staff should still try to get something in writing from Lake County stating they are not holding or enforcing any easements on the property. Staff will continue to try to get something in writing from the appropriate department of Lake County.

**Executive Director's Recommendation:**

For information purposes only, no action required.



TO: Lake County Water Authority Board of Trustees

FROM: Michael J. Perry, Executive Director

DATE: January 10, 2018

SUBJECT: Education Budget Overview

Discussion Item

Education Budget Overview

Trustee Farner has requested a review of the education portion of the budget. As part of the codification bill that was done during the 2005 legislative session, the legislature added language that would restrict the amount of money the Water Authority Board could budget to no more than 3.5% of the ad valorem funds collected by the Board. A copy of the legislation is attached. Following the passage of the legislation, the Board had considerable discussion of what portions of the budget is actually education versus public awareness, promotion or public involvement other than education. The Board tried to formalize that within the budget process and still meet the spirit of the law.

The following table illustrates the budget expenditures versus the 3.5% of the ad valorem collected since FY 2005-2006.

Table with 5 columns: FY, Education Budget, 3.5% of ad valorem, Difference, Percent Difference. Rows show data from 2005/06 to 2017/18.

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The following is the portion of the Board approved FY 2017-2018 budget related to education.

<b>Education</b>				
<b>500-340</b>	<b>Other Contractual Services</b>			
	Education - 3.5% of <i>ad valorem</i> collected: \$161,656			
	Sheriff - Marine Unit (less portion in education bdgt)	17,171	17,171	-
	Naturalist Contractor	10,000	12,500	2,500
	Education Contractor	10,000	12,500	2,500
	Education and Graphics Design Services	10,000	2,000	(8,000)
	<b>SUBTOTAL</b>	<b>47,171</b>	<b>44,171</b>	<b>(3,000)</b>
<b>500-420</b>	<b>Freight and Postage</b>			
	Public Mailings (Project, Education Activity Notification)	500	500	-
	<b>SUBTOTAL</b>	<b>500</b>	<b>500</b>	<b>-</b>
<b>500-440</b>	<b>Rentals</b>			
	Portalets, Pontoon Rentals for Events	2,500	2,500	-
	<b>SUBTOTAL</b>	<b>2,500</b>	<b>2,500</b>	<b>-</b>
<b>500-470</b>	<b>Printing &amp; Binding</b>			
	Printing of Educational Materials	10,000	2,000	(8,000)
	<b>SUBTOTAL</b>	<b>10,000</b>	<b>2,000</b>	<b>(8,000)</b>
<b>500-480</b>	<b>Promotional Activities</b>			
	LCWA Event Advertisements	1,000	1,000	-
	Kid's Fishing Clinic	250	500	250
	Lakes Academy Ads	700	700	-
	<b>SUBTOTAL</b>	<b>1,950</b>	<b>2,200</b>	<b>250</b>
<b>500-490</b>	<b>Other Current Charges &amp; Obligations</b>			
	Lakes Academy Expenses	350	350	-
	<b>SUBTOTAL</b>	<b>350</b>	<b>350</b>	<b>-</b>
<b>500-520</b>	<b>Operating Supplies</b>			
	Limnology Education & Misc. Supplies			
	Water quality test kits & reagents	200	200	-
	Miscellaneous supplies	450	450	-
	<b>SUBTOTAL</b>	<b>650</b>	<b>650</b>	<b>-</b>
<b>500-810</b>	<b>Aids to Government Agencies</b>			
	Public School Transportation Funds (Hickory Point, NuRF)	5,000	5,000	-
	Water Resource Education Mini-Grants	20,000	-	(20,000)
	<b>SUBTOTAL</b>	<b>25,000</b>	<b>5,000</b>	<b>(20,000)</b>
<b>500-820</b>	<b>Aids to Private Entities</b>			
	Trout Lake Nature Center Grant	7,500	41,000	33,500
	Community Water Resource Mini-Grants (50%)	8,700	-	(8,700)
	<b>SUBTOTAL</b>	<b>16,200</b>	<b>41,000</b>	<b>24,800</b>
	<b>SUBTOTAL EDUCATION</b>	<b>104,321</b>	<b>98,371</b>	<b>(5,950)</b>

**Executive Director Recommendation:**

Provide direction to staff regarding future education activities or efforts.



TO: Lake County Water Authority Board of Trustees
FROM: Ben Gugliotti, Land Resources Director
DATE: January 10, 2018
SUBJECT: Sawgrass Island Preserve Restrooms

Discussion Item

Sawgrass Island Preserve Restroom Update

On April 10, 2017, the Lake County Water Authority entered into an agreement with UBC Precast, to provide two vaulted restrooms for the north and south parking areas at Sawgrass Island Preserve for \$52,980.00. It was stated in the agreement that the Water Authority would handle the permitting for the restrooms. UBC began recasting the restrooms, and staff began the process of submitting permit applications to the Lake County Planning and Zoning Department. The Planning and Zoning Department also recommended staff talk to the Health Department and Building Department. Staff found out from the Health Department that there was only one pre-approved vaulted restroom design, and UBC was not it. Staff also found out from the Building Department that Water Authority staff could not pull a commercial building permit, only a General Contractor certified in the State of Florida could.

Staff forwarded the information to UBC about the vault certification requirements, and they said they would work on the certification. Staff began searching for a Certified General Contractor that could oversee the project and apply for the building permits.

On June 7, 2017, UBC requested a partial payment because the buildings were finished and they were having to hold on to them because of the permitting delays. The Executive Director authorized a payment to UBC for \$26,490 on July 14, 2017. On July 27, 2017, UBC requested another partial payment, but staff said would not make an additional payment until the vault certification issue was resolved.

On August 9th, the LCWA signed an agreement with Hart Construction and Development to oversee the project and handle the Building Permits.

On September 18, 2017, Mr. Hoskins from UBC emailed staff about the status of the Vault. He forwarded an email from Dr. Eberhard Roeder with the Florida Department of Health, outlining the requirements for getting a vault certified. Mr. Hoskins said he was having his engineer look into it.

On October 6, 2017, staff tried to call Mr. Hoskins for a status update.

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On October 23, 2017, staff sent an email stating that we had tried to contact Mr. Hoskins by phone on October 6, 2017 but had not yet received a response.

On November 2, 2017, staff received zoning permits for both restrooms. The permits are good for 18 months from the date of issue.

On November 29, 2017, staff emailed both Mr. Hoskins and another email address (UBCPrecastjennie@gmail.com) that was included on a previous email that Mr. Hoskins sent. Staff stated that they have tried to contact Mr. Hoskins on numerous occasions and that some kind of response was needed by December 8, 2017. Staff also called and left a message with David Scott, another contact that was included in the agreement. Staff has not received a response.

On December 21, 2017, staff contacted the LCWA Attorney asking her to develop a Notice of Termination for UBC Precast terminating the agreement.

For the original Request for Proposals, there were four proposals submitted.

<b>Company Name</b>	<b>Proposed Total Base Cost</b>	<b>Alternate 1</b>	<b>Total Cost</b>
Sun County Foliage, Landscaping and Concrete, Inc.	\$137,642	N/A	\$137,642
Green Flush Technologies	\$124,800	N/A	\$124,800
Wagner 3 Ventures	\$63,100	Specifications	\$63,100
UBC Precast Concrete Products	\$52,980	N/A	\$52,980

Staff has contacted Ken Wagner, who had the second lowest proposal. Mr. Wagner said he would still be interested in doing the project for the price as submitted. Mr. Wagner is a certified Contactor and would be able to handle the Building Permits.

Staff would like direction from the Board on the following points:

- Whether the Board would like to continue with the Sawgrass Restroom project or terminate the project;
- If the Board would like to continue the project, should staff put out a new RFP for the project; and
- Alternatively, if the Board would like to move forward with the project, can staff negotiate an agreement with Ken Wagner, the second lowest proposal from the original Request for Proposals?

**Executive Director's Recommendation:**

1. Authorize the LCWA Attorney to send Notice of Termination to UBC Precast to terminate the existing agreement;
2. Authorize Staff to work with Attorney Barice to recoup the partial payment to UBC and any additional damages;
3. Authorize staff to negotiate an agreement with Ken Wagner for a cost not to exceed \$68,100 for the purchase and installation of two (2) waterless or low water turn-key restrooms at Sawgrass Island Preserve. The additional \$5,000 is to cover earthwork required to prep the site which was not included in the original proposal; and
4. Authorize the Executive Director to transfer \$39,100 from FY 2017-2018 budget line item 720-610 – Conservation Lands Acquisition, to line item 720-620 – Buildings, to cover the additional cost of the Sawgrass Island restroom project.



TO: Lake County Water Authority Board of Trustees
FROM: Michael J. Perry, Executive Director
DATE: January 11, 2018
SUBJECT: Approval to Contract for Technical Services at the NuRF

Discussion Item

Approval to Contract for Technical Services at the NuRF

At the end of this month, longtime employee and operator at the NuRF, Bill Guenther, will be retiring. To partially offset for this loss, the Water Authority hired Eli Willis as the new NuRF Operator. Eli has proven to learn quickly and is enthusiastically picking up the responsibilities. However, the amount and complexity of sophisticated equipment at the NuRF requires years of experience to resolve issues in an efficient manner.

The loss of the Water Resources Project Manager, Sergio Duarte, further impairs the transfer of information and assistance to the new NuRF Operator. Sergio was directly involved in the daily operation of the facility. His workload will be managed by the Water Resources Director until the position is filled and the new staff member gains enough experience to successfully manage and operate the facility.

To serve as a bridge for the continued transfer of knowledge at the NuRF, staff recommends contracting, as needed, hours from Bill Guenther as a Technical Consultant. He will serve in an advisory and teaching capacity to assist the current operator in resolving technical and mechanical issues that affect the operation and performance of the facility. As the new operator, Eli, becomes more proficient in the operation, maintenance, and repair of the facility, the number of calls and hours utilizing Bill's services will be reduced.

Keeping the facility operating for long hours is still necessary due to the continued elevated flows and the accumulation of sediments within the ponds. It is likely that we will be dredging for a continuous 6 months to address this continuing accumulation of sludge within the ponds. During this critical time of learning by the new employees, the Water Authority cannot afford any downtime that would result in poor water quality or excessive sediment being discharged downstream.

Staff has attached the following Scope of Work for the Technical Consultant and will utilize the same contract documents as the Naturalist and the Education Contractor. The Contract has a \$10,000 limit that can be paid from 710-340 Contractual Services.

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**Executive Director Recommendation:**

Authorize the Executive Director to execute an agreement with Mr. Bill Guenther, NuRF Technical Consultant, on an as needed basis for an amount not to exceed \$10,000.