

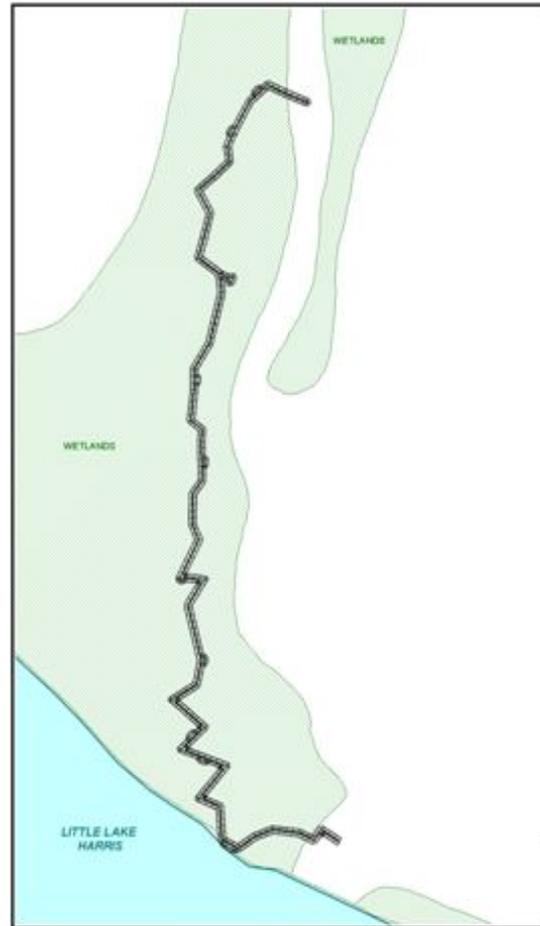


TO: Lake County Water Authority Board of Trustees
FROM: Brian Nagy, Field Services Manager
DATE: February 7, 2018
SUBJECT: Approval of Purchase Order for Lumber for HP Boardwalk

Discussion Item

Approval of Purchase Order for Lumber for HP Boardwalk

The Hickory Point Boardwalk was originally built in 1994. It has been repaired and patched many times over the years. After the recent hurricane Irma, it needs total replacement. This is to ensure the safety of our many visitors to the park. The Boardwalk is approximately 1,761 feet long and staff will work on it as time becomes available to complete the replacement.



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Staff has obtained quotes for 2in x 6in x 12ft #1 Contact Lumber as follows:

- Outdoor Living \$10.25 per board
- Lowes \$16.13 per board
- Home Depot \$11.97 per board

Staff is seeking approval for the Executive Director to issue a purchase order to Outdoor Living for a quantity of 2,000 2in x 6in x 12ft boards plus hardware supplies, for an amount not to exceed \$25,000 to replace the Hickory Point Boardwalk. Having a purchase order allows staff to only order the quantity of lumber it will need to repair a section of the boardwalk without having to take delivery of the entire amount. The Board has included \$25,000 to Replace Wood on Deck Behind Pavilion in account 730-460 - Maintenance & Repair (bldgs. and grounds) in its FY 2017-2018 budget

Executive Director Recommendation:

Authorize the Executive Director to issue a purchase order to Outdoor Living in the amount of \$25,000 to replace the Hickory Point Boardwalk.



TO: Lake County Water Authority Board of Trustees
FROM: Ron Hart, Water Resources Director
DATE: February 14, 2018
SUBJECT: Approval of PO Changes for Alum and Polymer at NuRF

Action Item

Approval of PO Changes for Alum and Polymer at NuRF

At the September meeting, the Board approved alum purchase orders with Thatcher Chemical (\$1,000,000), Chemtrade (\$1,000,000), C & S Chemicals (\$500,000), and Affinity Chemicals (\$500,000). To date, the Water Authority has purchased \$226,781 from Thatcher, \$617,961 from Chemtrade, \$304,629 from C & S, and \$79,637 from Affinity. The total purchased this fiscal year to date is \$1,229,008.

Two of the purchase orders are likely to be exceeded before the end of this fiscal year (C & S and Chemtrade). Staff recommends increasing these two amounts to avoid having to purchase from the more expensive suppliers. Staff is recommending increasing C & S from \$500,000 to \$1,000,000 and Chemtrade from \$1,000,000 to \$1,500,000.

In addition, the Board also authorized issuing purchase orders for polymer with Fort Bend Services (\$100,000) and NALCO (\$100,000). To date the Water Authority has purchased \$45,833 from Fort Bend and \$22,074 from NALCO. The total amount of polymer purchased this fiscal year to date is \$67,907. This chemical is necessary to run the centrifuge and separate dredged solids from water. Staff recommends increasing the purchase order with Fort Bend from \$100,000 to \$200,000.

These purchase orders only encumber the money and authorize staff to purchase these products, if needed. It does not guarantee that the money will be spent. The purchase orders would expire at the end of FY 2017-18.

Executive Director's Recommendation:

Authorize the Executive Director to increase the Purchase Orders for C & S Chemicals from \$500,000 to \$1,000,000 and increase Chemtrade from \$1,000,000 to \$1,500,000.

Authorize the Executive Director to increase the purchase order for Fort Bend Services from \$100,000 to \$200,000.

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TO: Lake County Water Authority Board of Trustees
FROM: Ben Gugliotti, Land Resources Director
DATE: February 13, 2018
SUBJECT: Sawgrass Island Preserve Restrooms

Discussion Item

Sawgrass Island Preserve Restroom Update

At the January 24th LCWA Board Meeting, the Board directed Attorney Barice to send a Notice of Intent to Terminate Contract letter to UBC Precast. The letter gave UBC until February 8th to Contact Attorney Barice to come to some resolution. As of the writing of the memo, UBC Precast has not contacted Attorney Barice or any LCWA staff.

Staff requests permission from the Board to terminate the contract with UBC Precast and negotiate an agreement with the next highest bidder, Ken Wagner, for the completion of the Sawgrass Island Restroom Project. Staff requests permission to work with Attorney Carole Barice to attempt to recoup the partial payment of \$26,490. made to UBC Precast as well as any additional damages. Additional damages will include any additional costs incurred in order to complete the project above and beyond what UBC Precast bid for the project. Therefore, completing the project with the next lowest bidder will allow us to determine those additional costs.

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

Table with 4 columns: Company Name, Proposed Total Base Cost, Alternate 1, Total Cost. Rows include Sun County Foliage, Landscaping and Concrete, Inc. (\$137,642.00), Green Flush Technologies (\$124,800.00), Wagner 3 Ventures (\$63,100.00), and UBC Precast Concrete Products (\$52,980.00).

Staff has contacted Ken Wagner, who had the second lowest proposal. Mr. Wagner said he would still be interested in doing the project. Mr. Wagner is a certified general contractor and would be able to pull the Building Permits (which was not included in the original agreement).

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

- Whether they 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?
- 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 \$68,100.00 for the purchase and installation of two (2) waterless or low water turn-key restrooms at Sawgrass Island Preserve. The additional \$5,000.00 is to cover earthwork required to prep the site which was not included in the original proposal.
4. Authorize the Executive Director to transfer \$39,100.00 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: February 15, 2018
SUBJECT: Invasive Plant Management in Harris Chain of Lakes

Invasive Plant Management in Harris Chain of Lakes

Trustee Farner has requested a presentation about aquatic plant control in Lake County. Florida's aquatic plant management program is one of the oldest invasive species removal programs, with its beginnings dating back to the late 1800s. South American floating water hyacinths were introduced into the St. Johns River near Palatka in the late 1880s and soon after made navigation on the river for steamboat traffic almost impossible. Later, a 1950s plant invader, hydrilla (a native of Southeast Asia), began to infest and degrade Florida's lakes and rivers when it produced dense canopies at the surface. Beginning in the 1960s, the Australian melaleuca tree and the South American Brazilian pepper tree began to rapidly spread into and on south Florida's conservation lands. These nonnative invasive plants, along with others, now impact approximately 1.5 million acres of Florida.

Invasive plants degrade and diminish Florida's conservation lands and waterways. Some invasive aquatic plants pose a significant threat to human welfare by impeding flood control and affecting recreational use of waterways and its associated surrounding economy. The Florida Fish and Wildlife Conservation Commission's Invasive Plant Management Section is the lead agency in Florida responsible for coordinating and funding two statewide programs controlling invasive aquatic and upland plants on public conservation lands and waterways throughout the state. The Section also ensures that beneficial native aquatic plants in Florida's ponds, lakes and rivers are protected through its permitting programs and funding research to find more cost-effective management techniques. The Section's aquatic plant management program designs, funds, coordinates, and contracts invasive non-native aquatic plant control efforts in Florida's 1.25 million acres of public waters under Florida Statute and Rule. Public water bodies are sovereignty waters accessible by public boat ramps. Invasive non-native aquatic plants, mostly hydrilla, water hyacinth, and water lettuce, are managed in several hundred water bodies each year.

Throughout Florida, the FWC's Invasive Plant Management Section worked to control aquatic plants on 65,223 acres in FY 2015-2016 and expended \$17,962,070. In Lake County they controlled 2,974.8 acres, 390.3 acres of floating vegetation and 2,489.6 acres of hydrilla in FY 2015-2016 expending \$1,885,836.

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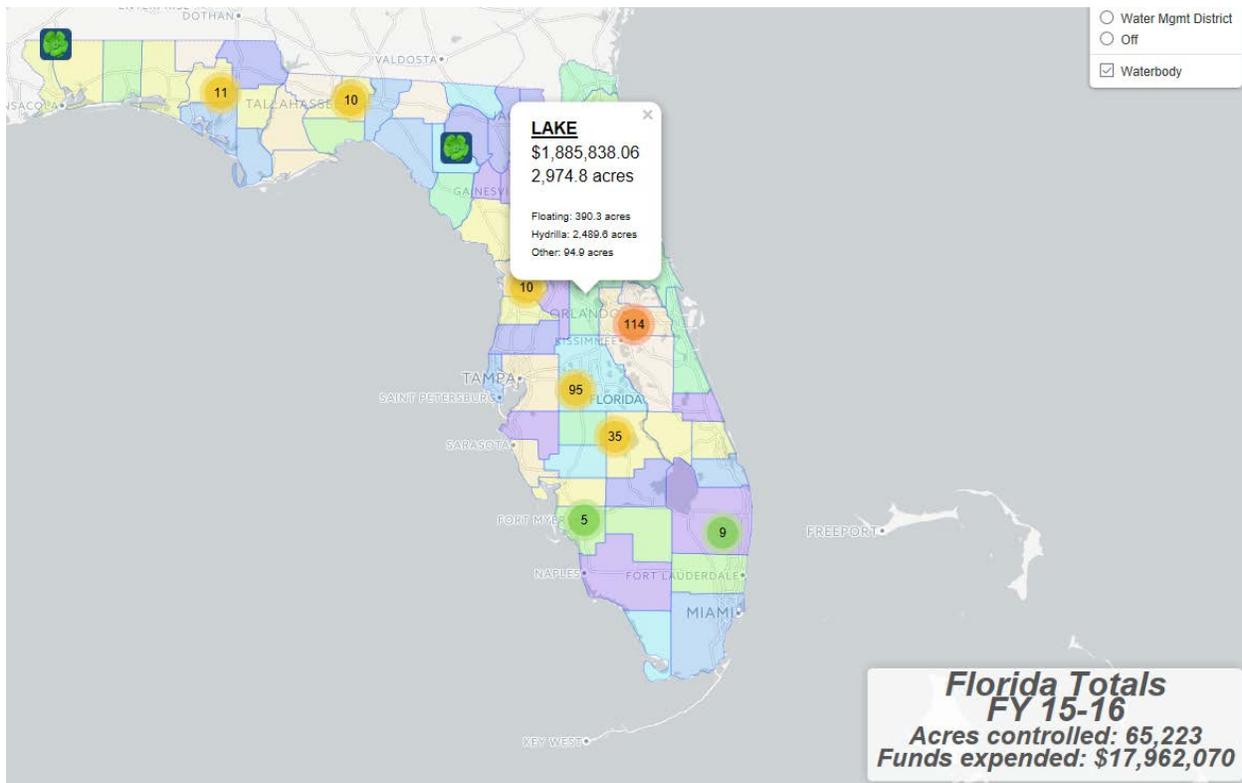
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Aquatic vegetation plays an important role in maintaining and protecting water quality, providing shoreline stabilization and ensuring balanced fish and wildlife populations. Therefore, Florida law (F.S. 369.20) requires all persons intending to control or remove aquatic vegetation from the waters of the state to obtain an Aquatic Plant Permit from the Commission unless an exemption for the activity has been provided in statute or rule (Chapters 68F-20).

The Section's Field Operations Program maintains offices strategically placed throughout the state. Section staff in these offices provide the following functions:

- Provide extension/education services concerning aquatic plant management
- Annually survey the aquatic plant communities in approximately 450 public water bodies comprising 1.25 million acres
- Direct, review and monitor the control of non-native aquatic plants by contractors of the Commission
- Assist and coordinate with federal, state and local governments on issues related to aquatic plant management
- Regulate aquatic plant management activities through 2 permitting programs
- Perform compliance/enforcement activities related to aquatic plant management

Ms. Nathalie Visscher is the FWC's Invasive Plant Management Section's North Central Regional Biologist. She will discuss the FWC program related to aquatic plant control in Lake County, particularly the Harris Chain of Lakes.

Executive Director's Recommendation:

For information purposes only. No action required.



TO: Lake County Water Authority Board of Trustees
FROM: Ben Gugliotti, Land Resources Director
DATE: February 20, 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, 2017 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 7th - 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 14th - staff with the Executive Director met with Mr. Piper at the LCWA offices on November 14th to discuss the road and access to the preserve.
November 14th - 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 17th and November 20th - staff received a message from Mrs. Mary Eddy to call her back and discuss the entrance road.
November 21st - 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 28st - staff contracts with BESH Engineering to complete the road survey and clarify the easements.
January 23rd, the Clermont City Council approved the annexation of the Pulte Homes development, a Large Scale Comprehensive Plan Amendment, and an amendment to the Zoning Map. The minutes from the meeting are attached.
January 24th, BESH Engineering emailed staff a digital copy of the preliminary survey.

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- February 13 & 14th, staff did an inventory of the trees located in the 70 foot wide parcel that extends from Hartwood Marsh road to the Preserve entrance gate; specifically in the area where the lime rock access road veers outside of the LCWA parcel adjacent to the Eddy Groves Development. The map is attached with a proposed realignment of the access road and the number of trees that would be impacted.
- February 14, staff met with Mike Straugham, a surveyor with BESH to discuss the issues with the survey. Apparently there are four, north quarter section corner markers near the entrance gate to Scrub Point Scrub Point. Mr. Straugham spent a lot of time and resources trying to verify which marker was correct. Ultimately, his determination was that the Jones, Woods and Gentry marker (November 1981) was more accurate, but that many of the fences were based on Barny Herrick survey (February 1981), so it may be in the best interest of all parties to do a Lot Line Agreement to accept the Herrick corner marker.
- February 16th, staff received copies of the Draft Survey and the Surveyor's Report which outline Mr. Straugham's findings and are attached.

Executive Director's Recommendation:

For information purposes only, no action required.

TO: Lake County Water Authority Board of Trustees

FROM: Ron Hart, Water Resources Director

DATE: February 14, 2018

SUBJECT: NuRF Floc Removal Alternative

Discussion Item

NuRF Floc Removal Alternative

Regular consistent high flows for long durations have filled the NuRF’s two 9-acre ponds with floc (Figure 1). To remove this continuing accumulation and decrease the discharge of floc downstream, staff has been operating the dredges and centrifuge 24-hours a day 7 days a week. Even with these efforts, approximately a third of the floc is discharged downstream due to the flows being over 250 cubic feet per second and the ponds being full. The discharges of flock are likely to continue increasing as the ponds fill more. This issue will result in the further filling of downstream channels and create a sediment bar at the mouth of Lake Beauclair.



Figure 1. NuRF Layout showing the Two Floc Ponds and the Sludge Disposal Area.

In order to respond immediately, staff contacted Jahna Dredging, the current St. Johns River Water Management District’s (SJRWMD) contractor for the Lake Apopka Dredging Project to discuss potential options to expedite the removal of the floc from the ponds. The advantage of piggy-backing on this contract is that the unit prices for equipment and personnel are set and most importantly, the time required for developing, implementing, and awarding a formal bid is greatly reduced.

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Staff has considered several alternatives to reduce these discharges out of the ponds. One of these proposals involved dredging the sludge and pumping the material 6,000-8,000 feet up the Apopka/Beauclair Canal to the F and G Cells. This proposal would permanently dispose of the alum floc off-site. However, the cost would be \$35,000 per week plus mobilization and demobilization. The alum floc would then be spread across the cells similar to our Lake Beauclair Dredging Project.

The second and most viable method with the lowest cost was to pump the untreated alum floc directly to the disposal area (Figure 2). Currently the limiting step is the use of the centrifuge to dewater the floc. As part of this proposal, Jahna would bring their own polypropylene pipe and fuse sections for attachment to one of our dredges. Because the alum floc contains a lot of alum, settling should occur quickly. Clean excess water can be decanted out the existing risers to the adjoining wetlands. If the water is not clean enough to discharge, boards will be added to the risers to increase the settling time. This design will allow both dredges to be utilized at the same time and will recover some settling areas in the floc ponds as quickly as possible once the flows have decreased. To expedite the process and reduce floc discharges as soon as possible, the Executive Director has authorized Jahna to proceed with this work immediately.

Jahna is providing staff to operate one of the dredges and will move the end of the pipeline in the disposal area as necessary. Should either dredge have any mechanical failures, both Jahna and our staff will work together to make the necessary repairs. However, the cost for parts on the dredges will be our responsibility.

The following are Jahna's detailed cost:

Mobilization	\$12,641
Demobilization	\$ 8,770
Weekly Operation 24/7	\$11,037

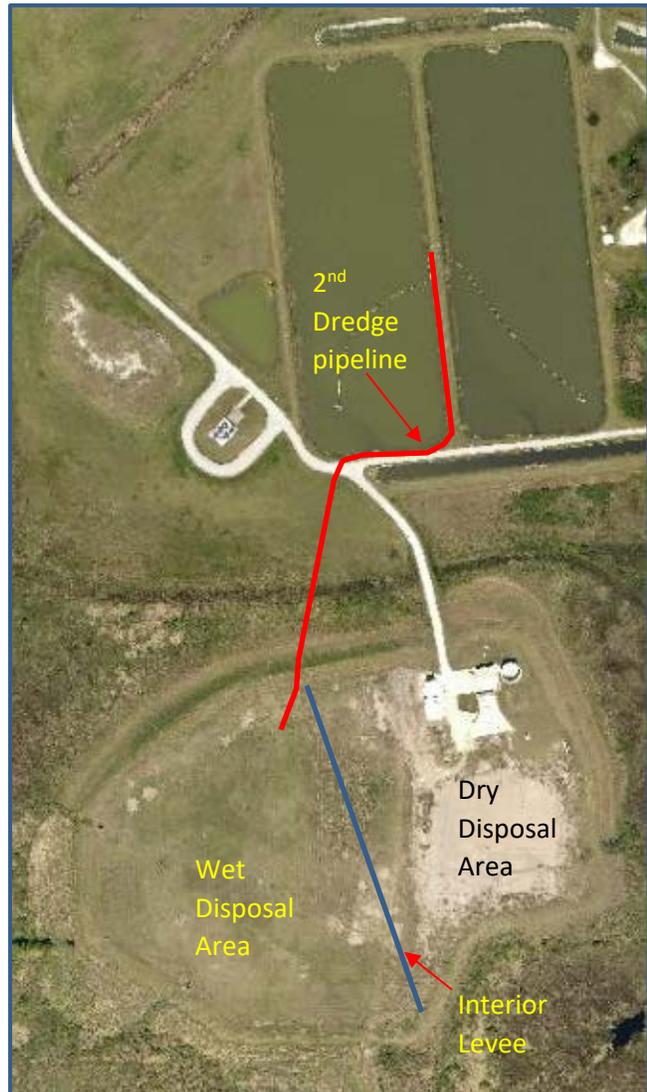


Figure 2. Pipeline Layout and Sludge Containment Area at the NuRF.

Jahna's proposal is attached. It matches the hourly rates contracted by the SJRWMD for their Lake Apopka work. Staff estimates that it would take 2 months to recover enough pond volume to ensure proper settling and to create a buffer for the next increase in flows. This is of course dependent on the current high flows coming to an end.

Upon completion of the project, staff has requested that Jahna leave and store the pipeline on site in case it is needed again in the near future. Jahna has agreed and will only remove the pipe if it is needed on another project.

Executive Director's Recommendation:

Authorize the Executive Director to continue utilizing the SJRWMD contract with Jahna Dredging to remove sludge from the ponds at the NuRF for the next two months.



TO: Lake County Water Authority Board of Trustees
FROM: Ben Gugliotti, Land Resources Director
DATE: February 13, 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.

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 contacted the Lake County Attorney's Office to explain the situation and see if they could provide written documentation that the Conservation Easement was not valid and not enforceable. The County Attorney's office said that they did not track Conservation Easements and that they were not sure they could provide that. They recommended checking with the Property Appraiser's office.

Staff talked with Peter Peebles with the Lake County Property Appraiser's office. He could not find any conservation easements on the parcels, but he said they would only track conservation easements that impacted the value of the parcels, He also said they would only know about them if the property owners filed the easement with them. He said he would check with "Michael" and see if they could find anything else. Peter also recommended checking with the County Clerk's Office.

Staff spoke to Becky and she said, "Clerk of Courts does not do title searches, they just provide the information..." She transferred me to her supervisor Rick and he said that "They catalog and house the documents but they do not track conservation easements." He recommended the Zoning Office.

Staff talked with Shelby in the Planning and Zoning Office who had actually been at the Board meeting the night before as part of the Sawgrass Access request, so was somewhat familiar with what I was looking for. She says their GIS layer shows some easements but they don't track conservation easements. She said their layer did not show anything for the parcels in question, but that was not a definitive answer. She suggested getting in touch with the Public Works/Right of Way Department.

I spoke to Tim in Public Works. He did not have any information about conservation easements, but he did recommend getting in touch with Patty Harker, (352-253-9067), in right-of-way. She has been there for a long time and may have some ideas. Patty Harker had Becky give me a call back. They do not track Conservation easements, but they did have a file of some conservation easements from the early 90's. Becky said she would look through the folder. She also

recommended looking through the BCC minutes from that time period to see if it was approved by the board. Staff has asked Anna Ely to help go through the minutes to see if she can find any reference.

Staff met with Brian Richards and accompanied him to the Planning and Zoning Office. Mr. Richards found a Lot of Record Determination for three of the parcels in question and felt that that would help bolster his claim that the lots were buildable lots and not encumbered by the Conservation Easement. The staff at the Planning and Zoning office were helpful, but said that the Lot of Record Determination just showed that it was a legal lot, and that a Site Plan could be submitted, but they did not check for easements before issuing the Lot of Record Determination.

Chairman Bryant contacted the Lake County Attorney's Office to request a written confirmation that the County does not hold a Conservation Easement over the parcels in question. A portion of the response email is quoted below (full email is attached).

“...under Section 704.06(4), Florida Statutes, a conservation easement may be released by the holder of the easement to the holder of the fee. If you would like to provide me with a Resolution or letter from the Water Authority Governing Board requesting the release of the easement, I can coordinate with the Public Works Department, Planning Office, and Parks Office to make sure there is no objection. If no objection, the release can be drafted and presented to the BCC for approval. We typically have a 3-week lead time to get on a BCC agenda.”

Chairman Bryant is working with Attorney Barice to draft a resolution or letter to the BCC requesting the release of the easement. At the time of this agenda memo preparation, staff has not received anything for the Board's review. Should staff receive anything prior to the Board meeting, it will be forwarded as soon as received.

Staff spoke to Stephen McKeough Acquisition Agent with the Florida Department of Environmental Protection/Division of State Lands, who the Water Authority was hoping to partner with on the acquisition of the additional 83 acres. Mr. McKeough said that the funding for the 2017-18 Fiscal Year is no longer available for the purchase, but if the Conservation Easement and TDR issues can be resolved they could re-propose the project and could potentially still find funding this fiscal year or maybe next.

Staff is still working to resolve the Transfer of Development Rights (TDR) issue.

Executive Director's Recommendation:

Review and make comments on the proposed resolution.