



**TO:** Lake County Water Authority Board of Trustees  
**FROM:** Patricia Burgos, Environmental Program Manager  
**DATE:** August 15, 2016  
**SUBJECT:** No Cost Amendment to the Atkins Prescribed Fire Services Agreement

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*Consent Item*

***Approval of a No Cost Amendment to the Atkins Prescribed Fire Services Agreement***

In August 2012, the Board authorized staff to the release a Request for Qualifications for Prescribed Fire Services. In November 2012, the Board awarded contracts for prescribed fire services to be performed on an “as needed basis” on the Preserves. In February 2016 the agreements were amended to extend the contract time through midnight of September 30, 2017. Atkins North America, Inc. approached staff about adding a new subcontractor, Inwood Consulting Engineers, to provide additional crew and equipment for prescribed burns.

This would be a “No Cost” amendment to the agreement, but it would ensure that Atkins and their subcontractors would be available when the Water Authority needed them at the previously established bid prices.

**Executive Director’s Recommendation:**

Authorize staff to amend the Atkins Prescribed Fire Services Agreements to add Inwood Consulting Engineers as a subcontractor.

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TO: Lake County Water Authority Board of Trustees
FROM: Michael J. Perry, Executive Director
DATE: August 10, 2016
SUBJECT: Approval to Advertise Mini-Grant Program

Discussion Item

Approval to Advertise Education and Community Mini-Grant Program for 2016-17

The "Drop-by-Drop: You Make A Difference!" mini-grants have been awarded by the Water Authority Board since 2001. Over \$390,000 has been awarded since then to local schoolteachers and community groups working to promote a better understanding of our freshwater resource issues.

The mini-grant money is budgeted in four different accounts, due to State of Florida finance requirements.

Table with 2 columns: Account Description and Amount. Rows include 500-810 Aids to Government Agencies (\$25,000), 500-820 Aids to Private Entities (\$8,700), 600-810 Aids to Government Agencies (\$2,500), 600-820 Aids to Private Entities (\$2,500), and Total (\$38,700).

The budget lines have historically been adjusted as the Board considers the types of applications received.

Last fiscal year, staff noted to the Board that since a significant portion of the grant funds are requested and awarded for schools to travel to and attend programs at the Trout Lake Nature Center, a more efficient way to handle the administration of these funds would be to provide the funds directly to the Trout Lake Nature Center and for TLNC staff to work with the schools that would like to attend and work out the transportation needs with the school personnel, rather than Water Authority staff administering multiple grants to individual teachers.

In FY 2015-16, the Board approved an additional grant to the Trout Lake Nature Center for \$10,000 (\$2,000 for schools that the School Board would not otherwise fund to attend programs at TLNC, \$6,000 for transportation to the TLNC, and \$2,000 to provide in-school programs for schools that are not be able to travel to the TLNC).

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For FY 2016-17, staff would recommend a similar arrangement with Trout Lake with the exception of not including the \$2,000 used last year to provide in-school programs for schools that are not be able to travel to the TLNC.

As such, staff would recommend the Board approve an additional grant to the Trout Lake Nature Center for \$8,000 (\$2,000 for schools that the School Board would not otherwise fund to attend programs at TLNC, \$6,000 for transportation to the TLNC.

There would be \$30,700 available to award for other proposals not related to the Trout Lake Nature Center.

As done in the past, a committee of five participants will convene to prepare a recommendation to the Board at the October Board meeting regarding which grants could be accepted and the funding level. Once approved by the Board, the recipients are then contacted by mail.

**Education Mini-grants:** These grants are awarded to Lake County educators in the public and private schools. This current program allows for a grant award of up to \$2,000.

A review committee recommends the high scoring applications to the Board for approval. The application has been revised to state that:

- 1) Grant funds awarded to Public or private schools/institutions shall be paid on a reimbursement basis with proof of expenditures in accordance with the awarded grant. Funds will be disbursed based on receipts received on time to awardee's school;
- 2) For trips to Trout Lake Nature Center, teachers are to contact TLNC directly for funding requests. Teachers are not to request TLNC field trips through this grant;
- 3) Elementary Teachers are told that preference will be given to educational trips that are requested from an attached educational trip list; and
- 4) Middle & High School Teachers are told that they may request an educational trip other than those listed in the attached list, but it must still be in keeping with the objective of this grant.

For private school teachers, the Water Authority reimburses the expenditures upon demonstration by the teachers or school bookkeeper that the money was spent for the approved grant items.

**Community Mini-grants:** These mini-grants target community groups and local municipalities within Lake County that promote freshwater resource awareness. Awards of up to \$2,000 are granted.

Staff will return to the October Board meeting to present the mini-grant results.

**Executive Director Recommendation:**

Authorize staff to advertise the "Drop-by-Drop: You Make A Difference!" education and community mini-grants program for FY 2016-17.



TO: Lake County Water Authority Board of Trustees
FROM: Ben Garcia, GIS Manager
DATE: August 9, 2016
SUBJECT: Authorization to Purchase Replacement Plotter and Surplus the Old Plotter

Consent Item

Authorization to Purchase Replacement Plotter and Surplus the Old Plotter

The present HP plotter is used for printing maps, posters, and other large scale graphics and is no longer a reliable piece of equipment with many events of failure. When producing large format plots, the plotter in many occasions will not plot do to hardware failure. Taking into consideration that this plotter is over fourteen (14) years old, it has reached the lifespan on this type of equipment. The Water Authority has the option of trading it for a new plotter with an integrated large format scanner. HP has an offer that will expire 8/31/16 where an old, non-working plotter could be traded for a rebate of \$2,000 towards a new plotter. This is a great opportunity to get a good value for the old plotter and upgrade for a new technology of plotters that could copy, scan and print in large formats. The lowest price for a new plotter would be \$7,916.40 under the HP Florida Government pricing, less \$2,000 cash back for the trade, makes the final cost of the plotter \$5,916.40 after the cash back rebate. The Board makes a decision on disposition of equipment valued over \$1000.00; therefore, the Board must surplus the old plotter in order to trade it in.

Table with 6 columns: Description, Property #, Date Acquired, Purchase Price, Status, Disposition. Row 1: HP 5500 PS Plotter, 275, 11/2002, \$8,825.89, Damage/Fails to plot, Trade

The Board including funds in the FY 2015-16 budget to replace a plotter

Executive Director's Recommendation:

- 1) Authorize the Executive Director to surplus the HP 5500ps plotter unit inventory# 275
2) Authorize the Executive Director to purchase a new portable HP T2530 plotter unit from HP Government, under contract: FL - STATE OF FLORIDA (NASPO VP PC) (43211500-WSCA-15-ACS) for an amount of \$7,916.40, less \$2,000 cash back for the trade, for a final cost of the plotter not to exceed \$5,916.40.

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TO: Lake County Water Authority Board of Trustees
FROM: Patricia Burgos, Land Resources Director
DATE: August 8, 2016
SUBJECT: Status of Lake Norris Property Options

Discussion Item

Lake Norris Property Update

Staff presented six (6) options to the Board for consideration at the June meeting and provided an update at the July meeting.

Following are the updates as of August 11, 2016:

- Option 1 – No longer being considered as of the July update.
Option 2 – Researching grants. The Trust for Public Lands recommended that staff investigate the Florida Communities Trust/FDEP grant that will be advertised at the end of June for possible funding. Update - Staff had contacted the FDEP staff overseeing this Florida Communities Trust (FCT) grant to see if the LCWA was eligible to apply for this grant available to counties and municipalities. An email was received on June 28th indicating that based upon their attorney’s interpretation of the LCWA’s enabling legislation that the agency is not eligible to apply for this FCT grant.
Update - Option 2a – Working with another section of FDEP. Staff was contacted by one of our contracted environmental consulting firms to let us know that they had spoken to another department within FDEP to inform them of this parcel. Staff followed-up with a phone call to Marjorie Karter, Program Consultant, Bureau of Real Estate Services, FDEP Division of State Lands and provided them with all the information presented to the Board, St. Johns River WMD and the foundations. Ms. Karter responded that this parcel would be discussed at their August 18th meeting and she will let me know after their meeting. I will inform the Board at the August 24th meeting about their decision to assist with the acquisition.
Option 3 – Researching grant funding through the Federal Government. Over seven months ago staff had mentioned this project at the Wekiva River Advisory Management Committee as part of an update of “happenings” in the Wekiva Basin. Since then the U.S. National Park Service Coordinator Jaime Doubek-Racine has kept up with this

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project and suggested she would like to meet to discuss this project as a Land and Water Conservation Fund Project for 2017. **Update - Staff has still found it difficult to have a telephone conversation with Ms. Doubek-Racine. Staff instead recommended that communication may be better through emails only. Staff then posed questions regarding the grant to Ms. Doubek-Racine and is currently awaiting her responses. Staff will continue to press for information prior to the August 24<sup>th</sup> meeting.**

- **Option 4** - Working with a conservation buyer. The Conservation Trust for Florida in Gainesville who had just recently worked with the SJRWMD on a Silver Springs project is interested in speaking to the owner; however, the Trust's Director mentioned that they did not have funds to be an acquisition partner, but could search for a conservation buyer to collaborate with the Water Authority. There also might be interest from a local private investor to partner on the conservation acquisition. **Update – There has been no movement on this option after sending out emails and waiting for response from The Conservation Trust for Florida's suggestion regarding solicitation of a conservation buyer. Instead staff sent an email July 14<sup>th</sup> to the Friends of the Wekiva River inquiring their interest in partnering or providing information regarding additional funding sources. Staff received a response that the citizen's organization will put this item on an upcoming agenda and get back with staff by August 22<sup>nd</sup>. I will report any updates at the August 24<sup>th</sup> meeting.**
- **Option 5** - Working with a foundation. Staff was notified by an interested party that the Felburn Foundation in Ocala may be a possible partner and passed along Water Authority staff contact information to the foundation's director. Staff has not been contacted. **Update – After the July 27<sup>th</sup> Board meeting, staff again tried to reach out to the intermediary that had contacted the Fellburn Foundation and as of August 10<sup>th</sup> had not heard back. Staff will no longer pursue the Fellburn Foundation option. Staff has concentrated more on follow-up with the First Green Bank Foundation. After the July 14<sup>th</sup> presentation by staff, staff followed-up with an email to the foundation representative and received communication on Aug. 10<sup>th</sup> that the First Green Bank Foundation is still interested and will contact staff to discuss further. Staff will give an updated August 24<sup>th</sup> meeting.**
- **Option 6** - No longer consider this property for acquisition.

**Executive Director's Recommendation:**

For information purposes. No action is required



TO: Lake County Water Authority Board of Trustees
FROM: Patricia Burgos, Land Resources Director
DATE: August 12, 2016
SUBJECT: Developer's Agreement – Extreme Groves

Discussion Item

Developer's Agreement – Extreme Groves

Staff presented the Meritage Homes planned development adjacent to the Scrub Point Preserve at the April 27, 2016 Board meeting. The following were some concerns and issues at that time that were discussed with the Extreme Grove landowners and Meritage Homes:

- Incorporating a buffer (i.e., trail/vegetation) between the subdivision and the preserve;
• Having a trail at the perimeter of the subdivision to allow residents to walk to the preserve;
• Incorporating acknowledgement of the Water Authority's prescribed fire program on the preserve in the HOA covenants;
• Stubbing out utilities for a security resident at the preserve;
• Finding out more information on the proposed Agricultural-Technology Research Center on Extreme Groves property;
• Discussing the entrance road from Hartwood Marsh Road to the preserve and county involvement; and
• Discussing the County's Wellness Way Area Plan.
• Since the Preserve resides in the County discussing the development of a report as per Lake County's Land Development Regulation 6.07.00 evaluating potential impacts to the Preserve as it relates to hydrology, water quality, air quality, ambient noise level, wildlife populations, natural ecosystems and aesthetics.

The Board requested that Meritage Homes develop an Agreement and provide that to the Attorney Barice and staff to review.

Staff received the first draft on June 13, 2016 however Attorney Barice and staff were unable to fully review the draft as it was missing the attachments or exhibits. A second draft agreement with the exhibits (attached) was received on July 18, 2016. Included with this agenda memo are concerns expressed by Attorney Barice and concerns expressed by staff regarding the draft Developer's Agreement.

Some concerns expressed by the attorney touch upon the costs and restrictions imposed by the current draft agreement. Staff's concerns extend to the fallow 5-acre site, undefined easements,

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access to the Preserve and Clermont's concerns regarding water service to the Water Authority's trailhead site.

The primary issue in the draft agreement is the road. The Extreme Groves and Meritage Homes are required to have a secondary access to their development based on the number of proposed home sites. The Water Authority either owns, has easements over, or has some controlling interest in the strip of land leading to the Scrub Point Preserve from Hartwood Marsh Road. Staff and Attorney Barice are researching this issue and will have a clarification prior the Board meeting. If the Water Authority owns the land fee simple, our position may be different than if the agency just has an easement. Assuming the Water Authority owns the property, the Board will need to determine the value of that parcel and if the partial construction of a roadway is sufficient compensation.

The proposed agreement further contains clauses that would dictate the following to the Water Authority

- How the remaining portion of the road to Scrub Point Preserve will be designed;
- Requires the Water Authority to commence construction of the remaining portion of the road to Scrub Point Preserve within 6 months after Meritage Homes begins construction of their proposed portion of the road;
- Requires that the Water Authority open Scrub Point Preserve to the public when Meritage Homes' portion of the road is completed, limits where gates to the Preserve could be located,
- Locations of turn around areas and parking limitations on the Water Authority portion of the road;
- Refers to the 5-acre tract as a "Welcome Center" and further dictates that the area will be restored and if it isn't done, Meritage Homes will come on the property, do the restoration and expect reimbursement from the Water Authority for the work.
- Limitations of what could be constructed and where it could be located on Water Authority Property;

The proposed agreement also contains references to several easements. In particular, staff has concerns about a Landscape, Hardscape and Signage Easements (Exhibits G-1 and G-2). By agreeing to those easements, the Water Authority would lose any control of what would be constructed in the roadway that leads to the Scrub Point Preserve.

**Executive Director's Recommendation:**

Provide direction to staff regarding acceptance, denial or counterproposal for the Extreme Grove's Developer's Agreement.



TO: Lake County Water Authority Board of Trustees
FROM: Michael J. Perry, Executive Director
DATE: August 15, 2016
SUBJECT: Discussion of Options Related to Emerald Lakes

Discussion Item

Discussion of Options Related to Emerald Lakes

The Water Authority has had many discussions regarding the Emerald Lakes Mobile Home Park. Because the community was built in a marsh, was built too low with a minimal drainage system and is subsiding, anytime water levels in the Clermont Chain reach the upper third of the regulatory range the community experiences ponding in the streets following heavy rain events, soggy yards and worries about water topping their seawalls should a tropical storm occur.

The existing regulatory range was established more than a decade before the Emerald Lakes Mobile Home Park was designed, permitted and constructed. The Water Authority recommended the community be built at 102.5 ft. The SWFWMD permit was issued allowing them to build at 99.0 ft. No documentation can be found regarding what the final elevation was, however if it was built at 99 ft. the issues would not exist. It was likely constructed much lower.

In 1998, Water Authority staff surveyed a point next to the boat ramp at Emerald Lakes. The elevation of this point was found to be 96.8 ft. This point is important because once water rises to this level, water begins to move into the streets. This elevation is well below the required 99.0 ft. fill elevation in the permit. In 2014, Water Authority staff noticed water standing in the streets when lake levels were lower than the 1998 survey of 96.8 ft. and noted that the subdivision appears to be sinking. In 2016, Water Authority staff resurveyed the spot next to the boat ramp and found the elevation to be slightly below 96.3 ft. Since the 1998 survey, two significant droughts have occurred resulting in further compaction and oxidation of the peat underlying Emerald Lakes. As a result the Mobile Home Park has sunk an additional 6 inches over the 16 year period. This trend is likely to continue especially during drought years.

Although the Water Authority has not changed the way the lake levels have been operated since the adoption of the regulatory range in the late 1950's, the Emerald Lakes Mobile Home Park has requested that the Clermont Chain be lowered to and be maintained at 96.50 ft. or lower. They have hired a lobbyist and he has been making the rounds to visit legislators and local elected officials to advance their cause. As such, the Water Authority Chairman has received letters from local legislators requesting that the lakes be lowered and that the Water Authority use its expertise to find a solution to this issue.

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At the July 2016 meeting, Trustee Clark requested that staff provide options to address the issues related to the Emerald Lakes Mobile Home Park. The following are potential options that staff has considered.

Sumps and Pumps - The Emerald Lakes Mobile Home Park presently utilizes a pump system near the existing boat ramp to pump water that accumulates in the streets back into the lake.

The community could expand this system to create other sump areas with pumps and connect them into a main trunk line. The difficulty with this option is where to pump the water. There are no storm sewers in the community that would move the water away from the area. The only option is to pump the water back into the lake, where it is coming from to begin with.

The costs would be related to additional pumps, piping, operating and maintaining they system.



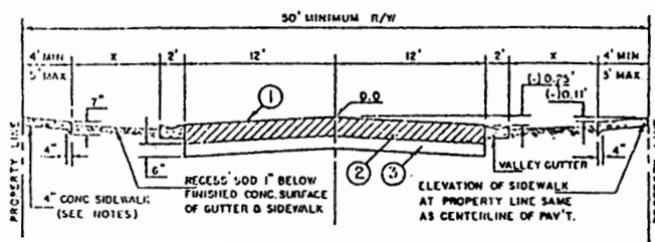
Raise the Homes and Lots - Part of the concern from the community is that their lots are persistently wet. The community was built in a marsh, which by definition is a wetland that retains water and moisture in the soils.

It was built too low and is also subsiding. A solution to this concern would be for the community to increase the amount of fill material under the homes and/or raise the mobile homes with additional cinder blocks. The costs would be related to the fill material, labor to install and grade the fill, relocating any external features such as carports and driveways and re-sodding.



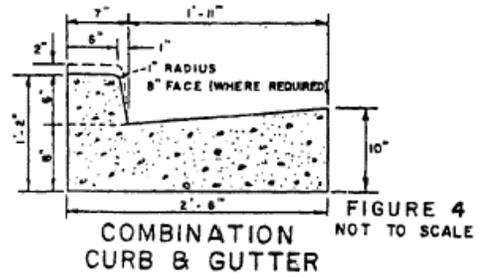
Road Improvements - An additional concern is that the streets in the community experience ponding during heavy rainfall events. The streets were constructed with an inverted crown,

meaning that the water is directed to the center of the street. The street itself is used as a conveyance system with drains in the center of the street. The drains would, in theory, move the water away from the street. This type of road design would work in areas where there is sufficient fall from the drain to the outlet to handle the volume of water generated in a rainfall event.



In this case, because the community was built too low and is also subsiding there is nowhere for the water to drain to. A solution to this concern would be for the community to reconstruct the roads with a crown and either a valley gutter or curb and gutter system. This would eliminate the

ponding issues and if sufficiently elevated, allow for the water to be moved away from the streets. The costs for this type of work would be related to how much base material would be needed to properly elevate the roads, paving and whether the design would include a grassed swale, gutter or curb and gutter. Staff has researched the cost of this type of work and has determined that it could range from \$300 to \$1,200 per linear foot depending on the features and complexity of the roadway design.



**Seawalls** - The community has expressed a concern that with the current lake level, they are susceptible to the lake overtopping their seawalls. A solution to this is for the community to add additional height to the seawalls. Some of the seawalls in the community have recently been replaced, however staff cannot determine if the new seawalls are any higher than the ones being replaced. The tops of many of the seawalls are less than one foot from the current lake level (97.03 ft.). Raising the height of the seawall may provide a greater level of comfort, however water from rainfall may accumulate behind the seawall requiring additional measures to pump water from the affected area.

**Levee System** - To provide additional protection to the community a levee system could be utilized. Staff has prepared conceptual levee options. The first would be to construct a levee lakeward of the community. Based on this first option the existing boat ramp and boat slips would be relocated outside of the levee and a controllable stormwater pond would be created to keep the level of the pond at any desired level allowing rainwater to drain away from the streets and provide more freeboard on the seawalls of the homes along the shoreline of the controllable pond. In this configuration there would be approximately 2,403 linear feet of levee.



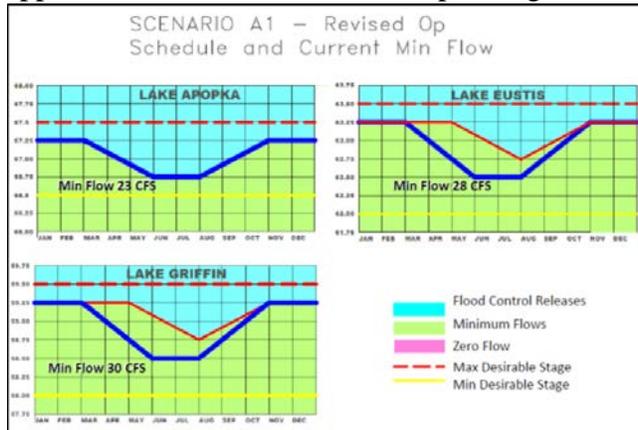
Residents on the levee would have to cross over the levee to get to their docks and boathouses.



An alternate version of the levee system was prepared to all allow access to the lake for all residents who previously had access to the lake. In this version there would not be a controllable stormwater pond and the protection to the homes would come from the levee. There would be 6,665 linear feet of levee and the existing boat ramp and docks would not need to be relocated. Residents on the levee would have to cross over the levee to get to their docks and boathouses.

The cost of a levee system would be dictated by the engineering design to construct a levee of suitable dimensions and material. Depending on the design, a levee system may take a portion of the property of the homes on the levee. Water from rainfall may accumulate behind the levee system requiring additional measures to pump water from the affected area.

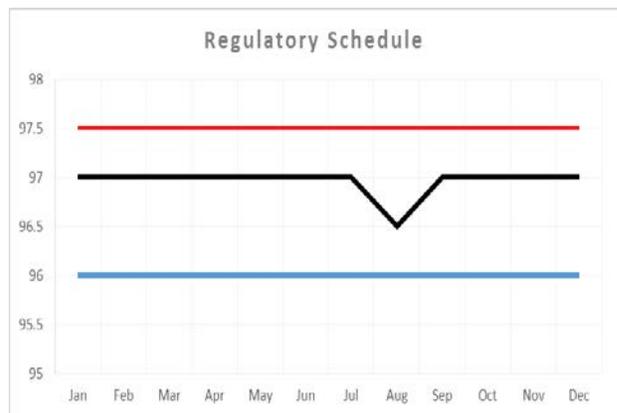
Water Regulation Schedule - Trustee Clark spoke about considering a regulation schedule similar to the one that the SJRWMD uses for the Harris Chain. In June 2012, the SJRWMD approved the deviation from the operating schedules for Burrell and Moss Bluff structures. The



solid red line represents the new schedule. No changes were made to the Apopka-Beauclair Structure.

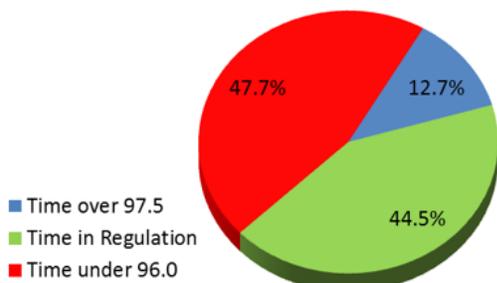
If the Board were to apply something similar to what is now in place for the Middle Lakes and Lake Griffin it may look like the graph below, with the maximum desirable (red line) at 97.50, the minimum desirable (blue line) at 96.0 (consistent with the exiting regulatory range) and the regulatory schedule represented by the black line.

The major concern in the Clermont chain is not flooding, but prolonged low water elevations. Any changes to reduce flooding will result in decreased average water levels, prolonged drought, and lowered drought stages. Once water is released you cannot get it back.

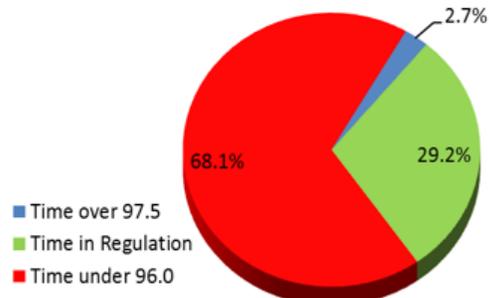


Prior to the construction Cherry Lake Dam in 1956, water levels on the Clermont Chain were over 97.5 ft. MSL over 12 percent of the time and under 96.0 ft. MSL over 47 percent of the time (Figure 2). The construction of the Cherry Lake Dam in 1956 was a result of resident concerns during the drought of 1954. Low water levels at the time were approximately 94.0 ft. and caused concern regarding the flow of water leaving to the north. For the past 20 years, the Clermont Chain has been below the regulatory range over 68 percent of the time. During the same period, water levels have exceeded regulation under 3 percent of the time. Changes to further decrease average water levels or flood levels would directly increase the time the lakes would be below regulation.

**Water Elevations Prior to the Construction of the Cherry Lake Dam (1956)**



**Water Elevations for the Last 20 Years (1995 to 2015)**



Lowering the lakes to 96.5 ft. for a short period during the rainy season may not solve the problems at the Emerald Lakes Mobile Home Park. The top of their boat ramp is at 96.3 ft. If the lakes are kept at the target elevation of 96.5 ft. water would still enter the streets unless the boat ramp is modified. There is no stormwater drainage and their request has been to lower the target elevation to 96.5 ft. Emerald Lakes is subsiding. As such, they may soon want the target lake level to be lowered even further.

The Clermont Chain of Lakes is dominated by large wetland areas. Just the wetlands that are directly adjacent to the lakes cover over 12,000 acres. Including the wetlands that are connected but not directly adjacent to the lakes, the acreage increases substantially. Any minor change in water elevation is likely to result in large areas of wetland impacts. Permanently lowering the regulation levels would convert marginal wetlands to uplands, shallow marsh to marginal wetlands, deep marsh to shallow marsh, and open water to deep marsh. Mitigation for these large scale areas of impact would be extremely cost prohibitive. Because the lake bottoms are shaped like a saucers, homeowners with gradually sloping shoreline may see an increase in shoreline vegetation a hundred feet or further out in a lake than previously existed. The lower average levels would also allow the establishment of aquatic plants in open water areas. These newly colonized areas will inhibit navigation in areas where historically there was never an issue.

Waterways between the lakes would also be impacted by lowering the lakes. Water Authority staff has mapped the Crooked River between Lake Louisa and Lake Susan and has determined that the waterway is only 3 ft. deep in several locations when lake levels are at 97.0 ft. Because Crooked River is a natural channel that has never been modified, obtaining a permit to alter the waterway would be extremely difficult at best. Water Authority staff has been informed by the Florida Department of Environmental Protection that they would not issue a permit to dredge Crooked River.

Other known waterways where navigation is marginal are the channels between Lakes Minnehaha, Willamee, Hattie, and Crescent; between Lakes Minnehaha and Winona; between Lakes Palatlahaha and Hiawatha; between Lakes Hiawatha and Minneola; between Lakes Minneola and Wilson; and between Lakes Wilson and Cook Lake. There are also known shallow areas where sandbars will prevent navigation in the currently open water areas of some of the lakes, like Louisa and Crescent Lake. Lowering water levels will impact navigation in all the above mentioned susceptible waterbodies.

Lakes within the Clermont Chain are already impacted and are projected to not meet their Minimum Flows and Levels (MFL's). The MFL's establish minimum frequencies for high, average, and low water levels in the lakes. When these levels are not met, the ecosystems that are dependent on these water elevations are impacted. The St. Johns River Water Management District is currently in the process of developing a recovery strategy for these lakes. Staff has spoken to SJRWMD staff regarding any potential changes to the operation or regulatory levels. They have indicated that any changes that result in lowering the lakes would not be allowed because of lakes inability to meet their MFL's. It would be extremely unlikely that they would permit a change that would make recovery of the required water levels more difficult to accomplish.

The overwhelming response from the citizens not associated with Emerald Lake has been to keep water in the chain. They have made it clear throughout the years in packed meeting rooms that they do not want levels lowered in response to issues at Emerald Lakes. As water levels begin to drop, there are always widespread inaccurate rumors that the water has been let out to accommodate Emerald Lakes. Staff has worked extremely hard throughout the years to dispel this rumor. If action is taken to lowering water levels, then the suspicions of the citizens would prove to be true and that lake levels are regulated to accommodate Emerald Lakes. Such a position would further feed mistrust in the Water Authority's ability to regulate levels responsibly in the chain.

Buy Out - The issues with the Emerald Lakes Mobile Home Park will continue to present themselves whenever the water levels in the Clermont Chain exceed the lower third of the regulatory schedule. With the community subsiding, the complaints will occur more regularly. When homes in the community are sold, the new owners will likely not be made aware of the lake level issue and the topic would likely resurface again. The only way to permanently resolve this issue would be to buy out the community and restore it as a marsh, or provide a public amenity such as a much needed larger public boat ramp. The buy-out option is complicated by the fact that the homes have never been flooded as far as we know. The streets get water in them (as discussed above) and the yards can be squishy. As such, it is unlikely that federal FEMA funds would become available. The following are some alternatives to accomplish a buyout.

- Voluntary - The individual homeowners and the coop would be willing to sell their homes and property for a fair market value. There are over 200 homes and parcels (of which about half are owned by the coop) that would likely each require an appraisal and separate negotiations and closings. An estimate of value of the Emerald Lakes Mobile Home Park is \$8,500,000 based on information from the Property Appraiser.
- Create a law requiring any sales would only come from the fund - It is likely that there will not be 100% of the homeowners interested in selling. As such, rather than try to purchase all of the properties, an option could be to establish a fund and purchase the homes as they become available. This may require a law or other restrictions on the existing homeowner to only sell to the designated public entity, rather than on the open market or to a family trust.
- Eminent Domain - This process, where governments can obtain private property for certain public purposes. A government may only take private property that is necessary for a public purpose and is required to pay "full compensation" for the taking of private property. "Full compensation," within meaning of constitutional provision, seeks to place the owner in the same position financially as if there were no condemnation proceeding and the owner had retained ownership. The condemning authority is required to pay the homeowner's attorney's fees in an eminent domain action.

Eminent domain is a very lawyer and legal system intensive process that would significantly increase the cost of acquiring the property.

As the Board considers this issue, it should also reflect on what is government's responsibility in this matter. The Water Authority didn't create the conflict. The regulatory range was established well before the Emerald Lakes Mobile Home Park was built. The MHP is all privately owned and was built too low and is subsiding. There was no stormwater drainage. The roads were designed to have water directed to the center of the road and the road is used as

conveyance to the grates. The existing homeowners did not do sufficient due diligence prior to investing in the Emerald Lakes Mobile Home Park.

The Water Authority will likely continue to have pressure exerted on it from both state and local elected officials (up to and including threats to disband the agency) to be a part of some solution to the issues at the Emerald Lakes Mobile Home Park. It is staff's opinion that government does not have the responsibility to resolve this problem and it is outside of the purposes of the Water Authority as stated by the Florida Legislature to attempt to do so.

**Executive Director Recommendation:**

For discussion purposes only. No action required.



TO: Lake County Water Authority Board of Trustees
FROM: Michael J. Perry, Executive Director
DATE: August 9, 2016
SUBJECT: FY 2016-17 Budget

Discussion Item

FY 2016-17 Budget

Staff presented the draft budget for Fiscal Year 2016-17 at the July 19, 2016 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 24, 2015 regular Board meeting.

At the Board's regular meeting on July 27, 2016, the Board took action to establish its tentative millage rate at 0.2554. The tentative rate reflects 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 the rate set on at that meeting.

No changes to the budget have been made since the July 27, 2016 meeting. At this meeting, the Board will have an opportunity to continue to review its budget and provide staff with direction in preparation for the Tentative Budget Hearing scheduled for September 14, 2016 no sooner than 5:05 pm.

Executive Director Recommendation:

Provide staff with direction regarding changes to the budget to be made prior to the Tentative Budget hearing.

BOARD OF TRUSTEES

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District Four
Doug Bryant

District Five
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At-Large
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TO: Lake County Water Authority Board of Trustees
FROM: Michael J. Perry, Executive Director
DATE: August 16, 2016
SUBJECT: Listing and Marketing of Old Office Building

Discussion Item

Listing and Marketing of Old Office Building

Now that the new office has been completed and staff has moved into the new building, the Board has begun the disposition of the old building. At its December 16, 2015 meeting the Board authorized Mr. Walter Price to do the appraisal of the old office building. At the January 2016 regular Board meeting, staff provided the appraisal to the Board. At the Board's February 2016 meeting, the Board took action to release a Request for Bid for the old building and established a minimum amount for the Bid. Staff adapted an example of a Request for Bid that was prepared by the City of Tallahassee. The Board reviewed the bid document at its March meeting and authorized staff to release the bid with a minimum bid and a due date for the bids of April 22, 2016.

One bid was received and presented to the Board at its April 27, 2016 meeting. The bid was essentially a land swap and a small amount of cash. The Board rejected the bid and discussed options for listing and marketing the building. It was agreed that the building needed to be on the MLS to gain maximum exposure and that would require that it be listed. A few agents and brokers have expressed an interest in listing the old building. Trustee Maimone offered to explore the topic with her broker and will report back to the Board.

At the May 25, 2016 meeting the Board discussed this issue and staff was directed to install large signs on the property advertising it being for sale. Since the signs were put in place there has been little response. We have had a couple inquiries about only the vacant lot and calls from brokers asking if we would like to list the property with them. Staff is met with Mr. Jon Cherry, the Executive Director for Lifestream, Inc., on Friday, July 15th to show him the building. They are currently leasing their current facility and considering buying a building rather than continuing to lease. Staff has heard nothing further from Lifestream. The Board also received a conditional buyers contract with a low offer. The Board countered and there has been no contact from the buyers representative.

Staff was to return to the Board after a couple of months of having the sign installed to review the progress of marketing the old building.

Executive Director's Recommendation:

Provide direction to staff regarding listing and marketing the old office building.

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TO: Lake County Water Authority Board of Trustees
FROM: Sergio Duarte, Water Resources Project Manager
DATE: August 5, 2016
SUBJECT: Floating Dock Replacements for Hickory Point Ramp

Discussion Item

Floating Docks Replacements for Hickory Point Ramp

The Hickory Point Recreational Facility has undergone many changes over the years and is now attracting more boaters to Lake Harris. Staff has especially noticed that the floating docks at the east launch ramp are becoming too small for the larger boats and are not as stable as desired for docking during windy days. Figures 1a & 1b are side and front pictures of the existing floating docks.



Staff proposes to replace the three (3) existing floating docks with larger and more stable structures to improve the boater’s access to Lake Harris. Staff contacted GatorDock Marine, LLC for advice on solving the stability problem of the floating docks. GatorDock Marine is based in Sanford and is one of the largest manufacturers of aluminum marinas and bridge structures in Florida. As a result of our discussions with other professionals in this field of construction, LCWA staff has prepared a design for a 60% larger and more stable aluminum frame floating dock to control the rocking caused by the wind and high waves (Figure #2). The proposed structure will be 10’x16’ instead of 9’x11” and will include a full float, slip resistant floor, two internal four roller pile guides around the existing concrete pilings and a roller pile guide around a wood piling at the front. The docks will be constructed using materials recommended for commercial structures.

BOARD OF TRUSTEES

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District Two

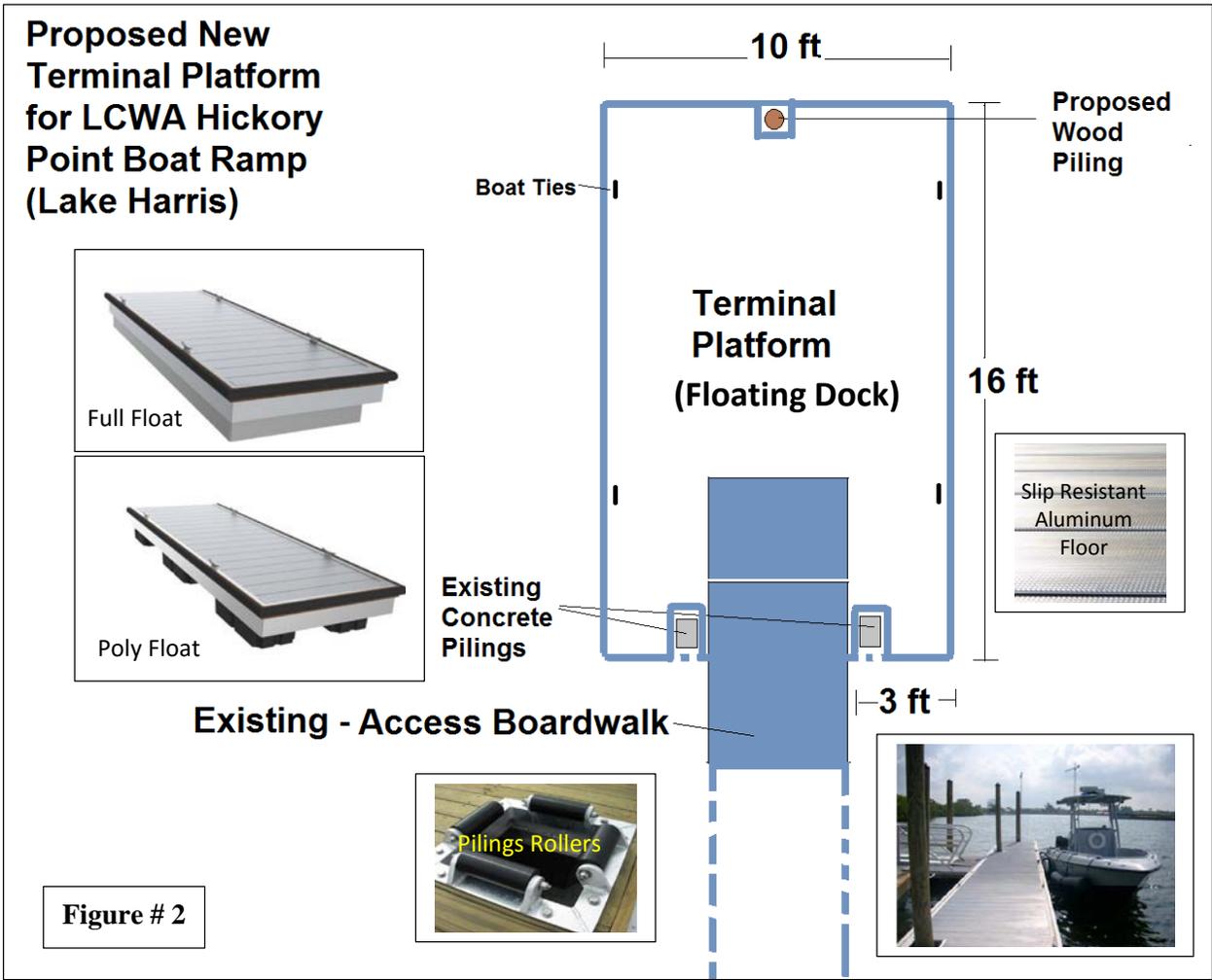
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The estimate cost price of each floating dock with a full aluminum float is approximately \$12,000. An alternative option is to go with four poly floats instead of a full aluminum float for an estimated cost of \$6,500 each. While the poly floats are cheaper, they take water over time and could be damaged by the boats propellers, requiring replacement every 2-3 years. The cost to replace each poly float is approx. \$200 each.

Staff is requesting the authorization to release a bid for this project and return to the Board at a future meeting when the Bids are obtained.

**Executive Director Recommendation:**

Authorize staff to release a bid for three (3) floating Dock Replacements at the Hickory Point Ramp.