



**MINUTES OF  
THE BOARD OF SUPERVISORS  
WORKSHOP MEETING OF  
LAKE WORTH DRAINAGE DISTRICT  
HELD AT THE DELRAY BEACH OFFICE ON  
APRIL 5, 2016 AT 8:00 A.M.**

**Board Members Present:**

Harry Raucher

James M. Alderman

Steve Bedner

John I. Whitworth, III

Jeffrey P. Phipps, Sr.

**1. Call to Order**

President Alderman called the meeting to order at 8:00 A.M.

**2. Agenda Revisions - Robert M. Brown, Executive Director**

There were no agenda revisions.

**3. Operations & Maintenance Options for L-27 and L-28 Canals at Delray Dunes - Robert M. Brown, Executive Director**

Mr. Brown stated that staff recently met with representatives of Delray Dunes Golf Course to discuss the reconfiguration of their golf course. The District issued a Right-of-Way Permit Agreement to Delray Dunes in 1982 for a fence along the south side of the L-27 Canal west to Military Trail. Delray Dunes currently maintains the south portion of the District's right-of-way, and the District maintains the area north of the canal right-of-way to Golf Road. There is also a sidewalk in the right-of-way between Golf Road and L-27 Canal. District staff proposed renewal of the permit subject to Delray Dunes maintaining both the north and south right-of-ways. Delray Dunes was agreeable to the proposed revisions to the permit terms and conditions.

In addition, Palm Beach County is requiring Delray Dunes to remove the Australian Pine trees from the L-28 Canal right-of-way adjacent to Military Trail. However, the community homeowner's association requires a vegetation barrier to buffer the golf course from Military Trail.

Mr. Brown stated the Board approved a realignment of the L-28 Canal in 1968 to accommodate construction of the golf course and incorporation of the L-28 Canal into Delray Dunes surface water management system. The L-28 Canal was altered to run south parallel to Military Trail then east through the Delray Dunes lake system, then back to the north reconnecting to the original canal location. Delray Dunes is responsible for all canal maintenance within this area.

Mr. Brown indicated that the L-28 Canal offers insignificant drainage benefits for the District and provided options for the Board's consideration for future operations and maintenance of this canal including:

- Continuing ownership of the L-28 Canal and requiring Delray Dunes to remove all encroachments and barriers
- Continue ownership of the L-28 Canal and issue a right-of-way permit for the new barrier
- Declaring surplus and selling approximately two acres of L-28 Canal right-of-way along Military Trail to Delray Dunes for appraised fair market value and possibly quit-claiming the remaining portion of the canal within the development's water management system

Mr. Brown indicated a staff recommendation would be provided at the regular Board meeting on April 13, 2016 to request conceptual approval of the surplus and sale prior to Delray Dunes seeking a competitive appraisal for fair market value.

**4. Florida Turnpike Authority Road Widening Project - Patrick Martin, Director of Stormwater Permitting & Engineering**

Mr. Martin stated the Florida Turnpike Enterprise (Enterprise) is exploring options for widening the Florida Turnpike from Boynton Beach Boulevard to Lake Worth Road. The Enterprise requested approval of the conceptual design for the road widening project to determine if the E-2W can continue to provide the current level of water resource services while allowing a 20-foot encroachment on the east side of the E-2W Canal right-of-way. Mr. Martin also stated that the Enterprise is considering widening additional portions of the turnpike including Atlantic Avenue to the Lantana Toll Plaza. Mr. Martin stated it is not an option to encroach in the east side of the turnpike because of a gas main. The Enterprise proposed to install a six-mile long sheet pile wall, placing rip rap rubble on both sides of the canal. Mr. Martin stated staff will recommend Board approval of the conceptual design at the April 2016 Board meeting based on the following criteria:

- Fees TBD; possible mitigation of fees could occur as result of the Enterprise work required on the E-2W Canal
- Hydraulic modeling showing the impacts to the canal as a result of the channel being slightly restricted
- Enterprise to install permanent culvert crossings (to District standards) for the benefit of the Turnpike Contractor and the District
- Enterprise agrees to construct the E-2W canal to its full design section, from the west to the east right-of-way for the limits of the project
- Rock rubble to be installed on both sides of the E-2W for the length of the project limits to the District's satisfaction

Mr. Alderman stated his concerns regarding future development requirements with the transition from agricultural lands to development, and the potential for increasing the size of the canal for the future C-51 Reservoir Project. Mr. Martin stated agricultural lands potentially have more drainage impacts than development.

Mr. Martin indicated that while the conceptual design is limited to the area from Boynton Beach Boulevard to Lake Worth Road, the Enterprise would seek the same approval in the future for the remaining length of the turnpike in Palm Beach County.

Mr. Fred Gaines, Enterprise Permit Coordinator, stated that while each section would be handled individually and all details were not currently available, the Enterprise is requesting feedback from the District's Board to determine if there are any significant concerns with the proposed design.

Mr. Perry inquired about the value of the right-of-way lands and indicated that the District would be making significant accommodations for the Enterprise by allowing them to further encroach into the District's right-of-way.

The Board expressed interest in determining the value of the District's right-of-way to ensure a comparative cost-benefit to the District.

**5. Canal Rehabilitation Program - Tommy Strowd, Director of Operations & Maintenance**

Mr. Strowd briefed the board on the status of the canal rehabilitation program and indicated the canals are evaluated on a risk-based scale including, but not limited to, canal size and location, high risk vegetation, number of encroachments and erosion of the canal bank(s). Mr. Strowd presented a list of completed, ongoing and future projects and provided photos of current projects. He indicated he would provide additional details and updates at future Board meetings.

**6. Revisions to Right-of-Way Permitting Policy for Docks - Robert M. Brown, Executive Director**

In continuation of discussions regarding necessary revisions to the District's permitting policy for docks, Mr. Brown presented recommended changes to the current policy. He proposed that the following criteria be removed from the current dock permitting policy:

- Section 3.11.1.11 – authorization of roofs on docks
- Section 3.6.1.8 – authorization for use of interlocking block revetment as a form of erosion control

Mr. Brown further proposed the following changes to the current policy:

- A seawall or rubble rip-rap would be required for erosion control
- Dock size may not exceed 250 square feet
- Docks would only be permitted within the following canals:
  - L-14 Canal (Downstream of structure)
  - L-16 Canal (Lanair Park east to Lake Osborne approx. 1,820 ft.)
  - L-30 Canal (Downstream of structure)
  - L-38 Canal (Downstream of structure)
  - L-48 Canal (Tidal area only; SW 8<sup>th</sup> Terrace east to E-4 Canal)
  - L-49 Canal (Tidal area only; SW 9<sup>th</sup> Avenue east to E-4 Canal)
  - L-50 Canal (Tidal area only; SW 14<sup>th</sup> Drive east to E-4 Canal)
  - C. Stanley Weaver Canal (Downstream of structure)
  - E-4 Canal
  - At the discretion of LWDD, docks may be permitted within canals that are not listed and that have a direct connect to a lake or the E-4 Canal

Mr. Brown also proposed the following criteria for existing permitted and unpermitted docks:

- All existing permitted docks will require a structural inspection and report provided to LWDD in order for the dock to remain (regardless of the canal)
  - Permitted boat docks located in non-approved canals may remain as long as the property remains under current ownership and dock remains in acceptable condition as reported by structural inspection(s)
- Existing unpermitted docks that are within an approved canal may receive an after-the-fact permit if the following criteria is met:
  - Structural inspection of the existing dock and report provided to LWDD
  - Current policy must be met (e.g. fees, erosion control, etc.)
- Existing unpermitted docks that are within a canal that is not listed or approved shall be removed by the property owner within three months from the date of violation notice
- Existing owners of permitted or unpermitted docks that fail to provide an acceptable inspection report shall remove the dock within three months from the date of violation notice
- A structural inspection will be required of all docks every five years
- Application Fee - \$2.00 per square foot
- Dock Fee - \$5.00 per square foot (one-time)
- Transfer Fee - \$250.00

Mr. Brown stated that if the dock is for a public purpose, the District may consider modifications to the permitting criteria (e.g. roofing and square footage).

Mr. Alderman stated he is not in favor of requiring homeowners to obtain an inspection of the dock every five years, and suggested that District inspectors could identify docks in disrepair and request an inspection on a case-by-case basis.

Mr. Bedner inquired if the District is named as additional insured on the homeowner's insurance policy and indicated his support for making it a requirement in the future.

Ms. Smith explained that applicants currently must provide a certificate of insurance in the amount of \$300,000 at the time of application; the District does not require annual notification.

## **7. Future Board Agenda Items and Staff Reports**

Staff provided an overview of the draft agenda for the April 13, 2016 Board meeting and briefed board members on other potential agenda items including:

- Presentation of Employee of the Quarter
- Approval of revision to LWDD Accounting Policies, Section 2 - Purchasing and Accounts Payable, requiring a purchase order for any purchase of \$1,000 and over
- 2016 Post-Legislative Session Update
- Green Team Presentation and proclamation recognizing Water Conservation Month
- Approval to solicit a Request for Proposals for General Engineering Services
- Approval to piggyback debris removal contracts
- Authorization to issue a Right-of-Way Permit for a fence installation within the south portion of the L-30 Canal right-of-way

- Approval of a negotiated offer on 1.43 acre parcel owned by R.A. Bailey Trust located on the E-3 Canal adjacent to Control Structure 6

**8. Board Comment**

There was no Board comment.

**9. General Public Comment**

There was no public in attendance.

**10. Adjourn**

There being no further business, the meeting adjourned at 9:45 A.M.

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President - James M. Alderman

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Recording Secretary - Joann M. Aylor