



**MINUTES OF A REGULAR MEETING OF  
THE BOARD OF SUPERVISORS OF  
LAKE WORTH DRAINAGE DISTRICT  
HELD AT THE DELRAY BEACH OFFICE ON  
December 17, 2025 AT 8:30 A.M.**

**Board Members Present:**

John I. Whitworth, III  
Carrie Hill  
James M. Alderman

Jeffrey Phipps, Sr.  
Stephen Bedner

**1. Call to Order**

President Bedner called the meeting to order at 8:30 A.M.

**2. Pledge of Allegiance**

Supervisor Whitworth led the Pledge of Allegiance.

**3. Agenda Revisions – Tommy Strowd, Executive Director**

There were no agenda revisions.

**4. Abstentions by Board Members from Items on the Agenda**

President Bedner and Sr. Vice President Alderman both completed Form 8B – Memorandum of Voting Conflict and indicated they will be abstaining from Agenda Item #11 due to potential professional conflicts with the Petitioner due to past and possible future business dealings.

**5. General Public Comment (limited to 3 minutes)**

There were no general public comments.

**CONSENT**

**6. Board comment or request to pull items from Consent Agenda**

**7. Approval of minutes, check register and financial statement for the previous month**

8. **Approval of amendment to the mowing services contract with Toler Enterprises to include an additional annual slope-mowing cycle (Project #24-9886P.14) – Megan Hoffman, Vegetation Management Section Leader**
9. **Board vote on Consent Agenda**

*A motion was made by Supervisor Whitworth to approve the consent agenda, seconded by Vice President Hill and approved unanimously.*

## **DISCUSSION**

10. **Denial of right-of-way permit application for variance to replace existing unpermitted dock and appurtenances exceeding size limits. Location: L-28 Canal, east of Congress Avenue, 1120 SW 28<sup>th</sup> Avenue, Boynton Beach (Project #RW-25-0250) – Nicole Smith, Permit Supervisor**

Ms. Smith presented the permit history and variance request for the subject property.

In December 1992, Permit No. 92-3955S.01 was issued for the construction of a seawall and boat lift. In September 2016, the District issued a Notice of Violation for unpermitted decking and dock improvements that had been installed.

A second Notice of Violation (CM-23-0041) was issued by LWDD in March 2023 for an awning attached to the boat lift, which also referenced the previously issued notice. Later in March 2023, the resident responded, stating that the awning had been installed in 1992 at the time the boat lift was constructed.

In November 2023, a Notice of Encroachment was recorded in Official Records Book 34657, Page 69. Staff subsequently issued a total of 35 Notices of Violation along the L-28 Canal between Congress Avenue and the E-4 Canal. To date, 19 of these issues have been resolved, and two applications remain under internal review. Ms. Smith provided photographs comparing the current dock configuration with the original dock authorized under the 1992 permit.

In October 2025, the applicant submitted an application for a permit to remove the existing wood dock and piles and replace them with a new composite dock and timber piles of the same size and in the same location as the current unpermitted dock. The total dock area proposed is 493.3 square feet, with a boat lift measuring 120 square feet (12 feet by 10 feet). The total encroachment within the LWDD right-of-way is 332 square feet, consisting of a 47-foot by 5-foot dock, a 3.9-foot by 3-foot loading platform, and a 12-foot by 7.2-foot boat lift.

Also in October 2025, LWDD issued a Request for Additional Information (RAI) seeking revised plans to reduce the dock length to no more than 25 feet and to reduce the overall dock and lift area to no more than 250 square feet in accordance with policy. An inspection of the existing wood bulkhead was requested and provided, and proof of insurance was also provided. Later that month, the applicant formally requested a variance. In November 2025, the applicant paid the required \$500.00 variance fee. Ms. Smith outlined the applicable LWDD policies, which include a maximum dock length of 25 feet, a maximum encroachment of 250 square feet inclusive of the dock and boat lift, prohibition of awnings or covers, a minimum low-member elevation of 2

feet above maintained water elevation (8.5 NGVD / 6.5 NAVD), and the requirement that dock installations include bank stabilization.

Ms. Smith identified the following policy violations: the existing dock length of 47 feet exceeds the maximum allowed; the total encroachment of 332 square feet exceeds the allowable limit; the encroachment includes a dock, boat lift, and loading platform; an existing awning is present; the loading platform is approximately 3 inches above the maintained water elevation; and a portion of the existing dock lacks required bank stabilization.

Staff recommended denial of the variance request as presented. Staff further recommended that the applicant pursue permit-compliant alternatives that would allow for the replacement of the dock and boat lift in a manner consistent with current LWDD policies.

Staff advised that the following modifications would be necessary to achieve compliance: a reduction of the total square footage encroaching within the LWDD right-of-way to 250 square feet or less; a reduction of the dock length within the LWDD right-of-way to 25 feet or less; removal of the awning; removal of the loading platform to meet the minimum low-member elevation of two feet above the maintained water elevation; and installation of bank stabilization along the full length of the dock.

Mr. Adam Jones, a representative of Seaside Marine Construction, addressed the Board regarding the proposed project. He stated that his firm specializes in marine construction, including docks, boat lifts, and shoreline stabilization. Mr. Jones explained that he conducted a site visit to the subject property and evaluated the existing dock conditions. The primary purpose of his presentation was to explain that the existing dock is in a deteriorated and unsafe condition and that, due to the extent of the deterioration, a full replacement was recommended rather than repairs. He emphasized that the proposal is limited to replacing the dock within its existing footprint and does not include modifications to the existing boat lift or awning. Mr. Jones further noted that the dock replacement would provide an opportunity to stabilize the shoreline and improve safety through the use of modern construction materials and current construction standards.

Mr. Gary, the homeowner, addressed the Board regarding his application. He stated that the intent of the project is to perform necessary maintenance and safety upgrades to the existing dock, which he described as being in poor condition due to extensive wood rot and no longer safe for use. He explained that repairs were not a viable option and that he is proposing a replacement of the existing structure with composite materials to improve durability, safety, and overall appearance.

Mr. Gary emphasized that his request is based on replacing an existing, previously permitted structure on a like-for-like basis, rather than seeking relief from current regulations. He stated that the proposed replacement would enhance the visual character of the L-28 Canal and the surrounding neighborhood, which experiences significant pedestrian traffic.

He noted that he is willing to address removal of the loading platform if required and expressed no objection to completing bank stabilization in accordance with the Lake

Worth Drainage District's requirements. Regarding the awning, Mr. Gary stated that it serves a functional purpose by providing protection for the boat and assisting with maintenance activities along the canal bank. He further noted that he has actively maintained the canal bank adjacent to his property.

Mr. Gary concluded by requesting approval of his application to allow a like-for-like replacement of the dock, citing long-standing use of the structure and his belief that the project would improve safety, aesthetics, and bank conditions along the L-28 Canal.

Vice President Hill inquired regarding what was originally permitted, and if the contractor considered other options that would comply with LWDD policy, including installing decking outside of the LWDD right-of-way.

Sr. Vice President Alderman stated that the LWDD's policies were carefully considered regarding the impacts to regional drainage.

Supervisor Whitworth indicated that variances lead to unintended consequences.

Supervisor Phipps reiterated that the work must be completed in accordance with LWDD policy.

*A motion was made by Supervisor Whitworth to approve staff recommendation, seconded by Supervisor Phipps and approved unanimously.*

- 11. Denial of right-of-way permit application by Polo Capital, LLC requesting a variance of permitting policies to authorize newly constructed electrical gates and appurtenances to remain in the S-9 Canal right-of-way. Location: S-9 Canal, west of State Road 7, south of Osprey Pond Lane (Project #RW-25-0221) – Nicole Smith, Permit Supervisor**

President Bedner and Sr. Vice President Alderman stepped down from the dais and abstained from discussion on the item. Vice President Hill presided.

Ms. Smith stated that the project under consideration is the Polo Capital LLC Players Club Polo Fields. She explained that the request is to allow a recently installed parallel fence, gate, and associated appurtenances to remain within the S-9 Osprey Canal right-of-way, located west of State Road 7 and just south of Osprey Pond Lane. She identified the general location of the encroachment for the Board.

Ms. Smith reported that in October 2024, the District issued a permit for the installation of a culvert within the S-9 Canal. As a condition of that permit, the permittee was granted two years from the date of issuance to bring the eastern bank of the S-9 Canal into compliance with the District's approved design section, as provided by staff. Information submitted to staff indicated that the canal work is anticipated to be completed by May 31, 2026, which coincides with the end of polo season.

She stated that in April 2025, a Notice of Violation was issued for several issues identified on site. Following issuance of the notice, staff conducted multiple on-site

meetings with the permittee to address and resolve the violations. One of the violations required relocation of the gate, fence, and appurtenances east of and outside the District's easement, which prompted the permittee to request a variance. Ms. Smith noted that other violations included newly planted Clusia hedges and a recently installed electrical panel within the right-of-way, both of which have since been removed and resolved.

Ms. Smith reviewed site photographs and exhibits, describing the orientation of the S-9 Canal relative to the fence, gates, culvert crossing, and District right-of-way. She further reviewed plan sheets illustrating the culvert crossing, the District's design section, and how the canal is intended to appear once all vegetation removal and canal work are completed. She clarified that the canal work has not yet been completed and that the permittee remains within the allowable timeframe to do so under the permit conditions.

Ms. Smith stated that the permittee submitted a variance application in September 2025, followed by payment of the required variance fee. Staff issued a Request for Additional Information seeking a survey, confirmation of permits from other agencies, and detailed responses to specific questions related to gate placement. She noted that the survey was provided, no permits from other agencies were identified, and written responses were submitted.

Ms. Smith outlined the permittee's responses, stating that the gate could not be relocated outside the right-of-way because it would interfere with the turning radius of large trucks transporting polo ponies and could result in traffic blockage. The permittee indicated there was no known easement in adjacent plats or developments to accommodate the gate, no known road rights-of-way suitable for relocation, and no undeveloped parcels available for installation. Installation within adjacent landscape buffers was identified as a possibility; however, the gate has already been installed. Alternative routes were reportedly investigated and determined to be infeasible.

Ms. Smith concluded by noting that, based on the survey, the fence and gate encroach approximately 8.8 to 9.3 feet into the District's right-of-way, with the two sliding 24-foot gates extending approximately 7.4 to 7.6 feet into the right-of-way. Additional encroachments include two gate motors mounted on concrete pads and a pole-mounted camera. She displayed additional photographs outlining the gates and fence segments adjacent to the culvert crossing and the canal.

Mr. Harry Knopp, owner of Ida Development, stated that he has been involved with the project since its conception and constructed the twelve barns located on the south side of the Arrow Club community property. He explained that he was asked to become involved late last spring, when code violations were issued while the developer was absent, in order to assist staff with resolving those violations and helping manage corrective actions.

He explained that the gate was placed in its current location due to operational and infrastructure constraints. Additionally, Mr. Knopp noted that moving the gate approximately nine feet to the east would interfere with an existing water control structure. This structure includes a large underground pit and an approximately 10- to 12-inch pipe that pumps water from the property into the district canal. Relocating

the gate would require filling this pit, compromise the foundation needed for the gate, and potentially disrupt the water discharge system.

Mr. Knopp stated that, following issuance of the violations, he worked with staff to correct issues, including removal of improperly installed power by another contractor from the district right-of-way, relocation of the pump power onto the owner's property, and removal of all Clusia hedging. He also noted that the district has allowed the continued use of a touchpad for gate access. The partial chain-link fencing was installed to prevent unauthorized motorcycle and ATV access during periods when the property is unattended.

The primary request is a variance to allow the gate to remain in its current location due to vehicle maneuverability constraints and the presence of critical water-control infrastructure that would be negatively impacted by relocation. Mr. Knopp noted that the developer has significant future plans for the area and expressed a desire to work collaboratively with the District to identify a mutually acceptable solution to resolve the issue.

Staff recommended denial of the variance request.

*A motion was made by Supervisor Whitworth to approve staff recommendation, seconded by Supervisor Phipps and approved unanimously.*

There was a recess called at 9:22 a.m. The meeting was reconvened at 9:27 a.m.

**12. Approval to accept fee-simple ownership of ~30 acres encompassing the existing LWDD Horticultural Waste Disposal Site and terminate the existing lease over the ~100-acre site. Location: East of L-40 Canal, north of L-36½W Canal, 1.25 miles west of Highway 441 (Project #RI-25-0059)**  
— Reagan Walker, Assistant Executive Director

Ms. Walker provided background on the horticultural site, which is located east of the L-40 Canal, west of Highway 441, and along the L-36½ West Canal. The portion of the property under consideration for Board approval consists of approximately 30 acres currently used as the District's horticultural waste disposal site.

In January 2005, the District sold fee simple ownership of approximately 100 acres to Ascot Real Estate for \$9.25 million, which included associated development rights. The District received \$115,000 per acre for 25 cleared acres and \$85,000 per acre for the remaining 75 vegetated acres. As a condition of the sale, a conservation easement was recorded on the property. The easement did not restrict the District's continued use of the land for horticultural waste disposal, nor did it require the District to maintain or clear vegetation. Subsequently, in August 2005, the District entered into a 99-year lease agreement, with four optional 99-year renewals, for the entire 100-acre site. The District paid a one-time rental fee of \$750,000.

In August 2025, Garrett Bender, Manager of Whitworth Estates PUD, LLC, submitted a request for the District to consider accepting a donation of the subject property. Multiple Board workshop discussions followed. Based on concerns regarding the limited use and ongoing maintenance requirements of the remaining 70 acres not

utilized by the District, staff recommended that the District consider accepting donation of only the approximately 30 acres actively used for horticultural purposes.

An appraisal was conducted valuing the 30-acre parcel at \$153,000 per acre, for a total appraised value of \$4.59 million.

Staff outlined the following options for the Board's consideration:

- Decline the donation and continue leasing the entire 100-acre site, acknowledging ongoing maintenance responsibilities for the unused acreage.
- Maintain the current lease and explore potential revenue options for the preserved land, noting that use is limited due to the conservation easement.
- Accept fee simple ownership of the 30-acre horticultural site and terminate the lease for the entire property.

Staff recommended acceptance of the donation of the 30-acre horticultural site and termination of the existing lease agreement, subject to the following conditions:

- Receipt of an updated boundary survey of the property to be conveyed to LWDD and legal and related fees paid by Whitworth Estates PUD, LLC .
- Subdivision approval by the County, as the property currently consists of a single parcel
- Confirmation of the District's continued access via existing easements, including an access easement across an FPL-owned parcel and bridge serving the site.

Sr. Vice President Alderman suggested that an additional 30-foot access easement along the north boundary of the property, running east to west, be considered.

Vice President Hill inquired whether the District should obtain its own easement rather than relying on, or attaching to, an existing FPL easement.

Staff noted that access is currently available from both the south and east, including along District canal rights-of-way, but emphasized the importance of confirming that the existing FPL access easement remains in effect and is accurately reflected in the updated survey.

Ms. Walker stated that the proposed agreement contemplates closing the donation by December 31.

***A motion was made by Sr. Vice President Alderman to approve staff recommendation, seconded by Supervisor Whitworth and approved unanimously.***

**13. Approval to assign easements for a portion of the L-46 Canal to the City of Boca Raton. Location: L-46 Canal, east of Military Trail, west of I-95 (Project #RI-25-0052) – Reagan Walker, Assistant Executive Director**

Ms. Walker provided background regarding the history of ownership of the subject easements. She noted in October 2017, the Board conceptually approved to declare the 90' canal right of way surplus and eligible for sale at fair market value or the option to pipe the canal and enter into a piping agreement with the District, subject to confirmation that there was not drainage connection under the east track of the CSX railroad as conveyance to the L-46 Canal. FDOT provided a letter on January

28, 2008, confirming the old culvert under the railroad is no longer used or needed as conveyance to the L-46 Canal. The sale or agreement did not take place.

On October 18, 2023, David Abers, representing North American Acquisition Corp. on behalf of MPF Vanderbilt Boca Property II, LLC, submitted a request for the Board to consider conceptually declaring the L-46 Canal right-of-way surplus and selling it at fair market value. North American Acquisition declined to proceed after receiving a high appraisal value.

Ms. Walker stated that in 2025, the City of Boca Raton reached out regarding permitting parallel sidewalks and improvements within the subject portion of the right-of-way in conjunction with the adjacent development projects. Because it is the terminus of the canal and there is no drainage benefit to LWDD, staff recommended that the easements for a portion of the L-46 Canal between Military Trail and CSX Railroad containing 27,155 sq. ft. or 0.622 acres be assigned to the City of Boca Raton, subject to a reverter clause that they must maintain it in perpetuity or return it to the District free of any encumbrances. The City agreed to accept the assignment of easement. Ms. Walker provided aerial maps illustrating the areas of interest.

Staff recommended approval to assign easements for a portion of the L-46 Canal between Military Trail and CSX Railroad containing 27,155 SQ. FT. or 0.622 Acres

- 15' Easement within north parcel contains: 3,125 SQ. FT.
- 75' Easement within south parcel contains: 23,990 SQ. FT.

*A motion was made by Sr. Vice President Alderman to approve staff recommendation, seconded by Supervisor Whitworth and approved unanimously.*

## **STAFF REPORTS**

### **14. Executive Director's Report**

Mr. Strowd presented an update on regional drought conditions, reporting that dry conditions are reemerging as the dry season begins. He stated that information from the National Weather Service and the South Florida Water Management District indicates that drought conditions are expected to intensify and persist. He noted that rainfall since October has been significantly below average, resulting in an early-season rainfall deficit. Mr. Strowd explained that limited inflows are reaching Lake Okeechobee, while regional water supply demands continue.

Mr. Strowd reported that Lake Okeechobee and Water Conservation Area 1 are currently below their regulation schedules, though lake levels remain above formal water shortage declaration thresholds. He cautioned that continued dry conditions could lead to declining water levels and potential water supply restrictions in the coming months.

He advised that District staff are coordinating with regional partners and anticipate further discussions in January regarding drought conditions and water supply planning.

Mr. Johnson provided a quarterly investment update, reporting that the portfolio value increased to approximately \$37 million. He stated that the portfolio generated positive returns for the quarter and exceeded its benchmark, with overall performance remaining strong.

Ms. Walker stated the deadline to submit a Notice of Intent to Run for the Board of Supervisors for Sub-Districts 2 and 4 is at the end of the meeting. Notices received include Stephen Bedner for Sub-District 2 and Carrie P. Hill for Sub-District 4. No other candidates submitted notice to run. As the seats are uncontested, an election will not be required, and candidates will be confirmed with a vote of the landowners at the upcoming Annual Landowners' Meeting on January 7, 2026.

Mr. Perry stated that he and President Bedner would be signing the closing documents with SFRTA Boca Station at the conclusion of the Board meeting.

Ms. Walker shared a short end-of-year video highlighting the work of LWDD staff.

## **12. Board Reports & Comment**

There were no additional reports or comments.

## **13. Adjourn**

There being no further business, the meeting adjourned at 10:15 A.M.

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President – Stephen Bedner

  
Recording Secretary – Sandra Acosta