



**MINUTES OF A REGULAR MEETING OF
THE BOARD OF SUPERVISORS OF
LAKE WORTH DRAINAGE DISTRICT
HELD AT THE DELRAY BEACH OFFICE ON
February 15, 2023 AT 8:30 A.M.**

Board Members Present:

John I. Whitworth, III
Jeffrey Phipps, Sr.

James M. Alderman

Stephen Bedner

Board Members Absent:

Carrie P. Hill

1. Call to Order

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

2. Pledge of Allegiance

Mr. Whitworth led the Pledge of Allegiance.

3. Retirement Recognition – Anne Perry, Right-of-Way Specialist

Mr. Strowd stated after 15 years of loyal and steadfast service to the District, Anne Perry will be retiring at the end of the month. Mr. Strowd and the Board thanked Ms. Perry for her service and presented her with an LWDD engraved memorabilia box in recognition of her service.

4. Agenda Revisions – Tommy Strowd, Executive Director

There were no agenda revisions.

5. Abstentions by Board Members from Items on the Agenda

There were no abstentions.

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

A motion was made by Sr. Vice President Alderman to approve the minutes, check register and financial statement for the previous month, seconded by Supervisor Whitworth and approved unanimously.

7. General Public Comment (limited to 5 minutes)

Mr. Strowd stated a comment card was presented for Agenda Item #13 and will be addressed when the item is presented.

CONSENT

- 8. Board comment or request to pull items from Consent Agenda**
- 9. Approval to release Chancery interest and reservations to clear title subject to LWDD's exclusive easement deed (ORB 2787/PG 0537). Location: 951 Yamato Road; L- 42 Canal, north side of W Yamato Road between Broken Sound Boulevard NW & Congress Avenue (Project #RI-23-0008) – David Bends, Right-of-Way Interest Supervisor**
- 10. Approval to assign the existing Piping, Paving and Parking License Agreement to BH Offices Venture, LLC and amend per LWDD operating policy. Location: L-41 Canal, east side of Military Trail, adjacent to 6600 NW Military Trail, Boca Raton (Project #RW-23-0004/#06-8274P.01) – Nicole Smith, Permit Supervisor**
- 11. Approval to transfer the existing Piping, Paving and Parking License Agreement and issue as a Right-of-Way Permit to Crampton Family Trust for a portion of the piped section of the L-34 Canal. Location: L-34 Canal, southeast corner of West Atlantic Ave & Jog Road. (Project #RW-21-0280) – Shawn Mitchell, Permit Coordinator**
- 12. Board vote on Consent Agenda**

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

DISCUSSION

- 13. Denial of variance request from Dane Knight for vegetation and landscape encroachments within the L-29 Canal right-of-way. Location: South side of the L-29 Canal, east of Military Trail; 12561 Oak Run Court, Boynton Beach (Project #RW-23-0038) – Nicole Smith, Permit Coordinator**

Ms. Smith stated the Knight residence at 12561 Oak Run Court has existing encroachments within the District's L-29 canal right-of-way. She provided an aerial of the property. Ms. Smith stated the L-29 encroachments were identified as part of the CRP inventory. She stated in April 2022 public notices were mailed and hand delivered regarding the clearing project; the project was scheduled to commence June 2022. Ms. Smith explained the project was delayed in order to conduct a protected species survey; none were found.

Ms. Smith stated in June 2022, a notice of violation letter was mailed to Mr. Knight providing notice of unresolved encroachments and 60 days for removal. In

September 2022, a second notice of violation was delivered providing an additional 60 days for removal. In January 2023, a final CRP notice and 15-day notice of violation were mailed. Also, in January 2023, staff and Supervisor Hill met with Mr. Knight on-site at his property. Subsequently, Mr. Knight submitted a variance application requesting an encroachment permit authorizing the existing encroachments to remain and paid the \$500 application fee.

Ms. Smith stated the canal rehabilitation project is scheduled to commence in March 2023. The Knight property encroachments would prevent a clear right-of-way for future canal restoration.

Staff recommended denial of the variance request submitted by Mr. Knight to keep the encroachments within the L-29 Canal right-of-way. Encroachments are to be relocated/removed by March 1, 2023; all other encroachments are to be relocated/removed by LWDD at the start of the project.

Mr. Knight provided public comment and requested authorization to keep the trees and landscaping within the canal right-of-way. As a professional in the landscaping industry, Mr. Knight assured the Board that he could clear any fallen trees caused by storm events. He strongly believes that the property should be preserved in its natural state and he respectfully requested the Board to vote in his favor.

Mr. Bedner explained the District's flood control purpose and obligation to maintain the canal.

Mr. Strowd explained the drainage function of the L-29 Canal and its importance for flood control east of Military Trail.

A motion was made by Supervisor Whitworth to approve staff recommendation to deny the variance request, seconded by Supervisor Phipps and approved unanimously.

A motion was made by Senior Vice President Alderman to waive the \$500 variance application fee, seconded by Supervisor Phipps and approved unanimously.

STAFF REPORTS

14. Executive Director's Report

Mr. LasCasas provided an update on Control Structure 9. He stated demolition of the old buildings will commence in the upcoming week.

Ms. Hoyt stated \$23 million has been transferred into a FL Palm account with earnings of 4.79% for the term of one year. She stated the remaining \$23 million was deposited into a managed account and will be invested within the month.

Ms. Walker informed the Board of the recent passing of Junior Cantu, an LWDD retiree who served 28 years. Ms. Walker stated the District will send condolences to the Cantu family on behalf of the Board and staff.

15. District Counsel's Report

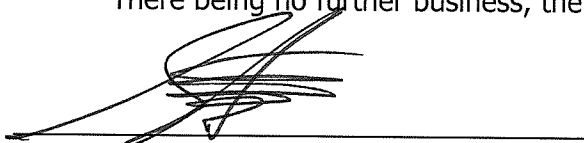
No additional items to report.


16. Board Reports & Comment

No additional reports or comments.

17. Adjourn

There being no further business, the meeting adjourned at 8:58 A.M.



President – Stephen Bedner

Recording Secretary – Sandra Acosta