



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

Board Members Present:

John I. Whitworth, III
Carrie P. Hill
Jeffrey P. Phipps

Stephen Bedner
James M. Alderman

1. Call to Order

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

2. Pledge of Allegiance

Ms. Hill 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

There were no abstentions by board members.

5. General Public Comment (limited to 5 minutes)

There was no general public comment.

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 check register and financial statements for the previous month, seconded by Supervisor Phipps and approved unanimously.

DISCUSSION

7. Approval to release Chancery interest in exchange for a 25' exclusive easement. Location: 1214 Suwannee Drive, west side of E-3½-8 Canal, North of Westgate Avenue (Project #RI-23-0068) – David Bends, Right-of-Way Interest Supervisor

Mr. Bends stated in response to a Chancery review request received on October 11, 2023, the District offered to release its Chancery interest subject to receiving an exclusive easement over the east 25 feet of the subject property.

Mr. Bends stated on November 1, 2023, the LWDD received the certification of title which identified an existing utility easement documented in Deed Book 132, Page 409, and a Standard Developers Agreement recorded in Official Record Book 4723, Page 1597.

Staff recommended approval to release its Chancery interest in exchange for an exclusive easement, subject to the existing utility easements at the time of conveyance. LWDD to release Chancery interest over the East 19.32 feet of the subject property to WRB Properties, LLC, containing 1,935 square feet. In return, WRB Properties, LLC shall convey an exclusive easement over the East 25.00 feet of the subject property to LWDD, comprising 2,504 square feet. Approval is subject to a sketch of descriptions, certification of title, legal and recording fees, and compliance with district operating policies.

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

8. Approval to exchange fee simple lands with Quail Ridge Country Club, Inc. Location: 3715 Golf Road, L-25 Canal, west of Knuth Rd (Project #RI-23-0050) – David Bends, Right-of-Way Interest Supervisor

Mr. Bends stated in July 2023, LWDD received a right-of-way application from Quail Ridge Country Club, with Dennis Shultz, P.E., from Flynn Engineering as the agent. The application pertains to drainage improvements associated with the golf course re-design plans for future renovations of the north course. The plan encompasses the replacement of seven existing control structures, outfall pipes, and headwalls in the L-25 and L-26 canals. Additionally, it involves the demolition of the existing golf cart bridge over the L-25 Canal and the construction of a 72" RCP Culvert Crossing spanning up to ±200 linear feet. A proposed land swap between Quail Ridge Country Club and LWDD is outlined in the plan, with the objective of straightening the canal right-of-way. The drainage permit is under review by staff and will be issued by staff. Board approval is required for the land exchange.

Mr. Bends shared some images of the golf course renovation plans.

Staff recommended approval of the exchange of fee simple title lands between Quail Ridge Country Club, Inc. and LWDD necessary for realignment of the canal within the golf course. Within the culverted area, Quail Ridge Country Club, Inc. will convey fee simple title through a Warranty Deed to LWDD for the north Parcel, containing 0.143 Acres. In return, LWDD will convey fee simple title through a Quit-Claim Deed to Quail Ridge Country Club for the south Parcel, totaling 0.140 Acres. Approval is subject to submission of a sketch of descriptions, certification of title, legal and recording fees, and adherence to district operating policies.

Sr. Vice President Alderman inquired about the party responsible for the re-alignment of the canal. Mr. Bends confirmed that Quail Ridge will be taking on this responsibility.

Sr. Vice President Alderman asked whether a Piping Permit would be necessary. Mr. Bends stated that it would fall under the scope of a culvert crossing permit.

A motion was made by Vice President Hill to approve staff recommendation, seconded by Supervisor Phipps and approved unanimously.

9. Approval to surplus and sell L-46 Canal right-of-way to North American Acquisition Corporation. Location: 1800 North Military Trail; L-46 Canal east of Military Trail (Project #RI-23-0063) – David Bends, Right-of-Way Interest Supervisor

Mr. Bends provided historical context, noting that in 1915, the north 52.80' was acquired for canal right-of-way through Chancery Case 407. Subsequently, in 1966, Jack Lee conveyed a Quit claim Deed (QCD) over the north 60' to LWDD. In 1979, LWDD was granted a 15' easement on the north side, establishing a 75' canal right-of-way.

In 2006, the District acquired a non-exclusive drainage easement over the north 75', establishing a 90' canal right-of-way. On October 17, 2007, the LWDD Board conceptually approved declaring the 90' right-of-way surplus and selling for fair market value, or to pipe the canal and enter into a Piping, Paving, Parking (PPP) agreement with LWDD. This conceptual approval was subject to receiving a letter from the Florida Department of Transportation (FDOT) confirming the old culvert under the CSX railroad is no longer used or needed as conveyance to the L-46 Canal. The letter was received from FDOT on January 28, 2008. The purchase or piping of the canal never occurred.

Moving forward to October 18, 2023, Mr. David Abers, representing North American Acquisition Corp., acting as an agent for MPF Vanderbilt Boca Property, II, LLC, submitted a request to purchase the L-46 Canal right-of-way.

Staff recommended conceptual approval to declare the L-46 Canal right-of-way between Military Trail and the CSX Railroad as surplus, with the intention to sell it for Fair Market Value. This right-of-way encompasses 27,155 square feet or 0.622 acres. Approval is subject to board approval of the appraised fair market value, acceptance of drainage connections and flows from adjacent property, submission of a sketch of descriptions, providing certification of titles for both property owners, legal and recording fees, and compliance with District Operating Policies.

Sr. Vice President Alderman raised concerns about the considerable staff time devoted to this project, given its repeated appearances before the Board. He proposed that moving forward, staff should conduct a review of the operating policies manual to reduce such reoccurrences that require significant staff and board time.

A motion was made by Supervisor Whitworth to approve staff recommendation, seconded by Vice President Hill and approved three to two.

STAFF REPORTS

10. Executive Director's Report

Mr. Strowd reported on the upcoming rain forecast, indicating that we should expect 6-10 inches of rainfall within the next 24-48 hours. He mentioned that staff is actively preparing the system for the impending rain event and is currently engaged in ongoing efforts to manage water flow.

Mr. LasCasas reported staff is continuously checking systems and clearing any potential obstructions.

Ms. Walker provided the proposed 2024 meeting dates and stated the schedule will be finalized and advertised at the beginning of December.

Ms. Walker announced that Board of Supervisor seats for Sub-District 5 and Sub District 3 are up for election at the annual Landowners' Meeting on January 10, 2024. Any candidates that are interested in running must submit their Intent to Run letter by the end of the December 13, 2023 Board Meeting.

Ms. Walker reminded the Board about the workshop scheduled for December 5, 2023 and informed members that she anticipates a lengthy meeting.

11. District Counsel's Report

No additional items to report.

12. Board Reports & Comment

Sr. Vice President Alderman commended the Aquatics Department for their exceptional work, acknowledging the current condition of the canals.

13. Adjourn

There being no further business, the meeting was adjourned at 8:55 A.M.



President – Stephen Bedner

Recording Secretary – Sandra Acosta