



**MINUTES OF A REGULAR MEETING OF  
THE BOARD OF SUPERVISORS OF  
LAKE WORTH DRAINAGE DISTRICT  
HELD AT THE DELRAY BEACH OFFICE ON  
March 13, 2024 AT 8:30 A.M.**

**Board Members Present:**

John I. Whitworth, III  
Jeffrey Phipps, Sr.

James M. Alderman  
Carrie P. Hill

Stephen Bedner

**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. 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.

**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 minutes, check register and financial statement for the previous month, seconded by Supervisor Alderman and approved unanimously.*

## **DISCUSSION**

- 7. Approval to enter into a Memorandum of Agreement with Florida Department of Transportation (FDOT) defining responsibilities to operate and maintain the E-2W Canal during and after construction of the Turnpike widening project between the West Palm Beach Service Plaza and the L-5 Canal, and approval to convey portions of the E-2W Canal and remnant L-9 Canal right-of-way to FDOT for associated roadway improvements. Location: E-2W Canal, between the West Palm Beach Service Plaza and L-5 Canal (Project #RW-23-0160) – Nicole Smith, Permit Supervisor**

Ms. Smith provided background information on Turnpike widening projects in the County as they relate to LWDD. In 2016, the Board approved the installation of a bulkhead wall along with the conveyance of 0' to 20' of E-2W Canal Right-of-Way from LWDD to FTE from Boynton Beach Boulevard to Lake Worth Road. This bulkhead wall aimed to address existing and future maintenance concerns. Subsequently, on May 15, 2019, the Board gave conceptual approval for the proposed design by FDOT for the next phase of the Turnpike widening project. This phase involves the portion affecting the E-2W Canal, starting from the north end of the West Palm Beach Service Plaza (Lake Worth Road) and extending just south of the L-5 Canal (Okeechobee Boulevard). The proposed design includes constructing a bulkhead wall within the easternmost 20 feet of the LWDD E-2W Canal to accommodate road widening, as well as other enhancements such as bringing the canal to design section and installing rock riprap rubble.

Ms. Smith stated FDOT is seeking approval to enter into a Memorandum of Agreement (MOA) to specify construction and maintenance responsibilities, as well as approval of associated right-of-way conveyances.

Under the terms of the MOA, FDOT will manage the construction of the project, including the bulkhead wall construction. FDOT will also provide access to the E-2W Canal eastern bank for inspection and maintenance purposes, maintain the berm where no bulkhead wall is installed, and address structural maintenance of the bulkhead wall and appurtenances abutting the canal. FDOT will also be responsible for the maintenance of the E-2W and E-2E Canals under the Forest Hill Boulevard Bridge and the L-5 Canal under the Turnpike bridge.

Under the terms of the MOA, LWDD will issue required Right-of-Way permits upon approval of the project's final design plans and continue to operate and maintain the canals within the project boundaries during construction. Upon project completion, LWDD will quit-claim portions of the E-2W Canal right-of-way containing the bulkhead wall and improvements to FDOT. LWDD will also provide access to FDOT for inspection and maintenance of the bulkhead wall and maintenance berm, as well as access to FDOT's stormwater facility (Pond 101) on the western side of the E-2W Canal just north of the West Palm Beach Service Plaza. LWDD will provide notice of any bulkhead wall maintenance issues observed during normal canal operations, and maintain the canals and installed riprap.

Annual joint reviews will be conducted by FDOT and LWDD to identify potential maintenance issues, with both parties agreeing to cooperate in resolving issues identified. Additionally, both entities will provide advance notice of any repair activities within the right-of-way, excluding routine maintenance.

Ms. Smith shared slides illustrating the proposed project plans and associated canal cross sections. Additionally, Ms. Smith provided an overview of the right-of-way exchanges between LWDD and FDOT, which involves the remnants of the L-9 Canal on the west side of the E-2W Canal and right-of-way from FDOT. This exchange provides LWDD additional and consistent right-of-way on the west side of the E-2W Canal. LWDD will also transfer E-2W Canal right-of-way from to FDOT for installation of a proposed bulkhead wall. The construction of this bulkhead wall will mitigate existing erosion and maintenance concerns, with the fair market value being waived in recognition of the benefits to LWDD. Upon the completion of construction and final inspection and acceptance by LWDD, fee simple ownership of the right-of-way containing the bulkhead wall will be transitioned from LWDD to FDOT.

Sr. Vice President Alderman inquired whether there have been any maintenance issues with the existing bulkheads installed and who is the responsible party in the event of a bulkhead washout.

Mr. LasCasas confirmed that the existing bulkheads are all functional, and he does not anticipate any issues with them. Ms. Smith stated maintenance of the bulkhead wall is the sole responsibility of FDOT.

Staff recommended approval to: enter into a Memorandum of Agreement with the Florida Department of Transportation to define construction and maintenance responsibilities; convey approximately 2.04 acres of E-2W Canal right-of-way to FDOT following construction completion, subject to the review and approval of the final sketch of description and signed and sealed as-built record drawings; and approval to exchange of 0.77 acres of L-9 Canal right-of-way from LWDD to FDOT, in exchange for 0.22 acres of FDOT right-of-way.

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

**8. Approval of Palm Beach Aggregates, LLC for the sole source procurement of riprap and rock materials – Anthony LasCasas, Director of Operations & Maintenance**

Mr. LasCasas stated that staff recommended approval of Palm Beach Aggregates, LLC for the sole source procurement of riprap and rock materials for canal rehabilitation projects. He highlighted that recent requests for quotes for rock material revealed Palm Beach Aggregates to be approximately 40% lower in cost compared to their competitors, attributed to their proximity to LWDD worksites and yard. Mr. LasCasas emphasized that utilizing Palm Beach Aggregates as a sole source supplier is advantageous for LWDD's operational efficiency. Not only does it offer cost savings and convenient delivery, but it also reduces the time staff spends soliciting multiple vendors for supplies. LWDD aims to engage Palm Beach Aggregates for the purchase of riprap and rock materials in FY24, aligning with the

approved budget. He clarified that this sole source request adheres to the requirements for a sole source procurement as outlined in LWDD Procurement Policy, Section 1.5.2.

Vice President Hill inquired if staff had investigated the possibility of entering into a piggyback contract with the South Florida Water Management District (SFWMD).

Mr. LasCasas stated that the rock deliveries are site specific which drives most of the costs.

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

## **STAFF REPORTS**

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

Mr. Strowd provided an update on Lake Okeechobee water levels and planned releases to the east, west and south.

Mr. Strowd provided an update on the sewage spill at the Village of Palm Springs and the L-9 Canal west of Congress. The Village is in the process of cleaning up the spill and conducting necessary monitoring as required by FEP regulations.

Mr. Strowd reported that he and President Bedner will be attending the ribbon-cutting ceremony for the completion of the C-51 Reservoir.

Mr. LasCasas stated that the recent purchase of boom mowers exceeds the budgeted amount due to increased prices. He also stated that the bid for the pole barn to replace the Miner Building came in over budget; however, the bid for the hurricane rated windows for the office building came in under bid which offset the costs. He also shared that staff will be rebidding mower contracts within the month.

Ms. Walker reported on this year's legislative session. She stated that all Special District board members are now required to complete four hours of annual ethics training. In response to this requirement, FASD has developed an online program for convenient completion of this training. Staff will register board members and provide a link to complete the training.

Ms. Walker also reported that the Special Districts Bill passed which included a term limit of 12 years for Special District board members. Additionally, special districts are now required to establish performance goals and objectives by October 1, 2024 and post them on their respective websites.

Ms. Walker stated that staff will be presenting updates to the District employee handbook at the April 2024 board meeting. The updated handbook is expected to include a proposed policy for paid parental leave consistent with the State of Florida benefit.

Ms. Walker announced there will not be a Board Workshop held in April 2023.

**10. District Counsel's Report**

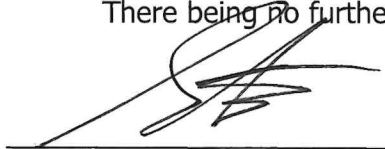
No additional items to report.

**11. Board Reports & Comment**

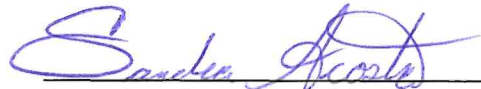
No additional reports or comments.

**12. Adjourn**

There being no further business, the meeting adjourned at 9:15 A.M.



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President – Stephen Bedner



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Recording Secretary – Sandra Acosta