

# LWDD Governing Board Meeting

## April 16, 2025

### Final Meeting Materials

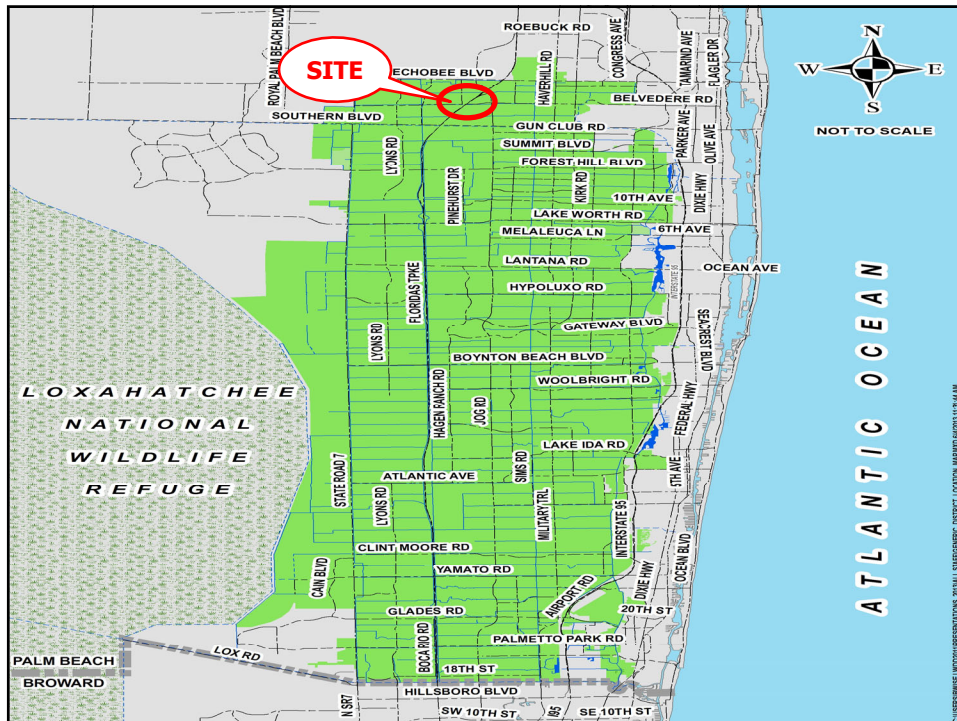
## FLORIDA PUBLIC UTILITIES 6" STEEL NATURAL GAS MAIN RELOCATION

LWDD Project No. RI-25-0019

Shawn Mitchell, Permit Coordinator  
Governing Board Meeting – April 16, 2025  
Agenda Item #8



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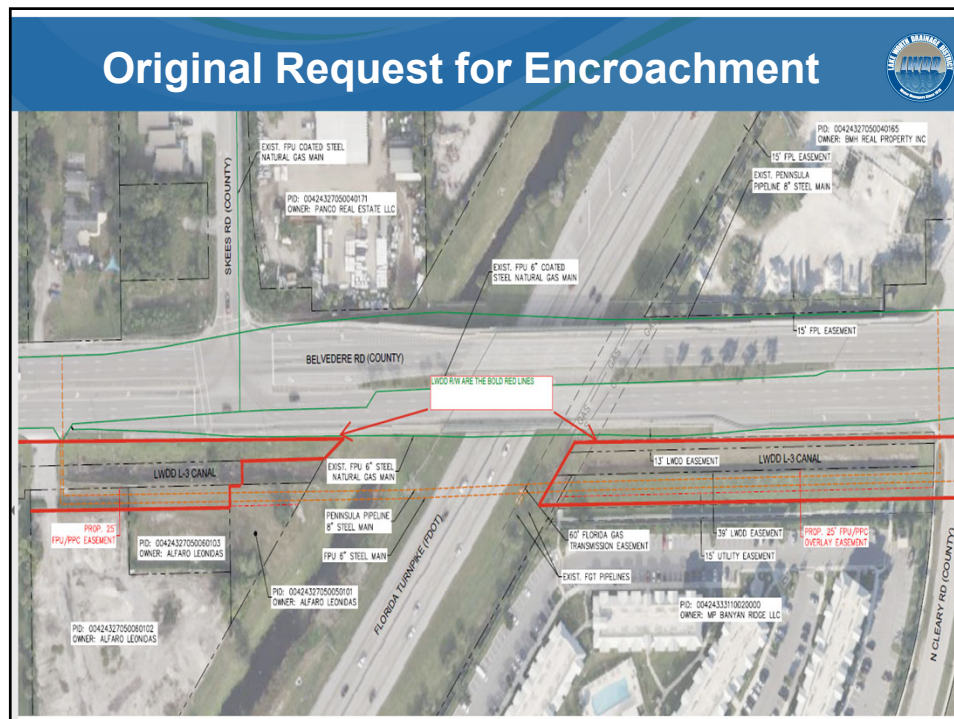
## Background

- April 24<sup>th</sup>, 2024, the applicant's consultant (SinglePoint Services) contacted LWDD about relocating approximately 1032 L.F of 6" and 8" steel gas mains within the L-3 Canal Right-of-Way.
- April 25<sup>th</sup>, 2024, LWDD responded and informed the representative of LWDD's policies as it relates to utility crossings including parallel installations.
- December 13<sup>th</sup>, 2024, LWDD staff met the applicant's representatives to discuss the proposed gas main relocations and the reasons why they want to install parallel utilities within the L-3 Right-of-Way.
- The relocation of the gas main is due to the FDOT Turnpike Widening Project that was permitted under RW-23-0160.
- LWDD explained the policies and asked the applicant to look at other alternatives other than proposing parallel installation within the reach they are requesting.
- March 2025 the applicant contacted LWDD and provided an updated exhibit to show the new route for the gas main(s) and provided information to show that they have exhausted other options as we requested.
- The existing 8" gas main will remain in place north of the L-3 Canal ROW within Belvedere Road

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- The 6" gas main will be relocated and only encroaching the L-3 ROW in two areas before running parallel outside and south of the L-3 ROW within the 15' PBC Easement.
- Applicant was unsuccessful in getting an easement or having the gas mains installed within the properties on the north side of Belvedere Road.
- Applicant has addressed all alternative options for parallel installations to verify there are no other options for utility placement (Operating Policy for Parallel Utility Lines - Section 3.11.1.6.3, Items A-G)

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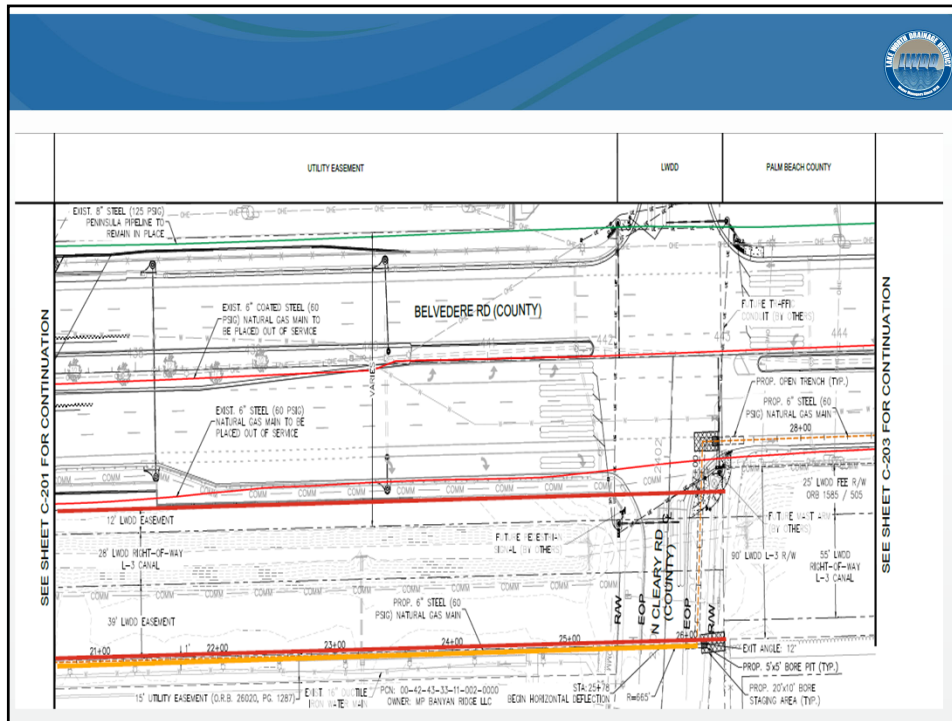
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## Staff Recommendation

- Approval to issue a Right-of-Way permit for the proposed 6" Gas Main for 185 LF of parallel encroachment within the L-3 Right-of-way for the locations as shown on the exhibits.
- Subject to:
  - LWDD Operating Policies & Permit Conditions
  - **Permit Application Fee** – \$2.00 x 185 LF = \$ 370.00
  - **Use Fee** – \$20.00 x 185 L.F = \$3700.00
  - **Annual Fee** – (Commencing 1yr from installation)
    - \$4.00 x 185 LF = \$740.00
    - Adjusted every five (5) years by the compounded CPI

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## Carolyn Warsaw Residence

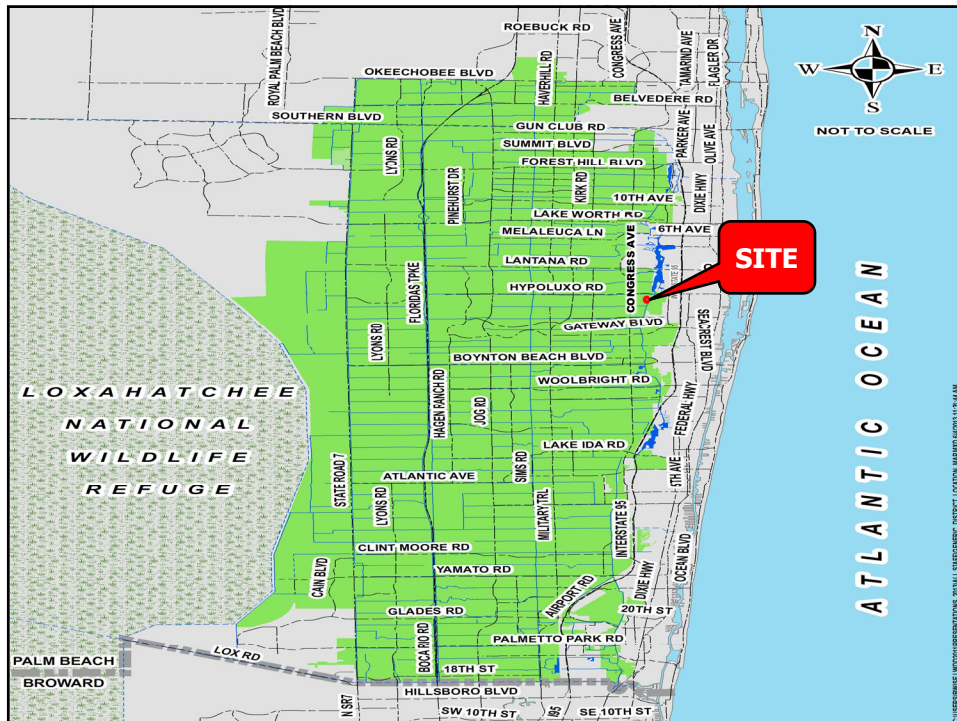
**Variance to Exceed Max. 250 sq. ft. Dock/Boat Lift Limit  
along E-4 Canal Right-of-Way; East of N Congress Ave /  
SR-807**

Project #RW-24-0292

Shawn Mitchell-Permit Coordinator  
Board Meeting – April 16, 2025  
Agenda Item #9



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## Permit History

45 Vista Del Rio, Boynton Beach (PCN 08434517010000450)

- **1996: Initial Permit for 240 sq. ft. Dock/Deck** Permit # 96-3650A.01 (Issued)
- 2019: New Property Owner (Carolyn Warsaw)
- 2020: LWDD issued a Notice of Violation under CM-20-0145 (Two Violations)
  - Over 60 days after Sales Date- Transfer existing dock permit.
  - Unpermitted structure (Floating Dock)
- **2022: Transfer Permit for 240 sq. ft. Dock/Deck** Permit # RW-21-0087 (Issued)
- **Special Condition 2.2 stating no additional structure such as a lift is allowed as the maximum allowable square footage for all structures is 250 S.F. Any modification to the existing structure will require approval from LWDD.**
- 2024-Present: Request to permit 120 sq. ft. Boat Lift installed on the Existing 240 sq. ft. Dock/Deck. Permit Application # RW-24-0292 (Under Review)

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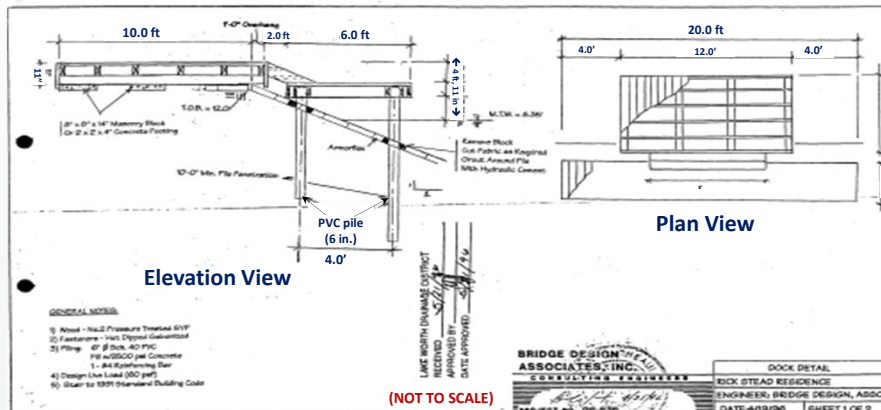


- Jan. 9, 2025 (1<sup>st</sup> R.A.I.): LWDD informed applicant that the proposed 320 sq. ft. Dock/Deck/Boat Lift is not permissible per Policy 2.2.5.A.7.
- 2.2.5.A.7 - The dock surface, including the surface of all appurtenant structures (boat lifts, stairs/steps, etc.) shall not exceed a total horizontal area of 250 square feet. The total dock surface area is to include all portions of the dock and the areas between portions of the dock.
- LWDD Staff provided the applicant with permissible alternatives:
  - Modify plans – reduce Existing Dock/Deck square footage to accommodate 120 sq. ft. Boat Lift and meet 250 sq. ft. limit
  - Make no changes and maintain existing Dock/Deck as permissible in the E-4 Canal Right-of-Way.

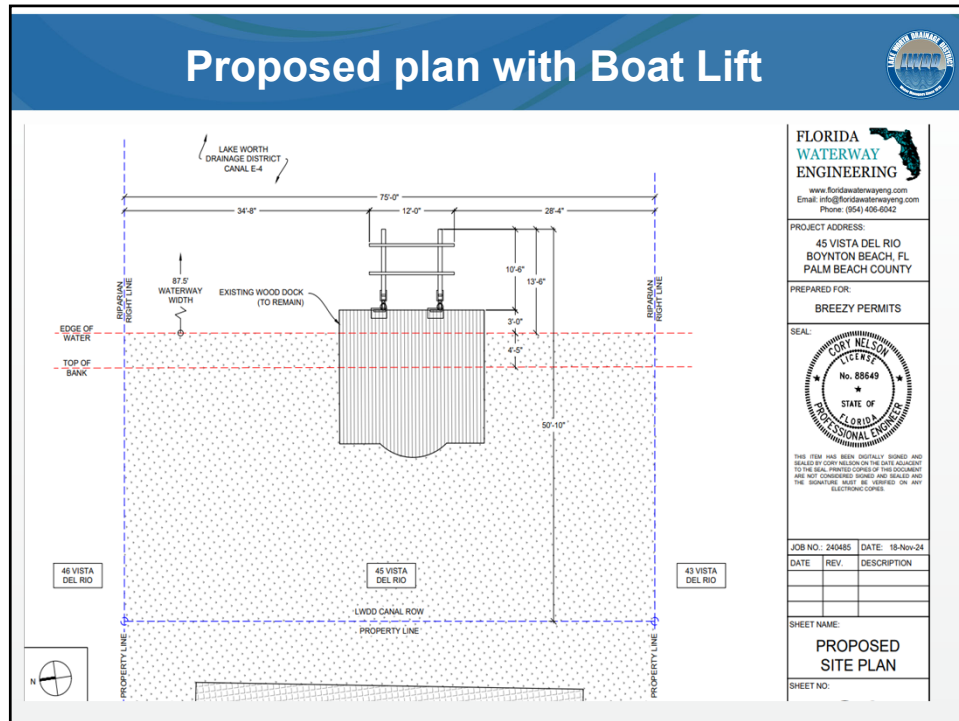
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## Existing permitted dock plans

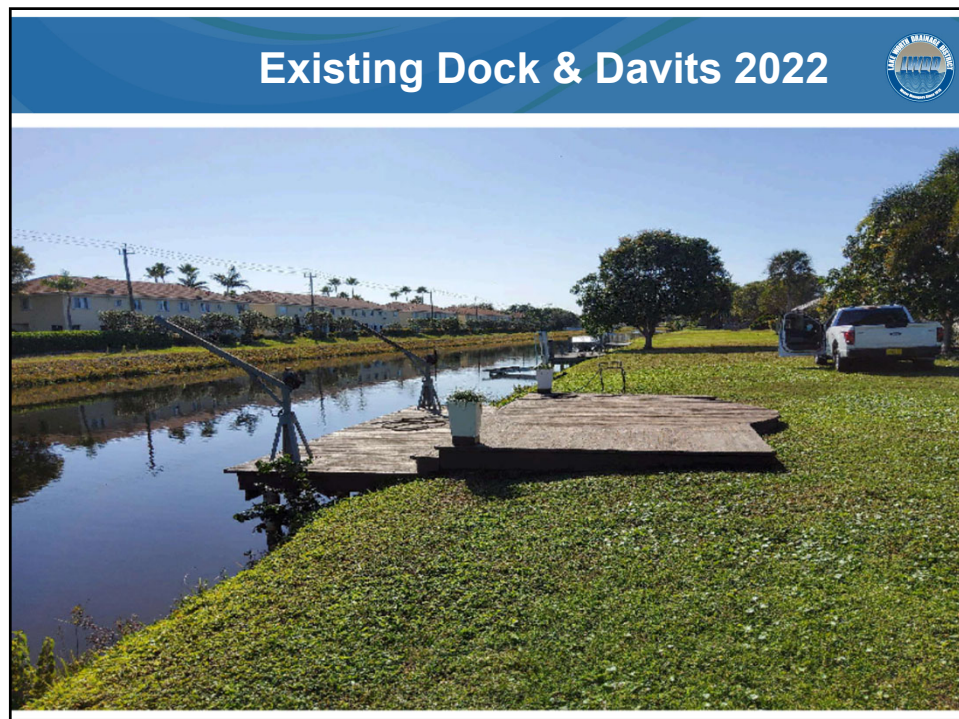
### Existing plans for the 240 square foot Dock/Deck



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## Staff Recommendation



### ■ ***Denial of Variance request***

- Staff recommends the Board deny the request to permit a 120 sq.ft. Boat Lift to be attached to the Existing 240 sq. ft. Dock/Deck

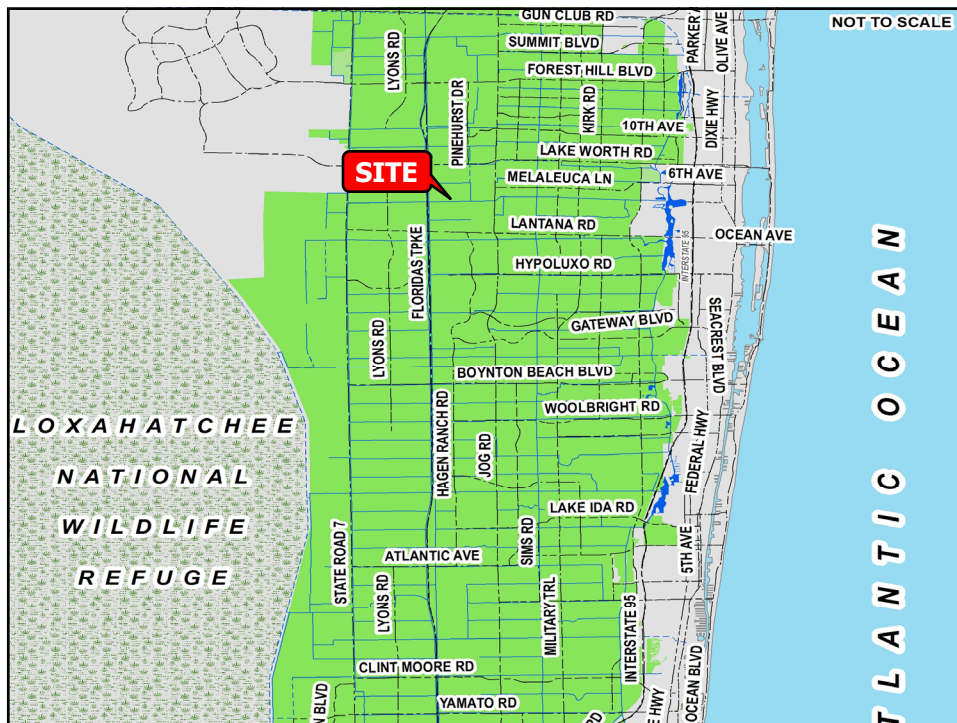
Staff recommends that the Applicant pursue the permissible options that could allow for the installation of a Dock/Deck and Boat Lift that is consistent with current LWDD Policies.

**Ernesto "Joel" Chavez on behalf of  
Isabel Fernandez at 67 W Arch Dr  
Request for Easement Release  
RE:1997 Settlement Agreement  
Florida Gardens Plat 4, Unrecorded  
L-14 Canal, North Side (RI-24-0055)**

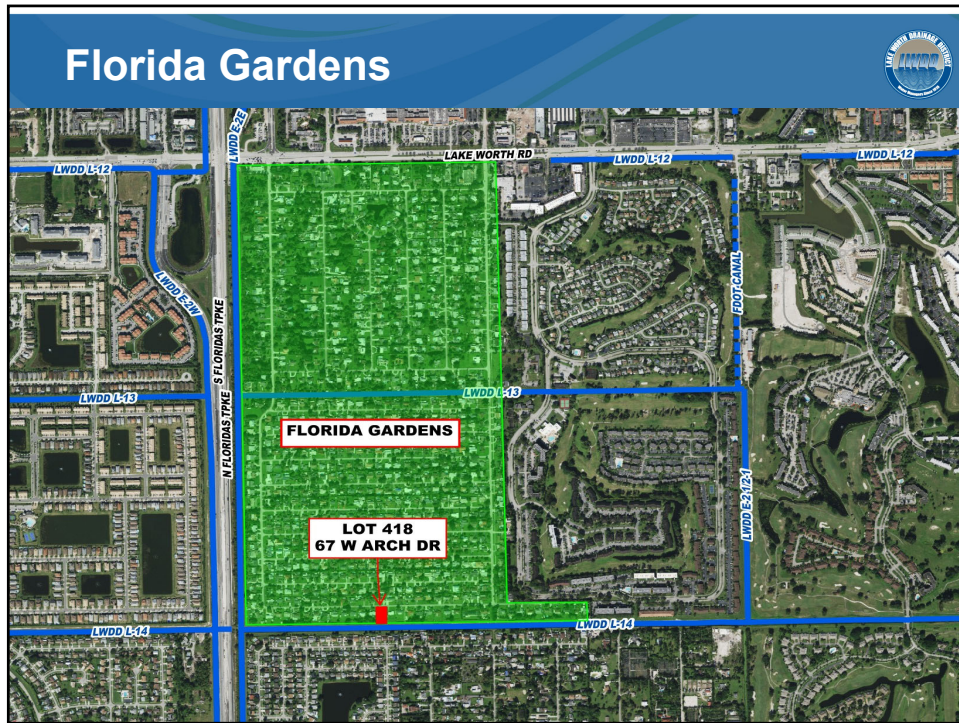
Dave Bends, P.S.M.  
Right-of-Way Interest Supervisor  
Governing Board Meeting - April 16, 2025  
Agenda Item #10



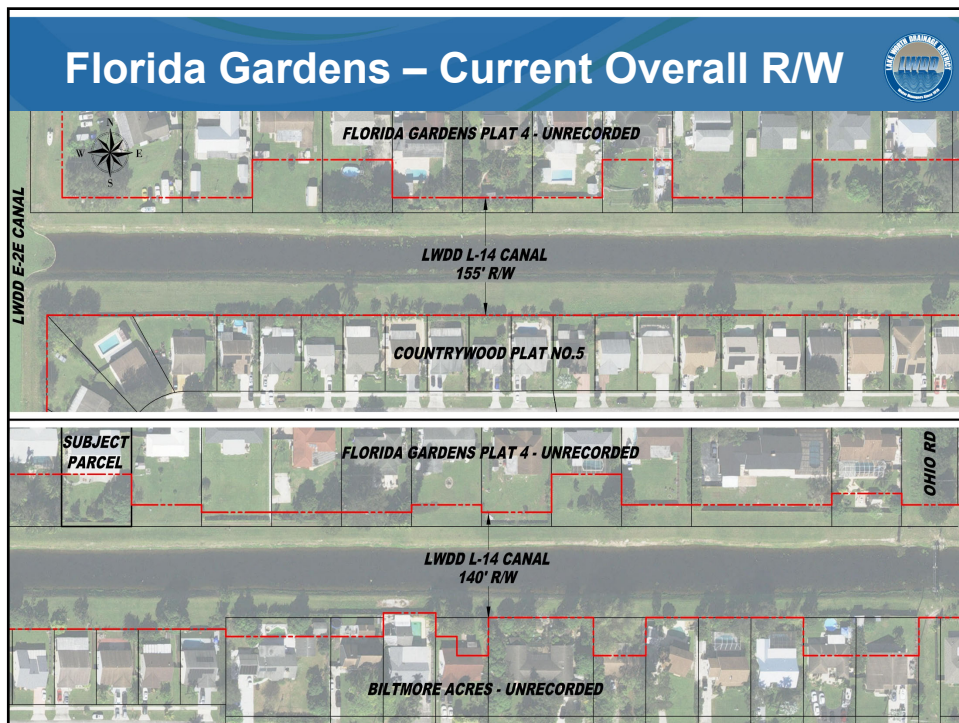
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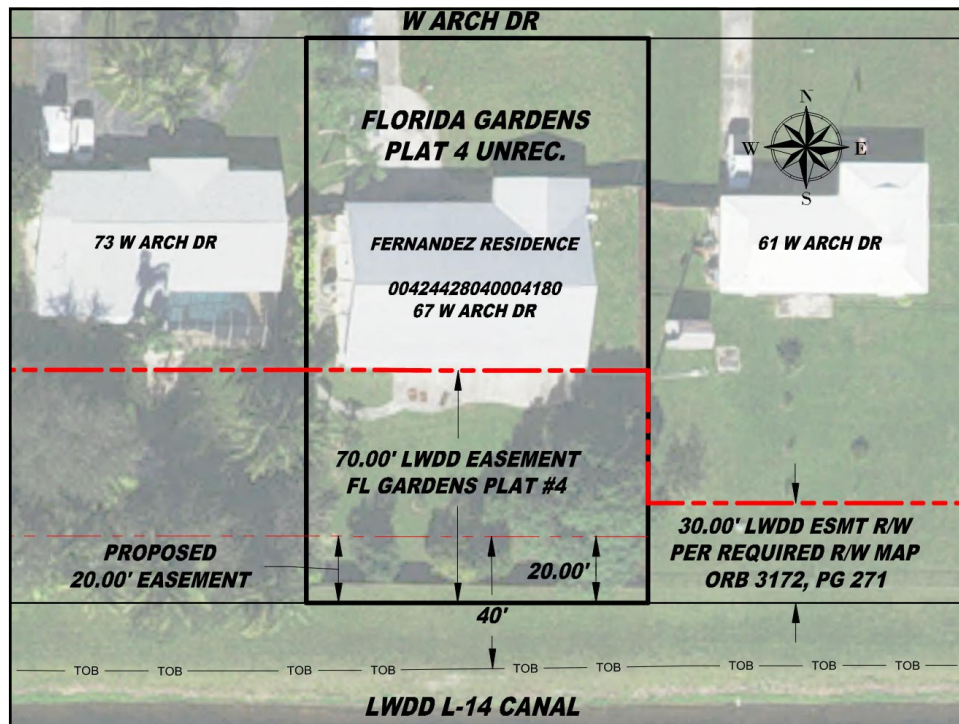


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## Background



- Received request from Mr. Chavez to appear before the Board on behalf of his Mother, Isabel Fernandez, for consideration to release the 70' LWDD Easement
- Mr. Chavez is seeking a building permit from Palm Beach County to construct a covered patio and shed adjoining the rear of the existing residence
- On September 13, 2024, LWDD met with Mr. Chavez and his mother to discuss the 1997 and 2019 board approvals and directive

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## Background



- Board Decision - May 2019
  - Approval to quit claim all interest within Lot 429, Florida Gardens Plat 4, and sell for the settlement value of \$7.26/Sq. Ft. or \$14,520, subject to property owner conveying a 20 ft exclusive easement to LWDD
  - The settlement value is adjusted annually based on the property appraiser's listed 'land value' at the time of purchase
  - The settlement value is based on the reduction of right-of-way to 20 feet in width
  - Approval to extend the same offer to all adjacent property owners
  - The property owner of Lot 429 above did not respond to the Board's approved offer

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## Background



- Based on Board's decision in May 2019
  - On July 12, 2022, staff quit-claimed all interest within Lot 425, Florida Gardens Plat 4, and sold for the annually adjusted settlement value of \$6.90/Sq. Ft. or \$13,800, and the property owner conveyed a 20 ft exclusive easement to LWDD
  - On October 21, 2024, staff quit-claimed all interest within Lot 426, Florida Gardens Plat 4, and sold for the annually adjusted settlement value of \$11.21/Sq. Ft. or \$22,420, and the property owner conveyed a 20 ft exclusive easement to LWDD

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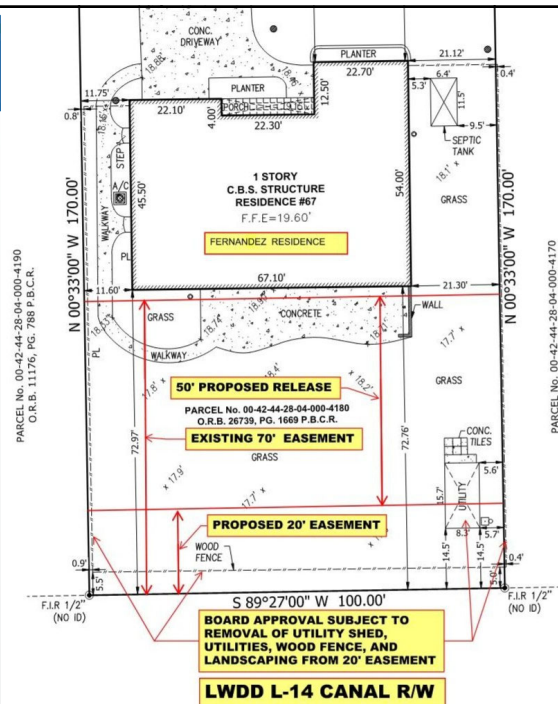
## Background



- Per previous board approvals from 1997 – 2024, LWDD released its interest within 13 of the 34 lots in Florida Gardens Plats 4 and 5 (unrecorded) along the north side of the L-14 Canal
  - Fair Market Value ranges from \$1.32/sq ft (Settlement Value) to \$11.21/sq ft. (~\$2,600 - \$22,4200)
  - Fees charged based on the reduction of required right-of-way; 20 feet
    - i.e., 20' easement X lot Width 100', or 2,000 Sq. Ft.
- 7 lots conveyed 30' easements before the 1997 board approval
- 14 Lots with 70' easements remain unresolved within Florida Gardens Plats 4 and 5 (unrecorded)

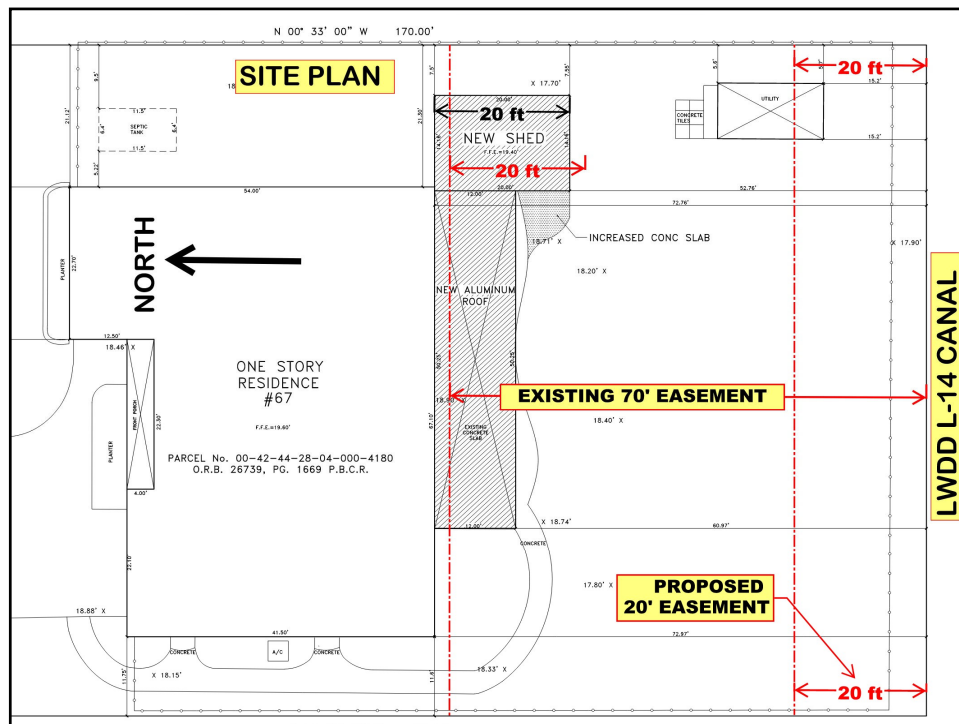
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## SURVEY



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## Considerations



- Typically, District land interests sold for fair market value
- Based on the previous board-approved 'settlement' calculation for ~20 ft strip, the value is \$9.34 sq. ft. or \$16,680
- Settlement value based on 2024 property appraiser's land value of 20 ft strip only, not total value for the 50' easement Interest LWDD is releasing
- Offer to clear up interests must be consistent for all property owners within plats
- If property owners are not able or willing to purchase, LWDD must remove or permit encroachments
  - Permitting encroachments is a temporary solution
  - Removal of encroachments requires:
    - Expending resources to clear ROW outside of the District's 'required' right-of-way
    - Diverts resources from other priority vegetation and encroachment removal projects
    - Creates potential maintenance challenges on sawtooth right-of-way

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## Staff Recommendation



- Approval to quit claim all interests within Lot 418, Florida Gardens Plat 4, and sell for the settlement value of \$9.34 sq. ft. or \$16,680, subject to property owner conveying a 20 ft exclusive easement to LWDD
- Subject to:
  - Removal of all encroachments within the 20 ft easement
  - Providing a certification of title
  - LWDD Operating Policies

# **Invitation to Bid (ITB) for LWDD L-25 Pipe Repair/Rehabilitation ITB #25-1557P.15**

Anthony LasCasas, Director of Operations & Maintenance

Board Meeting  
April 16, 2025  
Agenda Item #12



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## **Background**



- 5/15/24 – Board approved staff recommended to adopt Resolution No. 2024-01 finding a certain piping easement agreement in default; directing staff to prepare the necessary plans and specifications to remedy the default and prepare cost estimates; directing the plans and cost estimates to be placed on file with the District; and providing an effective date.
- 9/11/2024- Board approved staff recommended adopting Resolution 24-03, which outlines the necessity for improvements, estimated costs, and the payment method for assessments, along with scheduling a public hearing to finalize the process
- This project involves removing 200 feet of fencing, clearing vegetation, and installing 150 feet of cured-in-place pipe.

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## Background



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## Invitation to Bid schedule and project timeline

### Invitation to Bid Schedule

- ✓ March 6 – Broadcast ITB on DemandStar.com
- ✓ March 13–Non-Mandatory Pre-Bid meeting
- ✓ March 27– Bids due
- April 16– Board approval

### Project Timeline

- Pre- Construction meeting on or before April 21, 2025.
- Substantial completion on or before May 26, 2025.
- Final Completion on or before June 2, 2025.

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## Bid Responses



- In response to the ItB, Four (4) bids were received, one (1) was incomplete.

	Contractor Name	Bid Amount
1.	FloTech Environmental	\$281,680.00
2.	Hinterland Group	\$278,574.00
3.	SAK Construction	Incomplete bid package- no bid form submitted
4.	Vortex Service, LLC	\$779,853.60

- Lowest bid received is \$278,574.00

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## Staff Recommendation



- Approval to award bid to the lowest responsive and responsible contractor. – Hinterland Group  
\$278,574.00

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