



**MINUTES OF A REGULAR MEETING OF
THE BOARD OF SUPERVISORS OF
LAKE WORTH DRAINAGE DISTRICT
HELD AT THE DELRAY BEACH OFFICE ON
April 16, 2025 AT 8:30 A.M.**

Board Members Present:

John I. Whitworth, III
James M. Alderman

Stephen Bedner
Carrie P. Hill

Jeffrey Phipps, Sr.

1. Call to Order

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

2. Pledge of Allegiance

Mr. Phipps led the Pledge of Allegiance.

3. Service Award Recognition

- Travis Crosby, Equipment Operator II – 20 Years
- Rosemary Rayman – Retirement Recognition

Executive Director Tommy Stowd recognized Travis Crosby for 20 years of service at the District. The Board thanked Mr. Crosby for his service and dedication and presented him with an engraved survey marker in recognition of his service.

Mr. Stowd recognized Rosemary Rayman, Outreach & Records Manager, who will retire in May after 36 years of dedicated service to the District. Since joining in 1989 as Records Administrator, Rosemary led key advancements in records management, IT, and public outreach. The Board and staff extended their sincere thanks and best wishes for her retirement and presented her with an engraved survey marker in recognition of her service.

4. Agenda Revisions – Tommy Stowd, Executive Director

Mr. Stowd stated that Agenda item #11 has been deleted.

5. Abstentions by Board Members from Items on the Agenda

There were no abstentions.

6. General Public Comment (limited to 5 minutes)

There were no public comments.

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

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

DISCUSSION

8. **Approval to issue a Right-of-Way Permit to Florida Public Utilities to install a parallel gas main within a portion of the L-3 Canal right-of-way. Location: L-3 Canal, south of Belvedere Road on the east and west side of the FL Turnpike (Project #25-0019) – Shawn Mitchell, Permit Coordinator**

Mr. Mitchell stated that Florida Public Utilities is requesting approval to install a 6-inch gas main within the L-3 Canal right-of-way at Belvedere Road near the Florida Turnpike. The proposed installation includes approximately 185 linear feet of parallel encroachment—split between the west and east sides of the Turnpike.

In April 2024, the applicant's consultant, Single Point Services, contacted LWDD regarding the relocation of approximately 1,032 linear feet of 6-inch and 8-inch gas mains due to the Florida Turnpike widening project. LWDD staff informed them of District policies related to parallel installations and perpendicular crossings.

In December 2024, staff met with the applicant to discuss the proposed relocation. The initial plan included significant parallel encroachments, which staff did not support. In March 2025, the applicant submitted revised plans that eliminated the proposed 8-inch gas main within the right-of-way and reduced the 6-inch encroachment to only essential segments totaling 185 feet.

The revised alignment now meets the District's operating policies (Sections A–G) and minimizes impact. The proposed route briefly enters the L-3 Canal right-of-way in two areas: 91 feet on the west side of the Turnpike and 94 feet on the east side.

Staff recommended approval of the proposed 6-inch gas main installation, subject to compliance with District policies, payment of a \$370 application fee, a \$3,700 use fee, and a \$740 annual fee (adjusted every five years by CPI).

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

9. **Denial of variance request by property owner, Carolyn Warsaw, to exceed square footage requirements for dock permit. Location: E-4 Canal, 45 Vista Del Rio, Boynton Beach (Project #RW-24-0292) – Shawn Mitchell, Permit Coordinator**

Mr. Mitchell stated that the District received a variance request from Carolyn Warsaw to install a 120-square foot boat lift attached to an existing dock.

Mr. Mitchell shared background on the subject property and stated there is an existing permit for a 240-square-foot dock, originally approved in 1996. Under current District policy, total dock-related structures may not exceed 250 square feet.

After purchasing the property between 2017 and 2019, the owner failed to transfer the existing dock permit within the 60-day timeframe, as required. In addition, a floating dock was installed without approval. Both issues were addressed, and the existing dock permit was successfully transferred in 2022 with a condition explicitly prohibiting additional structures due to the square footage limit.

In 2024, the owner submitted a new permit application requesting the addition of a 120-square-foot boat lift, which would bring the combined total to 360 square feet—exceeding the allowable limit. Staff advised the applicant of alternative options: reduce the size of the existing dock to accommodate the boat lift within the limit or retain the dock as-is without adding the lift.

Staff conducted a site inspection in March 2024 and confirmed the top portion of the dock had been removed, reducing the overall size to allow for a boat lift, but the applicant indicated intent to restore it and proceed with the full addition of the boat lift.

Staff recommended denial of the variance request to exceed the 250-square-foot maximum, noting that compliant alternatives remain available.

Mr. Jason Buzio addressed the Board on behalf of himself and his wife, Ms. Carolyn Warsaw. He distributed documentation outlining the scope of work, including the property's permit history and proposed modifications.

Mr. Buzio explained that they are requesting approval to replace an existing davit-style boat docking system with a modern elevator boat lift. The current dock and deck, originally permitted in 1996, meet the District's prior regulations, including the now-current 250-square-foot size limit. The proposed lift would add approximately 120 square feet, exceeding the current maximum. However, Mr. Buzio noted that this increase reflects the lift system, not additional deck or dock area, and argued that the overall functional footprint would remain similar to that of the existing davit setup. He added that the upper deck portion of the structure had recently been removed due to deterioration and safety concerns, with plans to restore it. He emphasized that access to the dock is currently limited without this component due to its location along the seawall. Mr. Buzio concluded by stating their commitment to maintaining compliance with District requirements, ensuring continued access for water management operations, and requested consideration for the variance based on the structure's longstanding noninterference and the presence of larger structures nearby.

Vice President Hill inquired on the functionality difference between the davit system and the boat lift.

Sr. Vice President Alderman commented that some dock structures may date back several decades. He emphasized that, from a safety standpoint, a secured boat lift presents less risk during a hurricane than a vessel tied to a piling, which is otherwise

allowed. He encouraged the Board to consider this distinction in evaluating the request.

Ms. Walker noted that from a staff perspective, there are no concerns with the proposed boat lift extending further into the water, as it is likely a more secure option. The issue lies with the overall surface area of the dock exceeding the Board's 250-square-foot policy. If the removed decking at the top of bank is restored, the total area would surpass the limit by approximately 120 square feet, which is the basis of the variance request.

Sr. Vice President Alderman suggested as a compromise that the applicant only rebuild approximately 4 feet of the dock structure that had been previously removed. He noted that placing the proposed boat lift within this reduced footprint might allow the overall structure to remain closer to the 250-square-foot limit set by District policy.

Mr. Strowd emphasized the importance of protecting the concrete revetment located beneath the dock structure. He explained that the revetment, which extends underground several feet, is designed to stabilize the slope and prevent structural failure along the canal bank. Allowing a structure to extend approximately 3 to 4 feet beyond the policy limit could help maintain the integrity of that revetment. He noted this as a legitimate structural consideration, separate from the general discussion on square footage limits.

Sr. Vice President Alderman proposed allowing the applicant to replace approximately 4 feet of the removed portion of the dock structure in order to accommodate a boat lift, acknowledging that this would result in the overall structure exceeding the 250-square-foot policy limit by approximately 30 square feet. The motion included approval of an exception to the current policy to permit this limited overage.

A motion was made by Sr. Vice President Alderman to allow the applicant to rebuild 4 feet of the previous removed portion of the dock to accommodate a boat lift, acknowledging that this would result in the overall structure exceeding the 250-square-foot policy limit by approximately 30 square feet. The motion was seconded by Supervisor Phipps. The motion passed with a 4-1 vote with a dissenting vote from Supervisor Whitworth.

- 10. Petition by Joel Chavez, representing, Isabel Fernandez Alvarez (homeowner) requesting consideration to release easement and waive fees for construction of a property addition. Location: 67 W Arch Dr, Lake Worth (Florida Gardens), north side of the L-14 Canal, east of the E-2E Canal. (Project #RI-24-0055) – David Bends, Right-of-Way Interest Supervisor**

Mr. Bends stated that Ernesto Joel Chavez submitted a request on behalf of his mother, property owner Isabel Fernandez, regarding a settlement agreement and release of an LWDD easement at 67 W. Arch Drive. The property is located on the north side of the L-14 Canal, just east of the E-3 Canal, within the Florida Gardens

subdivision. It lies between Lake Worth Road and the L-14 Canal, bordered on the west by the E-2E Canal.

Mr. Bends explained that the current LWDD right-of-way in this area includes a series of easements, some of which have been reduced from 70 feet to 20 feet through past settlement agreements. He displayed a map highlighting the subject property, which remains encumbered by a 70-foot easement.

The request seeks release of the 70-foot easement to allow construction of a covered patio and shed at the rear of the residence. Mr. Chavez is trying to obtain a permit from Palm Beach County for the improvements, but the easement must first be released by LWDD.

On September 13, District staff met with Mr. Chavez and Ms. Fernandez to review the request and discuss applicable Board policies. Mr. Bends referenced previous Board approvals from 1997 and 2019 that authorized staff to release easement interests within the Florida Gardens area for settlement value, calculated based on current land valuation.

Mr. Bends noted that several adjacent property owners have completed similar settlement agreements. In 2022, the District released its interest in Lot 425 for \$6.90 per square foot (\$13,800), and in 2024, Lot 426 was released at \$11.21 per square foot (\$22,420), with each owner conveying a 20-foot easement back to LWDD. He emphasized that land values have increased significantly due to market fluctuations.

To date, the District has released interest in 13 of the 30 lots along the north side of the L-14 Canal. Seven lots conveyed 30-foot easements prior to the 2019 directive, while 14 lots with 70-foot easements remain unresolved, including the subject lot.

A current survey of the subject property was presented, showing the proposed 50-foot release and reservation of a 20-foot easement. The release would be contingent on the removal of existing encroachments within the 20-foot easement, including a fence, utility setback, and potential landscaping. The proposed settlement value for the 2,000-square-foot release is based on the 2024 property appraiser's land value of \$9.34 per square foot, totaling \$16,680.

Mr. Chavez spoke on behalf of his mother, Isabel, who is 83 years old. He respectfully requested that the District consider a solution that would allow for the construction of a small structure on the property to accommodate her care needs.

He stated that initial approvals for the project had been granted by the County, but were later withdrawn due to issues related to an existing easement. He acknowledged discussions with District staff and expressed appreciation for their professionalism and clarity.

Mr. Chavez clarified that the family is not seeking to challenge the District's authority but is requesting a limited and compassionate exception. The request involves only a portion of the easement area and is intended to support his mother's well-being. He noted that significant planning and financial investment has already been made, and current resources do not allow for both easement acquisition and construction.

President Bedner inquired when the property was initially purchased. Mr. Chavez indicated the property was purchased in 2012. Staff recommended the settlement value be updated to reflect the 2012 land value that would have been offered to the property owner upon purchase rather than the current land value. Mr. Chavez indicated that they would be agreeable to the reduced settlement value to address all conflicts.

Ms. Walker clarified that the offer being considered is consistent with what has been extended to other property owners in the past and would avoid setting a precedent for future new property owners. If a new property owner were to request similar consideration, the valuation would be based on current land value, unless they could demonstrate ownership dating back to when prior offers were made.

Staff recommended approval to quit claim all interests within the subject lot and sell for the settlement value based on the current property owners purchase date, subject to the property owner conveying a 20 ft. exclusive easement to LWDD and removal of all encroachments within the 20 ft. easement, and approval to allow extend same offer to remaining property owners with 70' easements.

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

- 11. Petition by Pine Tree Golf Club requesting consideration of alternative engineering options for piping of the L-25 Canal. Location: L-25 Canal, east of Military Trail and east of Lawrence Road (Project #RW-25-0049) – Nicole Smith, Permit Supervisor – **ITEM DELETED****
- 12. Approval to award bid to the lowest responsive and responsible bidder for the pipe repair project located in Pine Tree Country Club Estates. Location: L-25 Canal, Joseph Property, 10519 Pine Tree Terrace, Boynton Beach (ITB #25-1557P.15) – Anthony LasCasas, Director of Operations & Maintenance**

Mr. LasCasas stated that in 2024, the Board adopted Resolution Nos. 2024-01 and 2024-03 finding the piping easement agreement in default and directing staff to remedy to failing pipe. The project involved removing 200 ft of fencing, clearing vegetation and installing ~150' of cured-in-place pipe.

Following a public bid process, four responses were received—three qualified—with Hinterland Group submitting the lowest responsive bid of \$278,574. The scope includes slip lining the existing pipe and addressing required repairs under a unit price contract, allowing flexibility based on actual repair needs.

Mr. LasCasas explained that slip lining involves inserting and curing a resin-based liner inside the existing pipe to create a new structural interior. This method requires the pipe to be mostly round; an estimated 10-foot section may require repair. A pre-construction video inspection will be performed to confirm the pipe's condition. If significant damage is found, further excavation or potential full replacement may be

necessary. Mr. Roth, the project engineer, will oversee and certify the work. Work is expected to begin in May 2025 with final completion before June 2025.

Ms. Walker noted that the Board may want to consider granting staff pre-approval with a "not-to-exceed" amount to provide flexibility in case the estimated 10-foot repair section needs to be expanded once work begins. She suggested this would allow staff to proceed without delay if additional pipe damage is discovered during construction. Given the urgency of the repairs, the Board agreed to provide staff discretion to approve changes not to exceed \$65K over the bid price.

Staff recommended approval to award bid to the lowest responsive and responsible contractor Hinterland Group for \$278,574.00

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

STAFF REPORTS

13. Executive Director's Report

Mr. LasCasas reported that a \$15,000 change order was necessary for the re-roofing project on the Aquatics Building. The additional cost is due to Palm Beach County's permitting requirements, which mandate additional structural reinforcement. The change was not anticipated initially but is necessary to comply with the updated building code requirements. Mr. LasCasas explained that even with the change order, the contract remains below the second-lowest bid, and as such, staff does not recommend rebidding the project. Rebidding would cause significant delays and, given current market conditions, would likely result in higher costs. He confirmed that staff intends to proceed with the change order and continue forward with the project under the current contract.

Mr. LasCasas also reported on the aquatics annex building project, stating that the project is still under review by the County building department. Once approved, staff plans to manage the project largely in-house, subcontracting tasks such as block work and related construction.

Mr. LasCasas reported that the rehabilitation project at L-45 east of Lyons Road is well underway. The canal has been shaped, and crews are preparing to begin rock placement. Work will soon shift northward to align this segment with the broader canal system, including adjustments to improve long-term maintenance access along the south bank. Staff will present photos to the Board as the project nears its next milestone.

Progress is also being made on the L-5 Canal, as the early delays due to gopher tortoise activity have been resolved. Heavy equipment is now onsite, and active excavation and grading work has begun.

In addition, the L-7 Canal rehabilitation project has commenced with initial dredging operations currently in progress.

Mr. LasCasas provided an update on the District-wide modeling project. He shared that the draft calibration report had been received. Staff will now begin working through model routes and technical adjustments, with the goal of finalizing the calibration. In the coming months, a comprehensive update on the full model—detailing its components and status—will be presented to the Board.

Mr. Strowd provided a brief update on a current water operations reporting that at the request of the South Florida Water Management District staff has initiated a controlled water delivery from the C-51 Reservoir through the District system down into Broward County. The operation began the previous day and mirrors a similar delivery conducted in June 2024. The plan involves running the second pump unit at Control Structure 9 for 8 hours daily over the next 7 days. Additionally, each afternoon, the gate at Hillsboro Canal (Gate 1) will be opened to 15% for 3 hours to allow water to move from the northern portion of the system to the south, where Broward County can then collect and utilize it. Mr. Strowd noted that the SFWMD allows this delivery to occur anytime within a 30-day window, providing operational flexibility. If necessary, the pumps could be run continuously for 24 hours a day, completing the transfer in approximately 3 days.

14. District Counsel's Report

No additional items to report.

15. Board Reports & Comment

No additional reports or comments.

16. Adjourn

There being no further business, the meeting adjourned at 9:32 A.M.



President – Stephen Bedner

Recording Secretary – Sandra Acosta