



**MINUTES OF A REGULAR MEETING OF  
THE BOARD OF SUPERVISORS OF  
LAKE WORTH DRAINAGE DISTRICT  
HELD AT THE DELRAY BEACH OFFICE ON  
April 15, 2026 AT 9:00 A.M.**

**Board Members Present:**

John I. Whitworth, III  
James Alderman

Jeffrey Phipps, Sr.  
Stephen Bedner

Carrie P. Hill

**1. Call to Order**

President Bedner called the meeting to order at 9:00 A.M. and confirmed the quorum.

**2. Pledge of Allegiance**

Vice President 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.

**5. General Public Comment (limited to 3 minutes)**

Mr. Strowd stated that there were no general public comments; however, public comments would be heard for specific agenda items.

**CONSENT**

**6. Board comment or request to pull items from the Consent Agenda**

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

**8. Approval to sell a portion of surplus L-47 Canal right-of-way for the fair market value of \$15.00 per square foot to property owners, Jason and Orli Katz. Location: L-47 Canal; 7097 Via Firenze, Boca Raton, Mediterranean (Project #RI-25-0045) – David Bends, Right-of-Way Interest Supervisor**

9. **Approval to issue right-of-way permit to ECS Florida, LLC for the temporary installation of four (4) piezometers and one (1) staff gauge within the E-4 Canal right-of-way. Location: E-4 Canal, west right-of-way, south of the L-11 Canal, north of 2<sup>nd</sup> Avenue North. (Project #RW-26-0050) – Nicole Smith, Permit Supervisor**

10. **Board vote on Consent Agenda**

*A motion was made by Vice President Hill to approve the consent agenda, seconded by Sr. Vice President Alderman and approved unanimously.*

## **DISCUSSION**

11. **Request by the City of Delray Beach for consideration to rescind the Board's previous action taken on February 11, 2026, denying Application #RW-26-0011 to permit an existing tree to remain within the E-4 Canal right-of-way adjacent to the Delray Beach Municipal Golf Course (Project #RW-26-0011) – Tommy Strowd, Executive Director**

Ms. Walker presented the item regarding the City of Delray Beach's request for the Board to reconsider its previous action taken on February 11, which denied the City's application to allow an existing tree to remain within the E-4 Canal right-of-way adjacent to the Delray Beach Municipal Golf Course redevelopment project. She noted that discussion of the item had been postponed from the previous month's meeting at the City's request to provide the City additional time to submit technical information for the District's review and consideration. Ms. Walker advised that City Manager Terrence Moore and other City representatives were present to provide additional information regarding the request, and she also acknowledged that several individuals wished to provide public comment on the item.

Terrence Moore, City Manager for the City of Delray Beach, addressed the Board regarding the City's request to reconsider the denial of its application to allow the existing banyan tree to remain within the E4 Canal right-of-way adjacent to the Delray Beach Municipal Golf Course redevelopment project. Mr. Moore presented background on the banyan tree and the ongoing golf course redevelopment project, noting that the tree had become a significant feature within the project area. He summarized concerns related to the tree's location within the canal right-of-way, maintenance access requirements, and canal bank stability. He also reviewed the history of the encroachment agreement between the City and the District and noted that the City had submitted additional technical information following the Board's prior denial of the request.

Mr. Moore advised that the supplemental materials included engineering, debris removal, and arborist reports addressing slope stability, maintenance procedures, and risk mitigation efforts. He stated that the City has implemented and continues to perform maintenance measures intended to reduce storm-related risks and maintain safe conditions within the area. Photographs depicting restoration and improvement work associated with the golf course project and canal bank area were also presented to the Board. Mr. Moore thanked the Board and District staff for the opportunity to provide additional information and stated that the City remained committed to working cooperatively with the District regarding the matter.

The floor was opened for public comments.

City of Delray Beach Mayor Tom Carney addressed the Board regarding the City's request to allow the existing banyan tree to remain within the E4 Canal right-of-way. He acknowledged that the City had not adequately maintained the tree in the past and recognized the District's concerns regarding canal access and maintenance. Mayor Carney stated that the City has taken significant steps in recent months to address those concerns, including substantial pruning and the implementation of ongoing maintenance and monitoring efforts. He also noted that the City proposed continued coordination with the District regarding maintenance activities and emergency response preparedness in the event of storm-related damage. He emphasized the City's desire to preserve the tree and stated that the City believes measures have been taken to substantially mitigate potential risks associated with the tree remaining in place. He further noted community support for preserving the tree and requested that the Board reconsider the application and allow the City the opportunity to continue maintaining the tree under the proposed management efforts.

Deputy Vice Mayor Tom Markert addressed the board and stated that, during the golf course renovation process, the significance of the tree had become increasingly apparent. He acknowledged that the project team had not initially understood the tree's importance, but as construction progressed, they recognized it as a natural landmark and "crown jewel" of the property. He noted that the golf course renovations were progressing well and described the course as becoming a valuable community asset. He further explained that additional research and professional analysis had been conducted regarding the tree to address concerns raised by the District. He expressed hope that the information provided had increased the board's comfort level with the proposal and stated that the team believed it had done everything possible to mitigate concerns. He also shared that the tree had generated significant local interest, with many residents expressing a desire to visit or preserve it. He concluded by thanking the board for its consideration and for the time devoted to reviewing the matter.

Greg Snyder, representing the Delray Beach Preservation Trust, spoke in support of preserving the tree, stating that the organization's mission is to protect historic assets within the City. He emphasized that mature trees are valuable community assets. He expressed support for the City's mitigation efforts and referenced the City's emergency response plan to address the board's safety concerns.

Following the City's presentation and public comments, Mr. Strowd acknowledged that the City had made substantial efforts to help preserve the tree and mitigate risks. He explained that the primary concern remained the tree's proximity to the canal and the potential impact to flood control operations and public safety. Mr. Strowd reviewed photographs and diagrams of the tree and explained that the species develops large overhanging limbs supported by aerial root systems that had expanded toward the canal bank. He stated that the sandy soil conditions and steep canal slopes create instability concerns, particularly during severe weather events involving heavy rainfall and hurricane-force winds. He explained that engineering analyses indicated the retained portion of the tree would remain within a potentially unstable area near the canal bank, even with the City's proposed mitigation measures, including canopy reduction and installation of a root barrier. He further stated that, under major storm conditions, there remained a risk that the tree or

portions of it could fall into the canal and obstruct water flow. Mr. Strowd acknowledged that multiple arborists had concluded the tree was healthy and in good biological condition. However, he stated that several independent engineering and slope stability analyses continued to identify concerns regarding the tree's location near the canal bank. He explained that the District's primary concern was the potential reduction in canal conveyance capacity if the tree were to fall during a storm event, which could increase flood elevations and prolong flooding in nearby communities. While acknowledging the City's emergency response planning efforts, he noted that removal of a fallen tree could still take significant time during storm conditions.

Sr. Vice President commented regarding the tree being a non-native species and the associated shallow root system, the difficulty of removing the tree during and after a storm event, and a recent tree falling into the E-4 Canal during an afternoon storm event, Staff shared a video of a Ficus tree that recently fell into the E-4 Canal and took significant resources to remove.

Supervisor Whitworth commented regarding the difficult decision to remove trees that risked flood control and indicated he did not support allowing the tree to remain based on his experience with post-storm cleanup efforts.

Vice President Hill inquired regarding the City's proposal to cut back and stabilize the tree and the length of time required for it to stabilize.

Following Board questions, Mr. Strowd confirmed that the District's focus was on protecting surrounding homes, residents, and property from flood risks. He also clarified that the District's position was not opposition to trees generally, but rather part of its long-standing efforts to remove vegetation within canal rights-of-way that could interfere with flood control operations and public safety.

President Bedner inquired whether there was a motion to rescind the board's previous action for denial to permit the tree to remain with the right-of-way. No motion was made. Hearing no motion, he stated that the board would proceed with discussion regarding a timeline for removal of the tree. He also referenced the option previously discussed to relocate portions of the tree to other areas of the golf course and noted that the board would need to establish an appropriate timeline for either relocation or removal activities.

Ms. Walker clarified that the board's previous motion denying retention of the tree within the right-of-way remained in effect. She further noted that, during the prior meeting, the board had discussed removal of the tree before the start of hurricane season and that there had been a commitment for the tree to be removed by June 1, 2026.

***A motion was made by Vice President Hill to require removal of the tree by June 1, prior to the start of hurricane season. The motion was seconded by Sr. Vice President Alderman and approved unanimously.***

- 12. Approval to enter into a Memorandum of Agreement with the Florida Department of Transportation (FDOT) for the Atlantic Avenue roadway widening project from the Florida Turnpike to East of Jog Road, and approval of revised L-34 Canal design with additional bulkhead wall**

**installed between E-2E Canal and Legends Way. (Project #RI-19-0123) – David Bends, Right-of-Way Interest Supervisor**

Permit Supervisor Nicole Smith provided an overview of the project history, noting that in March 2023 LWDD approved FDOT's conceptual design and sale of surplus right-of-way based on approved right-of-way dimensions, and directed staff to formalize a Memorandum of Agreement. She explained that FDOT, the design team, and LWDD staff met on multiple occasions between March 2024 and March 2026 to review project design details and right-of-way requirements. FDOT roadway design changed to include installation of additional bulkhead wall and reduction in LWDD's L-34 Canal right-of-way in certain locations including: E2-E to Lexington Club Blvd (570 L.F.), Lexington Club Blvd to Eagles Point Drive (1,065 L.F.), and Eagle Point Drive to Legends Way (1,270 L.F.), as well as at the turn lane west side of Michelangelo Blvd (265 L.F). She stated the benefits of the additional bulkhead wall include reduction of canal maintenance along the north bank and increased hydraulic flow and volume capacity of the realigned canal. A sketch depicting the updated canal realignment and typical sections was presented, along with aerial exhibits comparing the original conceptual right-of-way with the current proposed design limits for multiple project segments extending from the E-2E Canal to the eastern terminus of the L-34 Canal.

A draft Memorandum of Agreement (MOA) was coordinated between FDOT and LWDD from December 2025 through March 2026, and it was reported that no further revisions or comments remained outstanding as of the end of March 2026. Ms. Smith presented FDOT's canal modification requirements:

- Shift the heavy maintenance berm currently on the north side of the channel to the south side and provide a 35' continuous maintenance berm
- Rip-Rap or other permitted material that may be required to armor the canal bank to prevent scour where the canal transitions and 25' beyond headwalls
- Drop curb (14' in width) centered on maintenance berms on north and south sides of canal at road crossings and through medians; sidewalks (6" thick) through canal right-of-way
- A minimum of 15' clear unobstructed access at all four (4) quadrants of any crossing
- Vegetative side trimming (25-foot vertically) along the south canal right-of-way line and removal of all vegetation on the south side of the canal that may exist throughout the project limits to provide 35' unencumbered access
- Removal of all above-ground encroachments on the south side of the canal that may exist to provide 35' unencumbered access
- The existing utility transmission line and poles parallel with and adjacent to the existing north right-of-way line of the L-34 Canal will be required to be relocated within FDOT's right-of-way for Atlantic Avenue
- At road crossings, culvert size and length to be approved by LWDD to ensure no impacts to drainage and sufficient access

Other MOA agreement conditions include:

- LWDD shall execute conveyance and other documentation to transfer ownership of the canal right-of-way to FDOT prior to construction
- FDOT shall control the L-34 Canal right-of-way during the construction of the Project

- FDOT shall grant access to LWDD to maintain the canal in the event of an emergency
- FDOT will include in the construction contract the proposed permit to be issued by LWDD, which contains conditions set forth in the agreement
- The project shall be complete within 10 years of MOA execution, or as extended by the parties

Staff recommended:

- Approval of FDOT's revised design for Atlantic Avenue roadway widening and L-34 Canal modifications, as specifically presented in plans submitted by FDOT on April 1, 2026
- Approval to surplus and sell that portion of the L-34 Canal right-of-way for roadway widening at fair market value, containing approximately 3.57 acres, more/less, as specifically presented in plans submitted by FDOT on April 1, 2026
- Approval to abandon that portion of the L-34 Canal right-of-way from the west line of King's Point Plat No. One to the eastern terminus and turn over maintenance responsibilities to FDOT
- Approval of the Memorandum of Agreement to be approved by the Board, necessary for FDOT to commence R/W acquisition phase.
- Additional engineering design elements affecting LWDD for roadway, drainage connections, and bridge improvements will be subject to permitting at a future date

Approval is subject to the permittee being responsible for all costs associated with the proposed canal improvements and modifications; board approval of fair market value based on an appraisal by FDOT; and all LWDD Operating Policies.

Supervisor Phipps commented regarding the time involved with the project and future widening needs based on population projections in the future.

Sr. Vice President Alderman inquired if the District must sell its fee simple rather than providing an easement. Staff explained that FDOT needs to own the property to maintain its facilities.

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

- 13. Approval to issue a right-of-way permit to property owner, Lie Run He Trust, for existing encroachments within the E-4 Canal right-of-way, subject to conditions including unencumbered access within the right-of-way for LWDD maintenance. Location: E-4 Canal, west right-of-way, south of the L-11 Canal, north of 2<sup>nd</sup> Avenue North; 2651 2<sup>nd</sup> Avenue North, Lake Worth (Project #RI-25-0067) – Nicole Smith, Permit Supervisor**

Ms. Smith presented a historical overview of the E-4 Canal Right-of-Way, noting that on August 2, 1940, the Board granted permission to A.B. Engle for use of the western bank of the E-4 Canal Right-of-Way as a roadway extending north from Lake Worth Road for approximately one-half mile, with the condition that the District could reclaim possession at any time. She further referenced a letter of authorization dated June 11, 1974 (Official Records Book 2315, Page 964), and summarized subsequent

changes in ownership, including conveyances from Weiler and Gertrude Kohl to Richard and Jan Friderich in 2005 (ORB 19696/1650), and later transfers in 2011 (ORB 24834/1409) from Chew Yook Wing and Lie Run He to Lie Run He, Trustee, and the 2651 2nd Avenue North Land Trust.

Ms. Smith also outlined LWDD's long-standing communications with property owners and their representatives regarding encroachments, property rights, and use of the E-4 Canal Right-of-Way. She noted that between 1999 and 2026, the District issued multiple correspondence requesting removal of encroachments, engaged in discussions with title companies regarding recorded property interests and right-of-way mapping, and met with current owners and representatives to address ongoing issues. She further stated that, following a 2026 meeting between District staff and property representatives, certain encroachments, including canvas car tents, were removed.

Staff recommended action to approve issuance of a non-transferable Right-of-Way Permit to the Trustee of the Lie Run He Trust for the existing cottage located within the eastern portion of the western right-of-way of the E-4 Canal to remain in place, subject to specified conditions. These conditions include submission of a permit application within 15 days, maintenance of unencumbered District access at all times, removal of all vegetation within the right-of-way, removal of the existing septic system upon availability of public utilities, and eventual removal of the cottage upon deterioration, with no future expansion or improvements permitted. She further noted that all encroachments must be removed upon sale or transfer of the adjacent property, and that proof of liability insurance in the minimum amount of \$300,000 naming LWDD as certificate holder is required.

David Tolces, the attorney representing the property owner, Hoa Tran, appeared before the board with Ms. Tran present. He stated that they were seeking a cooperative resolution to issues involving the property. He explained that the structures and use of the property have existed for many decades without previously interfering with the district's ability to maintain the canal or its banks. However, he acknowledged that conditions and needs have changed over time, requiring adjustments to ensure access and compliance.

He indicated that the property owner is willing to work with the District to provide the requested access but does not have the financial resources to independently make the necessary modifications. For that reason, he proposed a collaborative agreement in which both the district and the property owner would work together to address site constraints while preserving canal access and ongoing maintenance needs. He identified several issues that would need to be evaluated, including the possible relocation of utility poles, the presence of a septic system, an existing driveway, and potential water and sewer infrastructure. He noted that coordination with relevant utility providers and local agencies would likely be necessary. He suggested that the district's engineering resources could assist in determining access requirements and developing plans and cost estimates for any required changes. He concluded by expressing a desire to move forward with discussions toward an agreement that would allow both parties to develop a workable plan.

***A motion was made by Vice President Hill to authorize staff to negotiate a right-of-way permit based on the listed conditions, including consideration of an exclusive easement, and to return to the Board***

*following further discussions with the property owner. The motion was seconded by Supervisor Whitworth and approved unanimously.*

There was a recess called at 10:27 a.m. The meeting was reconvened at 10:34 a.m.

## **STAFF REPORTS**

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

Mr. Johnson referenced a prior discussion regarding the possibility of changing the District's investment benchmark from a one-to-three-year target range to a one-to-five-year target range in an effort to better align with the District's investment portfolio and improve potential returns.

Sean Gannon, PFM investment advisor, was present to provide additional information and discuss the available options related to the proposed change before turning the presentation over for further discussion. Mr. Gannon presented information regarding the District's investment portfolio and the potential modification of the benchmark range from one-to-three years to one-to-five years.

He explained that the proposed adjustment was intended to improve long-term returns while maintaining a conservative investment strategy. He reviewed the relationship between portfolio duration, market conditions, and investment performance, noting that extending the duration could increase potential returns while also introducing additional market fluctuation. He further explained that the portfolio remains highly liquid and primarily invested in U.S. Treasury and other fixed-income securities, allowing funds to remain accessible if needed.

Board members discussed portfolio risk, liquidity, and flexibility, including the potential impact of emergency funding needs. Mr. Gannon advised that the proposed structure would continue to maintain a substantial portion of investments in shorter-term holdings while providing greater flexibility for long-term investment management.

He concluded by recommending the transition to a one-to-five-year benchmark range based on current market conditions and long-term investment objectives.

***A motion was made by Vice President Hill to direct staff to transition the investment portfolio duration benchmark from one-to-three years to one-to-five years. The motion was seconded by Senior Vice President Alderman.***

Mr. Strowd reported on current water conditions, noting that recent rainfall significantly improved drought-related conditions in the region and helped increase water levels throughout the system. He reported that some water control structures were operated following the rainfall due to elevated water levels, but overall pumping activity had remained limited.

Mr. Strowd advised that the recent rainfall helped reduce immediate concerns regarding potential water shortages and improved conditions at Lake Okeechobee. While drought conditions remain in effect, he stated that the likelihood of water

shortage restrictions had decreased and may be avoided as the region approaches the wet season. He concluded by noting that staff would continue monitoring conditions closely as below-normal rainfall remains possible during the remainder of the dry season.


Mr. LasCasas reported that work was continuing to move forward on improvements related to Control Structure 12. He stated that authorization had recently been provided to begin production of the pump equipment, and that gate manufacturing was also underway as part of the District's ongoing budgeted improvements.

**15. Board Reports & Comment**

There were no additional board comments or reports.

**16. Adjourn**

There being no further business, the meeting adjourned at 10:57 A.M.



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President – Stephen Bedner



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Recording Secretary – Sandra Acosta