



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

Board Members Present:

John I. Whitworth, III
James Alderman

Carrie P. Hill
Stephen Bedner

Jeffrey Phipps, Sr.

1. Call to Order

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

2. Pledge of Allegiance

Supervisor Phipps led the Pledge of Allegiance.

Supervisor Whitworth recognized Sr. Vice President Alderman for being awarded the Florida Farm Bureau's Farmer of the Year.

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 Supervisor Whitworth to approve the minutes, check register and financial statement for the previous month, seconded by Sr. Vice President Alderman and approved unanimously.

DISCUSSION

7. Denial of right-of-way permit application by American Learning Systems for perpetual use of the L-36 Canal right-of-way for overflow parking during school events. Location: American Heritage School, 6200 Linton Blvd, Delray Beach; L-36 Canal; south side of Linton Boulevard, east of Jog Road. (Project #RW-24-0226) – Nicole Smith, Permit Supervisor

Ms. Smith stated that the item concerns American Heritage School's request to use the L-36 Canal right-of-way for overflow parking during specific school events. The site is located on the south side of Linton Boulevard, east of Jog. The L-36 Canal runs through this area, where the LWDD holds a 90-foot exclusive easement.

On July 10, 1998, LWDD issued a quit claim deed to the then-owner, GHS Inc., for the L-36 Canal right-of-way. In return, LWDD received an exclusive easement deed for the same area. In September 2024, the area field inspector observed American Heritage School was utilizing LWDD canal right-of-way for overflow parking. The school was informed that they would need a permit from LWDD to utilize the right-of-way for parking. Following this notification, the school formally requested permission, providing a list of dates for their school events. They applied for a temporary access permit in October 2024 while their parking lot was under construction. In response, staff issued a temporary access permit allowing the school to use the right-of-way for parking during their events for six months through April 2025.

The areas proposed for parking include sections on the south side of the L-36 Canal within the northeast portion of the school's property. With the ongoing construction of their parking lot, the school initially requested perpetual use of the L-36 Canal right-of-way for overflow parking during eight annual events. These events, along with their dates and times, were outlined in the initial request. However, staff advised that ongoing annual use would require board approval and expressed concerns about supporting such a request.

Subsequently, the school modified its request. With the new parking lot providing approximately 100 additional spaces and internal roadways on the property being used for parking, the school indicated they could accommodate six of the eight events on-site. However, they stated that the annual Homecoming Football Game, Carnival, and Spring Fling—being their largest events—would still necessitate use of the LWDD right-of-way.

As per LWDD policy, any use of the right-of-way exceeding six months requires board approval. For the temporary access permit, the school provided a certificate of insurance listing LWDD as an additional insured party. However, staff recommended denial of the request for continued use of the L-36 Canal right-of-way for parking, in accordance with LWDD policy.

Ms. Walker informed the board that Mr. Robert Stone, Headmaster of American Heritage, was present and wished to speak.

Mr. Stone expressed his gratitude to the board for the opportunity to speak, noting that he was accompanied by the school's attorney, Mr. John Perloff. Mr. Stone recounted in 1997 when he worked with LWDD to relocate the canal southward to accommodate easements and a turn lane for the school on Linton Boulevard. He described the partnership over the past 27 years as amicable, including occasional use of the front area for parking during school events, with measures like posts and ropes to protect the canal.

Mr. Stone explained the school's current request to continue using the L-36 Canal right-of-way for three main annual events: the Homecoming Carnival and Football Game (both in the fall) and the Spring Fling (held in March). He described the Spring Fling as the largest event, involving all students, parents, grandparents, and community members, and emphasized that the event takes place on a Saturday. He also mentioned an additional Saturday in June for a summer camp meet-and-greet, where parents and children gather to meet counselors, and requested ongoing permission for these three events.

He clarified that smaller events, such as Grandparents Day, the holiday concert, and the Thanksgiving feast, would be relocated to the school's internal roadway system once the new parking lot is complete. Mr. Stone noted that the parking lot is awaiting a certificate of occupancy from the County but could soon accommodate these smaller gatherings, which are typically short and held during the day.

Mr. Stone emphasized the school's intention to work collaboratively with LWDD to minimize use of the right-of-way and to limit requests to the three main events, all of which occur on weekends.

Supervisor Whitworth inquired if there were drop curbs within the right-of-way. Staff responded there were none.

Sr. Vice President Alderman inquired if they could reapply for access as needed.

Ms. Smith reviewed the LWDD policy and fee structure for temporary access, explaining that a temporary access permit fee is \$670. Ms. Smith stated that if the Board was considering authorizing continued use of the right-of-way, that the permit be issued for multiple years with an applicable annual fee. She also suggested that the school explore plans to construct additional on-site parking in the future to eliminate the need for using the LWDD right-of-way. While acknowledging this might take a few years, Ms. Smith proposed issuing a temporary access permit during this period to accommodate the school's needs until such plans are finalized. She emphasized that without plans for additional parking, the use of the LWDD right-of-way would continue to require annual permits.

Vice President Hill made a motion to authorize American Learning Systems, also known as American Heritage School, temporary use of the L-36 Canal right-of-way for parking during three annual events—approximately in October, March, and June. The motion included a requirement for the school to provide liability coverage with a minimum limit of \$5 million and an annual permit fee of \$500 for a five-year period.

The motion was made by Vice president Hill and seconded by Supervisor Phipps and approved unanimously.

STAFF REPORTS

8. Executive Director's Report

Mr. Strowd reported on the recent National Hurricane Center (NHC) forecast for INVEST 99L. The NHC projected that INVEST 99L could develop into Tropical Storm Sara within the next few days. The NHC's tropical models indicated that a tropical system would likely form, eventually moving north into the Central Gulf of Mexico and then northeastward across the Florida peninsula the following week. At the peak of the storm, wind speeds could approach Category 3 hurricane force. The projected rainfall within the Lake Worth Drainage District (LWDD) was expected to range between 2 and 4 inches over a ten-day period. He indicated that staff will be watching the storm forecast as it develops. A copy of the report is attached as a part of the meeting minutes.

Ms. Walker noted that staff is preparing to solicit bids for several budgeted items, including the roof replacement for the chemical building, construction of a separate office building near the warehouse, and the replacement of the gate at Control Structure 14. These bids will be advertised, with approval expected at the next board meeting. Additionally, Sandra will be working on advertising the board meeting dates for 2025. A list of these dates was provided a couple of months ago, and the scheduling and advertising of the annual landowners' meeting will proceed as planned.

Ms. Walker also highlighted that there will be one election at the Annual Landowners' Meeting in January for Sub-District 1, which is currently represented by Sr. Vice President Alderman. She announced that Alderman has submitted his intent to run for re-election. She also announced that other interested candidates must submit notice of their intent to run before the end of the December 11, 2024 board meeting.

Ms. Walker announced that the scheduled outreach update will be provided at the December 11, 2024 board meeting as Ms. Rayman was delayed in traffic.

9. District Counsel's Report

District Counsel Mark Perry reported that notice was received by 13th Floor that they wished to exercise the option to extend the closing for Boca Station by nine months. This extension will provide sufficient time to obtain all necessary governmental approvals. The parties are currently in the process of securing approvals with the City of Boca, and it is expected that the closing will occur on or before August of next year. He stated that LWDD was in receipt of the non-refundable deposit as per the purchase agreement.

10. Board Reports & Comment

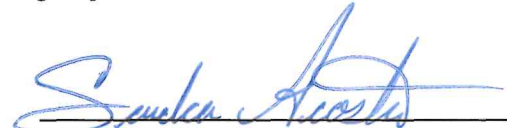
No additional reports or comments.

11. Adjourn

There being no further business, the meeting adjourned at 9:08 A.M.



President – Stephen Bedner



Recording Secretary – Sandra Acosta