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DELRAY BEACH, FLORIDA 33484-1105

Board of Supervisors
James M. Alderman
Stephen Bedner
Jeffrey P. Phipps, Sr.
Harry Raucher
John I. Whitworth III
Executive Director
Tommy B. Strowd, P.E.
Attorney
Mark A. Perry, P.A.

June 22, 2021

The Honorable Dave Kerner
Palm Beach County Board of County Commissioners
301 North Olive Avenue, Suite 1201
West Palm Beach, FL 33401

Dear Mayor Kerner:

On behalf of the Lake Worth Drainage District (LWDD) Board of Supervisors, please find attached **LWDD Resolution 21-02** directing that all revenues generated from the sale of development rights on LWDD-owned fee simple property in the Agricultural Reserve be directed to capital projects for the sole purposes of advancing our agency's mission of flood control, water supply protection and hazard mitigation.

Recognizing the potential threats to our region's freshwater supply related to a potential revised Lake Okeechobee regulation schedule, impacts from climate change and an aging flood control infrastructure, LWDD has already initiated efforts to harden and automate our water control system and to investigate additional water storage opportunities, specifically via Aquifer Storage & Recovery (ASR) wells. The funds derived from the sale of development rights will allow LWDD to continue these efforts.

Additionally, the resolution affirms my commitment to not pursue the sale of additional development rights in the Agricultural Reserve apart from the units approved by the Palm Beach County Commission on May 5, 2021.

We look forward to continuing our partnership with the County to identify and implement solutions to our region's water resource challenges.

Sincerely,

A handwritten signature in blue ink, appearing to be "Tommy B. Strowd", written over a horizontal line.

Tommy B. Strowd, P.E.
Executive Director & District Engineer

c: Palm Beach County Board of County Commissioners
Lake Worth Drainage District Board of Supervisors

Attachment

LAKE WORTH DRAINAGE DISTRICT RESOLUTION NO. 2021-02

A Resolution of the Board of Supervisors of the Lake Worth Drainage District (LWDD) directing that all revenues generated from the sale of development rights on LWDD-owned fee simple property in the Agricultural Reserve be directed to capital projects for the sole purposes of advancing the District's flood control, water supply protection and hazard mitigation mission.

WHEREAS, the Lake Worth Drainage District (LWDD) is a public body and political subdivision of the State of Florida, created pursuant to the General Drainage Laws of 1913 and currently operating under Chapter 2009-258 and amendments thereto and Chapter 298, Florida Statutes; and

WHEREAS, LWDD is responsible for comprehensive local flood control, regional water supply protection and emergency response and hazard mitigation for close to 800,000 residents and 10,000 acres of agricultural land in southeastern Palm Beach County; and

WHEREAS, LWDD manages an extensive infrastructure, which includes 500 miles of canals, 1,000 miles of associated rights-of-way and 20 major water control structures; and

WHEREAS, for more than a century, the LWDD has adapted to serve south Florida's changing urban and rural landscape by planning and mitigating for the impacts of population growth and climate change on water resource management and diligently maintaining the extensive flood control system, implementing new water management technologies and adding new structures to serve communities; and

WHEREAS, the resources to carry out daily management and maintenance of flood control and water management infrastructure, as well as necessary upgrades and replacements, are limited to an annual tax levy on property owners within the LWDD boundaries and, at present, that levy is \$49.50 per acre or portion thereof; and

WHEREAS, LWDD owns approximately 600 acres in fee simple within the established Agricultural Reserve, a 22,000-acre area of unincorporated Palm Beach County land lying between Hypoluxo Road on the north, Clint Moore Road on the south, Florida's Turnpike on the east, and the Arthur R. Marshall Loxahatchee National Wildlife Refuge on the west; and

WHEREAS, of those 600 acres owned by the LWDD, approximately 313 acres are adjacent to current preservation parcels and carry development units; and

WHEREAS, an independent appraisal established the value of each acre or development unit at \$65,000 and the total value of the 313 acres at approximately \$20 million; and

WHEREAS, the Board of Supervisors determined that the sale of these development rights on 313 acres could generate essential revenue to address threats to the region's freshwater supply related to a potential revised Lake Okeechobee regulation schedule, impacts from climate change and an aging flood control infrastructure in need of costly upgrades; and

WHEREAS, a formal Request for Bid (RFB) was publicly advertised to invite any and all interested buyers to submit a bid to purchase LWDD development units; and

WHEREAS, G.L. Acquisitions Corporations (G.L. Homes) was the sole respondent to the RFB, submitting a bid of \$70,000 per unit or \$21,910,000 for 313 units and the LWDD Board of Supervisors awarded the bid to G.L. Homes at its public meeting on June 10, 2020; and

WHEREAS, the LWDD undertook extensive due diligence on the sale and participated in the necessary process to obtain approval from the Palm Beach County Commission on May 5, 2021 for the use of the development rights consistent with the County's own blueprint for future land use; and

WHEREAS, the LWDD Executive Director has publicly stated that this sale of development rights is for the sole purpose of generating revenue for mission critical capital improvement projects and that the District will not pursue the sale of additional units in the Agricultural Reserve; and

WHEREAS, those mission critical capital improvement projects, include: replacement or refurbishment of water control structures and infrastructure to enhance and maximize response to flood and drought events; development of a comprehensive water resource model capable of informing the system improvements and operations needed to address changes in land use and future climate change impacts; enhancements to the Telemetry/SCADA system to improve the agency's ability to serve the community and address the impacts of climate change and inclement weather systems; rehabilitation and hardening of over 500 miles of canal rights-of-way, fundamental to preserving critical water conveyance functions; and hazard mitigation to enhance recovery from storm and drought events; and

WHEREAS, those mission critical capital improvement projects also include participation in regional water supply and quality projects, which are a cornerstone of the water supply guarantees embedded in the Comprehensive Everglades Restoration Program (CERP), and which are increasingly becoming the responsibility of local governments as CERP projects originally anticipated and planned for in Palm Beach County become "de-authorized" by the Federal and State sponsors of CERP and will therefore not be supported by federal and state funds.

NOW THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the Lake Worth Drainage District (LWDD) hereby directs that all revenues generated from the sale development rights on LWDD-owned fee simple property in the Agricultural Reserve be used for the capital projects stated herein and for the sole purposes of advancing the District's flood control, water supply protection and hazard mitigation mission.

This Resolution **passed** and **adopted** at the regular monthly meeting of the Board of Supervisors of the Lake Worth Drainage District this 9th day of June 2021.

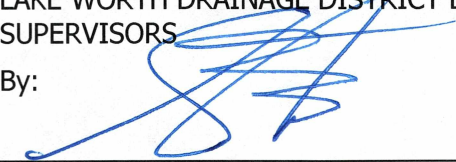
ATTESTED:



Reagan Walker
Recording Secretary

LAKE WORTH DRAINAGE DISTRICT BOARD OF
SUPERVISORS

By:



Stephen Bedner, President