

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT  
BOARD OF SUPERVISORS  
MINUTES

Date: February 16, 2021  
8:00 A.M.

Held at  
8756 Boynton Beach Boulevard, Suite 2100  
Boynton Beach, Florida 33472

**1. Roll Call**

The meeting was called to order by the Chair, Chuck Walsey, at 8:00 A.M.

The Secretary then called the roll, and noted that all Supervisors except Rich Elsner were present.

In Attendance:

*Board Members:* Chuck Walsey, Pamela Duhaney, Larry Portnoy and Don Johnson  
*District Engineer:* Alan Wertepny  
*District Attorney:* Peter Breton  
*Operations Manager:* Robert Poyner, RLP Property Services, Inc.

**2. Approval of Agenda**

After a motion by Supervisor Johnson and second by Supervisor Portnoy, the Board unanimously approved the Agenda.

**3. Approval of Minutes**

By motion by Supervisor Johnson and second by Supervisor Portnoy, the Board unanimously approved the minutes of the Board of Supervisors' Meeting of January 19, 2021.

**4. Engineer's Report**

The District Engineer distributed his written report (copy attached).

The Engineer said that Pontano still needs to submit a mutual agreement for the pump and a water use agreement. Bobby Poyner said he should have drafts next week. All fees have been paid.

On Santa Rosa Groves, he reported that they are moving forward with the activation of an ITID unit of development. The next step will be to draft a water management plan. Larry Portnoy said that there was a meeting last week of ITID's executive director and engineer with him and Bobby Poyner. Attorney Breton and ITID's attorney attended by Zoom. Bobby Poyner said that Eric Mitchell told him that some landowners are going to meet to challenge the court ruling on the easements. Bobby Poyner said SRG asked him if they could put in a drain pipe and riser. There is some question of their legal right to put it in since ITID now has the easements. The Engineer recommended that we take the position that they need ITID's permission. Bobby Poyner then noted that some landowners in Section 32 are clearing brush from the canal bank on the west side of the section. He said that he will need to clean up that bank since it is in the canal easement, but is concerned that burning the brush could be a problem. Larry Portnoy explained that the canal bank is outside the District and is owned by the individual owners. The District does not own the fee, but it is subject to the mutual easement for the canal. The attorney said we can send a demand letter to anyone who is disturbing the canal bank or putting debris in the canal to cease and desist interfering with the easement. Bobby Poyner said we should clean up the banks sooner rather than later before there are a lot of occupants. Chuck Walsey recommended discussing this with ITID. Larry Portnoy said that best case it will be a year before the water management plan is in place with ITID. There is uncertainty over whether ITID will take responsibility for

the canal bank maintenance. Bobby Poyner said that if the District does anything in SRG, the west side of the section is the most important. However, he said that the Corbett is more pressing. He will do the five day trial clearing of the Corbett and let the Board know how far he gets.

**5. Operations Manager's Report**

The Operations Manager discussed his written report, a copy of which is attached.

He reported that the repairs along the Corbett area to stop the water inflows have been completed.

He reported on the range of costs for clearing and earthwork for the Moss Property/Corbett. He showed pictures describing the work.

He reported on a fuel spill at the Costa pump. He does not know how many gallons. The spill was contained and is being removed. Costa will report the spill as required. He will bill Costa for the cost of the absorbent pads he obtained for them. He said it was an old fuel line that broke due to vibrations. The fuel tank was protected but the break was in the fuel line at the motor.

He asked whether the District can require FPL as a permit condition that it clean their 3 miles of canal banks. The Board said this should be a condition when the time comes.

**6. Treasurer's Report**

The Treasurer reported that as of the end of January the bank account had \$483,000. He said he paid down \$10,000 on the bank line of credit, leaving a principal balance of \$15,000.

**7. Attorney's Report**

The Attorney had nothing additional to report.

**8. Comments by Supervisors**

There were no further comments by Supervisors.

**9. Comments by Public**

There were no members of the public present.

**10. Announcement of Next Meeting Date**

The Chair announced that the next meeting would occur on March 15, 2021 at 8:00 A.M. at 8756 Boynton Beach Boulevard, Suite 2100, Boynton Beach, Florida 33472.

**11. Adjournment**

The meeting was adjourned at 8:45 A.M.

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Charles C. Walsey, Chair

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Peter L. Breton, Secretary

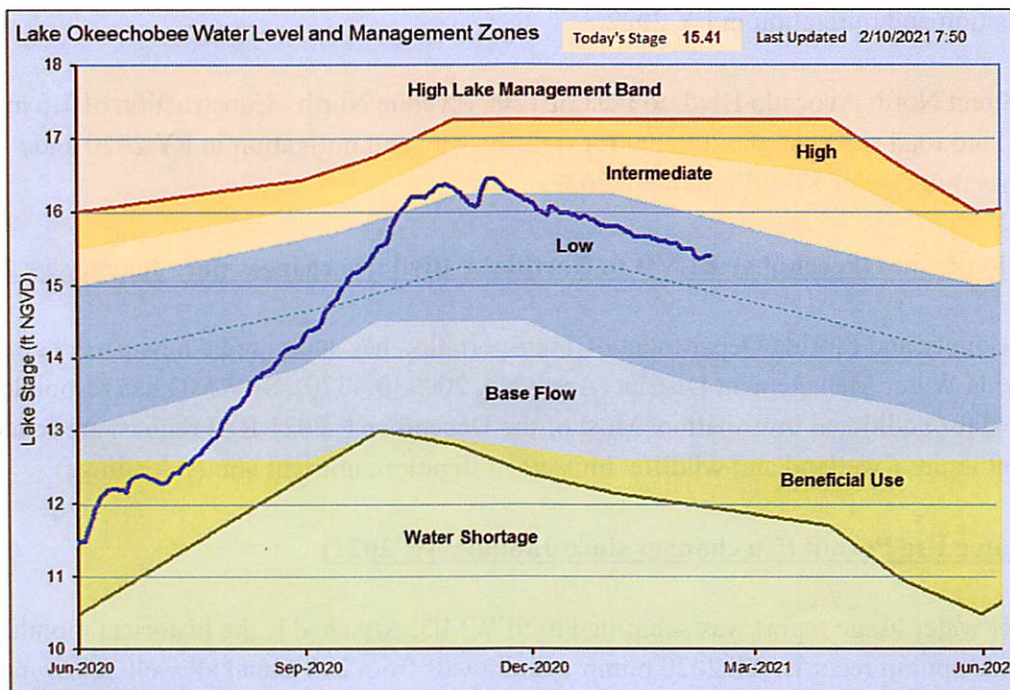
**Cypress Grove Community Development District  
District Engineer's Report  
February 16, 2021**

**Lake Okeechobee System Operating Manual (No changes since January 19,2021)**

On November 12, 2020, the Palm Beach Post published an article on concerns by water utilities, farmers, and Seminole Tribe of Florida that the proposed Everglades Agricultural Area (EAA) reservoir in western Palm Beach County and South Florida Water Management (SFWMD) proposed reservation rule for the reservoir does not take into account existing legal users that rely on Lake Okeechobee for water supply. The amount of water potentially reserved for EAA reservoir from Lake Okeechobee could harm other users. Tentatively SFWMD reserved some time at its December 10, 2020 Board meeting for a hearing. At the December 10, 2020 SFWMD Board meeting the staff presented amended changes to the EAA Reservation Rule that incorporated existing legal water users concerns and allowed the EAA Reservation Rule to move forward which will expedite construction of the EAA Reservoir (240,000 acre-feet of storage). The SFWMD unanimously approved the amended rule. All stakeholders participating in the public meeting were supportive of the SFWMD staff and Board.

**Current Lake Okeechobee Water Levels**

**On February 10<sup>th</sup>, 2021, the Lake level was at 15.41 Feet NGVD. The one- year graph of the Lake Okeechobee water level and the low management zone. The current level is 3.4 feet above the water shortage zone. There we no reported release from the Lake. L-8 stage at West Palm Beach M Canal was at 15.5 Feet NGVD.**



**County Five Year Road Program Fiscal Year 2020 – FY 2024 (No changes since January 19, 2021)**

On December 22, 2021, the Palm Beach County Commissioners adopted an ordinance to amend the 5-year roadway plan. The first three items below is the status of local roadway project on the County's October 8, 2020 critical 5- year road program projects. The remaining three items below are on the County's adopted 5- year roadway plan.

Seminole Pratt Whitney Rd. widening from 2 to 4 lanes from Orange to south of Northlake Blvd (1.8 miles) at an estimated construction cost of \$10.7 million with an estimated beginning date of construction of 1/4/21.

Seminole Pratt Whitney & Northlake Blvd. intersection improvements at an estimated construction cost of \$5.41 million with an estimated beginning date of construction of 1/4/21.

Northlake Blvd East of Seminole Pratt Whitney Road east to Hall Blvd widening from 2 to 4 lanes (1 mile) at an estimated construction cost of \$7.5 million with an estimated beginning date of construction of 6/7/21.

Northlake Blvd east of Hall Blvd. to Coconut widening from 2 to 4 lanes (2.4 miles) at an estimated construction cost of \$6.6 million with construction beginning in 2021.

60<sup>th</sup> Street North West of 140<sup>th</sup> Avenue to Avocado Blvd. Study, cost of \$1.6 million, design and right-of-way acquisition for a 3-lane road in FY 2020 and \$100,000 for study, right-of-way acquisition and mitigation in FY 2022.

60<sup>th</sup> Street North Avocado Blvd. to East of 120<sup>th</sup> Avenue North. Construction of 1.6 miles of three land road at a cost of \$200,000 for right-of-way and mitigation in FY 2020 and construction cost of \$7 million in FY 2022.

**SR 7 Extension from Okeechobee BLVD to Northlake Blvd (No changes since January 19, 2021)**

Palm Beach County and Florida Department of Transportation has submitted a new permit application to South Florida Water Management District (Appl. No. 200930-4370). SFWMD has responded with its first request for additional information. Most of the December 1, 2021 RAI request are related to environmental issues ( wetland and wildlife impacts, mitigation, nutrient annual loadings).

**SFWMD Water Use Permit (No changes since January 19, 2021)**

Fourth quarter water usage report was submitted to SFWMD. Attached is the historical monthly and annual water use pump records. All 2020 pump withdrawals from L-8 Canal all well below monthly and annual allocations.

## Section 29 CGCDD Permits

**Orsenigo (ID 7)** - Water Use Agreement for 118.4 acre finalized and irrigation permit processed. Bobby is coordinating remaining items for permit requirements (1) pumps calibration, (2) obtaining a **recorded mutual easement agreement** among Orsenigo, Pantano, Costa (Pavilo ID-9), and anyone else whose land the ditch will pass through and an agreement that provides for the cost sharing and operation and maintenance responsibility for the pumps, and (3) **permit fees for activities to date.**

**Pontano (ID 21)** - Needs a Water Use Agreement for the 22 acres and water use allocation (3.06MG/M and 15.37MG/Y . No Irrigation connection permit needed. Bobby following up.

## Loxahatchee River Restoration Local Initiative

**The Water Resources Development Act of 2020 (WRDA2020) was passed by Congress as part of an omnibus appropriations and authorization act and signed by the President on December 27, 2020. WRDA2020 included authorization of the Loxahatchee River Watershed Restoration Project.**

## Indian Trail Improvement District Moss Property Pilot Pumping Project

Draft Agreement prepared by ITDD and under review by Board. Larry requested an estimate to berm the Moss Property adjacent to CGCDD west perimeter north of our primary outfall (+/-3,400 feet). Estimates cost for clearing and earthwork obtained from LWDD and ITID range from \$50,000 to \$680,000. Cost estimates depends on density of vegetable, disposal method for vegetation, height of dike and dimensions and extend of canal rehabilitation. Bobby will be reconstructing one of our heavily vegetated canal banks adjacent to the Moss property which will serve as an estimate.

## Website Update

The cgcdd.org website has been updated with the minutes for the January 19, 2021 meeting and agenda for the February 16, 2021 meeting.

# Cypress Grove Community Development District

## Operations Report

2/16/21

- On February 15, 2021 the offsite L-8 Canal elevation at the North Pump was 15.3 and the onsite elevation was 17.9 The South Pump offsite elevation was 15.3 plus and the onsite elevation was 17.9 Lake Okeechobee water level is 15.42 January level was at 15.64
- Canals- Aquatic herbicide in progress & canal bank spot treatment of Florida Holly.
- 1<sup>st</sup> Quarter pump reports due 4/1/21
- Repair canal Corbett. (North Canal) COMPLETE
- Costa Farms, Orsenigo Farms & Pontano Farms water use & permitting. Pump relocation.
- Fuel tank inspection. There are no leaks and tanks are working properly at this time. We had 7000 gal of fuel delivered on 7/21/20 and have used 3400 gal since delivery.
- Capital Improvement Projects and estimated cost.
  1. West Canal phase 2. 6000 feet
  2. Repair breaks in canal banks from Corbett water & FPL. (North Canal Complete)
  3. Long reach in September. South canal, N&S canal at pump stations. Estimate \$9000.00
  4. Install 20 feet of 72 inch pipe NW corner section 30 Estimate \$3500.00
  5. Burn Brush Sec 29 canal bank. Estimate \$800.00 (Complete)
  6. Remove Trees canal bank N. main canal. Estimate to remove \$6000.00 Disposal??
  7. Remove brush & reshape canal bank south pump. Estimate \$5500.00
  8. Clean canal bottom east side section 30&31. Estimate \$12000.00
  9. Close canal SE corner section 34. Estimate \$3500.00
  10. Replace 60 feet of 72 inch pipe at 59<sup>th</sup> & Carol Street. Estimate \$14000.00
  11. Canal bank maintenance between sections 29&32. Estimate \$5000.
  12. Replace 40 feet of 72 inch pipe center road section 20&21. 20ft of pipe needed. Estimate \$7000.00

New pump replacement. Option 1. \$37,644.00 Option 2. \$45,233.00

Future projects clean both sides of district canal banks.

- Santa Rosa 48 inch pipe section 31 east side. (Drainage request) Clean canal banks.
- Corbett canal bank maintenance required. (WEST CANAL SECTION 30&31&19) Taking water from Corbett section 30 west canal.
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- FPL update. (Solar Panels are being installed.) (Conditions of next permit)
- ITID flooding of Moss property. ITID & FPL road easement & ownership. (Carol Street & Louise) L-8 picture discussion.
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- Hundley Farms install new drainage pipe under 59<sup>th</sup>.
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