

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT  
BOARD OF SUPERVISORS  
MINUTES

Date: July 17, 2023  
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 Chair Walsey at 8:03 A.M.

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

In Attendance:

*Board Members:* Charles Walsey (by speakerphone), Larry Portnoy, Pam Duhaney, and Pat Fogarty.  
*District Engineer:* Alan Wertepny  
*District Attorney:* Peter Breton (via Microsoft Teams)  
*Operations Manager:* Robert Poyner, RLP Property Services, Inc.

**2. Approval of Agenda**

After a motion by Supervisor Duhaney and second by Supervisor Fogarty, the Board unanimously approved the agenda.

**3. Approval of Minutes**

After a motion by Supervisor Fogarty and second by Supervisor Duhaney, the minutes of the Board meeting of June 19, 2023 were unanimously approved.

**4. Engineer's Report**

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

**5. Operations Manager's Report**

The Operations Manager distributed his written report (copy attached).

**6. Treasurer's Report**

The Treasurer reported that the bank balance at the end of June was approximately \$234,000 and that he is forecasting that there will be sufficient funds to carry the District to the end of the calendar year.

The Treasurer instructed the Attorney to include the strip of land that FPL deeded to Indian Trail Improvement District last year in the non-ad valorem assessment roll for FY 2023-2024. The Attorney gave a brief explanation of how the assessment roll is prepared and checked for discrepancies. He said that the amount attributable to the ITID parcel is slightly less than \$1000.

**7. Attorney's Report**

The Attorney reminded the Board that the August 21st 2023 meeting will include a public hearing to give final approval to the annual budget for FY 2023-2024 and the non-ad valorem assessment rate. He said that he has placed the order for the newspaper notices for the hearings and is preparing the letters to the individual landowners. He said that it is essential to have a quorum of at least three supervisors present in person for the meeting.

8. **Comments by Supervisors**

There were no additional 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 August 21, 2023 at 8:00 A.M. at 8756 Boynton Beach Boulevard, Suite 2100, Boynton Beach, Florida 33472.

11. **Adjournment**

Upon motion by Supervisor Portnoy, seconded by Supervisor Duhaney, the meeting was adjourned at 8:20 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  
July 17, 2023**

**Lake Okeechobee System Operating Manual (LOSOM) No revisions since June 2023**

Lake Okeechobee System Operating Manual.

The U.S. Army Corps of Engineers (USACE) is in the process of completing its re-evaluation of Lake Okeechobee operating schedule.

Activities to finalize LOSOM include:

- Release of LOSOM Draft Environmental Impact Statement (EIS)... July 27, 2022
- Public Comment on EIS due..... September 12,2022
- New LOSOM Schedule adoption .....in 2023

On March 1, 2023, National Marine Fisheries. A division of NOAA requested an formal biological review of the impact of LOSOM, as currently drafted, on red tide on Florida's west coast. The request pushed back the expected date of implementation from June 2023 to December 2023.

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**Loxahatchee River Restoration (No revisions since September 2022)**

On August 18, 2022, South Florida Water Management District (Jennifer Leeds) provided and update to the Palm Beach County Water Resources Task Force the Projects Status Included:

Tasks Completed:

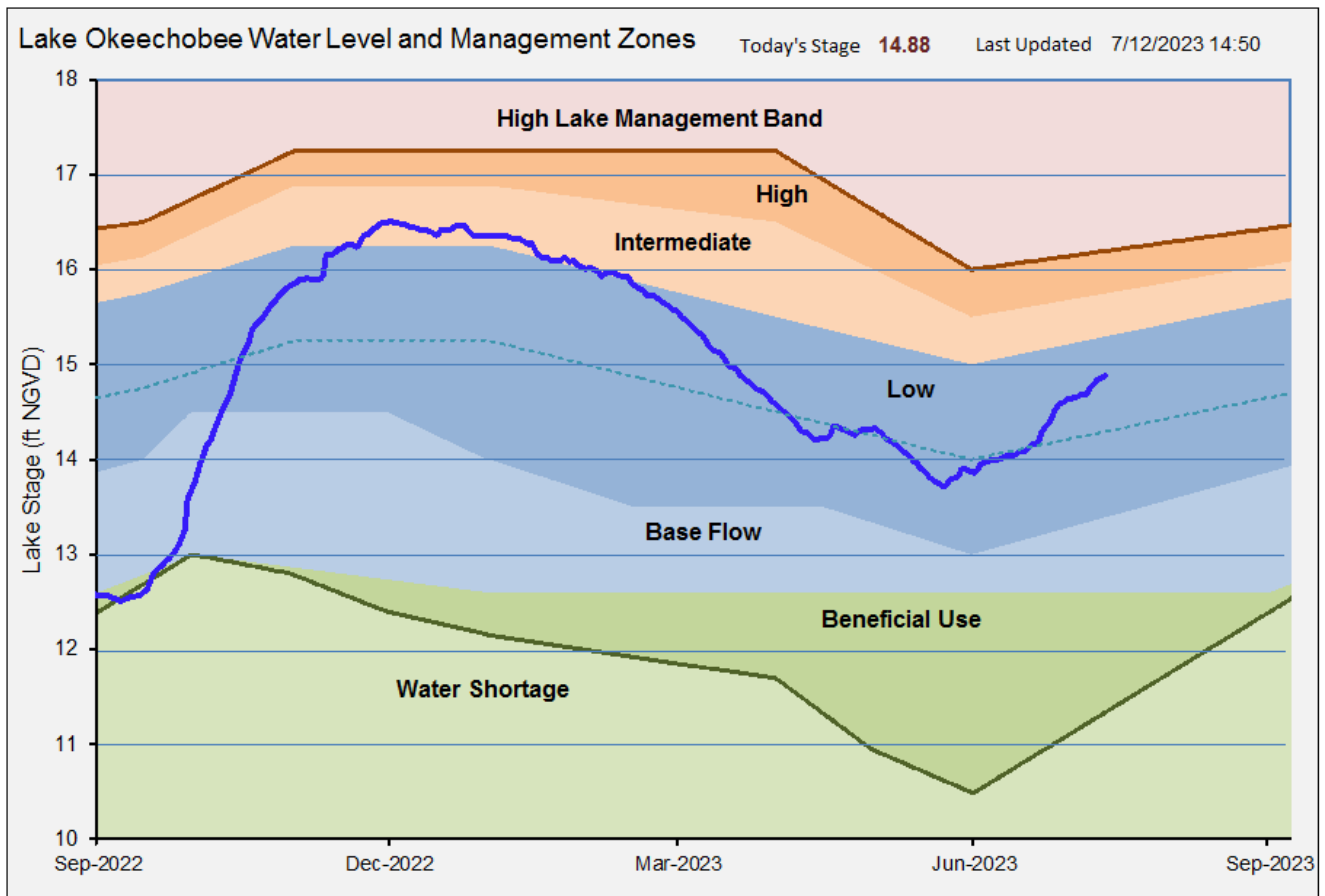
- Project authorized by Congress – Water Resources Development Act 2020
- Restricted Allocation Area (RAA) rulemaking – June 2022
- Pre-partnership Credit Agreement (PPCA) – July 2022

Tasks Underway:

- Update Integrated Delivery Schedule (IDS) – October 2022
- Execute Project Partnership Agreement (PPA) – June 2023 Flow-way 2
- Agreements and stakeholder engagement – Ongoing
- Execute design contract for C-18W Impoundment – December 2022

## Current Lake Okeechobee Water Levels

On June 12, 2023, the Lake level was at 14.9 Feet NGVD. The one-year graph of the Lake Okeechobee water level is within the Low Zone (Approximately 3.4 feet above the Water Shortage Zone). Reported release from the Lake are west into the Caloosahatchee River and south into the L-8 Canal. The L-8 Canal stage at West Palm Beach M Canal was at 15.0 feet NGVD.



## SR 7 Extension from Okeechobee BLVD to Northlake Blvd (No revisions since November 2022)

The City of West Palm requested an administrative hearing on SFWMD permit for SR7 Extension. This hear has been delayed and has not been rescheduled.

## **County Five Year Road Program Fiscal Year 2023 – FY 2027 (No major revisions since January 2023)**

On December 20, 2022, the Palm Beach County Commissioners adopted an ordinance to amend the 5-year roadway plan. The first four items below are the status of local roadway project on the County's December 9, 2022, 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 is February 2022. Right-of-way staking and clearing of vegetation completed. **Construction of the drainage system is underway south of Northlake Blvd.**

Seminole Pratt Whitney & Northlake Blvd. intersection improvements at an estimated construction cost of \$5.41 million with an estimated beginning date of February 2022. **Construction of the drainage system is underway.**

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 construction date of August 2022.

Northlake Blvd east of Hall Blvd. to Coconut widening from 2 to 4 lanes (2.4 miles) at an estimated right-of-way acquisition and construction cost of \$7.0 million. Construction beginning in August 2022.

60<sup>th</sup> Street North from Avocado Blvd. to East of 120<sup>th</sup> Avenue North. The construction cost is estimated to be \$7 million for 1.6 miles of a three-lane road in FY 2024.

60<sup>th</sup> Street North from west of 140<sup>th</sup> Avenue to Avocado Blvd. An estimated cost of \$ 0.5 million for design, right-of-way acquisition and mitigation for 0.8 miles of a three-lane road in FY 2025.

60<sup>th</sup> Street North from Seminole Pratt Whitney Road to 140<sup>th</sup> Street Avenue North. An estimated cost of \$ 0.50 million for design of 2.7 miles of a 4-lane road in FY 2026.

## **SFWMD Water Use Permit**

**The second quarterly report is due to SFWMD. Bobby is assembling the hard copy files for processing by Mock Roos.**

## **SFWMD Proposed Rule 40E-7 Canal Management Plan for Vegetation, Trash and Debris (No Revisions since June 2023)**

SFWMD held a second public workshop on their proposed regulatory process of requiring a written Vegetation and Debris Management Plan (documenting practices/schedule) and retainage of records of implemented vegetation and debris management activities. In a letter dated May 24, 2023, the Florida Association of Special District provided comments on the proposed program. FASD raised the following issues:

1. Lack of a list, map, GIS layer, database or some other identifying criteria of areas that are and are not subject to the proposed rules.
2. Allowance for a time extension for implementation for budgeting, procurement, contracting, and/or updating water control plans.
3. Concerning increased costs for special districts.
4. Appears to be duplication of similar requirements already incorporated in other District regulatory criteria. Expand exemptions to include existing regulatory programs.

## **FPL Silver Palm and Sable Palm Solar Facilities.**

**FPL contractor is proceeding with construction of the drainage modifications. Booby is continuing to coordinate with FPL and their contractor for the clearing and removal of the h, vegetation along CGCDD canal easements adjacent to Silver Palm (Section 28-north, east and south sides). He is also coordinating the construction of the drainage control structure riser modifications for Sable Palm. We are still waiting on FPL to reactivate discussions for an easement to CGCDD easement at the northeast corner of Carol St. and Louise St.**

## **Section 29 Pontano**

**A copy of the signed Water Use Agreement by Pontano is attached. Finalization requires CGCDD signatures.**

## **Indian Trail Improvement District Moss Property Pilot Pumping Project (No revisions Since November 2022)**

## **Cypress Grove CDD Maps and Exhibits ( No revisions to the documents since June 2023)**

In the first week of June, I provide Pam with maps, exhibits and information on the Cypress Grove CDD. These documents included a Boundary Map, Survey Exhibit with the Easements, Infrastructure Locations, Canal Maintenance Map, Water Use Permittees Exhibit, and a Fact Sheet covering drainage permits and outfall structure information.

## **Website Update**

**The cgcdd.org website has been updated with the minutes of the June 2023 meeting and July 17, 2023, agenda.**

# Cypress Grove Community Development District

## Operations Report

7/17/23

- On July 16, 2023 the offsite L-8 Canal elevation at the North Pump was 15.2 and the onsite elevation was 16.8 The South Pump offsite elevation was 15.2 and the onsite elevation was 16.8 Lake Okeechobee water level is 14.88 June level was at 14.12
- Canals- Aquatic herbicide in progress & canal bank spot treatment of Florida Holly.
- Pump reports due July.
- Side Mowing ongoing.
- Pontano Farms water use. Received signed permit.
- Fuel tank inspection. There is a small leak and tanks are working properly at this time. We had 7018 gal of fuel delivered on 3/8/23 and have used 3900 gal since delivery. (Pump Repair Needed)
- Capital Improvement Projects and estimated cost.
  - 1.
  2. Marie Ct. Clear & reshape canal banks. (Approx 1 mile.)
  3. Rip Rap reshape canal banks N/S pump stations. (South station started)
  4. Remove brush west canal bank section 29. (Estimate \$15,000.00)
  5. Long reach summer maintenance \$17,500.00 (Reduced \$7500.00)
  - 6.
  - 7.
  8. Clean canal bottom east side section 30&31. Estimate \$12000.00
  9. Close canal SE corner section 34. Estimate \$3500.00
  - 10.
  11. Pump replacement original north pump. Option 1. 37,644.00 Option 2. \$45,233.00
  12. Replace 40 feet of 72 inch pipe center road section 20&21. 20ft of pipe needed. Estimate \$7000.00



Future projects clean both sides of district canal banks.

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- ITID Review CDD & SRG projects.
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- FPL easement Legum & Carol St. & CDD L-8 Easement update.
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- Projects to complete. (Repair canal bank east canal 21&22
- Water boom estimate \$3000.00 (GEI Works)
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