

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
MINUTES

Date: October 21, 2024
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 8:02 A.M.

The Secretary then called the roll and noted that all Supervisors were present.

In Attendance:

<i>Board Members:</i>	Charles Walsey, Rick Elsner, Pat Fogarty, and Pam Duhaney.
<i>District Engineer:</i>	Alan Wertepny (not present)
<i>Operations Manager:</i>	Robert Poyner, RLP Property Services, Inc. (via Microsoft Teams)
<i>District Manager:</i>	Michael McElligott, SDS, Inc. (via Microsoft Teams)

2. Approval of Agenda

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

3. Approval of Minutes

a. After a motion by Supervisor Fogarty and second by Supervisor Duhaney, the minutes of the Regular Board meeting of September 16, 2024, were approved **4-0** with no changes.

4. Consider Resolution No. 2024-06 – Adopting a Fiscal Year 2023/2024 Amended Budget

Mr. McElligott presented the fiscal year 2023/2024 Amended Budget to the Board. Mr. McElligott explained that this is more administrative and is look back at the year just ended, and is an item the auditors will check for. After a brief discussion by the Board, there was a **motion** made by Supervisor Elsner, with a second by Supervisor Fogarty, to approve resolution 2024-06, Adopting the Fiscal Year 2023/2024 Amended Budget, as presented. The motion passed **4-0**.

5. Engineer's Report

The District Engineer Alan Wertepny distributed his written report (copy attached). Mr. Wertepny informed the Board that the Core of Army Engineers has finalized the Lake Okeechobee operating manual. He also stated that currently the lake levels are a little high and they are releasing water. Mr. Wertepny stated that the reports for SFWMD are done for the 2nd quarter, and they are working on the 3rd quarter reports. Mr. Wertepny stated that he is looking into cost estimates and permitting issues for replacing / slip lining the pipes that have been discussed at the prior meetings. He is hoping to be able to discuss the cost more at the next meeting.

6. Operations Manager's Report

The Operations Manager Bobby Poyner distributed his written report (copy attached). He stated that he is still waiting on some cost estimates from vendors on slip lining those pipes. Supervisor Elsner asked Bobby where SFWMD released water into when it gets too high during the storm. Mr. Poyner said it went into the C-51. Mr. Poyner went over some of the recent water levels. He also mentioned they had done some recent canal spraying and mowing. He mentioned that the new riser boards at the north canal are

looking good. He also mentioned that they had not used any fuel recently, but they discovered that some water in the fuel. They had a service company come out and take care of it. Mr. Poyner showed some pictures of where someone keeps cutting through a berm to relieve water from a road. The Board discussed dropping in a culvert to prevent the berm getting cut and having to be repaired. There was also talk again about a pipe coming into the District in section 4. The consensus was that it was not hurting anything at the moment, so we will leave it alone and revisit it when we get closer to development.

7. Manager's Report

a. Financial Status

Mr. McElligott updated the Board on the financial reports sent to Supervisor Portnoy. There was some discussion, but no specific action needed from the Board.

b. Update on ITID Parcel Not on Roll

Mr. McElligott presented the email with the response from the CDD attorney, Mr. Johnson. After some discussion among the Board, the consensus was the legal cost to fight the county to get the parcel on the roll would outweigh the amount of assessments received. The plan is to discuss if it is worth going forward with trying to get an agreement with ITID at the next meeting when Supervisor Portnoy is present.

c. Other Items

Mr. McElligott just reminded the Board of the free ethics training videos on the SDSInc.org website. Annual ethics training needs to be done by the end of the calendar year.

8. Comments by Supervisors

There were no comments from the 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 November 18, 2024, at 8:00 A.M. at 8756 Boynton Beach Boulevard, Suite 2100, Boynton Beach, Florida 33472.

11. Adjournment

Upon motion by Supervisor Fogarty and second by Supervisor Duhaney, the meeting was adjourned at 8:37 A.M.

Charles C. Walsey, Chair

Pamela Duhaney, Secretary

Cypress Grove Community Development District Engineer's Report for October 21, 2024

Lake Okeechobee System Operating Manual (LOSOM)

The U.S. Army Corps of Engineers (USACE) finalized the Lake Okeechobee System Operating Manual (LOSOM) in August 2024, replacing the previous Lake Okeechobee Regulation Schedule (LORS). LOSOM incorporates key infrastructure improvements, including the rehabilitation of the Herbert Hoover Dike, the Kissimmee River Restoration Project, the C-43 West Basin Storage Reservoir, and the C-44 Reservoir and Stormwater Treatment Area, which are part of the Comprehensive Everglades Restoration Plan (CERP). These updates enable better management of water levels to improve flood protection, water quality, and ecosystem health while reducing harmful discharges to surrounding estuaries.

Loxahatchee River Restoration (No Changes since August 2024)

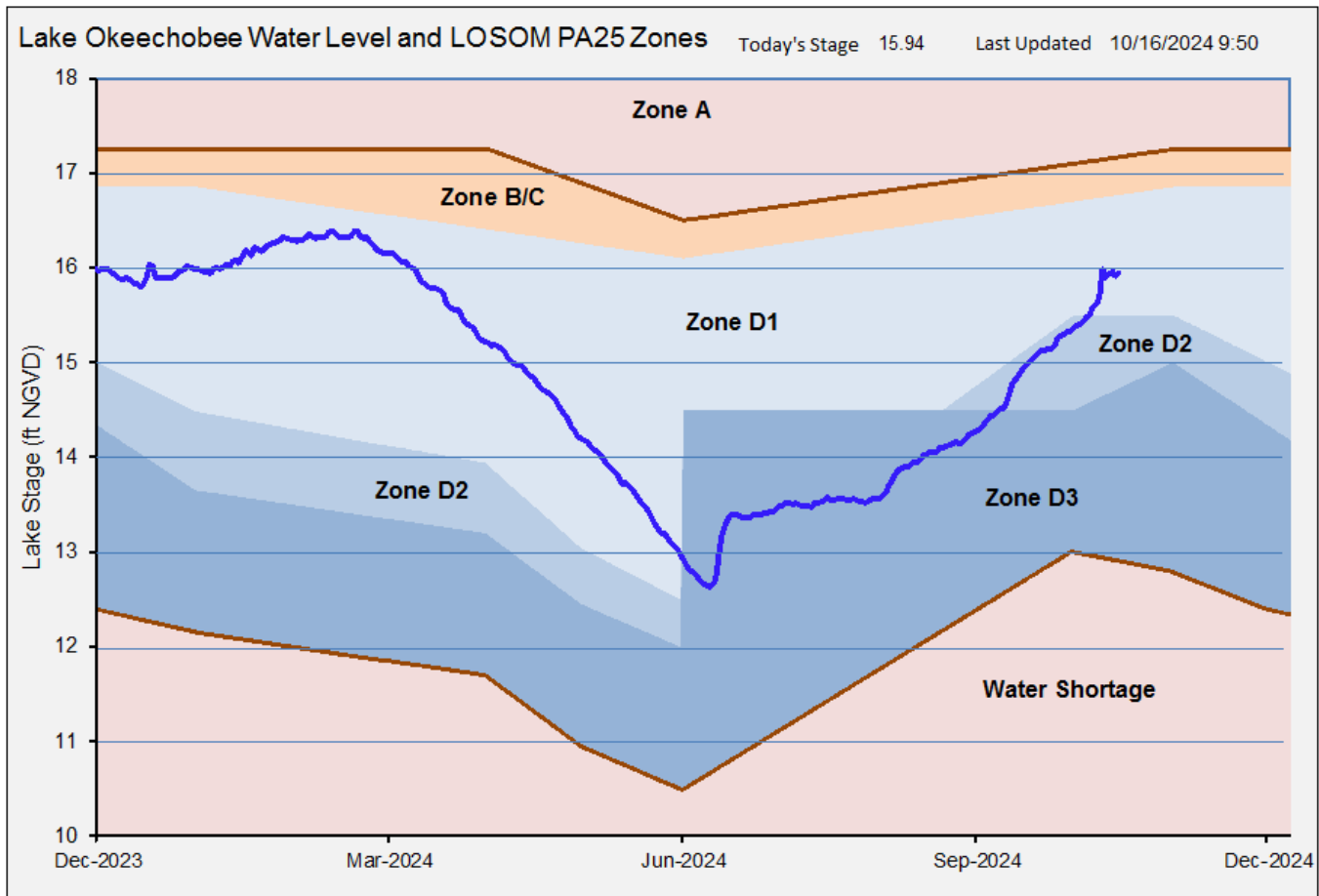
On May 16, 2022, U.S. Army Corps of Engineers (Tabitha Elkington) and South Florida Water Management District (Ana Carolina Maran) provided an update to the Palm Beach County Water Resources Task Force. Loxahatchee River Watershed Project Status included:

Update on 2022 IDS (Integrated Delivery Schedule)- Active and authorized design and construction.

- Divided into three Flow-ways. - Flow-way 1 (captures flows from ITID M-1 Basin are conveyed to CWPB M-Canal and then to C-18 Canal for delivery to the Loxahatchee River. Flow-way 2 (captures water from ITID M-1 Basin and JW. Corbett Wildlife Area and stores it in a Reservoir and ASR wells for delivery to the C-18W canal and Loxahatchee River. Flow-way 3 reduces over-drainage of lands in southern Martin County, restores water levels in wetlands and restores base flow to the NWFLR.
- Design is underway for all three Flow-ways.
- SFWMD is coordinating with ITID on components and issues with Flow-ways 1 and 2.
- Construction of the improvements is scheduled to begin in 2027 and completion in 2031-2032.

Current Lake Okeechobee Water Levels

On October 16, 2024, the Lake level was at elevation 16.9 feet NGVD. The Lake Okeechobee water level is approximately 3 feet above the Water Shortage Zone. Reported Lake releases are west to the Caloosahatchee River and south into L-8 Canal. The L-8 Canal stage at West Palm Beach M Canal was at elevation 15.5 feet NGVD.



SR 7 Extension from Okeechobee BLVD to Northlake Blvd (No updates since August 2024)

SFWMD Administrative Final Hearing on SR7 resumed on May 17 and May 20, 2024, with rebuttal testimony from FDOT experts and SFWMD and Sur-Rebuttal testimony from WPB experts. Items of disagreement included expected phosphorus and nitrogen concentrations in the discharge leaving the stormwater outfall north of Northlake Blvd and, groundwater flow modeling and water quality impacts on adjacent wetlands.

At the conclusion of the hearing the parties were given 90 days after the official transcript is filed to submit Proposed Recommended Orders for the judge’s consideration, after which the judge will issue her Recommended Order on the case.

County Five-Year Road Program Annual Update-Fiscal Year 2024 (No updates since August 2024)

The Palm Beach County Five Year Roadway Program has seven roadway improvement projects for three roads within the vicinity of our District. Seminole Pratt Whitney Road and Northlake Boulevard widening projects are underway. 60th Street North Improvements are projected to begin in 2025. Below is a listing of the seven segments of roadway improvements for these three roads.

- **Seminole Pratt Whitney Rd. from Orange Blvd to south of Northlake Blvd** widening from 2 to 4 lanes (1.8 miles) at an estimated construction cost of \$10.7 million.
- **Seminole Pratt Whitney & Northlake Blvd.** intersection improvements at an estimated construction cost of \$5.41 million.
- **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.
- **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.
- **60th Street North from Seminole Pratt Whitney Road to 140th Street Avenue North.** An estimated cost of \$ 0.50 million for design of 2.7 miles of a 4-lane road in FY 2026.
- **60th Street North from west of 140th 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.
- **60th Street North from Avocado Blvd. to East of 120th Avenue North.** The construction cost is estimated to be \$5 million for 1.6 miles of a three-lane road in FY 25 and FY26.

SFWMD Water Use Permit (No updates since August 2024)

The 2nd quarter water use report was submitted to SFWMD on July 3, 2024. Maximum Monthly usage for this three-month period averaged 70% lower than the maximum permitted monthly allocation.

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

In a letter dated May 24, 2023, the Florida Association of Special District provided comments on the proposed program. FASD raised the following issues:

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

regulatory criteria. Expand exemptions to include existing regulatory programs.

Cypress Grove Community Development District

Operations Report

10/20/24

- On October 19, 2024 the offsite L-8 Canal elevation at the North Pump was 15.2 and the onsite elevation was 17.6 The South Pump offsite elevation was 15.2 and the onsite elevation was 17.6 Lake Okeechobee water level is 15.98 September level was at 14.88
- Canals- Aquatic herbicide in progress & canal bank spot treatment of Florida Holly.
- 3rd QTR pump reports due.
- Side Mowing ongoing.
- Leak at North Canal Riser. (Repairs to 3 Riser boards completed 1 more to change out) (New risers boards needed to replace aging boards. 16 boards Total \$3800.00)(**COMPLETE**) (One additional leak to be repaired.)
- Fuel tank inspection. We had 6913 gal of fuel delivered on 5/17/24 and have used 2350 gal since delivery. (Repairs scheduled from prior vandalism. **COMPLETE**) Water in fuel tank scheduled to be removed.
- Capital Improvement Projects and estimated cost.
 1. Clean Canal Bottom Between Section 29 & 30.
 2. Remove brush west canal bank section 29. Estimate (\$12,000.00)
 3. Rip Rap reshape canal banks N/S pump stations. (South station started)
 4. Marie Ct. Clear & reshape canal banks. (Approx 1 mile)
 5. Long reach summer maintenance \$17,500.00
 6. Reshape canal banks section 28.
 7. Reshape & Remove Rock through CDD Canal Banks.
 - 8.
 - 9.
 - 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. (Patch is currently holding)

Future projects clean both sides of district canal banks.

- SRG horse waste.
- ITID Review CDD & SRG projects.
- Road Repairs & Drainage pipe 59th.
- Slip Line L8 Pipes
- Corbett Draining in to West Canal Section 19.
- Projects to complete. (Repair canal bank east canal 21&22
- Water boom estimate \$3000.00 (GEI Works)
- 59th & 208th Street canal bank vandalism.
- SFWMD district lowering L8 stages post storm.