

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
MINUTES

Date: February 19, 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 8:00 A.M.

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

In Attendance:

Board Members: Charles Walsey, Larry Portnoy, Pam Duhaney, and Pat Fogarty.
District Engineer: Alan Wertepny
Operations Manager: Robert Poyner, RLP Property Services, Inc.
District Manager: Michael McElligott, SDS, Inc. (via Microsoft Teams)

2. Approval of Agenda

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

3. Approval of Minutes

a. After a motion by Supervisor Duhaney and second by Supervisor Portnoy, the minutes of the Regular Board meeting of January 15, 2024, were approved 4-0 with no changes.

4. Engineer's Report

The District Engineer presented his written report (copy attached). Mr. Wertepny went over the Lake Okeechobee water levels and there was discussion of them doing some unloading. He discussed the updated hearing date of April 1 for SR 7. He discussed SFWMD pumping data, including 11 years of past data. Mr. Wertepny also discussed with the Board the issue of the vegetation building up behind the pump from FPL.

5. Operations Manager's Report

The Operations Manager distributed his written report (copy attached). He went over some of the recent water levels. He also went over some spraying and mowing they had recently been doing. Next Mr. Poyner discussed a leak at the north canal riser. He showed pictures to the Board. The hope is that it is just a bent board. Mr. Poyner said he should be able to check it out quickly to determine if that is the case. Mr. Poyner also described \$600 of repairs needed as related to vandalism at the shop and fuel tanks. He said they are working with the sheriffs and the sheriffs have been doing details at night. Mr. Poyner also updated the Board on the situation with the horse manure being stored too close to the canals. Sheriffs and code enforcement have been out. Mr. Poyner also updated the Board that he and Mr. McElligott got the letter to the County for FPL.

6. Treasurer's Report

a. Financial Status

There was some discussion that going forward the Managers report, and the Treasures Financial Status report can be combined into one agenda item going forward. Mr. McElligott updated the Board

that SDS now has access to the bank statements and has the bill pay set up, so we have officially started cutting checks. Mr. McElligott went over current balances which Mr. Portnoy pointed out sounded off. After some discussion Mr. McElligott said he would go back and look over the financial reports received by SDS, and the County assessment reports, that it is likely some deposits may have been double entered during this turnover period and that since SDS has not done the bank reconciliation yet for these turn over months it was not caught. Also, Mr. Portnoy brought up some payments to vendors that have not been made yet that SDS should have. Mr. McElligott said he would check with the AP department to make sure they have it and get it entered and paid quickly since these invoices are older. Mr. McElligott said he will try to have this all cleaned up for the next meeting. Mr. McElligott also let the Board know that we have received the engagement letter from the auditor so the audit should be under way soon.

7. Manager's Report

Mr. McElligott asked the Board what a typical timeframe is to do their proposed budget so that he may mark it in his notes. The consensus of the Board is that they usually do the proposed budget at the June meeting so the plan will be to do it at the June meeting this year.

8. Comments by Supervisors

There was some discussion about how best to do the process for the financial information. Supervisor Portnoy asked to receive a check register prior to the meetings going forward. Mr. McElligott said there should be no problem doing that going forward.

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 18, 2024, at 8:00 A.M. at 8756 Boynton Beach Boulevard, Suite 2100, Boynton Beach, Florida 33472.

11. Adjournment

Upon motion by Supervisor Duhaney and second by Supervisor Portnoy, the meeting was adjourned at 8:31 A.M.

Charles C. Walsey, Chair

Pamela Duhaney, Secretary

Cypress Grove Community Development District Engineer's Report for February 19, 2024

Lake Okeechobee System Operating Manual (LOSOM) No update on progress since September 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 adoptionin 2023

On March 1, 2023, National Marine Fisheries. A division of NOAA requested a 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.

The National Marine Fisheries Service (NMFS) missed their deadline of August 30, 2023, to complete its biological assessment. To date I have not found any media posted updates.

Loxahatchee River Restoration (No revisions since September 2022)

On August 18, 2022, South Florida Water Management District (Jennifer Leeds) provided an update to the Palm Beach County Water Resources Task Force. The Project Status included:

Tasks Completed:

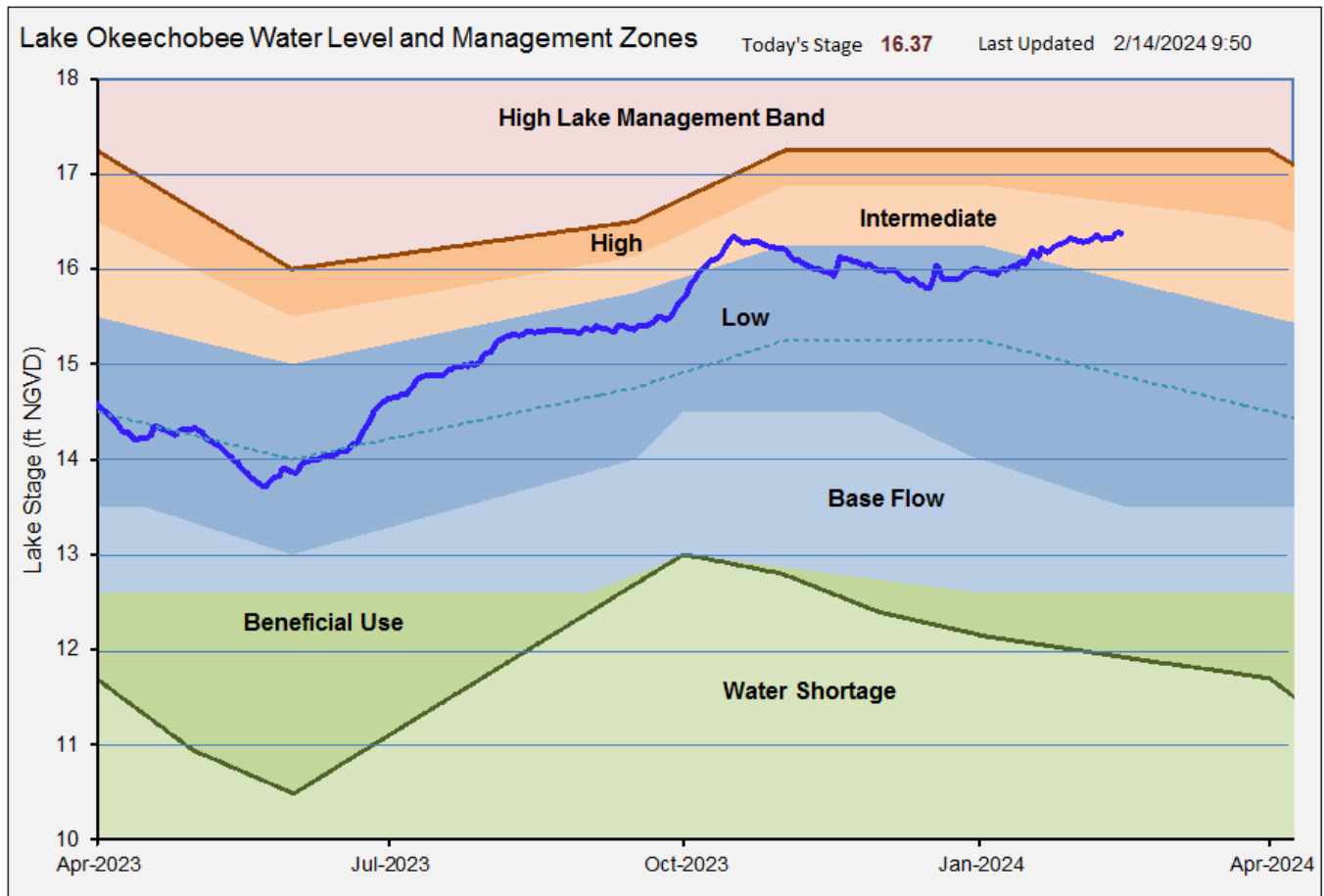
- Project authorized by Congress – Water Resources Development Act 2020
- Restricted Allocation Area (RAA) rulemaking – June 2022
- Pre-partnership Credit Agreement (PPCA) – July 2022

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
- Design on Mecca major impoundment is in progress

Current Lake Okeechobee Water Levels

On February 14, 2024, the Lake level was at elevation 16.37 feet NGVD. The Lake Okeechobee water level is within the Intermediate Zone (Approximately 4.5 feet above the Water Shortage Zone). Reported Lake releases are west into the Caloosahatchee River and south into the L-8 Canal, Miami Canal and West Palm Beach Canal. The L-8 Canal stage at West Palm Beach M Canal was at elevation 13.6 feet NGVD.



SR 7 Extension from Okeechobee BLVD to Northlake Blvd (No revisions since November 2023)

The City of West Palm requested an administrative hearing on SFWMD Environmental Resource Permit and the Consumptive Use Permit for SR7 Extension. The ERP hearing started in October 2023 and involves SFWMD, FDOT, PBC and CWPB. **The ERP hearing was postponed until April 1, 2024. The CUP permit hearing will follow the ERP hearing.**

County Five-Year Road Program Fiscal Year 2024 – FY 2028 (No revisions since November 2023)

Within the next 5 years Palm Beach County Roadway Production Division 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

The 4th quarter water use report was submitted to SFWMD. Historical monthly and annual pumping amounts (2009-2023) is attached.

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 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 Solar Facilities

Silver Palm - Final inspection of the discharge pump installations on going. Outstanding issues is riprap in CGCDD canal and vegetable buildup in FPL intake canal. We are also waiting on FPL to reactivate discussions for an easement to CGCDD easement at the northeast corner of Carol St. and Louise St.

Cypress Grove Community Development District

Operations Report

2/18/24

- On February 17, 2024 the offsite L-8 Canal elevation at the North Pump was 12.2 and the onsite elevation was 18.0 The South Pump offsite elevation was 12.2 and the onsite elevation was 18.0 Lake Okeechobee water level is 16.32 January level was at 16.04
- Canals- Aquatic herbicide in progress & canal bank spot treatment of Florida Holly.
- 1st QTR pump reports due 4/1/24.
- Side Mowing ongoing.
- Leak at North Canal Riser.
- Fuel tank inspection. We had 6953 gal of fuel delivered on 12/7/23 and have used 1000 gal since delivery. (Vandalism)
- Capital Improvement Projects and estimated cost.
 1. Repair Canal Bank 59th & Washouts interior CDD Canals. (Low Spots)
 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. Reshape canal banks section 28.
 - 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.

- SRG horse waste.
- ITID Review CDD & SRG projects. (Marie CT)
- FPL Silver Palm – Hedge & Fence. (Canal discharge)
- FPL easement Legum & Carol St. & CDD L-8 Easement update. (NO LONGER NEEDED)
- 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)
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