

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT  
BOARD OF SUPERVISORS  
MINUTES

Date: March 18, 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 Rick Elsner were present.

In Attendance:

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

**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**

a. After a motion by Supervisor Fogarty and second by Supervisor Duhaney, the minutes of the Regular Board meeting of February 19, 2024, were approved 4-0 with no changes.

**4. Engineer's Report**

The District Engineer presented his written report (copy attached). Mr. Wertepny mentioned that there was no update to the Lake Okeechobee operating schedule. He also stated there are no new updated on the Loxahatchee River Restoration Project. Mr. Wertepny went over the lake levels and commented that they are down a little since last month but remain high and they are still releasing to the south. Mr. Wertepny is continuing to coordinate with Mr. Poyner and FPL on the Silver Palm Solar Facility.

**5. Operations Manager's Report**

The Operations Manager distributed his written report (copy attached). He went over some of the recent water levels and pumping information. He updated the board on leak at the north canal riser. He mentioned that it is getting worse. He is hoping that we get some steady rain so he can lower the stage to see if it is just a bent board. Mr. Poyner let the Board know that we have used 2,000 gallons of fuel since the last delivery in December. There was some discussion on the south pump going out and if it needs to be repaired since it is planned to be taken out of service. Also, there was talk of replacing the north pump soon since it is getting to the end of life.

**6. Manager's Report**

a. Financial Status

Mr. McElligott went over the financial report. He updated the Board that we are close to being 100% reconciled backed to the beginning of the year. He stated he was able to start sending Mr. Portnoy the financial reports so he can review them.

**b. Other Items**

Mr. McElligott went over the new ethics training that is now required by CDD Board members. He pointed out two free YouTube links on the SDS, Inc. website that will qualify for the training. He Also informed the Board of the new Form 1 procedure, which is now online instead of a paper document.

**7. Comments by Supervisors**

There were no further comments from the supervisors.

**8. Comments by Public**

There were no members of the public present.

**9. Announcement of Next Meeting Date**

The Chair announced that the next meeting would occur on April 15, 2024, at 8:00 A.M. at 8756 Boynton Beach Boulevard, Suite 2100, Boynton Beach, Florida 33472.

**10. Adjournment**

Upon motion by Supervisor Portnoy and second by Supervisor Duhaney, the meeting was adjourned at 8:18 A.M.

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Charles C. Walsey, Chair

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Pamela Duhaney, Secretary

# Cypress Grove Community Development District Engineer's Report for March 18, 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 adoption .....in 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:

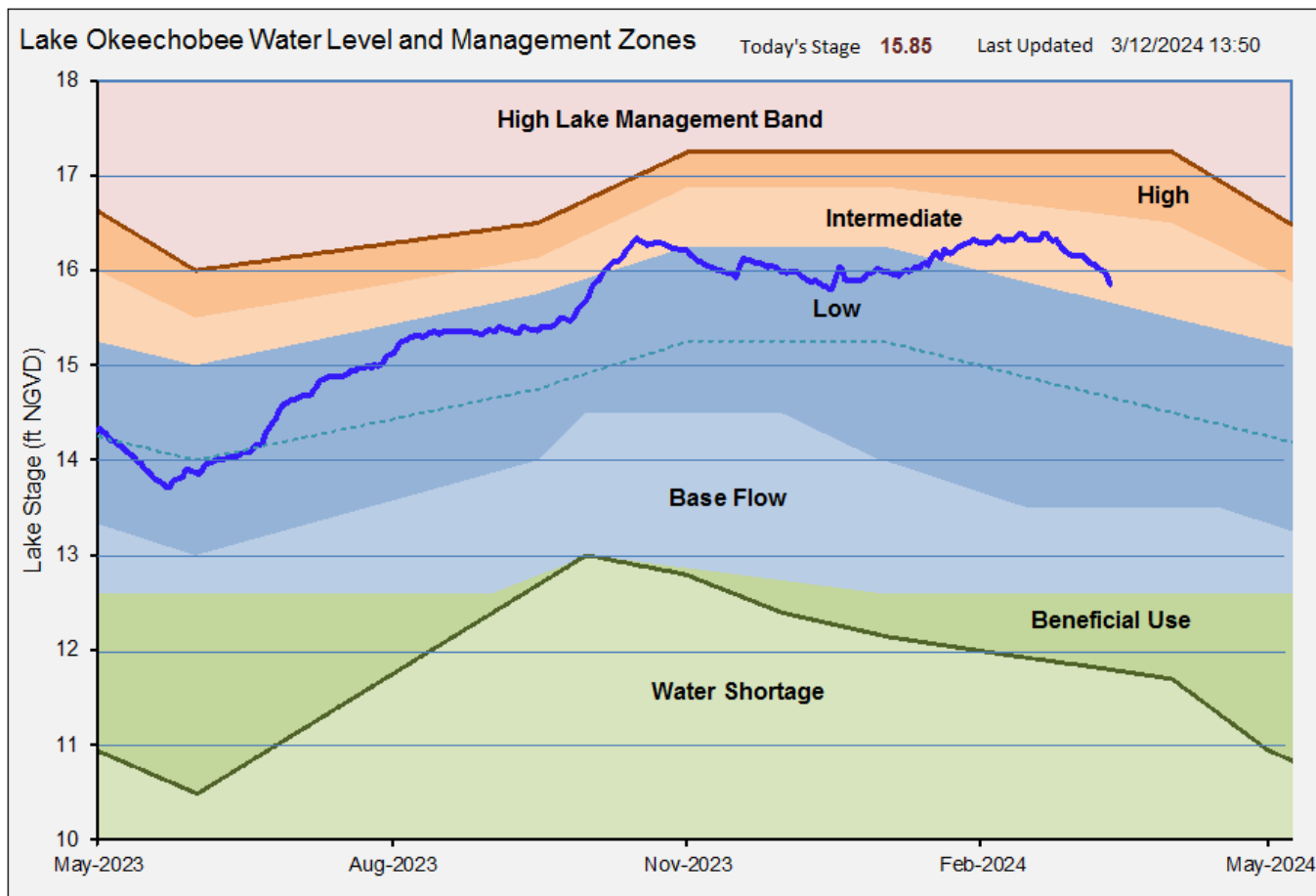
- Project authorized by Congress – Water Resources Development Act 2020
- Restricted Allocation Area (RAA) rulemaking – June 2022
- Pre-partnership Credit Agreement (PPCA) – July 2022

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 March 12, 2023, the Lake level was at elevation 15.85 feet NGVD. The Lake Okeechobee water level is within the Intermediate Zone (Approximately 4.0 feet above the Water Shortage Zone). Reported Lake releases are south into the Hillsboro/North New River, L-8 Canal, Miami Canal and West Palm Beach Canal. The L-8 Canal stage at West Palm Beach M Canal was at elevation 13.4 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. 60<sup>th</sup> 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.

**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.

**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 Avocado Blvd. to East of 120<sup>th</sup> 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 February of 2024)**

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.**

# Cypress Grove Community Development District

## Operations Report

3/18/24

- On March 17, 2024 the offsite L-8 Canal elevation at the North Pump was 13.4 and the onsite elevation was 17.5 The South Pump offsite elevation was 13.4 and the onsite elevation was 17.5 Lake Okeechobee water level is 15.77 January level was at 16.32
- Canals- Aquatic herbicide in progress & canal bank spot treatment of Florida Holly.
- 1<sup>st</sup> 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 2000 gal since delivery. (Vandalism)
- Capital Improvement Projects and estimated cost.
  1. Repair Canal Bank 59<sup>th</sup> & 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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