

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
MINUTES

Date: April 15, 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 Pat Fogarty were present.

In Attendance:

<i>Board Members:</i>	Charles Walsey, Rick Elsner, Larry Portnoy, and Pam Duhaney.
<i>District Engineer:</i>	Alan Wertepny (via Microsoft Teams)
<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 Elsner and second by Supervisor Duhaney, the Board unanimously approved the agenda.

3. Approval of Minutes

a. After a motion by Supervisor Portnoy and second by Supervisor Duhaney, the minutes of the Regular Board meeting of March 18, 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 is still ample water. Lake Okeechobee is sending water west and south. He updated the Board on the SR 7 hearings. Mr. Wertepny mentioned that the SFWMD water use permit quarterly report is due in May and that Mr. Poyner is also working on that. Mr. Wertepny also updated the Board on his work with the Army Core on elevation stages. That item generated some conversation amount the Board and Mr. Wertepny.

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 stated that they were doing some holly control when it was not too windy. He presented some pictures to the Board of canals that need to be cleaned to improve flow. He updated the board on the leak at the north canal riser stating that they are still waiting for more rain to be able to check to see if it is just a bent board. He also informed the Board of a murphy panel that he needed to do repairs on. Mr. Poyner let the Board know that we have used 4,000 gallons of fuel since the last delivery in December. They may need to order more soon. He let the Board know that there was some more vandalism like there was a few months ago. They believe the perpetrators are trying to steal fuel. Mr. Poyner said they are combating this by putting up fences, lights, and cameras. He also updated the Board that code enforcement has been out, and they are getting the horse manure situation improved. Finally, Mr. Poyner updated the Board on rip rap going in.

6. Manager's Report

a. Consider Resolution No. 2024-01 – Redesignating Qualified Public Depository

Mr. McElligott presented the resolution. He explained that this will allow SDS, Inc. to change the checking account to South State Bank, which is more local to their office, which SDS, Inc. has several other district accounts with, and which will make it more efficient to handle all banking function.

After a brief discussion, there was a motion by Supervisor Portnoy and second by Supervisor Elsner, to approve Resolution 2024-01 as presented. The motion carried 4-0.

b. Financial Status

Mr. McElligott went over the financial report including the balance sheet and year to date income and expenses. Mr. McElligott explained that the auditors are currently working on the audit but there are some documents SDS, Inc cannot locate in the documents turned over. Supervisor Portnoy suggested Mr. McElligott get with Mr. Farkas in his office to assist with anything we need.

c. Other Items

Mr. McElligott updated the Board on the new Form 1 procedure, which is now online instead of a paper document. He said they should start getting emails from the State with a link to set up their account and file the Form 1. None of the Board members have received the email yet. Mr. McElligott said they will keep an eye on this situation over the next few months as the deadline approaches in July.

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 May 20, 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 8:40 A.M.

Charles C. Walsey, Chair

Pamela Duhaney, Secretary

Cypress Grove Community Development District Engineer's Report for April 15, 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:

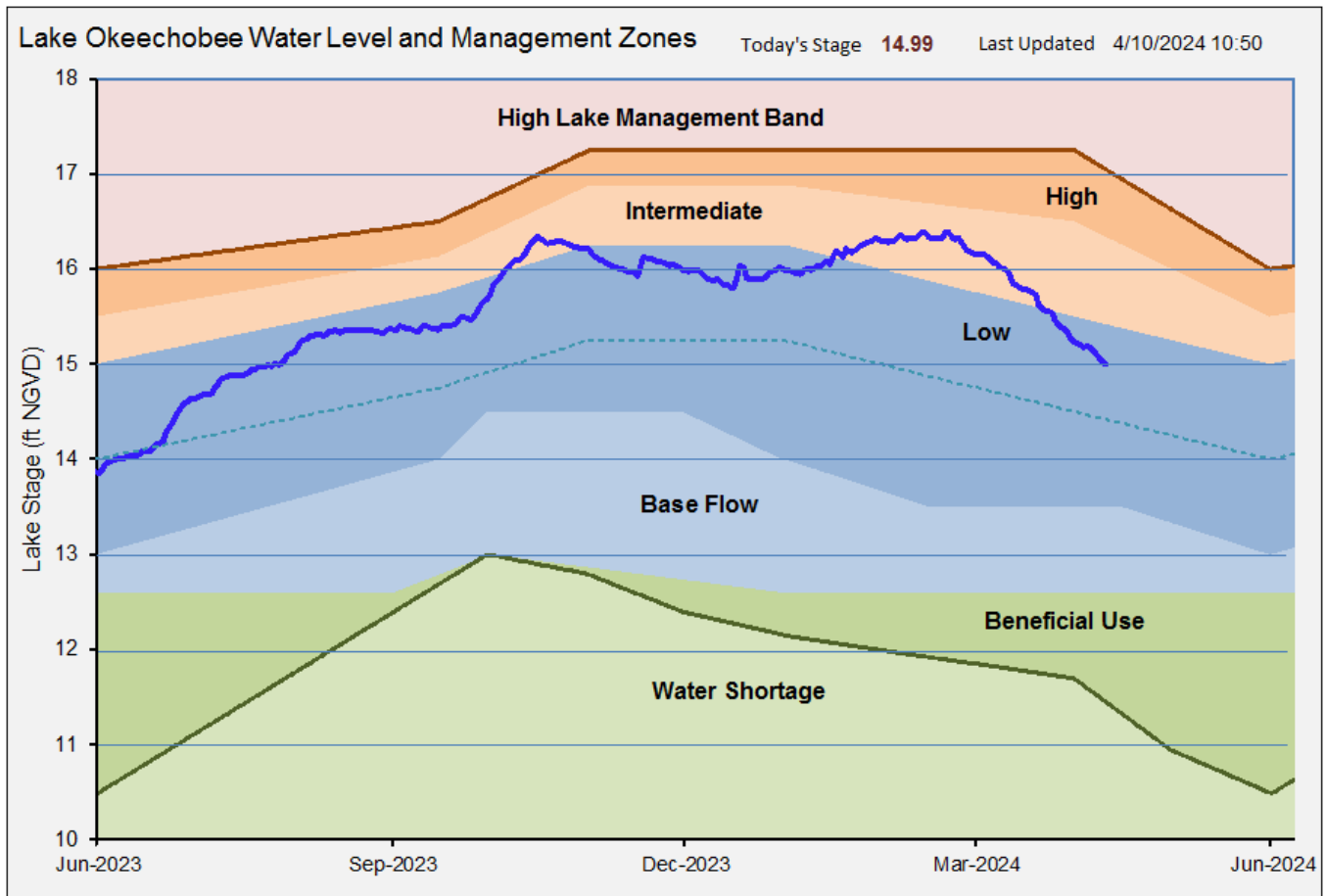
- Project authorized by Congress – Water Resources Development Act 2020
- Restricted Allocation Area (RAA) rulemaking – June 2022
- Pre-partnership Credit Agreement (PPCA) – July 2022

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 March 10, 2023, the Lake level was at elevation 15.0 feet NGVD. The Lake Okeechobee water level is within the Low Zone, approximately 3.5 feet above the Water Shortage Zone. Reported Lake releases are west to the Caloosahatchee River 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 13.9 feet NGVD.



SR 7 Extension from Okeechobee BLVD to Northlake Blvd

.SFWMD Administrative Final Hearing on SR7 resumed on April 1, 2024. During the first week of the hearing, the City of West Palm Beach presented testimony on possible impacts on water quality in the City's Water Catchment Area, groundwater flows, concerns on FDOT structural design for the sheet pile wall, and City's water supply. On April 4- 12 ,2024, FDOT, PBC and SFWMD present rebuttal including testifying at length as to why the project meets the environmental criteria for issuance, focusing on project's lack of adverse impacts on either wetlands or on listed species, including Snail Kites. Once the Respondents conclude their rebuttal case, the Administrative Law Judge has indicated that she will allow brief sur-rebuttal by the City.

County Five-Year Road Program Annual Update-Fiscal Year 2024 (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 1st quarter water use report is due in May. Paul Linton requested an official document that acknowledges CGCDD operations below 18.5 feet NGVD.

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.

FPL Silver Palm Solar Facilities

Silver Palm - Final inspection of the discharge pump installations on going.

Cypress Grove Community Development District

Operations Report

4/15/24

- On April 14, 2024 the offsite L-8 Canal elevation at the North Pump was 14.1 and the onsite elevation was 17.7 The South Pump offsite elevation was 14.1 and the onsite elevation was 17.7 Lake Okeechobee water level is 14.9 March level was at 15.77
- 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. (Partial patch)
- Fuel tank inspection. We had 6953 gal of fuel delivered on 12/7/23 and have used 4000 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)
- Repairs at North Pump station. (Murphy Panel & Radiator)
- 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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