

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT  
BOARD OF SUPERVISORS  
MINUTES

Date: July 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:

*Board Members:* Charles Walsey (via Microsoft Teams), Larry Portnoy, Rick Elsner, and Pam Duhaney.

*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 Elsner, the Board unanimously approved the agenda.

**3. Approval of Minutes**

- a. After a motion by Supervisor Elsner and second by Supervisor Duhaney, the minutes of the Regular Board meeting of June 17, 2024, were approved 4-0 with no changes.

**4. Engineer's Report**

The District Engineer Alan Wertepny went over his written report (copy attached). He indicated that the Lake Okeechobee Operating Plan that has been on hold recently is moving forward now that parties have worked through issues. He expects it to be approved in a few months following a public hearing. There was recently a meeting about the Loxahatchee River Restoration project. The main concern for Cypress Grove CDD will be what happens with Flow way 2. SFWMD has been working with the ITID Board. Currently they are hoping to start the project in 3 years and expect the project to take 5 years after that to complete. Mr. Wertepny also went over Lake Okeechobee water levels. He updated the Board on the SR 7 project which is currently waiting on the judge to review testimony transcripts to determine water impacts. Mr. Wertepny also stated that the County appears to be making progress on the Northlake and Seminole Pratt road projects.

**5. Operations Manager's Report**

The Operations Manager Bobby Poyner distributed his written report (copy attached). He went over some of the recent water levels and mentioned they had to release a little water due to the amount of rain recently. He mentioned that they replaced 3 boards at north station. The boards had just bent over time, but the rails the boards go in appear to be fine. Mr. Poyner said they have not had to use any fuel recently. He also let the Board know he is repairing some old vandalism, but there has not been any new vandalism since installing the new lights. Mr. Poyner also provided some pictures to the Board of the new ITID road, Marie Court, for Santa Rosa.

**6. Manager's Report**

a. Financial Status

Mr. McElligott updated the Board on the financial reports sent to Supervisor Portnoy. We discussed the available funds to get the CDD through to December when the new year's assessments start coming in. Mr. McElligott was asked to check on the status of switching over to the new checking account.

b. Other Items

There was some discussion regarding the assessment roll and a property that was previously owned by FPL, sold to ITID a few years ago, that does not appear to be showing on the assessment roll. This is causing the CDD to have approximately 14 fewer assessable acres than it had before the sale. Mr. McElligott will do research and contact the tax collector to identify the issue or what can be done.

**7. Comments by Supervisors**

Mr. Portnoy informed the Board that GL Homes proposal to restore the crossing discussed at the prior meeting is set to go before the ITID Board tonight. The proposal states that the Cypress Grove CDD would only be responsible for mowing the grass and spraying the rip rap for weeds, no other maintenance of the crossing.

**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 August 19, 2024, at 8:00 A.M. at 8756 Boynton Beach Boulevard, Suite 2100, Boynton Beach, Florida 33472.

**10. Adjournment**

Upon motion by Supervisor Elsner and second by Supervisor Portnoy, the meeting was adjourned at 8:43 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 July 15, 2024**

## **Lake Okeechobee System Operating Manual (LOSOM)**

**On March 1, 2023, National Marine Fisheries, a division of NOAA, requested a formal biological review of the impact of LOSOM on red tide on Florida's west coast. The request pushed back the expected date of implementation from June 2023. Subsequent coordination with USACE and NOAA was concluded in March 2024 and a determination was made that implementation of LOSOM is fully compliant with the Endangered Species Act. On May 24, USACE released a Final Environmental Impact Statement (EIS) for the LOSOM. A Public meeting is scheduled for July 24. Following review of the public comments a Record of Decision will likely be issued and signed putting it into effect this year.**

## **Loxahatchee River Restoration**

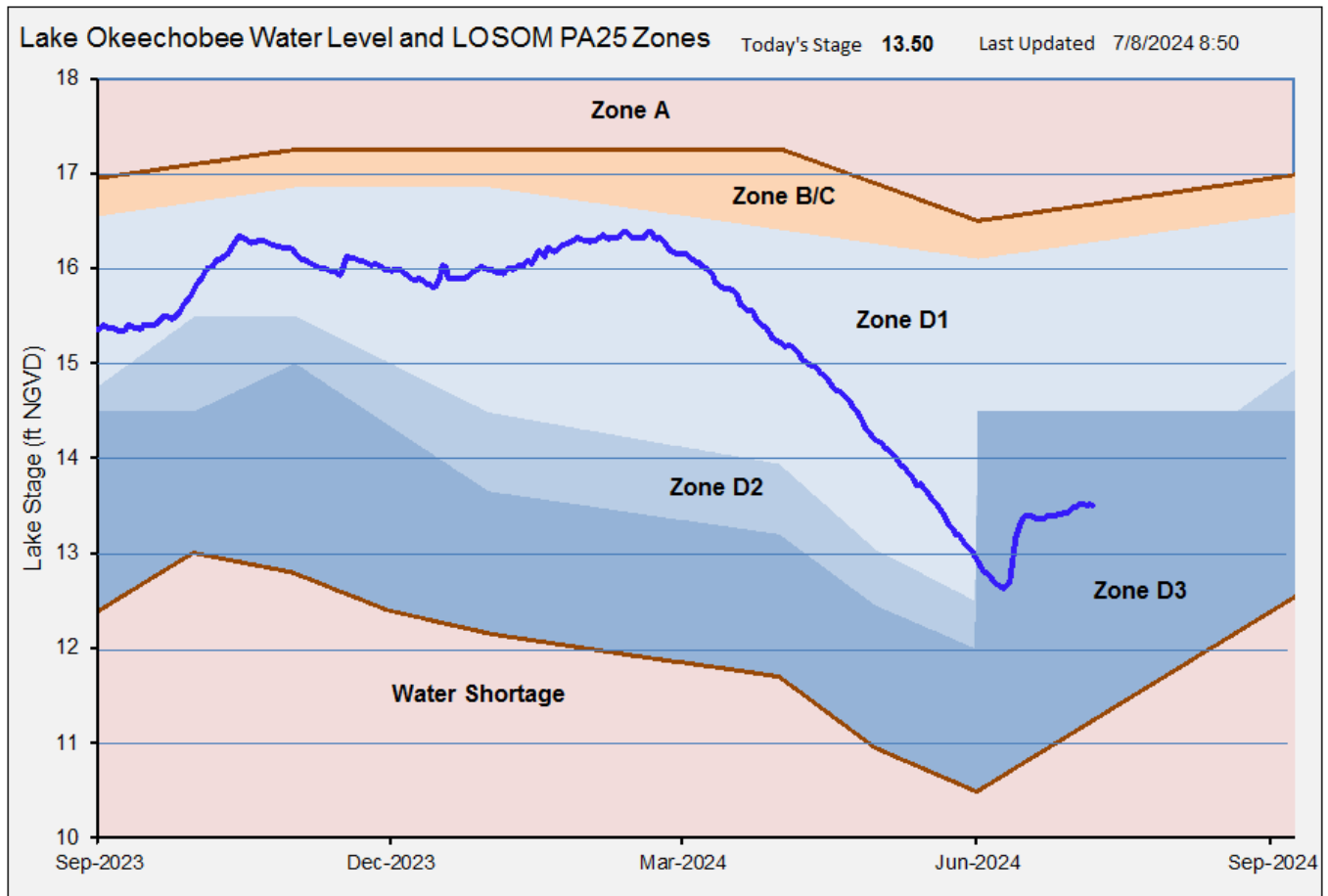
**On May 16, 2024, U.S. Army Corps of Engineers (Tabitha Elkington) and South Florida Water Management District (Ana Carolina Maran) provided an update to the Palm Beach County Water Resources Task Force. Loxahatchee River Watershed Project Status included:**

**Update on 2024 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 July 8, 2024, the Lake level was at elevation 13.5 feet NGVD. The Lake Okeechobee water level is approximately 2.3 feet above the Water Shortage Zone. Reported Lake releases are west to the Caloosahatchee River south into L-8 Canal. The L-8 Canal stage at West Palm Beach M Canal was at elevation 13.8 feet NGVD.



## SR 7 Extension from Okeechobee BLVD to Northlake Blvd

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 November 2022)**

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. 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**

**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)**

- Appears to be duplication of similar requirements already incorporated in other District regulatory criteria.

# Cypress Grove Community Development District

## Operations Report

7/15/24

- On July 14, 2024 the offsite L-8 Canal elevation at the North Pump was 13.3 and the onsite elevation was 15.9 The South Pump offsite elevation was 13.3 and the onsite elevation was 15.9 Lake Okeechobee water level is 13.45 June level was at 13.17
- Canals- Aquatic herbicide in progress & canal bank spot treatment of Florida Holly.
- 2<sup>nd</sup> QTR pump reports submitted.
- 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)
- Fuel tank inspection. We had 6913 gal of fuel delivered on 5/17/24 and have used 1550 gal since delivery. (Repairs scheduled from prior vandalism.)
- 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. (Marie CT) (Pump failure 48 Hrs)
- FPL Silver Palm – Hedge & Fence. (Canal discharge weed barrier)
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- 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)
- Clogging of the manatee gates L8 & Lake Okeechobee.
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