

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
MINUTES

Date: August 20, 2018
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 the Chair, Charles Walsey, at 8:04 A.M.

The Chair then called the roll, and noted that all Supervisors, except Pamela Duhaney and Don Johnson, were present.

In Attendance:

Board Members: Charles Walsey (by speakerphone), Rick Elsner, Larry Portnoy and Pamela Duhaney (arrived 8:15 A.M.)

District Attorney: Peter Breton

Operations Manager: Robert Poyner, RLP Property Services, Inc.

2. Approval of Agenda

After a motion by Supervisor Elsner and second by Supervisor Portnoy, the Board unanimously approved the Agenda.

3. Approval of Minutes

By motion by Supervisor Elsner and second by Supervisor Portnoy, the Board unanimously approved the minutes of the Board of Supervisors' Meeting of July 16, 2018.

4. Engineer's Report / State Road 7 Update / L-8 Basin Study

The Chair noted that the District Engineer could not attend this month but has submitted a written report (attached).

5. Operations Manager's Report / L-8 Report and Report on Status of Projects

The Operations Manager distributed his written report and discussed it with the Board.

**Operations Manager's Report
August 20, 2018**

- On August 17, 2018 the offsite L-8 Canal elevation at the North Pump was 13.9 and the onsite elevation was 15.5 The South Pump offsite elevation was 13.8 and the onsite elevation was 16.2 Lake Okeechobee water level is 0000 July level was at 14.49
- Canals- Aquatic herbicide application in progress.

- 2nd quarter pump reports submitted.
- New pipe project for the intersection of 59th and section 32&33. Scheduled for 2nd week of September 2017. (DELAYED)
- Fuel tank inspection. There are no leaks and tanks are working properly at this time. We had 7001 gal of fuel delivered on 3/22/18 and have used 4500 gal since delivery. (All compliance for 2017 current and delivered PBC ERM)
- Capital Improvement Projects and estimated cost.
 1. Clear and dredge canal between section 29&30 (June-Aug \$6000.00 estimate)ON HOLD
 2. Clear and Dredge West side of canal on the east side section 31 from south outfall canal to section 30. (June-Aug estimate \$6000.00)ON HOLD
 3. Install 72 inch pipe NW corner section 30. (Pipe From GL Homes)
 4. Install new pipe at 59th and section 32&33. (Estimate to replace \$16,000.00 +/- including pipe.
 5. Clean south outfall canal along 59th & section 33. (Estimate \$7500.00) 50% Complete
 6. New pipe needed for center road section 20&21. (Pipe received from GL Homes)
 7. Install Rip Rap North Pump canal bank.
 8. Canal bank maintenance. (Started repairing canal banks.) Includes repair to Santa Rosa South canal bank.
- Maintaining water system at 15.0 to 18.0
- Corbett canal bank possible maintenance required. (WEST CANAL SECTION 30&31&19) ITID flooding of Moss Property. Corbett draining into CDD canal system. (Currently draining in North canal) (OPTIONS) Filled ditches draining into south canal. Pipe to be removed at later date.
- Stienman DEP permit challenge.
- The permanent drainage for the park has been installed. The scope of work is complete with the exception of one more pipe to be installed after farm season is over and summer water levels are being maintained.
- Long stick. GL Homes will have a long stick onsite and CDD can reimburse for hours used.
- Santa Rosa Groves discussion. Submitted CDD water permit. (Charge maintenance fee?) Conditions of permit also to include removal of all old structures. Ricobono would like to install pipes once approved. Received call from Betty at Indian Trail wanting to meet regarding drainage. Letter to residents on canal easements. New breach west of Fernando property. Attached parcel control records. (Discussion regarding ITID & Santa Rosa) (Removal of pipes.)
- Tru-Flo has agreed to split the cost of the gooseneck adapters for the new pump. (\$1132.50 our cost)

- South pump station replacement discussion. Six Ls discharge pipe located at the SW corner of section 31 west of pump station. (Pipe has been removed.) Discussion of pump station removal. (Blasting canal bottom FPL.)
- Canal bank brush removal south pump station under powerlines. To begin with south pump install. (Completed)
- FPL conversation with Mathew Silver. Solar Farm.
- CDD canal easements. Current & future land owners.

The Board discussed the lowered water levels in the L-8 Canal. The Board inquired whether the other agricultural water users on the L-8 can work together to get the Corps of Engineers to send more water to the L-8 canal.

Bobby Poyner informed the Board about water flowing in to the main canal from the Corbett Wildlife Area. Bobby Poyner will monitor and report on the canal bank breaches.

Bobby Poyner reported on unpermitted pipes in Section 32. Supervisor Portnoy asked about the letter that was sent to all of the Section 32 canal frontage owners. The District Attorney explained that the letter was a general information letter. When Bobby Poyner finds a violation, a specific warning letter will be sent.

Peter Breton reported on the status of revitalizing the Santa Rosa POA and activating the area as a ITID unit of development.

The Board discussed what would have to happen if Section 32 becomes an ITID unit of development. There will need to be coordination between the Districts.

The Board decided to monitor the progress of activating the unit of development before taking any action to remove any pipes.

The Board discussed the costs of the south pump station repairs and how to phase the work within the budget limits. Supervisor Elsner and Bobby Poyner will put a budget together.

9. **Treasurer's Report**

The Treasurer reported that the bank balance after writing the current checks will be approximately \$140,000. We need \$80,000 for the next four months for normal expenses. This will leave \$50,000 to \$55,000 available.

The Board discussed the proposed FY 2018-2019 budget and decided not to make any changes.

10. **Public Hearing on 2018-2019 Budget and 2018-2019 Non-Ad Valorem Assessment Rate**

The Chair opened the public hearing on the FY 2018-2019 budget and FY 2018-2019 non-ad valorem assessment. There were no public comments and the Chair closed the public hearing.

11. **Motion to Adopt Resolution Approving 2018-2019 Budget**

Supervisor Portnoy made a motion to approve the FY 2018-2019 budget as presented in Resolution No. 18-1. Supervisor Elsner seconded and the motion was unanimously adopted (with Supervisor Johnson absent).

12. **Motion to Adopt Resolution Approving 2018-2019 Non-Ad Valorem Assessment Rate**

Supervisor Elsner made a motion to approve the FY 2018-2019 non-ad valorem assessment as presented in Resolution No. 18-2 at the rate of \$65.39 per acre. Supervisor Duhaney seconded and the motion was unanimously adopted (with Supervisor Johnson absent).

13. **Attorney's Report**

The District Attorney said he sent a letter to all of the Section 32 Santa Rosa Groves owners along the north, west and south canals advising them not to install pipes or alter the canal banks without a permit from the District.

14. **Comments by Supervisors**

There were no additional comments by Supervisors.

15. **Comments by Public**

There were no comments from the public.

16. **Announcement of Next Meeting Date**

There being no further comments from Supervisors and no comments by the public, the Chair announced that the next meeting would occur on September 17, 2018, at 8:00 A.M. at 8756 Boynton Beach Boulevard, Suite 2100, Boynton Beach, Florida 33472.

17. **Adjournment**

Upon motion by Supervisor Portnoy and second by Supervisor Elsner, the Board unanimously voted to adjourn at 9:00 A.M.

Charles C. Walsey, Chair

Peter L. Breton, Secretary

ATTACHMENT: District Engineer's Report

Cypress Grove Community Development District
District Engineer's Report
August 20, 2018

State Road 7 Extension - Two legal strikes put roadway extension on hold indefinitely.

On August 8, 2018, a panel of three judges of the Fourth District Court of Appeals rescinded the South Florida Water Management District permit. The District legal department is evaluating the options.

On July 13, 2018, the Florida Department of Transportation (FDOT) notified the Contractor that the Project is on hold while FDOT is reviewing its options in light of an expired Northern Palm Beach County Improvement District Permit.

On June 26, 2018 FDOT held a Pre-Construction Conference meeting with FDOT staff and contractor (Bergeron Land Development). Approximately 60 people attended this meeting. Participants included FDOT, SFWMD, NPBCID, Bergeron, ITID, Stantec, Westlake, PBC, West Palm Beach. Proposed Starting Dates included Notice to Proceed and Anticipated Start Date (June 28, 2018).

On June 13, 2018, the City of West Palm Beach and Northern Palm Beach County Improvement District entered into an Agreement to proportionally cost share (85% WPB, 15% Northern) for water quality improvements to IBIS Stormwater Management System. During the South Florida Water Management permitting of State Road 7 extension and subsequent litigation, SFWMD order both Northern and the City to take corrective actions to improve the quality of water discharged from the IBIS Stormwater Management System into the City's Grassy Waters Preserve. In exchange for the City's financial support for Northern's corrective water quality improvements, Northern agreed to terminate the Florida Department of Transportation SR 7 permit to discharge into the IBIS Development.

Widening the existing county roadway from two to four lanes, Okeechobee Blvd to 60th Street North, construction four-lane divided roadway from 60th Street to the east entrance to Ibis Golf & Country Club, and the widening from two to four lanes between the east entrance and Northlake Blvd (8.5 miles). Construction on the south segment starting in July of 2018 and completion of both segments in the summer 2021. The current construction cost estimate is approximately \$49.5 million.

County Five Year Road Program – (No change from May 21, 2018)

In December 2017, the Palm Beach County Commissioners approved its 5-year roadway plan. Relevant projects included:

Seminole Pratt Whitney Rd. widening from 4 to 6 lanes from Orange to Northlake Blvd (1.8 miles) at a cost of \$8.4 million being in FY 2019 (October 2018-September 2019).

Seminole Pratt Whitney Road and Northlake Boulevard intersection improvements at a cost of \$4.2 million being in FY 2019.

Northlake Blvd east to Hall Blvd widening from 2 to 4 lanes (1 mile) at a cost of \$4.3 million being in FY 2019.

Northlake Blvd east of Hall Blvd. to Coconut widening from 2 to 4 lanes (2.4 miles) at a cost of \$9.2 million in FY 2019.

60th Street construction of a three-lane paved road between 120th and 140th street (2.1 miles) is scheduled for Fiscal Year 2021. Additional 20 feet of right-of-way is needed to provide a five-lane roadway and a berm and guard rail adjacent over the City of West Palm Beach M Canal, as was constructed on 60th Street east of 120th Avenue to State Road 7. On May 2, 2018, Palm Beach County Commission rejected County Staff proposal to acquire the additional 20 feet along the South right-of-way line from the adjacent residential properties.

Seminole Pratt Whitney Rd. widening from 2 to 4 lanes within the City of Westlake is nearly complete.

SFWMD Water Use Permit

The second quarter Water Use Report (April - June 2018) was submitted to SFWMD and is posted on the CGCDD website.

Santa Rosa Connection Permit

Issues to be addressed before finalizing the permit application is as follows:

1. Legal Requirements
 - a. Correction of Applicant's Name
 - b. Documentation of easement or ownership of lands covering the two proposed drainage structures. Based on Property Appraiser's website and Peter Breton's February 12, 2018 email, Riccobono's Company owns the two parcels at the location of the proposed two pipe connections. However, neither Riccobono or Santa Rosa Groves, LLC has control over the lands to the east in Section 32.
 - c. Operation and Maintenance or Agreement with CGCDD for O&M.
2. Permit conditions to address:
 - a. Detail on the two pipe connections (2-24" CMP's with 30" risers, pipe length, pipe invert elevation, weir elevation in riser set at 18.5' NGVD, top of riser elevation +/- 20.5', locking mechanism)
 - b. Removal of two existing gravity canal connections along the north and east side of Section 32 to prevent irrigation water from leaving the Cypress Grove Community Development canals.

On July 25, 2018 the Indian Trail Improvements District (ITID) Board of Supervisors held a workshop to discuss providing assistance to Santa Rosa landowners with drainage improvements and roadway maintenance issues. Santa Rosa is in the legislative boundaries of ITID. The workshop was well attended by ITID, Palm Beach County, South Florida Water Management District, CGCDD and Santa Rosa landowners. A copy of the attendance list is attached. ITID staff presented some preliminary cost estimates for drainage and roadway services, discussed legal issues, engineering consideration and a schedule for formation of an ITID Unit of development. Palm Beach County Mayor Melissa McKinlay and staff were there to offer support. SFWMD representatives noted that the Santa Rosa SFWMD permit was still valid for a 12,000 gallon per minute discharge pump station. CGCDD provide support, information on the operation of the CGCDD canal system and SFWMD operation of the L-8 canal. Santa Rosa Resident discussed their options and costs for moving forward with drainage and roadway improvements. The residents were not in favor in continuing with a homeowner's association but preferred working with ITID for formation of a Unit of Development. Residents understood that all cost for the improvements, operation and maintenance will be from assessment on their property. One of the first hurdles to be addressed by ITID is obtaining the easements for both drainage and roads. ITID committed to contacting the developer and property owners to obtain the easement rights. Progress on the formation of an ITID Unit of Development will be reported at their August 22, 2018 Board meeting.

Herbert Hoover Dike – (No changes from April 16, 2018)

Replacement of the Culvert 10A (Lake Okeechobee/L8 Canal) is underway by the US Army Corps of Engineers. The replacement structure is located south of the existing one and is scheduled for completion by 2020.

Website Update

The cgdd.org website has been updated with the August 20, 2018 agenda and July 16, 2018 meeting minutes.