

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
MINUTES

Date: September 17, 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 8:00 A.M.

The Chair then called the roll, and noted that all Supervisors were present.

In Attendance:

Board Members: Charles Walsey (by speakerphone), Rick Elsner, Larry Portnoy, Pamela Duhaney and Don Johnson

District Engineer: Alan Wertepny

District Attorney: Peter Breton

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

2. **Approval of Agenda**

After a motion by Supervisor Duhaney and second by Supervisor Johnson, the Board unanimously approved the Agenda.

3. **Approval of Minutes**

By motion by Supervisor Duhaney and second by Supervisor Johnson, the Board unanimously approved the minutes of the Board of Supervisors' Meeting of August 20, 2018.

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

The District Engineer presented his written report (copy attached). He described a conversation he had with NPBCID staff regarding State Road 7. FDOT approached the District Board to request an easement for drainage of SR-7. The Board told FDOT if they can work it out with the City of WPB, the District will grant an easement.

He then gave a summary of the latest County five-year road plan and the changes in the vicinity of Cypress Grove.

He then updated the Board on the Santa Rosa Groves meetings. The HOA board decided that they wanted to have 50% + 1 of the members to approve assigning the easements to the ITID.

He then briefed the Board on the Herbert Hoover Dike repairs as they impact the L-8 canal water levels.

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
September 17, 2018**

- On September 16, 2018 the offsite L-8 Canal elevation at the North Pump was 13.0 and the onsite elevation was 15.6 The South Pump offsite elevation was 12.8 and the onsite elevation was 15.9 Lake Okeechobee water level is 14.80 July level was at 14.49
- Canals- Aquatic herbicide application in progress.
- 2nd quarter pump reports submitted.
- Picked up North pump. Installation to occur this week.
- 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 cleaning west canal.
- 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. New breach west of Fernando property. Attached parcel control records. (Discussion regarding ITID & Santa Rosa) (Removal of pipes.) Eric Mitchell called regarding replacement of failing pipe in south canal.
- 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 1s 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.) Hundley discussion for overflow pipe west of pump station
- FPL conversation with Mathew Silver. Solar Farm.
- CDD canal easements. Current & future land owners.

Bobby Poyner discussed the problem with the original discharge pipes on the south side of Santa Rosa Groves. The pump was removed some time ago and the pipes are failing. Eric Mitchell approached Bobby Poyner about a price to replace the pipes. Alan Wertepny said that he should tell Eric Mitchell to get a permit from SFWMD. A permit is needed because the system has been changed from a pump discharge to a gravity discharge.

Bobby Poyner said he was waiting for a determination from FPL on blasting for the south pump station in order to remove the rock.

Bobby Poyner said we need to monitor and coordinate with FPL's plans to develop the solar energy farm so that there is adequate access to our easements for maintenance, as well as the impact on the canals from drainage. Bobby Poyner will reach out to FPL.

6. Treasurer's Report

The Treasurer reported that as of the end of August the bank balance was \$150,232. Checks have been issued for \$26,000, leaving a balance of \$124,000. The major pending expense is the blasting for the south pump station, but that is on hold until FPL gives consent. Alan Wertepny discussed possible alternatives if FPL does not consent.

Next, the Treasurer told the Board that the annual insurance renewal is due and the premium is approximately \$9,600. This covers property insurance on the pump stations and equipment, general liability, and public officials' coverage.

The District Attorney explained the coverages, premiums, and deductibles for each coverage. He described the need for the coverages for general liability and public officials' coverage. Supervisor Walsey said he strongly favors keeping the liability coverages. Peter Breton said it might be possible to save some premiums by reducing the coverage amounts. He also said that it may not make economic sense to keep the property insurance. After further discussion the Board's consensus was to renew the insurance coverage as presented.

7. Attorney's Report

The District Attorney reported that the assessment roll has been submitted to the County Tax Collector.

He distributed the proposed meeting schedule for FY 2018-2019. Supervisor Portnoy moved approval and Supervisor Elsner seconded. The motion was unanimously adopted.

8. Comments by Supervisors

There were no additional comments by Supervisors.

9. Comments by Public

There were no members of the public present.

10. 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 October 15, 2018, at 8:00 A.M. at 8756 Boynton Beach Boulevard, Suite 2100, Boynton Beach, Florida 33472.

11. Adjournment

The meeting was adjourned at 8:43 A.M.

Charles C. Walsey, Chair

Peter L. Breton, Secretary

ATTACHMENT: District Engineer's Report

**Cypress Grove Community Development District
District Engineer's Report
September 17, 2018**

State Road 7 Extension - Two legal strikes put roadway extension on hold indefinitely. (No change from August 20, 2018)

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 Staring 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 Fiscal Year 2018 – FY 2022

On July 10, 2017, the Palm Beach County Commissioners adopted mid-year adjustments to the 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 \$6.0 million being in FY 2019.

Northlake Blvd East of Seminole Pratt Whitney Road east to Hall Blvd widening from 2 to 4 lanes (1 mile) at a cost of \$7.0 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 \$1.0 million in FY 2019 and \$8.2 million in FY 2020.

60th Street North West of 140th Avenue to Avocado Boulevard. A study phase for 0.5 ^m files for 3-laning in FY 2019. Construction schedule is not identified in the 5-Year Schedule.

60th Street North East of Avocado Boulevard to East of 120th Avenue North. Construction of 1.6 miles of three lane road at a cost of \$7.0 million in FY 2021.

~~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.~~

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

SFWMD Water Use Permit - (No change from August 20, 2019)

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.

Santa Rosa/ITID Unit of Development

On August 22, 2018, the Indian Trail Improvement District Manager provided an update on the July 25, 2018 Workshop and an August 7, 2018 meeting with Santa Rosa Property Owners Association Attorney to initiate transfer of roads and drainage easements to ITID. Per the current Association document, it requires two-thirds of the landowners to approve the road and drainage easements transfer to ITID. The Association Board has amended this requirement and will allow the transfer of the easements if 50 percent plus one of the landowners agree. The Association is contacting the landowners to determine if a majority of the owners are in favor of forming a ITID Unit of Development

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

The construction contractor, Harry Pepper and Associates, continues to make progress on construction of replacement culvert structure while temporary culvert provides service. Current construction activities include: (1) installation of rebar, formwork and concrete placement for the Lake side head walls for the new culvert structure and (2) concrete pours on monoliths that will encase the newly installed culvert structures. Scheduled completion of the C-10A culvert construction contract is June 2020.

Website Update

The cgdd.org website has been updated with the September 17, 2018 agenda and August 20, 2018 meeting minutes.

Culvert 10A Replacement
September 2018

