

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
MINUTES

Date: January 22, 2019
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 Vice Chair, Rick Elsner, at 8:00 A.M.

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

In Attendance:

Board Members: 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 Portnoy and second by Supervisor Johnson, the Board unanimously approved the Agenda.

3. Approval of Minutes

By motion by Supervisor Johnson and second by Supervisor Portnoy, the Board unanimously approved the minutes of the Board of Supervisors' Meeting of December 17, 2018.

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

The District Engineer provided a written report, a copy of which is attached. He has not heard anything new on State Road 7. The County updated the County Roadway Plan in December. No construction work is scheduled for Seminole Pratt Whitney Road this fiscal year. He submitted the 4th quarter water usage report to SFWMD. We are using approximately 76% of our allocation. Peter Breton asked if he had received anything back from FPL on the secondary water user agreement. Bobby Poyner updated the Board on his contacts with FPL. Alan Wertepny updated the Board on the meeting by ITID concerning Santa Rosa Groves. Bobby Poyner said they are getting close to the 51 lot owners needed.

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
January 21, 2019**

- On January 21, 2019 the offsite L-8 Canal elevation at the North Pump was 12.2 and the onsite elevation was 19.1 The South Pump offsite elevation was 12.2 and the onsite elevation was 19.1 Lake Okeechobee water level is 12.37 November level was at 12.80
- Canals- Aquatic herbicide program to start June 2019.
- 4th Quarter pump reports submitted to Alan.
- Picked up North pump & Installed. Possible additional repairs needed. (Discussion budget new pump 30K.) Invoice review.
- FPL talked with Tammy Juaffmann regarding blasting at the south pump station. Setting up site meeting with FPL officials.
- Fuel tank inspection. There are no leaks and tanks are working properly at this time. We had 7000 gal of fuel delivered on 10/30/18 and have used 6575 gal since delivery. (All compliance for 2017 current and delivered PBC ERM) New tank info needed.
- Capital Improvement Projects and estimated cost.

1. Replace south pump station.
2. West canal sections 30&31. Repair washouts build dike. Phase 1. South 3300 feet... Estimate \$12,000 to \$15,000. (Muck pockets could effect cost) Phase 2. North 5850 feet - Estimate ???
3. Rip Rap north pump station. Estimate \$6000.
4. Rip Rap south pump station. Estimate \$3000.
5. North canal Corbett. Fill washouts from Corbett. Estimate \$3000.
6. Close canal section 34 SE corner. Estimate \$3500.00
7. Clean canal bottom east side sections 30&31. Estimate \$12,000.
8. Install 72" pipe NW corner section 30. Estimate pipe & install \$4000.
9. Replace 60 feet of 72" pipe Carol Street & 59th. Estimate \$14,000.
10. Replace 40 feet of 72" pipe center road section 20&21. Estimate \$2,000.
11. Canal bank maintenance between sections 29&32. Estimate \$4000.
12. Clean south outfall canal along 59th. Estimate \$7,500.

Future projects clean both sides of district canal banks.

- 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 COD canal system. (Currently draining in North canal) (OPTIONS) Filled ditches draining into south canal. Pipe to be removed at later date.
- FPL water permit info emailed to Matt Silver & Tammy Juafmann.
- 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.

- Santa Rosa Groves discussion. Removal of non - permitted pipe connections. Meeting with Eric Mitchell 1/21/19. (Possible temporary pipe permit.)
- 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. Discussion of pump station removal. (Blasting canal bottom FPL.) (Test dig north pump station.) Soil boring results.

Bobby Poyner said Tammy Juaffmann at FPL is the person who he needs to talk to about the blasting. He is arranging an on-site meeting with her and other FPL personnel to discuss the blasting.

Bobby Poyner discussed the alternative of placing an additional pump at the north pump station. He said he needs to bring in heavy equipment to do a test dig to determine if blasting will be needed. Bobby Poyner said he wants to order a new box and leave the south station intact. If there is no blasting needed, it would end up costing less than upgrading the south pump station. Bobby Poyner said he needs to clean out the canal on the east side of Sections 30 and 31 to convey the water to the south.

Bobby Poyner described the phasing of the canal bank maintenance of the west canal in Sections 30 and 31.

Bobby Poyner went over the list of projects needed to be done and the estimated costs. The Board agreed that that pump station is the highest priority.

The Board discussed Santa Rosa Groves installation of a temporary pipe. The Board decided not to get involved since it is not within the District.

6. Treasurer's Report

The Treasurer reported that the bank balance was \$181,000 at the end of December 2018. He has received the County's fee and almost all of the assessments.

7. Attorney's Report

The District Attorney said he updated everyone's addresses with the Commission on Ethics. He sent the County an invoice for park drainage, which has been paid.

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 February 19, 2019, at 8:00 A.M. at 8756 Boynton Beach Boulevard, Suite 2100, Boynton Beach, Florida 33472.

11. **Adjournment**

Upon motion by Supervisor Portnoy and second by Supervisor Johnson, the Board unanimously voted to adjourn at 8:30 A.M.

Charles C. Walsey, Chair

Peter L. Breton, Secretary

ATTACHMENT: Engineer's Report

Cypress Grove Community Development District
District Engineer's Report
January 22, 2019

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 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.

County Five Year Road Program Fiscal Year 2018 – FY 2022

On December 18, 2018, the Palm Beach County Commissioners adopted annual 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 \$10.5 million being in FY 2019 (October 2018-September 2019).

Seminole Pratt Whitney Road and Northlake Boulevard intersection improvements at a cost of \$6.7 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 \$3.0 million in FY 2020 and \$5.2 million in FY 2021.

60th Street North West of 140th Avenue to Avocado Blvd. Study, design and right-of-way acquisition for a 3-lane road in FY 2019 – FY 2020.

60th Street North Avocado Blvd. to East of 120th Avenue North. Construction of 1.6 miles of three lane road at a cost of \$7.0 million in FY 2022.

SFWMD Water Use Permit -

The fourth quarter Water Use Pumping Report (October – December 2018) was submitted to SFWMD and is posted on the CGCDD website. Water usage through the 4th quarter totaled 3,544.8 million gallons (76% of the annual allocation). Historical usage for 2009-2019 is attached.

Santa Rosa Connection Permit (No changes from March 19, 2018)

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 (No change from November 19, 2019)

On January 8, 2019, Indian Trail Improvement District held a workshop with residents of Santa Rosa Grove. The attorney (Terry Lewis) for Santa Rosa Groves Homeowners Association reported that 30 landowners have provided positive responses in favor of formation of an active ITID Unit of Development. With 99 lots the Homeowner Association needs the support of 51 landowners to move forward with ITID. The manager for ITID (Rob Robinson) said that the preliminary estimate for rehabilitation of the drainage, roadway and swale system totals just over \$1 million, adding financing fee would place the assessments at \$223.78 per acre per year for a 10-year loan. If the residents decide to move forward with a ITID Unit, a complete engineering study and a revised cost estimate could result in increases.

Indian Trail Improvement District is waiting on information from Santa Rosa attorney. There are a number of legal issues on common area easements that require resolution. Some of the legal issues are identified in the attached email dated November 2, 2018 from Frank Palen (one of ITID attorney with Caldwell Pacetti).

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 (No changes from September 17, 2018)

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 cgidd.org website has been updated with the minutes for the December 17, 2018 meeting and agenda for the January 22, 2019 meeting.

Data is stored by SFWMD under Application No. 900625-4 Indian Trail Groves. Maximum Monthly Allocation is 924.26 MG and Maximum yearly is 4,646.59 MG.

Data below is in Millions of Gallons (MG)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec		Yearly Amount	% of Allocation
2009										58.4	119.8	84.4		262.6	5.7%
2010										111.1	369.2	352.4		832.7	17.9%
2011	257.1	430.2	405.5	386.5	149.7	0								1629	35.1%
2012										111.1	369.2	352.4		832.7	17.9%
2013	546.8	460	379.5	524	115	0	0	0	34.6	577.6	678.2	588.8		3904.5	84.0%
2014	465	459.9	552.3	544.3	351.5	0	0	0	0	257.8	363.7	564.4		3558.9	76.6%
2015	825.2	462.4	385.6	655.3	201.8	36.6	0	0	0	243.8	584.2	592.2		3987.1	85.8%
2016	409	597.4	587.5	548.1	187.8	0	0	0	48	131.5	640.5	581.4		3731.2	80.3%
2017	620.8	693.2	573.6	749.4	42.2	0	0	0	0	0	192.3	663.9		3535.4	76.1%
2018	346.9	584.2	668.5	492.9	0	0	0	0	123.8	232.5	431.6	664.4		3544.8	76.3%