

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
MINUTES

Date: April 15, 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 Chair, Charles Walsey, at 8:02 A.M.

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

In Attendance:

Board Members: Charles Walsey, 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 Elsner and second by Supervisor Johnson, the Board unanimously approved the Agenda.

3. **Approval of Minutes**

By motion by Supervisor Elsner and second by Supervisor Johnson, the Board unanimously approved the minutes of the Board of Supervisors' Meeting of March 18, 2019.

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

The District Engineer reported on a meeting regarding the Lake Okeechobee Operating schedule at SFWMD. See the attached written report for details. He said that the U.S. Army Corps of Engineers' current plan is to lower the lake level to 11.0 feet instead of 10.5 feet. He said the WMD is going to start draining water from the L-8 reservoir. He discussed potential impacts on the District's ability to pump for irrigation.

He discussed the proposed secondary user agreement for water use with FPL. SFWMD has requested a copy.

Supervisor Elsner moved that the Board approve the secondary user agreement with FPL, subject to legal review. Supervisor Duhaney seconded the motion. The motion passed unanimously.

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

The Operations Manager discussed his written report, a copy of which is attached. He said that the L-8 canal elevation was 12.0 at the north pump station and at the south pump station on April 14, 2019. The on-site water elevation was 17.7 feet on April 14 and this morning was 19.6 feet after receiving two inches of rainfall. He will hold as much as possible. Lake Okeechobee elevation was 11.65 feet.

He discussed the engine repairs at the north pump station at a cost of \$2,880. He said that a remanufactured engine replacement is not available for the engine that blew and an engine rebuild will cost \$21,500.

He said he has used 6,500 gallons and we'll need to order a fuel delivery this week.

He said he had to replace pump motors and piping on the fuel tanks. He has not received the invoice but said there was 18 hours of labor. He estimates the cost will be \$2,500. The repair was unavoidable since fuel could not be transferred without the repairs.

He said he completed the rip-rap at the south pump station.

He said that Riccabono sold the lot on the western side of Santa Rosa Groves where the pipe replacement was proposed last year. He must repair it with a new pipe and riser. Alan Wertepny said they should handle it as an emergency repair. A permit is not required. Riccabono will hire Bobby Poyner to do the work at his expense.

He said there are trucks hauling horse waste into Section 32, which is not in the District. He notified the appropriate agencies. County Code Enforcement responded that a code enforcement officer has been assigned.

6. Treasurer's Report

The Treasurer reported that at the end of March the bank balance was approximately \$349,000. \$16,000 was deposited at the beginning of April, so there is \$365,000 available. Approximately \$38,000 in checks has been issued. There are eight months until next year's taxes begin to be received and the average operating cost is \$20,000, for a total of \$160,000. There will be two fuel deliveries for \$30,000. The audit and insurance will cost \$12,000. There is \$37,500 left of the original \$50,000 budgeted for the pump station. There was \$15,000 allocated for the north pump engine. The cost of the pump engine has increased to \$21,000. The new pump station has been underestimated by \$36,000.

Supervisor Elsner said he thinks the underestimate is \$50,000. The total cost, including blasting, would cost \$100,000. Supervisor Elsner said the box costs \$26,000 and it is not in production yet. He said that the cost of the box went up \$11,000 from the estimate.

Bobby Poyner said the \$50,000 estimate was from before the decision was made to redo the north station instead of lowering the existing box at the south station.

The Board discussed abandoning the south pump station and moving the box to the north pump station.

Originally, the plan was to redo the south pump station, but the cost of blasting and filling was very high.

Supervisor Portnoy said he needs an accurate estimate of the cost of the relocation plan before he can support it.

Supervisor Elsner said he and Bobby Poyner need to review the prior estimates to reconstruct the source of the increases.

Supervisor Portnoy said we have already spent \$18,000, not including the cost of the new pump.

Supervisor Portnoy stated that the whole reason for redoing the pumps is the lowering of the Lake Okeechobee and L-8 water levels below what the existing pump can operate.

Supervisor Portnoy asked how long to manufacture a new box. Supervisor Elsner estimated three to four weeks since it is large and non-standard.

Supervisor Elsner and Bobby Poyner discussed the logistics of moving the box and acknowledged the possibility of damaging the box. However, moving the box and the pipe could result in substantial savings.

Bobby Poyner said that this is the most important project on the list.

Supervisor Elsner said that moving the south pump station would not affect the drainage at the south station.

Supervisor Elsner said he will run two estimates. One will be for a new box and discharge pipe. The other will be to pull the existing box, transport it north, and reset it at the north pump station. The biggest risk is if the existing box is broken, but that would also be the risk of lowering the box at the south station.,

Supervisor Elsner and Bobby Poyner will work up the estimates this month.

7. Attorney's Report

The Attorney reminded everyone that the audit is due not later than June 30, 2019.

He also said that the preliminary budget will be considered at the next meeting.

Alan Wertepny asked about whether the District's website needs to be ADA compliant. Peter Breton said it is unclear whether a special district is required to make its website ADA compliant. The Board authorized Alan Wertepny to revise the website at a cost not to exceed \$800.

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 May 20, 2019, at 8:00 A.M. at 8756 Boynton Beach Boulevard, Suite 2100, Boynton Beach, Florida 33472.

11. Adjournment

Upon motion by Supervisor Elsner and second by Supervisor Duhaney, the Board unanimously voted to adjourn at 9:28 A.M.

Charles C. Walsey, Chair

Peter L. Breton, Secretary

ATTACHMENTS: Engineer's Report
Manager's Report

**Cypress Grove Community Development District
District Engineer's Report
April 15, 2019**

Lake Okeechobee Regulation Schedule – On April 10, 2019, South Florida Water Management District's new Governing Board held a public workshop to discuss historical and current operations of the SFWMD regional flood control and water supply system. Panel members included U.S. Army Corps of Engineers Lt. Col. Jennifer Reynolds, Tom MacVicar, Tommy Stroud (Lake Worth Drainage District, Executive Director), Tom Van Lent (Everglades Foundation), SFWMD Staff and Board. District staff presentation covered history of the regional system, operations responsibilities between Corps and SFWMD and Lake Okeechobee Operational Schedule. Most of the discussion centered around the Corps current intent to lower the lake to 11.0 feet. Corps justification to lower the level this year is to allow removal of dead aquatic shoreline vegetation that will promote regrowth of vegetation, fisheries, and water quality benefits. Since the forecast is for El Nino conditions (higher than normal rainfall) the Corps believes they can manage the system and provide multiple benefits. Corps also stated that there is no guarantee that a drought condition will not occur. The general consensus of the new SFWMD Governing Board is it worth the risk.

The U.S. Army Corps (Corps) of Engineers is beginning the process of re-evaluating the operational criteria for Lake Okeechobee, referred to as the Lake Okeechobee System Operating Manual (LOSOM). As part of their evaluation process the Corps is forming the following sub-teams:

- Water Management
- Eco (Environmental/Ecology)
- Engineering
- Water Supply
- Water Quality / Harmful Algal Blooms
- Economics
- Plan Formulation

Government agencies can be sub-team members. Non-governmental organizations and the public can listen and participate through public comment periods.

State Road 7 Extension – This is tied up in permitting challenges from the City of West Palm Beach. An environmental appeal to the SFWMD permit is scheduled for a hearing in August.

County Five Year Road Program Fiscal Year 2018 – FY 2022 (No change from January 22, 2019)

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 – On April 4, 2019 we received a letter from SFWMD acknowledging receipt of the 10-Year Compliance Report and requesting an updated list of secondary users, copy of a Water Use Agreement with FPL (covering two sections of land) and possible adjustment to CGCDD water use allocation. Bobby and Peter are coordinating with FP&L on the Water Use Agreement

The CGCDD pumping records on our website were updated to include a 12-month rolling total to monitoring compliance with the annual withdrawal allocation.

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 cgddd.org website has been updated with the minutes for the March 18, 2019 meeting and agenda for the April 15, 2019 meeting.

Cypress Grove Community Development District

Operations Report

4/15/19

- On April 14, 2017 the offsite L-8 Canal elevation at the North Pump was 12.0 and the onsite elevation was 17.7 The South Pump offsite elevation was 12.0 and the onsite elevation was 17.7 Lake Okeechobee water level is 11.65 March level was at 12.22
- Canals- Aquatic herbicide program to start June 2019.
- 1st Quarter pump reports are due. Will send to Alan this week.
- Engine repairs North pump motor. New Murphy switch installed & cooling system repaired. \$2800.00 Everglades Farm Equipment.
- Replacement engine John Deere \$21,500.00
- Fuel tank inspection. There are no leaks and tanks are working properly at this time. We had 7004 gal of fuel delivered on 2/8/19 and have used 6500 gal since delivery. Pnuemricator panel repairs have been completed. Replaced pumps & motors fuel tank.
- 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. (COMPLETE \$1005.00)
 - 5.
 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 CDD canal system. (Currently draining in North canal) (OPTIONS) Filled ditches draining into south canal. (PIPE REMOVED FROM SOUTH CANAL)
- FPL water use.
- Low water levels L8. Calling SFWMD several times per week.
- Future lake levels. (Army Corps, SFWMD & Governor.) Lt. Colonel Reynolds workshops. Attended SFWMD meeting with newly appointed members.
- Santa Rosa Groves discussion. Removal of non- Permitted pipe & install new 36" pipe & Riser. Will permit be required?
- 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. (Blasting complete.)
- Horse waste coming into Santa Rosa Groves.