

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
MINUTES

Date: February 18, 2020
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, Rick Elsner, Pamela Duhaney, Larry Portnoy 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 January 21, 2000.

4. Engineer's Report

The District Engineer distributed his written report (copy attached). He reviewed the latest status of the new Lake Okeechobee System Operating Manual (LOSAM). He said the US Army Corps' position is that the LOSOM is not subject to the Savings Clause of the Water Resources Development Act of 2000 (WRDA). He said that the Southeast Florida Utility Council (SEFLUC) has challenged the Corps' position in a detailed letter dated January 30, 2020. SEFLUC has asked SFWMD, as the local sponsor of the Comprehensive Everglades Restoration Plan, to take a position on this issue.

In response to a question from Supervisor Elsner, the Engineer said he did not know if the farmers have also objected, although they had representatives at the meeting.

Mr. Poyner said his contacts at SFWMD operations are concerned over future water levels.

The Engineer then said that there is no progress on State Road 7 extension or any change in the status of the County Five Year Road Program.

He reported on a meeting held the previous week on the Herbert Hoover Dike project. The meeting was at the Palm Beach Chapter of the American Society of Civil Engineers at which the project manager gave a presentation. The total budget for the project is \$1.8 billion, of which \$100 million was contributed by the State of Florida. It is fully funded and is on schedule to be completed in July 2022. The control structure for the L-8 canal is scheduled to be completed July 2020.

Supervisor Elsner commended that the government is spending \$1.8B to harden the dikes while also planning to lower the lake water elevation. The Engineer explained the process for justifying the need for the project, including an assumption that the stage would be at 25 feet, which has never happened.

He gave an update on the Loxahatchee River Restoration Local Initiative. SFWMD sent a letter to the Corps supporting the restoration project but did not mention the local initiative. The Corps is concluding public comments on the restoration project on March 9. Supervisor Elsner asked how the Corps plans to supply water for the restoration. The Engineer discussed how this is a problem and how it ties back to the issue with LOSOM and the Savings Clause in WRDA.

He updated the status of the Yee Farms permit application. The Treasurer directed the Engineer to break out of his invoice the amounts attributable to the Yee Farms and FPL applications so that it could be collected from these companies. The Engineer said he has also organized the permit applications on the website to make it more clear that the consultant fees will be reimbursed in addition to the application fee.

He reported on the FPL application for the solar energy center. He said there are several pieces of information that he has requested from FPL. He is working on getting the information and on making sure the SFWMD permit includes our concerns.

Mr. Poyner said that the riser boards at the FPL property are missing, allowing unneeded water to flow out of our canals, wasting a substantial amount of water. The Board directed him to contact FPL's project manager to get them to install the boards.

The Treasurer asked if we should cash the permit fee applications before getting reimbursement of the consultant costs. He asked what would happen if the applicants failed to reimburse the consultant costs. The Board discussed the possibility of requiring applicants to post a cost deposit against the consultant costs. The Board directed the Attorney to provide language for the Engineer to incorporate into the permit applications.

5. Operations Manager's Report

The Operations Manager discussed his written report, a copy of which is attached. Mr. Poyner discussed ITID's plan to flood the northern portion of the Moss Property owned by the Fish and Wildlife Commission and his on-site meeting with Rob Robinson from ITID. They are about to go out to bid for the pumps. Supervisor Portnoy said he had a meeting with Betty Argue, the ITID president, to convey GL Homes' concerns about the flooding, given GL Homes' drainage rights over the Moss Property. The issue is that the water will flow into the District canals. A discussion of the potential impacts on the District canals and the need to increase the canal banks to contain the water ensued. Supervisor Portnoy said a letter from GL Homes' attorney should be drafted since it holds the drainage rights.

Mr. Poyner reported that Costa Farms is in discussions with Yee Farms, which may resolve Costa's water supply issue.

Mr. Poyner reported on several open connections on the Santa Rosa Groves property that are taking irrigation water that need to be closed. He said we waste a lot of fuel because of these openings. The Board authorized him to put together an estimate of the cost to install a pipe and riser.

6. Treasurer's Report

The Treasurer reported that the bank account had \$400,000 at the end of January 2020. He wants to prioritize the projects. He asked if there were any high priority projects that need to be authorized immediately. After discussion, it was determined that shoring up the canal banks in Section 31 (item 2 phase 1 on the Operations Manager Report) and plugging the openings on Santa Rosa Groves were high priority. Mr. Poyner was given the go ahead to do these projects. The amount for Santa Rosa Groves was \$3500-\$4000 plus the cost of the pipe.

7. Attorney's Report

The District Attorney had nothing to report this month.

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 March 16, 2020 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 Johnson, the Board unanimously voted to adjourn at 9:14 A.M.

Charles C. Walsey, Chair

Peter L. Breton, Secretary