

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
MINUTES

Date: August 16, 2021
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 Chair Walsey at 8:00 A.M.

The Secretary then called the roll, and noted that all Supervisors except Supervisor Duhaney were present.

In Attendance:

Board Members: Charles Walsey, Rick Elsner, Larry Portnoy, and Don Johnson, Supervisor Duhaney arrived at 8:15 A.M.

District Engineer: Alan Wertepny

District Attorney: Peter Breton

Operations Manager: Robert Poyner, RLP Property Services, Inc. (by speaker phone)

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 Johnson and second by Supervisor Elsner, the Board unanimously approved the minutes of the Board of Supervisors' Meeting of June 21, 2021.

4. Acceptance of Resignation of Supervisor Johnson

The Board received a letter of resignation from Supervisor Johnson, Upon motion by Supervisor Elsner and a second by Supervisor Portnoy, the Board unanimously approved the acceptance of Supervisor Johnson's resignation. The Chair expressed the District's appreciation of Supervisor Johnson's years of service and wished him well.

5. Appointment of Replacement for Supervisor Johnson

In accordance with the District's governing statute, Supervisor Elsner made a motion to appoint Mr. Patrick Fogarty to serve as Supervisor for the balance of Supervisor Johnson's term. Supervisor Portnoy seconded the motion and the Board unanimously approved the motion. Attorney Breton stated that he would send a written oath of office for Supervisor Fogarty to sign and return for filing in the District's records. The attorney also advised Supervisor Fogarty to file his initial financial disclosure form with the Supervisor of Elections and former Supervisor Johnson to file his final financial disclosure form with the Supervisor of Elections.

6. Engineer's Report

The District Engineer had not yet arrived, so his presentation was deferred until later in the meeting.

7. Operations Manager's Report

The Operations Manager reported on the onsite and offsite water levels. He said he is treating the canals. He said that Pontano is getting ready to apply for additional irrigation water from SFWMD.

Pontano has an additional 10 acre parcel on the south side of Section 29, so Mr. Poyner expects that Pontano will request 2 connections to the canals, one on the north and one on the south.

He updated the Board on his progress on canal bank clearing.

He said that there is about 600 gallons of fuel remaining. In response to the Treasurer's question, he said he will definitely need to order one tanker delivery before the end of the year at 7000 gallons and possibly a second.

He discussed his progress on resolving the trespassing problem. He is working with the Sheriff's Office and the game warden.

He said he is working with FPL on getting a gate replaced in Section 4 and with SFWMD to move a gate on the L-8 Canal.

He discussed the need for bank clearing in Santa Rosa Groves and the timing in regard to any road improvements in that section.

8. Treasurer's Report

The Treasurer reported that he estimated the District will have \$93,000 going forward after taking out 4 months of operations at \$25,000 per month, 2 more fuel deliveries at \$10,000 each and \$10,000 for insurance.

Next was a discussion of the FY 2021-2022 budget. The attorney distributed copies of the budget which he said was identical to the preliminary budget approved in May, with the exception that the line of credit payment was increased by \$10,000 and the canal maintenance line item was reduced by the same \$10,000. The total and the maintenance assessment rate remains the same.

9. Public Hearing on 2021-2022 Budget and 2021-2022 Non-ad Valorem Assessment Rate

The Chair then announced that the public hearing on the FY 2021-2022 budget and the FY 2021-2022 Non-ad Valorem Assessment Rate was open. The District Attorney stated for the record that the public hearing was duly noticed in the Palm Beach Post and that letters were mailed to all property owners in the District at the address in the tax rolls. There being no members of the public desiring to speak, the Chair closed the public hearing.

10. Discussion of Revisions to 2021-2022 Budget and 2021-2022 Non-ad Valorem Assessment Rate

The Board did not make any revisions to the budget or non-ad valorem assessment rate.

11. Motion to Adopt Resolution Approving 2021-2022 Budget

Upon motion by Supervisor Elsner and second by Supervisor Portnoy, Resolution No 2021-2 adopting the FY 2021-2022 final budget as presented was unanimously approved.

12. Motion to Adopt Resolution Approving 2021-2022 Non-ad Valorem Assessment Rate

Upon motion by Supervisor Elsner and second by Supervisor Portnoy, Resolution No 2021-3 adopting the FY 2021-2022 final Non-ad Valorem Assessment Rate of \$75.39 per acre was unanimously approved

13. Attorney's Report

The Attorney stated that there will be elections in November.

14. Engineer's Report

The District Engineer arrived and distributed copies of his written report (copy attached). He explained the issues with the Corps of Engineers LOSOM revision. Potential impacts on the District's water supply were discussed.

15. Comments by Supervisors

Supervisor Portnoy updated the Board on the progress on the incorporation of the Acreage into a new city.

There were no further comments by Supervisors.

16. Comments by Public

There were no members of the public present.

17. Announcement of Next Meeting Date

The Chair announced that the next meeting would occur on September 20, 2021 at 8:00 A.M. at 8756 Boynton Beach Boulevard, Suite 2100, Boynton Beach, Florida 33472.

18. Adjournment

Upon motion by Supervisor Elsner, seconded by Supervisor Duhaney the meeting was adjourned at 8:45 A.M.

Charles C. Walsey, Chair

Peter L. Breton, Secretary

**Cypress Grove Community Development District
District Engineer's Report
August 16, 2021**

Lake Okeechobee System Operating Manual

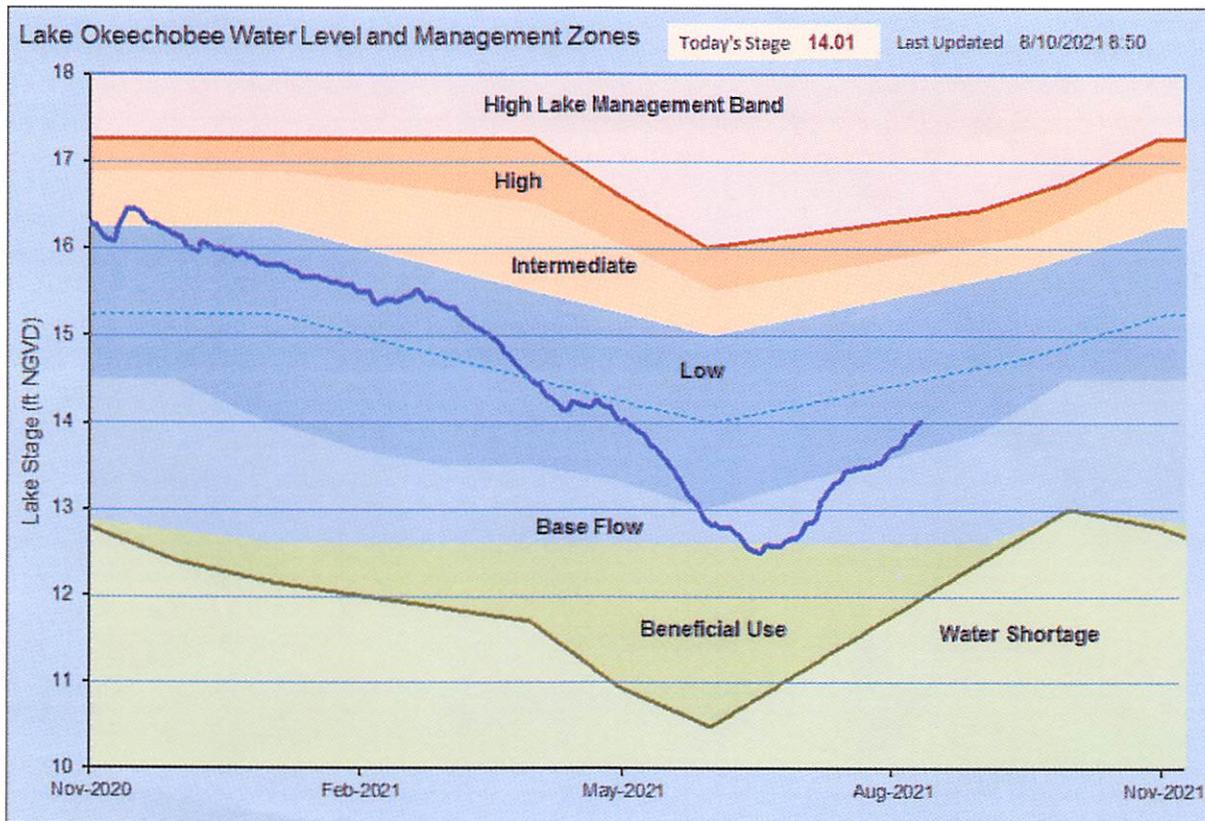
The U.S. Army Corps of Engineers, Jacksonville District, has selected a preferred plan: Alternative CC. The plan attempts to provide a balance approach to meeting four objective:

- Manage risk to public health and safety, life and property
- Continue to meet authorized purposes for navigation, recreation, and flood control
- Improve water supply performance
- Enhance ecology in LO, northern estuaries and across the south Florida ecosystem.

The Corps is attempting to optimize Alternative CC over the next several weeks. The Corps is on schedule to provide the operational criteria and guidance document by October 14, 2021.

Current Lake Okeechobee Water Levels

On August 10, 2021, the Lake level was at 14.0 Feet NGVD. The one- year graph of the Lake Okeechobee water level and in the upper level of the Base Flow management zone. The current level is 2.1 feet above the water shortage zone. Reported release from the Lake are south into the L-8 canal. L-8 stage at West Palm Beach M Canal was at 14.0 Feet NGVD.



County Five Year Road Program Fiscal Year 2020 – FY 2024 (No revisions since June 2021)

On June 8, 2020, the Palm Beach County Commissioners adopted an ordinance to amend the 5- year roadway plan. The first three items below is the status of local roadway project on the County's April 8, 2021 critical 5- year road program projects. The remaining three items below are on the County's adopted 5- year roadway plan.

Seminole Pratt Whitney Rd. widening from 2 to 4 lanes from Orange to south of Northlake Blvd (1.8 miles) at an estimated construction cost of \$10.7 million with an estimated beginning date of construction of 1/4/21. County opened bids but a protest was filed.

Seminole Pratt Whitney & Northlake Blvd. intersection improvements at an estimated construction cost of \$5.41 million with an estimated beginning date of construction of 1/4/21. County opened bids but a protest was filed.

Northlake Blvd East of Seminole Pratt Whitney Road east to Hall Blvd widening from 2 to 4 lanes (1 mile) at an estimated construction cost of \$7.5 million with an estimated beginning construction date of beginning in 2021.

Northlake Blvd east of Hall Blvd. to Coconut widening from 2 to 4 lanes (2.4 miles) at an estimated right-of-way acquisition and construction cost of \$6.9 million. Construction beginning in 2021.

60th Street West of 140th Avenue to Avocado Blvd. An estimated cost of \$ 0.5 million for design, right-of-way acquisition and mitigation for a 3-lane road in FY 2022.

60th Street North Avocado Blvd. to East of 120th Avenue North. Construction of 1.6 miles of three land road at an estimated construction of \$5 million in FY 2023.

SR 7 Extension from Okeechobee BLVD to Northlake Blvd

Palm Beach County and Florida Department of Transportation has submitted a new ERP permit application to South Florida Water Management District (Appl. No. 200930-4370). SFWMD has responded with its first request for additional information. SFWMD issued the permit on April 16, 2021. Between May and July, the City of West Palm made two petitions to SFWMD for an administrative hearing. SFWMD has dismissed both petitions on the grounds it contained only speculative and conclusory allegations. On July 2, the City responded to SFWMD second dismissal order, questioning SFWMD legal authority to deny an administrative hearing. SFWMD has not provided a response. Application status is a Hearing.

SFWMD Water Use Permit

Bobby Poyner submitted the second quarter water usage 2021 report to our office. We have processed the hardcopy reports and submitted electronically the data and table to SFWMD.

Section 29 CGCDD Permits (No update since June 2021)

Pontano (ID 21) – Bobby is coordinating the Water Use Agreement for the 22 acres and water use allocation (3.06MG/M and 15.37 MG/Y. Per 6/15/21 telephone call with Bobby Pontano is considering expanding facilities and may need and Irrigation connection permit.

Loxahatchee River Restoration (No changes since March 2021)

The U.S. Army Corps (Jessica Mallett-Lead Engineer) is coordinating with local entities (ITID, WPB, SFWMD...) to obtain operational information on their facilities for use in expanding the regional hydrologic models of the North County Area. This effort is associated with the Lake Okeechobee System Operating Manual (LOSOM).

Indian Trail Improvement District Moss Property Pilot Pumping Project (No changes since March 2021)

A 25cfs pump station discharging from ITID M-1 Impoundment into the Moss/Corbett property have been installed. ITID will be installing stage monitoring equipment within proximity to ITID impoundment.

Website Update

The cgdd.org website has been updated with the minutes for the June 21,2021 meeting and agenda for the August 16,2021 meeting.