

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT  
BOARD OF SUPERVISORS  
MINUTES

Date: October 18, 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 were present.

In Attendance:

*Board Members:* Charles Walsey (via speakerphone), Rick Elsner, Larry Portnoy, Pamela Duhaney and Patrick Fogarty.  
*District Engineer:* Alan Wertepny  
*District Attorney:* Peter Breton (via speakerphone)  
*Operations Manager:* Robert Poyner, RLP Property Services, Inc.

**2. Approval of Agenda**

After a motion by Supervisor Elsner and second by Supervisor Portnoy, the Board unanimously approved the agenda,

**3. Approval of Minutes**

By motion by Supervisor Elsner and second by Supervisor Portnoy, the Board unanimously approved the minutes of the Board of Supervisors' Meeting of August 16, 2021.

**4. Engineer's Report**

The District Engineer presented his written report, a copy of which is attached. He reviewed the status of the Lake Okeechobee System Operating Manual (LOSOM) adoption process. He stated that the Lake Okeechobee water level is high and described how the Corps is moving water. He said that there has been no activity on the County's Five-Year Road Program. There is an administrative hearing scheduled for the State Road 7 permit. He reported on the status of the water use reports and the permitted water amounts. He said the usage is below the permitted quantities. Mr. Poyner said that the conversion to sugar cane uses less water. In the future, the usage on the FPL parcels will be reduced due to the conversion from agriculture to solar farm. The Engineer said that there is 15 years left on the water permit. He reported that there is an online meeting scheduled for October 19 on the Loxahatchee River Restoration. He said that GL Homes' property will likely be part of the discussion. He reported on the ITID pilot project status in the Corbett Area.

**5. Operations Manager's Report**

The Operations Manager reported on the onsite and offsite water levels. He said he is treating aquatic weeds and bank maintenance. He is providing pump reports to the Engineer. He requested assistance from the Engineer with helping Pontano permitting. He said that he will need a fuel delivery this week. The Treasurer said he has budgeting \$30,000 for 2 fill ups this calendar year. Mr. Poyner said he foresees only needing one fuel delivery this year. He said he can get next day delivery and he calls around for the best price. He described his progress on the main canal along the south side of Corbett. He has stopped water from Corbett coming into the District. He discussed what has been billed and not billed. The Treasurer indicated that he foresees having \$30,000 available for projects. Mr. Poyner suggested that if the projects continue to be completed, the Board should consider purchasing a replacement pump for the north pump station since the existing pump is worn and cannot be repaired

again. He then discussed the problem with trespassers and his efforts to keep them out. He reported on a site meeting with FDAC that afternoon regarding fertilizer usage and registration.

**6. Treasurer's Report**

The Treasurer reported that he ended the month with approximately \$235,000 in the bank. Many checks have not cleared. Considering two more months of operating expenses, \$21,000 for fuel and a \$15,000 payment on the line of credit, we will have \$67,000 for the end of the year. Reserving \$21,000 for a possible second fuel delivery, leaves \$46,000. This will allow \$30,000 for projects and \$16,000 for unforeseen contingencies. He said the unsecured loan balance is \$25,000 and he wants to pay down \$15,000. If there is a surplus at the end of the year, he may choose to pay it in full. The Treasurer said that Mr. Poyner should go ahead and complete the rip-rap project now.

**7. Attorney's Report**

The Attorney stated the Board must decide on a meeting schedule for the next year. He presented two options for consideration, monthly or quarterly. He said that we could fulfill all of the statutory requirements with quarterly meetings and call additional meetings as necessary. He said that the Treasurer could work directly with Mr. Poyner to authorize projects in the budget. After discussing the alternatives, the Board's consensus was to continue to meet monthly. Upon motion by Supervisor Portnoy and second by Supervisor Elsner, the monthly meeting schedule was unanimously adopted.

He reminded everyone that in November, the election meeting for supervisors will be held. Supervisors Walsey, Duhaney and Elsner will be up for reelection. He will be publishing notice in the newspaper and sending notices and proxies to all landowners.

**8. Comments by Supervisors**

There were no further comments by Supervisors.

**9. Comments by Public**

There were no members of the public present.

**10. Announcement of Next Meeting Date**

The Chair announced that the next meeting would occur on November 15, 2021 at 8:00 A.M. at 8756 Boynton Beach Boulevard, Suite 2100, Boynton Beach, Florida 33472 and it will be a landowners meeting for the election of supervisors.

**11. Adjournment**

Upon motion by Supervisor Elsner, seconded by Supervisor Duhaney the meeting was adjourned at 8:49 A.M.

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Charles C. Walsey, Chair

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Peter L. Breton, Secretary

**Cypress Grove Community Development District  
District Engineer's Report  
October 18, 2021**

**Lake Okeechobee System Operating Manual**

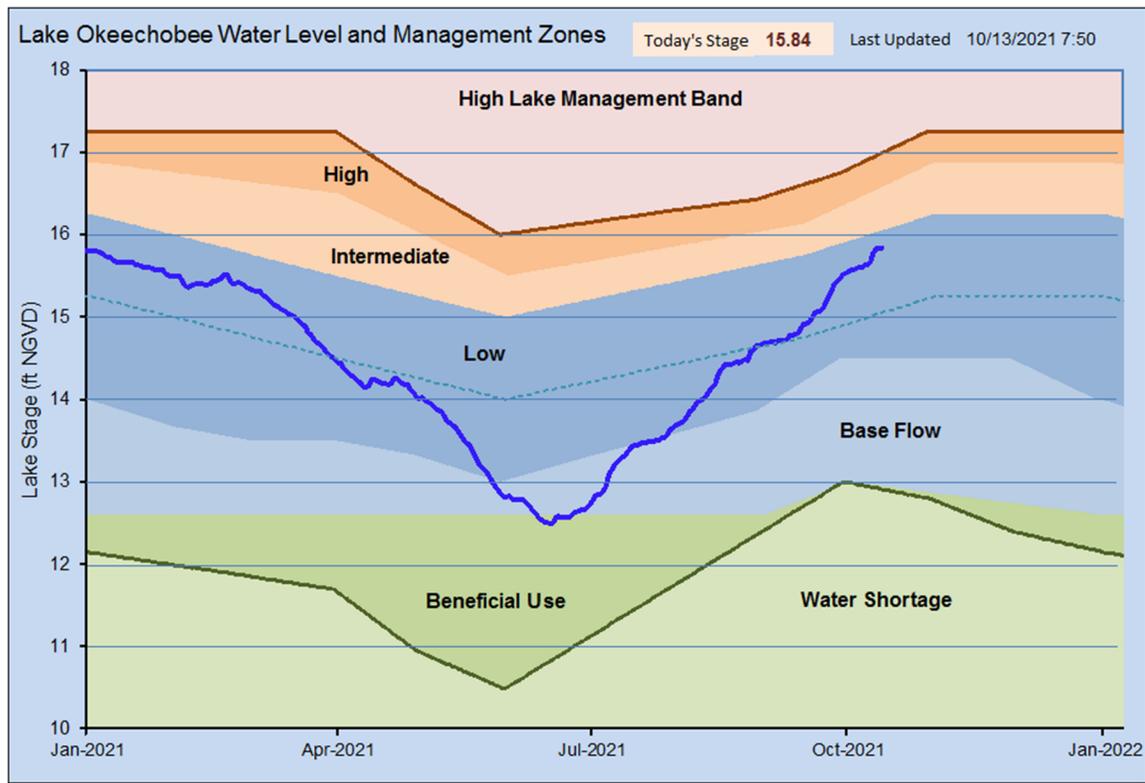
The U.S. Army Corps of Engineers, Jacksonville District, has selected a preferred plan: Alternative CC. The plan attempts to provide a balance approach to meeting four objective:

- 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 has conducted a series of three Operational Working Draft Workshop ion the month of September. The last LOSOM Operational Guidance workshop occurred on September 29,2021. The Corps is schedule to provide the operational criteria and guidance document by mid October 2021.

**Current Lake Okeechobee Water Levels**

On October 13, 2021, the Lake level was at 15.8 Feet NGVD. The one- year graph of the Lake Okeechobee water level and in the low management zone. The current level is 2.8 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 16.8 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.

60<sup>th</sup> Street West of 140<sup>th</sup> 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.

60<sup>th</sup> Street North Avocado Blvd. to East of 120<sup>th</sup> 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. **An administrative hearing is currently scheduled on this issue to begin in February 2022. It may take several months after that for the ruling by the administrative law judge to be issued. If the Department prevails at the hearing, permit issuance would follow thereafter, and the Department will reschedule a letting date.**

### **SFWMD Water Use Permit**

**Bobby is in the process of submitting the third quarter water usage records to our office for processing with 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**

A 25cfs pump station discharging from ITID M-1 Impoundment into the Moss/Corbett property have been installed. **ITID has installed the monitoring equipment. The system is fully operational but pumping into the Moss property has not occurred.**

### **Website Update**

**The cgdd.org website has been updated with the minutes for the August 16, 2021 meeting and agenda for the October 18, 2021 meeting.**