

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
MINUTES

Date: February 21, 2022
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 Secretary then called the roll, and noted that all Supervisors were present except Charles Walsey.

In Attendance:

Board Members: Rick Elsner, Larry Portnoy, Pamela Duhaney and Patrick Fogarty.

District Attorney: Peter Breton (via speakerphone)

Operations Manager: Robert Poyner, RLP Property Services, Inc.

2. Approval of Agenda

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

3. Approval of Minutes

By motion by Supervisor Duhaney and second by Supervisor Portnoy, the Board unanimously approved the minutes of the Board of Supervisors Meeting of January 17, 2022.

4. Engineer's Report

The District Engineer submitted a written report (copy attached). He reported on the next steps in the Lake Okeechobee System Operating Manual adoption, including the actions in the Florida legislature to protect agricultural water users and to fund the EAA reservoir. He had nothing new to report on the Loxahatchee River Restoration. He reported on the Lake Okeechobee water levels and releases. On the State Road 7 extension, he said that there will be an administrative hearing at SFWMD in February. He reported on the County Five Year Road Program projects in the District's area. He reported on the ITID Moss Property Pilot Project that the pump has been installed but has not operated.

5. Operations Manager's Report

The Operations Manager submitted a written report (copy attached). reported on the onsite and offsite water levels. Supervisor Elsner asked him about fuel levels, usage and prices. He said that he expected diesel prices to increase drastically. He said he could transfer 900 gallons from the storage tank and order more fuel. He said that the long reach is on site for 2 days for installing rip rap. He and the Treasurer discussed the capital improvement projects and estimated costs of items 1-5 and determined that the estimated cost is \$43,000. He explained the difference between item 1 and item 5. He reported on ITID's work in Santa Rosa and the expected project sequence. He discussed coordinating their road projects with our projects.

6. Treasurer's Report

The Treasurer said that he has received almost all the assessments that are due. He estimates that it will take \$30K per month for District operations. We have approximately \$130K available for projects.

7. Attorney's Report

The Attorney stated that there was nothing to report.

8. Comments by Supervisors

Supervisor Portnoy briefed the Board on GL Homes' efforts with the County Commission to transfer development entitlements to the Agricultural Preserve. The next hearing will be in July or August. He described the possible impacts to the District. The District Engineer commented on the potential changes to the operations of the drainage and irrigation systems.

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 March 21, 2022 at 8:00 A.M. at 8756 Boynton Beach Boulevard, Suite 2100, Boynton Beach, Florida 33472.

11. Adjournment

Upon motion by Supervisor Portnoy, seconded by Supervisor Duhaney, the meeting was adjourned at 8:55 A.M.

Charles C. Walsey, Chair

Peter L. Breton, Secretary

**Cypress Grove Community Development District
District Engineer's Report
February 21, 2022**

Lake Okeechobee System Operating Manual (no updates since November 2021)

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 objectives; (1) Manage risk to public health and safety, life, and property; (2) Continue to meet authorized purposes for navigation, recreation, and flood control;(3) Improve water supply performance; and (4) Enhance ecology in LO, northern estuaries and across the south Florida ecosystem. The Corp finalize the optimized lake schedule model on November 16, 2021 and continued developing and evaluating the operational guidance document for preferred alternative plan.

The Corps presented their evaluation of the modeling results as discussed with the Project Delivery Team (PDT) on January 12, 2022, and a public listening session on January 24,2022 on the modeling results discussed with the PDT. The Corps will have a follow-on PDT meeting to discuss operational guidance for the Water Control Plan.

On February 7, 2022, the Florida Senate Appropriations Committee passed a water supply bill that provides to agricultural water users when Lake Okeechobee water level is low. On February 17 the Senate approved SB 2508 with some major amendments. These included that state money for the EAA reservoir, and four restoration projects is not contingent on the water management district certifying to the state that it follows its rules and programs. Also removed was a requirement that SFWMD recommend to the Corps that water users receive drought protection for 1 in 10 years as compared to 1 in 6 years.

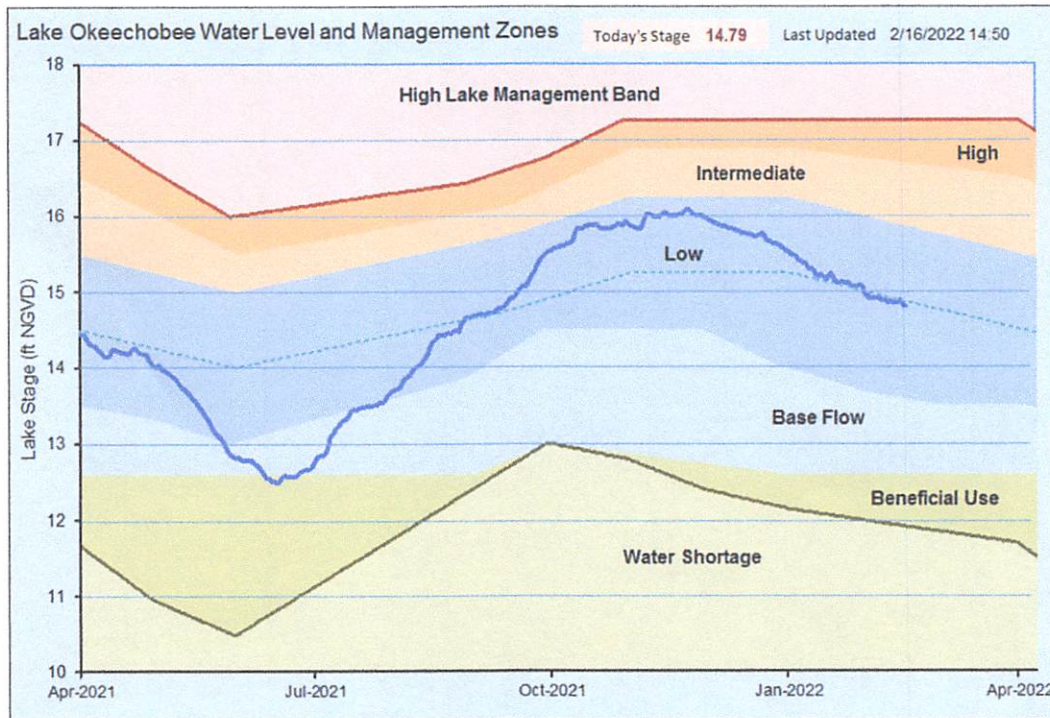
Loxahatchee River Restoration (No revisions since November 2021)

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).

On November 2, 2021, the Palm Beach County Board of Commissioner approved a list of projects and funding allocation under the American Rescue Plan Act of 2021 (ARPA). Of the 15 projects three are within the L-8 and Loxahatchee River Watershed. Loxahatchee River Wetland Attenuation Feature-\$8 M on Mecca Property owned by SFWMD, Corbet Levee Phase 2-\$2 M adjacent to ITID M-O Canal, and L-8 Basin Stormwater Improvements -\$8 M (attached is draft schematic of the project elements). The ARPA assistance must be allocated prior to the December 31, 2024, and all ARPA expenditures must be completed by December 31, 2026, as required by federal law.

Current Lake Okeechobee Water Levels

On February 16, 2022, the Lake level was at 14.8 Feet NGVD. The one- year graph of the Lake Okeechobee water level and in the low management zone. The current level is 3.0 feet above the water shortage zone. Reported release from the Lake are south into L-8 canal, east to the St. Lucie, and west into the Caloosahatchee River. L-8 stage at West Palm Beach M Canal was at 16.0 Feet NGVD.



SR 7 Extension from Okeechobee BLVD to Northlake Blvd (No changes since October 2021)

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.

County Five Year Road Program Fiscal Year 2021 – FY 2025

On December 7, 2021, the Palm Beach County Commissioners adopted an ordinance to amend the 5-year roadway plan. The first four items below are the status of local roadway project on the County's December 9, 2022, 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 is February 2022.

Seminole Pratt Whitney & Northlake Blvd. intersection improvements at an estimated construction cost of \$5.41 million with an estimated beginning date of February 2022.

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 August 2022.

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 \$7.0 million. Construction beginning in August 2022.

60th Street North from 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 \$6 million in FY 2023.

60th Street North from Seminole Pratt Whitney Road to 140th Street Avenue North. An estimated cost of \$ 0.25 million for design of 0.8 miles of a 3-lane road in FY 2026. right-of-way acquisition and mitigation for a 3-lane road in FY 2022

SFWMD Water Use Permit

We received from Bobby the fourth quarter water usage records and they were processed and submitted to SFWMD. Historical usage table (2010-2021) is attached.

Section 29 Pontano (No update since June 2021)

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.

Indian Trail Improvement District Moss Property Pilot Pumping Project (No revisions since October 2021)

A 25 cubic feet per second 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 January 17, 2022, meeting and agenda for the February 21, meeting.

Cypress Grove Community Development District

Operations Report

2/21/22

- On December 12, 2021 the offsite L-8 Canal elevation at the North Pump was 14.5 and the onsite elevation was 17.4 The South Pump offsite elevation was 14.5 and the onsite elevation was 17.4 Lake Okeechobee water level is 14.76 January level was at 15.19
- Canals- Aquatic herbicide in progress & canal bank spot treatment of Florida Holly.
- 4th Quarter pump reports submitted.
- Side Mowing ongoing.
- Pontano Farms water use.
- Fuel tank inspection. There are no leaks and tanks are working properly at this time. We had 7002 gal of fuel delivered on 10/20/21 and have used 5100 gal since delivery.
- Capital Improvement Projects and estimated cost.
 1. Rip Rap pump out pumps section 31.
 2. Clean Canal Bank Santa Rosa between section 31&32. (Estimate \$17,000.00)
 3. Remove Trees North main canal banks. Estimate \$6000.00
 4. Rip rap & reshape canal banks.
 5. Remove brush & reshape canal banks south pump station. Estimate \$5500.00
 6. Long reach summer maintenance \$10,000.00
 7. Marie CT Canal clearing & reshape canal banks.
 8. Clean canal bottom east side section 30&31. Estimate \$12000.00
 9. Close canal SE corner section 34. Estimate \$3500.00
 10. Replace 60 feet of 72 inch pipe at 59th & Carol Street. Estimate \$14000.00
 11. Canal bank maintenance between sections 29&32. Estimate \$5000. Louise St.
 12. Replace 40 feet of 72 inch pipe center road section 20&21. 20ft of pipe needed. Estimate \$7000.00

New pump replacement. Option 1. \$37,644.00 Option 2. \$45,233.00

Future projects clean both sides of district canal banks.

- Item 10 Carol Street pipe replacement & canal bank cleaning Marie Ct & Louise Street prior to ITID road repairs. Discussion on adding two new 72" pipes Carol St & 59th.
- ITID officially starting improvements at SRG. Review CDD & SRG projects.
- FPL using temp pump in section 28.
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