

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
MINUTES

Date: March 16, 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 (by speakerphone), 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 February 18, 2020.

4. Engineer's Report

The District Engineer distributed his written report (copy attached). Mr. Wertepny said that there is nothing new to report on the Lake Okeechobee Operating Schedule. He said that the lake level is about 0.6 feet above the water shortage level. He said that there is no activity on the State Road 7 extension. He said that nothing has changed in the County Five Year Road Program.

He then reported on the Yee Farms irrigation permit application. Everything has been completed and the permit has been signed. He has not released it yet. One of the permit special conditions is to give the District a license to use the road on the Yee Farms parcel for canal maintenance of the section line canal, as long as the permit is in effect.

Next, he discussed the FPL solar farm. All issues have been resolved except for the details of the outfall structure. The permit is ready but FPL has to sign it. Supervisor Walsey said that FPL should sign first and then the District sign. Mr. Poyner will deliver copies to FPL for signature. FPL will need to agree to the special conditions. Attorney Breton asked if the outfall structure was fixed or movable. Mr. Wertepny said that it is movable with riser boards. FPL will operate the structure and will coordinate with Mr. Poyner, as part of the special conditions.

Mr. Poyner and Mr. Wertepny discussed the datum measurement for the water level on the FPL property. Mr. Wertepny explained the difference between the old NGVD and the current NAVD. FPL is aware of the difference.

Returning to Yee Farms' permit, the District is requiring Yee Farms to reimburse the District for the engineering and inspection costs. The total is \$1,700. After applying the \$300 application fee, the balance is \$1,400. The current fee schedule provides a credit for the application fee. Attorney Breton has updated the fee schedule so that the application fee is not credited against the District's engineering and inspection costs, and to provide that a cost deposit must be posted. Upon Board approval, this will be applied to future permit applications.

The Engineer then discussed the Indian Trail Improvement District Moss Property Pilot Program. He said there was a meeting with ITID staff, Mr. Poyner and Mr. Wertepny to discuss the pilot program and the District's concerns. The ITID attorney is supposed to send us a draft Memorandum of Understanding (MOU). The Engineer said he obtained some recent LIDAR data from the County and plotted it on the Moss Property. He presented some maps showing the water flow in the Moss Property. He described the areas with potential of impacting our system. He said there are three areas that need to be filled to prevent water from flowing into our system. Supervisor Elsner said that when we receive the MOU from ITID, we will start a dialogue on this issue. Mr. Wertepny said that there is time to address the issues.

5. Operations Manager's Report

The Operations Manager discussed his written report, a copy of which is attached. He said that he has not been able to pump at the south pump station for 2 weeks because of the low water level in the L-8. He described his contacts with the SFWMD water managers.

The Treasurer asked Mr. Poyner to re-order the capital projects in his reports in order of priority in the future.

Mr. Poyner reported on the work he did at Santa Rosa Groves to plug the pipes and prevent irrigation water from entering Santa Rosa Groves.

6. Treasurer's Report

The Treasurer reported that the bank account had \$413,000 at the end of February 2020.

7. Attorney's Report

The District Attorney suggested that since there was no urgent business for the April meeting and in light of the coronavirus emergency, the Board should consider cancelling the April meeting. After discussion, Supervisor Walsey made a motion to delegate the decision on cancelling the meeting to Supervisor Portnoy. Supervisor Duhaney seconded and the motion was unanimously approved.

The Attorney said he had made some revisions to the permit fee schedule. Mr. Wertepny explained the effect of the changes. Supervisor Portnoy moved to approve the revised fee schedule. Supervisor Duhaney seconded and the motion was unanimously approved.

8. Comments by Supervisors

Chair Walsey said that the insurance company did an appraisal of the property being insured, primarily the pump stations. The appraised value increased about \$8,000 since the last appraisal. The increase in premium is \$67.00 per year. He asked Mr. Poyner to estimate what it would cost to replace the pump stations if a catastrophic event occurred. Mr. Poyner said to replace the pumps and motors would be about \$50-60,000, assuming that the concrete boxes were not damaged. If the boxes needed to be reset or replaced, it would be much more. Supervisor Walsey suggested we should increase the

coverage, even though it would cost a few hundred dollars. Supervisor Elsner wants to know how much of the overall insurance premium is for the property coverage and how much for liability coverage. Supervisor Walsey said he would find out. Attorney Breton said that the most likely casualties that would lead to claims are lightning strikes, fires, tornadoes, theft and vandalism, not floods. The Board authorized the higher appraised value and premium.

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 (subject to possible cancellation) 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 Portnoy and second by Supervisor Johnson, the Board unanimously voted to adjourn at 9:28 A.M.

Charles C. Walsey, Chair

Peter L. Breton, Secretary

Cypress Grove Community Development District

District Engineer's Report

March 16, 2020

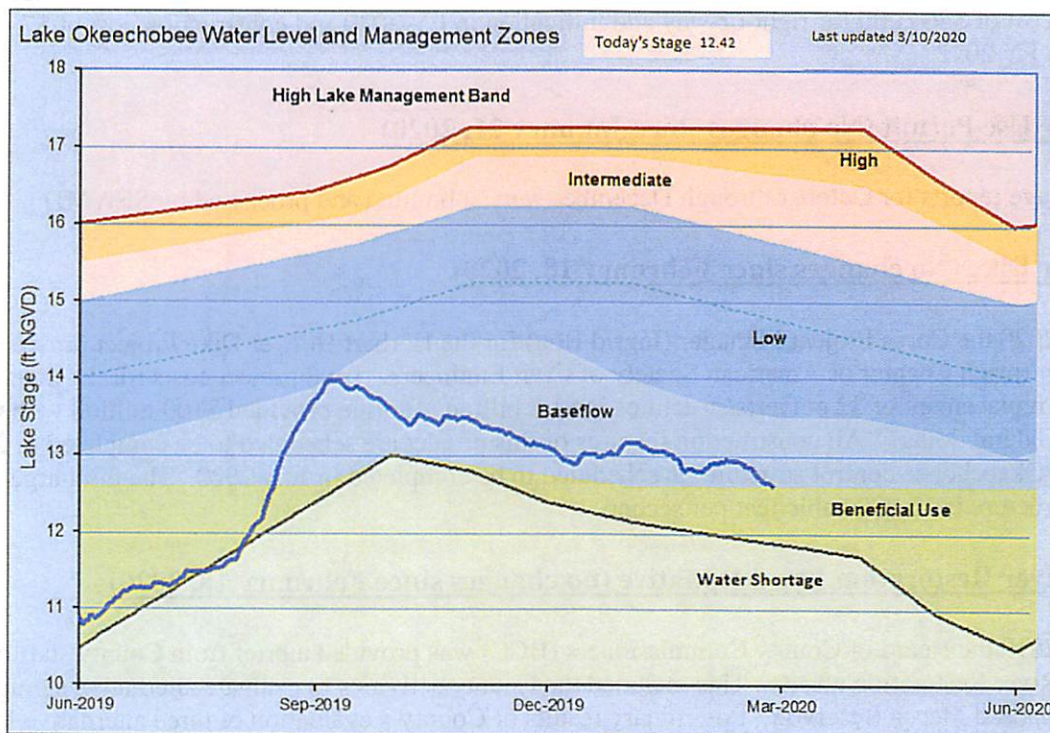
Lake Okeechobee System Operating Manual (LOSOM) 2022 (No changes since February 18, 2020)

The U.S. Army Corps of Engineers (USACE or Corps) is developing a new Lake Okeechobee System Operating Manual (LOSOM). The LOSOM project began in February 2019 with National Environmental Policy Act (NEPA) scoping meetings and is expected to be completed by October 2022 with the Record of Decision. During a recent meeting of the LOSOM Project Delivery Team, the Corps staff indicated they do not consider the Saving Clause of the Water Resources Development Act 2000 which guarantees the preservation of existing legal authorized water supplies in existence at the time of the Act, as well as the provision of water supplies to meet future demands through the implementation of those projects identified within WRDA 2000 are applicable to LOSOM. Corps justification for this position is that LOSOM is not a project included in the Comprehensive Everglades Restoration Plan (CERP)

In a letter to the Corps dated January 30, 2019 the Southeast Florida Utility Council took exception to this position (Refer to attached letter). SEFLUC believe the failure to incorporate the requirements of the Saving Clause in the development of LOSOM would be contrary to the requirements of existing Federal and State law and regulations. SEFLUC provided applicable Codes of Federal Regulations and Florida Statutes. It is also my understanding that South Florida Water Management District as the local sponsor for CERP was requested to weigh-in on the State position on this issue.

Current Lake Okeechobee Water Levels

The one- year graph of the Lake Okeechobee water level and management zones is shown below.



State Road 7 Extension (No changes since August 19, 2019) On July 17, 2019 Florida Department of Transportation and Palm Beach County submitted letters to South Florida Water Management District requesting to withdraw the Environmental Resource Permit (Acreage Reliever Road Application No. 150410-S). The request was granted.

County Five Year Road Program Fiscal Year 2020 – FY 2024 (No change since January 21, 2020)

On December 17, 2019, the Palm Beach County Commissioners adopted an ordinance to amend the 5-year roadway plan. Construction 2019 were increased.

Seminole Pratt Whitney Rd. widening from 4 to 6 lanes from Orange to Northlake Blvd (1.8 miles) at a construction cost of \$11.5 million being in FY 2019 and \$600,000 in FY 2020.

Seminole Pratt Whitney Road and Northlake Boulevard intersection improvements at a construction cost of \$6.8 million being in FY 2019 and \$600,000 in FY 2020.

Northlake Blvd East of Seminole Pratt Whitney Road east to Hall Blvd widening from 2 to 4 lanes (1 mile) at a construction cost of \$6.2 million and \$800,000 for construction in FY 2020.

Northlake Blvd east of Hall Blvd. to Coconut widening from 2 to 4 lanes (2.4 miles) at a cost of \$1.1 million in FY 2019 and \$2.6 million in FY 2020 and \$5.6 million in FY 2021.

60th Street North West of 140th Avenue to Avocado Blvd. Study, cost of \$1.6 million, design and right-of-way acquisition for a 3-lane road in FY 2020 and \$100,000 for study, right-of-way acquisition and mitigation in FY 2022.

60th Street North Avocado Blvd. to East of 120th Avenue North. Construction of 1.6 miles of three lane road at a cost of \$200,000 for right-of-way and mitigation in FY 2020 and construction cost of \$7 million in FY 2022.

SFWMD Water Use Permit (No changes since January 21, 2020)

Fourth Quarter usage reports for October through December were submitted and processed by SFWMD.

Herbert Hoover Dike (No changes since February 18, 2020)

On February 11, 2020 the Corps Project Manager (Ingrid Bon) for the Herbert Hoover Dike Project provided an update to the Palm Beach Chapter of American Society of Civil Engineers. Total project costs for the dike rehabilitation and replacement of 32 culverts/structures is \$1.8 billion. Florida provided \$100 million with the remaining being Federal dollars. All construction features of this project are scheduled to be completed in 2022. Culvert 10A (L-8/Okeechobee control structure) is scheduled to be completed in July 2020. The discharge capacity of this structure is 12,000 cubic feet per second.

Loxahatchee River Restoration Local Initiative (no changes since February 18, 2020)

On December 3, 2019 the Board of County Commissioners (BCC) was provided a brief from County staff on the Loxahatchee River Restoration efforts. This included the County activities to evaluate alternative storage options for the proposed Mecca Reservoir. Preliminary results of County's evaluation of three alternative local initiatives for the Mecca Reservoir indicate that all three can meet the Loxahatchee River target wet season flows, are within 10% of the USACE Plan dry season flow and are within a +/- 5% range in estimated costs of the USACE Plan. The BCC approved staff's letter to South Florida Water Management District (SFWMD)

supporting SFWMD efforts and the U.S. Army Corps of Engineers to restore the Loxahatchee River watershed. The County also recommended that the SFWMD Governing Board communicate their support of the Loxahatchee River Watershed Restoration Project to USACE to enable authorization by Congress in 2020. Additionally, the County requested that SFWMD letter of support to USACE recognize the County's concern for the Mecca Reservoir and allow for some flexibility to evaluate alternative replacement water storage options for the Mecca Reservoirs. On February 4, 2020 SFWMD provide a letter of support to the Corps for the Loxahatchee River Watershed Restoration Project. The Local Initiative was not mentioned in the letter. On February 5, 2020 the Corps announced that public comments on the Final Integrated Project Implementation Report/ Environmental Impact Statement and Draft Chiefs Report for the Loxahatchee River Watershed Restoration Project are due March 9, 2020.

Yee Family Farms Irrigation Connection Permit

Yee Farms irrigation application permit and Water Use Agreement is complete. All that remains to release the permit is payment of engineering and administrative fees. Bobby Poyner is coordinating with applicant.

FPL Sabal Palm Solar Energy Center Drainage Connection Permit

Unresolved issues include outfall control structure(s) details.

Indian Trail Improvement District Moss Property Pilot Pumping Project

On September 30, 2015 ITID received a permit from the Florida Department of Environmental Protection to implement a rehydration project of the Moss Property north of CGCDD North Outfall Canal. The permit allows discharges from ITID M-1 impoundment (NW corner) into the Moss Property by a temporary portable pump with an initial allowable rate of up to 15 cubic feet per second (cfs) and potentially a 50 cfs discharger pump.

On February 21, 2020 a meeting was held at Stormwater J Engineering office with CGCDD representatives and GL Homes. The meeting was attended by Rick Elsner (GL Homes); Alan Wertpeny and Bobby Poyner (CGCDD); and Jay Foy and Kyle Grandusky (Stormwater J); and Rob Robinson (ITID). ITID expects to let bids, select a contractor and install the pilot pump this year. It should be operational by the end of 2020 and operate on an as-needed basis for two years. As part of the pilot operation, the permit, a detailed water quality sampling plan, a water level monitoring plan, and a vegetation data collection plan was coordinated with Florida Fish and Wildlife Conservation Commission and SFWMD location of the monitoring location is attached (Exhibits 4 and 5 of 5).

It was determined that the best way to address CGCDD and GL Homes' operational concerns related to overland flow was through a memorandum of understanding with ITID. ITID attorney will be drafting a memo for review and comments. On March 3, 2020, Kyle Grandusky provided an email documenting the meeting and a copy of the FDEP permit. Also, on March 3, 2020, Alan Wertepny provided the attached LiDAR Exhibits and comments on the proposed pilot study and potential impacts to CGCDD. These included:

1. Conditions of operation of the pumping is unknown at this time (when, frequency, duration, maximum stage level in Moss Property, etc.).
2. Most of the lands adjacent to ITID impoundment and CGCDD canals in the Moss Property are higher with possibly three exceptions.
 - a) Drainage Ditch/canal north of CGCCD outfall canal has a low spot at elevation 18 feet NGVD. This will need to be diked.
 - b) A portion of the area west of the above drainage ditch may require additional fill.

- c) CGCDD N/S Canal (north of CGCDD outfall canal) west bank has a low area at elevation 18 feet NGVD that will need to be filled/diked.

3. Minimum north bank of CGCCD outfall canal is near elevation 20 feet NGVD.
4. Seven (7) days of ITID pumping operation and no rainfall may be acceptable with some minor improvements to three areas noted above.
5. Thirty (30) days of ITID pump operation and no rainfall is problematic.
6. Any potential adverse impacts to CGCDD must be addressed and mitigated before any pumping activity is initiated by ITID.
7. Any establishment of a maximum stage in Moss property when ITID pumping must stop should include a freeboard allowance for direct rainfall.
8. An operational plan including dike improvements, installation of additional staff gauges should be jointly developed and include in a memorandum/agreement between ITID and CGCDD.

As a follow-up to Alan's March 3, 2020 email, Jay Foy responded:

1. We want to cooperate and definitely not cause CGCDD any issues.
2. We realize that the Moss Property project will need modifications should this ever be more than a pilot program.
3. The stage storage maps are fabulous, and as we are aware, there is already water there. The stages could be higher and do not account for discharge out of Moss which will result in lower stages. In response, Bobby Poyner said he would ride the L-8 canal to verify if there are any culverts providing drainage from the Moss Property into the L-8 Canal.

Website Update

The cg added.org website has been updated with the minutes for the February 18, 2020 meeting and agenda for the March 26, 2020 meeting.

ITID Pilot Test Monitoring Plan

The following monitoring plan contains the necessary water quality, stage, flow and vegetation monitoring required to address the Indian Trail Improvement District's (ITID) Pilot Project needs. Where possible, the monitoring described here relies on existing monitoring resources including physical instrumentation, stations, locations, servicing, and analysis efforts funded by ITID and others. The following monitoring will be conducted and the data collected will be integrated, analyzed and recorded on a weekly basis and submitted to the Florida Department of Environmental Protection. The monitoring data will also be summarized in a Pump Test Summary Report at the end of the Pilot Project.

<u>Monitoring Type</u>	<u>Monitoring Location</u>	<u>Frequency</u>
<i>Water Quality Monitoring</i>		
Physical Parameters ⁽¹⁾	Pilot Pump - Location 1	Weekly ⁽⁵⁾
Physical Parameters ⁽¹⁾	Leon Moss - Location 3	Weekly ⁽⁵⁾
Nutrients ⁽²⁾	Pilot Pump - Location 1	Weekly ⁽⁵⁾
Nutrients ⁽²⁾	Leon Moss - Location 3	Weekly ⁽⁵⁾
<i>Stage Monitoring</i>		
Pilot Pump Impoundment	Stage (surface and/or ground)	Continuous
Leon Moss - Location 1	Stage (surface and/or ground)	Continuous ⁽³⁾
Leon Moss - Location 2	Stage (surface and/or ground)	Continuous ⁽³⁾
Leon Moss - Location 3	Stage (surface and/or ground)	Continuous ⁽³⁾
<i>Flow Monitoring</i>		
Pilot Pump Impoundment	Pilot Pump	Daily ⁽⁴⁾

⁽¹⁾Physical parameters include turbidity, specific conductance, dissolved oxygen, pH and temperature

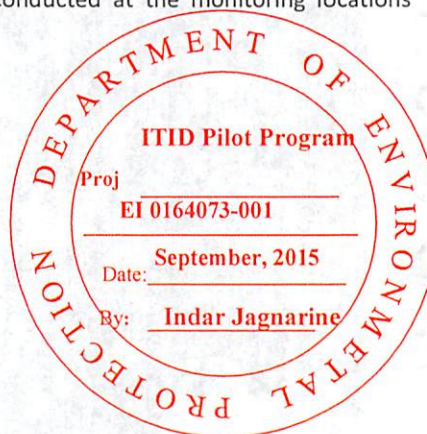
⁽²⁾Nutrients include total phosphorous (TP), NO_x + TKN or TN (lab must be DEP approved for TN), and ammonia

⁽³⁾Continuous monitoring (15 minute increments), download frequency monthly

⁽⁴⁾Daily operating log book entry when pump is operating

⁽⁵⁾Weekly grab samples for the first 3 months when pump is operating and water is above ground surface. Pending results and supporting data from the first 3 months of sampling collection, a determination will be made to potentially reduce the sampling frequency. Samples will not be taken at these regularly scheduled intervals if the pilot pump is not operating.

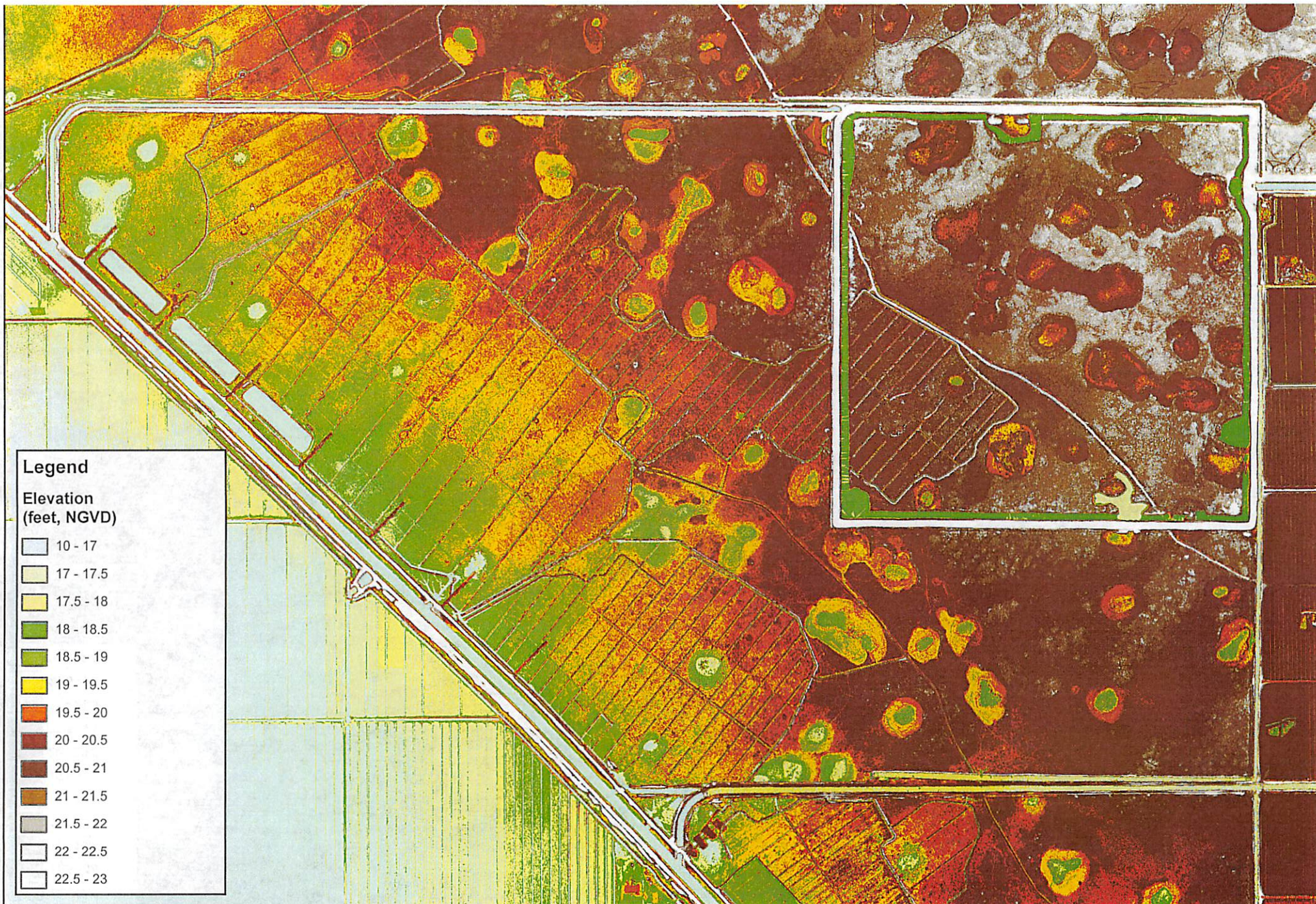
Note: Referenced Water Quality, Stage and Flow Monitoring will be conducted at the monitoring locations identified in Attachment 1 - ITID Pilot Project Monitoring Locations



Attachment 1

ITID Pilot Project Monitoring Plan Locations





Prepared by:

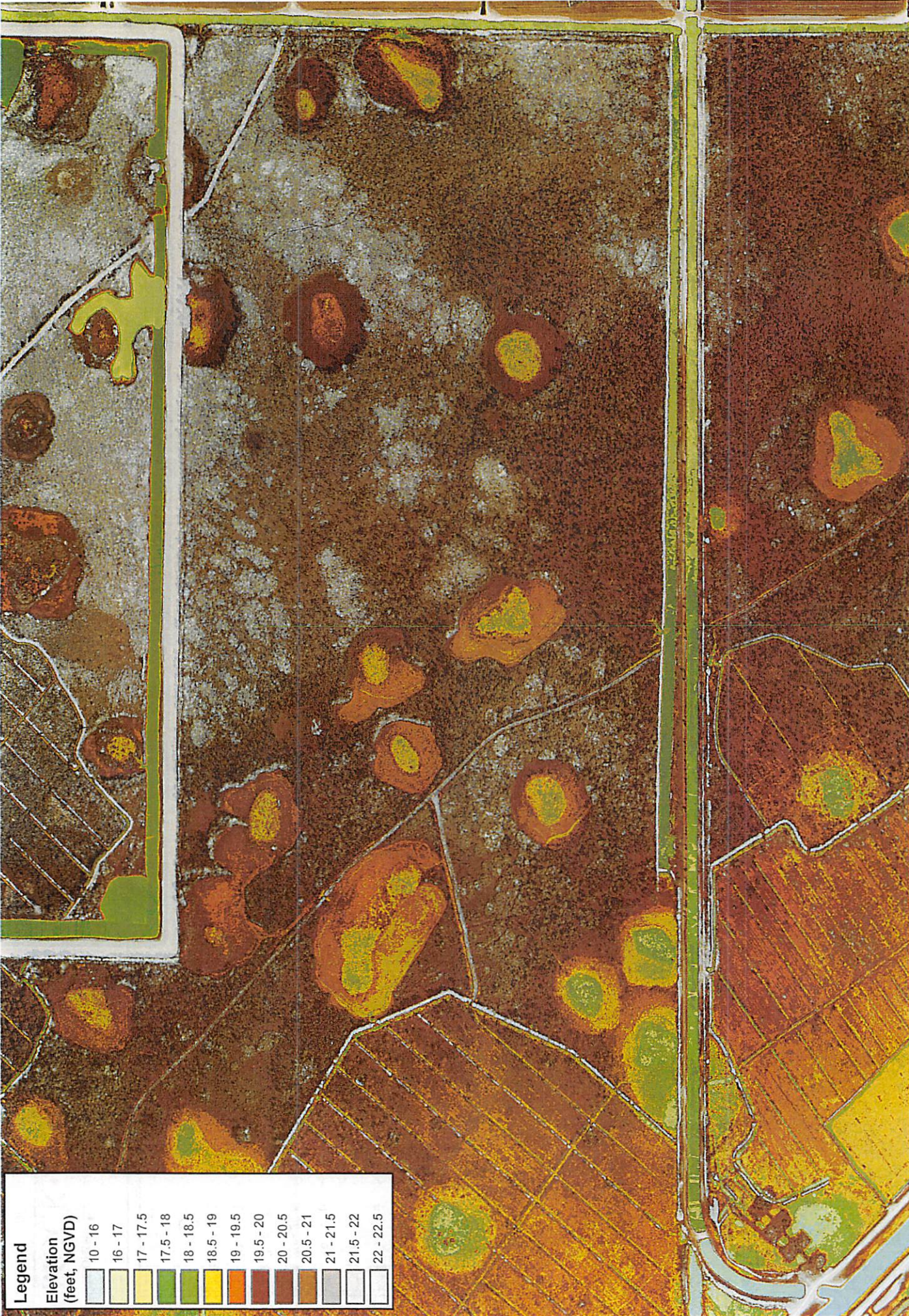
MOCK • ROOS
CONSULTING ENGINEERS

Palm Beach County 2015 LiDAR
February 2020

3,000 1,500 0 Feet

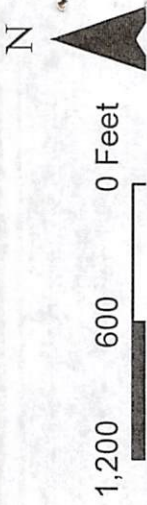
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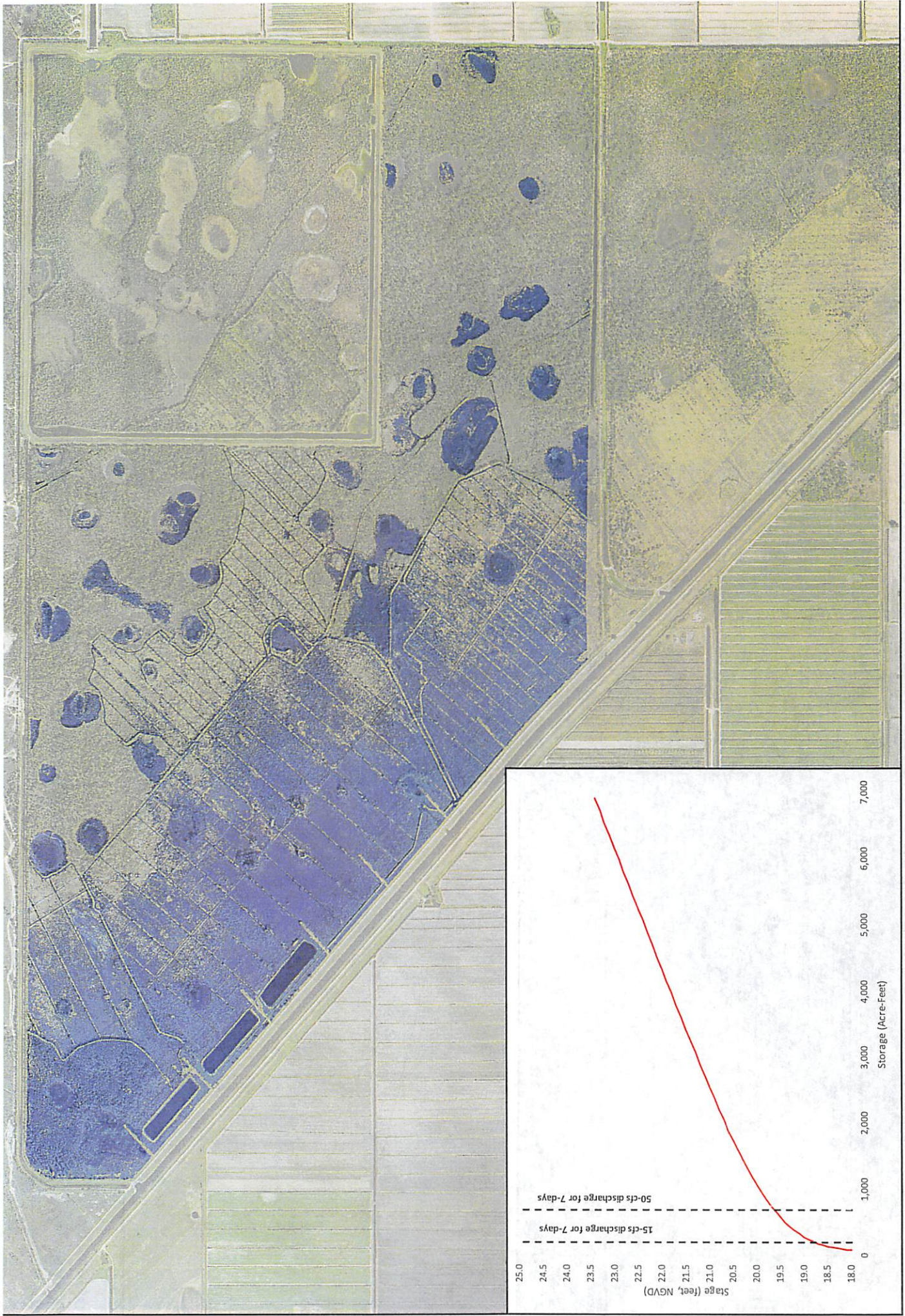


Legend

Elevation (feet, NGVD)
10 - 16
16 - 17
17 - 17.5
17.5 - 18
18 - 18.5
18.5 - 19
19 - 19.5
19.5 - 20
20 - 20.5
20.5 - 21
21 - 21.5
21.5 - 22
22 - 22.5



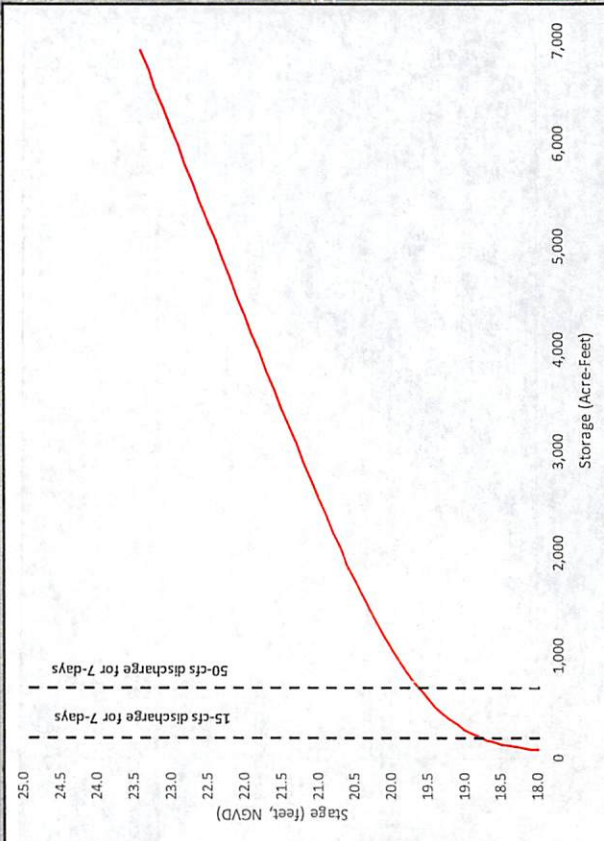
Palm Beach County 2015 LiDAR
February 2020



0 Feet
1,400
2,800

Palm Beach County 2015 LiDAR Inundation Map at Elevation 19.6-foot NGVD February 2020

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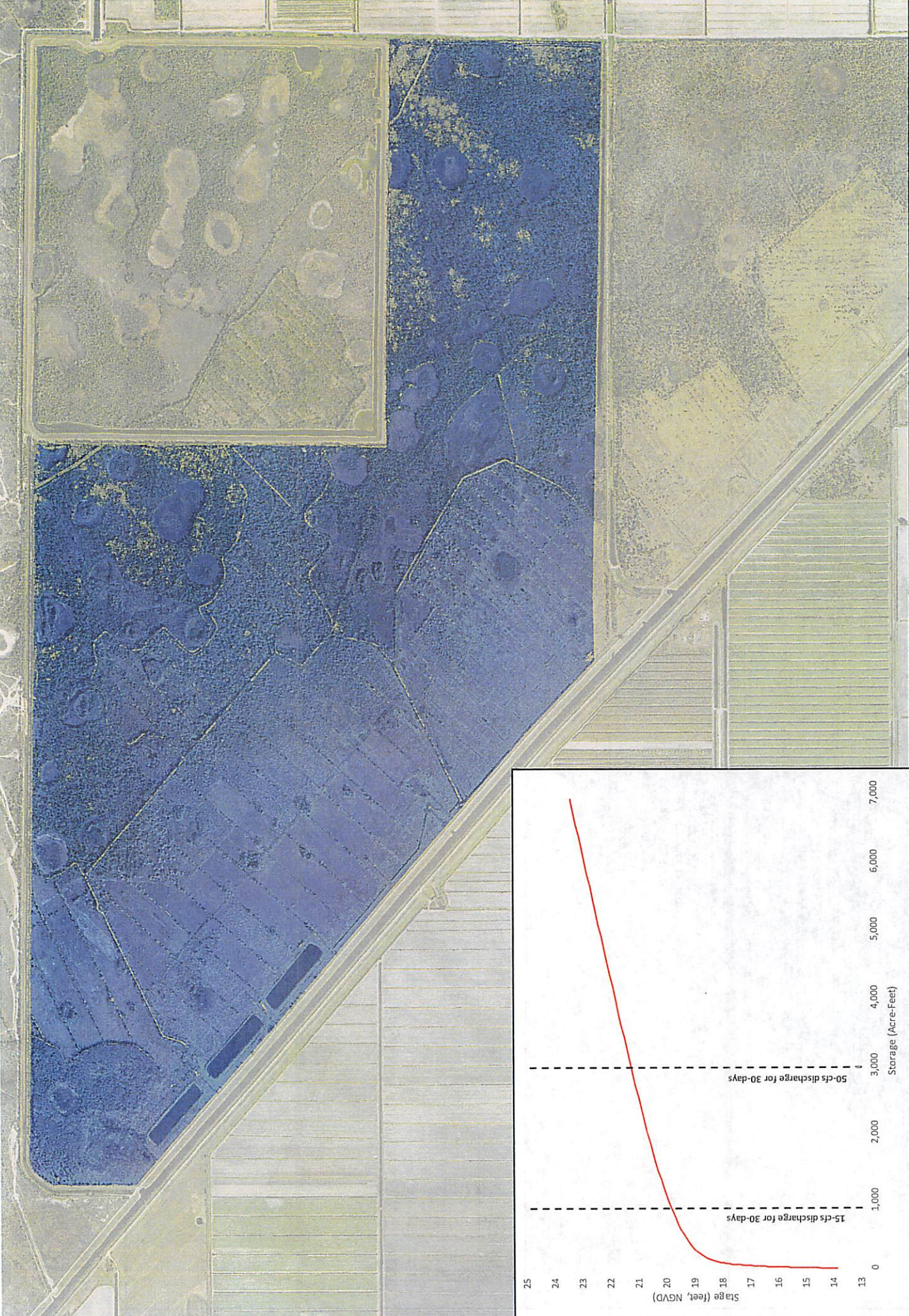
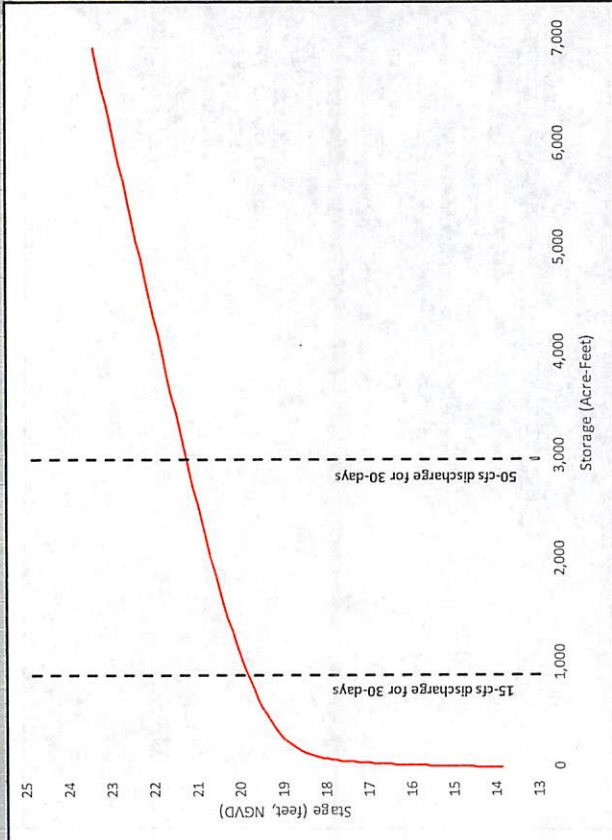


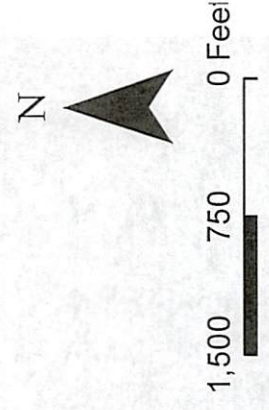
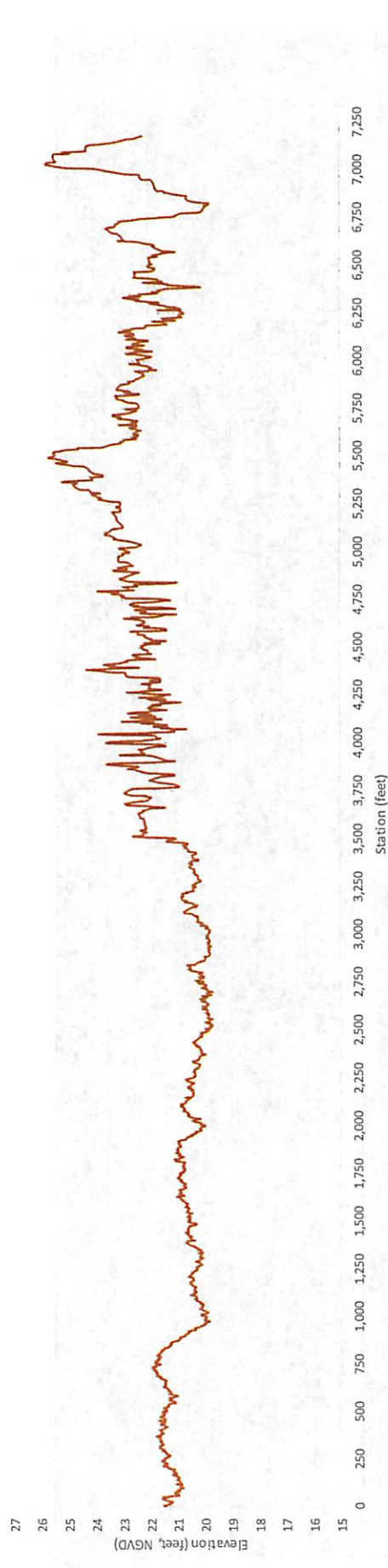


0 Feet
1,400
2,800

Palm Beach County 2015 LiDAR Inundation Map at Elevation 21.25-foot NGVD February 2020

Prepared by:
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ANALYTICAL PLANNING



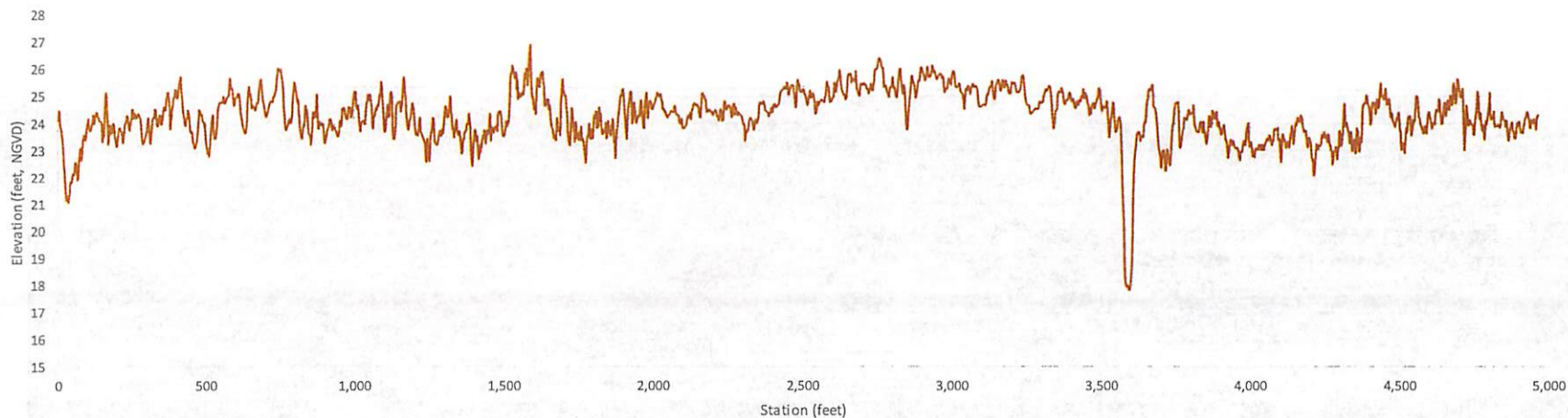


North Bank Profile of CGCDD Outfall Canal February 2020

Legend

Elevation (feet, NGVD)

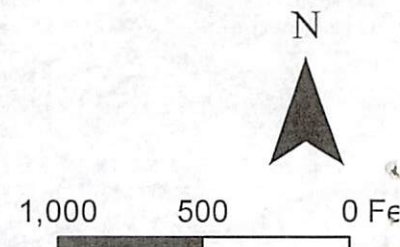
	10 - 17
	17 - 17.5
	17.5 - 18
	18 - 18.5
	18.5 - 19
	19 - 19.5
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	21 - 21.5
	21.5 - 22
	22 - 22.5
	22.5 - 23

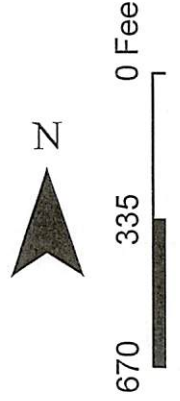
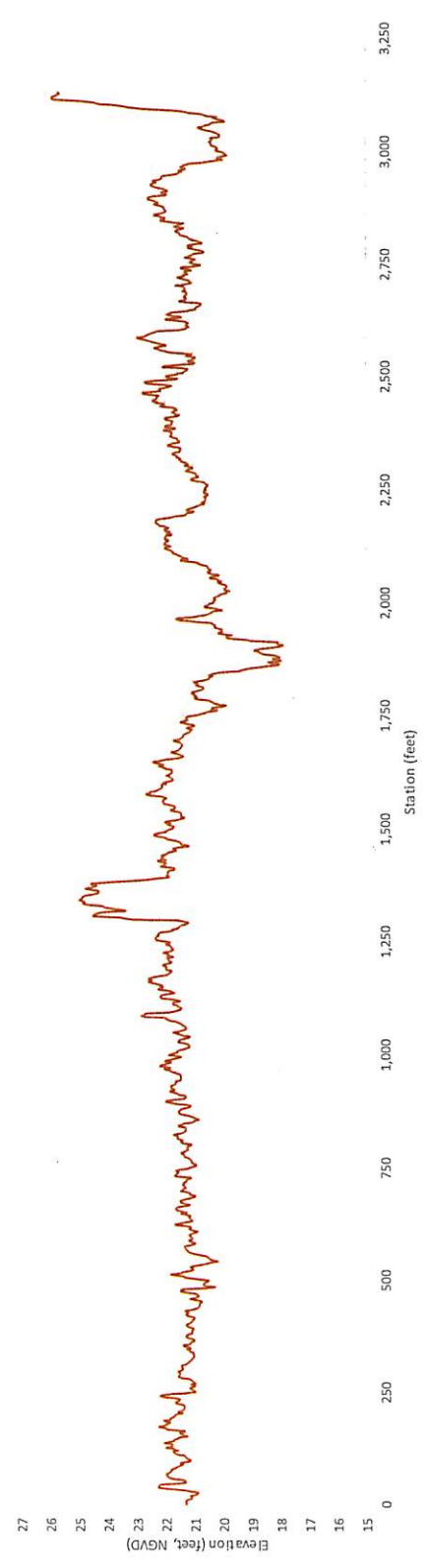
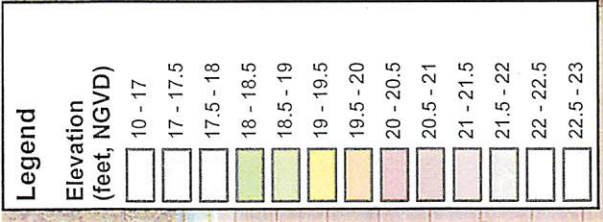
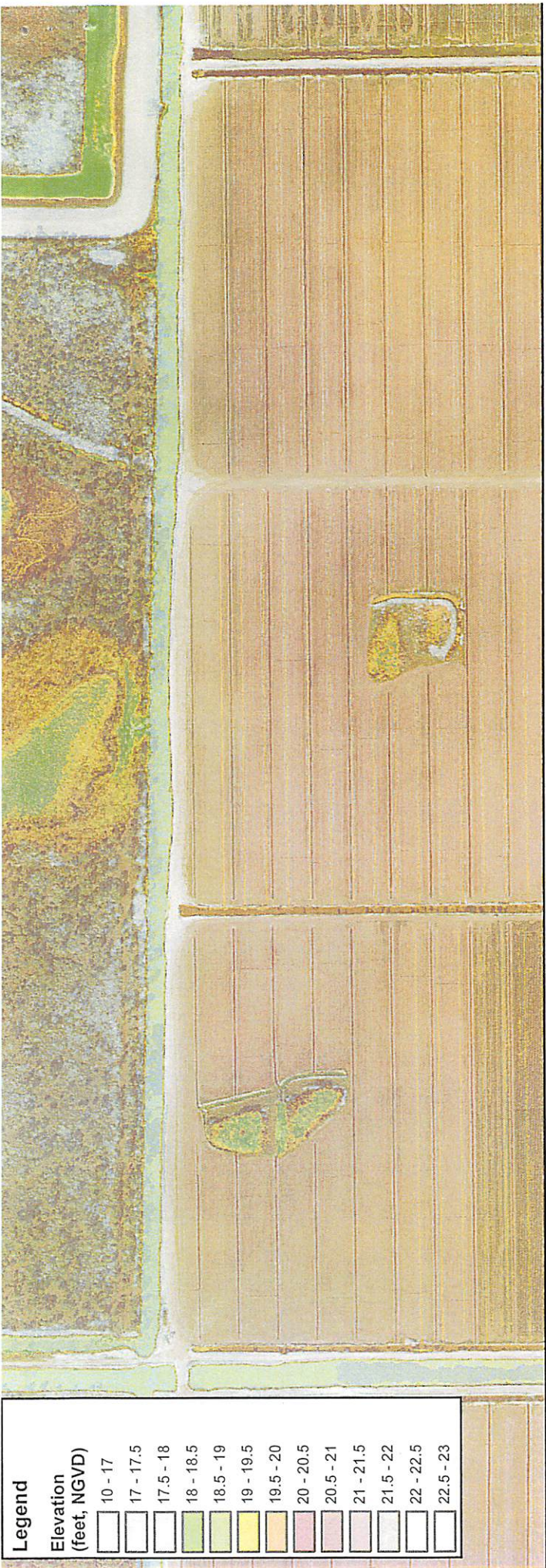


Prepared by:

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CONSULTING ENGINEERS

**North Bank Profile of Drainage Ditch
Located North of CGCDD Outfall Canal**
February 2020





West Canal Bank Profile

February 2020

Cypress Grove Community Development District

Operations Report

3/16/20

- On March 14, 2020 the offsite L-8 Canal elevation at the North Pump was 11.1 and the onsite elevation was 17.8 The South Pump offsite elevation was 11.1 and the onsite elevation was 17.7 Lake Okeechobee water level is 12.62 January level was at 12.96
- Canals- Aquatic herbicide spot treating.
- 1st Quarter reports due 4/1/20
- Yee Farms water permit. (INVOICE Additional Fees)
- New pump station updates.
- Fuel tank inspection. There are no leaks and tanks are working properly at this time. We had 7002 gal of fuel delivered on 11/25/19 and have used 6600 gal since delivery. Pnuemricator has been replaced. Sensors need to be serviced. (Electrical improvements are complete)
- 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.(IN PROGRESS)
 4. South canal bank road needs repair. Estimate \$3000.00
 5. Long stick needed to finish south main canal. (Summer of 2020)
 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. (Installed 20 Ft additional 10 feet needed)
 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.

13. Remove brush & reshape canal bank south canal at pump station. Estimate \$5500.
14. Remove brush & reshape canal bank section 29 NW corner. Estimate \$3500.
Brush has been removed. (\$2755.00) Burn estimate\$800.00.

Future projects clean both sides of district canal banks.

- Hundley Farms asking for new connection into south outfall canal. SW corner Sec 31.
- Corbett canal bank maintenance required. (WEST CANAL SECTION 30&31&19)
- Holland Pump update.
- FPL water permit. Currently there are no boards in risers.
- ITID flooding of Moss property. Meeting with Rob Robinson on-site 2/12/20
- SFWMD
- Tru-Flo has agreed to split the cost of the gooseneck adapters for the new pump. (\$1132.50 our cost)
- Costa Farms pump permit.
- Santa Rosa open connections have been closed. (\$1710.00)