

MINUTES OF MEETING  
TOHOQUA  
COMMUNITY DEVELOPMENT DISTRICT

The Regular Meeting of the Board of Supervisors of the Tohoqua Community Development District was held on Wednesday, November 7, 2018 at 9:00 a.m., at the West Osceola Branch Library, 305 Campus Street, Kissimmee, FL.

Present and constituting a quorum were:

Andre Vidrine	Chairman
Marcus Hooker	Vice Chairman
James Dowd	Assistant Secretary
Keith Trace	Assistant Secretary

Also present were:

George Flint	District Manager
Andrew d'Adesky	District Counsel
Clayton Smith	Assistant Field Manager
Darrin Mossing	GMS
Darrin Mossing, Jr.	GMS
Marcia Calleja	Amenity Manager

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order at 9:00 a.m. and called the roll. Three supervisors were present, with Mr. Trace in progress.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Acceptance of Resignation of Kaitlyn Noyes**

Mr. Flint: We received a resignation from Kaitlyn, which was in the agenda package. We need a motion for the Board to accept the resignation.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor Kaitlyn Noyes resignation was accepted.

**B. Appointment of Individual to Fulfill the Board Vacancy with a Term Ending November 2019**

**C. Administration of Oath to Newly Appointed Supervisor**

**D. Consideration of Resolution 2019-01 Electing Assistant Secretary**

Mr. Flint: Any time there is a vacancy on the Board during the term of office, the remaining Board Members appoint someone to fill that vacancy. Are there any nominations at this time? If you are not prepared to fill that seat today, you can continue to operate with four Board Members until you fill it.

Mr. Vidrine: Not today.

Mr. Flint: We will put it on the next agenda for consideration.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the October 3, 2018 Board of Supervisors Meeting and Acceptance of Minutes of the October 3, 2018 Audit Committee Meeting**

Mr. Flint: Are there any questions, comments or corrections to the minutes?

Mr. Vidrine: I have no comments.

Mr. Flint: If not, we need a motion to approve and accept the minutes.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor the Minutes of the October 3, 2018 Board of Supervisors Meeting were approved and the Minutes of the October 3, 2018 Audit Committee Meeting were accepted, as presented.

**FIFTH ORDER OF BUSINESS**

**Designation of District Records Office**

Mr. Flint: We are required to have a records office in the County where the District is located. Our accounting office was in Osceola County, but it relocated to Orange County, so we designated our accounting office as a local office. Since our District Engineer is also in Orlando that's not an option, but we have a location at Reunion where we can store records so they are in Osceola County. Our recommendation at this point would be to designate Reunion Stables at 1350 Reunion Boulevard, as the local records office.

On MOTION by Mr. Vidrine seconded by Mr. Dowd with all in favor designating Reunion Stables at 1350 Reunion Boulevard, Reunion, Florida as the District records office was approved.

Mr. Flint: Once the amenities are developed at the project, we can eventually designate the Amenity Center as the records office and keep them there, but this is an interim measure allowing us to meet the statutory requirements.

**SIXTH ORDER OF BUSINESS**

**Consideration of Agreement with Grau & Associates to Provide Auditing Services for Fiscal Year 2018**

Mr. Flint: The Board selected Grau & Associates through a competitive process as prescribed by the Statutes. You enter into an agreement annually with them and this is the agreement for Fiscal Year 2018, which just ended on September 30<sup>th</sup>.

*Mr. Trace joined the meeting.*

Mr. Flint: The fee is a not-to-exceed of \$3,200 which is consistent with their bid, so we would recommend approval.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor the Agreement with Grau & Associates to provide auditing services for Fiscal Year 2018 in the amount of \$3,200 was approved.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-02 Amending Resolutions 2018-13 and 2018-14; Amending the Fiscal Year 2019 Budget; Amending, Re-imposing, and Certifying the Assessment Roll; Authorizing the Filing of Revised Notices to the Osceola County Tax Collector and Revision of District Invoices**

Mr. Flint: This resolution amends Resolutions 2018-13 and 2018-14, which were adopted at the public hearing for your annual budget and imposed the Operations and Maintenance (O&M) assessments. The primary purpose of the meeting today was for the Board to consider amending the adopted budget for 2019 and the assessments. The proposed amended budget is attached as Exhibit A to the resolution. Andrew did you want to discuss it?

Mr. d'Adesky: Yes, it also authorizes what George said, which I'll endorse, in addition to amending the proposed budget and the Assessment Roll. It also authorizes the District Manager's office to contact the Osceola County Tax Collector to issue any necessary notices or other documentation that they require. It is also issuing any revised invoices for direct bills, etc., that might be associated with the corresponding change in budget. It takes care of all the

corrections that are needed to rectify the budget and Assessment Roll. There are some blanks on Page 2, which Darrin or George can provide the numbers for the total funds, the General Fund, and Debt Service Fund.

Mr. Flint: The amount for the General Fund is \$952,213 and the Debt Service Fund is \$188,994.

Mr. d'Adesky: What is the total?

Mr. Flint: We will insert the total. If you look at Exhibit A, there are two primary reasons we are amending the budget. One is to give a credit for the fact that the Amenity Center is not currently constructed. These new assessment rates will reduce the buildout per unit assessment amount to 70% of the calculated buildout amount. Previously, the way you adopted the assessments, we had a flat per unit amount regardless of the product type. This modifies that, so we are using the ERU factors that were used in your Debt Service assessment. Based on the land use or product type, you pay a varying amount of assessments. For example, under the new proposed debt service assessments, a townhome owner would pay a gross per unit amount of \$348 and a 70-foot lot owner would pay \$894. Previously, you had a flat amount that applied to all and we were advised that Mattamy Homes was disclosing a different structure than the flat rate per unit by product type. The issue of the credit for the amenity not being in place came up, so we are addressing both of those items by amending the budget. Darrin, is there anything else you want to add to that?

Mr. Vidrine: It's still a buildout budget?

Mr. Mossing: Yes, the credit is only for the Phase 1 Amenity Center not being completed. It is anticipated that it will be completed early next year. It is not anticipated that credit will be on the tax roll.

Mr. Vidrine: It will be on the tax roll next year. At that point, 70% would increase to 100%. Would there be a requirement to redo the table at that time?

Mr. Flint: When you adopt your 2020 budget, we will revise these tables.

Mr. Vidrine: I don't know that it would happen, but if the Amenity Center was completed in seven months instead of 12 would that matter?

Mr. Flint: No, you are going to have to live with these amounts and the variation would basically come under that developer contribution line. If they came on earlier than anticipated, there may be a couple of months. Again, these are all estimates at this point.

Mr. Vidrine: We are working as hard as we can to get it in as quickly as possible, so we will do what we can. We understand.

Mr. Flint: It's likely the developer contribution amount is overstated, because we included the amenity amounts, but we backed them out on the per unit calculation.

Mr. Mossing: One more thing. We contacted the County regarding the property tax bills that are in Mattamy's name. We will hopefully be submitting correction notices tomorrow. We have to do 164 individual correction notices. It takes one minute to correct each tax bill, so it will hopefully be issued as soon as possible.

Mr. Flint: We will also issue revised direct bills based on the new amounts. Are there any questions on the resolution or the exhibit? If not, we need a motion to approve it.

On MOTION by Mr. Vidrine seconded by Mr. Trace with all in favor Resolution 2019-02 Amending Resolutions 2018-13 and 2018-14; Amending the Fiscal Year 2019 Budget; Amending, Re-imposing, and Certifying the Assessment Roll; Authorizing the Filing of Revised Notices to the Osceola County Tax Collector and Revision of District Invoices was adopted.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Flint: Andrew, do you have anything else?

Mr. d'Adesky: Nothing, other than we are working on that resolution.

**B. Engineer**

Mr. Flint: The District Engineer was supposed to call in. Do we need him for anything?

Mr. Dowd: Are there any improvements on that plat that was just recorded that go to the CDD? I think ponds were already turned over.

Mr. Hooker: The ponds are there and the roads go to the CDD. They didn't go to the municipality or the City.

Mr. Vidrine: We may have already done that.

Mr. Flint: I apologize for Eric not dialing in, but it sounds like we don't need him.

**C. District Manager's Report**

**i. Balance Sheet and Income Statement**

Mr. Flint: You have the unaudited financial statements through September 30<sup>th</sup>. No action is required, but if you have any questions we can discuss those. We requisitioned all but

\$13,000 on the Debt Service acquisition construction account, so there is still a small amount of money there. Typically, there is going to be some legal and other expenses that would absorb that. Are there any questions on the financials? Hearing none,

**ii. Consideration of Funding Request #1**

Mr. Flint: We have Funding Request #1 for Fiscal Year 2019 totaling \$10,712.99.

On MOTION by Mr. Trace seconded by Mr. Vidrine with all in favor Funding Request #1 in the amount of \$10,712.99 was approved.

Mr. Mossing: On the funding request that the Board just approved, the Fiscal Year 2019 expenditures are eligible to be reimbursed from assessments that we will be collecting. We will be asking the developer to advance those funds, but once we collect our assessments they will be eligible for reimbursement.

Mr. Flint: It's a cash flow situation. Part of those expenses are for 2018, which fall under the Funding Agreement and the 2019 expenses, which are about \$8,300 and could be reimbursed to the developer once the assessment revenue comes in.

Mr. Vidrine: Going forward, do we usually carry three months so you can operate?

Mr. Flint: Yes, once the District gets established we would carry a two-and-a-half to three month operating reserve, which would avoid the cash flow issue at the beginning of the fiscal year. Right now, based on the Balance Sheet, it looks like we have \$6,500 in cash.

Mr. Vidrine: There is a shortfall of a couple thousand dollars.

Mr. Flint: We are going to submit the funding request for the full amount and then we will refund it once assessment revenue comes in. Is there anything else? Hearing none,

**NINTH ORDER OF BUSINESS**

**Other Business**

There being none, the next item followed.

**TENTH ORDER OF BUSINESS**

**Supervisors Requests**

There being none, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

Mr. Flint: If there's nothing further, we need a motion to adjourn.

On MOTION by Mr. Vidrine seconded by Mr. Trace with all in favor the meeting was adjourned.

  
\_\_\_\_\_  
Secretary/Assistant Secretary

  
\_\_\_\_\_  
Chairman/Vice Chairman

