

**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, **April 6, 2022** at 9:00 a.m., at Tohoqua Amenity Center, 1830 Fulfillment Drive, Kissimmee, Florida.

Present and constituting a quorum:

Andre Vidrine	Chairman
Marcus Hooker	Vice Chairman
Rob Bonin	Assistant Secretary

Also present were:

George Flint	District Manager
Kristen Trucco	District Counsel
Eric Warren (<i>by phone</i>)	District Engineer
Alan Scheerer	Field Manager
Marcia Calleja	CALM
Larissa Diaz	CALM

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order at 9:00 a.m. and called the roll. A quorum was present.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Flint: We just have Board Members and staff.

THIRD ORDER OF BUSINESS

**Approval of Minutes of the March 2, 2022
Board of Supervisors Meeting**

Mr. Flint: Did the Board have any comments or corrections?

Mr. Vidrine: No.

Mr. Flint: Then we need a motion to approve.

On MOTION by Mr. Vidrine, seconded by Mr. Hooker, with all in favor, the Minutes of the March 2, 2022 Board of Supervisors Meeting, were approved as presented.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2022-04
Approving the Conveyance of
Improvements Relating to Assessment
Area Three for the Series 2021 Bonds**

Mr. Flint: This is for the Phase 4A/5A project. Once the Board approves Resolution 2022-04, we have the associated requisition to be ratified. Kristen?

Ms. Trucco: I can go through the resolution, quickly. Like George said, this is a resolution related to Requisition #6 for the Series 2021 bonds. This is for a conveyance related to that requisition. The resolution is going to approve the conveyance documents that are attached to the resolution. Those include the Special Warranty Deed and Bill of Sale. Those documents transfer the real property tracts and improvements from the developer to the District. Following that is an agreement regarding taxes and Owners Affidavit. Those are promises from the developer that they are no outstanding taxes or encumbrances on the real property tracts or improvements that would hinder the ability of the District to maintain those. Following that is a certificate of the District Engineer. This certificate is required under the initial bond documents including the Acquisition Agreement where the District Engineer certifies that those conveyances are contemplated by the original development plans for the District and that the real property tracts abide by all of requirements of the District to only maintain them. If you have any questions, I can try to answer them now. Otherwise, we are just looking for the Board to approve Resolution 2022-04.

Mr. Flint: Are there any questions on the resolution or exhibits? If not, we need a motion to approve the resolution.

On MOTION by Mr. Vidrine, seconded by Mr. Hooker, with all in favor, Resolution 2022-04 Approving the Conveyance of Improvements Relating to Assessment Area Three for the Series 2021 Bonds, was adopted.

A. Consideration of Series 2021 (4A/5A Project) Requisition #6

Mr. Flint: I placed this item on the agenda in anticipation that we would have Requisition #6. Eric, are we still working on Requisition #6?

Mr. Warren: I sent that out on Friday. Did you not receive it? I didn't get a bounce back. I probably should've called.

Mr. Flint: Okay.

Mr. Warren: I sent it out to you and Jan and Kristen on Friday.

Mr. Flint: We don't technically need Board approval to process it. So, we can go ahead and move forward with processing Requisition #6 and we can bring it back at your next meeting to be ratified, if necessary. I don't have the information in front of me. I thought it was in the agenda.

Mr. Warren: I can tell you really quickly.

Mr. Flint: Why don't you go through it and then the Board can just approve it.

Mr. Warren: Yup. Briefly, it's the same form as the others. Basically, it was for the transfer of the stormwater and sanitary sewer, which had a \$3 million value. The requisition was only for \$1,675,691.38, which is what I believe is the balance of the remaining bond money. Its significantly less than the actual value of the assets.

Ms. Trucco: So, the Series 2021 bond series is for the Phase 4A/5A project. It is going to come out of those bonds.

Mr. Flint: Requisition #6 would draw down the balance of the construction account. We probably have \$2 million more in improvements than we do in funding. If the Board is comfortable approving Requisition #6 based on Eric's description, we need a motion to approve it.

On MOTION by Mr. Vidrine, seconded by Mr. Hooker, with all in favor, Requisitions #6 for Series 2021 Phase 4A/5A Project, was approved.

FIFTH ORDER OF BUSINESS

Ratification of Sidewalk Easement for Lot 134

Mr. Flint: Kristen?

Ms. Trucco: Yes. This was a request by the developer, Pulte Home Company (Pulte). The District approved one of these previously, I think in 2021. It is the same exact form of agreement. We are requesting an easement over Lot 134 that was owned by Pulte in order to construct and maintain the sidewalk. So, we have the form of the easement here and then there's an exhibit showing the exact location of the sidewalk and the easement. If you have any questions, we can answer them now. Otherwise, we are just looking for a motion to approve the sidewalk easement.

Mr. Flint: Are there any questions on the easement? If not, we need a motion to ratify.

On MOTION by Mr. Vidrine, seconded by Mr. Hooker, with all in favor, the Sidewalk Easement for Lot 134, was ratified.

SIXTH ORDER OF BUSINESS

Ratification of Requisitions

- A. **Series 2018 Requisition #2**
- B. **Series 2021 (Phase 2 Project) Requisition #5 - #7**
- C. **Series 2021 (Phase 4A/5A Project) Requisition #4 - #5**

Mr. Flint: We have some requisitions to be ratified. Requisition #2 for the Series 2018 bonds, reimburses the District for some expenses that they paid for \$735 through the General Fund. Then for the Series 2021 bonds, for the Phase 2 project, we have Requisitions #5, #6 and #7. Requisition #5 is also payable to the CDD for \$1,924 to reimburse for engineering services. We paid Poulos & Bennett and then reimbursing the District for that. Requisition #6 is for Poulos & Bennett for \$52.50 and Requisition #7 is for Poulos & Bennett for \$1,050. Then we have Requisitions #4 and #5 for Series 2021, which preceded Requisition #6 that you just approved. Requisition #4 is for \$745 to reimburse the District for engineering expenses and Requisition #5 is also to Poulos & Bennett for \$1,035. Are there any questions on the requisitions? If not, we need a motion to ratify the ones that I just covered.

On MOTION by Mr. Vidrine, seconded by Mr. Hooker, with all in favor, Requisition #2 for Series 2018, Requisition #5-7 for Series 2021 Phase 2 Project, and Requisition #4-5 Series 2021 Phase 4A/5A Project, was ratified.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

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

Ms. Trucco: No. The only update is that we are moving forward with the contraction. So, you will see some more documents at upcoming meetings. Otherwise, I have no updates for the Board.

Mr. Flint: Okay. Are there any questions for District Counsel? Hearing none,

B. Engineer

Mr. Flint: Eric, do you have anything else for the Board?

Mr. Warren: I do not have anything else, but I'm available for questions if there are any.

Mr. Flint: Are there any questions for Eric? Hearing none,

C. District Manager's Report

i. Approval of Check Register

Mr. Flint: You have the Check Register for February 20, 2022 through March 29, 2022 totaling \$158,49902. Are there any questions on the Check Register? If not, we need a motion to approve it.

On MOTION by Mr. Vidrine, seconded by Mr. Hooker, with all in favor, the Check Register from February 20, 2022 through March 29, 2022 in the amount of \$158,499.02, was approved.

ii. Balance Sheet and Income Statement

Mr. Flint: We have the Unaudited Financial Statements through the end of February. You have the combined Balance Sheet for the General Fund, Debt Service Fund and Capital Project Funds. Then we have the Statement of Revenues and Expenditures for each of the funds as well as a month-to-month summary of revenues and expenses for the General Fund. Are there any questions on the financials? Hearing none,

iii. Presentation of Arbitrage Rebate Calculation Reports

Mr. Flint: We have the Arbitrage Rebate Calculation Report for the Series 2021 bonds for the Phase 2 project dated March 5, 2021. We are required to do this calculation under the IRS code to make sure that we are not earning more interest than we are paying. You can see that we

have a negative rebatable arbitrage of \$71,791. So, there are no arbitrage issues. That is the first one. Then we have the Series 2021 bonds with negative arbitrage of \$85,000. We just have those two reports. Are there any questions on the reports? If not, we need a motion to accept them.

On MOTION by Mr. Vidrine, seconded by Mr. Hooker, with all in favor, the Arbitrage Rebate Calculation Reports, were approved.

iv. Amenity Manager's Report

Mr. Flint: Larissa or Marcia, are you going to present the Amenity Report?

Ms. Diaz: Yes. Good morning. In March, we had one Clubhouse rental. You can see a recap of the events that we had in March. One of them was the St. Patrick's scavenger hunt. It was surprisingly nice. The residents supported it. We gave away personalized mints. You will find the event schedule for this month. The Happy Hoppy Easter is becoming very popular. We had a lot of RSVPs. You also have a summary of the Usage Report for the pool and Gym. I have pictures of the March events. Are there any questions?

Mr. Vidrine: No questions. Very nice.

Ms. Diaz: Thank you.

v. Field Manager's Report

Mr. Scheerer: Just briefly, we are meeting regularly with United Land Services (United) to review the entire community. We are dealing with some weed pressure right now. They should be onsite today doing the edging and tree rings. We are moving to weekly service in the month of April. I'm talking with Mr. Jay Robins at Pulte. He has a couple of areas that he would like to turn over. We will be reviewing those areas in the next 30 days and bringing back an addendum for a couple of ponds and maybe a third pond that is in Phases 2 and 4. The one in Phase 5 is what he is looking to turn over to us. We are working with the contractor to get the as-builts and the irrigation system. We have an issue with the slide at the playground. We are working on repairing it. It has pulled out of its brackets and we are having a hard time putting it back. So, it has been roped off for now while we are working on it. Staff was out here recently looking at a location for a bike rack at the pavilion for all of the school kids. I don't know if we will have enough bike racks for all of the kids that are up there in the morning. Sod was removed by the mail kiosk. We are going to have to do some additional work over there to get that cleaned

up and tied into the sidewalk. The sod will be replaced where the dirt has been sitting for a while. I'll be here most of the morning with United. If there are any questions, I would be happy to answer them for you.

Mr. Flint: Are there any questions for Alan? Hearing none,

EIGHTH ORDER OF BUSINESS

Other Business

Mr. Flint: That was all of the business items we had. Was there anything else that the Board wanted to discuss that was not on the agenda?

Mr. Vidrine: No.

NINTH ORDER OF BUSINESS

Supervisors Requests

Mr. Flint: If there is nothing else, we need a motion to adjourn.

TENTH ORDER OF BUSINESS

Adjournment

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


Secretary / Assistant Secretary


Chairman / Vice Chairman