

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, August 5, 2020 at 9:00 a.m., via Zoom Video Conferencing, pursuant to Executive Orders 20-52, 20-69, 20-112, 20-150 and 20-179 issued by Governor DeSantis on March 9, 2020, March 20, 2020, April 29, 2020, June 23, 2020 and July 30, 2020 respectively, and any extensions or supplements thereof, and pursuant to Section 120.54(5)(b)2., *Florida Statutes*.

Present and constituting a quorum were:

Andre Vidrine	Chairman
Marcus Hooker	Vice Chairman
Jason Good	Assistant Secretary

Also present were:

George Flint	District Manager
Jan Carpenter	District Counsel
Eric Warren (<i>by phone</i>)	District Engineer
Larissa Diaz	CALM
Marcia Calleja	CALM
Alan Scheerer	Field Manager
Justin Rowan	Underwriter

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order at 9:02 a.m. and called the roll. All Supervisors were present with the exception of Mr. Dowd.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Flint: Only Board members and staff are present.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Acceptance of Resignation of David Hulme

Mr. Flint: We received a resignation from David Hulme and need a motion to accept his resignation.

On MOTION by Mr. Vidrine seconded by Mr. Good with all in favor, David Hulme's Resignation Effective Immediately, was accepted.

B. Appointment of Individual to Fulfill the Board Vacancy with a Term Ending November 2021

C. Administration of Oath of Office to Newly Appointed Supervisor

D. Consideration of Resolution 2020-07 Electing an Assistant Secretary

Mr. Flint: Are there any nominations to fill that vacancy at this time? Are you going to appoint John?

Mr. Vidrine: Can we do it at the next meeting or do we need to have a full Board every time?

Mr. Flint: No, you don't have to you can defer it. It's up to you whether you want to do that now or wait.

Mr. Vidrine: We can do it next time.

Mr. Flint: Okay, we will defer action on the appointment of a replacement and re-agenda those items for next month.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the June 3, 2020 Meeting

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

Mr. Vidrine: I do not.

Mr. Flint: If not, we would ask for a motion to approve them.

On MOTION by Mr. Vidrine seconded by Mr. Good with all in favor, the minutes of the June 3, 2020 meeting, were approved as presented.

FIFTH ORDER OF BUSINESS

Public Hearings

Mr. Flint: The first two public hearings are related to adoption of the budget for 2021 and the assessments associated with that. We are going to open the public hearings. For the record we will note that no members of the public are present to provide comment, input, or testimony.

A. Consideration of Resolution 2020-08 Adopting the Fiscal Year 2021 Budget and Relating to the Annual Appropriations

Mr. Flint: Resolution 2020-08 adopts the Fiscal Year 2021 budget, which starts on October 1st. The Board previously approved the Proposed Budget and set the public hearing for today for final approval. The Proposed Budget is attached as Exhibit A to the resolution. We reviewed the budget fairly extensively and worked with the Chairman to include all of the expenses necessary to operate the amenities. A portion is on-roll, a portion is off-roll, and a portion is developer contributions. That includes some special event revenue as well. Are there any questions on the budget? If not, we need a motion to adopt Resolution 2020-08.

On MOTION by Mr. Vidrine seconded by Mr. Good with all in favor, Resolution 2020-08 Adopting the Fiscal Year 2021 Budget and Relating to the Annual Appropriations, was approved.

B. Consideration of Resolution 2020-09 Imposing Special Assessments and Certifying an Assessment Roll

Mr. Flint: Resolution 2020-09 imposes Operation and Maintenance (O&M) Assessments associated with the budget you just adopted. We attached the Adopted Budget and the Assessment Roll to this resolution. It authorizes us to transmit the Assessment Roll to the county and also any direct assessment bills associated with the budget. Are there any questions on the Resolution? No members of the public are present to provide comments. We need a motion to adopt Resolution 2020-09.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor, Resolution 2020-09 Imposing Special Assessments and Certifying an Assessment Roll, was adopted.

C. Consideration of Resolution 2020-10 Adopting the Rules and Requirements for Developer Turnover of Public Property to the CDD

Mr. Flint: You previously considered and authorized us to advertise the public hearing for today. Two notices were placed in the newspaper as required by Statute. The resolution and rule are in your agenda package. Jan, do you want to present the resolution and rule?

Ms. Carpenter: Sure, as George said the rule basically sets up a process for the District to accept property. The property is generally defined as anything that's in the Engineer's Report where bonds are issued or any other public purpose property that the Board wants to consider. When a developer has bonds issued and submits a requisition, the District accepts property and pays for the improvements. This sets up the process. An application fee to cover the District cost must be submitted so the District can accept it and the engineer can review it. It also helps in the event there is something that doesn't come directly with bonds that is part of the stormwater system or other public improvement. So, there's a way for the engineer and the District to review those assets. This keeps it a safe and effective way of accepting property from different developers. We recommend that the Board accept this rule. Are there any questions?

Mr. Flint: I don't see any members of the public are here to provide comments. Therefore, we need a motion to adopt Resolution 2020-10.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor, Resolution 2020-10 Adopting the Rules and Requirements for Developer Turnover of Public Property to the CDD, was approved.

D. Consideration of Resolution 2020-11 Adopting the Rules and Requirements Related to Cost Recovery for Impacts to the Stormwater System

Mr. Flint: This is another rule hearing to consider Resolution 2020-11, adopting the rules and requirements related to cost recovery for impacts to the stormwater system. Jan?

Ms. Carpenter: This is similar to the previous one for the District to set any fees and procedures and establish rules and regulations. This allows a policy for the payment of fees and costs related to negative impacts from maintenance of the stormwater system. It allows the District to collect penalties and pay for any cleanup the District would have to do for use of the stormwater systems. I think we went into this in detail at the last meeting so I will save you from reading all of the details. Does anyone have any further questions on this?

Mr. Vidrine: I have no questions.

Mr. Flint: There is no public present, so we will bring it back to the Board for consideration. We need a motion to adopt Resolution 2020-11.

On MOTION by Mr. Vidrine seconded by Mr. Good with all in favor, Resolution 2020-11 Adopting the Rules and Requirements Related to Cost Recovery for Impacts to the Stormwater System, was approved.

Mr. Flint: We will close the public hearings. Before we proceed further, we will need to have the Board consider some additional rules related to operation of the amenities. The first would be a non-resident user fee, a proposed fee that would be required to be paid by any non-resident to basically stand in the shoes of a resident as far as use of the District's amenities. I believe it requires a 29/28-day notice so we will not be able to have it on the September meeting agenda. The September meeting is on September 2nd and the October meeting is on October 7th. So, we will provide a resolution for the September 2nd agenda with the proposed rules, and then we will advertise the hearings for the October meeting. That will give us enough time between the September and October meeting. Since it is based on the number of days between your September and October meeting, no action is required today. The other rule would be setting miscellaneous fees such as room rental fees, what we charge for access cards. They also have to be set by rule. So, we will do those at the same meeting.

SIXTH ORDER OF BUSINESS

Consideration of Amenity Center Contracts

A. Cleaning Maintenance Agreement with Westwood Interior Cleaning, Inc.

Mr. Flint: We have the Amenity Center coming online. So, we need to get some agreements in place with vendors. The first one is for janitorial services, it is from Westwood Interior Cleaning, Inc. We looked at their proposed price and it is competitive. It's actually lower than some of the other vendors that we use. We use Westwood in other Districts and are comfortable with their services. Marcia, how many days a week service is this set up for?

Ms. Calleja: Three days a week.

Mr. Flint: The per visit charge is actually \$20 to \$30 less than competitors in other Districts. So, we think it is a competitive fee. If there are any questions, we can discuss those. Otherwise, I would ask for a motion to approve the agreement.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor, the Cleaning Maintenance Agreement with Westwood Interior Cleaning, Inc., was approved.

B. Pool Maintenance Proposal with Roberts Pool Service and Repair, Inc.

Mr. Flint: This agreement is with Roberts Pool Service and Repair, Inc. (Roberts) for three days per week pool cleaning, initially for \$1,300 per month. Again, we believe the cost of this proposal is competitive. At some point, we may need more than three days a week once we get additional use. Initially three days per week would be adequate. We use Roberts in some other communities. They tend to be competitive as far as price and we have been happy with their services. We need a motion to approve the proposal.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor, the Pool Maintenance Proposal with Roberts Pool Service and Repair, Inc. in the amount of \$1,300 per month, was approved.

C. Termite Control Agreement with ProStaff

Mr. Flint: The agreement with ProStaff for termite control is for \$2,082. Then there's an annual renewal fee for a termite bond of \$300. We need a motion to approve the agreement

On MOTION by Mr. Vidrine seconded by Mr. Good with all in favor, the Termite Control Agreement with ProStaff in the amount of \$2,082, was approved.

D. Pest Control Agreement with ProStaff

Mr. Flint: The agreement with ProStaff is for monthly pest control services. There is a monthly service charge of \$65 per month. Am I explaining that correctly, Marcia?

Ms. Calleja: Yes.

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

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor, the Termite Control Agreement with ProStaff in the amount of \$65 per month, was approved.

E. Pest Control Agreement with ProStaff

Mr. Flint: The agreement with ProStaff is for monthly pest control services. There is a monthly service charge of \$65 per month. Am I explaining that correctly, Marcia?

Ms. Calleja: Yes.

Mr. Flint: Are there any questions? If not, we need a motion to approve the agreement.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor, the Termite Control Agreement with ProStaff in the amount of \$65 per month, was approved.

F. Landscape Maintenance Agreement with EarthTech

Mr. Flint: This agreement is for landscape maintenance associated with the amenity complex. EarthTech is performing the landscape maintenance for the community on behalf of the CDD. This adds in additional landscape maintenance associated with the amenity, once the District takes that facility over. It is a cost of \$1,743.75 per month. Are there any questions? If not, we need a motion to approve the agreement.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor, the Landscape Maintenance Agreement with EarthTech in the amount of \$1,743.75 per month, was approved.

SEVENTH ORDER OF BUSINESS**Consideration of Agreement for Underwriting Services with MBS Capital Markets, LLC**

Mr. Flint: MBS is the District's underwriter. They typically have a separate agreement for each series of bonds that are issued. This is an agreement for underwriting services under MSRB Rule G-17. Justin Rowan is on the call.

Mr. Rowan: I'm happy to answer any questions. As you pointed out, pursuant to the regulators we presented a new Investment Banking Agreement to each bond issuance for the District. This particular Investment Banking Agreement applies to the next phases of infrastructure to be undertaken by the Districts, which includes Phases 2, 4 and 5. The landowners, Lennar and Pulte are involved. Basically, this agreement relates to these pending projects, as we gear up and mobilize staff to start working on documentation for this bond issuance.

Mr. Flint: Are there are any questions on the agreement? If not, we would ask for a motion to accept the agreement.

Ms. Carpenter: This is a typical agreement and the Board just needs to accept it under the FDC rule.

On MOTION by Mr. Vidrine seconded by Mr. Good with all in favor, the Agreement for Underwriting Services with MBS Capital Markets, LLC., was approved.

EIGHTH ORDER OF BUSINESS

Discussion of Draft Amenity Policies

Mr. Flint: These policies are adopted by a motion of the Board. However, any rates that are referenced in this document are all established by rule. These policies refer back to those rules. This is how the District operates, hours of operation, how access cards are handled, what residents can and cannot do at the various amenities and the ability to enforce operations. It also has a suspension and termination of privileges. I'll talk with Jan. We may want to include as a rule. Typically, that would be adopted by rule as well. That gives the District the ability to be able to suspend those privileges for use of the facility. This is still in draft form. What is the date that the amenities are proposed to be open? Do we have a ballpark date?

Mr. Warren: I would say substantial completion any day. Was the question of turnover, when its complete? What was his specific question?

Mr. Flint: When do we expect operating, even for residents?

Mr. Warren: Within 30 to 45 days.

Mr. Flint: Okay. We provided you with a draft. Any comments the Board may have, should be provided to Marcia. We will include a final version at your September 2nd agenda. If any issues come up, or if we open the amenities sooner without these rules on an interim basis, the Board has time to provide any comment or feedback. So, we are providing this at this point for your information, but we will re-agenda them for September for actual adoption.

Mr. Vidrine: That works.

Mr. Flint: That's all we had for business items.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Flint: Jan, do you have anything else to report?

Ms. Carpenter: No, we don't. Thanks. We are just working on the things you talked about during the meeting.

B. Engineer

Mr. Flint: Eric? Do you have anything to report to the Board?

Mr. Warren: Good morning. We initiated work on the Supplemental Engineer's Report for the Phase 2 project.

Mr. Flint: On the next series of bonds, the Board has already gone through the assessment process for the entire District. So as far as the next bond issuance, we will not need to have another assessment hearing or bond validation. The engineer is working on a Supplemental Engineer's Report to find the improvements that would be financed. We will be preparing a Supplemental Assessment Methodology. When we are ready to issue bonds, the Board would be adopting a Bond Delegation Resolution, delegating authority to the Chair to execute all of the documents necessary to close on the bonds. We can pull the trigger on that fairly quickly once the Engineer's Report and Methodology are completed and the timing is right.

C. District Manager's Report

i. Approval of Check Register

Mr. Flint: The Check Register in your agenda package was for the General Fund and Payroll totaling \$21,390.05. The detailed register is behind the summary. Are there any questions or comments on the check register? If not, we would ask for a motion to approve it.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor, the Check Register from June 20, 2020 through July 27, 2020 in the amount of \$21,390.05, was approved.

ii. Balance Sheet and Income Statement

Mr. Flint: The Balance Sheet and Income Statement is through June 30th. No action is required by the Board, but if the Board has any questions, we can discuss those.

iii. Approval of Fiscal Year 2021 Meeting Schedule

Mr. Flint: The Board is required to approve an annual meeting schedule each year. We provided a draft for having the Board meet on the first Wednesday of each month at 9:00 a.m. at

the Clubhouse on Fulfilment Drive. We can either have it at the Clubhouse or continue to meet at the Library.

Mr. Vidrine: The Clubhouse would be fine.

Mr. Flint: If we don't have any business, we can cancel a meeting, but this at least gives us a date and time each month for those meetings. So, if the Board is comfortable with the notice, I would ask the Board to approve the meeting schedule.

On MOTION by Mr. Vidrine seconded by Mr. Good with all in favor, the Fiscal Year 2021 Meeting Schedule as presented, was approved.

Mr. Flint: Does the Amenity Manager have any updates for the Board?

Mr. Scheerer: We met onsite with the pool contractor with Village Pools, Roberts Pools and Spies Pools. Spies is going to be placing an external chlorine storage tank within the confines of the pool pump equipment because what's in the ground probably won't be sufficient to handle the amount of chlorine we are going to be using. So that's one of the other things that we are going to be doing, as soon as the landscaping is done. From a field perspective, I will also be meeting with EarthTech to review all of the improvements. I obtained a list of all improvements from EarthTech and will make sure everything that was slated to be in the ground is in the ground. The camera guys were onsite recently and I can let Marcia speak to what is going on inside the building.

Mr. Flint: Okay. Marcia?

Ms. Calleja: The camera system has been installed and it is recording. They are just working on the final cameras in the Fitness Center, but as far as the main building, it has been installed and is working. With the access cards, there are just a new more readers that they need to install and making some adjustments on the push bars, but the system is installed. They are almost complete.

Mr. Flint: Sounds good. Are there any questions for staff? Hearing none,

TENTH ORDER OF BUSINESS

Other Business

Mr. Flint: Is there any other business? Hearing none,

ELEVENTH ORDER OF BUSINESS

Supervisors Requests

There being none, the next item followed.

TWELFTH 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. Hooker with all in favor the meeting was adjourned.



Secretary / Assistant Secretary

Chairman / Vice Chairman