

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, June 2, 2021 at 9:00 a.m., at Tohoqua Amenity Center, 1830 Fulfillment Drive, Kissimmee, Florida.

Present and constituting a quorum were:

Andre Vidrine	Chairman
Marcus Hooker	Vice Chairman
John Droor	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 staff and Board Members.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Acceptance of Resignation of James Shoukwiler

Mr. Flint: We received a resignation from Mr. James Shoukwiler. It is in your agenda package. Is there a motion to accept the resignation?

On MOTION by Mr. Vidrine, seconded by Mr. Hooker, with all in favor, the resignation of James Shoukwiler, was accepted.

B. Appointment of Individual to Fulfill the Board Vacancy with a Term Ending November 2023

C. Administration of Oath of Office to Newly Appointed Supervisor

D. Consideration of Resolution 2021-14 Electing an Assistant Secretary

Mr. Flint: Are there any nominations at this time to fill the vacancy?

Mr. Vidrine: Not at this time.

Mr. Flint: So, we will carry the vacancy over to the next Board meeting and defer action on the resolution electing an Assistant Secretary.

FOURTH ORDER OF BUSINESS

**Approval of Minutes of the May 5, 2021
Board of Supervisors Meeting and May 5,
2021 Audit Committee Meeting**

Mr. Flint: Were there any comments or corrections to the May 5, 2021 Board or Audit Committee meeting minutes? If not, we would ask for a motion to approve the minutes.

On MOTION by Mr. Vidrine, seconded by Mr. Hooker, with all in favor, the Minutes of the May 5, 2021 Board of Supervisors Meeting and May 5, 2021 Audit Committee Meeting, were approved as presented.

FIFTH ORDER OF BUSINESS

**Termination of Applied Aquatic Contract
and Consideration of Proposal with
Sunshine Land Management for
Environmental Services**

Mr. Flint: My understanding is this is not necessarily a performance issue with Applied Aquatic, but a desire to retain a different company that has a different set of skills we believe the District would benefit from. Like all contracts with the District, there is a 30-day termination provision without cause in the Applied Aquatic contract. We also have a proposal from Sunshine Land Management, which was provided to me by the Chair. From a cost perspective, this proposal is significantly less than the Applied Aquatic contract. This is \$450 a month proposal. You can see the map that is attached on the ponds would be covered by this agreement. The cost

from Applied Aquatic is \$1,200 for the same ponds. This proposal also includes a fee schedule and a list of other services that can be provided a la carte in addition to the monthly lake maintenance. Andre, do you want to hit on anything?

Mr. Vidrine: I think you covered it well. I think it's just an addition to the normal services provided. There is also expertise to help staff maintain the District's assets. If you get into more complex situations, as you would in a big Master Plan like this, having someone that has been out here consistently that understands all of the rules and regulations from the various municipalities, is going to add another level of protection and they had a better price as well.

Mr. Flint: Are there any questions from the Board? If not, we need a motion to hire the Applied Aquatic contract.

On MOTION by Mr. Vidrine, seconded by Mr. Hooker, with all in favor, terminating the Applied Aquatic contract, was approved.

Mr. Flint: Is there a motion to hire Sunshine Land Management? Per the proposal in your agenda, District Counsel would need to prepare a standard CDD agreement that would go with this. Part of that requirement is also the E-Verify, which is something that as of January 1 was in effect. Is there a motion to approve the proposal from Sunshine Land Management, directing District Counsel to prepare an agreement and authorizing the Chair to execute?

On MOTION by Mr. Vidrine, seconded by Mr. Hooker, with all in favor, approving the proposal from Sunshine Land Management, directing District Counsel to prepare an agreement and authorizing the Chair to execute, was approved.

SIXTH ORDER OF BUSINESS

Ratification of Series 2021 Phase 2 Requisition #1

Mr. Flint: This is for the Series 2021 Phase 2 project. This is the first requisition submitted against the Acquisition and Construction Account. It was signed by the District Engineer and the Vice Chair, Mr. Marcus Hooker. Requisition #1 is in the amount of \$683,601.73. There is extensive backup to this. District Counsel is preparing all of the conveyance documents.

Ms. Trucco: There is a signature on the District Engineer's Certificate that goes along with the requisition. We reviewed all of the maps and backup for this particular requisition. The

conveyance documents are ready to go. They will be included in the agenda next month for ratification. This is Eric's requisition that we need approval on today for infrastructure improvements. No land is being transferred. We are just looking for a motion to approve the requisition.

Mr. Warren: I believe this is just for pressure pipe and utilities. It's all new ground. It was inspected by inspectors and the Department of Environmental Protection (DEP).

Ms. Trucco: For the stormwater. They provided us with all the permits and backup for those stormwater systems.

On MOTION by Mr. Vidrine, seconded by Mr. Hooker, with all in favor, Requisition #1 for Series 2021 Phase 2, was ratified.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Flint: Is there anything else, Kirsten?

Ms. Trucco: The only other item we are working on right now is the Phase 4A and 5A requisition with Pulte. We are just waiting for confirmation on the particular tracts that are being transferred to the District and which improvements will be included in this requisition for Phase 4 and 5A. Hopefully, by next month, we will have those conveyance documents ready and signed so we can complete and process that requisition. That is the only update I have.

Mr. Flint: The requisitions themselves are not required to be approved by the Board prior to submitting, but we need to make sure that the District Engineer certifies that the improvements are complete in accordance with their report and that we have all of the conveyance documents executed. If we get that information prior to the next meeting, it can be funded without a Board meeting. The Board typically would put it on the agenda to be ratified, although it's not required.

Mr. Vidrine: That's standard.

Mr. Flint: Yes.

B. Engineer

Mr. Flint: Eric, do you have anything?

Mr. Warren: Not beyond what was discussed.

C. District Manager's Report

i. Approval of Check Register

Mr. Flint: You have the Check Register from April 30, 2021 through May 26, 2021 for the General Fund and payroll totaling \$34,241.92. The detailed register is behind the summary. Are there any questions on the Check Register?

Mr. Vidrine: No questions.

Mr. Flint: I 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 April 30, 2021 through May 26, 2021 in the amount of \$34,241.92, was approved.

ii. Balance Sheet and Income Statement

Mr. Flint: We have the Unaudited Financials through April 30th. No action is required by the Board, but if there any questions, we can discuss those.

iii. Presentation of Number of Registered Voters – 215

Mr. Flint: As of April 15, 2021, the District has 215 registered voters. Once the District reaches 250 registered voters and the District has been in existence for six years, two of the Board seats transition to general election and then in two years, two more seats transition and in the following two years, the last seat will be up for General Election. It looks like this year we will trigger the 250. Because the District was created in an odd numbered year and our elections are in November of odd number years, we are going to need to switch those to even numbered years. The Legislature and the Statutes contemplate that District Board terms will shift to an even numbered year as well. At some point, we will be bringing a resolution forward, which would basically add a year to all of the existing terms. Instead of expiring in odd numbered years, there would be even numbers.

Mr. Vidrine: Will it transition to 250?

Mr. Flint: You have to hit both. The District was created in 2017.

Mr. Vidrine: So, the resolution makes it 2018? Is that what you are saying?

Mr. Flint: No. The District was created in 2017, so the earliest you would trigger the transition would be in 2022, but because the terms of the seats are going to be shifted to an even numbered year, it would November 2024 before those first two seats transition. Then in 2026, the Board would have four residents.

Mr. Vidrine: Got it.

iv. Designation of November 3, 2021 as Landowners' Meeting Date

Mr. Flint: We need to designate the Landowner Election date after the formation. It has to be on the first Tuesday in November, which is November 3, 2021. At that point, there will be three seats up for election that will be elected at a Landowner Election, which is one vote per acre or part of an acre. In your agenda, you will see sample instructions and a landowner proxy. Any landowner can designate a proxyholder to cast votes on their behalf. The proxyholder or landowner would need to be physically present at the Landowner Election, which is contemplated for November 3, 2021 at 9:00 a.m. at this location. So, it's not a Board meeting, but a Landowner Election. The Board doesn't need to be here for that, but any landowner that wants to participate would need to be here or their proxyholder. I will get with the major landowners in advance of the election, so they have the proxy forms. They are familiar with what needs to be done. Is there a motion to set November 3rd as the landowner meeting date?

On MOTION by Mr. Vidrine, seconded by Mr. Hooker, with all in favor, designating November 3, 2021 at 9:00 a.m. at this location as a Landowners' Meeting, was approved.

v. Amenity Manager's Report

Mr. Flint: Larissa?

Ms. Diaz: Good morning. We are working with KUA on installing additional light posts by the mailboxes. Jack just responded that they are backordered. We know that they need to be prepaid. It will be done before or by June 17th. This month we have the following special events; our regular events plus a Father's Day breakfast scheduled for Saturday, June 12th. We had great RSVPs for the events we had so far.

Mr. Vidrine: How many?

Ms. Diaz: Right now?

Mr. Vidrine: Yes.

Ms. Diaz: We divided it into time slots. We had 25 for Mother's Day and are getting close to that for Father's Day. They can bring a guest, either their wife or child. We are having a Food Truck Social on Tuesday, June 17th. You can see the Usage Report for the pool and Fitness Center. The pool is getting really busy. Usage of the Fitness Center is going slightly down. In

May, we had a Mother's Day continental breakfast. We gave a rose to every participating mother. They were also able to bring a guest, child, daughter, son or significant other. Also, we have a picture of the participating food truck that we had during the month of May. They sold 34 orders. Are there any questions?

Mr. Vidrine: No questions.

Ms. Diaz: We are adding more events. We also have something in place for the Fourth of July and are adding events for kids over the summer.

Mr. Vidrine: For the Fourth of July, do you already have the programming figured out?

Ms. Diaz: We have a band. They are setting up on the lawn. We are also going to have a BBQ.

Mr. Vidrine: You might want to invite the St. Cloud Fire Department to show up for the kids. I think that's a good form of community building. We want to get residents in here and encourage kids to engage and be respectful and appreciated.

Ms. Diaz: Okay.

Mr. Vidrine: We've had some good turnouts with that. It might get some more kids out here. With some notice, I bet they can accommodate that. If you don't have a contact, I can send you some contact information for the Fire Chief.

Ms. Diaz: Okay. Perfect. I am sure that the pool is going to be packed that day.

Mr. Flint: Are there other questions for Larisa?

Mr. Vidrine: No other questions.

- **Public Comments**

Mr. Flint: We have a member of the public here. Normally we have public comments at the beginning. I understand there was an issue with the time in the newsletter, which was incorrect for the CDD meeting.

Resident (Not Identified): We have a Facebook page and a lot of homeowners are upset that we weren't notified in advance. I didn't know that the CDD has a website.

Mr. Flint: Okay. The CDD has a website, TohoquaCDD.com. It has the CDD meeting notice. The agenda is on there every month. There is information about the CDD. There is onsite staff here if you ever have any questions. The legal requirement for noticing the CDD is it is a government entity, so we have to run a notice in the newspaper, which we do. We also have to

have that information on the CDDs website, which we do. So, if you have any questions or need any information, Marcia is here. She can help or I would be happy to give you my card and you can contact me as well.

Resident (Not Identified): We are new. I don't even know what the CDD does, what it is or anything like that.

Mr. Flint: There are over 600 of them in Florida. It's not an unusual arrangement, but I would be happy to meet with you after the meeting. In this case, the CDD owns the amenities, stormwater system and we are responsible for maintenance of the landscaping in the common areas along the main roads. St. Cloud owns the roads themselves; we own the stormwater system and have landscape maintenance responsibility. All of these facilities, the pool, Fitness Center and Clubhouse are all owned and maintained by the CDD.

Resident (Not Identified): Are you in charge of the lights outside? A lot of homeowners are concerned about the mailboxes. At night, when they pull up, it is dark.

Mr. Flint: We are working on having additional lighting installed by the mailboxes.

Resident (Not Identified): That is one of the items that homeowners are worried about.

Mr. Flint: That was brought up earlier in the meeting. We are working on that. KUA is the utility that would actually be installing the lights.

Resident (Not Identified): Perfect.

Mr. Flint: So, we are working with them and their time schedule. They kind of operate on their own schedule.

Mr. Vidrine: Has this been coordinated with them already?

Mr. Flint: Yes, we already coordinated it.

Resident (Not Identified): Okay, I'll let the homeowners know.

Mr. Flint: At every meeting, we have a public comment period at the beginning of the meeting, so any residents that have concerns or questions, there is an opportunity at the beginning of each meeting.

Ms. Calleja: If you can't attend a meeting, you can submit comments in advance. Email addresses are on the website as well as detailed minutes.

Resident (Not Identified): We attend HOA meetings.

Mr. Flint: The HOA is limited to architectural review. It really doesn't own and maintain property or assets, but they have responsibility for enforcement of the codes, covenants and

restrictions. The CDD owns all of the assets and the HOA enforces what color you can paint your house, landscaping or whether you rolled your trash can in.

Resident (Not Identified): Is there a bulletin board near the pool where meeting notices can be posted?

Ms. Calleja: Yes. It is by the Fitness Center. We are also going to start sending out a newsletter earlier. This meeting falls right on the first week.

Mr. Vidrine: Do you live in a single-family home or a townhouse?

Resident (Not Identified): We live in a house.

Mr. Flint: Thank you for your input.

EIGHTH ORDER OF BUSINESS

Other Business

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

NINTH ORDER OF BUSINESS

Supervisors Requests

Mr. Flint: Is there anything else from the Board?

Mr. Vidrine: I have nothing this time.

Mr. Flint: If there is nothing further, 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