

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 4, 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
Jim Dowd	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

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order at 9:05 a.m. and called the roll. A quorum was present.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Flint: No members of the public are present to provide comment other than Board and staff.

THIRD ORDER OF BUSINESS

Organizational Matters

- A. Appointment of Individual to Fulfill the Board Vacancy with a Term Ending November 2023**
- B. Administration of Oath of Office to Newly Appointed Supervisor**
- C. Consideration of Resolution 2021-17 Electing an Assistant Secretary**

Mr. Flint: You have a vacancy created by a resignation with a term ending November of 2023. Are there any nominations at this time to fill that vacancy?

Mr. Vidrine: I think we are still in pursuit of that.

Mr. Flint: Hearing no nominations, we will carry that item forward to your next agenda.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the June 2, 2021 Meeting

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

Mr. Vidrine: I didn't have any in my review.

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

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor the Minutes of the June 2, 2021 Meeting were approved as presented.

FIFTH ORDER OF BUSINESS

Public Hearing

Mr. Flint: Next is the public hearing to consider the adoption of the Fiscal Year 2022 budget and a resolution imposing assessments related to the budget. We will open the public hearing and 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: The Board previously approved the Proposed Budget and set today as the date, place, and time of the public hearing. We transmitted the Proposed Budget to Osceola County at least 60 days before today. They have the ability to comment, but no approval authority. We received no comments. We put it on the District's website and advertised this hearing 21 and 14 days in advance of today and met all other statutory noticing requirements. For the record, no members of the public are present to provide comment or testimony, so we will bring it back to the Board for discussion and consideration of Resolution 2021-18. Exhibit A of the resolution is the Proposed Budget. We updated the actuals through June 30th for the current year and projected the last three months. It contemplates a combination of on-roll assessments for the platted lots, direct assessments for the assessment areas that issued bonds that have not been platted and direct assessments for the prorated administrative portion of the budget related to areas outside of the assessment areas. Then the difference between that and your total budget is funded through a developer contribution and there would be a Developer Funding Agreement similar to what's

been entered into in the past. We have gone through and estimated what we believe are the buildout costs at this point for the remaining landscaping, ponds, and other costs that we believe would be incurred. So, this current budget is our best effort at trying to reflect what our ultimate expenses would be. Are there any questions or comments on the Proposed Budget or the resolution? Not all these expenses are anticipated to come online for a full 12 months, so we likely will not incur the full amount of this budget. Again, its intended to be a build-out budget. So, although we have \$296,000 in the Developer Contribution line, we don't believe that full amount would be necessary.

Mr. Vidrine: I don't have any questions at this time.

Mr. Flint: If there are no questions from the Board and no public comment, we need a motion to adopt Resolution 2021-18.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor Resolution 2021-18 Adopting the Fiscal Year 2022 Budget was adopted.

B. Consideration of Resolution 2021-19 Imposing Special Assessments and Certifying an Assessment Roll

Mr. Flint: The second part of the public hearing is imposing the special assessments and authorizing staff to certify the Assessment Roll. So, you have Resolution 2021-19. Exhibit A is the budget that you just approved and Exhibit B is the Assessment Roll. Are there any questions on the resolution? If not, we need a motion to adopt it.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor Resolution 2021-19 Imposing Special Assessments and Certifying an Assessment Roll was adopted.

Mr. Flint: At this time, we will close the public hearing.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2021-20 Ratifying Conveyance Documents of Phase 2 Requisition

Mr. Flint: Resolution 2021-20 ratifies the conveyance of assets and real property associated with the Phase 2 Requisition. Kristen?

Ms. Trucco: Yes. This is a requisition for Lennar's Phase 2 bonds. These are the conveyance documents for just the improvements, the overall property being transferred from Lennar to the District as part of this resolution. Attached, is a Bill of Sale and Owners Affidavit. They will actually transfer the improvements from the developer to the District. There is an agreement regarding taxers and Owners Affidavit. Those are promises from Lennar that there are outstanding taxes or encumbrances on the improvements that the District will own and maintain. We also have a District Engineer's Certificate that goes along with this conveyance. It's required under the Acquisition Agreement for the bonds and for the District Engineer to certify that the improvements are up to the standards required for the District to accept them. Like I said, this is for Requisition #1 of the Phase 2 bonds. We are also finalizing one for Phases 4 and 5A. Right now, this is just ratifying the conveyance for Requisition #1 of the Phase 2 bonds.

Mr. Vidrine: Just a quick clarification. Is this for the water system?

Ms. Trucco: Exactly.

Mr. Vidrine: When they convey it, it becomes a public utility.

Ms. Trucco: Correct.

Mr. Vidrine: For clarification, is it conveyed to the District or a municipality?

Ms. Trucco: Are you asking if the District is going to own or maintain it? I have to look in the Engineer's Report to see if the District is taking these.

Mr. Dowd: I believe that occurs and at some point the municipality takes over via the plat.

Mr. Flint: Right. The utilities ultimately get conveyed. It should be simultaneously. We take title on it to convey it. We are not going to maintain it.

Ms. Trucco: Oh, okay. I didn't realize these are being conveyed to the municipality. Because they are using bond funds to construct that, we must take ownership at some point.

Mr. Vidrine: No problem. I understand.

Ms. Trucco: That is great for the record to explain that.

Mr. Flint: Eric is on the phone if you have any questions for him.

Mr. Vidrine: In reviewing the documents, its adequate. The infrastructure has been built and certified. The governmental agencies review and inspect them. The District Engineer signed off on it and said it seemed to be acceptable.

Mr. Flint: Are there any other questions or comments on the resolution? Hearing none, we need a motion to approve Resolution 2021-20.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor Resolution 2021-20 Ratifying Conveyance Documents of Phase 2 Requisition was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Proposal with Roberts Pool & Repair, Inc. to Provide Pool Maintenance Services

Ms. Calleja: We provided the Roberts Pool proposal to increase maintenance of the pool from three days to five days due to increased usage. It was also due to leaves that keep falling into the pool. The proposed contract is included in the agenda package if you have any questions for us.

Mr. Flint: In some communities, we can get away with three days, but for many we can't. We will maintain three part of the year and five parts of the year, depending on bathing load and usage. Some we will just have to end up doing five days with all of your trees and everything here. They can't get away with three.

Mr. Vidrine: There are some beautiful trees that we have saved. So that's a more important situation. I'm sure that changes. Throughout the year we have had various weather patterns and such. So, the priority is making the place more Class A quality and what the residents are paying for, so more maintenance is sometimes to be expected. That is pretty standard.

Mr. Flint: If the Board is comfortable, we need a motion to approve the proposal with Roberts Pool & Repair, Inc. for five days per week maintenance.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor the Proposal with Roberts Pool & Repair, Inc. for five days maintenance per week in the amount of \$1,735 per month was approved.

EIGHTH ORDER OF BUSINESS

Acceptance of the Audit Committee Recommendation and Selection of #1 Ranked Firm to Provide Auditing Services for the Fiscal Year 2021

Mr. Flint: Just before the Board meeting, the Board met as the Audit Committee and ranked the proposals for independent auditing services. Grau & Associates and Berger, Toombs,

Elam, Gaines & Frank (Berger, Toombs) responded to the Request for Proposals (RFP). The Audit Committee ranked Grau as the number one ranked vendor. We need a motion to accept the Audit Committee’s rankings.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor the Audit Committee’s recommendation to select Grau & Associates as the number one firm to provide auditing services for Fiscal Year 2021 was approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Flint: Is there anything else, Kirsten?

Ms. Trucco: No. We are working on finalizing a requisition for Phases 4 and 5A and will be putting that on the agenda next month for ratification. That is all I have. Thank you.

B. Engineer

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

Mr. Warren: No sir.

Mr. Flint: Are there any questions for the District Engineer?

Mr. Vidrine: Not at this time.

C. District Manager’s Report

i. Approval of Check Register

Mr. Flint: You have the Check Register from May 27, 2021 through July 29, 2021 for the General Fund and payroll totaling \$60,641.75. Are there are any questions on the Check Register?

Mr. Vidrine: No questions.

Mr. Flint: If not, 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 May 27, 2021 through July 29, 2021 in the amount of \$60,641.75 was approved.

ii. Balance Sheet and Income Statement

Mr. Flint: We also provided the Unaudited Financials through June 30, 2021. No action is required by the Board, but if there are questions, we can discuss them.

iii. Approval of Fiscal Year 2022 Meeting Schedule

Mr. Flint: Each year, you are required to approve an annual meeting schedule. You historically met on the first Wednesday of each month in this location at 9:00 a.m. We prepared a draft notice to that effect. If you are comfortable with the date, place, and time, then you can approve this notice or we can alter it as the Board deems necessary.

Mr. Vidrine: Those dates are fine.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor the Fiscal Year 2022 meeting schedule as presented was approved.

iv. Amenity Manager's Report

Ms. Diaz: Good morning. The Amenity Report is included in your agenda package. We ordered some additional dumbbells for the Fitness Center because homeowners were reporting that they were waiting for the 10 pounders and those are very popular. So, we ordered an extra pair. I also wanted to highlight some of the events that we held in June and July. The big one we held in June was a Father's Day continental breakfast. We had 14 participants and we gave away mugs to each father that attended. It was quite successful and fun. In July, our big event was the Fourth of July celebration. We had a typical barbecue, pulled pork, macaroni cheese, chips, and non-alcoholic drinks. We also had a live band. We put the live band on the pool deck. It was beautiful and it was great. The homeowners had a great time. We had a good time. It was quite a successful event. I'm very proud of that. We also held our first craft event with some children from the community. It was called, "*Summer Kids Arts and Crafts.*" We had 12 kids participate. They made suncatchers. We had snacks for the kids. We set up the tables. They had a great time as well. We also have something that's planned for August. Two of the big ones and new ones that we added to the list, is we are going to have our first back to school ice cream social. We are also going to hold our first beer, wine, and cheese event. I will report on those next month. Does the Board have any questions for me?

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

- **Field Report**

Mr. Flint: Alan, do you have anything?

Mr. Scheerer: Yes. We will be replacing some plants to Tohoqua Boulevard coming in. We've removed some plants that weren't performing well. I am working with John of United Land to get those proposals up to date. We are still working on this drainage issue by the townhomes. The CDD water has been off for about a month, so all this water or rainwater that is accumulating, is running off of the townhome lots. So, what we are going to look at doing in that corner is putting a nice box drain in that will discharge out to the road. It is too long of a run to get it into the yard drain that is out there. I'm noticing that Phases 2, 4 and 5A are being installed quickly. So, we will probably get some turnover here in the next couple of months with the two perspective developers, Pulte and Lennar.

Mr. Vidrine: We will be able to have a walk through on that for that inspection.

Mr. Scheerer: Yes.

Mr. Vidrine: There's nothing critical there. We just need to make sure that we get copies of the as-builts.

Mr. Scheerer: Yes sir.

Mr. Vidrine: It is all standard. I would like to start asking for the as-builts now.

Mr. Scheerer: I will go back to Lennar. I already sent a couple of emails to Josh to try to make sure that we get all of that. I read through the actual plans and landscape plans. We want to make sure that the Landscape Architect is there too. I have some concerns just driving through about the way that trees were planted right now in Phases 4 and 5A, as opposed to the way that the trees were planted in Phase 2. So, it will look a lot better in Phase 2 than in Phases 4 and 5A. We want to make sure that the trees are up enough to capture enough of the water.

Mr. Flint: Did you notice the sod in Phases 4 and 5A?

Mr. Vidrine: Phases 4 and 5A needs work.

Mr. Flint: There should be St. Augustine versus Zoysia. The plans were not specific. We went back and looked at the landscape plans and they don't specify the type of turf that they installed.

Mr. Vidrine: In the median?

Mr. Scheerer: Oh yeah.

Mr. Vidrine: The plans are not specific as to which one.

Mr. Scheerer: I didn't see it, but I went through the plans that Josh sent me for Cross Prairie Parkway East. I was looking through the landscape plans for Phases 4 and 5A, but I don't see anything. It was specified somewhere, but I didn't see it. I know that Phase 2 has Zoysia.

Mr. Hooker: We didn't specify it because we want to make sure that they don't use Bahia.

Mr. Scheerer: They didn't use Bahia.

Mr. Flint: That to me would be obvious. If we noticed that, we would've brought it up sooner.

Mr. Vidrine: Was there was a different level of maintenance between the two grasses?

Mr. Flint: I don't think there's a cost difference. The cut frequency is the same. The fertilization may be different. Frankly, Zoysia takes more work to make it look good than St. Augustine does. Zoysia was supposed to be drought tolerant, but that is just because it will turn brown when it doesn't get watered, but it will come back.

Mr. Vidrine: Were there any water restrictions|?

Mr. Scheerer: Not that I'm aware of.

Mr. Vidrine: In the summer, when there are traditionally water restrictions, the sod would always burn out.

Mr. Flint: Yes. We do have situation where we have Zoysia and St. Augustine abutting up to each other. It's not ideal.

Mr. Scheerer: It is just basically at the intersection of Tohoqua Boulevard and Cross Prairie Parkway East. Everything to the west is Zoysia and everything to the east is St. Augustine.

Mr. Scheerer: We will do a field inspection.

Mr. Flint: Good. We don't have any approval authority. We just accept what they convey. So, we didn't pick up on that until they started putting it down.

Mr. Vidrine: We will investigate that.

Mr. Flint: Okay. Do you have anything else, Alan?

Mr. Scheerer: No sir.

Mr. Flint: It looks like the windows have not been replaced yet.

Ms. Calleja: They did replace a few panels. They came back and measured the other windows and they are supposed to come back to replace those as well. They have not completed the job.

Mr. Vidrine: Are they aware that they are supposed to come back?

Ms. Calleja: Oh, yes. I've also contacted Mr. Jack Herr to let him know that they have not returned to finish the job yet. He said that he would take care of it.

Mr. Flint: You can see that they have done some in the back. That's all we had.

TENTH ORDER OF BUSINESS

Other Business

Mr. Flint: Is there any other business that the Board wanted to discuss that was not on the agenda? Hearing none,

ELEVENTH ORDER OF BUSINESS

Supervisors Requests

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

TWELFTH 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