

**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, **March 2, 2022** at 9:00 a.m., at Tohoqua Amenity Center, 1830 Fulfillment Drive, Kissimmee, Florida.

Present and constituting a quorum were:

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| Andre Vidrine | Chairman |
| Marcus Hooker | Vice Chairman |
| Rob Bonin | Assistant Secretary |
| James 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 |
| 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 February 2,
2022 Board of Supervisors Meeting**

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

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 February 2, 2022 Board of Supervisors Meeting were approved as presented.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2022-03
Authorizing the Contraction of District
Boundaries and the Associated Funding
Agreement**

Mr. Flint: This resolution authorizes staff to prepare and transmit a petition to contract the boundaries of the District and approves the form of a Funding Agreement between the District and the entity requesting the contraction, so that the costs associated with the boundary amendment are borne by the entity requesting it. District Counsel prepared the resolution. Kristen?

Ms. Trucco: Absolutely. Thanks. As George explained, Tohoqua Development Group has approached the District and requested that we contract our boundaries. So, obviously that needs approval by this Board before we proceed. The procedure is that we are going to file a petition with Osceola County to contract the boundaries of the District by an amendment to the current Establishment Ordinance. So, basically Resolution 2022-03 would allow the District to proceed with moving forward with that petition to contract the boundaries of this District. Attached to the resolution as Exhibit A is a legal description. It should be attached as Exhibit A. Actually, its Exhibit B. Okay. The legal description is attached to the resolution as Exhibit B and Exhibit A is a letter from the Tohoqua Development District. I'm sorry, Tohoqua Development Group is requesting the contraction of the District's boundaries.

Mr. Flint: You can see that its mixed-use Parcels 1, 2 and 3. There is a map attached to the request letter. Those areas are shaded in purple. They are the commercial and multi-family parcels.

Ms. Trucco: The District will incur some costs to proceed with this and file the petition. The petition is part of the exhibit. The entity Tohoqua Development Group has agreed to enter into a Funding Agreement to cover some of those costs. That is forthcoming. We are in the process of drafting that as the legal descriptions are finalized as well. So, we probably want a motion to approve Resolution 2022-03 to allow the District to move forward with contracting its boundaries and also delegating authority perhaps to the Chairman or another Board Member to

proceed with signing off on the Funding Agreement once it receives District staff's approval to sign off.

Mr. Flint: Are there any questions on the resolution? Hearing none, we need a motion to approve the resolution and authorize the Chair to execute the Funding Agreement.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor adopting Resolution 2022-03 Authorizing the Contraction of District Boundaries and the Associated Funding Agreement and authorizing the Chairman to execute the Funding Agreement was approved.

FIFTH ORDER OF BUSINESS

Consideration of Second Amendment to the Landscape Management Agreement

Mr. Showe: You approved this item at the last meeting. This is just the front-end document that goes with the proposal from United Land. You approved the Work Authorization with United Land. This is just the actual amendment to the Landscape Management Agreement. We need a motion to approve the Second Amendment to the Landscape Management Agreement. This was approved last month as well.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor the Second Amendment to the Landscape Management Agreement was approved.

SIXTH ORDER OF BUSINESS

Ratification of Temporary Easement Access for Pool Construction

Mr. Flint: We have a temporary access easement for pool construction that was included in your agenda. This is for Eric Delaney Williams and Tyisha Samantha Grant-Williams. They are in the process of constructing a pool and have to cross certain District property to access the pool. So, this basically gives them the right to be able to do that, but it also puts the obligation on them to restore any areas that might be damaged during that process. It puts a timeframe on it as well. In the interim, since the agenda went out, we also have another Temporary Access Easement Agreement. That is for Rose Delgado and Cristian Delgado at 1759 Smarts Rule Street. Again, that is for pool construction. They have to access their backyard through an access easement for one of our ponds. So, we are asking the Board to ratify both of these access

easements. Are there any questions? Hearing none, we need a motion to ratify both access easements.

On MOTION by Mr. Vidrine seconded by Mr. Hooker with all in favor the temporary access easements for pool construction were approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Flint: Kristen?

Ms. Trucco: I have nothing to report to the Board. We are just going to be working with the District Engineer and interested parties on the contracted amount. We will keep this Board updated on the progress of that.

B. Engineer

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

Mr. Warren: I do not unless anybody has any questions.

Mr. Flint: I know that you are working with Pulte on the Engineer's Report for Phases 4B and 5B.

Mr. Warren: That is correct.

Mr. Flint: And you are working with Lennar on the Engineer's Report for the remaining three phases that they own, I believe. We will be coming back to the Board with information related to that for the next two financings, which I believe for Lennar will be the remaining property that they own. That will be done in one bond issue and then Pulte's next bond issue will be for the remaining parts of Phases 4 and 5.

Mr. Warren: That's correct.

Mr. Flint: I think the goal is at your April meeting we will have that on the agenda.

Mr. Warren: I anticipate being able to do that. Yes.

Mr. Flint: Okay.

C. District Manager's Report

i. Approval of Check Register

Mr. Flint: You have the Check Register for the General Fund for Checks #440 through #451 totaling \$39,785.78. Were 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 January 27, 2022 through February 19, 2022 in the amount of \$39,785.78 was approved.

i. Balance Sheet and Income Statement

Mr. Flint: You have the Unaudited Financial Statements through January 31st. No action is required by the Board, but if you have any questions, we can discuss those. We've collected \$344,000 of the \$387,000 that has been certified for the collection of the on-roll assessments on the Tax Bill. \$378,000 of the \$668,000 that has been direct billed are pro-rated expenses. Our actual expenses are under our pro-rated expenses for all of the categories at this point. So, we are in good shape on the financials. If there are any questions, we can discuss those. If not, we will proceed to the Amenity Manager's Report.

ii. Amenity Manager's Report

Ms. Diaz: Good morning. New trash cans were installed by the mailboxes. As of January 31st, we have a total of 366 homes. So, the community is growing really fast. As a recap of February's events, you can see all of the special events that we have scheduled for this month. We are going to be very busy. Also, I have a Gym Usage Report. Are there any questions?

Mr. Flint: Are there any questions for Larissa?

Mr. Vidrine: No questions.

• Field Manager's Report

Mr. Flint: Alan?

Mr. Scheerer: Yes. Just briefly. Maybe you saw it. Maybe you didn't, but on Monday morning, we were notified that there was a spill at the entrance on Tohoqua Boulevard and Neptune Road. The first report was that somebody dropped five gallons of paint on the road. It turned out to be dry walnut. Within a couple of hours, our GMS maintenance staff were out here pressure washing with a team of people and got it all cleaned up. So, if you didn't see anything coming in, that tells me that everything was good. I've been talking with Jay over at Pulte who took over for Josh Kalin about future development phases and timelines as we prepare for the

2023 budget. So, any plats, landscape, and architectural plans that we can get our hands on, would be greatly appreciated. I am going to send them an email later on today. For all of Lennar, I think we have most of it in the budget, but we want to make sure with 4C and Phase 8, I'm being told that may not come online until September of next year. Phase 8 may be 18 months. So, as we proceed through the budget process, any information that we can get on future phases, especially plats for ownership and landscape and irrigation hardscape plans, would be greatly appreciated. The turf is starting to recover. We do have some damage due to construction. We will be talking to either Mattamy or Lennar about trying to get some of those areas restored.

Mr. Vidrine: I have two quick questions or comments.

Mr. Scheerer: Sure.

Mr. Vidrine: The mailboxes out front next to the amenity area.

Mr. Scheerer: We are getting those cleaned up. Yes, sir. I know that I owe you that from last month, but we will get it done.

Mr. Vidrine: Okay. There's that one. That was the main one. The next one was regarding the irrigation as-builts.

Mr. Scheerer: I've already talked to Drew with Lennar about getting the as-builts. I did mention to Jay that we won't be accepting any additional properties until he gets the as-builts.

Mr. Bonin: Which as-builts?

Mr. Vidrine: Any of them. We don't have any irrigation as-builts on Cross Prairie Parkway.

Mr. Scheerer: West Cross Prairie. Anything that you do with Phase 6, is ready to go in. We talked on a conference call. Jay made it pretty clear to me that he is a site development guy. He is trying to get his hands wrapped around anything. He already talked to his irrigation team about getting some redlines.

Mr. Vidrine: If we have a maintenance company that installed it and are doing maintenance on it, I think that is one of the vendors.

Mr. Scheerer: They have a different vendor.

Mr. Vidrine: Right, they do. They do Pulte's side.

Mr. Scheerer: United Land will provide that for us.

Mr. Vidrine: Right. They are getting monthly payments for maintenance and we need our as-builts.

Mr. Scheerer: Yes, sir. I had that conversation. We've been talking the last few weeks since the last meeting about that.

Mr. Vidrine: That's why you see me continuously bringing it up. I appreciate the energy it takes to get that. That's why I keep bringing it up.

Mr. Scheerer: We'll stay on them. Yes, sir.

Mr. Vidrine: Okay. Thank you.

EIGHTH ORDER OF BUSINESS

Other Business

Mr. Flint: Is there anything else for the Board that wasn't on the agenda that needed to be discussed? I think that's all we had. Sorry to bring everyone here for a short meeting, but we did want to get the boundary amendment going.

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