

**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 5, 2024** at 9:00 a.m. at Tohoqua Amenity Center, 1830 Fulfillment Drive, Kissimmee, Florida.

Present and constituting a quorum:

Marcus Hooker	Vice Chairman
Rob Bonin	Assistant Secretary
Chris Wrenn	Assistant Secretary

Also present were:

George Flint	District Manager
Kristen Trucco <i>by phone</i>	District Counsel
Eric Warren	
Alan Scheerer	Field Manager
Marcia Calleja	CALM
Sara Zare <i>by phone</i>	MBS Capital Markets
Tim Bramwell <i>by phone</i>	Akerman

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 May 1, 2024,
Board of Supervisors Meeting**

Mr. Flint: Next is the approval of the minutes from the May 1st meeting. Did the Board have any comments or corrections? Hearing no changes, I would asked for a motion to approve the minutes.

June 5, 2024

Tohoqua CDD

On MOTION by Mr. Wrenn seconded by Mr. Hooker with all in favor the Minutes of the May 1, 2024 Board of Supervisors Meeting were approved.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2024-07
Finalizing Special Assessments Securing
the Series 2024 (Phase 7 Project Bonds)**

Mr. Flint: Item four is consideration of Resolution 2024-07, Finalizing Special Assessments Securing the Series 2024 Phase 7 project bonds. Kristen?

Ms. Trucco: Alright, so this resolution you've seen before. We do this as part of our series of resolutions that we pass in order for bonds to be issued. This is the Finalizing Assessment Resolution. Now that the bonds have been purchased, we need to finalize the amount of special assessments to be levied on the property, according to the legal description for Phase 7, that is attached to the Assessment Methodology Report in the amount of \$4,720,000. That is to fund the Phase 7 Project that's detailed in the Engineers Report, which is also attached to this resolution. Assessments will be levied in accordance with the terms of the Assessment Methodology Report that's also attached to this resolution. Again, this is just going to finalize the amount of special assessments for the Series 2024 Phase 7 project bonds in the amount of \$4,720,000. If you have any questions, I'm happy to try to answer them now, otherwise, we're just looking for a motion to approve Resolution 2024-07.

On MOTION by Mr. Wrenn seconded by Mr. Hooker with all in favor Resolution 2024-07 Finalizing the Special Assessments Securing the District's Series 2024 (Phase 7 Project) Special Assessment Revenue Bonds; Providing for Severability, Conflicts and an Effective Date was adopted.

Mr. Flint: If you look at Table 3 of the Supplemental Assessment Methodology, which is Exhibit B, that shows the final sizing, there is an interest rate of 5.54%, 30-year bond issue, capitalized interest through November 1st of this year, 50% max annual debt service reserve, a par amount of \$4,000,720, and Construction Fund of \$4,170,906. Related to that, we need a motion from the Board to delegate authority to the Chair and Vice Chair, to execute any

June 5, 2024

Tohoqua CDD

conveyances necessary, as well as the requisition associated with any of the Phase 7 improvements to be acquired by the District?

On MOTION by Mr. Wrenn seconded by Mr. Bonin with all in favor delegating authority to the Chair or Vice Chair to execute any conveyances necessary and any requisition associated with the Phase 7 improvements to be acquired by the District was approved.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2024-08
Approving Dedications in the Proposed
“Tohoqua Mixed Use” Plat**

Mr. Flint: Item five is Resolution 2024-08, Approving Dedications in the Proposed Tohoqua Mixed Use Plat. Kristen?

Ms. Trucco: This resolution, just as George said, is going to approve the dedication that the CDD is being asked to sign, in the Tohoqua mixed use plat that is attached as Exhibit A. The majority of the lands are owned by Neptune Road Investments, LLC. and they are going through the process of getting this plat reported with Osceola County. The City of St. Cloud also has to approve it. I reviewed this plat and so has your District Engineer. We're okay with this moving forward, with the CDD signing it, but we need to bring it back to the Board via a resolution to get the Board to approve the CDD signing the dedication and any other documents that are needed in order for this developer to record the plat, which could be a jointer and consent to the plat. But for right now, so far, we're aware of the dedication that needs to be signed by the CDD. You can see that on Sheet 1 of the plat, which is attached as Exhibit A. You'll see too in the plat notes that the CDD is to own and maintain a stormwater tract on this plat. I've reviewed this plat and so has your District Engineer. We're signed off on it, but we need to bring it back to the Board via a resolution, to get your formal approval on it.

Mr. Flint: This area, with the exception of the pond, was de-annexed from the District. But because the pond is accepting runoff from the mixed-use project, there's a Cost Share Agreement and we need to consent to it. Right?

Ms. Trucco: Yes. The Board will recall that you already approved a Cost Sharing Agreement with Neptune Road Investments. The CDD has signed it and Neptune Road Investments signed that as well. Now they're just going through the process of planting their land. The CDD does own one of those stormwater ponds or is to own one of those stormwater

June 5, 2024

Tohoqua CDD

ponds. So, they're asking for approval on that. Does anyone have any questions? If not, we're just looking for a motion to adopt Resolution 2024-08.

On MOTION by Mr. Wrenn seconded by Mr. Bonin with all in favor Resolution 2024-08 Approving the Execution of the Proposed "Tohoqua Mixed Use" Plat; Approving the Dedication Contained in the Proposed "Tohoqua Mixed Use" Plat; Ratifying Prior Actions; Providing a Severability Clause and Providing an Effective Date was adopted.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Flint: Staff Reports? Kristen, anything else?

Ms. Trucco: Nothing else for me. Thanks!

B. Engineer

Mr. Flint: Eric, do you have anything?

Mr. Warren: I don't have anything additional. Thank you.

Mr. Flint: Do you have anything with Lennar on the Phase 7 improvements or do we need to work on that?

Mr. Warren: All we have right now, is a small portion of the water cleared for you, so there's not a whole lot to do at the moment, but I'll stay in touch with those guys. We meet weekly.

Mr. Flint: Okay. Sounds good.

C. Field Manager's Report

Mr. Flint: Field Managers Report. Alan?

Mr. Scheerer: Yeah. Thank you. Good morning. We recently received the as-built irrigations for Phase 3 from Lennar. That's always good to have. At the last meeting, I reported that the slide for the kiddie playground off of Tohoqua Boulevard and Cross Prairie Parkway was damaged. We tracked down the original contractor and had that repaired that at no cost to the District, as it was under warranty. We're also waiting on a portion of the rock wall that was damaged and they're replacing that under warranty as well at no cost. Then we will have them both installed at the same time. We replaced about a dozen or so trees throughout the property

June 5, 2024

Tohoqua CDD

that have declined or are dead. Most of them are in the right-of-way in Phase 6. So, we're working with the HOA to ensure that they get the proper amount of water. As you know right now or maybe you don't know, we're under severe water restrictions with Toho. We had no water on Sunday or Monday and no water between 10:00 a.m. and 4:00 p.m. on Tuesday through Saturday. So, I have been working with United Land, to adjust all of the irrigation timers to provide adequate water to areas of stress. Most of the stress is occurring in the peanut beds right now. So, we're dealing with that. We did get another email from Phase 5 about a request for a fountain. We informed the residents, that currently the District has no plans and or the developer, as far as I know, has no plans, but they could reach out to the HOA. I have not heard back from the residents in Phase 5, as of this meeting. We also received a request for an NOC for a fountain in a pond over in Phase 4C, which Pulte is doing. I recently had that executed and notarized and I'll get that to Mr. Charlie Meyer as soon as possible. Other than that, I can answer any questions that you all might have. The Oak tree in the playground, needs to come out, as the bark is falling off. It's dying. There are no leaves on it whatsoever. So, I have United Land working on a price for that and in abundance of caution, we are going to do the same thing for the big tree in the back. Unfortunately, it is not doing well either. We have limited to no leaves on it. It's mostly moss and we're starting to see some debarking on that tree as well.

Mr. Flint: I think Alan mentioned that we had an Arborist do a report on both of the trees.

Mr. Scheerer: Right. They said it's only a matter of time. This one, the time has elapsed more quickly than the big one in the back. This one was estimated at about 200 years old. It's unfortunate, but with the branches hanging over, we're just pricing it right now. The branches are hanging over the swimming pool. We just want to have the numbers in place just in case. So, we'll keep a closer eye on it and we may bring the Arborist back out to give us another updated evaluation on the tree.

Mr. Flint: Do you want to mention the reserve pond and the correspondence that we received?

Mr. Scheerer: Yeah. We received an email with associated signatures, about the condition of the Phase 5 pond. As you know, we have only been treating it a few months, based on turnover. It has duckweed, alligator weed, some algae due to the heat, which we're experiencing everywhere and some torpedo grass. Sunshine Land Management has been treating it. They did a most recent treatment last week and I looked at it today. You can see the associated vegetation

June 5, 2024

Tohoqua CDD

starting to brown and decline. They asked for a second opinion or an independent opinion on the condition of the pond. So, we reached out to the South Florida Water Management District (SFWMD), to have a local rep, Mr. Higgins here. He agreed to come out, take a look at it. I just think it's the shoreline vegetation that's accumulated around the surroundings of the pond. I wrote a response and sent it back to the gentleman that authored the original email. That was about 10 days ago. I have not heard back from him whatsoever. We did an excerpt on the functionality of a stormwater pond with the pollutants it takes and the contaminants it takes in. The fact that there's no outfall there and it's interconnected with other ponds, maybe there's a slow turnover process and the fact that we have no rain for probably close to 60 days, any significant rain will help with the water levels in that pond. But like I said, I have not heard back from him. We'll wait for Mr. Higgins. Once he comes out, I told the gentleman that we would share that report with them once I received it. So, that's where we're at.

- **Amenity Manager's Report** (*Item 6Diii*)

Mr. Flint: Alright. Marcia, do you want to go ahead and do your report?

Ms. Calleja: Absolutely. I'm happy to report that we had over 1000 closed homes, which is great. We have a lot of new homeowners. I'm registering them. I'm very excited for Summer now. We have some great events coming up. We have our bubble party this Friday, wine and cheese next week and the Fourth of July party. Everything is working and according to plan. We did do an updated Usage Report, if you want to see it. I have a copy, but the usage is very similar to the previous month. So, if you have any questions for me, let me know.

D. District Manager's Report

i. Approval of Check Register

Mr. Flint: You have the Check Register for the month of April, totaling \$79,109.68. The detailed register is behind the summary. If you have any questions, I would be happy to answer them. Otherwise, I would ask for a motion to approve it.

On MOTION by Mr. Hooker seconded by Mr. Bonin with all in favor the Check Register from April 1, 2024 through April 30, 2024 in the amount of \$79,109.68 was approved.

June 5, 2024

Tohoqua CDD

ii. Balance Sheet and Income Statement

Mr. Flint: Then we have the Unaudited Financials through April 30th. No action is required. If the Board has any questions, I would be happy to answer them. We're just about 100% collected as of the end of April on the on-roll assessments. Our actuals are in line with our prorated on our direct assessments. On the expense side, our actual expenses are under our prorated in all categories. So, if there are any questions, we can discuss those.

iii. Amenity Manager's Report

This item was discussed.

SEVENTH ORDER OF BUSINESS

Other Business

Mr. Flint: Is there any other business? Hearing no comments, we will move to the next item.

EIGHTH ORDER OF BUSINESS

Supervisors Requests

Mr. Flint: Are there any Supervisors Requests or anything else from staff? Hearing none, we need a motion to adjourn.

NINTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Wrenn seconded by Mr. Bonin with all in favor the meeting was adjourned.

DocuSigned by:
George Flint
Secretary / Assistant Secretary

DocuSigned by:
Andre Vidrine
Chairman / Vice Chairman