



## **Toho Water Board of Supervisors' – Special Meeting**

**Date and Time: Tuesday, March 26th 2024 at 5:00PM**

### **Board Members and Executive Staff:**

Henry Thacker - Chair  
Rayelynn Ketchum - Vice Chair  
William "Bill" Land - Secretary  
Tom White - Supervisor  
John McAleenan – Supervisor  
Hector Lizasuain – Supervisor  
Dave Askew – Supervisor  
Cheryl Grieb - Ex-Officio Board Member - Osceola County  
Angela Eady - Ex-Officio Board Member - City of Kissimmee  
Kolby Urban – Ex-Officio Board Member – City of St. Cloud  
Rick Wilson - Ex-Officio Board Member - Polk County  
Todd P. Swingle - Executive Director  
Anthony Cotter - General Counsel

In accordance with Section 286.0105, Florida Statutes: Any person wishing to appeal any decision made by the Board of Supervisors with respect to any matter considered at such meeting or hearing will need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made.

In accordance with Section 286.26, Florida Statutes: Any person needing assistance to participate in any of these proceedings should contact the office of the Executive Director at 407-944-5130 or via email at [tohoattend@tohowater.com](mailto:tohoattend@tohowater.com) prior to the meeting.

1. **Meeting called to order:**
2. **Moment of Silent Reflection and Pledge of Allegiance:**
3. **Approval of the Agenda:**
4. **Awards and Presentations:**
  - 4A. **PROCLAMATION RECOGNIZING MARCH 18 THROUGH 22 AS GOVERNMENT FINANCIAL PROFESSIONALS WEEK**  
Board approval of the Proclamation recognizing March 18 through 22 as Government Financial Professionals Week. (Cost: None)  
(Floer)
5. **Public Hearing:** None
6. **Hear the Audience:**
7. **Consent Agenda:**

The Consent Agenda is a technique designed to expedite handling of routine and miscellaneous business of the Board of Supervisors. The Board of Supervisors in one motion may adopt the entire Agenda. The motion for adoption is non-debatable and must receive unanimous approval. By request of any individual member, any item may be removed from the Consent Agenda and placed upon the Regular Agenda for debate.

- 7A. **TOHO WATER AUTHORITY BOARD OF SUPERVISORS' REGULAR MEETING MINUTES OF MARCH 13, 2024**  
Staff recommends the approval of the Board Meeting minutes from March 13, 2024. (Cost: None) (Smith)
- 7B. **SUNBRIDGE FY2024 RATE ADJUSTMENT IMPLEMENTATION**  
The Board is requested to approve the recommendation not to back-bill Sunbridge customers for approximately \$24,000 in rate revenue caused by an error in applying the FY2024 rate adjustment. (Cost: Approximately \$24,000 in rate revenue) (Henderson)
- 7C. **APPROVAL TO DELEGATE AUTHORITY TO THE EXECUTIVE DIRECTOR/CEO TO NEGOTIATE AND EXECUTE AN ENCROACHMENT AGREEMENT WITH FLORIDA GAS TRANSMISSION FOR THE HICKORY TREE WATER MAIN PROJECT.**  
The Board is requested to delegate authority to the Executive Director/CEO to negotiate and execute an encroachment agreement

with Florida Gas Transmission for the Hickory Tree Water Main project. (Cost: No cost associated with this agreement) (Chavez)

- 7D. **APPROVAL OF A \$460,000 ADDENDUM #2 WITH CPH ENGINEERS FOR MASTER UTILITY PLAN AND HYDRAULIC CALCULATION PRIVATE DEVELOPMENT REVIEWS; WATER AND SEWER LINE EXTENSION REVIEWS IN THE POINCIANA SERVICE AREA; LIFT STATION REHABILITATION AND SMALL DIAMETER WATER AND SEWER MAIN EXTENSION DESIGNS. THE ADDENDUM INCREASES THE BOARD REQUESTED AUTHORIZATION FROM \$297,865 To \$757,865.**

The existing approved Board authorization is \$297,865 under the 2023 continuing contract. Staff requests approval of this addendum to increase the total not-to-exceed authorization to \$757,865 based upon this addendum of \$460,000. (Cost: Previously Approved cost (under 2023 continuing contract only) of \$297,865 and This request of \$460,000 for a Total Request of \$757,865) (Biron)

- 7E. **APPROVAL OF A \$496,060 LOW BID FROM GARNEY COMPANIES INC, FOR THE FORCE MAIN INSPECTION EXCAVATION AND BACKFILL SERVICES PROJECT, (IFB-24-071), TO SUPPORT 2024 SCHEDULED CONDITION ASSESSMENTS OF DUCTILE AND CAST IRON PIPE FORCE MAINS. A CONTINGENCY OF \$50,000 IS REQUESTED FOR A TOTAL AUTHORIZATION OF \$546,060**

Staff requests approval of a total not-to-exceed authorization of \$546,060 which includes a base authorization amount of \$496,060 plus a \$50,000 contingency. Staff further requests authorization for the CEO/Executive Director to execute any such documents as are necessary to expend any contingency provided that the total contract and contingency expenditures remain within the total not-to-exceed contract and contingency limit approved by the Board. (Cost: This Request of Construction Bid for \$ 496,060 and Contingency of \$ 50,000 for a Total Request of \$ 546,060) (Forson)

- 7F. **APPROVAL OF THE PURCHASE OF WEX FUEL CARDS FROM WEX BANK**

Staff recommends approval of the purchase of WEX Fuel cards from WEX Bank. Staff also requests that the Board delegate the authority to the CEO/Executive Director to negotiate terms and conditions as needed and to sign and approve the WEX Fuel Card application. (Cost: No startup cost) (Mann)

- 7G. **APPROVAL TO AUTHORIZE THE EXECUTIVE DIRECTOR/CEO TO NEGOTIATE AND EXECUTE A UTILITY CONSTRUCTION REIMBURSEMENT AGREEMENT WITH LENNAR**

**CORPORATION FOR THE WESTSIDE BLVD EXTENSION PROJECT INCLUDING \$2,017,438 IN FUNDING FOR 24 AND 30 INCH WATER MAIN EXTENSIONS AND FORCE MAIN RELOCATIONS.**

Staff requests authorization for the Executive Director/CEO to negotiate and execute a Utility Construction Reimbursement Agreement between Toho Water Authority and Lennar Corporation for the Westside Blvd Extension with a total funding not to exceed \$2,017,438. Staff further requests authorization for the Executive Director/CEO to approve the construction bid award and execute any such documents as are necessary to expend any agreement funding provided that the total contract expenditures remain within the total not-to-exceed contract limit approved by the Board.. (Cost: This request for a not to exceed \$2,017,438, an estimated \$1,092,000 is planned to be reimbursed by Orange County.) (Zhou)

**7H. APPROVAL OF THE DEVELOPERS SERVICE AGREEMENT WITH EGL SUNRISE ORLANDO FOR THE LANTOWER APARTMENTS PROJECT.**

Staff recommends approval of the Lantower Apartments Developer's Service Agreement. (Cost: There are no costs associated with this request.) (Vargas)

**7I. APPROVAL OF THE SECOND AMENDMENT TO THE AGREEMENT WITH ACLARA TECHNOLOGIES LLC, FOR THE SUPPLY AND DELIVERY OF METER TRANSMISSION UNITS (MTUs) (SS-21-023)**

Staff recommends approval of the Second Amendment to the Agreement with Aclara Technologies LLC, for the supply and delivery of meter transmittal units. (An additional \$1,800,000 for a total not-to-exceed amount of \$6,600,000 for the term of the Agreement ending April 14, 2025.) (Havey)

**7J. APPROVAL TO PURCHASE TWO VEHICLES TO REPLACE TOTALED VEHICLES WS-697 AND WS-822 USING AVAILABLE FUNDS FROM THE 2024 VEHICLE PURCHASES.**

Staff is requesting Board authorization to allow the Executive Director/CEO to expend funds approved for new 2024 vehicles to replace totaled vehicles up to the total not-to-exceed amount limit approved by the Board. (Cost: No increase to existing vehicle purchase authorization amount.) (Mzee)

**8. Informational presentations: None**

**9. Unfinished business:** None

**10. New business:**

**10A. APPROVAL OF THE ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2023**

Staff recommends approval of the Annual Comprehensive Financial Report for the Toho for the fiscal year ended September 30, 2023.  
(Cost: None) (Henderson)

**11. Staff reports:** None

**12. Comments:**

Board Officials  
Executive Director  
General Counsel