



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

**Date and Time: Wednesday, December 11, 2024, at 5:00PM**

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

Henry Thacker - Chair  
Rayelynn Ketchum - Vice Chair  
Tom White - Secretary  
Skip Stellfox - 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:**
5. **Public Hearing:**

- 5A. **A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOHOPEKALIGA WATER AUTHORITY ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS LEVIED IN ALL OR PART OF THE SERVICE AREA OF THE TOHOPEKALIGA WATER AUTHORITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

General Counsel and CEO/Executive Director recommend approval of the attached Notice of Intent Resolution electing and preserving the ability to use the Uniform Method of Collecting Non-Ad Valorem Assessments (tax bill). Further, staff request the Board's authorization for the Office of General Counsel to affix the proof of publication to the Resolution upon receipt. (Cost: Cost of advertising required by law.) (C. Murillo)

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 AND SDC WORKSHOP MINUTES OF November 13, 2024**

Staff recommends the approval of the Board Meeting Minutes and SDC Workshop Minutes from November 13, 2024. (Cost: None) (Smith)

- 7B. **APPROVAL OF FOUR CONTINUING CONSTRUCTION MANAGER AT RISK (CMAR) FIRMS TO PROVIDE CONSTRUCTION SERVICES FOR PROJECTS ON AN ONGOING BASIS UP TO THE FLORIDA**

**STATUTES' COMPETITIVE CONSULTANT NEGOTIATION ACT (CCNA) (RFQU-24-189).**

Approval of the four CMAR firms and delegation to the CEO/Executive Director to execute the CMAR agreements and project task authorizations up to \$250,000. (Cost: None) (Chavez)

**7C. APPROVAL OF ADDITIONAL CONSTRUCTION FUNDS FOR UTILITY RELOCATES REQUIRED TO AVOID CONFLICTS WITH THE CITY OF KISSIMMEE'S WEST OAK STREET AND JOHN YOUNG PARKWAY ROADWAY IMPROVEMENTS.**

The existing approved Board authorization is \$470,800.00. Staff requests approval of \$220,832.01 additional funding request to increase the total not-to-exceed authorization to \$691,632.01. Staff further requests authorization for the CEO/Executive Director to execute any such documents as are necessary to expend the Board approved funding provided that the total expenditures remain within the total not-to-exceed limit approved by the Board. (Cost: Previously Approved amount of \$470,800.00 plus This Request of \$220,832.01 making a Total Request of \$691,632.01) (Pelham)

**7D. APPROVAL OF AN ADDITIONAL CONSTRUCTION CONTINGENCY FOR THE LINCOLN STREET SEWER MAIN EXTENSION PROJECT (IFB-24-083)**

The existing approved Board authorization is \$729,110.00. Staff requests approval of this \$230,000.00 additional contingency to increase the total not-to-exceed authorization to \$959,110.00. 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 expenditures remain within the total not-to-exceed contract limit approved by the Board. (Cost: Previously Authorized Contract of \$ 659,110 and Previously Authorized Contingency of \$70,000 making a Previously Approved Total of \$729,110 plus This Request of \$230,000 making a new Total Requested Authorization \$ 959,110) (Smart)

**7E. APPROVAL OF THE AGREEMENTS FOR THE PROVISION OF ELECTRICAL SERVICES WITH ACCURATE ELECTRICAL CONNECTION INC AND REV 1 ENERGY ELECTRICAL SERVICES, LLC FOR A COMBINED TOTAL NOT TO EXCEED AMOUNT OF \$3,709,050 BETWEEN THE TWO CONTRACTORS. (IFB-24-193)**

Staff recommends the Board of Supervisors delegate authorization to the Executive Director/CEO to approve the agreement with Accurate Electrical Connection Inc and Rev 1 Energy Electrical Services, LLC for the provision of Electrical Services and any such documents as are necessary to expend funds up to the total not-to-exceed amount approved by the Board. (Cost: Estimated Annual Cost (Average of two low bids) of \$1,163,625 x 3 years making \$ 3,490,875 less \$200k for New Hire Electricians for the last 2 years of \$ (400,000) making a subtotal of \$3,090,875 plus a 20% contingency of \$618,175.00 for a Total of \$3,709,050. Total Not-to-Exceed a combined amount of \$3,709,050 between the two contractors for the initial three-year term agreement.) (Adorkor)

7F. **APPROVAL OF THE FIRST AMENDMENT TO THE PIGGYBACK AGREEMENT BETWEEN TOHO AND SECURITAS TECHNOLOGY CORPORATION, (F/K/A) STANLEY CONVERGENT SECURITY SOLUTIONS, INC. FOR SECURITY SYSTEM MAINTENANCE AND MONITORING (PBA-22-079)**

Staff recommends the delegation of authority to the CEO/Executive Director to finalize and execute the first amendment to Sourcewell piggyback agreement with Securitas Technology Corporation for equipment products, or services. Staff also requests Board approval for the CEO/Executive Director to enter into a new security agreement for FY25 and subsequent years up to his delegated signature authority to provide similar services following expiration of this agreement. (Cost: Not to exceed amount increase of \$100,000.00 from \$334,896.04 to \$434,896.04 for the term of the agreement.) (Hall)

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7H. **APPROVAL OF A PIGGYBACK AGREEMENT BETWEEN TOHO AND PRESIDIO NETWORKED SOLUTIONS LLC FOR MANAGED SERVICES - NOC SUPPORT SOFTWARE (PBA-25-001) AND \$300,000 IN FUNDING FOR SERVICES.**

Staff requests approval of the Piggyback Agreement with Presidio Networked Solutions LLC for Managed Services - NOC Support Software PBA-25-001. (Cost: Estimated \$75,000 annually and not-to-exceed \$300,000 for the four (4) year term of the Agreement. Funding will be provided from GL account 421-6020-536-52-06.) (Rios)

7I. **APPROVAL TO EXECUTE THE SECOND AMENDMENT TO THE AGREEMENT WITH PURE TECHNOLOGIES FOR FORCE MAIN CONDITION ASSESSMENT SERVICES (RFP-21-002) REQUESTING ADDITIONAL FUNDS AND EXTENDING THE TERM OF THE CONTRACT THROUGH JANUARY 20, 2026.**

Staff recommends approval of the Second Amendment to the Agreement with Pure Technologies U.S Inc to renew the Agreement and provide for a one-year-term extension of the contract through January 20, 2026, and add additional funds or \$500,000.00 to be used during the duration of the contract. (Cost: Additional \$500,000.00 to the total previously approved for a total not-to-exceed amount of \$2,778,235.43.) (Noyes)

7J. **APPROVAL FOR THE PURCHASE OF REPLACEMENT PARTS, SERVICES AND TWO SPARE CENTRIFUGE GEARBOXES FOR CYPRESS WEST (WRF) AND SOUTH BERMUDA (WRF) FROM ANDRITZ SEPARATION INC.- (SS-24-204)**

Staff recommends that the Board of Supervisors delegate authorization to the Executive Director/CEO to approve the purchase of the Spare Centrifuge Gearboxes for Cypress West (WRF) And South Bermuda (WRF) from Andritz Separation Inc. and any such documents as are necessary to expend funds up to the total not-to-exceed amount limit

approved by the Board. (Cost: Additional \$219,240 for a Total Not-to-Exceed amount of \$268,448.61.) (Adorkor)

**7K. APPROVAL OF A DEVELOPER'S SERVICE AGREEMENT WITH NR SUNRISE PROPERTY OWNER, LLC. FOR THE LUCENT APARTMENT PROJECT**

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

**7L. APPROVAL OF A \$200,032.15 CHANGE ORDER #2 TO THE CONSTRUCTION CONTRACT WITH INSITUFORM TECHNOLOGIES, FOR THE LS-208 GOODMAN ROAD PRIORITY GRAVITY SEWER REHABILITATION PROJECT INCREASING THE TOTAL BOARD AUTHORIZATION FROM \$1,171,109.34 TO \$1,371,141.49.**

Staff requests approval of change order #2 in the amount of \$200,032.15 to Insituform Technologies construction contract for a total not-to-exceed authorization of \$1,371,141.49 which includes the initial authorization amount of \$714,118.83, \$72,000 contingency and change order #1 for \$384,990.51. 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 Change Order #2 for \$200,032.15 together with the Previous Board Authorization for an Original Approved Contract of \$714,118.83 with a Contingency of \$72,000 and Change Order #1 for \$384,990.51 making a Total Request of \$1,371,141.49. Procurement Authorization PROJ.IFB-24-040.INS.1.2.) (Shields)

**7M. APPROVAL OF A SCOPE OF SERVICES AND CONTINGENCY TO PROVIDE FISCAL YEAR 2025 LONG RANGE WATER SUPPLY PLANNING, ENVIRONMENTAL REGULATION MONITORING AND SUPPLY, AND WATER SYSTEM OPERATIONAL PLANNING CONSULTING SERVICES.**

The existing approved Board authorization is \$1,732,816. Staff requests approval of this \$360,482 addendum and \$50,000 contingency to increase the total not-to-exceed authorization to \$2,143,298. 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 for \$410,482 (Scope of Services and contingency) and with Prior Approvals: \$1,732,816 (Years 1 through 3) making a Total Request of \$2,143,298.) (Doan)

**7N. APPROVAL OF REIMBURSEMENT FOR BELLAVIVA AT WESTSIDE CDD**

Staff recommends the approval of the proposed reimbursement for Bellaviva at Westside CDD. (Cost: Reimbursement in the amount of \$ 44,238.67) (Towns)

70. **APPROVAL OF A CONSTRUCTION CONTINGENCY FOR A PREVIOUSLY APPROVED CEO/EXECUTIVE DIRECTOR EMERGENCY REPAIR AUTHORIZATION FOR THE OLD LAKE WILSON ROAD 24-INCH WATERMAIN BREAK.**

The existing CEO/Executive Director authorization is \$430,894.69. Staff requests approval of a \$100,000 contingency to increase the total not-to-exceed authorization to \$530,894.69. Staff requests authorization for the CEO/Executive Director to execute any such documents as are necessary to expend any contingency provided that the total contract expenditures remain within the total not-to-exceed contract limit approved by the Board. (Cost: Previously Authorized Contract for \$430,894.69 plus This Request (Contingency) of \$100,000.00 making a Total Requested Authorization of \$530,894.69.) (Smart)

8. **Informational presentations:**

8A. **QUARTERLY INVESTMENT REPORT BY PFM GROUP – QUARTER ENDING SEPTEMBER 30, 2024**

For information only. No action required by the Board. (Cost: No costs associated with this item.) (Henderson)

8B. **ASSETS & INFRASTRUCTURE MAJOR CAPITAL PROJECT UPDATES**

For information only. No action required by the Board. (Cost: No costs associated with this item.) (Doan)

9. **Unfinished business:** None

10. **New business:**

10A. **APPROVAL OF THE BID WAIVER FOR AGREEMENTS WITH ENTERPRISE FLEET MANAGEMENT, INC., AND ENTERPRISE FM TRUST, FOR FLEET MANAGEMENT SERVICES FOR \$9,000,000.**

Staff recommend approval of the Bid Waiver for Fleet Management Services. Staff further requests delegation of authority for the CEO/Executive Director to execute any such documents with Enterprise Fleet Management, Inc and Enterprise FM Trust, as are necessary to expend the funding up to the total not-to-exceed amount limit approved by the Board. (Cost: The total not to exceed amount for Fleet Management Services of \$9,000,000 through April 18, 2026.) (Cairns)

11. **Staff reports:**

11A. **CONSTRUCTION CONTINGENCY USAGE STATUS REPORT**

For information only. No action required by the Board. (Cost: No costs associated with this item.) (Pelham)

11B. **SAFETY AND RISK QUARTERLY REPORT FOR OCTOBER – DECEMBER 2024**

For Information Only. No action required by the Board. (Cost: No costs associated with this item) (Hall)

11C. **MONTHLY FINANCIAL & STATISTICAL REPORT ENDING OCTOBER 31, 2024**

For Information Only. No action required by the Board. (Cost: No costs associated with this item) (Villarosa)

11D. **INFRASTRUCTURE EMERGENCY REPAIR STATUS**

For Information Only. No action required by the Board. (Cost: No costs associated with this item) (Pelham)

**12. Comments:**

Board Officials  
Executive Director  
General Counsel

**13. Upcoming events:**