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**Board of Supervisors  
Regular Meeting Minutes  
Wednesday June 12, 2024**

**Present:**

Chairman - Henry Thacker  
Vice Chairman – Rayelynn Ketchum  
Secretary – Tom White  
Supervisor - Hector Lizasuain  
Supervisor – Skip Stellfox  
Supervisor – Dave Askew  
Executive Director – Todd P. Swingle  
General Counsel – Anthony Cotter

Ex Officio Board Member, City of  
St Cloud - Kolby Urban  
Ex Officio Board Member,  
Osceola County - Cheryl Grieb

**Absent:** Supervisor – John McAleenan  
Ex Officio Board Member, City of Kissimmee - Angela Eady  
Ex-officio Board Member, Polk County - Rick Wilson

1. **Meeting called to order by:** Chairman Thacker at 5.03pm.
2. **Moment of Silent Reflection and Pledge of Allegiance** led by Chairman Thacker.
3. **Approval of the Agenda**  
  
**Motion to approve the Agenda, made by Vice Chair Ketchum. Motion seconded by Secretary White. Motion passed 6-0.**
4. **Awards and Presentations:**
  - 4A. **PROCLAMATION RECOGNIZING JULY AS SMART IRRIGATION MONTH**  
Staff request Board approval of proclamation recognizing July as Smart Irrigation Month. (Cost: None) (Floer)  
  
**Motion to approve was made by Supervisor Askew. Motion seconded by Vice Chair Ketchum. Motion passed 6-0.**
  - 4B. **RECOGNITION OF WILLIAM LAND FOR HIS SERVICE TO THE TOHO BOARD OF SUPERVISORS**  
No action required by the Board. (Cost: None) (Smith)  
  
Toho Board of Supervisors would like to recognize the dedicated services of William Land, who has served on the Toho Board of Supervisors from 2018 to 2024. Mr Land dedicated his expertise to ensuring that Polk County was well represented on the Toho Board, and he championed the needs of both



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his community and the entire Toho organization. During his tenure, Bill accepted Board Leadership responsibility through his service as Board Secretary. The Toho Board of Supervisors and the entirety of Toho wishes to express our sincere gratitude to Mr Land, for his contributions and support, and to wish him well in his future endeavors, both on and of the golf course!

Mr Land shared that he had enjoyed being part of such a good Board, providing a positive and helpful service to the community. There was no better group of people to work with and the relationship between the Board and staff is excellent. Mr Land felt that both regulation and growth changes would bring challenges, but the Toho Board was well-equipped to handle it. Congratulations to all and good luck in the future.

**5. Public Hearing: None**

**6. Hear the Audience:**

Meeting floor was opened for Hear the Audience. This item is for comments/questions relating to topics not listed on this meeting's Agenda. No further comments were received, and Hear the Audience was closed.

**7. Consent Agenda**

**7A. TOHO WATER AUTHORITY BOARD OF SUPERVISORS' REGULAR MEETING MINUTES OF MAY 8, 2024**

Staff recommends the approval of the Board Meeting minutes from May 8, 2024. (Cost: None) (Smith)

**7B. APPROVAL OF AN ADDITIONAL \$75,000.00 CONSTRUCTION CONTINGENCY FOR THE ADMINISTRATION BUILDING MODIFICATIONS INCREASING THE TOTAL BOARD AUTHORIZATION FROM \$1,330,005.00 TO \$1,405,005.00.**

Staff requests approval of an additional contingency of \$75,000 to increase the total not-to-exceed authorization to \$1,405,005. The existing approved Board authorization is \$1,330,005. 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: Previously Approved Construction Bid of \$1,210,005 and Contingency of \$120,000 with This Request for Additional Contingency of \$75,000 making a Total Request of \$1,405,005.) (Fogarty)

**7C. APPROVAL OF A \$338,000 PERMANENT EASEMENT PURCHASE AND UP TO \$75,000 FOR A TEMPORARY EASEMENT PURCHASE FROM THE EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY FOR THE HOAGLAND BLVD WATERMAIN EXTENSION PROJECT. THE**



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**TOTAL BOARD REQUEST IS \$413,000.**

Staff requests approval of a total not-to-exceed authorization of \$413,000 to acquire a permanent and temporary easement from the Evangelical Lutheran Good Samaritan Society for the Hoagland Blvd Watermain Extension Project. Staff further requests that authorization be delegated to the Executive Director/CEO to negotiate the temporary easement purchase and to execute any easement acquisition documents and to expend funds up to the total not-to-exceed limit. (Cost: Permanent Easement funding of \$338,000 and Temporary Easement (up to) \$75,000 for a Total This Request of \$413,000. The request will be funded by project number 121049.) (Hewitt)

**7D. APPROVAL OF A \$585,617.00 CONSULTING SERVICES AGREEMENT WITH BLACK AND VEATCH AND A \$20,000.00 CONTINGENCY FOR THE HOAGLAND BOULEVARD WATERMAIN EXTENSION PROJECT FOR A TOTAL REQUEST OF \$605,617.**

Staff requests approval of the consulting services agreement and a total not-to-exceed authorization of \$605,617.00 which includes a contract amount of \$585,617.00 plus a \$20,000.00 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 for Design Scope of Services of \$585,617 and Contingency of \$20,000 for a Total This Request of \$605,617.) (Smart)

**7E. APPROVAL OF A LOW BID \$842,900 CONSTRUCTION CONTRACT WITH CATHCART CONSTRUCTION COMPANY, LLC AND A \$85,000 CONTINGENCY FOR THE SHINGLE CREEK PIPE CROSSING SUPPORT REPLACEMENT PROJECT FOR A TOTAL AUTHORIZATION OF \$927,900**

Staff requests approval of the construction contract and a total not-to-exceed authorization of \$927,900 which includes a base construction contract award of \$842,900 plus an \$85,000 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: Construction Bid Amount of \$842,900 and Contingency of \$85,000 making a Total This Request of \$927,900.) (Pelham)

**7F. APPROVAL OF CUSTOMER ADJUSTMENT – 2939 VINELAND ROAD C11**

Staff recommend approval of the proposed customer adjustment for Colonial Fort Myers, LLC. (Cost: Adjustment in the amount of \$13,814.40) (Havey)



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- 7G. **APPROVAL OF A \$936,079 AGREEMENT WITH HAZEN AND SAWYER TO PROVIDE ENGINEERING SERVICES FOR THE DESIGN OF THE SHINGLE CREEK SURFACE WATER TREATMENT FACILITY PROJECT (RFQU-24-056). THE BOARD IS ALSO REQUESTED TO APPROVE AN \$80,000 ALLOWANCE FOR ANALYTICAL SERVICES AND A DESIGN CONTINGENCY OF \$100,000 FOR TOTAL AUTHORIZATION OF \$1,116,079.**

Staff requests approval of the agreement and a total not-to-exceed authorization of \$ 1,116,079 which includes a base authorization amount of \$936,079 plus a \$80,000 analytical services allowance and a \$100,000 contingency. Staff further requests authorization for the Executive Director/CEO 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: Scope of services of \$936,079 with Allowance for Analytical Services of \$80,000 and Contingency of \$100,000 for a Total Not-To-To-Exceed of \$1,116,079.) (Pang)

- 7H. **APPROVAL OF A \$802,968.79 CONSULTANT SERVICES AGREEMENT WITH CPH CONSULTING, LLC AND A \$80,000 CONTINGENCY FOR THE OLD HICKORY TREE RD. & 10<sup>th</sup> ST. RECLAIMED WATER MAIN DESIGN. THE TOTAL BOARD AUTHORIZATION REQUEST IS \$882,968.79.**

Staff requests approval of the consultant services agreement and a total not-to-exceed authorization of \$882,968.79 which includes a base authorization amount of \$802,968.79 plus a \$80,000 contingency. Staff further requests authorization for the CEO/Executive Director to execute any such documents as 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: Design Scope of Services of \$802,968.79 and Requested Contingency of \$80,000 for a Total This Request of \$882,968.79.) (Pelham)

- 7I. **APPROVAL OF INTERLOCAL AGREEMENT BETWEEN POLK COUNTY, FLORIDA AND TOHOPEKALIGA WATER AUTHORITY AMENDING WATER UTILITY SERVICE AREA**

Staff recommends that the Board approve the amendment to the boundary of the service area between Polk County and Toho and approve the Interlocal Agreement between Polk County, Florida and Tohopekaliga Water Authority amending water utility service area. (Cost: No cost to either Toho nor Polk County to revise the territorial boundary between the Toho and Polk County service areas.) (Cotter)

- 7J. **APPROVAL OF CYRILS DRIVE REUSE MAIN EXTENSION PROJECT; A SECOND AMENDMENT TO THE TOHO WATER AUTHORITY/TAVISTOCK UTILITIES EXTENSION REIMBURSEMENT AGREEMENT, \$2,950,968.80 REUSE MAIN CONSTRUCTION LOW BID**



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**REIMBURSEMENT, \$208,000.00 DESIGN COST REIMBURSEMENT AND A CONSTRUCTION AND CONSTRUCTION SERVICES CONTINGENCY OF \$341,031.20.**

Staff requests approval of the reimbursement agreement and a total not-to-exceed authorization of \$3,500,000.00 which includes a design cost of \$208,000.00, a construction contract award of \$2,950,968.80 and a \$341,031.00 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: Toho's Design Cost of \$208,000.00 with Toho's Construction Cost of \$2,950,968.80 and Requested Contingency of \$341,031.20 for a Total This Request of \$3,500,000.00.) (Smart)

**7K. APPROVAL OF THE FIRST AMENDMENT TO AGREEMENT WITH FERGUSON ENTERPRISES, LLC FOR THE PURCHASE OF WASTEWATER PIPES, VALVES, FITTINGS AND ACCESSORIES (PBA-20-113)**

Staff recommends approval of this First Amendment to the Agreement with Ferguson Enterprises, LLC for the provision of water and wastewater parts and other related items. (Cost: \$2,500,000 for a Total not-to-exceed \$8,500,000 for the term of the Agreement.) (Collins)

**7L. APPROVAL TO PURCHASE THREE VACUUM JETTER TRUCKS FOR NEXTRAN TRUCK CENTER**

Staff recommends approval of the purchase of three (3) vacuum trucks from Nextran Truck Center. Staff are also requesting that authorization be delegated to the Executive Director/CEO to execute any such documents as are necessary to expend funds up to the not-to-exceed amount limit approved by the Board. (Cost: Not to exceed \$1,745,946.87.) (C. Weber)

**7M. APPROVAL OF THE FIRST RENEWAL WITH ACME BARRICADES, L.C FOR THE TRAFFIC MAINTENANCE CONTROL SERVICES(IFB-22-089)**

Staff recommends approval of the First Renewal to the Agreement, with Acme Barricades, L.C for Traffic Maintenance and Control Services. Staff are also requesting that authorization be delegated to the Executive Director/CEO to execute any such documents as are necessary to expend funds up to the not-to-exceed amount limit approved by the Board. (Cost: \$1,400,000 and not to exceed \$2,600,000 for the term of the Agreement.) (Cairns)

**7N. APPROVAL OF PBA-24-113 COOPERATIVE AGREEMENT FOR CURED-IN-PLACE-PIPE SERVICES BETWEEN BUYBOARD NATIONAL PURCHASING COOPERATIVE AND INSITUFORM TECHNOLOGIES, LLC**

Staff recommends approval of PBA-24-113, the agreement between



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Insituform Technologies, LLC and Buyboard National Purchasing Cooperative for the provision of cured in place piping services. (Cost: Staff is requesting \$1,000,000 total not-to-exceed for the term of the Agreement.) (Raggi)

- 7O. APPROVAL OF A \$284,062 AGREEMENT WITH HAZEN AND SAWYER FOR THE LAKE MARION WASTERWATER RECLAMATION FACILITY (WRF) IMPROVEMENTS AND ADVANCED SECONDARY TREATMENT UPGRADES PROJECT (RFQU-23-184) CONCEPTUAL DESIGN. THE BOARD IS ALSO REQUESTED TO APPROVE A DESIGN CONTINGENCY OF \$30,000 FOR A TOTAL AUTHORIZATION OF \$314,062.**

Staff requests approval of the agreement and a total not-to-exceed authorization of \$ 314,062 which includes a base authorization amount of \$284,062 plus a \$30,000 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: Scope of services for \$284,062 and Contingency of \$30,000 making a Total of \$314,062.) (Zhou).

- 7P. APPROVAL OF A \$3,935,324 LOW BID CONSTRUCTION CONTRACT AWARD TO SANPIK INC. AND A \$390,000 CONSTRUCTION CONTINGENCY FOR THE PINE LAKE ESTATES WATER MAIN REPLACEMENT PROJECT FOR A TOTAL BOARD APPROVAL OF \$4,325,324.**

Staff requests approval of the construction contract, bid and contingency for a total not-to-exceed authorization of \$4,325,324 which includes the low bid amount of \$3,935,324 plus a \$390,000 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 construction contract and contingency expenditures remain within the total not-to-exceed construction contract and contingency limit approved by the Board. (Cost: Bid of \$3,935,324 and Contingency of \$390,000 for a Total of \$4,325,324 (Total project cost will be reduced by the \$600,000 grant.) (Pelham)

- 7Q. APPROVAL OF JUNE – 2024 ASSET DISPOSAL**

Staff recommends Board approval to dispose of the listed inventory items through donation, auction, disposal, Trade in or recycling. (Cost: None) (Henderson)

- 7R. APPROVAL OF THE SECOND AMENDMENT WITH POLYDYNE INC., FOR THE PROVISION OF POLYMER (IFB-21-062)**

Staff recommends approval of the Second Amendment to the Agreement, with Polydyne Inc., for the provision Polymer through August 10, 2026. Staff are also requesting that authorization be delegated to the Executive Director/CEO to execute any such documents as are necessary to



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expend funds up to the not-to-exceed amount limit approved by the Board. (Cost: \$1,000,000 and not to exceed \$4,765,000 for the term of the Agreement.) (Cairns)

**7S. APPROVAL OF A \$643,468 AGREEMENT WITH INWOOD CONSULTING ENGINEERS TO PROVIDE DESIGN SERVICES FOR THE JACK BRACK ROAD WATER, WASTEWATER, AND REUSE UTILITY RELOCATIONS AND REUSE MAIN EXTENSION PROJECT. THE BOARD IS ALSO REQUESTED TO APPROVE A \$64,000 DESIGN CONTINGENCY FOR A TOTAL AUTHORIZATION OF \$707,468**

Staff requests the Board approve the \$643,468 Consultant Services Agreement with Inwood Consulting Engineers and a \$64,000 design contingency for a total not-to-exceed authorization of \$707,468. Staff further requests authorization for the CEO/Executive Director to execute any such documents as 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: Consultant Services of \$643,468 and Design Contingency of \$64,000 for a Total Request of \$707,468.) (Pelham)

**7T. APPROVAL OF A \$99,232 ADDENDUM WITH LIQUID SOLUTIONS GROUP TO DEVELOP AND MAINTAIN AN EXECUTIVE MASTER PLAN INTEGRATING THE TOHO EAST SERVICE AREA MASTER PLANS (ST CLOUD) WITH THE REMAINDER OF THE TOHO MASTER PLANS. THE BOARD IS ALSO REQUESTED TO APPROVE A CONTINGENCY OF \$15,000 FOR A TOTAL AUTHORIZATION OF \$114,232.**

The existing approved Board authorization is \$1,121,094. Staff requests approval of this \$99,232 addendum and \$15,000 contingency to increase the total not-to-exceed authorization to \$1,235,326 based upon this addendum of \$99,232 and contingency of \$15,000. 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 and contingency expenditures remain within the total not-to-exceed contract and contingency limit approved by the Board. (Cost: This request for Addendum 14 funding of \$99,232 and Prior Contract Approvals \$1,121,094 (dating from 2021) for a Contract Total of \$1,220,326 plus a Contingency of \$15,000 giving an Authorized Total of \$1,235,326.) (Pelham)

**7U. APPROVAL OF A \$118,464 ADDENDUM TO LIQUID SOLUTIONS GROUP'S LLC. (LSG) PROGRAM MANAGEMENT FOR WATER SUPPLY AND ENVIRONMENTAL REGULATORY STRATEGY, MANAGEMENT AND OPERATIONAL PLANNING AGREEMENT AND A \$15,000 CONTINGENCY FOR A TOTAL BOARD AUTHORIZATION OF \$1,368,790.**

The existing approved Board authorization is \$1,235,326 including a separate agenda item request at this meeting (Item 7T). Staff requests approval of this \$118,464 addendum and \$15,000 contingency to increase the total not-to-exceed authorization to \$1,368,790 based upon this \$118,464 addendum and \$15,000 contingency for this item. Staff requests



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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 Addendum 15 of \$118,464 and Prior Contract Approvals \$1,220,326 (dating from 2021) making a Contract Total of \$1,338,790 plus additional Contingency of \$15,000 and the Prior Contingency (Item 7T) of \$15,000 making a Total Authorization of \$1,368,790.) (Pelham)

**7V. APPROVAL OF A PIGGYBACK AGREEMENT BETWEEN TOHO AND BLUSKY RESTORATION CONTRACTORS, LLC FOR DISASTER RECOVERY SERVICES (PBA-24-108) AND \$600,000 IN FUNDING FOR SERVICES AS REQUIRED.**

Staff requests approval of the piggyback Agreement with BluSky Restoration Contractors, LLC for Disaster Recovery Services PBA-24-108 and a total not-to-exceed authorization of \$600,000 to fund services. (Cost: This request is \$600,000.) (Hall)

**7W. APPROVAL OF THE SECOND AMENDMENT WITH ACCURATE ELECTRICAL CONNECTION INC, FOR ELECTRICAL SERVICES (IFB-20-132)**

Staff recommends approval of the Second Amendment to the Agreement, with Accurate Electrical Connection Inc., for the provision of electrical services. Staff are also requesting that authorization be delegated to the Executive Director/CEO to execute any such documents as are necessary to expend funds up to the not-to-exceed amount limit approved by the Board. (Cost: \$400,000 and not to exceed \$2,600,000 for the term of the Agreement.) (Cairns)

**7X. APPROVAL OF A \$1,225,842.30 LOW BID CONSTRUCTION CONTRACT WITH HARRIS-MCBURNEY CO. AND A \$125,000 CONSTRUCTION CONTINGENCY FOR THE PLEASANT HILL ROAD WATER MAIN PROJECT FOR A TOTAL AUTHORIZED FUNDING OF \$1,350,842.30**

Staff requests approval of a construction contract and contingency for a total not-to-exceed authorization of \$1,350,842.30 which includes the low bid amount of \$1,225,842.30 plus a \$125,000 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 construction contract and contingency expenditures remain within the total not-to-exceed construction contract and contingency limit approved by the Board. (Cost: Bid of \$1,225,842.30 and Contingency of \$125,000.00 for a Total of \$1,350,842.30.) (Pelham)

**7Y. APPROVAL OF THE MEMORANDUM OF AGREEMENT BETWEEN COALITION PARTNERS**

Staff recommends approval of the Memorandum of Agreement



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Between Coalition Partners to negotiate in good faith a biosolids disposal agreement. Staff is also requesting that authorization be delegated to the Executive Director/CEO to execute the Memorandum of Agreement Between Coalition Partners. (Cost: None) (C. Weber)

**7Z. NUTANIX HYPERCONVERGED SYSTEM UPGRADE FOR BUSINESS NETWORK AND NEW PURCHASE FOR SCADA NETWORK**

Staff requests Board Approval for this purchase of \$1,439,445.99. (Cost: \$1,439,445.99.) (Aviles)

**Motion to approve Consent Agenda, made by Vice Chair Ketchum. Motion was seconded by Supervisor Askew. Motion passed 6-0.**

**8. Informational presentations:**

**8A. TOHO STRATEGIC PLAN – BOARD CHAMPION SUMMARY**

Collective review and comments by Board Champions. No action required by the Board. (Cost: None) (Martinez)

Rebeca Martinez, Organizational Development Manager, gave an update on the status of Toho's Strategic plan. Toho has successful visibility of progress via updates, engagement at Leadership, Board Champion and Board Meeting levels, which has kept this Strategic Plan active. Executive Director Swingle reflected that Toho was reducing the demand that is presented on our supply. Toho is now working on revising the current plan and will bring the revised plan back to Board, in October, for 'Beyond 2024'.

Chairman Thacker commended the process and approach to the Strategic Plan and the progress made in the priorities. Commissioner Grieb asked if the development portal has a way of aligning with the county portal. Executive Director Swingle highlighted that there were some administration challenges with the necessary transitional steps, which were being worked on, and the merging of such portals would be welcomed where possible

**8B. QUARTERLY INVESTMENT REPORT BY PFM GROUP – QUARTER ENDING March 31, 2024**

For information only. No action required by the Board. (Cost: None) (Henderson)

Leslie Weber of PFM Asset Management presented the update, covering aspects such as current market themes, inflation and the labor market. It is anticipated that the Federal Reserve wants inflation to reduce as a focus, and if the Federal Reserve does cut interest



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rates, Toho's portfolio will be in a good position. Toho's sector allocation shows a diversified portfolio, and credit quality across the board is high. No recommendations for changing course were being made at this time.

**8C. QUARTERLY FINANCIAL SUMMARY**

For information only. No action required by the Board. (Cost: None) (Villarosa)

Tim Villarosa presented Q2 financial update (Oct-Mar). Toho's revenue is still slightly ahead of schedule, although wastewater sales were trailing slightly with overall lower usage and spending was about 1.1% over budget, as a residual impact from first quarter and the net income is estimated at 8%. Post-implementation of the Tyler Development portal, the Finance team was still working through SDC/Impact Fee revenues; updates will be provided next quarter.

Toho's conservative financial approach could result with contingencies requests, but any requirements would be explained to the Board clearly, when required throughout the year

**9. Unfinished business:**

**9A. APPROVAL OF RESOLUTION 2024-006 PROVIDING FOR THE PLEDGING OF SYSTEM DEVELOPMENT CHARGES TO SUBORDINATE DEBT AND APPROVING AMENDMENTS TO THE WIFIA LOAN AGREEMENT**

Staff recommends approval of Resolution 2024-006 to provide for the pledging of System Development Charges to Subordinate Debt which is necessary to facilitate the issuance of a second WIFIA Loan. (Cost: None) (Henderson)

Toby Wagner, Toho Financial Advisor with Southeastern Investment Securities, gave a brief presentation on the WIFIA (Water Infrastructure Finance and Innovation Act) Program and the second application, WIFIA 2, for the Toho One Initiative Project, which has entered the pre-closing phase. He explained that this is Toho's second project accepted by the EPA for funding through the WIFIA Program. WIFIA 2 is structured using a master agreement with two separate loan agreements for the portfolio of projects divided into two tranches. In preparation for the loan closing of WIFIA 2, the board was requested to take action on two separate resolutions, Resolution 2024-006 and Resolution 2024-007.

Below are the key parameters and conditions for closing the WIFIA 2 loan:



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- The principal amount of the Series 2024 Note shall not exceed \$200M.
- The true interest cost rate of the Series 2024 Note shall not exceed 5.60%.
- The final maturity of the Series 2024 Note shall not exceed 40 years from the delivery date.
- The maximum principal amount under the master agreement shall not exceed \$293M.

Resolution 2024-006 involves amendments to the master bond resolution to provide for the pledging of System Development Charges to subordinate debt necessary to facilitate the issuance of the WIFIA 2 loan, which will be secured on a subordinate lien. Both Resolutions were presented for separate vote.

**Motion to approve made by Secretary White. Motion was seconded by Supervisor Lizasuain. Motion passed 6-0.**

9B. **APPROVAL OF RESOLUTION 2024-007 AUTHORIZING THE EXECUTION AND DELIVERY OF A WIFIA MASTER AGREEMENT, A WIFIA LOAN AGREEMENT, A WIFIA TERM SHEET, AND THE SERIES 2024 NOTE AND ALL AGREEMENTS AND CERTIFICATES RELATED THERETO**

General Counsel's recommended action is for the Board to authorize staff to revise the WIFIA Master Agreement, WIFIA Loan Agreement, and WIFIA Term Sheet and other closing documents necessary to close the loan consistent with the Master Resolution and the Supplemental Resolution. Also, the Board to authorize the Chairman and Secretary to execute the Supplemental Resolution, WIFIA Master Agreement, WIFIA Loan Agreement, and WIFIA Term Sheet as may be revised consistent with the Master Resolution and Supplemental Resolution. To authorize the Chairman, Secretary, and CEO/Executive Director to execute such other closing documents necessary to close the loan so long as the terms of any such documents are consistent with the Board's approval of the Supplemental Resolution. Staff further recommends approval of Resolution 2024-007 approving the delivery and execution of the WIFIA Master Agreement, WIFIA Loan Agreement, WIFIA Term Sheet, and the Series 2024 Note and all agreements and certificates related thereto. (Cost: If the loan is drawn, \$200M loan plus interest costs.) (Henderson)

Resolution 2024-007 involves staff authorization to revise the WIFIA master agreement, WIFIA loan agreement, WIFIA term sheet, and other closing documents necessary to close the loan consistent with the master resolution and the supplemental resolution. It also authorizes the Chairman, Secretary, and Executive Director/CEO to execute the Supplemental Resolution, WIFIA master agreement, WIFIA loan agreement, WIFIA term sheet, and other closing documents necessary to close the loan consistent with the master resolution and the supplemental resolution.



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Both Resolution were presented for separate votes.

**Motion to approve made by Supervisor Askew. Motion was seconded by Vice Chair Ketchum. Motion passed 6-0.**

10. **New business:** None.

11. **Staff reports:**

11A. **INFRASTRUCTURE EMERGENCY REPAIR STATUS**

Information only. No action is required by the Board. (Cost: Report only; costs exceeding the Executive Director/CEO's authorization are submitted to the Board for information if the Executive Director approves repairs as an emergency.) (Pelham)

11B. **COMMUNICATIONS QUARTERLY REPORT FOR January-March 2024**

No action is required by the Board. For information only. (Cost: None) (Floer)

12. **Comments:**

**Board Officials** – Commissioner Grieb thanked Toho for supporting the Proud and Cloud event this Saturday, both financially and for water supplied to event attendees. Today is eight-year anniversary of Pulse and a tribute is planned in Osceola County at Brownie Wise Park. The artist, Jef Ray has family in Osceola, and is providing his service for no cost. The tribute will be 49 feet tall representing the 49 losses, visible as a heart shape from the sky, with a butterfly garden for the survivors and 49 benches for the families. There are also 49 trees planted for the first responders who assisted with the tragedy. The families really wanted this tribute to celebrate the lives of those lost and for families/survivors to gather and reflect. The base is also being designed for free, Pete Pace is managing for this for free and Commissioner Grieb confirmed \$250k of funds for the project. Thank you Toho for your support of the LGBT community.

**Executive Director** – Toho is working on transitioning the Sunbridge customers into our billing system currently, which will enable cancellation of the existing utility operations support contract and associated costs. Toho is also increasing operator coverage of our water system to 24/7 on-site. Through we were meeting permit requirements, additional onsite monitoring is appropriate given our scale. Toho Board of Supervisors had several Supervisor reappointments - Supervisor Stellfox joined last month from Polk County, Supervisor McAleenan and Vice Chair Ketchum were also confirmed as reappointed for their October renewal. Supervisor Lizasuain was due to follow the July Board.

**General Counsel** – None.



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**13. Upcoming events:**

Juneteenth Festival	06/15/24
Juneteenth Holiday (Office Closed)	06/19/24
Father's Day	06/16/24
Smart Irrigation Month	7/1/2024
Independence Day (Kissimmee)	7/4/2024
Independence Day* (St. Cloud)	7/4/2024

**14. Adjournment:**

There being no further business to come before the Board, the meeting was adjourned at 6:06pm by Chairman Thacker.

Approved:

Henry Thacker, Chairman

7/31/24

Attest:

Tom White, Secretary

7/31/24