

Board Meeting Date: 1/22/2025

Category: Consent Agenda

Agenda Item: 7A

Department: Executive Office

Attachments:

December 11th, 2024 - Board of Supervisors Meeting Minutes; December 11th, 2024 – SDC Workshop Minutes

Title:

TOHO WATER AUTHORITY BOARD OF SUPERVISORS' REGULAR MEETING MINUTES AND SDC WORKSHOP MINUTES OF December 11, 2024

Summary:

At every Board meeting, minutes are taken of the proceedings. Attached are the minutes from the December 11, 2024 Board of Supervisors Meeting and the separate SDC Workshop held on the same date.

Total Costs:

None.

Recommendation:

Staff recommends the approval of the Board Meeting Minutes and SDC Workshop Minutes from December 11, 2024.

Owner: A. Smith



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**Board of Supervisors
Regular Meeting Minutes
Wednesday December 11, 2024**

Present:

Chairman - Henry Thacker
Supervisor – John McAleenan
Secretary – Tom White
Supervisor – Dave Askew
Executive Director – Todd P. Swingle
General Counsel – Anthony Cotter

Ex Officio Board Member, City of
St Cloud - Kolby Urban

Absent:

Vice Chair – Rayelynn Ketchum
Supervisor – Skip Stellfox
Supervisor - Hector Lizasuain
Ex Officio Board Member, City of Kissimmee - Angela Eady
Ex Officio Board Member, Osceola County - Cheryl Grieb
Ex-Officio Board Member, Polk County - Rick Wilson.

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1. **Meeting called to order by:** Chairman Thacker at 5.01pm.
 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 Secretary White. Motion seconded by Supervisor McAleenan. Motion passed 4-0.
 4. **Awards and Presentations:** None
 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



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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)

Annual Public Hearing item, providing Toho with the ability to use tax rolls for levying assessments, as a tool should it be required. No comments were received from the Public, so the Hearing was closed.

Motion to approve was made by Supervisor McAleenan. Motion seconded by Supervisor Askew. Motion passed 4-0.

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 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



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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 Sourcwell 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.)



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(Hall)

7G. PULLED

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 of \$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**



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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)

7O. 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



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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)

Motion to approve Consent Agenda items, made by Supervisor McAleenan. Motion was seconded by Secretary White. Motion passed 4-0.

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)

An overview of the market was presented by PFM Group, and how that ties in with the Toho portfolio from Quarter 3, including an update on the portfolios. No comments were received from the Board.

8B. ASSETS & INFRASTRUCTURE MAJOR CAPITAL PROJECT UPDATES

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

Matt Doan, Chief Officer of Engineering Services, presented the exciting progress and accomplishments in Planning, AWS, Plant, and Road projects.

The Executive Master Plan will be discussed further with the Board in the New Year.

Major Projects were outlined for the Board, including that Army Corps permitting previously delegated to the state had been pulled back to the Corps.

Board members inquired regarding the AWS upgrades and projects.

No further comments from the Board.

9. Unfinished business: None

10. New business:



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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)

Jeremy Cairns, Senior Program Manager, presented the fleet maintenance project and outlined the various options considered by staff in arriving at this recommendation for meeting Toho's future needs, including

acquisition, maintenance, resale, and fuel programs.

Motion to approve made by Supervisor McAleenan. Motion was seconded by Supervisor Askew. Motion passed 4-0.

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 –**



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1. Fluoride discussions – There is continued debate on the balance between dental health and overall ingestion risks. Engaging the public is critical for Toho and keeping the Board updated on EPA advice/updates was required by Chairman Thacker. Additional reference information will be provided to the Board, who ultimately will make this decision, after engaging with the Community.
2. Level One payment processor – Toho worked through a payment incident with them with the support of their leadership, to refine how they work.
3. Ranch Well is online now.
4. The Water Resources Development Authorization made it out of conference and passed house vote yesterday, so now going to senate vote. Looking positive for this and reaching the next steps for a potential of \$45 million split between Cypress Lake and Taylor Creek being allocated; still early days but positive news.
5. Resolution handed out to Board Members re CIAC fees to delegate authority to CEO to be able to consider sort term payment plans for affected property owners. This Resolution provides for up to a two-year window.

Motion to approve made by Supervisor McAleenan. Motion was seconded by Supervisor White. Motion passed 4-0.

6. Communications will be shared concerning a missed sampling event, on Lead and Copper. This note has been shared with the City Manager and will be shared with the Board for information.
7. Stand Down for Safety. Toho had two safety incidents, both employees will recover. Safety report is in the staff reports today, provided by Jackie Hall (Director of Safety & Risk) and we have added an App for safety issue reporting, transition to high visual uniforms, and others. Board Chairman asked Jackie Hall to continue to raise that awareness and culture change.

General Counsel – last month Mr Chalifoux discussed an development issue and the update on that situation is that Toho is still in discussions with Mr Chalifoux.




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14. **Adjournment:**

There being no further business to come before the Board, the meeting was adjourned at 6:16 pm by Chairman Thacker.

Approved: 

Henry Thacker, Chairman

Attest: 

Tom White, Secretary



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**Board of Supervisors
SDC Workshop Minutes
Wednesday December 11, 2024**

Present:

Chairman - Henry Thacker
Supervisor – John McAleenan
Secretary – Tom White
Supervisor – Dave Askew
Executive Director – Todd P. Swingle
General Counsel – Anthony Cotter

Ex Officio Board Member, City of
St Cloud - Kolby Urban

Absent:

Vice Chair – Rayelynn Ketchum
Supervisor – Skip Stellfox
Supervisor - Hector Lizasuain
Ex Officio Board Member, City of Kissimmee - Angela Eady
Ex Officio Board Member, Osceola County - Cheryl Grieb
Ex-Officio Board Member, Polk County - Rick Wilson.

-
1. **Meeting called to order by:** Chairman Thacker at 6.20pm, following a brief recess.

SDC Workshop Presentation

CEO Swingle delivered the System Development Charges (SDC) Workshop presentation. This included the needs analysis, including awareness of most of the new growth being served to the new alternative water supplies. Updates since November included further evaluation of total costs and associated reduced growth-related cost allocation of several projects, reducing potential need for future extraordinary circumstances, and evaluation of multifamily impacts.

A general overview of factors that were presented at November's workshop were discussed, and the current and future SDC implementation plan was proposed which displayed an SDC rate schedule in phases beginning in April 2025. No change was planned for January 2026.

The development community communication plan noted input meetings, email communications, website updates, and notices. Public Hearing is planned in January 2025, with adoption in April 2025.

Secretary White questioned whether the vote occurred at the Public Hearing meeting in January 2025 and CEO Swingle advised that a super majority (5 of 7 Board Members) would be required. No further questions or comments were raised.



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14. Adjournment:

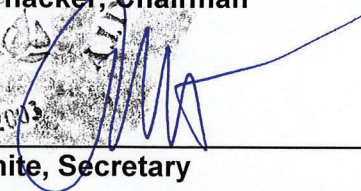
There being no further business to come before the Board, the SDC Workshop was adjourned at 6:47 pm by Chairman Thacker.

Approved:



Henry Thacker, Chairman

Attest:



Tom White, Secretary
