



951 Martin Luther King Boulevard, Kissimmee, FL

www.tohowater.com 407.944.5000

**Board of Supervisors
Regular Meeting Minutes
Wednesday February 12, 2025**

Present:

Vice Chairman – Rayelynn Ketchum
Supervisor – Skip Stellfox
Secretary – Tom White
Supervisor - Hector Lizasuain
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,
City of Kissimmee - Angela Eady
Ex Officio Board Member,
Osceola County - Cheryl Grieb
Ex-officio Board Member,
Polk County, Becky Troutman.

Absent: Chairman - Henry Thacker
Supervisor – John McAleenan

1. **Meeting called to order by:** Vice-Chair Ketchum at 5.00pm.
2. **Moment of Silent Reflection and Pledge of Allegiance** led by Vice-Chair Ketchum.
3. **Approval of the Agenda**

Motion to approve the Agenda, made by Supervisor Lizasuain and seconded by Supervisor Askew. Motion passed 5-0.
4. **Awards and Presentations:** None
5. **Public Hearing:** None.
6. **Hear the Audience:**

The meeting floor was opened to Hear the Audience. This item is for comments/questions relating to topics not listed on this meeting's Agenda.

Maria Bryan of 2519 Oneida Loop, Kissimmee, spoke on concerns regarding to fluoride added to the water. No further comments were received, and Hear the Audience was closed.
7. **Consent Agenda**
 - 7A. **REQUEST APPROVAL OF THE TOHO BOARD MEETING MINUTES OF JANUARY 22, 2025, AND CAPITAL BUDGET**



951 Martin Luther King Boulevard, Kissimmee, FL

www.tohowater.com 407.944.5000

WORKSHOP MINUTES OF JUNE 26, 2024 (Cost: None) (Smith)

- 7B. **APPROVAL OF CUSTOMER REIMBURSEMENT TO WYNDHAM PALMS MASTER COMM** (Cost: This/cumulative total: \$28,727.55) (Havey)
- 7C. **APPROVAL AND EXECUTION OF RESOLUTION NO. 2025-002 TO REVISE THE TRAVEL AND TRAINING PAYMENT OR REIMBURSEMENT POLICY** (Cost: None) (Henderson)
- 7D. **APPROVAL OF UTILITY WORK BY HIGHWAY CONTRACTOR WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE I-4 FROM EAST OF US 27 TO WEST OF SR 429 AND CR 532 INTERCHANGE DESIGN/BUILD PROJECT** (Cost: None) (Pelham)
- 7E. **APPROVAL OF THE SEVENTH AMENDMENT TO THE CYPRESS LAKE ALTERNATIVE WATER SUPPLY PROJECT INTERLOCAL AGREEMENT BETWEEN THE WATER COOPERATIVE OF CENTRAL FLORIDA AND MEMBER GOVERNMENT UTILITIES TO PROVIDE FUNDING FOR CONSULTING, CONSTRUCTION, AND OTHER ANCILLARY PROJECT WORK** (Cost: Total Authorized to Date: \$0. This Approval Cost: \$18,400,000 (Toho's 60% share is \$11,040,000). Cumulative Total: \$18,400,000.) (Beatty)
- 7F. **APPROVAL AND EXECUTION OF A CONSTRUCTION CONTRACT WITH SAK CONSTRUCTION FOR THE TOWN AND COUNTRY SUBDIVISION GRAVITY SEWER REHABILITATION AND REPLACEMENT PROJECT** (Cost: Total Authorized to Date: \$0. This Approval Cost: \$2,637,587.50. Cumulative Total: \$2,637,587.50) (Fogarty)
- 7G. **APPROVAL OF FEBRUARY – 2025 ASSET DISPOSAL** (Cost: None) (Henderson)
- 7H. **APPROVAL AND EXECUTION OF BW-24-192 AGREEMENT WITH U.S. WATER SERVICES CORPORATION FOR WATER PLANT OPERATION SERVICES.** (Cost: Total Authorized to Date: \$225,000. This Approval Cost: \$350,000. Cumulative Total: \$575,000.) (Williams)
- 7I. **APPROVAL OF A PIPE PURCHASE FROM CLAYTON PROPERTIES GROUP, INC.** (Cost: Total Authorized to Date: \$0. This Approval Cost: \$1,128,745.92. Cumulative Total: \$1,128,745.92.) (Doan)
- 7J. **APPROVAL AND EXECUTION OF THE SECOND AMENDMENT TO THE AGREEMENT WITH CM ENGINEERING SERVICES FLORIDA PLLC AND ASPHALT365 INCORPORATED FOR PAVEMENT,**



951 Martin Luther King Boulevard, Kissimmee, FL

www.tohowater.com 407.944.5000

SIDEWALK, CURB AND GUTTER REPAIR SERVICES (IFB-23-121). (Cost: Total Authorized to Date: \$6,162,040. This Approval Cost: \$9,510,000. Cumulative Total: \$15,672,040.) (Leslie)

- 7K. **APPROVAL AND EXECUTION OF A CONSTRUCTION CONTRACT WITH CATHCART CONSTRUCTION COMPANY FOR THE LAVON AND PALM AVENUES WATER MAIN REPLACEMENT PROJECT.** (Cost: Total Authorized to Date: \$0. This Approval Cost: \$1,790,396. Cumulative Total: \$1,790,396.) (Talavera)
- 7L. **APPROVAL AND EXECUTION OF A GUARANTEED MAXIMUM PRICE AMENDMENT FOR THE CONSTRUCTION MANAGER AT RISK AGREEMENT BETWEEN TOHO AND GARNEY COMPANIES, INC FOR THE WESTSIDE BLVD FORCE MAIN REPLACEMENT PROJECT (RFQu-24-176-01).** (Cost: Total Authorized to Date: \$177,084. This Approval Cost: \$1,721,964. Cumulative Total: \$1,899,048.) (VanFossen)
- 7M. **APPROVAL AND EXECUTION OF CHANGE ORDER #1 WITH INSITUFORM TECHNOLOGIES, LLC FOR THE LIFT STATION 30 GRAVITY SEWER REHABILITATION PROJECT.** (Cost: Total Authorized Date: \$2,633,632.86. This Approval Cost: \$600,000.00. Cumulative Total: \$3,233,632.86.) (Shields)
- 7N. **APPROVAL AND EXECUTION OF A DEVELOPER'S SERVICE AGREEMENT WITH AG EHC II (LEN) MULTI STATE 4, LLC AND LENNAR HOMES, LLC FOR THE SPRINGHEAD LAKE DEVELOPMENT.** (Cost: None) (Clough)
- 7O. **APPROVAL OF CONSULTANT SUPPORT FUNDING FOR TOHO'S ONE WATER INITIATIVE, PROJECT MANAGEMENT PROCESS DEVELOPMENT AND CAPITAL PROJECT DELIVERY** (Cost: Total Authorized to Date: \$300,000. This Approval Cost: \$3,037,861. Cumulative Total: \$3,337,861.) (Pelham)
- 7P. **APPROVAL AND ADOPTION OF RESOLUTION NO. 2025-003 AMENDING TOHO'S PROCUREMENT MANUAL TO CREATE A NEW SECTION RELATING TO THE SURPLUS AND DISPOSITION OF REAL PROPERTY.** (Cost: None) (Alfonso)
- 7Q. **APPROVAL AND ADOPTION OF RESOLUTION NO. 2025-004 AMENDING TOHO'S PROCUREMENT MANUAL TO ADDRESS REIMBURSEMENT FOR TRAVEL AND SUBSISTENCE COSTS.** (Cost: None) (Alfonso)
- 7R. **APPROVAL OF DELEGATION TO THE CEO/EXECUTIVE DIRECTOR AUTHORITY TO NEGOTIATE AND EXECUTE FOURTEEN FDOT EASEMENTS AND PROPERTY INTEREST**



951 Martin Luther King Boulevard, Kissimmee, FL

www.tohowater.com 407.944.5000

SUBORDINATION REQUESTS RELATED TO THREE FDOT ROAD IMPROVEMENT PROJECTS. (Cost: None) (Abouelkheir)

- 7S. **APPROVAL AND EXECUTION OF RFP-24-203 AGREEMENT WITH U.S. BANCORP ASSET MANAGEMENT, INC. FOR INVESTMENT ADVISORY SERVICES** (Cost: This/Cumulative Total: \$710,000) (Henderson)

Motion to approve Consent Agenda items, excluding item 7J, 7M, 7P, and 7R (which were pulled for additional discussion), was made by Secretary White and seconded by Supervisor Askew. Motion passed 5-0.

Items 7J and 7M were significant increases related to asphalt costs. Both items are critical items on this agenda so CEO Swingle asked the Board to approve them today, with the CEO bringing additional cost clarification at a later date.

Motion to approve both 7J and 7M, with cost clarification to follow, was made by Supervisor Lizasuain and seconded by Supervisor Askew. Motion passed 5-0.

Item 7P was discussed regarding the sale structure, including some additional options; auction, or to place properties for sale with a broker, in addition to the current sealed bid approach.

Motion to include, under the sale processes, to allow auction or marketing with a real estate broker but these options being subject to Board approval as part of the Surplus process, was made by Secretary White and seconded by Supervisor Stellfox. Motion passed 5-0.

Agenda item 7R was presented with DOT providing 12 properties for Toho to subordinate their interest. After this item was processed, the DOT realized they had excluded properties 137.04, 139.12 and 141.10 from their list, which were now requested to be included in this consideration by the Board.

Motion was made by Supervisor Lizasuain to amend to 7R as presented today, and include the additional three properties (137.04, 139.12 and 141.10). Motion was seconded by Secretary White and the motion passed 5-0.

8. Informational presentations:

- 8A. **KEY PERFORMANCE INDICATORS (KPIs); CURRENT PERFORMANCE** (Cost: None) (Henry)

Gwen Henry (Operations Performance Supervisor) presented the Quarter 1 KPI Update and Heather Havey (Chief Customer Experience Officer) expanded on the Customer Service KPIs.

- 8B. **FLUORIDE COMMUNITY ENGAGEMENT PLAN** (None) (Dineen)



951 Martin Luther King Boulevard, Kissimmee, FL

www.tohowater.com 407.944.5000

Caitlin Dineen (Director of Public Relations/Communications) presented the timeline of Toho's engagement plan. Should Board members wish to attend the community meetings, Sunshine Law requirements would apply.

8C. **QUARTERLY FINANCIAL REPORT** (Cost: None)(Villarosa)

Tim Villarosa (Director of Financial Services) presented the quarterly financial report, including SDC Analysis.

9. **Unfinished business:** None

10. **New business:**

- 10A. **APPROVAL OF DELEGATED AUTHORITY FOR CONTRACT MODIFICATIONS RELATIVE TO MTU PURCHASE AND INSTALLATION** (Cost: Toho's current budget for meters and MTUs is \$7,368,609. At this time, we estimate a potential increase of approximately \$5,000,000 based upon current count and projected failure rate of MTUs.) (Havey)

CEO Swingle presented item 10A, relating to failure of MIU/MTU devices, subsequent errors from auto meter reads reporting and how Toho was working to resolve other related concerns. Supervisor Urban was liaising with his City Council to propose removal of City charges from the Toho bill.

Motion to approve the request of delegated authority to the CEO in consultation with Board Chair, made by Supervisor Stellfox and seconded by Supervisor Lizasuain. Motion passed 5-0.

11. **Staff reports:**

- 11A. **TOHO ASSISTANCE PROGRAM (TAP) FY25 1st QUARTER UPDATE** (Cost: This/Cumulative Total: \$150,000) (Havey)
- 11B. **INFRASTRUCTURE EMERGENCY REPAIR STATUS** (Cost: None) (Chavez)
- 11C. **APPROVAL 1ST QTR 2025 WATER CONSERVATION** (Cost: None) (Tilley)

12. **Comments:**

Board Officials – Vice Chair Ketchum shared Board sympathies related to the loss of our Toho co-worker/friend in Feliz Rodriguez. Reminder of the upcoming Rodeo/County Fair, please enjoy!

Executive Director – Our team had made the connections on the OBT replacement



951 Martin Luther King Boulevard, Kissimmee, FL

www.tohowater.com 407.944.5000

force main, after huge efforts which were appreciated.

General Counsel – Supervisor McAleenan joined this meeting remotely, commenting only on an informational item and was not party to any discussion or decision on any voted agenda items.

13. Upcoming Events:

Leadership Osceola Environmental Day	2/12
Kissimmee Sweetheart 5K	2/15
National Engineers Week	2/16-2/22
Silver Spurs Rodeo	2/20-2/23
Rodeo Day	2/21
Taste of Kissimmee	2/21
Osceola County Master Gardener (UF/IFAS)	3/1
Sheriff's Office Community Appreciation Day	3/1
Osceola County Community Resource Fair	3/4
Employee Appreciation Day	3/7
Leadership Osceola Infrastructure Day	3/12

14. Adjournment:

There being no further business to come before the Board, the meeting was adjourned at 6.22 pm by Vice Chair Ketchum.

Approved:

Rayelynn Ketchum, Vice-Chair

Attest:

Tom White, Secretary
