

Minutes of Meeting
Tolomato
Community Development District

The regular meeting of the Board of Supervisors of the Tolomato Community Development District was held Tuesday, March 22, 2022 at 3:00 p.m. in the Nocatee Amenity Center, 245 Nocatee Center Way, Ponte Vedra, Florida.

Present and constituting a quorum were:

Richard T. Ray	Chairman
William Fitzgerald	Vice Chairman
Jon Morris	Supervisor
Cherya Cavanaugh	Supervisor
Dr. Ron Howland	Supervisor

Also present were:

Jim Perry	District Manager
Katie Buchanan	District Counsel
Scott Wild	District Engineer
Steve Hanson	Tolomato
Tina Burleigh	Tolomato
Kelsie Westbrook	Tolomato
Burke Bell	Tolomato
David Ray	GMS
Maurice Rudolph	Parc Group

The following is a summary of the actions taken at the March 22, 2022 meeting. An audio copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Perry called the meeting to order at 3:00 p.m. and called the roll.

SECOND ORDER OF BUSINESS

Affidavit of Publication

A copy of the affidavit of publication of the notice of meeting was included in the agenda package.

THIRD ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the February 22, 2022 meeting

On MOTION by Mr. Ray seconded by Mr. Morris with all in favor the minutes of the February 22, 2022 meeting were approved as presented.

FIFTH ORDER OF BUSINESS

Public Hearing to Adopt Towing Rules, Resolution 2022-26

On MOTION by Mr. Fitzgerald seconded by Ms. Cavanaugh with all in favor the public hearing was opened.

Mr. David Ray stated this is simply to prevent overnight parking and long-term parking at the amenities.

Ms. Buchanan stated we have noticed it, published it in the paper and we are having the hearing and it is incorporating most if not all of the adjacent to the amenity center parking area. Towing won't be enforced unless and until we install signage. It is not our intent to install signage on all these parking lots yet, we hope to hit a few problem areas and hopefully, that will take care of the issue.

On MOTION by Mr. Ray seconded by Ms. Cavanaugh with all in favor Resolution 2022-26 was approved.

On MOTION by Mr. Morris seconded by Ms. Cavanaugh with all in favor the public hearing was closed.

SXITH ORDER OF BUSINESS

Approval of Resolution 2022-25 Designating Kutak Rock as Registered Agent

On MOTION by Mr. Fitzgerald seconded by Ms. Cavanaugh with all in favor Resolution 2022-25 was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Deed, Roadway Buffer Around West End Villas

On MOTION by Mr. Fitzgerald seconded by Mr. Morris with all in favor conveyance documents for the roadway buffer around West End Villas were approved subject to the addition of this property to the valuation.

EIGHTH ORDER OF BUSINESS

Consideration of First Amendment to Agreement by and Between Tolomato CDD and Sonoc Company, LLC Regarding Snowden Village Collector Road and Utilities

NINTH ORDER OF BUSINESS

Consideration of First Amendment to Agreement by and Between Tolomato CDD and Sonoc Company, LLC Regarding Impact Fee Credits Western Interchange Access Road and Lift Station

TENTH ORDER OF BUSINESS

Consideration of Second Amendment to Agreement by and between Tolomato CDD and Sonoc Company LLC Regarding Impact Fee Credits – Crosswater Roads

Ms. Buchanan stated as you will recall over the years we have done funding agreements between the district and the developer to allow the developer to expeditiously move forward with the construction of roadway projects that are in your improvement plan. What we have traditionally negotiated is that funding be provided in exchange for impact fee credit revenue that the developer would get over the years to be able to capitalize on that. We changed course in that direction about a year ago and started making sure that these funding agreements were broader to the extent that the reimbursement would be from any funding source available compared to limited to impact fee credit revenue. All three amendments essentially add a cash reimbursement option to the funding agreement to allow the district to pay the developer for the work via cash or via the assignment of impact fee credits. My understanding is it is desire of the developer to request that the district go ahead and use some of the bond proceeds that we have available to make cash reimbursement payments at this time. I had a conference with bond counsel to make sure he was comfortable with using bond proceeds in this manner in an existing agreement and he was fine because the roads are included in the improvement plan that we marketed to the bondholders.

On MOTION by Mr. Ray seconded by Ms. Cavanaugh with all in favor the first amendment to the agreements under items 8, 9, and 10 were approved.

ELEVENTH ORDER OF BUSINESS

Consideration of Bulk Irrigation Agreement between Settler's Landing HOA and the River Landing HOA and Tolomato CDD

On MOTION by Mr. Fitzgerald seconded by Mr. Morris with all in favor the bulk irrigation agreement between Settler's Landing HOA and the River Landing HOA and Tolomato CDD was approved.

TWELFTH ORDER OF BUSINESS

Approval of Seabrook Park Connolly Wicker Design Work Authorization (CWI 15)

On MOTION by Mr. Ray seconded by Mr. Morris with all in favor work authorization CWI-15 for Seabrook Park in the amount of \$102,645 was approved.

THIRTEENTH ORDER OF BUSINESS

Approval of Seabrook Greenway Trail Design Proposal (CWI-16)

On MOTION by Mr. Morris seconded by Mr. Fitzgerald with all in favor work authorization CWI-16 for Seabrook Greenway Trail in the amount of \$33,500 was approved.

FOURTEENTH ORDER OF BUSINESS

Approval of Seabrook Park Amenity Proposal – Carlton Construction

On MOTION by Mr. Morris seconded by Ms. Cavanaugh with all in favor amenity proposal from Carlton Construction for preconstruction services for Seabrook Park in the amount of \$14,576 was approved.

FIFTEENTH ORDER OF BUSINESS

Consideration of Quit Claim Deed – Crosswater at Nocatee and Supplemental Declaration for Crosswater at Nocatee Regarding Adding Common Area and Additional Land

On MOTION by Mr. Ray seconded by Mr. Morris with all in favor the quit claim deed for Crosswater at Nocatee and supplemental declaration for Crosswater at Nocatee regarding adding common area and additional land was accepted.

SIXTEENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

Mr. Rudolph stated I have two proposals, one is for the design of the hardscape and landscape of the Conservation Trail collector road from where the Conservation Trail ends now up to approximately where the Seabrook amenity starts.

The second proposal is a continuation of that collector road and the Seabrook Park. The cost of the collector road and Seabrook Park is approximately \$180,000 and the collector road of Conservation Trail is about \$45,000.

On MOTION by Mr. Morris seconded by Ms. Cavanaugh with all in favor the proposals from Basham and Lucas project 22-10 as outlined above were approved.

Mr. Wild stated I attached the requisition that Tina sent out which is on the back page of the summary, req. #8 from the 2022 construction account for mitigation bank credits for construction of our water main loop. The actual amount of the payment for the mitigation credits is \$33,750. Why I bring up this specific one is because instead of having an invoice attached to the requisition it is an agreement for the mitigation bank.

Ms. Buchanan stated I think you can do that concurrently, but you are going to want that approved.

1. Construction Update

2. Requisition Summary

On MOTION by Ms. Cavanaugh seconded by Mr. Morris with all in favor the updated requisition summary in the amount of \$398,243.27 was approved.

On MOTION by Mr. Morris seconded by Mr. Fitzgerald with all in favor the reservation and sales agreement with regard to mitigation credit agreement was approved in substantial form.

C. Manager

There being none, the next item followed.

D. Community Manager

1. Report

Mr. David Ray gave an overview of the community manager’s report.

On MOTION by Mr. Ray seconded by Mr. Morris with all in favor the proposal for fencing and signage around the field used for events in an amount not to exceed \$63,000 using series 2022 bond funds was approved.

2. Annual Renewal Agreement with Fitness Services of Florida, Inc.

On MOTION by Mr. Morris seconded by Ms. Cavanaugh with all in favor the agreement with Fitness Services of Florida, Inc. was renewed.

SEVENTEENTH ORDER OF BUSINESS Financial Reports

A. Balance Sheet as of February 28, 2022 and Statement of Revenues and Expenditures for the Period Ended February 28, 2022

A copy of the balance sheet and statement of revenues and expenditures were included in your agenda package.

B. Construction Schedule – February 28, 2022

A copy of the construction schedule was included in your agenda package.

C. Assessment Receipt Schedule

A copy of the assessment receipt schedule was included in your agenda package.

D. Check Register

On MOTION by Ms. Cavanaugh seconded by Mr. Morris with all in favor the check register approved.

EIGHTEENTH ORDER OF BUSINESS Other Business

There being none, the next item followed.

NINETEENTH ORDER OF BUSINESS Supervisor's Requests and Audience Comments

Mr. Fitzgerald stated after our discussion last meeting about capital repairs and replacements I dug out a copy of the asset study from 2018 and it provides annual expense detail through 2047 and I looked at 2022-2026 and the estimated expenditures are \$3,143,000. I think that is something we need to look at.

Mr. David Ray stated we have been having discussions with Mo, the chairman and going through those things and we are preparing some documents for the board to address that specifically.

Mr. Perry stated keep in mind the study that was done is based upon useful lives.

TWENTIETH ORDER OF BUSINESS Next Scheduled Regular Meeting and Public Hearing on the Series 2022C Refunding Bonds will be held April 26, 2022 at 3:00 p.m. at the Nocatee Amenity Center

Mr. Perry stated the next scheduled regular meeting and we also have the public hearing on the 2022C bonds is April 26, 2022 at 3:00 p.m. at this location.

On MOTION by Mr. Morris seconded by Ms. Cavanaugh with all in favor the meeting adjourned at 3:54 p.m.

March 22, 2022

Tolomato CDD



Secretary/Assistant Secretary



Chairman/Vice Chairman