

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 24, 2020 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 (by telephone)
Dr. Ron Howland	Supervisor (by telephone)

Also present were:

Jim Perry	District Manager
Katie Buchanan	District Counsel (by telephone)
Scott Wild	District Engineer (by telephone)
Steve Hanson	Tolomato
Lee Hovis	Tolomato
Tina Burleigh	Tolomato
David Eldredge	Tolomato
David Ray	GMS, LLC
Maurice Rudolph	Parc Group

The following is a summary of the actions taken at the March 24, 2020 meeting. A 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 packages.

**THIRD ORDER OF BUSINESS**

**Audience Comments**

There being none, the next item followed.

**FOURTH ORDER OF BUSINESS**

**Approval of the Minutes of the February 25, 2020 meeting**

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor the minutes of the February 25, 2020 meeting were approved as presented.

**FIFTH ORDER OF BUSINESS**

**Consideration of Capital Plan**

Mr. David Ray gave an overview of the proposed capital plan to be funded from the proceeds of the Series 2019 bond, copy of which was included in the agenda package.

On MOTION by Mr. Fitzgerald seconded by Mr. Morris with all in favor the proposed projects related to the series 2019 bonds were approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of Wet Engineering Agreement**

Mr. David Ray outlined the services to be provided in the proposal from Wet Engineering, copy of which was included in the agenda package.

On MOTION by Mr. Fitzgerald seconded by Mr. Morris with all in favor the agreement with Wet Engineering for consulting services for the family pool rehabilitation in an amount not to exceed \$5,000 was approved.

**SEVENTH ORDER OF BUSINESS**

**Authorizing the Boundary Amendment, Resolution 2020-05**

Mr. Perry stated the boundary amendment is to add an additional 466.07 acres to the district.

Ms. Buchanan stated I believe the developer understands and will execute between meetings the funding agreement committing to fund the cost of the boundary amendment process instead of paying for it through the district's general operating budget.

Mr. Ray stated there is one piece of land within the boundary of the DRI but is not within the boundary of the district and it is the northeast corner of Nocatee.

On MOTION by Mr. Fitzgerald seconded by Mr. Morris with all in favor Resolution 2020-05 was approved.

**EIGHTH ORDER OF BUSINESS**

**Authorizing the Indenture Amendment to Change the Flow of Funds from Prepayment to Construction Accounts**

Mr. Perry stated included in your agenda package is the indenture amendment to change the flow of funds from repayment account to the construction accounts for the Series 2019A bonds and that is the first amendment to the ninth supplemental trust indenture. Also provided is Resolution 2020-07 that Katie sent to everyone and that is a resolution that provides for this change in language.

Mr. Ray stated this has been approved by the bondholders and insurers.

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor Resolution 2020-07 was approved.

**NINTH ORDER OF BUSINESS**

**Resolution 2020-06 A Resolution of the Board of Supervisors of the Tolomato Community Development District Implementing Section 190.006(3)(A)(2)(c), Florida Statutes and Instructing the St. Johns County and Duval County Supervisors of Elections to Conduct the District's General Election**

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor Resolution 2020-06 was approved.

**TENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being none, the next item followed.

**B. Engineer**

**1. Construction Updates**

Mr. Wild stated the traffic signal is substantially complete, they had a preliminary walk through with St. Johns County and there are a couple punch list items that are being taken care of.

The final construction part is to get the meter installed by FP&L so they can turn the signal on to flash, which is supposed to happen in the next two days.

The median modifications are also substantially complete. They had a walk through with the county and it has been signed off on. We have a deductive change order that is next on the agenda.

**2. Consideration of Change Orders**

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor change order no. 3 with Vallencourt for the Crosswater Parkway Median Modification contract for a net decrease of \$8,887 was approved.

**3. Consideration of Proposal for Nocatee Spray Park Construction Documents – Project 19-58B**

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor the proposal from Basham & Lucas for the Nocatee Spray Park in the amount of \$108,000 was approved.

**4. Consideration of Proposal for Nocatee Splash Park Construction Documents – Project 19-49B**

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor the proposal from Basham & Lucas for the splash park in the amount of \$106,200 was approved.

**5. Approval of Preconstruction Services Proposal for Nocatee Splash and Spray Expansions – Carlton Construction**

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor the proposal from Carlton Construction for preconstruction services for Nocatee splash and spray parks expansion in the amount of \$19,000 was approved.

Mr. Rudolph reviewed two proposals from Connelly & Wicker for the spray park and splash park.

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor the proposal from Connelly & Wicker for the spray park in the amount of \$60,453 was approved.

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor the proposal from Connelly & Wicker for the splash park in the amount of \$59,007 was approved.

## **6. Requisition Summary**

On MOTION by Mr. Fitzgerald seconded by Mr. Morris with all in favor requisitions 18 – 23 from the 2019C construction account in the amount of \$399,967.69 and requisitions 727-730 from the impact fee account in the amount of \$137,682.49 were approved.

### **C. Manager**

Mr. Perry stated hopefully, we will be able to continue to conduct our meetings now that we have the ability to have quorum with telephonic means. We will keep the board members apprised if things change.

### **D. Community Manager Report**

Mr. David Ray stated on March 16<sup>th</sup> the district closed all amenities and canceled all events and activities until further notice.

On MOTION by Mr. Morris seconded by Mr. Fitzgerald with all in favor the bid documents for the aquatic playground equipment was approved in substantial form and the chairman was authorized to finalize the RFP.

## **ELEVENTH ORDER OF BUSINESS                      Financial Reports**

### **A. Balance Sheet as of February 29, 2020 and Statement of Revenues and Expenditures for the Period Ended February 29, 2020**

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

**B. Construction Schedule – February 29, 2020**

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 Mr. Ray seconded by Mr. Morris with all in favor the check register approved.

**TWELFTH ORDER OF BUSINESS                      Other Business**

There being none, the next item followed.

**THIRTEENTH ORDER OF BUSINESS            Supervisor's Requests and Audience Comments**

There being none, the next item followed.

**FOURTEENTH ORDER OF BUSINESS        Next Schedule Regular Meeting – April 28, 2020 at 3:00 p.m. at the Nocatee Amenity Center**

Mr. Perry stated our next regularly scheduled meeting is going to be April 28, 2020 at 3:00 p.m. but the board is entertaining a motion to continue this meeting to April 14, 2020 at 1:00 p.m. at this location.

On MOTION by Mr. Ray seconded by Mr. Morris with all in favor the meeting was continued to April 14, 2020 at 1:00 p.m. at the same location.

  
\_\_\_\_\_  
Secretary/Assistant Secretary

  
\_\_\_\_\_  
Chairman/Vice Chairman