

Minutes of Meeting
Tolomato
Community Development District

The regular meeting of the Board of Supervisors of the Tolomato Community Development District was held Tuesday April 26, 2022 at 3:00 p.m. in the Nocatee Amenity Center, 245 Nocatee Center Way, Ponte Vedra, Florida.

Present and constituting a quorum were:

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| Richard T. Ray | Chairman |
| William Fitzgerald | Vice Chairman |
| Dr. Ron Howland | Assistant Secretary |

Also present were:

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| Jim Perry | District Manager |
| Katie Buchanan | District Counsel by telephone |
| Scott Wild | District Engineer |
| Lee Hovis | Tolomato |
| Tina Burleigh | Tolomato |
| Kelsie Westbrook | Tolomato |
| Burke Bell | Tolomato |
| Cody Cabet | Tolomato |
| David Ray | GMS |
| Justin Williams | Connelly & Wicker |
| Maurice Rudolph | Parc Group |
| Joe Muhl | Parc Group |

The following is a summary of the actions taken at the April 26, 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 packages.

THIRD ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the March 22, 2022 meeting

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

FIFTH ORDER OF BUSINESS

Public Hearing Regarding Refunding of Series 2022C Bonds

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

A. Presentation of Supplemental Engineer's Report

B. Presentation of Supplemental Assessment Methodology 2922C

Mr. Perry stated included in the agenda is corrective Resolution 2022-27; the previous supplemental engineer's report and supplemental assessment methodology that were reviewed with the board on the issue of the 2022C Bonds are not included in your package, there have been no changes.

Ms. Buchanan stated the resolution adopts the revised supplemental assessment resolution, it is intended to supplement the original assessment resolution that was previously adopted; this is not intended to undo the prior assessment hearings that we had. The district's intent is to correct the one error we had in the legal description for the 2022C Bonds. We are in a public hearing and at the original hearing we did take testimony from the district manager and district engineer and rather than having them repeat the testimony I would appreciate if the engineer and manager could confirm for the record that their testimony would be unchanged.

Mr. Perry stated I do confirm that what was presented previously is correct and there are no additional changes.

Mr. Wild stated as district engineer, I concur.

Mr. Perry stated there are no members of the public here today who want to address this situation.

C. Consideration of Corrective Resolution 2022-27

On MOTION by Mr. Fitzgerald seconded by Mr. Howland with all in favor Resolution 2022-27 was approved.

On MOTION by Mr. Howland seconded by Mr. Ray with all in favor the public hearing was closed.

SIXTH ORDER OF BUSINESS

Acceptance of the Final Fiscal Year 2021 Audit Report

Mr. Perry stated there are no findings or recommendations in the audit report and this is referred to as a clean opinion.

On MOTION by Mr. Fitzgerald seconded by Mr. Ray with all in favor the final fiscal year 2021 audit report was accepted.

SEVENTH ORDER OF BUSINESS

Resolution 2022-28, 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 2022-28 was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Deed to CDD for Sandy Ridge North Greenway Parcels

On MOTION by Mr. Ray seconded by Mr. Howland with all in favor the deed for Sandy Ridge North greenway parcels was accepted.

NINTH ORDER OF BUSINESS

Consideration of Cost Certification for Crosswater Phase 6 Roads (Settlers Landing CDD Road)

This item deferred.

TENTH ORDER OF BUSINESS

Consideration of Cost Certification for Nocatee Town Center West Roads (West End Roads-Cool Spring Avenue, Nocatee Village Drive, Cabana Drive, Park Center Avenue and Sky Crest Lane)

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor the cost certification for Nocatee Town Center West Roads, (West End Roads-Cool Spring Avenue, Nocatee Village Drive, Cabana Drive, Park Center Avenue and Sky Crest Lane) in the amount of \$1,615,821.84 was approved.

ELEVENTH ORDER OF BUSINESS

Consideration of Cost Certification for Nocatee Town Center West Roads (Colonnade Drive)

On MOTION by Mr. Ray seconded by Mr. Howland with all in favor the cost certification for Nocatee Town Center West Roads (Colonnade Drive) in the amount of \$1,768,413.71 was approved.

TWELFTH ORDER OF BUSINESS

Consideration of Cost Certification for Western Interchange Access Road and Lift Station (Burbank Avenue)

On MOTION by Mr. Ray seconded by Mr. Howland with all in favor the cost certification for Western Interchange Access Road and lift station (Burbank Avenue) in the amount of \$3,379,921.63 was approved.

THIRTEENTH ORDER OF BUSINESS

Consideration of Cost Certification for Crosswater Roads (Crosswater Parkway Extension to Pine Island Road, Pine Island Road Cart Path and Pine Island Road Extension to US1-Paving)

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor the cost certification for Crosswater Roads (Crosswater Parkway Extension to Pine Island Road, Pine Island Road Cart Path and Pine Island Road Extension to US1-paving) in the amount of \$8,376,361.09 was approved.

**FOURTEENTH ORDER OF BUSINESS Consideration of Resolution 2022-29
Ratifying the Sale of Series 2022 Bonds**

On MOTION by Mr. Fitzgerald seconded by Mr. Howland with all in favor Resolution 2022-29 was approved.

**FIFTEENTH ORDER OF BUSINESS Consideration of Amended & Restated
Disclosure of Public Financing**

This item deferred.

SIXTEENTH ORDER OF BUSINESS Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

1. Construction Updates

2. Requisition Summary

Mr. Wild read into the record the requisition summary for the 2019A and 2022A construction accounts.

Mr. David Ray asked since we just approved \$9,850,000 of cost certification reimbursements to be paid from the series 2022 bonds, would it be possible to get authorization for payment at this time?

Mr. Ray asked what is left? The cost certification is here and it has been approved.

Mr. Perry asked Katie are there any other documents you are going to need regarding that?

Ms. Buchanan stated I don't think so, we just need a standard requisition. To the extent the costs were approved and we can delegate authority to the chairman to finalize the form of the requisition, I think that covers it.

Mr. Ray stated of the total a certain amount will be paid out of bond proceeds and a certain amount is going to be issuance of impact fee vouchers. What we are doing is authorizing both those to take place.

Mr. David Ray stated to be paid out of the series 2022 bond proceeds, 2022 A B C some form of that \$9,850,000 and the other cost certifications approved today that would go toward future impact fee credits total \$5,290,518.27.

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor the chairman was authorized to finalize any documentation after the board meeting which would authorize the payment of the \$9,850,000 out of the bond proceeds and the \$5,290,518.27 would be the issuance of additional impact fee credits.

Mr. Wild stated I will prepare the requisition and get it to you for signature and we will get it to the trustee and I will bring it back next month for ratification.

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor the requisition summary, copy of which is attached was approved.

C. Manager

There being none, the next item followed.

D. Community Manager Report

1. Discussion of Reserves and Fixed Assets

Mr. David Ray reviewed the maintenance schedule of the district’s fixed assets and funding source that will be brought back to the board at a future meeting for approval.

2. Kitchen Exhaust System Cleaning Service Agreement

On MOTION by Mr. Ray seconded by Mr. Howland with all in favor the kitchen exhaust system cleaning service agreement with Commercial Fire, LLC for four cleanings in both hood systems was approved.

3. Report

Mr. Hovis stated we planned for another vehicle this year for the maintenance department and we were able to get one under state contract for \$27,000.

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor the purchase of the new truck for the maintenance department in the amount of \$27,000 was ratified.

The recorder stopped after this item.

SEVENTEENTH ORDER OF BUSINESS Financial Reports

A. Balance Sheet as of March 31, 2022 and Statement of Revenues and Expenditures for the Period Ended March 31, 2022

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

B. Construction Schedule – March 31, 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 Mr. Ray seconded by Mr. Howland 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

There being none the next item followed.

TWENTIETH ORDER OF BUSINESS

Next Scheduled Regular Meeting – May 24, 2022 at 3:00 p.m. at the Nocatee Amenity Center

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor the meeting adjourned.


Secretary Assistant Secretary


Chairman/Vice Chairman