

Minutes of Meeting
Tolomato
Community Development District

The regular meeting of the Board of Supervisors of the Tolomato Community Development District was held Tuesday July 27, 2021 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
Cherya Cavanaugh	Supervisor
Dr. Ron Howland	Supervisor

Also present were:

Jim Perry	District Manager
Katie Buchanan	District Counsel
Don Craig	England-Thims & Miller
Grant Bedslow	England-Thims & Miller
Steve Hanson	Tolomato
Lee Hovis	Tolomato
David Eldredge	Tolomato
David Ray	GMS, LLC
Maurice Rudolph	Parc Group
Joe Muhl	Parc Group

The following is a summary of the actions taken at the July 27, 2021 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 and public hearings 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 June 22, 2021 meeting

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor the minutes of the June 22, 2021 meeting were approved as presented.

FIFTH ORDER OF BUSINESS

Public Hearing Expressing the Intent to Utilize the Uniform Method of Collection of Non-Ad Valorem Assessments Resolution 2021-06

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

Ms. Buchanan stated we had a boundary amendment, which would require us to have a public hearing to then collect the assessments via the tax roll. We have done that for most of the district's boundaries, this is just an administrative cleanup item to allow all the district's lands to go on the tax roll when the time is appropriate.

There were no members of the public present to comment.

On MOTION by Mr. Ray seconded by Ms. Cavanaugh with all in favor Resolution 2021-06 was approved.

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

SIXTH ORDER OF BUSINESS

Public Hearing Adopting the Budget for Fiscal Year 2022 and Considering Imposition of Special Assessments

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

A. Consideration of Resolution 2021-07 Relating to the Annual Appropriations and Adopting the Budget for Fiscal Year 2022

Mr. Perry stated you have a copy of the resolution and the proposed budget for adoption in the agenda package. Several line items were adjusted, the biggest is related to staffing levels and minimum wage adjustments. There is no increase in assessments for individual lot owners or landowners this year.

On MOTION by Mr. Ray seconded by Ms. Cavanaugh with all in favor Resolution 2021-07 was approved.

B. Consideration of Resolution 2021-08 Imposing Special Assessments and Certifying an Assessment Roll

Mr. Perry stated Resolution 2021-08 imposes the special assessments and certifies the assessment roll.

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor Resolution 2021-08 was approved.

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

Resolution 2021-09

Ms. Buchanan stated Resolution 2021-09 was distributed prior to the meeting and what we would like to do is allow for the developer and district to work together and given the opportunity have the developer donate lands to the district in exchange for credit against special assessments. I want to clarify that it is not going to be credit against special assessments that currently exist because we would need to have those debt service funds to satisfy the district's debt service obligation. An example is that there may be a neighborhood that is constructed within the district that wouldn't be desirable to put the master assessment that currently exists on that property. The developer may request the district instead put a neighborhood lien on that property so the people within the community would still be paying an assessment similar to everyone else in the community, they would still be buying into the district's improvement plan but they would not be buying into the same improvement plan. To a normal person that seems fair, everybody is paying a certain amount that is roughly appropriate based on the methodology but to the lawyer in the

room it makes me concerned that everybody isn't buying into the same system because you have the neighborhood system and the master system. What we are doing here is allowing the developer to donate the land to us in exchange for a contribution and an offset on the master system, which would allow them to move forward on the neighborhood system, which practically gets the same end result. The developer will have to come back to us with a plan and we would have to incorporate it into an assessment methodology to actually move forward affirmatively with it. This is an agreement to try to agree.

Mr. Ray stated from a resident's perspective their assessments will be exactly the same as it would be, the difference is this will not be applied to master infrastructure, it will be applied to neighborhood infrastructure.

Ms. Buchanan reviewed in detail Resolution 2021-09 and stated the deeds we have in the agenda package under items 12, 13, 14 and 15 are included in Exhibit B to the Resolution and that would be the Conservation Trail pond, which is item 76, Conservation Trail 71 which is the Extension right of way, Crosswater Phase 4 is no. 65, the appraisal and borrow pits and upland buffer would be no. 77. The first four in the appraisal are also the first four in your agenda package. No. 11 we are tabling, 12, 13 and 14 were not included in the appraisal that I have in front of you but are forthcoming shortly and that is what necessitates our request to modify the language slightly to allow both this appraisal and the additional appraisal that we would be acquiring.

This doesn't lock us into a \$13 million credit in your assessments, this is where the developer will bring back a request when it is time can we incorporate the amount that is necessary to make the financing feasible then we will approve that methodology at that time.

On MOTION by Mr. Ray seconded by Ms. Cavanaugh with all in favor Resolution 2021-09 was approved as amended.

SEVENTH ORDER OF BUSINESS

Consideration of Deed Transfer of Conservation Trail Pond to the CDD

EIGHTH ORDER OF BUSINESS

Consideration of Deed Transfer of Conservation Trail to the CDD

NINTH ORDER OF BUSINESS

Consideration of Deed Transfer of Crosswater Phase Four to the CDD

TENTH ORDER OF BUSINESS

Consideration of Deed to Two Small Borrow Pits and Upland Buffer – Pine Island

On MOTION by Mr. Ray seconded by Mr. Howland with all in favor (item 7) the special warranty deed for Conservation Trail, (item 8) the Deed of Dedication for Conservation Trail, (item 9) the Deed of Dedication of Crosswater Phase Four and (item 10) the deed of dedication for two small borrow pits and upland buffer – Pine Island from Sonoc Company, LLC, Seabrook Park Deed to be recorded (item 12), special warranty deed – Nocatee parkway ponds (item 13) and special warrant deed – Valley Ridge Boulevard pond (item 14) were accepted.

ELEVENTH ORDER OF BUSINESS

Consideration of Deed for Large Greenway Area North of the Parkway

This item tabled.

TWELFTH ORDER OF BUSINESS

Consideration of Seabrook Park Deed to be Recorded

This item taken up under item 10.

THIRTEENTH ORDER OF BUSINESS

Consideration of Special Warranty Deed – Nocatee Parkway Ponds

This item taken up under item 10.

FOURTEENTH ORDER OF BUSINESS

Consideration of Special Warranty Deed – Valley Ridge Boulevard Pond

This item taken up under item 10.

FIFTEENTH ORDER OF BUSINESS

Consideration of Developer Funding Agreement for Work Authorization 131 Ranch Road

Ms. Buchanan stated this funding agreement is for the feasibility analysis, design, engineering and permitting of the water main loop that will extend north of Snowden Village through Ranch Road to Preservation Trail. The one distinction I will note is that when you go to

paragraph 2 again there is a maximum amount of obligation of \$375,000 the developer would agree to pay and in paragraph 3 you will note as we discussed on the record, the repayment may come through either (1) cash reimbursement from the district should we have cash available or (2) an assignment of impact fee credits.

On MOTION by Mr. Ray seconded by Mr. Fitzgerald with all in favor the developer funding agreement for work authorization 131, Ranch Road with Sonoc, Company, LLC was approved.

SIXTEENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

1. Construction Updates

2. Consideration of Change Orders

3. Consideration of Work Authorizations

On MOTION by Mr. Ray seconded by Ms. Cavanaugh with all in favor the work authorization from Basham & Lucas in the amount of \$10,000 and work authorization from Connelly & Wicker in the amount of \$10,000 were approved.

4. Requisition Summary

On MOTION by Ms. Cavanaugh seconded by Mr. Ray 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

A copy of the community manager’s report was included in the agenda package.

SEVENTEENTH ORDER OF BUSINESS Financial Reports

A. Balance Sheet as of June 30, 2021 and Statement of Revenues and Expenditures for the Period Ended June 30, 2021

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

B. Construction Schedule – June 30, 2021

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 – August 24, 2021 at 3:00 p.m. at the Nocatee Amenity Center

Mr. Perry stated the next scheduled meeting is August 24, 2021 at 3:00 p.m. in the same location.

On MOTION by Mr. Ray seconded by Ms. Cavanaugh with all in favor the meeting adjourned at 3:45 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman