



The Water Cooperative of Central Florida
Wednesday February 21, 2024
Commencing at 2.00pm
Toho Administration Building
951 MLK Boulevard, Kissimmee, FL 34741

The Water Cooperative of Central Florida (WCCF) Board of Supervisors will hold a regular Board meeting, commencing at 2 p.m. on Wednesday, February 21, 2024.

In addition to in-person attendance, members of the public may also 'hear' this meeting by telephone or virtually through the Internet. Public comments will only be accepted from in-person attendees.

Those who wish to address the Board and provide public comment must attend in-person. Anyone desiring to provide public comment on a matter not on the agenda must attend in person and submit a completed Hear the Audience Form.

Those interested in attending by phone can do so by dialing [1-650-429-3300](tel:1-650-429-3300) then entering the access code: [#](tel:26329753782).

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The Water Cooperative of Central Florida
Wednesday, February 21, 2024 - Commencing 2.00PM
Toho Administration Building, 951 MLK Jr Blvd., Kissimmee FL 34741

Meeting Agenda

MEETING CALLED TO ORDER

MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE

ROLL CALL / CONFIRMATION OF QUORUM

ELECTION OF BOARD OFFICERS FY24 – Chair, Vice Chair, Secretary.

HEAR THE AUDIENCE

ITEMS REQUIRING BOARD ACTION:

1. APPROVAL OF WATER COOPERATIVE MINUTES OF OCTOBER 4, 2023 (SMITH)
2. APPROVAL OF REIMBURSEMENT OF EXPENDITURES TO DATE BY TOHO WATER AUTHORITY ON BEHALF OF THE WATER COOPERATIVE OF CENTRAL FLORIDA (GREEN)
3. APPROVAL OF RESOLUTION OF THE WATER COOPERATIVE OF CENTRAL FLORIDA REGARDING EXECUTION OF AMENDMENTS TO CYPRESS LAKE ALTERNATIVE WATER SUPPLY AGREEMENT AND EXECUTION OF AGREEMENTS AND AMENDMENTS IN GENERAL (ALDERMAN)

INFORMATIONAL ITEMS:

4. CYPRESS LAKE ALTERNATIVE WATER SUPPLY PROJECT UPDATE (BEATTY)

BOARD MEMBER ANNOUNCEMENTS

NEXT BOARD MEETING: WEDNESDAY, APRIL 10, 2024

ADJOURNMENT

WATER CO-OPERATIVE OF CENTRAL FLORIDA

Meeting Date: February 21, 2024

Agenda Item No. 1

Attachments: Minutes from October 4, 2023

Title: APPROVAL OF THE WCCF MEETING MINUTES OF October 4, 2023

Explanation:

At every Board meeting, the meeting is recorded and minutes are prepared from the recording of the proceedings. Attached are the minutes from the October 4, 2023 Board Meeting.

Costs: None

Recommendation: Seeking Board approval of the WCCF meeting minutes of October 4, 2023

Initials: as



Minutes of the October 4, 2023 Meeting of the Water Cooperative of Central Florida

Description: Regular meeting of the Water Cooperative of Central Florida (WCCF).

Board Members present: Secretary Hector Lizasuain, Commissioner Neil Combee, Commissioner Nicole Wilson.

Board Members absent: Chair Linette Matheny.

Staff Present: Toho Water Authority Executive Director Todd P. Swingle, Toho Water General Counsel Anthony J. Cotter, Toho Water Cypress Lake Project Manager Deb Beatty, Board Counsel Silvia Alderman (Remote), Executive Assistant Alison Smith.

Staff Absent: None.

Secretary Lizasuain opened the meeting at 2:19 pm. Roll call was completed, with Chair Matheny on vacation, and quorum was confirmed.

Item #	Item Name	Notes
	Election of Board Officers for FY24	<p>This discussion was tabled to the next WCCF Board meeting, in order to have Chair Matheny's input.</p> <p>Motion to address Election of Board Officers for FY2024 at the next WCCF Board meeting was made by Commissioner Wilson. Motion seconded by Commissioner Combee. Motion passed 3-0.</p>
1.	Approval of WCCF Meeting Minutes of August 10, 2023 (Smith)	<p>Motion to Approve Water Cooperative Meeting Minutes by Commissioner Combee. Motion seconded by Commissioner Wilson. Motion passed 3-0.</p> <p>Secretary Lizasuain requested that, due to time constraints, the CLAWS Project Update be moved to the end of the Agenda and the Board agreed this re-order of the Agenda items.</p>
2.	Approval of Reimbursement of Expenditures to date by Toho Water Authority on behalf of the Water Cooperative of Central Florida (Green)	<p>Executive Director Swingle provided a brief outline of the request for reimbursement of expenditures, on behalf of the WCCF, by Toho.</p> <p>Motion to Approve Reimbursement of Expenditures by Secretary Lizasuain. Motion seconded by Commissioner Wilson. Motion passed 3-0.</p>
3.	Approval of Sixth Amendment to the Cypress Lake Interlocal Agreement (Beatty)	Executive Director Swingle confirmed that this Sixth Amendment had been before all party Boards, and allows Toho to continue to move forward with the Project, including obtaining grant monies and construction administration to water main and other projects. Only related to the Sixth Amendment.

		Motion to Approve Sixth Amendment of the Cypress Lake ILA made by Commissioner Combee. Motion seconded by Commissioner Wilson. Motion passed 3-0
4.	Approval of Resolution of the Water Cooperative of Central Florida regarding execution of Amendments to Cypress Lake Alternative Water Supply Agreement and execution of Agreements and Amendments in general (Alderman)	<p>This item would be addressed at the next meeting, to allow Chair Matheny to participate in the decision.</p> <p>Motion to address Resolution of WCCF regarding execution of Amendments to Cypress Lake Alternative Water Supply Agreement and execution of Agreements and Amendments in general, at the next WCCF Board meeting, was made by Commissioner Wilson. Motion seconded by Commissioner Combee. Motion passed 3-0.</p>
5.	Cypress Lake alternative water supply project update (Beatty)	<p>Deb Beatty presented the Cypress Lake Project Update</p> <p>Contract operational firms will provide life cycle analysis as part of AWS activities. With CMAR, Wharton Smith, they manage liaising with subs and looking at PDR to recommend any design changes, including improved design receipts and permitting speeds.</p> <p>A master cost agreement enables us to take sub agreements to our individual Boards too. WDMF provided \$2.5m for injection well and funds were distributed proportionately to the benefit of the group. \$3m received in grants for the production wells, also to be divided between the group.</p> <p>No questions were received from the Board. The very comprehensive update was appreciated and Executive Director Swingle advised that preliminary discussions took place with Senators Soto, Scott and Rubio - we are working toward including this into WRDA for potential funding.</p>
6.	Approval of the selection of Wharton Smith to provide construction manager at risk services for the Cypress Lake Alternative Water Supply Project (Beatty)	<p>Deb Beatty provided an update. Wharton Smith staff costs were around a third of the opposition, along with preferred fees. The request of the WCCF Board was to approve the selection, after due diligence, as selected CMAR.</p> <p>If approved, the Wharton Smith contract would be on the November Toho Board of Supervisors Agenda.</p> <p>Motion to Approve made by Commissioner Wilson, seconded by Commissioner Lizasuain. Motion passed 3-0</p>
7.	Selection of Proposed Meeting Dates for Board of Supervisors meeting for FY24 (Smith)	<p>The schedule for 2024 WCCF Board meeting dates was considered, which follows the usual structure for Board approved dates each year.</p> <p>Motion to approve Proposed 2024 Meeting Dates made by Chair Wilson. Motion seconded by Commissioner Lizasuain. Motion passed 3-0.</p>
8.	Approval of the WCCF Budget 2024. (Green)	<p>Executive Director Swingle outlined the Budget as presented. No questions were raised.</p> <p>Motion to approve the WCCF Budget for 2024 was made by Commission Combee. Motioned seconded by Commissioner Wilson. Motion passed 3-0.</p>

	Board Member Announcements	No comments.
8.	Next Board meeting	Proposed for Wednesday January 17, 2024

There being no further business to come before the Board, Commissioner Wilson moved to adjourn the meeting, which was adjourned at 2:31 PM.

Linette Matheny, Chair

Hector Lizasuain, Secretary

WATER COOPERATIVE OF CENTRAL FLORIDA

Meeting Date: February 21, 2024

Agenda Item No. 2

Attachments:

Itemized list of expenditures by Toho Water Authority from July 25, 2023 to January 5, 2024

Title:

APPROVAL OF REIMBURSEMENT OF EXPENDITURES TO DATE BY TOHO WATER AUTHORITY ON BEHALF OF THE WATER COOPERATIVE OF CENTRAL FLORIDA

Explanation:

The Board of Supervisors adopted a Resolution at the October 2, 2013 meeting authorizing the reimbursement of expenses incurred by Toho Water Authority (Toho) on behalf of the Water Coop on a quarterly basis. The Resolution allows Toho to submit a detailed list of expenses incurred each quarter to the Board for approval for reimbursement. Under the Resolution, Toho could be reimbursed quarterly during the year instead of once annually, as was done for the previous fiscal year. The attached list of expenditures, made to date by Toho on behalf of the Water Coop, is being submitted for approval for reimbursement.

Amount to be reimbursed:

\$3,866.28

Recommendation:

Staff recommends approval of the list of expenditures submitted to date for reimbursement to the Toho.

Initials: asg

Attachment to Item 2

Toho Water Authority List of Expenditures on behalf of the Water Cooperative of Central Florida (July 25, 2023 – January 5, 2024)

Vendor	Date	Invoice	Amount	Explanation
Osceola News Gazette	7/25/2023	F332B84E-0001	41.05	Rescheduling July 2023 meeting
FL Dept of Economic Opportunity	10/2/2023	89092	175.00	Annual fee
Akerman LLP	10/3/2023	9919732	469.00	0292530 - General representation
Simplifile	10/5/2023	FLTCBB-10052023	132.23	Filing Amendment Six, Osceola County
Simplifile	10/6/2023	FLTCBB-10062023	132.25	Filing Amendment Six, Orange County
Simplifile	10/10/2023	FLTCBB-10102023	133.25	Filing Amendment Six, Polk County
Holland & Knight	10/16/2023	2023xx219521.0000 1	2,214.00	Bond counsel services
Akerman LLP	10/31/2023	9929235	402.00	0292530 - General representation
Akerman LLP	1/5/2024	9943987	167.50	0292530 - General representation
Water Cooperative Total			\$3,866.28	
				asg

WATER CO-OPERATIVE OF CENTRAL FLORIDA

Meeting Date: February 21, 2024

Agenda Item No: 3

Attachments: Resolution 2024-001

Title:

**A RESOLUTION OF THE WATER COOPERATIVE OF CENTRAL FLORIDA
REGARDING EXECUTION OF AMENDMENTS TO THE CYPRESS LAKE
ALTERNATIVE WATER SUPPLY AGREEMENT AND EXECUTION OF
AGREEMENTS AND AMENDMENTS IN GENERAL**

Explanation:

The Board entered into the Cypress Lake Alternative Water Supply Agreement in August of 2011, and has since then executed five amendments thereto, always signed by each member of the Board. While execution by each member has afforded certain ceremonial embellishment to the Cypress Lake Alternative Water Supply Agreement ("Agreement"), it is only necessary for the Chair to sign such documents with the attestation of the Secretary.

In the interest of administrative efficiency and expediency, execution of amendments to the Agreement (or entry of any other agreements or amendments), it is appropriate to dispense with the custom of having every Board member execute the Agreement or any other agreement or amendments thereto and the lack of such multiple execution does not affect the validity of an agreement or amendment thereto.

The purpose of the resolution before you is to direct that agreements, amendments and other documents that are not delegated for execution by the Executive Director be executed by the Chair and attested to by the Secretary of the Board and that lack of signature by each and every member does not affect the validity of an agreement or amendment thereto, whether previously entered into or to be entered into in the future.

Costs: None

Recommendation: Approve the resolution

Initials: sa

RESOLUTION NO. 2024-001

A RESOLUTION OF THE WATER COOPERATIVE OF CENTRAL FLORIDA REGARDING EXECUTION OF AMENDMENTS TO THE CYPRESS LAKE ALTERNATIVE WATER SUPPLY AGREEMENT AND EXECUTION OF AGREEMENTS AND AMENDMENTS IN GENERAL

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE WATER COOPERATIVE OF CENTRAL FLORIDA:

SECTION 1. AUTHORITY. This resolution is adopted pursuant to the authority granted to the Board of Supervisors ("Board") of the Water Cooperative of Central Florida by the Interlocal Agreement Relating to the Establishment of the Water Cooperative of Central Florida by and among the City of St. Cloud, Florida, Tohopekaliga Water Authority, Orange County and Polk County Florida.

SECTION 2. FINDINGS. It is hereby ascertained, determined and declared by the Board that:

- (A) The Board entered into the Cypress Lake Alternative Water Supply Agreement in August of 2011, and has since then executed five amendments thereto, always signed by each member of the Board.
- (B) While execution by each member has afforded certain ceremonial embellishment to the Cypress Lake Alternative Water Supply Agreement ("Agreement"), it is only necessary for the Chair to sign such documents with the attestation of the Secretary.
- (C) In the interest of administrative efficiency and expediency, execution of amendments to the Agreement (or entry of any other agreements or amendments), it is appropriate to dispense with the custom of having every Board member execute the Agreement or any other agreement or amendments thereto and the lack of such multiple execution does not affect the validity of an agreement or amendment thereto.

SECTION 3. RESOLUTION. The Board hereby resolves that agreements, amendments and other documents that are not delegated for execution by the Executive Director shall be executed by the Chair and attested to by the Secretary of the Board and that lack of signature by each and every member does not affect the validity of an agreement or amendment thereto, whether previously entered into or to be entered into in the future.

SECTION 4. EFFECTIVE DATE. This resolution takes effect upon its approval by vote of the Board.

PASSED AND DULY ADOPTED BY THE BOARD ON THE _____ DAY OF _____ 2024.

THE WATER COOPERATIVE OF CENTRAL FLORIDA

By: its Board of Supervisors

Linette Matheny

Nicole Wilson

Neil Combee

Hector Lizasuain

WATER COOPERATIVE OF CENTRAL FLORIDA

Meeting Date: February 21, 2024

Agenda Item No. 4

Attachments: None

Title:

CYPRESS LAKE ALTERNATIVE WATER SUPPLY PROJECT UPDATE

Explanation:

Deborah Beatty, Toho Project Manager for the Cypress Lake Alternative Water Supply (CL AWS) Project, will provide a brief update on the status of the project progress since the October 4, 2023 Water Cooperative Board meeting as well as discussion on related agreements and business matters.

Costs:

None.

Recommendation:

No action required by the Board.

Initials: dab