



**Board of Supervisors
Regular Meeting Minutes
September 09, 2026**

951 Martin Luther King Boulevard, Kissimmee, FL 34741

www.tohowater.com 407.944.5000

Present:

Chairman

Thacker Vice

Chair Ketchum

Supervisor

Lizasuaín

Assistant Secretary Askew

Secretary White

Absent: Supervisor Fetzer and Supervisor Epstein

1. Meeting Called to Order

By: Chairman Thacker at 5.00 pm.

2. Moment of Silent Reflection and Pledge of Allegiance

Led by Chairman Thacker.

3. Approval of Agenda

Item 10a was pulled, and would return at a later meeting, as Toho were seeking additional guidance regarding proper processes when Board Members are engaged with the charitable organizations, to be sure of compliance.

Moved by Vice Chair Ketchum **Seconded by** Secretary White Motion to Approve the Agenda

Motion Approved

4. Awards and Presentations

a. NACWA PEAK PERFORMANCE AWARDS RECEIVED BY TOHO'S WATER RECLAIM FACILITIES.

CEO Swingle was very proud of this team for again being awarded these NACWA awards, recognizing their compliance initiatives. Gold Awards went to Sandhill, Parkway, Lake Marion, Sunbridge and Cypress West WRFs. Silver Awards went to Camelot, Harmony and South Bermuda WRFs. Staff from these facilities attended to collect the awards from the Board.

5. Public Hearing - None.

6. Hear the Audience

Meeting floor was opened for Hear the Audience. This item is for comments/questions relating to topics not listed on this meeting's Agenda.

Mr. Gore of 2900 Crane Dr, Haines City, presented an alternative to all the current well drilling to the Board. CEO Executive Director clarified that the past meetings at Toho, referred to by Mr. Gore, were CFWI meetings. Mr. Gore's comments were acknowledged; no further questions were received, and Hear the Audience was closed.

7. Consent Agenda

Moved by Vice Chair Ketchum **Seconded by** Supervisor Lizasuain
Motion to approve the Consent Agenda items

Motion Approved

a. APPROVAL OF TOHO BOARD OF SUPERVISOR'S REGULAR MEETING MINUTES FOR AUGUST 12, 2026, AND CAPITAL BUDGET WORKSHOP FOR JULY 29, 2026.

Staff recommends the approval of the Minutes from August 12, 2026, Board of Supervisors Meeting and the Capital Budget Workshop of July 29, 2026.

b. APPROVAL OF NEW STRATEGIC PLAN FY 2027 –FY 2028

Collective review and comments by Board Champions

c. APPROVAL AND EXECUTION OF A CONSTRUCTION MANAGER AT RISK GUARANTEED MAXIMUM PRICE 2 AMENDMENT WITH WHARTON SMITH INC., FOR THE SOUTHWEST WATER TREATMENT PLANT IMPROVEMENTS PROJECT.

Staff requests approval and execution of the Construction Manager at Risk GMP 2 Amendment with Wharton Smith Inc. for the Southwest WTP Improvements Project, RFQu-26-004. Staff further requests the Board to delegate authority to the CEO/ Executive Director to execute any such documents as are necessary and to expend any contingency in the GMP Amendment for the not to exceed Board approved amount.

d. ATWELL ROW CONTRACT RENEWAL

Staff requests approval and execution of the Fourth Amendment to Agreement RFQu-22-081 with Atwell LLC for right of way acquisition services. Staff further requests the Board to delegate the authority to the CEO/Executive Director to execute any such documents as are necessary to expend any funds up to the not-to-exceed Board approved amount.

e. APPROVAL OF THE RENEWAL OF TYLER TECHNOLOGY SOFTWARE (SAAS)

Staff recommends approving the Tyler Technology Software (SAAS) solution for a total of \$275,750.76. The Staff further requests a 10% contingency of \$27,575.10 and authorization for the CEO/Executive Director to execute any such documents as necessary to expend such contingency up to the total not-to-exceed amount limit approved by the Board.

f. APPROVAL AND EXECUTION OF A PROGRAM MANAGEMENT, CONSTRUCTION ADMINISTRATION, GRANT AND LOAN COMPLIANCE, AND OTHER MISCELLANEOUS RELATED SERVICES SCOPE AND TASK ORDER WITH ALAN PLUMMER AND ASSOCIATES INC.

Staff request approval and execution of a Program Management, Construction Administration, Grant and Loan Compliance, and other miscellaneous related services scope and Task Order with Alan Plummer and Associates, Inc, RFQu-24-172. Staff further requests the Board to delegate authority to the CEO/Executive Director to execute any such documents as are necessary and to expend any contingency in the Task Order for the not to exceed Board approved amount.

g. APPROVAL AND EXECUTION OF A CONSTRUCTION MANAGER AT RISK GUARANTEED MAXIMUM PRICE AMENDMENT AND TASK AUTHORIZATION WITH GARNEY COMPANIES, INC. FOR THE DYER BOULEVARD FORCE MAIN REPLACEMENT PROJECT PHASE 2 PROJECT.

Staff requests approval and execution of the Construction Manager at Risk Services GMP Amendment and Task Authorization with Garney Companies, Inc. for the Dyer Boulevard Force Main Replacement Phase 2 Project, RFQu-24-189-044. Staff further requests the Board delegate authority to the CEO/Executive Director to execute any such documents as are necessary and to expend any contingency in the GMP Amendment for the not-to-exceed Board approved GMP amount

h. APPROVAL OF DATA SHARING AGREEMENT BETWEEN OSCEOLA COUNTY AND TOHOPEKALIGA WATER AUTHORITY

Staff recommends approval of the attached data sharing agreement between Osceola County and Toho.

i. APPROVAL OF SEPTEMBER 2026 ASSET DISPOSAL

Staff recommends Board approval to dispose of the listed inventory items through donation, auction, disposal, Trade in or recycling.

j. APPROVAL AND EXECUTION OF THE FIRST AMENDMENT TO PIGGYBACK AGREEMENT WITH UNITED RENTALS (NORTH AMERICA), INC. FOR THE PROVISION OF RENTAL EQUIPMENT, PRODUCTS, AND RELATED SERVICES (PBA-25-014)

Staff recommends approval and execution of the First Amendment to PBA-25-014 Agreement with United Rentals (North America), Inc. for the provision of rental

equipment, products and related services through June 11, 2028.

k. APPROVAL AND EXECUTION OF PBA- 24-187-R2 AGREEMENT WITH GRAYBAR ELECTRIC COMPANY, INC. FOR THE PROVISION OF ELECTRICAL PRODUCTS AND SERVICES

Staff requests approval and execution of PBA-24-187-R2 Agreement with Graybar Electric Company Inc., for the provision of electrical products and services through January 31, 2029.

l. APPROVAL OF THE RANKING OF FIRMS AND THE SELECTION OF THE TOP RANKED FIRM, HAZEN & SAWYER TO PROVIDE CONSULTING SERVICES FOR THE SOUTH POINCIANA BLVD. BOOSTER PUMP STATION PROJECT.

Staff recommends Board approval of the ranking of the firms and the selection of Hazen & Sawyer as the top ranked firm for RFQu-26-005.

If a scope of services negotiation with Hazen & Sawyer cannot be concluded to staff satisfaction, staff request authorization to begin negotiations with the second-ranked firm, Ardurra Group.

m. APPROVAL AND EXECUTION OF IFB-25-033-02-R1 WITH BRENNTAG MID – SOUTH, INC. FOR THE PROVISION OF SULFURIC ACID

Staff requests approval and execution of IFB-25-33-02 agreement with Brenntag Mid-South, Inc. for the provision of sulfuric acid through December 31, 2027.

n. APPROVAL AND EXECUTION OF A DEVELOPER'S SERVICE AGREEMENT WITH EW PROPERTY HOLDINGS, LLC FOR THE EDGEWATER WEST AVENUE O ROADWAY

Staff requests approval and execution of the Edgewater West Avenue O Developer's Service Agreement with EW Property Holdings, LLC, for the Edgewater West Avenue O Roadway. Staff further requests the Board to delegate authority to the CEO/Executive Director to execute any such documents as are necessary to expend any contingency for the not to exceed Board approved amount.

o. APPROVAL OF FISCAL YEAR 2027 TECHNOLOGY PURCHASES OF SOFTWARE AND HARDWARE

Staff recommends that the Board approve an annual authorization of for Fiscal Year 2027 purchases of budgeted IT software, hardware, equipment, maintenance renewals, subscription services, additional licensing, and approved Sole Source products and services All purchases will be made in accordance with TOHO's procurement policies and established purchasing procedures using State contracts, cooperative purchasing agreements, competitive or comparative pricing, and approved Sole Source vendors, as applicable. The Staff further requests a 5% contingency cost of \$376,286.30 not to exceed the amount of \$7,902,012.30.

p. APPROVAL AND EXECUTION OF A RESOLUTION ADOPTING OSCEOLA

COUNTY'S 2025 LOCAL MITIGATION STRATEGY.

Staff requests the Board approve and execute Resolution No. 2026-005 adopting the 2025 Local Mitigation Strategy.

- q. APPROVAL OF THE RESPONSIVE LOW BIDDER, CACIQUE UTILITIES, LLC FOR THE POINCIANA PARKWAY FORCE MAIN REPLACEMENT PROJECT AND DELEGATION TO THE CEO EXECUTIVE DIRECTOR AUTHORITY TO EXECUTE THE CONSTRUCTION CONTRACT.**

Staff request the Board to approve the low responsive bid with Cacique Utilities, LLC for the Poinciana Parkway Force Main Replacement, a construction contingency and delegate authority to the CEO/Executive Director to execute the construction contract, IFB 26-007, Staff further requests the Board to delegate authority to the CEO/Executive Director to execute any such documents as are necessary to expend any contingency for the not-to-exceed Board approved funding.

- r. DELEGATION TO THE CEO/EXECUTIVE DIRECTOR AUTHORITY TO NEGOTIATE AND EXECUTE A PRECONSTRUCTION SERVICES AMENDMENT WITH CROM, LLC. FOR LS-111 REHAB IMPROVEMENTS - FINAL DESIGN AND GUARANTEED MAXIMUM PRICE DEVELOPMENT.**

Staff recommends the Board approve funding for Tasks 4 through 7, final design and development of the Guaranteed Maximum Price proposal, for the Lift station K111 Improvements Project and delegate to the CEO/Executive Director authority to negotiate the Design Build Tasks amendment, RFQU-25-004. Staff further requests the Board to delegate authority to the CEO/Executive Director to execute any such documents as are necessary and to expend any contingency in the Design Build Preconstruction Amendment for the not to exceed Board approved amount.

- s. APPROVAL AND EXECUTION OF SECOND AMENDMENT TO AGREEMENT WITH T. WAYNE HILL TRUCKING, INC. FOR ADDITIONAL FUNDS FOR THE PROVISION OF BIOSOLIDS HAULING AND PROCESSING SERVICES (BW-25-014)**

Staff recommends approval and execution of the Second Amendment to the Bid Waiver BW-25-014 Agreement with T. Wayne Hill Trucking, Inc. for the provision of Biosolids Hauling and Processing Services through September 30, 2028.

- t. APPROVAL AND EXECUTION OF A DESIGN SCOPE OF SERVICES AND TASK AUTHORIZATION WITH AECOM TECHNICAL SERVICES, INC. FOR THE NORTHWEST WATER TREATMENT PLANT PFAS TREATMENT ALTERNATIVE EVALUATION.**

Staff requests approval of a scope of services and execution of a task authorization

with AECOM for the Northwest WTP PFAS Treatment Alternative Evaluation. Staff further requests authorization for the CEO/Executive Director to execute any such documents to expend any contingency up to the total not-to-exceed amount approved by the Board.

8. Informational Presentations

a. LEGISLATIVE UPDATE REPORT

Ryan Matthews provided a high-level overview of the 2026 Florida legislative session and outlook for 2027. Key issues included property tax reform, affordability, housing and development, data centers, local government preemptions, and PFAS requirements affecting utilities. Looking ahead to 2027, Toho will focus on securing targeted funding, maintaining AWS funding, restoring water quality grants, addressing AWT requirements, and monitoring potential general fund transfer caps. Staff will also continue working with DEP on BMAP requirements and treatment of Toho facilities. The Board appreciated the update.

b. LEVEL OF SERVICE QUARTERLY PERFORMANCE PRESENTATION 2026 – 3RD FISCAL QTR

The Board received an update from Gwen Henry on Toho's KPI program and reached consensus on proposed changes to the quarterly report. The safety incident rate target was strengthened from 5 to 2.5 based on improved performance. Several service restoration and maintenance KPIs will be removed from Board reporting but continue to be monitored internally because they provide limited actionable insight or require further development. New KPIs will focus on precautionary boil water event customer impact, customer satisfaction, first call resolution, procurement solicitation time, and billing error credits. Staff will continue refining maintenance metrics as programs and data collection mature. Board consensus was provided for the changes included in the presentation.

c. CUSTOMER SERVICE UPDATE

Heather Havey and Terry Frazier presented the Customer Service update. Customer survey results improved overall, with strong gains in residential and field services, while commercial feedback highlighted communication and website concerns. FY27 priorities include improving customer service, billing accuracy, large commercial account support, and reducing manual processes. Staff is also considering a 12-month back-billing policy and continues work toward a single CIS, payment portal, and customer portal, expecting to present a recommended roadmap by year-end.

9. Unfinished Business - None

10. New Business

a. EXTERNAL AND COMMUNITY ENGAGEMENT

This item has been pulled for further guidance on ensuring compliance where Board Members have a connection with some of the entities. The item will be returned to a future meeting once this guidance has been secured.

b. APPROVAL OF THE FISCAL YEAR 2027 BUDGET RESOLUTION 2026-004.

Staff recommends approval of the Fiscal Year 2027 Annual Budget through Resolution 2026-004 as presented, including the aforementioned final adjustments.

Tim Villarosa presented the final FY27 budget, including a net \$1 million adjustment primarily related to higher insurance costs. The budget includes \$304.6 million in operating revenues and \$511.4 million in capital spending, with key risks related to environmental compliance, IT costs, and system repairs. Staff recommended approval of the FY27 budget through Resolution 2026-004, effective October 1.

Moved by Assistant Secretary Askew

Seconded by Supervisor Lizasuain

Motion Approved

c. BOARD INPUT ON THE GENERAL COUNSEL AND CEO/EXECUTIVE DIRECTOR ANNUAL REVIEWS.

Motion for increases for CEO Swingle at 3.05% and General Counsel Brewer of 5%. The Board reviewed the annual performance evaluations for the CEO/Executive Director and General Counsel, with positive feedback for both. Proposed salary increases were 3.05% for the CEO/Executive Director and 5% for the General Counsel, reflecting employee increases and the General Counsel's recent appointment.

Moved by Chairman Thacker

Seconded by Secretary White

Motion Approved

11. Staff Report

a. MONTHLY FINANCIAL AND STATISTICAL SUMMARY THROUGH 07.31.26

For informational purposes. No action required by the Board.

b. SPECIAL DISTRICT GOAL REPORTING HIGH RECLAIM USERS

For informational purposes. No action required by the Board.

c. INFRASTRUCTURE EMERGENCY REPAIR STATUS.

Informational only, no action required by the Board.

12. Comments

Board Officials: Vice Chair Ketchum welcomed Terry Frazier to the organization, great engagement and will surely bring great improvements.

Executive Director/CEO: Appreciated the continued confidence and feedback. The Board support is important, with a fabulous team that continues to grow and evolve each year. Toho's AAA ratings from S&P and Fitch were reaffirmed for the 2026B bond issue. Staff also assisted the Zentury City community with a private-system cross-connection issue and were recognized by HCA Hospital in Poinciana for quickly restoring water service following a private water main break, avoiding a potential hospital evacuation.

General Counsel: Appreciated the confidence and the feedback, during his time with Toho.

13. Upcoming Events

Toho Game of the Week - Liberty vs Nova Lakes 9/11/26

Fandom Kissimmee 2026 9/12/26

Toho Game of the Week - Poinciana vs Gateway 9/18/26

City of St. Cloud Stormwater Awareness 9/24/26

Soldier City Market 9/26/26

Toho Game of the Week - Gateway vs St. Cloud 10/02/26

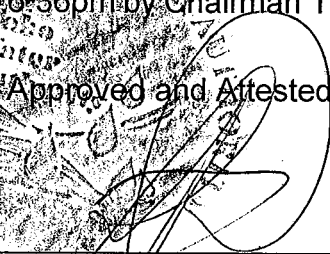
Viva Osceola 10/04/26

Toho Water Board Meeting 10/14/26

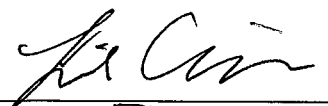
14. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 6:36pm by Chairman Thacker.

Approved and Attested by:



DANIEL KETCHUM
Henry Thacker, Chair



TOM WHITE
Tom White, Secretary