



The Water Cooperative of Central Florida  
Wednesday, June 5, 2019 2:00 PM  
Toho Water Authority Administration Building  
951 MLK Boulevard  
Kissimmee, FL 34741

## **Agenda**

- A. PRESENTATION:  
CYPRESS LAKE AWS PROJECT UPDATE AND DISCUSSION OF  
AMENDMENT #4 TO THE CYPRESS LAKE INTERLOCAL AGREEMENT
- B. ITEMS FOR BOARD ACTION:
  - (1) APPROVAL OF BOARD MEETING MINUTES FROM APRIL 12, 2019
  - (2) APPROVAL OF REIMBURSEMENT OF EXPENDITURES TO DATE  
BY TOHO WATER AUTHORITY ON BEHALF OF THE WATER  
COOPERATIVE OF CENTRAL FLORIDA
  - (3) ADOPTION OF FY2019 BUDGET
  - (4) PROPOSED FY2020 BUDGET
  - (5) DESIGNATING A NEW REGISTERED AGENT AND REGISTERED  
OFFICE
- C. BOARD MEMBER ANNOUNCEMENTS
- D. ADJOURNMENT

# WATER CO-OPERATIVE OF CENTRAL FLORIDA

**Meeting Date:** June 5, 2019

**Agenda Item No.**    **A**

**Attachments:** NONE

**Title:** PRESENTATION - CYPRESS LAKE ALTERNATIVE WATER SUPPLY PROJECT UPDATE AND DISCUSSION OF AMENDMENT #4

**Explanation:**

Ms. Deborah Beatty, project manager for the Cypress Lake Alternative Water Supply Project, will provide a brief update on the status of the project and progress since the April 12, 2019 Water Cooperative Board meeting. Included will be an overview of the draft Fourth Amendment to the Cypress Lake Interlocal Agreement, currently in development. The Fourth Amendment will establish funding for consulting services as the project moves into the design phase.

**Costs:** None at this time

**Recommendation:** No action required by the Board

**Initials:** dab

## WATER CO-OPERATIVE OF CENTRAL FLORIDA

**Meeting Date:** June 5, 2019

**Agenda Item No.**    **1**

**Attachments:** Minutes from April 12, 2019

**Title:** APPROVAL OF THE WCCF MEETING MINUTES OF APRIL 12, 2019

**Explanation:**

At every Board meeting, both taped and typed minutes are prepared of the proceedings. Attached are the typed minutes from the April 12, 2019 Board meeting.

**Costs:** N/A

**Recommendation:** Seeking Board approval of the WCCF meeting minutes of April 12, 2019.

Initials: ncd

<b>Description</b>		Regular meeting of the Water Cooperative of Central Florida (WCCF). Present at the meeting were Polk County Commissioner Rick Wilson, Orange County Commissioner Betsy VanderLey, City of St. Cloud Commissioner Linette Matheny, Toho Water Authority Supervisor Hector Lizasuain, Toho Water Authority (TWA) Executive Director Todd P. Swingle, Silvia Alderman, WCCF Counsel, and TWA General Counsel Anthony J. Cotter. Absent from the meeting was City of St. Cloud Commissioner Linette Matheny.
<b>Date</b>	04/12/2019	<b>Location:</b> Bruce R. Van Meter Board Room
	<b>ITEM</b>	<b>NOTES</b>
2:00 PM	SWEARING IN OF NEW MEMBERS	New members (Supervisors): Polk County Commissioner Rick Wilson, Orange County Commissioner Betsy VanderLey, and Toho Water Authority Supervisor Hector Lizasuain were sworn in prior to opening the meeting.
2:05 PM	MEETING CALLED TO ORDER	Meeting called to order at 2:05 PM by TWA Executive Director, Mr. Swingle.
	SELECTION OF THE CHAIR AND OTHER OFFICERS	Selection of the Chair was introduced by Mr. Swingle, and followed by discussion of the Supervisors. Supervisor VanderLey nominated Supervisor Matheny in her absence, motioned seconded by Supervisor Wilson, followed by Board discussion and withdrawal of motion and second because motion was made in jest due to absence of Supervisor. Supervisor Wilson nominated Supervisor VanderLey for position of Chair, seconded by Supervisor Lizasuain. Short discussion followed and motion passed unanimously. As Chair, Supervisor VanderLey took the gavel and by motion nominated Supervisor Wilson for Vice-Chair. Supervisor Lizasuain seconded the motion. Motion passed unanimously. Chair VanderLey asked for nomination for Secretary. Supervisor Wilson made a motion to nominate Supervisor Lizasuain, seconded by Supervisor VanderLey. Motion was approved unanimously.

	EXECUTIVE DIRECTOR REQUESTED A CHANGE IN ORDER OF THE AGENDA	Due to Supervisor Wilson having to leave the meeting early due to a pre-existing conflict, the agenda was modified to consider the business items requiring action ahead of the presentations.
ITEMS FOR BOARD ACTION	1. APPROVAL OF THE BOARD MEETING MINUTES FROM JULY 11, 2018	Commissioner Wilson moved for approval of the meeting minutes from the Water Cooperative Board meeting of July 11, 2018 as circulated. Commissioner Lizasuain seconded the motion. Motion passed 3 to 0.
	2. APPROVAL OF REIMBURSEMENT OF EXPENDITURES TO DATE BY TOHO WATER AUTHORITY ON BEHALF OF THE WATER COOPERATIVE OF CENTRAL FLORIDA	TWA Executive Director Todd P. Swingle, Agent for the WCCF, summarized the expenditures TWA made on behalf of the WCCF from June 29, 2018 – January 7, 2019 submitted for reimbursement. The total amount of expenditures for the period was \$12,065.96. Executive Director Swingle reported that the majority of the expenses were for legal fees related to representation for the Central Florida Water Initiative. Supervisor Wilson moved for approval of the reimbursement to TWA; Supervisor Lizasuain seconded the motion. Motion passed 3 to 0.
	3. APPROVAL OF PREQUALIFICATION OF WELL DRILLER FOR CONSTRUCTION SERVICES FOR THE CYPRESS LAKE CONCENTRATE DISPOSAL WELLS	Supervisor Wilson moved for approval of the prequalification for construction services and Supervisor Lizasuain seconded the motion. Motion passed 3 to 0.
	4. APPROVAL OF SURVEYING SUPPORT SERVICES FOR CYPRESS LAKE PROJECT LAND ACQUISITION	Supervisor Wilson moved for approval of the surveying support services for the Cypress Lake Project; Supervisor Lizasuain seconded the motion. Motion passed 3 to 0. Supervisor Wilson left the meeting after the last vote.

	5. APPROVAL OF FISCAL YEAR 2019 AUDIT	Presentation made by Auditor Mike Carter with the conclusion of a clean audit report. Mr. Carter noted a correction on page 9 of the Audit Report distributed to the Board. Discussion was initiated by Mr. Swingle, with no questions on the Audit Report by the Board. Supervisor Wilson moved for approval of the 2019 fiscal year audit as the report was modified with the correction on page 9 of the Audit Report; Supervisor Lizasuain seconded the motion. Motion passed 3 to 0.
	6. SELECTION OF MEETING DATES FOR WCCF 2019	Mr. Swingle discussed proposed meeting dates and a short discussion followed. Supervisor Lizasuain moved for approval of the regular meeting schedule and Supervisor Wilson seconded the motion. Motion passed 3 to 0.
PRESENTATIONS:	HISTORY OF THE STOPR GROUP	Mr. Cotter gave a presentation on the history of the STOPR Group. Discussion followed with comments from Mr. Swingle, Mr. Cotter, and Orange County Utilities Deputy Director Teresa Remudo, PE, and discussion amongst the Board.
	CENTRAL FLORIDA WATER INITIATIVE	Ms. Alderman gave a presentation on the Central Florida Water Initiative.
	OVERVIEW OF THE WCCF	Ms. Alderman gave a presentation relating to the formation and operation of the WCCF.
	CYPRESS LAKE ALTERNATIVE WATER SUPPLY PROJECT	Mr. Swingle presented an overview of the WCCF Cypress Lake Alternative Supply Project.
Board Member Announcements	NONE	
	ADJOURNED	<p>There being no further business to come before the Board, Chair VanderLey adjourned the meeting at 3:15 PM.</p> <p>_____</p> <p>Betsey VanderLey, Chair</p> <p>_____</p> <p>Hector Lizasuain, Secretary</p>

# WATER CO-OPERATIVE OF CENTRAL FLORIDA

**Meeting Date:** June 5, 2019

**Agenda Item No. 2**

**Attachments:** Itemized list of expenditures by Toho Water Authority from February 4, 2019 – April 27, 2019

**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 (TWA) on behalf of the Water Coop on a quarterly basis. The resolution allows the Authority to submit a detailed list of expenses incurred each quarter to the Board for approval for reimbursement. Under the resolution, the TWA 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 TWA on behalf of the Water Cooperative, is being submitted for approval for reimbursement contingent upon the Board approving the authorizing resolution.

**Costs:** \$16,984.78

**Recommendation:** Staff recommends approval of the list of expenditures submitted to date for reimbursement to TWA.

**Initials:** ncd

## Attachment to Item 2

### Toho Water Authority List of Expenditures on behalf of the Water Cooperative of Central Florida (February 4, 2019 - April 27, 2019)

Vendor	Date	Invoice	Amount
Akerman LLP	02/04/2019	9424934	\$845.00
Akerman LLP	02/04/2019	9424931	\$3,795.00
Akerman LLP	03/08/2019	9435486	\$3,737.50
Akerman LLP	03/08/2019	9435489	\$715.00
CliftonLarsonAllen LLP	03/29/2019	078-203245	\$3,750.00
Akerman LLP	04/03/2019	9442943	\$3,120.00
Akerman LLP	04/03/2019	9442945	\$780.00
Alpha Specialties	04/03/2019	14087	\$56.00
Osceola News Gazette	04/04/2019	59410	\$27.13
The Ledger	04/05/2019	L060GOIJOM	\$150.50
USPS	04/27/2019	postage	\$8.65
Water Cooperative subtotal			<b>\$16,984.78</b>



# WATER CO-OPERATIVE OF CENTRAL FLORIDA

**Meeting Date:** June 5, 2019

**Agenda Item No. 3**

**Attachments:**

Final Budget Fiscal Year October 1, 2018 – September 30, 2019

**Title:**

**APPROVAL OF FINAL WATER COOPERATIVE BUDGET FOR FISCAL YEAR 2019**

**Explanation:**

At the April 4, 2018 meeting, the proposed draft budget for FY2019 was submitted to the Board of Supervisors for approval. Following approval, the draft budget was submitted to the member governments for comment. No comments were received from any of the member governments. The FY2019 Budget is now ready for approval for the fiscal year by the Board of Supervisors.

The final budget for FY2019 contains the same expense line items as contained in this year's (FY2018) budget. Included within the legal expenses category continues to be a line item for the continued representation of the Water Cooperative in the Central Florida Water Initiative (CFWI) which was approved initially in FY2014. The regulatory development process for the legislatively mandated CFWI regulations is on-going and is expected to continue into FY2019. Legal fees also continue to include an item associated with the property and easement acquisitions for the Cypress Lake project. The property and easement expenses in the budget do not include the actual cost or payment to the property owner for property or easement acquisition. Those costs will be established through appraisal and negotiations and will be approved by the board in a separate action. The major property acquisition was initiated last fiscal year (FY2018) but some of the effort may carry over into FY2019.

Revenue for the final budget is to be provided through a reserve carry-over of \$107,539.22 from FY2018 and a \$22,000 contribution down from the previous several years of \$25,000 from each of the four member governments. The final budget provides for an estimated ending year reserve of \$86,039.22. The only funding approval that will be necessary from each member government to fund the proposed budget is the \$22,000 contribution.

**Costs:** Final Budget

**Recommendation:** Staff recommends approval of the final budget for Fiscal Year 2019 as presented.

**Initials:** ncd

**Water Cooperative of Central Florida  
BUDGET FOR FY2019**

	<u>Budget FY2019</u>	<u>_____</u>
<b>Income -- Annual Working Capital Contributions</b>		
Reserves Carry-over	\$107,539.22	
Reimbursement from Reedy Creek Improvement District	\$23,000.00	
Toho Water Authority		
General Administration	\$22,000.00	
Cypress Lake Project Management	\$0.00	
Orange County		
General Administration	\$22,000.00	
Cypress Lake Project Management	\$0.00	
City of St. Cloud		
General Administration	\$22,000.00	
Cypress Lake Project Management	\$0.00	
Polk County		
General Administration	\$22,000.00	
Cypress Lake Project Management	\$0.00	
<b>Miscellaneous Income</b>		
Reedy Creek Improvement District		
Cypress Lake Project Management	\$0.00	
Interest on SunTrust Account	\$0.00	<u>_____</u>
<b><u>TOTAL</u></b>	<b><u>\$218,539.22</u></b>	<b><u>=====</u></b>

**Expenses**

Water Supply Project Management and Administration		
Reimbursement to Toho Water Authority	\$0.00	
Advertising Meetings	\$1,000.00	
Legal Expense		
Meetings (4 regular & 1 special)	\$10,000.00	

Central Florida Water Initiative	\$100,000.00	
Property and Easement Acquisition	\$15,000.00	
Miscellaneous	\$1,000.00	
<b>Total Legal</b>	<u>\$126,000.00</u>	
Accounting (Annual Report)	\$4,000.00	
Annual Filings	\$500.00	
Board Expenses	<u>\$1,000.00</u>	<u>      </u>
<b><u>TOTAL</u></b>	<b><u>\$132,500.00</u></b>	<b><u>      </u></b>
<b><u>NET RESERVES</u></b>	<b><u>\$86,039.22</u></b>	<b><u>      </u></b>

# WATER CO-OPERATIVE OF CENTRAL FLORIDA

**Meeting Date:** June 5, 2019

**Agenda Item No. 4**

**Attachments:**

Proposed Draft Budget Fiscal Year October 1, 2019 – September 30, 2020

**Title:**

**APPROVAL OF THE DRAFT WATER COOPERATIVE BUDGET FOR FISCAL YEAR 2020**

**Explanation:**

The draft budget for FY2020 contains the same expense line items as contained in this year's (FY2019) budget. Included within the legal expenses category continues to be a line item for the continued representation of the Water Cooperative in the Central Florida Water Initiative (CFWI) which was approved initially in FY2014. The regulatory development process for the legislatively mandated CFWI regulations is on-going and is expected to continue into FY2020.

Revenue for the draft budget is to be provided through a projected reserve carry-over of \$86,039.22 from FY2019 and a \$26,000 contribution up from the previous year of \$22,000 from each of the four member governments reflecting an increase in the activity associated with the CFWI initiative. The draft budget provides for an estimated ending year reserve of \$63,339.22. The only funding approval that will be necessary from each member government to fund the proposed draft budget is the \$26,000 contribution.

In accordance with the Interlocal agreement establishing the Water Cooperative, the budget process requires the submission of a proposed budget to the member governments a minimum of 30 days in advance of adopting the annual budget. The draft budget document should be approved by the Board of Supervisors for submission to the member governments in advance of final approval. After the required comment period for the governments has passed, the Board would be able to formally approve the budget with any modifications suggested by any of the member governments at the October 2, 2019 Board meeting.

**Costs:**

Draft Budget, no immediate cost impacts.

**Recommendation:**

Staff recommends approval of the draft budget for Fiscal Year 2020 as presented for submission to the member governments for comment.

**Initials:** ncd

**Water Cooperative of Central Florida  
PROPOSED BUDGET FOR FY2020**

**Proposed Budget FY2020**

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**Income -- Annual Working Capital Contributions**

Reserves Carry-over	\$86,039.22	
Reimbursement from Reedy Creek Improvement District	\$27,000.00	
Toho Water Authority		
General Administration	\$26,000.00	
Cypress Lake Project Management	\$0.00	
Orange County		
General Administration	\$26,000.00	
Cypress Lake Project Management	\$0.00	
City of St. Cloud		
General Administration	\$26,000.00	
Cypress Lake Project Management	\$0.00	
Polk County		
General Administration	\$26,000.00	
Cypress Lake Project Management	\$0.00	

**Miscellaneous Income**

Reedy Creek Improvement District		
Cypress Lake Project Management	\$0.00	
Interest on SunTrust Account	\$0.00	

**TOTAL**

**\$217,039.22**

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**Expenses**

Water Supply Project Management and Administration		
Reimbursement to Toho Water Authority	\$0.00	
Advertising Meetings	\$1,000.00	
Legal Expense		
Meetings (4 regular & 1 special)	\$10,000.00	

Central Florida Water Initiative	\$135,000.00	
Miscellaneous	<u>\$1,000.00</u>	
<b>Total Legal</b>		\$146,000.00
Accounting (Annual Report)		\$5,500.00
Annual Filings		\$200.00
Board Expenses		<u>\$1,000.00</u>
<b><u>TOTAL</u></b>		<b><u><u>\$153,700.00</u></u></b>
<b><u>NET RESERVES</u></b>		<b><u><u>\$63,339.22</u></u></b>

# WATER CO-OPERATIVE OF CENTRAL FLORIDA

**Meeting Date:** June 5, 2019

**Agenda Item No. 5**

**Attachments:** Resolution 2019-001 Designating a new registered agent and registered office

**Title: DESIGNATING A NEW REGISTERED AGENT AND REGISTERED OFFICE**

**Explanation:**

The Board is required by the Charter and by Section 189.014, Florida Statutes, to designate a registered office and a registered agent and to file such information with local governing authorities and with the Department of Economic Opportunity.

The Board had designated Brian L. Wheeler as its registered agent by Resolution entered August 16, 2011 but Mr. Wheeler retired on September 30, 2018 and a new agent should be named.

In keeping with the past practice of having the Executive Director of TWA serve as registered agent for service of process, it is recommended that the Board designate Todd P. Swingle, P.E. as its new registered agent and the following as its registered office:

Tohopekaliga Water Authority  
951 Martin Luther King Boulevard  
Kissimmee, FL 34741

**Costs:** N/A

**Recommendation:** Staff recommends the designation of Todd P. Swingle as the registered agent of the Water Cooperative of Central Florida and TWA, 951 Martin Luther King Boulevard, Kissimmee, FL 34741, as the registered office of the Water Coop.

**Initials:** ncd

RESOLUTION 2019-001 OF  
THE WATER COOPERATIVE OF CENTRAL FLORIDA  
DESIGNATING A NEW REGISTERED AGENT AND REGISTERED OFFICE

Whereas, the Water Cooperative of Central Florida (the "Cooperative") was created pursuant to Intergovernmental Agreement (the "Charter") effective May 1, 2011, and was granted the authority to do all acts and to exercise all of the powers necessary, convenient, incidental, implied or proper, in connection with any of the powers, duties, obligations or purposes authorized by the Charter; and

Whereas, the Board is required by the Charter and by Section 189.014, Florida Statutes, to designate a registered office and a registered agent and to file such information with local governing authorities and with the Department of Economic Opportunity; and

Whereas, the Board designated Brian L. Wheeler as its registered agent by resolution entered August 16, 2011 but Mr. Wheeler has since retired.

Now, therefore be it resolved by the Board as follows:

1. The Board designates Todd P. Swingle, P.E. as its new registered agent and the following as its registered office:

Executive Director  
Tohopekaliga Water Authority  
951 Martin Luther King Boulevard  
Kissimmee, Florida 34741

2. The Secretary is directed to file a copy of this resolution with each of the local governing authorities and with the Department of Economic Opportunity. The local governing authorities where a copy of this resolution will be provided shall be Osceola County, Orange County and Polk County. Copies will also be provided to the City of St. Cloud, Reedy Creek Improvement District and the Tohopekaliga Water Authority.

3. This resolution shall become effective immediately upon passage and shall remain in effect until amended or until the resignation of the registered agent is accepted and/or another registered agent is designated in his place, at which time a copy of a subsequent resolution naming a new registered agent and registered office shall be filed with the local governing authorities and the Department of Economic Opportunity.

PASSED and ADOPTED by the Cooperative in regular meeting assembled this 5th day of June, 2019.

THE WATER COOPERATIVE OF CENTRAL FLORIDA

By: \_\_\_\_\_  
Betsy VanderLey  
Chair

ATTEST:

By: \_\_\_\_\_

Hector Lizasuain, Secretary