

**MINUTES OF MEETING  
TOSCANA ISLES  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Toscana Isles Community Development District held a Continued Regular Meeting on November 15, 2022, at 10:00 a.m., at the offices of Vanguard Land, LLC, located at 6561 Palmer Park Circle, Suite B, Sarasota, Florida 34238.

**Present were:**

Alex Hays	Chair
Brian Watson	Vice Chair
Daniel Peshkin	Assistant Secretary

**Also present were:**

Cindy Cerbone	District Manager
Jamie Sanchez	Wrathell, Hunt and Associates, LLC (WHA)
Vanessa Steinerts (via telephone)	District Counsel
Tom Hart	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 10:00 a.m. Supervisors Hays, Peshkin and Watson were present, in person. Two seats were vacant.

**SECOND ORDER OF BUSINESS**

**Discussion/Consideration:  
Duration [1 hour]**

**Meeting**

One hour will be sufficient to conduct this meeting.

**THIRD ORDER OF BUSINESS**

**Public Comments [10 minutes]**

There were no public comments.

The Fourth, Fifth, Sixth, Seventh, Eighth and Ninth Orders of Business were deferred so the incoming Board Members can have input.

**FOURTH ORDER OF BUSINESS**

**Consider Appointment of Qualified Electors to Fill Unexpired Terms of Seats 2 and 4; *Terms Expire November 2024* [4 minutes]**

- **Candidates**
  - A. **James K. Collins**
  - B. **Suzanne J. Doyle**
  - C. **Michael Traczuk**

**FIFTH ORDER OF BUSINESS**

**Administration of Oath of Office to Newly Appointed Supervisors (*the following to be provided in a separate package*) [4 minutes]**

- A. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. **Membership, Obligations and Responsibilities**
- C. **Financial Disclosure Forms**
  - I. **Form 1: Statement of Financial Interests**
  - II. **Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - III. **Form 1F: Final Statement of Financial Interests**
- D. **Form 8B – Memorandum of Voting Conflict**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-01, Designating Certain Officers of the District, and Providing for an Effective Date [4 minutes]**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-02, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date [3 minutes]**

**EIGHTH ORDER OF BUSINESS**

**Continued Discussion: Policy Regarding Parking and Towing [3 minutes]**

**NINTH ORDER OF BUSINESS**

**Consideration of Juniper Landscaping of Florida, LLC, Fifth Addendum to Contract [5 minutes]**

▪ **Consideration of Federal Emergency Management Agency (FEMA) Agreement**

**This item was an addition to the agenda.**

Ms. Cerbone reported the following:

- Rostan Solutions (Rostan) reviewed the CDD's existing Master Association and Juniper Landscaping agreements and noted some hurdles to address.
- Rostan felt that the next steps will be to work with FEMA to see if the FEMA claim should be transferred to the Master Association or if the Master Association must submit its own claim. If so, it must be done before the December 2, 2022 deadline.
- A copy of the third-party FEMA Consultant Rostan Agreement for Professional Services, in a not-to-exceed amount \$25,000, was forwarded to an Officer of the Master Association.
- If the Board wants to proceed, the CDD must execute a Cost-Share Agreement with the Master Association, due to budget constraints.
- Counsel for the Master Association reviewed the Rostan Agreement and opined that the Master Association could enter into an Agreement with a FEMA Consultant; however, they were concerned about the open-ended terms, the not-to-exceed costs being significant and funds not necessarily being available in the Master Association.
- Discussing the CDD's position with the President of the Master Association, after it meets tomorrow to swear in its new officers is recommended.
- Due to the filing deadline, adjourning this meeting and holding a Special Meeting on November 28, 2022, is suggested. The two new Board Members can be sworn in at the Special Meeting and the two vacated seats can possibly be filled.

The Board agreed with Ms. Cerbone's suggestion. Mr. Hays voiced his opinion that the Master Association should file the FEMA application and engage the consultant. Ms. Cerbone

offered to be the liaison between the CDD and Master Association Boards since the CDD already has an open FEMA claim that may or may not be transferrable to the Master Association.

**On MOTION by Mr. Hays and seconded by Mr. Watson, with all in favor, authorizing District Staff to advertise a Special Meeting on Monday, November 28 at 2:00 p.m., at the offices of Vanguard Land, LLC, located at 6561 Palmer Park Circle, Suite B, Sarasota, Florida 34238, was approved.**

▪ **Wisdom Properties Litigation Update**

**This item was an addition to the agenda.**

Ms. Steinerts reported the following:

- A Reservation of Rights letter was received from the CDD’s insurance carrier, which provides that the insurance company is reserving its right to potentially deny coverage for the claim, on an indemnification level, but will provide a legal defense up to \$100,000. The CDD will be responsible for costs exceeding that amount, although she did not believe it would.
- The Motion to Dismiss hearing is pending.
- The CDD can consider engaging Insurance Coverage Counsel for the limited purpose of reviewing the CDD’s insurance policy and the Reservation of Rights to determine if the Insurance Carrier is interpreting the policy correctly, in potentially denying.
- An update as to the potential hearing date on the Motion to Dismiss will be given at the next meeting.

**TENTH ORDER OF BUSINESS**

**NEXT MEETING DATE: December 7, 2022 at 10:00 A.M.**

○ **QUORUM CHECK**

A calendar invite for the November 28, 2022 Special Meeting will be sent to new Board Members, Mr. Scott Blaser and Bill Contardo, along with Mr. Watson. The Regular Meeting will be on December 7, 2022, unless cancelled.

**ELEVENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests [2 minutes]**

There were no Board Members' comments or requests.

**TWELFTH ORDER OF BUSINESS**

**Public Comments [13 minutes]**

There were no public comments.

**THIRTEENTH ORDER OF BUSINESS**

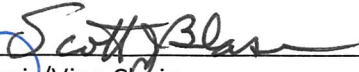
**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Peshkin and seconded by Mr. Hays, with all in favor, the meeting adjourned at 10:18 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair