

**TOSCANA ISLES
COMMUNITY DEVELOPMENT
DISTRICT**

January 4, 2023

**BOARD OF SUPERVISORS
REGULAR MEETING
AGENDA**

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

**AGENDA
LETTER**

Toscana Isles Community Development District
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W•Boca Raton, Florida 33431
Phone: (561) 571-0100•Toll-free: (877) 276-0889•Fax: (561) 571-0013

December 28, 2022

ATTENDEES:
Please identify yourself each
time you speak to facilitate
accurate transcription of
meeting minutes.

Board of Supervisors
Toscana Isles Community Development District

Dear Board Members:

The Board of Supervisors of the Toscana Isles Community Development District will hold a Regular Meeting on January 4, 2023 at 10:00 a.m, at the Toscana Isles Amenity Center, 100 Maraviya Blvd, Venice, Florida 34275. The agenda is as follows:


1. Call to Order/Roll Call
2. Discussion/Consideration: Meeting Duration **[1.20 hours]**
3. Public Comments **[15 minutes]**
4. Administration of Oath of Office to Appointed Supervisor, Michael Traczuk [SEAT 4] *(the following to be provided in a separate package)* **[3 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
5. Consider Appointment to Fill Unexpired Term of Seat 5; *Terms Expire November 2024* **[5 minutes]**
6. Administration of Oath of Office to Newly Appointed Supervisor [SEAT 5] **[5 minutes]**
7. Consideration of Resolution 2023-05, Designating Certain Officers of the District, and Providing for an Effective Date **[5 minutes]**
8. CONSENT AGENDA ITEMS **[2 minutes]**
 - A. Acceptance of Unaudited Financial Statements as of November 30, 2022

- B. Approval of November 7, 2022 Regular Meeting Minutes
 - C. Approval of November 15, 2022 Continued Regular Meeting Minutes
 - D. Approval of November 28, 2022 Regular Meeting Minutes
9. Continued Discussion: Policy Regarding Parking and Towing **[10 minutes]**
10. Discussion: CDD Workshop **[5 minutes]**
11. STAFF REPORTS **[5 minutes]**
- A. District Counsel: *Straley Robin Vericker*
 - B. District Engineer: *AM Engineering, LLC*
 - Update: Post Hurricane Ian – Roads and Stormwater Ponds/Lake Banks
 - Discussion: Opportunities for CDD Improvements and/or Repair and Maintenance
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - NEXT MEETING DATE: February 1, 2023 at 10:00 AM
 - QUORUM CHECK

Seat 1	William Contardo	<input type="checkbox"/> IN-PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Seat 2	James Collins	<input type="checkbox"/> IN-PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Seat 3	Scott Blaser	<input type="checkbox"/> IN-PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Seat 4	Michael Traczuk	<input type="checkbox"/> IN-PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Seat 5		<input type="checkbox"/> IN-PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

- 12. Board Members' Comments/Requests **[10 minutes]**
- 13. Public Comments **[15 minutes]**
- 14. Adjournment

Should you have any questions, please do not hesitate to contact me directly at (561) 346-5294 or Jamie Sanchez at (561) 512-9027.

Sincerely,

 Cindy Carbone
 District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE:
CALL-IN NUMBER: 1-888-354-0094
PARTICIPANT PASSCODE: 131 733 0895

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

7

RESOLUTION 2023-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOSCANA ISLES COMMUNITY DEVELOPMENT DISTRICT DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Toscana Isles Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors of the District desires to designate certain Officers of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TOSCANA ISLES COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. _____ is appointed Chair.

SECTION 2. _____ is appointed Vice Chair.

SECTION 3. **Craig Wrathell** is appointed Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

Cindy Cerbone is appointed Assistant Secretary.

Jamie Sanchez is appointed Assistant Secretary.

SECTION 4. This Resolution supersedes any prior appointments made by the Board for Chair, Vice Chair, Secretary and Assistant Secretaries; however, prior appointments by the Board for Treasurer and Assistant Treasurer(s) remain unaffected by this Resolution.

SECTION 5. This Resolution shall become effective immediately upon its adoption.

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PASSED AND ADOPTED this 4th day of January, 2023.

ATTEST:

**TOSCANA ISLES COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

**CONSENT
AGENDA**

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

**UNAUDITED
FINANCIAL
STATEMENTS**

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
NOVEMBER 30, 2022**

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
NOVEMBER 30, 2022**

	General Fund	Debt Service Fund Series 2014	Debt Service Fund Series 2018	Capital Projects Fund Series 2014	Capital Projects Fund Series 2018	Total Governmental Funds
ASSETS						
Cash	\$ 346,135	\$ -	\$ -	\$ -	\$ -	\$ 346,135
Investments						
Reserve	-	710,363	801,431	-	-	1,511,794
Prepayment	-	117	679	-	-	796
Revenue	-	160,521	46,980	-	-	207,501
Construction	-	-	-	1	4	5
Due from general fund	-	126,517	174,989	-	-	301,506
Total assets	<u>\$ 346,135</u>	<u>\$ 997,518</u>	<u>\$1,024,079</u>	<u>\$ 1</u>	<u>\$ 4</u>	<u>\$ 2,367,737</u>
LIABILITIES						
Liabilities:						
Due to debt service fund 2014	\$ 126,517	\$ -	\$ -	\$ -	\$ -	\$ 126,517
Due to debt service fund 2018	174,989	-	-	-	-	174,989
Total liabilities	<u>301,506</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>301,506</u>
FUND BALANCES						
Restricted for:						
Debt service	-	997,518	1,024,079	-	-	2,021,597
Capital projects	-	-	-	1	4	5
Assigned						
Three months working capital	39,679	-	-	-	-	39,679
Unassigned	4,950	-	-	-	-	4,950
Total fund balances	<u>44,629</u>	<u>997,518</u>	<u>1,024,079</u>	<u>1</u>	<u>4</u>	<u>2,066,231</u>
Total liabilities and fund balances	<u>\$ 346,135</u>	<u>\$ 997,518</u>	<u>\$1,024,079</u>	<u>\$ 1</u>	<u>\$ 4</u>	<u>\$ 2,367,737</u>

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED NOVEMBER 30, 2022**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ 25,173	\$ 25,173	\$ 154,039	16%
Interest and miscellaneous	1	1	-	N/A
Total revenues	<u>25,174</u>	<u>25,174</u>	<u>154,039</u>	16%
EXPENDITURES				
Professional & administrative				
Supervisor's fees	-	-	8,612	0%
Management/accounting/recording	3,643	7,287	43,721	17%
Debt service fund accounting	644	1,288	7,725	17%
Legal	1,683	1,683	36,000	5%
Engineering	420	420	5,000	8%
Audit	-	-	4,400	0%
Arbitrage rebate calculation	-	-	750	0%
Dissemination agent	167	333	2,000	17%
Trustee	4,926	4,926	11,236	44%
Telephone	16	33	200	17%
Postage	18	18	500	4%
Printing & binding	42	83	500	17%
Legal advertising	-	-	1,200	0%
Annual special district fee	-	175	175	100%
Insurance	-	7,821	8,695	90%
Contingencies/bank charges	22	45	1,000	5%
Website	-	-	705	0%
ADA website compliance	-	-	210	0%
Total professional & administrative	<u>11,581</u>	<u>24,112</u>	<u>132,629</u>	18%
Other fees & charges				
Tax collector	378	378	2,407	16%
Total other fees & charges	<u>378</u>	<u>378</u>	<u>2,407</u>	16%
Total expenditures	<u>11,959</u>	<u>24,490</u>	<u>135,036</u>	18%
Excess/(deficiency) of revenues over/(under) expenditures	13,215	684	19,003	
Fund balances - beginning	31,414	43,945	23,184	
Assigned				
Three months working capital	39,679	39,679	39,679	
Unassigned	4,950	4,950	2,508	
Fund balances - ending	<u>\$ 44,629</u>	<u>\$ 44,629</u>	<u>\$ 42,187</u>	

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2014
FOR THE PERIOD ENDED NOVEMBER 30, 2022**

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ 128,415	\$ 128,415	\$ 785,537	16%
Interest	2,910	5,087	-	N/A
Total revenues	<u>131,325</u>	<u>133,502</u>	<u>785,537</u>	17%
EXPENDITURES				
Principal	190,000	190,000	190,000	100%
Interest	281,519	281,519	557,575	50%
Tax collector	1,926	1,926	12,274	16%
Total expenditures	<u>473,445</u>	<u>473,445</u>	<u>759,849</u>	62%
Excess/(deficiency) of revenues over/(under) expenditures	(342,120)	(339,943)	25,688	
Fund balances - beginning	1,339,638	1,337,461	1,327,304	
Fund balances - ending	<u>\$ 997,518</u>	<u>\$ 997,518</u>	<u>\$ 1,352,992</u>	

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2018
FOR THE PERIOD ENDED NOVEMBER 30, 2022**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Assessment levy	\$ 177,635	\$ 177,635	\$ 1,086,623	16%
Interest	3,619	6,403	-	N/A
Total revenues	<u>181,254</u>	<u>184,038</u>	<u>1,086,623</u>	17%
EXPENDITURES				
Principal	255,000	255,000	255,000	100%
Principal prepayment	-	-	5,000	0%
Interest	406,471	406,471	807,769	50%
Tax collector	2,665	2,665	16,978	16%
Total expenditures	<u>664,136</u>	<u>664,136</u>	<u>1,084,747</u>	61%
Excess/(deficiency) of revenues over/(under) expenditures	(482,882)	(480,098)	1,876	
Fund balances - beginning	<u>1,506,961</u>	<u>1,504,177</u>	<u>1,504,042</u>	
Fund balances - ending	<u><u>\$ 1,024,079</u></u>	<u><u>\$ 1,024,079</u></u>	<u><u>\$ 1,505,918</u></u>	

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2014
FOR THE PERIOD ENDED NOVEMBER 30, 2022**

	Current Month	Year To Date
REVENUES	\$ -	\$ -
Total revenues	-	-
EXPENDITURES	-	-
Total expenditures	-	-
Excess/(deficiency) of revenues over/(under) expenditures	-	-
Fund balances - beginning	1	1
Fund balances - ending	\$ 1	\$ 1

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2018
FOR THE PERIOD ENDED NOVEMBER 30, 2022**

	Current Month	Year To Date
REVENUES		
Interest	\$ 4	\$ 4
Total revenues	4	4
EXPENDITURES		
Total expenditures	-	-
Excess/(deficiency) of revenues over/(under) expenditures	4	4
Fund balances - beginning	-	-
Fund balances - ending	\$ 4	\$ 4

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

MINUTES B

DRAFT
MINUTES OF MEETING
TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Toscana Isles Community Development District held a Regular Meeting on November 7, 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)
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC (WHA)
Vanessa Steinerts (via telephone)	District Counsel
William Contardo	Resident
Scott Blaser	Resident
Jim Collins	Resident
Tom Hart	Resident
Robert Raimondi	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: Meeting Duration [1 hour]

Ms. Cerbone stated that the meeting is anticipated to last no longer than one hour. The Board agreed that one hour was sufficient.

THIRD ORDER OF BUSINESS

Public Comments [10 minutes]

Resident Jim Collins asked about the CDD's role in terms of preventing lakes from overflowing, considering what happened with Hurricane Ian. Mr. Hays stated that the CDD constructed most of the improvements and contracts with the HOA to maintain the various

43 improvements. Mr. Collins asked if there is anything that the CDD thinks should be evaluated
44 differently that the CDD should advise the HOA of. Mr. Hays stated that, in the District
45 Engineer’s opinion, the stormwater improvements were designed and built consistent with the
46 permit requirements and other communities in the area.

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48 **CONSENT AGENDA ITEMS [2 minutes]**

49 Ms. Cerbone presented the following Consent Agenda Items; there was nothing to ratify
50 in the Fourth Order of Business:

51

52 **FOURTH ORDER OF BUSINESS** Ratification of Proposals/Agreements/
53 Invoices:

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56 **FIFTH ORDER OF BUSINESS** Acceptance of Unaudited Financial
57 Statements as of September 30, 2022

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60 **SIXTH ORDER OF BUSINESS** Approval of August 24, 2022 Public Hearing
61 and Regular Meeting Minutes

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64 **On MOTION by Mr. Watson and seconded by Mr. Peshkin, with all in favor, the**
65 **Consent Agenda Items in the Fifth and Sixth Orders of Business, were approved**
66 **and/or accepted.**

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69 **BUSINESS ITEMS**

70 **SEVENTH ORDER OF BUSINESS** Consider Appointment of Qualified
71 Electors to Fill Unexpired Terms of Seats 2
72 and 4; Terms Expire November 2024 [4
73 minutes]

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75 ➤ **Candidates**

76 **A. James K. Collins**

77 **B. Suzanne J. Doyle**

78 **C. Michael Traczuk**

79 This item was deferred so the incoming Board Members can have input.

80

81 **EIGHTH ORDER OF BUSINESS** Administration of Oath of Office to Newly
 82 Appointed Supervisors *(the following to be*
 83 *provided in a separate package)* [4
 84 minutes]

86 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**

87 **B. Membership, Obligations and Responsibilities**

88 **C. Financial Disclosure Forms**

89 **I. Form 1: Statement of Financial Interests**

90 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**

91 **III. Form 1F: Final Statement of Financial Interests**

92 **D. Form 8B – Memorandum of Voting Conflict**

93 This item was deferred so the incoming Board Members can have input.

94

95 **NINTH ORDER OF BUSINESS** Consideration of Resolution 2023-01,
 96 Designating Certain Officers of the District,
 97 and Providing for an Effective Date [4
 98 minutes]

100 This item was deferred so the incoming Board Members can have input.

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102 **TENTH ORDER OF BUSINESS** Consideration of Resolution 2023-02,
 103 Designating Dates, Times and Locations for
 104 Regular Meetings of the Board of
 105 Supervisors of the District for Fiscal Year
 106 2022/2023 and Providing for an Effective
 107 Date [3 minutes]

109 This item was deferred so the incoming Board Members can have input.

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111 **ELEVENTH ORDER OF BUSINESS** Continued Discussion: Policy Regarding
 112 Parking and Towing [3 minutes]

114 This item was deferred so the incoming Board Members can have input.

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116 **TWELFTH ORDER OF BUSINESS** Consideration of Resolution 2023-03,
 117 Adopting the Engineer’s Certificate of
 118 Completion for the Series 2014 Project;
 119 Declaring the Series 2014 Project
 120 Complete; Finalizing the Series 2014

Assessments; and Addressing Severability, Conflicts and an Effective Date [3 minutes]

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Ms. Cerbone presented Resolution 2023-03 and read the title.

On MOTION by Mr. Watson and seconded by Mr. Hays, with all in favor, Resolution 2023-03, Adopting the Engineer’s Certificate of Completion for the Series 2014 Project; Declaring the Series 2014 Project Complete; Finalizing the Series 2014 Assessments; and Addressing Severability, Conflicts and an Effective Date, was adopted.

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THIRTEENTH ORDER OF BUSINESS

Consideration of Resolution 2023-04, Adopting the Engineer’s Certificate of Completion for the Series 2018 Project; Declaring the Series 2018 Project Complete; Finalizing the Series 2018 Assessments; and Addressing Severability, Conflicts and an Effective Date [3 minutes]

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Ms. Cerbone presented Resolution 2023-04 and read the title.

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On MOTION by Mr. Peshkin and seconded by Mr. Hays, with all in favor, Resolution 2023-04, Adopting the Engineer’s Certificate of Completion for the Series 2018 Project; Declaring the Series 2018 Project Complete; Finalizing the Series 2018 Assessments; and Addressing Severability, Conflicts and an Effective Date, was adopted.

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FOURTEENTH ORDER OF BUSINESS

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

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Ms. Cerbone stated she worked with the District Engineer, District Counsel, Mr. O’Dea, President of the Master Association, and Juniper Landscaping of Florida (Juniper), to prepare this item involving road debris and tree removal cleanup or re-staking trees after Hurricane Ian. Instead of replacing the warrantied hurricane-damaged sabal palms, like for like, Juniper recommended selecting different vegetation and locations in other areas of the community; the information was distributed at the meeting. If the Board chooses to make changes, it will require amending the Juniper contract to broaden the warranty terms and the Master

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161 Association Agreement will have to be finalized prior to the warranty expiring on December 31,
162 2022; or replacement items will remain like for like.

163 This item was deferred.

164 District Management will invite a member of the TI POA, TI Master Association and
165 Juniper's Representative to the December Meeting to review the CDD's options.

166 A resident asked if vegetation is excluded from the CDD's insurance policy. Ms. Cerbone
167 replied affirmatively.

168 A resident asked why sabal palms were planted and if they were to be a sound barrier.
169 Mr. Hays stated they were part of the overall perimeter landscape.

170 A resident asked if there was any reason for a particular tree when the vegetation was
171 considered. Mr. Hays stated that the vegetation chosen was part of the overall design; the next
172 Board and Master Association can coordinate with Juniper to implement changes.

173 Ms. Cerbone reminded the Board and new Board Members of the full repair and
174 maintenance agreement between the CDD and Master Association for everything CDD-owned.

175

176 **FIFTEENTH ORDER OF BUSINESS**

Staff Reports [4 minutes]

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178 **A. District Counsel: *Straley Robin Vericker***

179 Ms. Steinerts stated that the CDD is a named defendant in a litigation involving real
180 estate and property access. The CDD's insurance carrier appointed Robert, Reynolds, Bedard &
181 Tuzzio, PLLC to represent the CDD. Lead attorneys, Mr. Lyman Reynolds and Ms. Andrea
182 Amigo, filed a Motion to Dismiss on October 19, 2022; setting a hearing is pending.

183 **B. District Engineer: *AM Engineering, LLC***

184 There was no report.

185 **C. District Manager: *Wrathell, Hunt and Associates, LLC***

186 **I. FEMA**

187 Ms. Cerbone reported the following:

188 ➤ Regarding the Master Association's inquiry about obtaining funding from the Federal
189 Emergency Management Agency (FEMA), CDDs typically hire a reimbursement management
190 company to file FEMA claims. She is not familiar with what the Master Association asked about.

191 Ms. Cerbone discussed the CDD's position with Rostan Solutions (Rostan), a company
192 that is familiar with disaster recovery claims. If engaged, Rostan felt they would be successful
193 but there are some hurdles to address.

194 ➤ A FEMA claim was filed on behalf of the CDD, which resulted in an initial call which Mr.
195 O’Dea and Mr. Sauers joined last week.

196 ➤ An on-site meeting is scheduled with the FEMA Representative, Mr. Kantarzhi, Mr. Pires
197 and Mr. Sauers on Friday, November 11, 2022 for a walkthrough and to discuss the debris
198 removal and disposal process. After which FEMA will provide feedback to the CDD of the next
199 steps. Mr. O’Dea and Juniper were already advised about completing certain documentation
200 necessary to file a successful claim.

201 ➤ October 21, 2022 is the deadline to file a claim.

202 ➤ All disposal and removal-related invoices must be dated by November 21, 2022 to
203 qualify for 100% reimbursement; invoices dated after reduces the reimbursement amount to
204 75%. Receiving 50% reimbursement would be considered successful.

205 ➤ If the CDD chooses to engage a reimbursement company, having an emergency
206 agreement in place for 90 days is recommended. The reimbursement company will work
207 directly with Juniper and the Master Association to gather the necessary documentation.

208 ➤ The CDD can recoup its fees if successful in receiving funds. There is no guarantee the
209 CDD will be reimbursed but, if it is, holding the funds for four years before using the money is
210 recommended in case, after an audit, FEMA requests it back.

211 ➤ The CDD has about \$15,000 to enter into the agreement and asking the Master
212 Association to cover the costs exceeding that amount is recommended, as this process benefits
213 the entire community.

214 Mr. Hays directed Ms. Cerbone and her team to take the following actions between now
215 and the next meeting:

216 ➤ Coordinate with the Master Association as needed.

217 ➤ Collect documentation and, if agreeable, draft a cost-share agreement.

218 ➤ Obtain a consulting service proposal.

219 Ms. Steinerts recommended all agreements include a not-to-exceed amount. Ms.
220 Cerbone suggested recessing and continuing this meeting, in case there are urgent matters that
221 need to be addressed and because of the Board transitioning to new Board Members.

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

223 ○ **QUORUM CHECK**

224 This meeting will be continued to November 15, 2022 at 10:00 a.m. and the next
225 Regular Meeting will be on December 7, 2022.

226

227 **SIXTEENTH ORDER OF BUSINESS**228 **Board Members' Comments/Requests [2**
229 **minutes]**

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230 Mr. Watson asked if the Developer satisfied the completion agreement. Ms. Cerbone
231 replied affirmatively; the agreement(s) are attached to the recently adopted resolution for both
232 bond series.

233 Mr. Watson asked if removal of sable palms that are under warranty will be part of the
234 FEMA claim. Ms. Cerbone replied no and stated that Juniper will not charge for this work and is
235 crediting the Master Association.

236

237 **SEVENTEENTH ORDER OF BUSINESS**238 **Public Comments [13 minutes]**

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239 A resident stated that the HOA Board is transitioning to a new Board on November 16,
240 2022.

241 A resident asked if debris removal is covered by insurance.

242 A resident asked if claims for tree removal and disposal on private property can be
243 submitted to FEMA. Ms. Cerbone stated damage on private property is not a CDD matter.

244 A resident asked if, going forward, there are warranties available to repair the cracked
245 curbs and roads in the community now that the Completion Agreements were approved or if
246 there is anything in writing about the life expectancy of these items. Ms. Cerbone stated that
247 she is not aware of the existence of any useful life documents.

248 A resident asked for clarification about storm damage and the CDD's Agreement with
249 the HOA. Ms. Cerbone stated there is a full repair and maintenance agreement in place
250 between the CDD and Master Association for everything the CDD owns. Mr. Watson stated
251 that, under the construction agreements, any warranty, with respect to work or work product,
252 will still be with the CDD.

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254 **EIGHTEENTH ORDER OF BUSINESS**255 **Adjournment**

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258 **On MOTION by Mr. Hays and seconded by Mr. Peshkin, with all in favor,**
259 **recessing the meeting at 10:55 a.m., and continuing it to November 15, 2022 at**
260 **10:00 a.m., at the offices of Vanguard Land, LLC, located at 6561 Palmer Park**
Circle, Suite B, Sarasota, Florida 34238, was approved.

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Secretary/Assistant Secretary

Chair/Vice Chair

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

MINUTES C

DRAFT

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

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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: Meeting
Duration [1 hour]**

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.

38 **FOURTH ORDER OF BUSINESS** Consider Appointment of Qualified
39 Electors to Fill Unexpired Terms of Seats 2
40 and 4; *Terms Expire November 2024* [4
41 minutes]
42

- 43 • **Candidates**
- 44 **A. James K. Collins**
- 45 **B. Suzanne J. Doyle**
- 46 **C. Michael Traczuk**

47

48 **FIFTH ORDER OF BUSINESS** Administration of Oath of Office to Newly
49 Appointed Supervisors *(the following to be*
50 *provided in a separate package)* [4
51 minutes]
52

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

60

61 **SIXTH ORDER OF BUSINESS** Consideration of Resolution 2023-01,
62 Designating Certain Officers of the District,
63 and Providing for an Effective Date [4
64 minutes]
65

66

67 **SEVENTH ORDER OF BUSINESS** Consideration of Resolution 2023-02,
68 Designating Dates, Times and Locations for
69 Regular Meetings of the Board of
70 Supervisors of the District for Fiscal Year
71 2022/2023 and Providing for an Effective
72 Date [3 minutes]
73

74

75 **EIGHTH ORDER OF BUSINESS**

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

76
77
78

79 **NINTH ORDER OF BUSINESS**

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

80
81
82
83

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

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

86 Ms. Cerbone reported the following:

87 ➤ Rostan Solutions (Rostan) reviewed the CDD's existing Master Association and Juniper
88 Landscaping agreements and noted some hurdles to address.

89 ➤ Rostan felt that the next steps will be to work with FEMA to see if the FEMA claim
90 should be transferred to the Master Association or if the Master Association must submit its
91 own claim. If so, it must be done before the December 2, 2022 deadline.

92 ➤ A copy of the third-party FEMA Consultant Rostan Agreement for Professional Services,
93 in a not-to-exceed amount \$25,000, was forwarded to an Officer of the Master Association.

94 ➤ If the Board wants to proceed, the CDD must execute a Cost-Share Agreement with the
95 Master Association, due to budget constraints.

96 ➤ Counsel for the Master Association reviewed the Rostan Agreement and opined that the
97 Master Association could enter into an Agreement with a FEMA Consultant; however, they
98 were concerned about the open-ended terms, the not-to-exceed costs being significant and
99 funds not necessarily being available in the Master Association.

100 ➤ Discussing the CDD's position with the President of the Master Association, after it
101 meets tomorrow to swear in its new officers is recommended.

102 ➤ Due to the filing deadline, adjourning this meeting and holding a Special Meeting on
103 November 28, 2022, is suggested. The two new Board Members can be sworn in at the Special
104 Meeting and the two vacated seats can possibly be filled.

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

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

110

111 **On MOTION by Mr. Hays and seconded by Mr. Watson, with all in favor,**
112 **authorizing District Staff to advertise a Special Meeting on Monday, November**
113 **28 at 2:00 p.m., at the offices of Vanguard Land, LLC, located at 6561 Palmer**
114 **Park Circle, Suite B, Sarasota, Florida 34238, was approved.**

115

116

117 **▪ Wisdom Properties Litigation Update**

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

119 Ms. Steinerts reported the following:

120 ➤ A Reservation of Rights letter was received from the CDD's insurance carrier, which
121 provides that the insurance company is reserving its right to potentially deny coverage for the
122 claim, on an indemnification level, but will provide a legal defense up to \$100,000. The CDD will
123 be responsible for costs exceeding that amount, although she did not believe it would.

124 ➤ The Motion to Dismiss hearing is pending.

125 ➤ The CDD can consider engaging Insurance Coverage Counsel for the limited purpose of
126 reviewing the CDD's insurance policy and the Reservation of Rights to determine if the
127 Insurance Carrier is interpreting the policy correctly, in potentially denying.

128 ➤ An update as to the potential hearing date on the Motion to Dismiss will be given at the
129 next meeting.

130

131 **TENTH ORDER OF BUSINESS**

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

132

133

134 **○ QUORUM CHECK**

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

138

139 **ELEVENTH ORDER OF BUSINESS** **Board Members' Comments/Requests [2**
140 **minutes]**

141
142 There were no Board Members' comments or requests.

143
144 **TWELFTH ORDER OF BUSINESS** **Public Comments [13 minutes]**

145
146 There were no public comments.

147
148 **THIRTEENTH ORDER OF BUSINESS** **Adjournment**

149
150 There being nothing further to discuss, the meeting adjourned.

151
152 **On MOTION by Mr. Peshkin and seconded by Mr. Hays, with all in favor, the**
153 **meeting adjourned at 10:18 a.m.**

154
155
156
157
158 [SIGNATURES APPEAR ON THE FOLLOWING PAGE]

159
160
161
162
163
164

Secretary/Assistant Secretary

Chair/Vice Chair

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

MINUTES D

DRAFT

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

The Board of Supervisors of the Toscana Isles Community Development District held a Regular Meeting on November 28, 2022, at 2:00 p.m., at the offices of Vanguard Land, LLC, located at 6561 Palmer Park Circle, Suite B, Sarasota, Florida 34238.

Present were:

Scott Blaser	Chair
William Contardo	Vice Chair
James Collins	Assistant Secretary (appointed at meeting)
Brian Watson	Vice Chair (resigned during meeting)

Also present were:

Cindy Cerbone	District Manager
Jamie Sanchez	Wrathell, Hunt and Associates, LLC (WHA)
Andrew Kantarzhi (via telephone)	Wrathell, Hunt and Associates, LLC (WHA)
Vanessa Steinerts	District Counsel
Scott Curnutt	Property Manager-Access Difference

Residents present:

Ron Ciranna	Tony O’Dea	Jeff Gay	Maureen House
Bill Markham	Bill Rymsza	Tom Hart	Susan Doyle (phone)

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 2:00 p.m.

- **Administration of Oath of Office to Newly Elected Supervisors William Contardo [Seat 1] and Scott Blaser [Seat 3]**

This item, previously the Fourth Order of Business, was presented out of order.

Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. William “Bill” Contardo and Mr. Scott Blaser.

Supervisors Watson, Contardo and Blaser were present.

40 **SECOND ORDER OF BUSINESS** **Discussion/Consideration:** **Meeting**
 41 **Duration [2.25 hours]**

42
 43 It was determined 2.25 hours will be sufficient time to conduct this meeting.

44 Ms. Cerbone explained the Rules of Procedure related to public comments.

45

46 **THIRD ORDER OF BUSINESS** **Public Comments [15 minutes]**

47

48 This item was presented following the Sixth Order of Business.

49

50 **FOURTH ORDER OF BUSINESS** **Administration of Oath of Office to Newly**
 51 **Elected Supervisors Wiliam Contardo [Seat**
 52 **1] and Scott Blaser [Seat 3] (*the following***
 53 ***to be provided in a separate package*) [10**
 54 **minutes]**

55

56 The Oath of Office was administered during the First Order of Business.

57 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**

58 **B. Membership, Obligations and Responsibilities**

59 **C. Financial Disclosure Forms**

60 **I. Form 1: Statement of Financial Interests**

61 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**

62 **III. Form 1F: Final Statement of Financial Interests**

63 **D. Form 8B – Memorandum of Voting Conflict**

64

65 **FIFTH ORDER OF BUSINESS** **Consider Appointment of Qualified**
 66 **Electors to fill Unexpired Terms of Seats 2**
 67 **and 4; *Term Expire November 2024* [15**
 68 **minutes]**

69

70 • **Candidates**

71 **A. James K. Collins**

72 **B. Suzanne J. Doyle**

73 **C. Michael Traczuk**

74 **D. Other Candidates**

75 Ms. Cerbone stated that the CDD has now established a quorum with three Board
76 Members but Mr. Watson expressed interest in resigning. She discussed appointing someone to
77 fill Seat 5 and vacant Seats 2 and 4. The Board is supposed to consist of five Board Members
78 and has been operating with only three Board Members for some time now.

79 Mr. Contardo nominated and motioned to appoint Mr. Tony O’Dea to Seat 2. The
80 motion died due to a lack of a second.

81 Mr. Blaser nominated and motioned to appoint Ms. Susan Doyle to Seat 2. The motion
82 died due to a lack of a second.

83 No other nominations were made. The Board discussed considering the three
84 candidates because of their efforts. Mr. Watson had no preference with respect to appointing a
85 third member to the Board.

86 Mr. James Collins discussed his qualifications, experience and voiced his opinion that he
87 would be an asset to the Board. He resides in Florida full time.

88 Mr. Contardo nominated Mr. James Collins to fill Seat 2.

89 No other nominations were made.

90

On MOTION by Mr. Contardo and seconded by Mr. Blaser, with all in favor, the appointment of Mr. James Collins to fill Seat 2, was approved.

93

94

95 Mr. Contardo nominated Mr. Michael Traczuk to fill Seat 4.

96 No other nominations were made.

97

On MOTION by Mr. Blaser and seconded by Mr. Contardo, with Mr. Blaser and Mr. Contardo in favor and Mr. Watson dissenting, the appointment of Mr. Michael Traczuk to fill Seat 4, was approved. [Motion passed 2-1]

101

102

103 **SIXTH ORDER OF BUSINESS**

104

105

106

107

Administration of Oath of Office to Newly Appointed Supervisors *(the following to be provided in a separate package)* [5 minutes]

108 Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the
109 Oath of Office to Mr. James Collins. She will notify Mr. Traczuk of his appointment and
110 administer the Oath of office prior to or at the next meeting.

111 **▪ Acceptance of Resignation of Supervisor Brian Watson, Seat 5**

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

113 Mr. Watson tendered his resignation.

114

115 **On MOTION by Mr. Contardo and seconded by Mr. Blaser, with all in favor, the**
116 **resignation of Mr. Brian Watson from Seat 5, effective immediately, was**
117 **accepted.**

118

119

120 Ms. Cerbone and Ms. Steinerts provided and briefly explained the following items and
121 responded to questions about conducting CDD workshops:

122 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**

123 **B. Membership, Obligations and Responsibilities**

124 **C. Financial Disclosure Forms**

125 **I. Form 1: Statement of Financial Interests**

126 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**

127 **III. Form 1F: Final Statement of Financial Interests**

128 **D. Form 8B – Memorandum of Voting Conflict**

129 Board Members were instructed to submit a W-4 to Management to receive the
130 Supervisor's stipend.

131 **▪ Consider Appointment to Fill Unexpired Term of Seat 5.**

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

133 Mr. Blaser nominated and motioned to appoint Ms. Susan Doyle to fill Seat 5.

134 Mr. Contardo suggested deferring this while an e-blast is sent to residents about the
135 open position.

136 Mr. Blaser's motion died due to a lack of a second.

137 This item will be on the next agenda.

138 **▪ Public Comments [15 minutes]**

139 **This item, previously the Second Order of Business, was presented out of order.**

140 Resident Maureen House reported a resident she believes is responsible for several
 141 violations, including pulling down the gate, ignoring no parking signs, overnight parking,
 142 blocking sidewalks, etc. She asked what the Board plans to do to address this issue, as the
 143 Developer does not want to pursue it. Ms. Cerbone discussed the process of implementing and
 144 adopting a Towing Policy, which will reviewed later in the meeting. There is no policy to enforce
 145 right now. Regarding driveways, the CDD has no jurisdiction and cannot take action.

146 Resident Thomas Hart urged the Board to change the CDD meeting location to Toscana
 147 Isles, which he felt would be a first step in educating residents about the CDD. This will be
 148 addressed later in the meeting.

149 Toscana Isles Property Manager Scott Curnutt stated his comment is about the sable
 150 palm trees, on behalf of Juniper Landscaping. This will be discussed later in the meeting.

151 Resident Ron Ciranna chose to defer his comments about Juniper and the Federal
 152 Emergency Management Agency (FEMA) to later in the meeting.

153 Resident Jeff Gay voiced his agreement with Ms. House's comments and stated there
 154 are also parking violations at Solaria. He asked if the Board Members live in Toscana Isles. Ms.
 155 Cerbone stated resident Board Members must reside within the CDD.

156

157 **SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-01,
 Designating Certain Officers of the District,
 and Providing for an Effective Date [5
 minutes]**

162 Ms. Cerbone presented Resolution 2023-01. Mr. Collins nominated the following slate:

163	Chair	Scott Blaser
164	Vice Chair	Bill Contardo
165	Secretary	Craig Wrathell
166	Assistant Secretary	Jim Collins
167	Assistant Secretary	Michael Traczuk
168	Assistant Secretary	Vacant
169	Assistant Secretary	Cindy Cerbone
170	Assistant Secretary	Jamie Sanchez

171 No other nominations were made.

172 Prior appointments by the Board for Treasurer and Assistant Treasurer remain
173 unaffected by this Resolution.

174

On MOTION by Mr. Collins and seconded by Mr. Contardo, with all in favor, Resolution 2023-01, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

178

179

180 **EIGHTH 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 [10 minutes]

181

182

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186

187 Ms. Cerbone presented Resolution 2023-02. She stated the December 7, 2022 meeting
188 scheduled at the last meeting might not be needed; a decision as to whether to cancel will be
189 made later in the meeting.

190 The following will be inserted into the Fiscal Year 2023 Meeting Schedule:

191 DATES: December 7, 2022 and the first Wednesday of each month thereafter.

192 TIME: 10:00 A.M.

193 LOCATION: Change "Offices of Vanguard Land, LLC, 6561 Palmer Park Circle, Suite B,
194 Sarasota, Florida 33428" to "Toscana Isles Amenity Center, 100 Maraviya Boulevard, Venice
195 Florida 34275.

196

On MOTION by Mr. Collins and seconded by Mr. Contardo, with all in favor, Resolution 2023-02, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023, as amended, and Providing for an Effective Date, was adopted.

197

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202

203 **NINTH ORDER OF BUSINESS**

Continued Discussion: Policy Regarding Parking and Towing [10 minutes]

204

205

206 Ms. Cerbone stated that the draft Parking and Towing Policy was prepared in
207 coordination with Mr. Sweater, Mr. O’Dea, the former Master Association and District Counsel.

208 Some Board Members commented about reducing the number of warnings and who will
209 administer the Policy. Ms. Cerbone pointed out that the Policy was written with resident input,

210 comprised of statutory guidelines and towing firms provided signage. The Board discussed
211 designating Mr. Collins as the point person to work with Ms. Sanchez, District Counsel, the new
212 Master Association President and others to review and/or modify the policy.

213 Mr. Curnutt stated he had a few modifications to the Policy and expressed his opinion
214 that no other improvements or delays are necessary.

215 Resident Tom Hart agreed with the suggestion to defer approving the Policy until the
216 new Master Association Board has reviewed it.

217 Regarding the policy and 90-day clause, Ms. Steinerts pointed out these are CDD roads;
218 therefore, the CDD is granted the authority under the Statutes to have a towing enforcement
219 policy and to enter into an agreement with a towing company. Whoever the CDD designates to
220 administer the Policy must ensure they follow all the guidelines.

221 Resident Susan Doyle stated that, in the original Declaration, parking was limited to four
222 hours and the Developer reduced it to two hours, which she felt is not sufficient if residents are
223 entertaining. In her opinion, there should be no parking on the streets after a certain time.

224 Resident Tony O’Dea responded to Ms. Doyle’s comments and clarified that Section 4 of
225 the Tenth Amendment pertains to clubhouse parking, which was reduced from four hours and
226 street parking increased from one hour to two hours. Ms. Cerbone and Ms. Steinerts stated
227 that the CDD has not adopted any rules regarding parking.

228 Mr. Ciranna asked for the minimum requirements and provided a sample of the Policies.

229 This item was deferred to the next meeting. Ms. Sanchez will email the Policy to the
230 Master Association, District Counsel and others for review.

231

232 **TENTH ORDER OF BUSINESS**

**Discussion: Juniper Landscaping of Florida,
LLC Recommendation for Sabal Palm
Replacement Under Warranty [10 minutes]**

233

234

235

236 This item was presented in conjunction with the Eleventh order of Business.

237

238 **ELEVENTH ORDER OF BUSINESS**

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

239

240

241

242 Ms. Cerbone presented the following options regarding replacing certain sabal palms
243 that are currently under warranty:

244 ➤ Proceed with replacing warranty items, like-for-like; warranty expires December 31,
245 2022.

246 ➤ Execute the Amendment to the Construction Agreement extending the terms of the
247 warranty to March 31, 2023, which allows the CDD to work with Juniper on alternate
248 vegetation, as there may be a shortage of sabal palms.

249 The Board discussed like-for-like replacement. According to Juniper, there will be no
250 problem obtaining sabal palms by the deadline. The Board agreed to proceed with staking and/or
251 like-for-like replacement of items under warranty and to not proceed with executing the Fifth
252 Addendum to the contract.

253 The Tenth and Eleventh Orders of Business will be removed from future agendas.
254

255 **TWELFTH ORDER OF BUSINESS**

Update: District FEMA Claim [5 minutes]

256

257 Ms. Cerbone discussed the following:

258 ➤ Hurricane Ian: In an abundance of caution, the CDD submitted a claim to FEMA in the
259 hopes of receiving 100% reimbursement of costs, although the CDD is not responsible for
260 maintaining or cleaning up CDD roadway debris because the Master Associate maintains them.

261 ➤ The deadline to file a FEMA claim for consideration of 75% reimbursement was
262 extended to January 12, 2023; the deadline for consideration of 100% reimbursement passed.

263 ➤ The Maintenance and Stormwater Agreement and Amendments were provided to the
264 third-party FEMA Consultant, Rostan, for review.

265 ➤ If engaged, Rostan felt that the next steps will be to work with FEMA to find out if the
266 FEMA claim filed on November 21, 2022 can be transferred to the Master Association or if the
267 Master Association must file its own claim.

268 ➤ The fee to engage Rostan is a not-to-exceed amount \$25,000. Due to budget
269 constraints, if the Board wants to proceed, the CDD will have to execute a Cost-Share
270 Agreement with the Master Association.

271 ➤ A Recovery Scope Meeting (RSM) with FEMA Representatives is scheduled for this
272 Friday. CDD Staff, Mr. Chris Simmons and Mr. Curnutt will attend.

273 Discussion ensued regarding CDD and HOA responsibilities.

274 Ms. Cerbone and Ms. Steinerts defined the CDD's statutory responsibilities, which are to
275 protect the CDD's assets, even though the day-to-day maintenance responsibilities are
276 conveyed to the Master Association by the Agreement, until it is terminated.

277 No action was taken for the Thirteenth and Fourteenth Orders of Business.

278 Ms. Cerbone will provide an update after the FEMA meeting.

279 The Board agreed to hear public comments on this matter.

280 Ms. House asked if the CDD or the Master Association obtained an engineering or
281 structural evaluation to identify any potential weak areas the CDD is not aware of. Ms. Cerbone
282 stated that the District Engineer confirmed to her that the answer is no.

283 Regarding the sabal palm replacements, resident Bill Rymysza asked if Juniper's scope of
284 work included clean up and removal costs that the Master Association is incurring. Mr. Curnutt
285 stated that anything related to the sabal palms is excluded from the Master Association invoice
286 or billed to the CDD.

287

288 **THIRTEENTH ORDER OF BUSINESS**

**Consideration of Rostan Solutions, LLC
Agreement for Professional Services [5
minutes]**

289

290

291

292 This item was discussed during the Twelfth Order of Business.

293

294 **FOURTEENTH ORDER OF BUSINESS**

**Discussion/Consideration: Cost Share
Agreement with the Mater Association
Related to Rostan Solutions, LLC [5
minutes]**

295

296

297

298

299 This item was discussed during the Twelfth Order of Business.

300

301 **FIFTEENTH ORDER OF BUSINESS**

STAFF REPORTS [5 minutes]

302

303 **A. District Counsel: *Straley Robin Vericker***

304 **▪ Wisdom Properties Litigation Update**

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

306 Ms. Steinerts reported the following:

307 ➤ The CDD, Developer and the Master Association are defendants being sued in an
308 injunction and declaratory action lawsuit filed by the adjoining property owner, Wisdom
309 Properties, LLC.

310 ➤ The complaint is about access to the property adjacent to the CDD, along the main road,
311 and changes to the plat.

312 ➤ The CDD's insurance carrier engaged a defense Attorney and the Motion to Dismiss was
313 filed. A hearing date is pending.

314 ➤ The Reservation of Rights letter from the CDD's insurance carrier provides that the
315 insurance carrier is reserving its right to potentially deny coverage of the claim, on an
316 indemnification level, but will provide a legal defense up to \$100,000. The CDD will be
317 responsible for costs exceeding that amount, although she does not know the amount.

318 ➤ If the Motion to Dismiss is not granted, the CDD might want to consider engaging
319 Insurance Coverage Counsel for the limited purpose of reviewing the CDD's insurance policy
320 and the Reservation of Rights to determine if the insurance carrier is interpreting the policy
321 correctly, in potentially denying the claim.

322 Ms. Steinerts gave an overview of the Motion to Dismiss and voiced her opinion that it
323 was very well written.

324 It was noted that Mr. Curnutt sent an e-blast on October 14, 2022 that contains a
325 summary from the Attorney retained by the Master Association showing the actual property,
326 the plat and the case being made by Wisdom Properties.

327 **B. District Engineer: *AM Engineering, LLC***

328 There was no report.

329 **C. District Manager: *Wrathell, Hunt and Associates, LLC***

330 • **NEXT MEETING DATE: TBD**

331 ○ **QUORUM CHECK**

332 The December 7, 2022 meeting was cancelled. The next meeting will be on January 4,
333 2023.

334

335 **On MOTION by Mr. Blaser and seconded by Mr. Collins, with all in favor,**
336 **authorizing Ms. Cerbone to cancel the December 7, 2022 meeting, was**
337 **approved.**

338

339

340 **SIXTEENTH ORDER OF BUSINESS****Board Members' Comments/Requests [10
minutes]**

341

342

343 Mr. Contardo suggested scheduling a Joint Workshop with the HOA to review CDD/HOA

344 roles and responsibilities to the residents. This will be a discussion item on the next agenda.

345 Overall, Mr. Contardo hoped the CDD, HOA and residents feel confident everyone is working in

346 their best interests.

347 Mr. Blaser stated he is happy to work with everyone.

348

349 **SEVENTEENTH ORDER OF BUSINESS****Public Comments [15 minutes]**

350

351 Ms. House asked the Board to be mindful when scheduling CDD meetings so residents

352 who work have the ability to participate.

353 Mr. Hart thanked Ms. Steinerts, Ms. Sanchez and Ms. Cerbone for their support and

354 help in explaining complex issues.

355 A resident asked if anything can be done to address the parking issues. He was directed

356 to contact HOA Counsel, as the CDD cannot take any action until a public hearing is held and

357 certain processes are implemented.

358 A resident reported observing County trucks on site diverting water and asked if the

359 flooding after Hurricane Ian is a CDD stormwater issue. Ms. Cerbone stated that the District

360 Engineer indicated that the river experienced a 1,000-year storm event, which no one could

361 have predicted, and, in turn, it impacted the community. There was no damage to the CDD

362 assets and improvements, such as the stormwater ponds. Mr. O'Dea confirmed this and

363 discussed the on-site inspection after Hurricane Ian. He stated everything is functioning

364 properly.

365 A resident reported observing water seeping underneath the road and expressed

366 concern about shifting sand. Ms. Cerbone suggested emailing Mr. Curnutt.

367

368 **EIGHTEENTH ORDER OF BUSINESS****Adjournment**

369

370

**On MOTION by Mr. Contardo and seconded by Mr. Collins, with all in favor, the
meeting adjourned at 4:41 p.m.**

371

372

373

374

375

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377

378 _____
Secretary/Assistant Secretary

_____ Chair/Vice Chair

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

9

Toscana Isles Community Development District (“CDD”)

Parking and Towing Policy (“Parking Policy”)

I. Parking Restrictions

A. For purposes of this Policy, "vehicle" includes, without limitation, restricted vehicles (any truck, motor home, camper, or other vehicle designed to provide temporary living quarters and having facilities for sleeping), cars, trucks, vans, SUVs, and other objects designed for transporting items or individuals whether motorized or not.

B. A vehicle may be parked on a CDD road for no longer than two hours provided the vehicle does not interfere with traffic flow at any time, is not parked in a CDD right-of-way adjacent to any median located in the center of the road, does not block access to sidewalks, and faces the same direction of traffic flow. When feasible, vehicles shall avoid parking within 20-feet of another vehicle parked on the opposite side of the roadway to allow free movement of traffic, delivery trucks, and emergency vehicles.[Will this be enforced? If so, this should be revised to remove “when feasible” and “shall avoid” and include “shall not”]

C. Parking on CDD roads is strictly prohibited from the hours of 12:00am to 6:00am, unless an overnight parking pass was issued in accordance with Section II below, which must be prominently displayed at all times on the driver's side interior front window when parked within the CDD road right-of-way.

II. Overnight Parking Pass

A. An overnight parking pass may be obtained from the Toscana Isles Master Association (“Master Association”).

B. An overnight parking pass will be valid only for 1 (one) night.

C. The CDD or the Master Association may issue an overnight parking pass for medical emergencies and/or unexpected guests.

III. Violations

A. Upon a first violation of this Parking Policy within a 90-day period, the CDD or its designee will place a parking violation notice on the windshield of the vehicle. If the CDD or its designee has an email address on file for the owner of the vehicle it will provide a written notice via email to the vehicle’s owner (with photographic evidence) requesting the resident to comply with the parking policy.

B. Upon a second violation within a 90-day period the CDD or its designee will place an official violation letter on the vehicle and if the CDD or its designee has an email address on file for the owner of the vehicle it will provide a second written notice via email to the vehicle’s owner. A second violation cannot be issued the same day that first violation

occurs, i.e. the second violation can only be issued after midnight that same night (i.e. after 12:00 am the immediately following day).

C. Upon a third violation within a 90-day period the CDD or its designee will place an official violation letter on the vehicle, and if the CDD or its designee has an email address on file for the owner of the vehicle it will provide a third written notice via email to the vehicle's owner, and the vehicle's license plate number will be provided to the CDD's contracted towing company to be on the list of vehicles that can be towed for the remainder of the 90-day period if illegally parked within the CDD road or right-of way during the hours of 12:00am and 6:00am. [What about if a vehicle is parked for more than two hours?]The vehicle must be moved within two (2) hours of the violation time shown on the written notice that is placed on the vehicle windshield the vehicle will be towed without notice.

D. Upon a fourth violation or more in a consecutive 90-day period the vehicle will be towed without further notice at vehicle owner's expense. The CDD or its designee's ability to tow the vehicle without prior notice, if parked illegally, shall expire the 91st day after the date of the first violation, except during situations where emergency towing is necessary. [Is this only for overnight parking violations or does it include vehicles parked for more than two hours?]

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

**STAFF
REPORTS**

TOSCANA ISLES COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE

LOCATION

Offices of Vanguard Land, LLC, located at 6561 Palmer Park Circle, Suite B, Sarasota, Florida 34238

¹Toscana Isles Amenity Center, 100 Maraviya Blvd., Venice, Florida 34275

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
November 7, 2022* <i>Continued to November 15, 2022</i>	Regular Meeting	10:00 AM
November 15, 2022	Continued Regular Meeting	10:00 AM
November 28, 2022	Regular Meeting	2:00 PM
December 7, 2022 CANCELED	Regular Meeting	10:00 AM
January 4, 2023 ¹	Regular Meeting	10:00 AM
February 1, 2023 ¹	Regular Meeting	10:00 AM
March 1, 2023 ¹	Regular Meeting	10:00 AM
April 5, 2023 ¹	Regular Meeting	10:00 AM
May 3, 2023 ¹	Regular Meeting	10:00 AM
June 7, 2023 ¹	Regular Meeting	10:00 AM
July 5, 2023 ¹	Regular Meeting	10:00 AM
August 2, 2023 ¹	Regular Meeting	10:00 AM
September 6, 2023 ¹	Regular Meeting	10:00 AM

***Exception**

November meeting date is two weeks earlier to accommodate Thanksgiving Holiday