

TOSCANA ISLES

COMMUNITY DEVELOPMENT

DISTRICT

November 1, 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

October 25, 2023

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 November 1, 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: Resolution 2021-05, Policies Regarding the Conduct of Meetings of the Board **[3 minutes]**
3. Discussion/Consideration: Meeting Duration **[1.05 hour]**
4. Consideration of Resolution 2024-01, Adopting Revised Policies Relating to Golf Carts on District Property; Designating Certain District Roads and Areas for Golf Cart Use; Providing for Conflicts, Severability, and an Effective Date **[5 minutes]**
5. Approval of September 6, 2023 Public Hearing and Regular Meeting Minutes **[2 minutes]**
6. Chairman's Opening Remarks **[5 minutes]**
7. Public Comments **[15 minutes]**
8. Update: Juniper Landscaping Sabal Palm Warranty Work **[5 minutes]**
9. Acceptance of Unaudited Financial Statements as of September 30, 2023 **[3 minutes]**
10. Staff Reports **[10 minutes]**
 - A. District Counsel: *Straley Robin Vericker*
 - B. District Engineer: *AM Engineering, LLC*
 - Inspection Report Regarding CDD Ownership
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*

- NEXT MEETING DATE: December 6, 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	PAUL SCHMITT	<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO

11. Board Members' Comments/Requests **[2 minutes]**
12. Public Comments **[15 minutes]**
13. Adjournment

Should you have any questions and/or concerns, please feel free to contact me directly at (561) 512-9027.

Sincerely,



Jamie Sanchez
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**

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**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

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RESOLUTION NO. 2024-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF TOSCANA ISLES COMMUNITY DEVELOPMENT DISTRICT ADOPTING REVISED POLICIES RELATING TO GOLF CARTS ON DISTRICT PROPERTY; DESIGNATING CERTAIN DISTRICT ROADS AND AREAS FOR GOLF CART USE; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 316.212, *Florida Statutes*, a golf cart may be operated upon a public road which has been designated for golf cart use by the responsible local government entity;

WHEREAS, the Board of Supervisors (the "**Board**") of the Toscana Isles Community Development District (the "**District**") is authorized pursuant to Section 190.011(5), *Florida Statutes* to adopt policies and resolutions for the conduct of District business, and to revise the same from time to time;

WHEREAS, the District owns the right-of-ways in the District;

WHEREAS, the Board previously adopted Resolution 2021-06 which adopted certain policies with respect to golf carts on District property and desires to update that policy to reflect recent changes to Section 316.212, *Florida Statutes*;

WHEREAS, the Board determined that the operation of golf carts within the right-of-way of certain roads located within the District will not impede the safe and efficient flow of motor vehicular traffic;

WHEREAS, the Board determined that the speed, volume, and character of motor vehicular traffic using certain roads and designated areas located within the District will allow golf carts that may travel along or cross these roads and areas with reasonable safety;

WHEREAS, the Board determined that it is in the interests of the District, its residents and the public to designate certain roads and additional areas for golf cart usage;

WHEREAS, the operation and use of golf carts on District roadways is a privilege and not a right;
and

WHEREAS, the Board has determined that it is necessary to implement a policy for the efficient operation and use of golf carts within the community.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. Incorporation of Recitals. The recitals set forth above are incorporated herein in their entirety.

Section 2. Open Meetings. It is hereby found and determined that all official acts of this Board concerning and relating to the adoption of this Resolution were taken in open meetings of the members of the Board and all deliberations of the members of the Board that resulted in such official acts were in meetings open to the public, in compliance with all legal requirements including, but not limited to the requirements of Section 286.011, *Florida Statutes*.

Section 3. Designation of Certain Areas and Roadway.

- a. Golf carts may only be operated on District roadways or on sidewalks within District road right-of-ways.

- b. Golf carts may not be driven in playgrounds, amenity areas (other than parking lots), dog parks, conservation areas, ditches, tree preserves, grassy areas, and any other non-roadway or sidewalk area.

Section 4. Signage and Right of Way. Appropriate signage shall be placed to warn motorists that the operation of golf carts is allowed on roadway and sidewalk areas specifically designated for golf cart use. Pedestrians will have the right of way and golf cart operators will yield to such individuals.

Section 5. Golf Cart Hours of Operation.

- a. Golf carts with headlights, brake lights, turn signals and a windshield may be operated on the designated areas referenced herein at all hours of the day.
- b. Golf carts lacking the aforementioned equipment may be operated only during the hours between sunrise and sunset.

Section 6. Requirements for Golf Carts Operating on Designated Areas. All golf carts operating on designated areas referenced herein must:

- a. be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear
- b. be in sound and safe working condition and maintained and repaired in accordance with manufacturer's requirements and recommendations
- c. be operated in accordance with all manufacturer's requirements
- d. not be used to carry more persons at one time than can be safely seated in designated seating areas, and seat belts are recommended when transporting children and where required by Florida law
- e. not exceed 20 miles per hour at any time

Section 7. Requirements for Golf Cart Operators. Operators of golf carts on the designated areas referenced herein must:

- a. comply with all requirements of Section 316.212, *Florida Statutes* and other applicable Florida law as they may be changed from time to time
- b. have proper insurance, including liability insurance, and carry proof of insurance and provide a copy to the District upon request
- c. obey all applicable traffic laws and posted signs, including speed limits
- d. be parked in designated golf cart vehicle parking areas or motor vehicle parking areas. No golf carts shall be parked in a roadway, on a sidewalk, or in any manner blocking a sidewalk.
- e. be stored in an enclosed garage and otherwise comply with the policies, rules, and regulations of the Toscana Isles Master Association, as may be applicable.

Section 8. Use of Vehicles by District Supervisors and Staff. Notwithstanding anything contained herein to the contrary, District supervisors, staff, employees, and/or contracted vendors may use golf carts and utility vehicles owned and operated by District supervisors, staff, employees, and/or contracted vendors anywhere on District property in order to conduct District business and operations, including the inspection, operation, management, maintenance, and repair of District property.

Section 9. Assumption of Risk and Indemnification of the District.

- a. The owner of a golf cart and/or any person using or riding in a golf cart in the community assumes the risk of property damage, personal injury or death.
- b. The District shall not be liable for golf carts operated in the community or any liability arising from or related to the use of a golf cart in the community, whether or not in compliance with this policy and/or applicable law.
- c. By operating or riding in a golf cart on any District street or road, each person operating or

riding in such golf cart agrees to indemnify, defend, and hold harmless the District, including its residents, supervisors, directors, officers, agents, managers, management company, attorneys, representatives, employees, agents, successors and assigns, from any *and all* causes of action, costs, damages, liabilities, suits, *claims*, losses, and/or harm (collectively, "**claims**"), of any *and every* kind or nature, including but *not* limited equitable and legal claims and claims for personal injury or property damage, arising from or related to operating, using, or riding in a golf cart in the community.

Section 10. Enforcement.

- a. Any violation of this Resolution, as determined by the Board, may result in suspension or revocation of privileges to operate the golf cart in the community and/or suspension of use of District recreation facilities.
- b. Any threat to safety may result in immediate contact to law enforcement and/or legal action. Safety violations and any violation of Florida motor vehicle and traffic laws, as well as other applicable federal, state, and/or local law, shall be reported to and enforced by the City of Venice Police Department or other applicable agency.

Section 11. Supersession of Prior District Policies and Resolutions. This Resolution is intended to supersede and replace all prior District policies and resolutions, including Resolution 2021-06. All prior District policies or resolutions or parts thereof relating to golf carts are hereby repealed.

Section 12. Conflict with Jurisdiction or Authority of State, County, or City. To the extent that any provision of this Resolution is preempted by or conflicts with the jurisdiction or authority of the State of Florida, Sarasota County, or the City of Venice over the areas designated herein under any law, regulation, or ordinance, the conflicting provision(s) of this Resolution shall have no effect.

Section 13. Severability. The provisions of this Resolution are hereby declared to be severable. If any provision of this Resolution is invalid or unenforceable, such invalidity or unenforceability shall not affect any other provision hereof.

Section 14. Effective Date. This Resolution shall take effect immediately upon adoption.

Passed and adopted on November 1, 2023.

Attest:

**Toscana Isles
Community Development District**

Secretary/Assistant Secretary

Chair of the Board of Supervisors

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

MINUTES

DRAFT
MINUTES OF MEETING
TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Toscana Isles Community Development District held a Public Hearing and Regular Meeting on September 6, 2023, at 10:00 a.m., at the Toscana Isles Amenity Center, 100 Maraviya Blvd., Venice, Florida 34275.

Present were:

Scott Blaser	Chair
Bill Contardo	Vice Chair
Paul Schmitt	Assistant Secretary
James Collins	Assistant Secretary
Michael Traczuk	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Jamie Sanchez	Wrathell, Hunt and Associates, LLC (WHA)
Whitney Sousa (via telephone)	District Counsel
Shawn Leins (via telephone)	District Engineer
Diane Jochum	Resident/HOA Board Member
Anthony Scappatura	Juniper Landscaping

Residents present:

Bill Ambrose	Thomas Hart	Lisa Hart	Sue Doyle
Nancy Gibson	Joni Salafia	Fred Salafia	Linda Hogenmiller
Jeff Munzing	Eugene Coblentz	Dennis Koroll	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 10:01 a.m. Supervisors Contardo, Collins, Traczuk and Schmitt were present. Supervisor Blaser was not present as roll call.

SECOND ORDER OF BUSINESS

Discussion: Resolution 2021-05, Policies Regarding the Conduct of Meetings of the Board [3 minutes]

Ms. Sanchez read the following Meeting Policies listed in Resolution 2021-05:

➤ Board Supervisors and members of the public shall use respectful tones and words when they are addressing the Board, the public, or District Staff.

44 ➤ Board Supervisors and members of the public should avoid repetitive or redundant
45 questions or comments.

46 ➤ Degrading, uncomplimentary, or disrespectful remarks about an individual in any way
47 may result in the adjournment of the Board meeting.

48 ➤ Agenda items or discussion topics must pertain to District business.
49

50 **THIRD ORDER OF BUSINESS**

Discussion/Consideration:
Duration [1.10 hour]

Meeting

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53 This item was not addressed.
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55 **FOURTH ORDER OF BUSINESS**

Approval of August 2, 2023 Regular
Meeting Minutes [2 minutes]

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59 **On MOTION by Mr. Collins and seconded by Mr. Traczuk, with all in favor, the**
60 **August 2, 2023 Regular Meeting Minutes, as presented, were approved.**
61

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63 **▪ Update: Juniper Landscaping Sabal Palm Warranty**

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

65 Mr. Scappatura stated that all warranty replacement work, trees, shrubs and turf
66 sections were completed, with the exception of where tree stakes need to be removed at two
67 residences.

68 Mr. Scappatura noted the following:

69 ➤ The latest assessment was conducted yesterday.

70 ➤ The punch list was given to the installation team; it is expected to take half a day to
71 complete.

72 ➤ The dead palms are not under warranty and any replacement would need Board
73 approval. The warranty on the replacement palms was voided when Juniper was terminated
74 the second week of May. Juniper had no contact with the irrigation system or control when the
75 pump system was replaced.

76 ➤ The remaining punch list items will be completed September 22, 2023. Once completed
77 a final walkthrough with Mr. Schmitt will be coordinated.
78

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80 **FIFTH ORDER OF BUSINESS****Chairman's Opening Remarks [5 minutes]**

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82 This item was presented following the Ninth Order of Business.

83

84 **SIXTH ORDER OF BUSINESS****Resident Concerns [2 minutes]**

85

86 Ms. Sanchez stated that she replied to most resident concerns and, once the District
87 Engineer has completed his inspection, she will respond to outstanding items regarding the
88 guard house, ownership, insurance requirements, street signs and the fountains.

89 • **Overlap in Field Review with Master Association**

90 Regarding the possibility of overlap in Engineering services, Ms. Sanchez stated that Mr.
91 Chris Simmons confirmed that the Master Association has not retained an Engineer yet to
92 assess damage from Hurricane Ian.

93

94 **SEVENTH ORDER OF BUSINESS****Public Comments [15 minutes]**

95

96 Ms. Sanchez explained the protocols for public comments.

97 Resident Eugene Coblenz asked the Board to consider purchasing the land for sale
98 around the CDD weir, in order to establish a berm to prevent future flooding and avoid a repeat
99 of what occurred when Habitat for Humanity developed the land near the main guard gate.

100 Resident Lisa Hart asked if the landscape warranty on the new homes under contract is
101 voided if the Juniper contract is terminated.

102 Resident and HOA Board Member Diane Jochum asked Mr. Scappatura if cleanup plans
103 include removing the lumber behind the homes, filling in holes, cutting root balls to ground
104 level and laying mulch.

105 Mr. Schmitt asked Mr. Scappatura to clarify if the original warranty on the enhanced
106 area where they replaced the palms and the warranty of the palms that were part of the credit,
107 are void. Mr. Scappatura replied affirmatively, the warranties are void because Juniper had no
108 control of the irrigation system as of May 15, 2023.

109 Mr. Schmitt recalled Mr. Scappatura's boss confirming, at a previous meeting, that
110 Juniper would replace the dead sabal palms. Mr. Scappatura stated that, without documented
111 proof that the palms died prior to May 15, 2023, Juniper will not uphold the warranty. Ms.

112 Cerbone stated that Ms. Sanchez will review the transcribed meeting minutes and audio and
113 send it to Juniper. She will provide an update at the next meeting.

114 Regarding filling in holes, leveling root balls and overall cleanup, Mr. Scappatura stated
115 Juniper will level the 3’ stumps and Juniper gave or will give a credit for any remaining root
116 balls. He noted that the HOA scope did not include removing all the lumber nor was it part of
117 the warranty but he can submit a proposal for the work.

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119 **EIGHTH ORDER OF BUSINESS**

**Public Hearing to Consider the Adoption of
the Fiscal Year 2023/2024 Budget [5
minutes]**

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123 **A. Proof/Affidavit of Publication**

124 **B. Consideration of Resolution 2023-09, Adopting a Budget for the Fiscal Year Beginning**
125 **October 1, 2023, and Ending September 30, 2024; and Providing an Effective Date [5**
126 **minutes]**

127 Ms. Sanchez stated that the proposed Fiscal Year 2024 budget is the same version that
128 was presented at prior meetings.

129 **Mr. Blaser arrived at the meeting at 10:24 a.m.**

130 Ms. Sanchez noted that, overall, assessments decreased \$15.54 for each unit type
131 compared to the Fiscal Year 2023 assessments. Ms. Cerbone stated that the decrease is
132 because, unlike in the prior fiscal year, this year there was no need to increase the amount for
133 working capital.

134

**On MOTION by Mr. Collins and seconded by Mr. Contardo, with all in favor, the
Public Hearing was opened.**

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139 Resident Bill Ambrose asked if the “Supervisor’s” budgeted amount will decrease if the
140 Board decides to transition from monthly to quarterly meetings. Mr. Sanchez replied
141 affirmatively but the budgeted amount is for the maximum number of meetings.

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**On MOTION by Mr. Collins and seconded by Mr. Contardo, with all in favor, the
Public Hearing was closed.**

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On MOTION by Mr. Schmitt and seconded by Mr. Collins, with all in favor, Resolution 2023-09, Adopting a Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; and Providing an Effective Date, was adopted.

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NINTH ORDER OF BUSINESS

Consideration of Resolution 2023-10, Imposing Annually Recurring Operations and Maintenance Non-Ad Valorem Special Assessments; Providing for Collection and Enforcement of All District Special Assessments; Certifying an Assessment Roll; Providing for Amendment of the Assessment Roll; Providing for Challenges and Procedural Irregularities; Providing for Severability; Providing for an Effective Date [5 minutes]

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On MOTION by Mr. Schmitt and seconded by Mr. Traczuk, with all in favor, Resolution 2023-10, Imposing Annually Recurring Operations and Maintenance Non-Ad Valorem Special Assessments; Providing for Collection and Enforcement of All District Special Assessments; Certifying an Assessment Roll; Providing for Amendment of the Assessment Roll; Providing for Challenges and Procedural Irregularities; Providing for Severability; Providing for an Effective Date, was adopted.

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- **Chairman’s Opening Remarks [5 minutes]**

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

Mr. Blaser tabled opening remarks as Ms. Sanchez confirmed that the Second Order of Business was reviewed.

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TENTH ORDER OF BUSINESS

Consideration of Resolution 2023-11, Golf Cart Policy (to be deferred) [5 minutes]

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This item was deferred.

A Board Member voiced their opinion that, until the Board resolves this matter, Mr. Babbar should not do any additional work on it. Ms. Sanchez recalled that the Board reviewed and asked Mr. Babbar to modify the policy regarding the age limit and to ensure that it complies with State laws.

188 Discussion ensued regarding whether the CDD Resolution is needed or if it can be
189 eliminated since the HOA documents already include language stating that the policy applies to
190 all State laws.

191 Board Members think the HOA should be responsible for implementing and enforcing
192 the Golf Cart Policy and Parking Policy.

193 Ms. Sousa stated entities typically implement a policy to convey information to
194 residents but it is not legally required. Mr. Babbar would have to determine if the policy should
195 be modified or eliminated. Ms. Sanchez will follow up with Mr. Babbar and provide an update
196 at the next meeting.

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198 **ELEVENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial
Statements as of July 31, 2023 [3 minutes]**

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202 **On MOTION by Mr. Schmitt and seconded by Mr. Contardo, with all in favor,**
203 **the Unaudited Financial Statements as of July 31, 2023, were accepted.**

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206 **TWELFTH ORDER OF BUSINESS**

STAFF REPORTS [10 minutes]

207

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

209 Ms. Sousa stated that, upon review of the Agreement with the HOA, Mr. Babbar
210 determined that the HOA is responsible for maintaining the guardhouse.

211 Mr. Blaser asked about ownership. Ms. Sanchez stated she addressed this earlier; this
212 and other outstanding items will be done once the District Engineer completes his inspection.

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

214 Ask when the Inspection Report would be done, Mr. Liens stated he expects to complete
215 the inspection by October 15, 2023. The Report will be included in the November agenda.

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

- 217 • **NEXT MEETING DATE: October 4, 2023 at 10:00 AM**

- 218 ○ **QUORUM CHECK**

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220 **THIRTEENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests [5
minutes]**

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- 223 • **Discussion: Area Near the Weir**

224 Mr. Collins discussed how he was notified that this property is for sale and asked if the
225 Board should consider purchasing it or be concerned about development, as he thinks it is in an
226 area that the Board would not want to be developed. Ms. Cerbone reminded everyone that the
227 HOA has dedicated access and maintenance rights to the weir and it is located on private
228 property and all the stormwater permits are in the owner's name.

229 Asked if development of this property could worsen the CDD's drainage system, Mr.
230 Leins stated the Developer would have to construct certain ponds or stormwater management
231 facilities and prove to the Southwest Florida Water Management District (SWFWMD) and the
232 City of Venice that the drainage ditch that outflows to the weir is not adversely impacting
233 anybody downstream or upstream with their development.

234 Asked if there is any benefit to the CDD to acquire this property for stormwater
235 purposes, Mr. Leins replied no; he thinks it will not significantly impact the system.

236 Mr. Collins thinks it is strange the HOA, which is not a government agency, runs the
237 stormwater system. Mr. Leins stated that the SWFWMD and the City regulate the system. The
238 operation and maintenance (O&M) of these types of private systems is left to the HOA.

239 Ms. Sanchez stated that, per Mr. Babbar, "If the new property owner of the weir altered
240 the property that is not in compliance with permitting requirements and it causes drainage
241 issues to CDD property, the CDD would have standing to get involved and have its property
242 restored and request reimbursement for any expenses."

243 Asked about the status of the legal suit, Ms. Cerbone stated there is nothing planned
244 until calendar year 2024. Ms. Sousa noted Mr. Babbar advised that discovery is planned for
245 later this year and possibly a trial at the beginning of next year.

246 • **Discussion: Parking and Towing**

247 Mr. Collins asked the Board to comment on the HOA parking and towing policy that was
248 disseminated to the Board and Staff.

249 A resident voiced their belief that the CDD will need to create a policy authorizing
250 towing if the HOA decides to implement a towing policy. Ms. Cerbone stated that towing is
251 included in the HOA policy but the CDD will not have to take any action unless the HOA decides
252 it wants to enforce towing.

253 Mr. Collins suggested the HOA incorporate certain language from the recent
254 correspondence in qualifying 30-days, the philosophy, etc., into its policy.

255 This item was tabled.

256 A Board Member asked if the CDD and HOA websites have links connecting the two.
257 Ms. Sanchez replied no; to do so would require Board approval, as the CDD is only required to
258 post certain items on its website. It was noted that the CDD website is public and to proceed
259 would pose a lack of control over what is published on the other side and require complying
260 with the Americans with Disability Act (ADA) guidelines. Ms. Cerbone stated, typically, the HOA
261 would post the CDD’s website link on its website. Ms. Sanchez noted that the HOA
262 representative nodded in agreement to post the CDD’s link on the HOA website.

263

264 **FOURTEENTH ORDER OF BUSINESS**

Public Comments [15 minutes]

265

266 Resident Nancy Gibson voiced concern about flooding and asked if maintenance is
267 planned around the weir. She noted there are several downed trees in the area.

268 Mr. Blaser stated that all public comments will be answered at the end of this section.

269 Mr. Ambrose asked how Juniper will handle landscape warranties on new builds, if they
270 have no control over the irrigation.

271 Resident Thomas Hart recalled that the CDD golf cart resolution was originally passed to
272 ensure liability protection for the CDD and the community, in the event of an accident.

273 Ms. Jochum stated that the HOA does not want towing in the parking policy, the HOA’s
274 concern was to reduce from 90 to 30 days and use the policy only in extreme cases. Regarding
275 the golf cart policy, the HOA is following the State statutes, which will be effective October 1,
276 2023. The HOA will implement golf cart registration and is working on plan to implement the
277 process. She asked why the CDD is waiting for an Engineer’s Report to determine ownership.
278 She asked if the HOA’s continual maintenance easement will go to the new owner if the
279 property is sold. She noted that the weir is clean, beautiful and on a maintenance schedule; she
280 encouraged everyone to visit it.

281 Resident Jeff Munzing appreciated the way the CDD, HOA and residents are
282 communicating and getting along. He encouraged everyone to participate in the blood drive on
283 September 23, 2023.

284 A resident asked if the District Engineer can confirm that, if there are different
285 conditions, they can redesign and double the flow through the weir with the same footprint, to
286 avoid potential flooding. Ms. Cerbone advised that the CDD does not own the weir; it is on

287 private property and the HOA is the permit holder to access and maintain the weir. The HOA
288 would have to engage an Engineer. The property for sale is located next to the weir.

289 Asked who determined which entity is responsible for the weir, Ms. Cerbone stated that
290 she is not aware of an existing contract; maintenance easement agreements are typically issued
291 and named on the plat and stormwater permits.

292 Asked about recording easement agreements, Ms. Cerbone stated these are typically
293 located on the Sarasota County Court Records. Questions regarding the weir should be directed
294 to the HOA.

295 In response to the question from Mr. Hart, Ms. Cerbone recalled that, in a previous
296 meeting, District Counsel advised that the reason for the CDD golf cart resolution was to
297 provide an extra layer of protection to the CDD and community in the event of an accident. It
298 was noted that the CDD has sovereign immunity up to \$200,000.

299 In response to the question from Ms. Jochum, it was noted that, at a previous meeting,
300 the Board directed Mr. Leins to determine ownership and responsibilities and include it in the
301 Report. Regarding why District Counsel is not doing this, Ms. Cerbone stated that Mr. Leins
302 must review the records and confirm which improvements were paid for from bond funds.
303 Regarding if Mr. Leins is reviewing any conveyances to the HOA, Ms. Cerbone replied no;
304 typically, public improvements paid for with bond funds are not conveyed to private parties,
305 like the HOA. The Developer conveyed tracts to the HOA to perform maintenance.

306 Regarding whether docks and seawalls will be included in the Report, Ms. Sanchez was
307 asked to have Mr. Leins define the stormwater pond attributes, such as docks, seawalls and the
308 island, in the Report.

309 Regarding a comment about the CDD transitioning to quarterly meetings, Mr. Blaser
310 stated that is the goal.

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**On MOTION by Mr. Blaser and seconded by Mr. Contardo, with all in favor,
cancelling the October 4, 2023 meeting, was approved.**

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FIFTEENTH ORDER OF BUSINESS

Adjournment

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**On MOTION by Mr. Blaser and seconded by Mr. Traczuk, with all in favor, the
meeting adjourned at 11:15 a.m.**

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326 _____
Secretary/Assistant Secretary

_____ Chair/Vice Chair

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

**UNAUDITED
FINANCIAL
STATEMENTS**

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

**STAFF
REPORTS
B**

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

**STAFF
REPORTS
C**

TOSCANA ISLES COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE

LOCATION

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

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 4, 2023 CANCELED	Regular Meeting	10:00 AM
November 1, 2023	Regular Meeting	10:00 AM
December 6, 2023	Regular Meeting	10:00 AM
January 3, 2024	Regular Meeting	10:00 AM
February 7, 2024	Regular Meeting	10:00 AM
March 6, 2024	Regular Meeting	10:00 AM
April 3, 2024	Regular Meeting	10:00 AM
May 1, 2024	Regular Meeting	10:00 AM
June 5, 2024	Regular Meeting	10:00 AM
July 3, 2024	Regular Meeting	10:00 AM
August 7, 2024	Regular Meeting	10:00 AM
September 4, 2024	Regular Meeting	10:00 AM