

**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 August 7, 2024 at 10:00 a.m. at the Toscana Isles Amenity Center, 100 Maraviya Boulevard, 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:**

Jamie Sanchez	District Manager
Vivek Babbar (via telephone)	District Counsel
Sebastian Walczak	Master Association General Manager
Linda Hogenmiller	Resident
Jeff Hogenmiller	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Sanchez called the meeting to order at 11:04 a.m.

All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Continued Discussion: Resolution 2021-05,  
Policies Regarding the Conduct of  
Meetings of the Board**

Mr. Blaser reviewed the rules for conducting CDD meetings and noted the importance of civility.

**THIRD ORDER OF BUSINESS**

**Discussion/Consideration:  
Duration**

**Meeting  
Duration**

This item will be removed from future agendas.

**FOURTH ORDER OF BUSINESS**

**Approval of June 5, 2024 Regular Meeting Minutes**

The following changes were made.

Lines 111 and 121: Change “He” to “Mr. Traczuk”

Line 113: Change: “He, Mr. Koroll and Ms. Jochum” to “Mr. Traczuk, Mr. Koroll, Ms. Jochum and Mr. Munzing”

Line 117: Insert “Mr. Traczuk believes” after “but”

Line 119: Change “He, Mr. Foxwell and Mr. Copeland” to “Mr. Traczuk and Mr. Foxwell”

Line 122: Insert “CDD” before “Board Members”

**On MOTION by Mr. Schmitt and seconded by Mr. Collins, with all in favor, the June 5, 2024 Regular Meeting Minutes, as amended, were approved.**

**FIFTH ORDER OF BUSINESS**

**Chairman’s Opening Remarks**

Mr. Blaser asked why the Board received the agenda package yesterday, when they typically receive it two weeks prior to the meeting. Ms. Sanchez stated that she will check with District Management’s office.

Mr. Blaser thanked the residents for attending the meeting.

**SIXTH ORDER OF BUSINESS**

**Public Comments**

Resident Jeff Hogenmiller stated that he wants to gain a better understanding of the CDD, the water behind his property and what homeowners are paying for. Mr. Blaser stated that the Board Members are available to educate residents about what the CDD can and cannot do.

**SEVENTH ORDER OF BUSINESS**

**Continued Discussion: Second Demand Letter to Juniper Landscaping of Florida, LLC for Completion of Warranty Work**

Mr. Schmitt reported the following:

- The walkthrough with Mr. Anthony Scappatura occurred last week and the warranty work appears to be pretty much done, with the exception of removing one small stump sticking 18” up from the ground, which he agreed to have done and said it was done but is still there.
- Mr. Schmitt thinks that the CDD should not be involved in resolving the issue of Juniper reimbursing the HOA the cost for stump grinding, as it does not benefit the CDD to prolong this. He believes the HOA made the mistake of hiring a stump grinding company without informing Juniper or the CDD first.
- Mr. Schmitt recommends the CDD execute Mr. Anthony Scappatura’s letter confirming and acceptance of completed warranty work. Ms. Sanchez suggests waiting and keeping this item on the agenda as an update until Mr. Schmitt confirms Juniper completed the last item.

As to the suggestion of notifying the HOA of the CDD’s decision, Ms. Sanchez suggested waiting until the work has concluded before emailing the HOA and include a reminder that any other negotiations with Juniper will be solely on the HOA.

Mr. Schmitt stated that the HOA can still pursue Juniper, as they did not emphatically say they were not going to reimburse the HOA but wants proof supporting it. Mr. Blaser thinks the HOA should pursue reimbursement, as this was pointed out in several letters to them.

A Board Member asked if the six dead sabal palms between the pump station and the corner is a CDD or HOA matter. Mr. Blazer stated that the HOA is responsible for maintenance.

This item will be kept on the agenda as an update.

**EIGHTH ORDER OF BUSINESS**

**Update: Correspondence from Becker & Poliakoff Regarding D.R. Horton Construction Defects**

Ms. Sanchez stated that, as of yesterday, she received 44 emails from residents regarding damage on curbs or sidewalks.

Mr. Traczuk, lead CDD liaison with D.R. Horton on this matter, reported the following:

➤ Based on his evaluation, he identified a lot of defects on the roads in the area where Ms. Jochum resides; he thinks the majority of the damage is to curbing throughout the entire development.

Mr. Blaser questioned if the crack in the center of the sidewalk outside the gate before Knights Trail is a defect as opposed to a repair. Mr. Traczuk suggested submitting it as a defect and, if D.R. Horton does not take ownership, then submit it to the Developer.

The Board consensus was to wait to respond to D.R. Horton’s recent letter, until they finish constructing homes and improvements.

Mr. Traczuk stated that he will follow up with Mr. Foxwell regarding whether he designated Ms. Jochum or someone from the HOA to work with him on these issues.

As directed at the last meeting, Ms. Sanchez stated that she emailed the 2021 Roadway Study Report and the Geothermal Report to the Board on June 11, 2024, the minutes of the meeting at which the prior CDD Board approved the Geothermal Report and the document that Mr. Contardo passed around at the last meeting.

Regarding if conditions have changed since the Reports, Ms. Sanchez stated that the previous CDD Board approved the Roadway Evaluation letter from Universal Engineering Services, which indicated that there were no structural defects and that everything was done in compliance. This was done to address resident concerns in 2021 that the roadways were not constructed properly and that they were defective, which are the same concerns residents have today. As to the roads constructed after the Report, Ms. Sanchez reminded the Board that it added a new in Fiscal Year 2025 “Geotechnical engineering” budget line item of \$10,000 in case the Board wants another study.

This item will remain on the agenda as an update.

**NINTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year 2024/2025 Budget**

- A. Affidavit of Publication**
- B. Consideration of Resolution 2024-05, Adopting a Budget for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; and Providing an Effective Date**

Ms. Sanchez reiterated that the proposed Fiscal Year 2025 budget includes the new “Geotechnical engineering” budget line item of \$10,000 for survey work, which was funded using “Unassigned” funds and resulted in an assessment increase of less than \$1.

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

Mr. Hogenmiller stated that he thinks the budget seems to be in order.

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

**On MOTION by Mr. Schmitt and seconded by Mr. Contardo, with all in favor, Resolution 2024-05, Adopting a Budget for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; and Providing an Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-06, 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**

Ms. Sanchez presented Resolution 2024-06 and read the title. Mr. Blaser asked if there were any changes in the language from the prior year’s Resolution. Mr. Babbar stated no.

**On MOTION by Mr. Contardo and seconded by Mr. Schmitt, with all in favor, Resolution 2024-06, 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.**

**ELEVENTH ORDER OF BUSINESS**

**Presentation of Audited Financial Report for the Fiscal Year Ended September 30, 2023, Prepared by McDirmit Davis**

Ms. Sanchez noted the pertinent information in the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2023. It was a clean audit; there were no findings, recommendations, deficiencies on internal control or instances of noncompliance.

**TWELFTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-07, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023**

**On MOTION by Mr. Schmitt and seconded by Mr. Traczuk, with all in favor, Resolution 2024-07, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023, was adopted.**

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of Goals and Objectives Reporting [HB7013 - Special Districts Performance Measures and Standards Reporting]**

Ms. Sanchez read the first paragraph of the Memorandum, which states:

“To enhance accountability and transparency, new regulations were established for all special districts, by the Florida Legislature, during their 2024 legislative session. Starting on October 1, 2024, or by the end of the first full fiscal year after its creation (whichever comes later), each special district must establish goals and objectives for each program and activity, as well as develop performance measures and standards to assess the achievement of these goals and objectives. Additionally, by December 1 each year (initial report due on December 1, 2025), each special district is required to publish an annual report on its website, detailing the goals

and objectives achieved, the performance measures and standards used, and any goals or objectives that were not achieved.

Ms. Sanchez stated that District Management identified the following key categories to focus on for Fiscal Year 2025 and developed statutorily compliant goals for each:

- Community Communication and Engagement
- Infrastructure and Facilities Maintenance
- Financial Transparency and Accountability”

Ms. Sanchez presented the Performance Measures/Standards & Annual Reporting Form developed for the CDD, identifying the goals and explaining how the CDD will meet its goals, which consists primarily of what the CDD is already required to do statutorily.

Mr. Blaser stated that what Management prepared is similar to what the Florida Association of Special District’s (FASD) discussed in its annual meeting and what most of the other CDDs are doing to be in compliance. The Fire Districts and Water Management Districts require much larger specific goals. He congratulated the Management group on providing these in a really nice manner. He also completed his ethics training courses.

**On MOTION by Mr. Schmitt and seconded by Mr. Collins, with all in favor, the Goals and Objections and the Performance Measures/Standards & Annual Reporting Form, were approved.**

**FOURTEENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of June 30, 2024**

Ms. Sanchez explained why the “Engineering” budget line item exceeded budget; she does not expect the CDD to exceed its overall budget for the Fiscal Year Ending September 30, 2024.

**On MOTION by Mr. Contardo and seconded by Mr. Collins, with all in favor, the Unaudited Financial Statements as of June 30, 2024, were accepted.**

**FIFTEENTH ORDER OF BUSINESS**

**Staff Reports**

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

There was no report.

Asked if there was any update on the Wisdom Property litigation, Mr. Babbar replied no.

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

There was no report.

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

- **1,281 Registered Voters in District as of April 15, 2024**
- **NEXT MEETING DATE: September 4, 2024 at 10:00 AM**
  - **QUORUM CHECK**

**SIXTEENTH ORDER OF BUSINESS****Board Members' Comments/Requests**

Mr. Blaser congratulated the incumbent Board Members who ran unopposed and will retain their Board seats in the upcoming November 2024 General Election.

Discussion ensued regarding whether Mr. Schmitt's seat transitioned from a Landowner elected seat to the upcoming November 2024 General Election.

Management's Office will verify if all Landowner-elected seats transitioned to the General Election process.

Mr. Schmitt reported a missing street sign on the corner of Gialla Court and asked if this is a CDD matter. Ms. Sanchez stated that she would have the District Engineer verify if one was included in the original plans.

Mr. Schmitt expressed concerns about the lakes flooding and certain water levels rising downstream from the weir but not on the other side of the road.

The Board Members voiced their opinions of why the lakes are flooding and discussion ensued regarding whether to address this now; some think the stormwater systems are working as constructed.

Ms. Sanchez stated that the weirs are not CDD property. She and Mr. Babbar suggested residents individually report concerns to the County or the Water Management District so one of those entities can investigate the weirs, as they are in charge of the waterflow; they would



likely take quicker action if they receive resident concerns as opposed to if the CDD reports it. Mr. Blaser, as a resident, stated that he will inspect the weir; his preference is to wait to see if conditions worsen.

**SEVENTEENTH ORDER OF BUSINESS**

**Public Comments [15 minutes]**

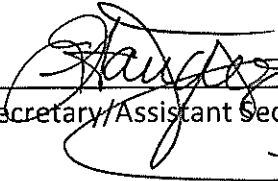
Mr. Hogenmiller asked if the CDD should be concerned and take action due to water running across the street in an area on the east side of CDD property. This has been occurring since the City built the pump station and damaged the water flow when redoing the road. Mr. Blaser stated that he thinks that is an HOA matter.

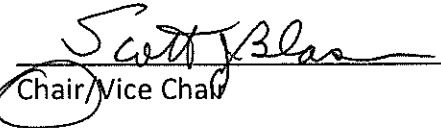
**EIGHTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Traczuk and seconded by Mr. Blaser, with all in favor, the meeting adjourned at 11:27 a.m.**

[SIGNATURES APPEAR ON THE NEXT PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair