

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

The Board of Supervisors of the Toscana Isles Community Development District held a Regular Meeting on October 2, 2024 at 10:00 a.m., at the Toscana Isles Amenity Center, 100 Maraviya Blvd, Venice, Florida 34275.

Present were:

Scott Blaser	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
Shawn Leins	District Engineer

Residents present:

Jian Zu	Sue Perry	Irwin Block	Diane Jochum	Tom Koonsman
Lisa Hart	Tom Hart	Dennis Koroll	Bob Hoaglund	Eugene Coblentz

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 10:06 a.m.

Supervisors Blaser, Collins, Traczuk and Schmitt were present. Supervisor Contardo was not present.

SECOND ORDER OF BUSINESS

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

Mr. Blaser read portions of Resolution 2021-05 concerning the rules and policies for conducting CDD meeting.

THIRD ORDER OF BUSINESS

Approval of September 4, 2024 Regular Meeting Minutes

Ms. Sanchez stated that she received edits for Lines 123 and 171. The following changes were made:

Line 71: Change “Blazer” to “Blaser”

Line 123: Change “resident” to “Board Member”

Line 171: Change “16” pipe” to “60” pipe”

On MOTION by Mr. Schmitt and seconded by Mr. Traczuk, with all in favor, the September 4, 2024 Regular Meeting Minutes, as amended, were approved.

FOURTH ORDER OF BUSINESS

Chairman’s Opening Remarks

Mr. Blaser thanked everyone for attending the meeting. He stated that Mr. Leins is in attendance to help answer outstanding questions, which is not typical in conducting CDD meetings.

FIFTH ORDER OF BUSINESS

Resident Concern(s)

- **Road Divot**

Ms. Sanchez provided the Board with a photograph of a road divot and stated that residents Brad and Jean Yates, of 225 Villoresi Boulevard, asked for the CDD’s help in having it repaired. Since the cause is unknown, Mr. Blaser volunteered to inspect the area and report his findings at the next meeting.

Discussion ensued regarding this issue and the damaged asphalt on Maraviya Boulevard and Palestro Street. It was noted that the CDD is currently identifying all roadway and sidewalk/curbing damages to submit to the Builder and/or Developer so they can make those repairs.

SIXTH ORDER OF BUSINESS

Public Comments

Resident Irwin Block stated that he was monitoring the lake levels prior to the hurricane. In his opinion, the post-hurricane water levels have increased every day since; the lake level behind his residence is just below 1" or 2" of the seawall and the levels at the weir are down 10' to 10½'. He expressed concern about maintaining lake levels and potential blockage of culverts. He asked for the CDD and HOA to facilitate decreasing high water levels, given the approaching hurricane.

Mr. Leins stated that he designed the weir and confirmed that it is functioning as it should. He is not concerned about the water levels and expects the water levels to decrease, once it stops flowing in from the southeast. The stormwater system was designed to handle a 100-year storm event. Mr. Block asked to discuss this matter further with Mr. Leins after the meeting.

Resident Diane Jochum stated that she submitted over 2,000 photos of D.R. Horton curbs and sidewalk deficiencies, prepared in coordination with the HOA liaison. Mr. Blaser reminded residents to email District Staff about damaged curbs and sidewalks. The email address is posted on the CDD website.

Resident Tom Koonsman suggested adding other issues, such as lake front protection, to the D.R. Horton list, in addition to the curb and sidewalk issues. Six months ago he emailed D.R. Horton about the failing riprap they installed behind his and eight other residences but D.R. Horton has not responded.

Asked why the Developer decided not to install the seawall around the entire lake, Mr. Leins recalled that the seawall was installed on the east side because of the waive action and to help prevent erosion; it was not necessary on the west side because the preserve area keeps the waive action down.

Discussion ensued regarding the homeowners pressing D.R. Horton to correct issues via the warranty clause due to modifying the lake slope. It was noted that the CDD is only responsible for the lake but not the shoreline, which is private property; the CDD's sidewalk and curb issues with D.R. Horton are a construction damage issue.

Resident Jian Zu noted damage in her kitchen and voiced frustration as homeowners are having difficulty getting D.R. Horton to address punch list items. She is hoping the HOA and CDD

can help her get her problem resolved. Mr. Blaser stated that the CDD cannot help with this type of matter as it does not have any jurisdiction over private residences.

Resident Dennis Koroll voiced his opinion that the drain lines the Developer installed on the side of the road are not performing very well. He asked Mr. Leins if the CDD has any recourse, as he thinks they might not have been constructed or installed properly. Mr. Leins stated that the CDD would have to engage a Geotechnical Engineer to inspect and test them.

Mr. Blaser stated that he is in favor of engaging a Geotechnical Engineer to perform a study on the road, where the intrusion is occurring. The Board Members in attendance agreed with proceeding now. Asked if D.R. Horton is responsible for the quality of the roads, Mr. Leins replied no. He noted that other subdivisions have roadway issues due to over irrigating, resulting in water and subbase issues.

A Board Member voiced their opinion that the CDD should have sent the letter about the damages to the sidewalks and curbs to the Developer, in addition to D.R. Horton, as the roads themselves must be adjusted.

Mr. Blaser directed Staff to obtain the original study and to engage a new Engineering firm, staying within the \$10,000 allotted budget, to evaluate the newer roads that were installed after the original testing three years ago and to specially address the backend roads where water intrusion is occurring.

Ms. Sanchez will work with Mr. Traczuk on obtaining proposals for the next or a future meeting.

SEVENTH ORDER OF BUSINESS

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

This item was discussed earlier in the meeting during several discussions.

This item will remain on the agenda.

- **Consideration of Nostalgic Lampposts Plus, Inc. Proposal to Replace Missing Street Signs**
This item was an addition to the agenda.

Ms. Sanchez distributed and presented the Nostalgic Lampposts Plus, Inc. Proposal to replace the missing CDD street signs that the District Engineer verified as missing. The proposal

was sent to Mr. Babbar for review, as the CDD might be able to have another entity incur this expense, since the signs were required as part of the Development Plan. Ms. Sanchez stated that unassigned funds will be used if the Board approves this expense, since this is not budgeted.

Discussion ensued if D.R. Horton is responsible for incurring the cost to replace the missing signs that were previously installed but were removed during construction, ways to approach D.R. Horton, the urgency to address this matter due to safety concerns and maintenance of the missing signs being assigned to the HOA.

Ms. Sanchez pointed out that the safety-related signs consist of five stop signs, one yield sign and one traffic circle sign. She will copy the Board on the email to the HOA.

On MOTION by Mr. Blaser and seconded by Mr. Schmitt, with all in favor, authorizing the District Manager to advise the HOA to, within 10 calendar days, replace the previously installed signs that are now missing, specifically the safety-related signs, and provide the CDD with a timeframe of when installation will be completed; and that, if installation cannot be completed within a reasonable time, the CDD will install the signs and bill the HOA for the costs, was approved.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of August 31, 2024

Asked if the CDD exceeded budget for any other Fiscal Year 2024 budget line items, aside from the Engineering budget, Ms. Sanchez stated that she will provide a detailed recap at the next meeting.

On MOTION by Mr. Schmitt and seconded by Mr. Collins, with all in favor, the Unaudited Financial Statements as of August 31, 2024, were accepted.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Straley Robin Vericker

There was no report.

Regarding the status of the Motion for Summary Judgement, Mr. Babbar stated that the CDD prevailed in getting the case against the CDD and other parties dismissed; however, the Judge has not entered the Final Judgment. Ms. Sanchez will forward the Final Judgement to the Board upon receipt from Bond Counsel. The clock for potential appeals starts once the Judgement is filed with the Court.

B. District Engineer: AM Engineering, LLC

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

- **NEXT MEETING DATE: November 6, 2024 at 10:00 AM**
 - **QUORUM CHECK**

There were no District Engineer or District Manager reports.

TENTH ORDER OF BUSINESS

Board Members' Comments/Requests

This item was presented following the Eleventh Order of Business.

ELEVENTH ORDER OF BUSINESS

Public Comments

Mr. Koroll asked if it is normal to see road cracking on three-year-old roads. Mr. Liens stated that road cracking is typical; it is not a structural issue. Asked if water could seep up through the cracks due to the high water levels, Mr. Liens stated that it is not typical; usually, water in the base and sub base is due to over irrigating.

A resident asked what causes divots in the road. Mr. Leins stated it is difficult to speculate as there are several scenarios, such as a storm drain pipe crossing the roadway. He will have the Geotechnical Engineer inspect them and provide recommendations.

A resident asked for the CDD to have the Geotechnical Engineer inspect the sunken concrete band that holds the pavers in on the southwest corner of the small bridge.

Resident Lisa Hart stated that, while riding her bike, she observed several bumps, not divots, containing water and with sand rising up, which she believes is causing cracks in the road.

Resident Tom Hart stated that the only time he observes water rising up to the roadway is when there is a three-day rain event. He stated that he does not believe the roadway issue is

due to over irrigation, as it did not occur last year. Mr. Leins stated that over irrigation occurs during the first 30 days of when the house is built and sod is laid.

Mr. Hart suggested the CDD speak to the HOA and stated that he emailed the HOA immediately after observing D.R. Horton construction crews picking up a downed sign and throwing it in the dumpster. Ms. Sanchez asked Mr. Hart to forward the email to her to include in her email to the HOA.

▪ **Board Members' Comments/Requests**

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


There were no Board Member comments or requests.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Traczuk and seconded by Mr. Collins, with all in favor, the meeting adjourned at 11:30 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair