

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

The Board of Supervisors of the Toscana Isles Community Development District held a Regular Meeting on April 27, 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
Jeffrey Sweater	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
Robert Ramondi	Resident
Thomas Hart	Resident
Anthony O'Dea	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 10:01 a.m. Supervisors Hays, Watson and Sweater were present, in person. Supervisors Peshkin and LaBoe were not present.

▪ **Acceptance of Supervisor Resignation of Supervisor LaBoe**

This item was an addition to the agenda.

Ms. Cerbone stated she received a letter of resignation from Mr. LaBoe prior to the meeting. She read the following into the record:

“Dear Mr. Hays,

Effective noon today, April 27, 2022, I submit my resignation as a Board Supervisor for Toscana Isle CDD. I sold my home within the District and am no longer a resident. Please view this document as my formal resignation and removal from all future Board responsibilities and correspondence. If you have any questions, please feel free to contact me.”

On MOTION by Mr. Watson and seconded by Mr. Hays, with all in favor, the letter of Resignation of Mr. Mike LaBoe, dated April 27, 2022, was accepted.

Ms. Cerbone stated, at the next meeting, the Board will have the option to appoint someone to fill the vacant seat. With Board approval, information could be provided for the HOA and Property Manager to e-blast about the search for a qualified elector to fill the vacancy and ask prospective candidates to submit resumes or letters of interest to Management for inclusion on the next agenda.

Asked what happens if the Board chooses not to appoint a new Board Member, Ms. Cerbone stated, if there is no appointment to fill the seat, it would remain vacant until the November 2024 election, if someone qualifies for it.

Ms. Steinerts confirmed that the seat would stay empty if there is no appointment until the election.

On MOTION by Mr. Watson and seconded by Mr. Hays, with all in favor, authorizing the District Manager to ask the HOA and Property Manager to send an e-blast to the community seeking qualified elector candidates to fill the vacant Board Seat, was approved.

SECOND ORDER OF BUSINESS

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

Meeting

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

THIRD ORDER OF BUSINESS

Public Comments [10 minutes]

There were no public comments.

CONSENT AGENDA ITEMS [5 minutes]

FOURTH ORDER OF BUSINESS

Discussion: Requisition(s)

Ms. Cerbone presented the following Consent Agenda Items:

- I. No. 379, AM Engineering, LLC [\$192.50]
- II. No. 380, T-Top Electric, LLC [\$685.00]
- III. No. 381, Tech Tactics, LLC [\$2,935.00]
- IV. No. 382, Rusty Plumbing Company, Inc. [\$1,335.00]
- V. No. 383, Superior Asphalt, Inc. [\$415,889.20]
- VI. No. 384, Cast-Crete USA, LLC [\$11,940.00]
- VII. No. 385, Juniper Landscaping of Florida, LLC [\$3,779.50]
- VIII. No. 386, Sarasota Drone Guy LLC [\$1,500.00]
- IX. No. 387, DeJonge Excavating Contractors, Inc. [\$11,250.00]
- X. No. 388, Martin Sewer Testing, Inc. [\$6,409.97]
- XI. No. 389, Smith-Manus Agency, Inc. [\$1,298.00]
- XII. No. 390, AM Engineering, LLC [\$181.25]

FIFTH ORDER OF BUSINESS

Ratification Items

- I. Juniper Landscaping of Florida, LLC, Proposal No. 139217 for Fountain Power Trenching
- II. Martin Sewer Testing, Inc., Estimate # 177 for Sewer Testing
- III. DeJonge Excavating Contractors Inc., Estimate #022505 for Sewer Cleaning

SIXTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2022

SEVENTH ORDER OF BUSINESS

Approval of January 26, 2022 Regular Minutes

On MOTION by Mr. Hays and seconded by Mr. Watson, with all in favor, the Consent Agenda Items in the Fourth, Fifth, Sixth and Seventh Orders of Business, were approved and/or ratified and/or accepted.

BUSINESS ITEMS

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2022-03, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Sarasota County Supervisor of Elections Begin Conducting the District’s General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date [5 minutes]

Ms. Cerbone presented Resolution 2022-03 and read the title. She stated the seats held by Mr. Peshkin and Mr. Hays would be up for election. Discussion ensued regarding transmitting the e-blasts in a staggered fashion.

On MOTION by Mr. Sweater and seconded by Mr. Hays, with all in favor, Resolution 2022-03, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Sarasota County Supervisor of Elections Begin Conducting the District’s General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date, was adopted.

On MOTION by Mr. Watson and seconded by Mr. Hays, with all in favor, authorizing the District Manager to ask the HOA and Property Manager to send an e-blast to the community regarding the General Election Seats, was approved.

NINTH ORDER OF BUSINESS

Discussion: Topics Being Discussed with Master Association [10 minutes]

Ms. Cerbone thanked Resident Anthony O’Dea for having an open and transparent line of communication with her to assure that the Master Association is providing information as needed to the Board via Management’s office. Ms. Cerbone listed the items that she discussed with Mr. O’Dea, including the University of Florida sponsoring the Lake Watch Program, water

quality, fishing, protected and non-protected species and safety concerns around the perimeter of the ponds.

Mr. O’Dea stated that he partnered with the Florida Fish and Wildlife Conservation Commission (FWC) to conduct several studies of the CDD’s stormwater ponds to determine what the environment looks like and the condition of the fisheries. In one study, FWC identified 17 different species of fish, five of which are non-native. This is part of an overall Statewide FWC initiative to determine the proliferation of non-native species. FWC recommends that the non-native species of fish be caught and killed. Mr. O’Dea asked for permission for anglers to catch and kill specific non-native species of fish and wildlife.

Asked if the Board should take action on this item, Ms. Steinerts stated the matter must be addressed by the Board since the lakes are owned by the CDD and the HOA could then address lake maintenance. Asked what jurisdiction the State has over lakes with the CDD’s fishing permit, Ms. Cerbone stated the Master Association is required to maintain the CDD’s assets, in terms of compliance with all permits and legal items in place by any governing agency.

Discussion ensued regarding the HOA, non-native species, current fishing policy, indemnification to protect the CDD in the event of an accident, sovereign immunity and working with the HOA to develop rules for lake usage with the HOA.

- I. **Usage of Stormwater Ponds and Adjacent Areas**
- II. **Fishing - Catch and Release/Catch and Kill**
- III. **Water Quality**
- IV. **Lake Watch**

On MOTION by Mr. Hays and seconded by Mr. Watson, with all in favor, setting forth that the Board considers the existing Maintenance Agreement with the Master Association to be all encompassing and to cover any and all aspects of maintaining and protecting the CDD’s assets and that, at this time, no other action by the CDD Board need be taken regarding usage of the adjacent areas and catch and release, catch and kill, water quality or Lake Watch topics, was approved.

TENTH ORDER OF BUSINESS

Discussion: Policy Regarding Parking and Towing on CDD Roads [5 minutes]

- **Master Association Towing Policy**

Ms. Cerbone stated she previously conferred with Mr. O’Dea regarding the Master Association towing vehicles and, in order to have a valid towing policy, the CDD must put a towing policy in place in coordination with the Master Association and amend the Agreement naming them as the enforcers of the towing agreement. If the Board is amenable to implementing a towing policy, the next steps include coordinating with the Master Association, putting rules in place, having a public hearing, entering into an agreement with the towing company, modifying the agreement with the HOA and making the Master Association the enforcement communicator with the vendor.

Mr. O’Dea requested that the CDD grant the HOA discretion to maintain its roads by implementing towing. He discussed the current towing policy and parking allowances or exceptions. He stated the ultimate purpose is to maintain the beauty, safety and maintenance of the community rights-of-way (ROWs).

The public hearing process, roads, enacting a towing policy and night towing were discussed.

On MOTION by Mr. Hays and seconded by Mr. Sweater, with all in favor, authorizing Mr. Sweater to coordinate with District Staff and the appropriate parties from the Master Association to draft a towing policy and provide an update at the next meeting, was approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports [5 minutes]

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

There was no report.

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

There was no report.

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

- **NEXT MEETING DATE: May 25, 2022 at 10:00 A.M.,**

○ **QUORUM CHECK**

The next meeting would be held on May 25, 2022.

TWELFTH ORDER OF BUSINESS

Board Members' Comments/Requests [15 minutes]

There were no Board Member comments or requests.

THIRTEENTH ORDER OF BUSINESS

Public Comments [5 minutes]

Resident Robert Ramondi commented on the necessity of a towing policy.

FOURTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Hays and seconded by Mr. Watson, with all in favor, the meeting adjourned at 10:59 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair