

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

The Board of Supervisors of the Toscana Isles Community Development District held a Regular Meeting on May 25, 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
Daniel Peshkin	Assistant Secretary
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
William Contardo	Resident
Scott Blaser	Resident
Jim Collins	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 Sweater were present, in person. Supervisors Watson was not present. One seat was vacant.

**SECOND ORDER OF BUSINESS**

**Discussion/Consideration:  
Duration [2 hours]**

**Meeting**

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

Ms. Cerbone explained the public comments process, whereby residents will have two opportunities during the meeting to make comments.

**THIRD ORDER OF BUSINESS**

**Public Comments [10 minutes]**

There were no public comments.

**CONSENT AGENDA ITEMS [5 minutes]**

Ms. Cerbone presented the following Consent Agenda Items:

**FOURTH ORDER OF BUSINESS**

**Discussion: Requisition(s)**

- A. No. 391, Manatee Asphalt, Inc. [\$5,025.00]
- B. No. 392, Pat O’Hara Pavers, Inc. [\$4,263.00]
- C. No. 393, AM Engineering, LLC [\$325.00]
- D. No. 394, Smith-Manus Agency, Inc. [\$1,230.00]
- E. No. 395, Smith-Manus Agency, Inc. [\$389.00]

**FIFTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of March 31, 2022**

**SIXTH ORDER OF BUSINESS**

**Approval of January 26, 2022 Regular Minutes**

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

**BUSINESS ITEMS**

**SEVENTH ORDER OF BUSINESS**

**Consider Appointment of Qualified Elector to Fill Unexpired Term of Seat 4; Term Expires November 2024 [30 minutes]**

Ms. Cerbone recalled that Supervisor LaBoe resigned at the last meeting and stated four individuals responded to the e-blast regarding the vacant seat. Each respondent’s information was included in the agenda and two of those candidates were present. The Board is not

required to fill Seat 4 now. Seat 4 expires in 2024; it is not one of the two seats going to General Election in 2022. She noted that three Board Members must be present, in person, to establish a quorum to conduct a meeting. Nomination and voting procedures and the desire to fill the seat were discussed. The consensus was to hear from the candidates present and to defer a vote until the next meeting.

- **Candidates**

- A. Scott J. Blaser**

Resident Scott Blaser discussed his qualifications, experience and interest in serving on the Board and responded to questions.

- B. James Collins**

- C. William Contardo**

Resident Bill Contardo discussed his qualifications, experience and interest in serving on the Board and responded to questions.

- D. Michael Traczuk**

Ms. Cerbone stated the Board can contact all candidates individually to discuss their interest and experience. She discussed the qualification processes for the upcoming General Election and stated another e-blast would be sent to residents.

## **EIGHTH ORDER OF BUSINESS**

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

This item was deferred.

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-04, Designating Certain Officers of the District, and Providing for an Effective Date [5 minutes]**

This item was deferred.

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-05, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date [10 minutes]**

Ms. Cerbone presented Resolution 2022-05. She reviewed the proposed Fiscal Year 2023 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2022 budget, and explained the reasons for any adjustments. Some assessments still appear as off-roll assessments, based on platting. When the official tax roll is received from the Property Appraiser, some or all properties might move on roll. Funds remain budgeted in “Contingencies” for armed security.

Discussion ensued about past security incidents, services provided by the Florida Highway Patrol (FHP) and whether other arrangements with the local Sheriff might be possible.

Ms. Cerbone stated, in Fiscal Year 2022, assessments were more than the expenses as a Board Member change generated higher than anticipated legal fees, depleting the budget and created the need to rebuild the “3 months’ Working Capital” budget that is needed to meet the CDD’s obligations before receiving collected assessment revenues from the Tax Collector.

**On MOTION by Mr. Hays and seconded by Mr. Sweater, with all in favor, Resolution 2022-05, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 24, 2022 at 10:00 a.m., at the offices of Vanguard Land, LLC, located at 6561 Palmer Park Circle, Suite B, Sarasota, Florida 34238; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.**

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-06, 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]**

This item was deferred.

**TWELFTH ORDER OF BUSINESS**

**Continued Discussion: Policy Regarding Parking and Towing on CDD Roads [25 minutes]**

- **Master Association Towing Policy**

Ms. Cerbone recalled that, to legally and properly tow within the CDD on public roads owned by the CDD, the CDD must adopt rules regarding towing. The rules must be on the agenda of a publicly noticed meeting and be presented for consideration and adoption at a separate Public Hearing. Because a towing policy administrator would be needed, the agreement with the HOA would need to be modified to designate the Master Association as the Administrator. If the Board proceeds with this, the document needs to be edited and reviewed by District Counsel, outside of a meeting, and a Public Hearing must be scheduled; therefore, so implementing a towing policy would take at least 60 days.

Mr. Sweater stated he is scheduled to meet with Mr. O’Dea, Shelly and the HOA on May 26, 2022 regarding policy options.

Discussion ensued regarding concerns about night towing, ensuring access for emergency vehicles and the Fire Department’s standing rule that cars will be moved as necessary in emergencies. The consensus was that night towing is not preferable. Regarding whether the City Police will be able to write tickets, Ms. Cerbone stated she previously researched the process for entering into a Traffic Enforcement Agreement.

Ms. Cerbone and Ms. Steinerts discussed the features and limitations of Traffic Enforcement Agreements and Towing Agreements. Ms. Steinerts stated, under rules and regulations for CDDs, the CDD does not have the authority to impose fines on CDD roads. Ms.

Cerbone noted that traffic enforcement generally addresses concerns with speeding and reckless driving.

Ms. Cerbone stated Ms. Sanchez would attend the meeting on May 26, 2022.

This item would be included on the next agenda.

**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports [5 minutes]**

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

There was no report.

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

Ms. Cerbone stated that Mr. Leins would present the draft Stormwater Management Needs Analysis Report in early June.

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

- **NEXT MEETING DATE: June 22, 2022 at 10:00 A.M.**

- **QUORUM CHECK**

The next meeting would be held on June 22, 2022, unless canceled.

**FOURTEENTH ORDER OF BUSINESS**

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

There were no Board Members' comments or requests.

**FIFTEENTH ORDER OF BUSINESS**

**Public Comments [10 minutes]**

Resident Jim Collins discussed his qualifications, experience and interest in serving on the Board.

Mr. Collins stated there are no rocks along Lake 2. He asked if erosion could be a concern in the future, given the size of the lake. Mr. Sweater stated riprap was implemented in some areas but, during the permitting process, it was suggested that the littoral shelf would serve as erosion control in that area.

Ms. Cerbone stated those matters would be addressed by the Stormwater Master Association through the Agreement that is in place. She noted that Mr. O’Dea is responsive and attended the last meeting to address these items.

**SIXTEENTH ORDER OF BUSINESS**


**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Sweater and seconded by Mr. Peshkin, with all in favor, the meeting adjourned at 11:01 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair