

**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 3, 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 (via telephone)	Assistant Secretary
Michael Traczuk	Assistant Secretary

Also present were:

Jamie Sanchez	District Manager
Vivek Babbar	District Counsel
Anthony Scappatura	Juniper Landscaping
Chris Simmons	Resident/HOA President
Diane Jockum	Resident/HOA Board Member

Residents present:

Bill Ambrose	Robert Raimondi	Tom Hart	Lisa Hart	Janet Sasso
Paul Schneider	Jeff Hogenmiller	Sue Doyle	Other Residents	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 10:01 a.m. Supervisors Contardo, Blaser, Traczuk and Schmitt were present. Supervisor Collins was attending via telephone.

SECOND ORDER OF BUSINESS

**Discussion/Consideration:
Duration [1.20 hours]**

Meeting

It was determined that 1.20 hours will be sufficient time to conduct this meeting.

- **Approval of April 5, 2023 Regular Meeting Minutes [2 minutes]**

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

Meeting Minutes will be after the Third Order of Business on future agendas.

On MOTION by Mr. Contardo and seconded by Mr. Traczuk, with all in favor, the April 5, 2023 Regular Meeting Minutes, as presented, were approved.

THIRD ORDER OF BUSINESS**Presentation for Juniper Landscaping [10 minutes]**

This item was presented following the Fourth Order of Business.

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

Mr. Blaser reviewed protocols for public comments and for extending the duration of the meeting. He apologized for not adhering to them at the last meeting.

- **Presentation for Juniper Landscaping [10 minutes]**

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

Mr. Scappatura reported the following pertaining to the revised proposal in the agenda:

- Trees were counted and, of the original 1,913 sabal palm trees planted on the buffer, 1,802 remain, 111 are missing and the 30 that are dead will be cut and removed.
- The credit enhancement to install replacement material in the buffer consists of 141 trees, at \$298.30 per tree, totaling \$42,060.50.
- Based on feedback, additional landscaping was added to the lift station, the corner section and for turf replacement damaged by equipment.

Mr. Scappatura responded to questions about warranty terms, project timeline, commencing work the second or third week in June and the scope of work. He will change the warranty terms from six months to one year for trees and 90 days for container material.

Regarding using the credit to restore Hurricane Ian damaged areas, Mr. Contardo voiced his opinion that the CDD is not receiving 100% replacement and will not be made whole. Mr. Schmitt thinks the CDD will be made whole according to the maintenance contract with Juniper.

Mr. Blaser opened public comments for this matter.

Regarding sod replacement, resident Robert Raimondi asked if Juniper will ensure the irrigation system is working properly prior to installation. Mr. Scappatura replied affirmatively.

Regarding whether the City is involved in the tree placement and selection since the City helped design the buffer, it was determined that this must be researched.

Resident Paul Schneider asked if the additional palm trees will be staked. Mr. Scappatura replied affirmatively for the sabal palms but not the fishtail palms, as they are not

required. The scope of work will be updated to include additional straightening and bracing leaning trees.

A resident asked if the entire credit is being used solely on the back corner. Mr. Blaser stated it is being used only on CDD-owned property.

Mr. Blaser reported that the CDD received minimal feedback to the communication sent to the HOA mailing system about this matter, which Mr. Scappatura already addressed.

Mr. Contardo reiterated his belief that a portion of the money should be allocated to further construction or needs of the community that the Board can control.

On MOTION by Mr. Schmitt and seconded by Mr. Blaser, with all in favor, Juniper Landscaping Proposal No. 209075, as amended, for replacement credit for missing sabal palms, based off 250' in North East corner of Vinadio, in a not-to-exceed amount of \$42,060.50, was approved.

FIFTH ORDER OF BUSINESS

Approval of April 5, 2023 Regular Meeting Minutes [2 minutes]

This item was presented following the Second Order of Business.

SIXTH ORDER OF BUSINESS

Public Comments [15 minutes]

No members of the public spoke.

SEVENTH ORDER OF BUSINESS

Continued Discussion: Policy Regarding Parking and Towing [5 minutes]

Mr. Blaser reviewed the HOA’s documents that all residents must sign. In his opinion, the CDD should use it as a guide for its own rules/policy. A Board Member pointed out that the HOA can enforce its two-hour parking restriction, if it wants, since residents were notified and signed off on it. A Board Member felt that the two-hour restriction is insufficient and should be reconsidered as it does not take into consideration the way residents live.

Mr. Blaser agreed with the two other restriction comments and recommended the CDD rely on the HOA to decide the parking policy. A Board Member agreed and hopes the HOA will proceed in a meaningful way.

Mr. Blaser opened public comments for this matter.

Resident Lisa Hart voiced her opinion that the two-hour limit is insufficient.

Mr. Wayhurst asked if it is possible to install “No Parking” signs by the dog park or paint “No Parking on Curb” to address line of site issues.

Resident Bill Ambrose voiced his opinion that the daytime parking restriction should be eliminated entirely and only impose the overnight parking restriction.

Resident and HOA President Chris Simmons stated he spoke to other Board Members about parking but it is ultimately his decision for the near term. He will provide an answer soon.

Resident Jeff Hogenmiller asked if it is the HOA or the CDD or if both work in tandem regarding parking. Further research is needed; an answer will be provided at the next meeting.

A resident asked if it is less expensive to boot a car than to tow it.

Ms. Hart suggested implementing parking rules, such as odd and even days with regard to the side of the street. Mr. Blaser stated this will be discussed. He noted that the CDD is mostly concerned about safety; whereas, the HOA is concerned about aesthetics.

Ms. Sanchez stated questions or concerns not addressed will be on the next agenda.

Regarding the HOA timeline, resident and HOA Board Member Diane Jockum stated she will add this item to the HOA workshop agenda for this Friday.

A resident voiced their opinion that, if Mr. Peshkin amends the current Covenants, Conditions and Restrictions (CC&Rs) to change the parking time limits, the CDD will not be required to take action. Mr. Babbar stated it depends on what the HOA’s Attorney is comfortable with regarding enforcement, since the underlying ownership is with the CDD.

This topic will remain on the agenda.

EIGHTH ORDER OF BUSINESS

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

On MOTION by Mr. Contardo and seconded by Mr. Traczuk, with all in favor, the Unaudited Financial Statements as of March 31, 2023, were accepted.

NINTH ORDER OF BUSINESS

Discussion: Fiscal Year 2024 Budget [10 minutes]

Ms. Sanchez noted the “Insurance” budget line item is expected to increase 10% for Fiscal Year 2024. The proposed Fiscal Year 2024 budget will be presented at the next meeting.

TENTH ORDER OF BUSINESS

STAFF REPORTS [10 minutes]

A. District Counsel: Straley Robin Vericker

Mr. Babbar stated he is monitoring a variety of bills and will report on any bills that may impact CDDs once the legislative session ends. He discussed the status of an ethics bill that, if passed, will require all Board Members to attend a four-hour ethics training session, annually. Already passed is Senate Bill 774, increasing the civil penalty for Board Members violating the code of ethics from a not-to-exceed amount of \$10,000 to \$20,000.

B. District Engineer: AM Engineering, LLC

There was no report.

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

- **___ Registered Voters in District as of April 15, 2023**

This information will be emailed to the Board upon receipt.

- **NEXT MEETING DATE: June 7, 2023 at 10:00 AM [Presentation of Fiscal Year 2024 Budget]**
 - **QUORUM CHECK**

ELEVENTH ORDER OF BUSINESS

Board Members' Comments/Requests [5 minutes]

Mr. Traczuk asked if changes can be made to the parking regulations and, if so, how difficult is make them. Mr. Simmons stated the HOA could respond within the next 48 hours.

TWELFTH ORDER OF BUSINESS

Public Comments [15 minutes]

A resident asked if the \$152,000 in surplus funds in the Fiscal Year 2022 budget is available.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Schmitt and seconded by Mr. Traczuk, with all in favor, the meeting adjourned at 10:42 a.m.



Secretary/Assistant Secretary



Chair/Vice Chair