

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

The Board of Supervisors of the Toscana Isles Community Development District held a Regular Meeting on December 3, 2025 at 10:00 a.m., at the Toscana Isles Amenity Center, 100 Maraviya Blvd, Venice, Florida 34275.

Present:

Scott Blaser (via telephone)	Chair
Willaim Contardo (via telephone)	Vice Chair
James Collins	Assistant Secretary
Michael Traczuk	Assistant Secretary
Paul Schmitt	Assistant Secretary

Also present:

Jamie Sanchez	District Manager
Vivek Babbar (via telephone)	District Counsel
Diane Jochum	Resident and Master HOA Board Member

Residents present:

Bill Ambrose	Jeff Munzing	Anthony Nicholas	Maryann Bozich-DiLuigi
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FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 10:00 a.m.

Supervisors Collins, Traczuk and Schmitt were present. Supervisors Blaser and Contardo attended via telephone.

SECOND ORDER OF BUSINESS

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

Ms. Sanchez reviewed the policies for conducting CDD meetings outlined in Resolution 2021-05.

THIRD ORDER OF BUSINESS**Approval of October 1, 2025 Regular Meeting Minutes**

The following changes were made:

Line 60: Delete "Regarding the dock,"

Line 110: Insert "Engineer" after "City"

Line 183: Change "Florida Statute" to "City of Venice Ordinance"

Regarding the carryover action item on Line 119, Mr. Blaser read portions of City Ordinance 2024-21 that states "any sidewalk section must be maintained by the adjoining property owner in good and safe condition consistent with the city standard details, etc.". Overall, the Ordinance states the area is from the sidewalk to the curb, including grass; it does not include curbing.

Line 192: Change "the roadways" to "land use"

On MOTION by Mr. Schmitt and seconded by Mr. Collins, with all in favor, the October 1, 2025 Regular Meeting Minutes, as amended, were approved.

FOURTH ORDER OF BUSINESS**Chairman's Opening Remarks**

Mr. Blaser asked if the HOA updated Staff on its new pond maintenance vendor and of the plans to remove the overgrown vegetation. Ms. Sanchez stated the HOA notified the CDD that it engaged Florida Aquatics. Mr. Schmitt stated he has questions about this, which he will bring up during Board Members' Comments/Requests.

Mr. Blaser noted that the HOA wants to know if the CDD obtained liability coverage for the lakes. Ms. Sanchez stated she will confirm with the insurance carrier.

Mr. Blaser asked if the City responded to questions regarding the public road development. Ms. Sanchez replied no.

FIFTH ORDER OF BUSINESS**Public Comments**

Ms. Sanchez recapped the protocols for public comments, which are heard at the beginning and the end of the meetings.

Resident and Master HOA Board Member Diane Jochum asked for clarification that the CDD holds the general liability for the lakes and the HOA holds liability before the 5' perimeter. Ms. Sanchez stated she will email the information to Ms. Jochum and to the Board.

Ms. Jochum asked if the dock was transferred to the CDD. Ms. Sanchez stated it will be discussed later in the meeting.

Ms. Jochum asked if the emergency gates are being transferred to the CDD, as they were omitted from the itemized list, and, if so, has the CDD obtained insurance. Ms. Sanchez asked Ms. Jochum to provide further information.

Ms. Jochum asked for clarification and documentation showing that the date the Stormwater Maintenance Association (SWMA) disbanded was in 2022, that the HOA has maintained the weirs since Hurricane Ian and that the records indicate the HOA has been maintaining Tract 17. Ms. Sanchez will research the CDD's files related to the SWMA.

Resident Jeff Munzing asked about his previous request for the District Engineer to provide information about the person and the title of the person who certified the roadway plans, submitted them to the City and stamped the different phases. Ms. Sanchez reminded the Board that District Staff only takes direction from the Board, not the public. The Board directed Staff to proceed with this research.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2026-01, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Sarasota County Supervisor of Elections Conduct the District's General Elections; Providing for Compensation; Setting Forth the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date

Ms. Sanchez presented Resolution 2026-01. Seats 1 and 3, currently held by Mr. Contardo and Mr. Blaser, respectively, are up for election at the November 2026 General Election. An announcement will be made in 2026 regarding which seats are up for election, the candidate qualifying period dates and the candidate requirements.

The following change was made:

Section 1: Change “Blazer” to “Blaser”

On MOTION by Mr. Collins and seconded by Mr. Traczuk, with all in favor, Resolution 2026-01, as amended, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Sarasota County Supervisor of Elections Conduct the District’s General Elections; Providing for Compensation; Setting Forth the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of AM Engineering, LLC Proposal for District Engineer Representation

Ms. Sanchez presented the AM Engineering, LLC proposal for District Engineer Representation. Ms. Bobbie R. Claybrooke, P.E. is replacing Mr. Shawn Leins who retired. She distributed and presented the Fee Schedule Hourly Rates.

On MOTION by Mr. Schmitt and seconded by Mr. Collins, with all in favor, the AM Engineering, LLC Proposal for District Engineer Representation and the Fee Schedule, were approved.

EIGHTH ORDER OF BUSINESS

Continued Discussion: AREHNA | Engineering, Inc., Report of Geotechnical Exploration [Toscana Isles Pavement Investigation]

As liaison, Mr. Traczuk stated that Jon Kramer transitioned from Acting Engineer for the City of Vencie to City Engineer. Due to scheduling conflicts he hopes to schedule a meeting the first week of January 2026 to discuss roadway and sidewalk defects.

Per Mr. Kramer’s email suggesting the CDD obtain a professional opinion of the two Engineer Reports, Mr. Traczuk asked Mr. Tao and Mr. Seibert to provide an opinion as to the difference between his Report and the City of Venice’s Report on a particular roadway sections. It was determined “all seven phases of the roadway generally does not meet the minimum requirements of the City of Venice’s typical roadway section design”. “Mr. Siebert deemed the remedy for this would be a full reconstruction”, which seems to mean there is an issue now. It seems Kathleen, with the City, gave him the impression last year, that when she received documents from City Staff, she just “rubber stamped” them. Mr. Traczuk believes Mr. Kramer

must take action against the other Engineering firm or against the Developer and the Builder. Since the curbing is on top of the roadway, redoing the roadway will require addressing the curbing as well.

Discussion ensued regarding whether to assign another liaison to meet with the City's Engineer, scheduling the meeting with the City Engineer now in order to coordinate the CDD January 2026 meeting, asking the District Engineer if there is any precedent where roads were constructed not according to standards and writing a letter to the City before scheduling the meeting with the City Engineer.

Ms. Sanchez stated Mr. Blaser is having technical difficulty and was in favor of the motion.

On MOTION by Mr. Contardo and seconded by Mr. Schmitt, with all in favor, authorizing District Counsel to draft a letter to the Mayor and City Council regarding roadway concerns and authorizing Ms. Sanchez to execute the letter on behalf of the CDD Board, subject to the Board's review in final form, was approved.

NINTH ORDER OF BUSINESS

Discussion Items

- **Roads**

Ms. Sanchez stated Mr. Blaser requested this agenda item. The HOA spoke to the Venice Police Department and, despite the roads being deemed public roads, they continue to state the roads are private and they will not enforce traffic laws on private roads,.

Ms. Jochum stated the City told the Police that the roads are private on the merit that the City does not maintain them. Mr. Blaser was authorized to discuss the ongoing issues with a City representative.

This item was deferred.

- **Parking/Towing**

Ms. Sanchez recalled a resident question at the last meeting about a towing policy. She informed the Board after the meeting that the CDD did not adopt any parking or towing policies, which was an agenda item in the past. Ms. Jochum submitted the HOA's draft to the CDD and, at the September 6, 2023 CDD meeting, the CDD Board decided to remove parking and towing from all future agendas, as nothing was approved.

- **Damaged Wall**

Ms. Sanchez read portions of the letter from the CDD's insurance carrier, as follows:

"Based on the information provided the District reported the damage after reviewing the details and researching the City of Venice's records, the construction appears to have lasted approximately one year from May 2024 through May 2025, when the last inspection was conducted. During that period the District did not have property coverage under the policy, only inland marine coverage was in place and the wall was not included in the Schedule, which means this loss is not covered under the policy. Additionally, the evidence available is limited, as there is no video footage, witness statements, photos of the incident, or police report. For us to pursue segregation as the insurance carrier, there must be coverage under the policy and a payment issued and sufficient evidence establishing liability of the other party; for these reasons, we are unable to pursue segregation on your behalf. However, you may still consider pursuing recovery directly. We recommend consulting with District Counsel regarding sending a formal demand letter to the owner of the site where the construction took place. This approach would allow you to explore potential recovery outside of the insurance policy."

Discussion ensued regarding possible courses of action, the CDD obtaining a proposal to repair the wall and the Builder informing Ms. Jochum that the damage was due to a lightning strike and that they were willing to split the repair cost but the HOA does not own the wall, nor did the HOA insure it.

The estimated cost to repair the wall is about \$10,000.

On MOTION by Mr. Schmitt and seconded by Mr. Collins, with all in favor, authorizing Mr. Babbar to send a formal demand letter regarding wall damage to the owner of the property where construction took place, based on the Property Appraiser's website, was approved.

TENTH ORDER OF BUSINESS

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

Mr. Traczuk stated that the prior HOA Presidents told him that construction defects have been an ongoing issue with D.R. Horton, which was recorded in letters that D.R. Horton wanted returned to D.R. Horton's Attorney. He suggests the CDD submit a records request to the HOA Attorney for that documentation.

Discussion ensued regarding sending D.R. Horton a follow-up letter asking when they plan to make the repairs based on their recent inspection with District Staff and providing Mr. Babbar backup materials and the timeline that determined this is a defect not a maintenance issue and points to include in the letter.

Mr. Babbar will prepare a draft letter for approval, upon receipt of supporting documents, before sending the letter in final form.

ELEVENTH ORDER OF BUSINESS**Discussion/Consideration: Acceptance of Fishing Dock from Master Association**

- **Toscana Isles Master Association, Inc. Resolution 8.18.25**

Ms. Sanchez stated the CDD's cost to insure the fishing dock is about \$120 for the year, based on the real value of \$15,000; the HOA's cost was several thousand more, based on a valuation of \$300,000.

Board Members voiced their opinions about having a dock or kayak launch, noting that the cost to residents will be much less if the CDD insures the dock, due to the CDD's sovereign immunity status as a governmental entity, than if the HOA has ownership.

Regarding liability, Ms. Sanchez stated she will ask the insurance carrier about liability coverage and if the policy deems the dock as property. The liability question was deferred.

On MOTION by Mr. Schmitt and seconded by Mr. Collins, with all in favor, the Egis Insurance and Risk Advisors proposal to insure the fishing dock valued at \$15,000, in the approximate annual premium amount of \$120, was approved.

TWELFTH ORDER OF BUSINESS**Acceptance of Unaudited Financial Statements as of October 31, 2025**

On MOTION by Mr. Schmitt and seconded by Mr. Traczuk, with all in favor, the Unaudited Financial Statements as of October 31, 2025, were accepted.

THIRTEENTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: Straley Robin Vericker**

Mr. Babbar stated he is working with the Property Appraiser on changing the tax status on the two properties.

B. District Engineer: AM Engineering, LLC

There was no report.

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

- **NEXT MEETING DATE: January 7, 2026 at 10:00 AM**
 - **QUORUM CHECK**

FOURTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

A Board Member asked who is responsible for removing the dead weeds from the pond, which are impacting the view from his pool. He noted overgrown weeds under the small bridge that need to be addressed. Ms. Jochum stated that the lakes were sprayed and the dead weeds will sink to the bottom and provide nutrients to the fish. The process will take a few months to see progress, due to the severity of deficient maintenance.

FIFTEENTH ORDER OF BUSINESS

Public Comments

Resident Maryann Bozich-DiLuigi submitted a speaker card which read as follows:

"I'm following up on the Board's ongoing discussion, of 2 years or more concerning the "curbing, sidewalk and roadway defects" identified by the District's Engineer. Earlier this year, at the request our TI Master Association Board, the Leadership Advisory Committee addressed several questions to our Association Board's legal counsel concerning the status of repose applicable to these documented defects. Our Association President forwarded the opinion we obtained from a certified construction attorney to the District Staff and Board Chairman on July 25, 2025.

At your October meeting, the minutes confirm District Counsel's admission of "differing opinions" and his offer to invite a litigation attorney to a subsequent CDD Board meeting to "ensure the District is taking appropriate action before the status of limitations expires". This Board decided to decline Counsel's offer and then cancelled the November meeting. In light of those decisions, I respectfully ask you, as Board Chairman, to obtain a written opinion from your

Certified Construction Litigation Attorney and to reciprocate by sharing that written opinion with our Association President. Would you please do so at your earlier possible convenience?"

Ms. Jochum stated that, in addition to residents paying zero taxes if the CDD takes over the two lots, it will not cost the CDD and will also keep down HOA costs. The lots were listed in the form of the Indenture from the Developer. Ms. Sanchez stated she will forward today's email from Ms. Jochum to Mr. Babbar.

Discussion ensued regarding the CDD taking on liability and Staff obtaining a proposal to insure the property.

Resident Bill Ambrose asked if the CDD can implement a trespassing policy since the Police Department considers the road private. He suggested addressing the letter regarding road defects to one party and then copying the other party.

Discussion ensued regarding the CDD Board declining the HOA's draft parking and towing policy because the HOA would not implement towing.

Mr. Munzing pointed out bridge, road and curb deficiencies and proposed corrections. He highlighted different specifications for public and private roads and dumpsters.

A Board Member stated he is in favor of accepting the dock as is, since the cost to insure it is minimal.

SIXTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Contardo and seconded by Mr. Traczuk, with all in favor, the meeting adjourned at 12:08 p.m.
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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair