

**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 16, 2020, at 10:00 a.m., at the Comfort Suites Sarasota-Siesta Key, 5690 Honore Avenue, Sarasota, Florida 34233.

Present were:

Alex Hays	Chair
Brian Watson	Vice Chair
Daniel Peshkin	Assistant Secretary
Jeffrey Sweater	Assistant Secretary
Michael LaBoe	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Daniel Rom	Wrathell, Hunt and Associates, LLC
John Vericker	District Counsel
John Peshkin (via telephone)	Developer
Mike Paganelli	Resident
Thomas Hart	Resident
John Huot	Resident
Steve Wood	Resident
Bob _____	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 10:00 a.m. All Supervisors were present.

Ms. Cerbone explained before taking any public comment that this section gives the public the opportunity to make comments or ask questions; however, the Board and Staff are not required to give any response during the meeting.

SECOND ORDER OF BUSINESS

Update: Communications to Members of the Public

Ms. Cerbone received communications from Board Members and Staff but had not received any communications from the members of the public.

THIRD ORDER OF BUSINESS

Public Comments

Resident Mike Paganelli thanked the Board for a wonderful job on the tennis court resurfacing project and asked for one court to be pressure washed, as overspray from the mailbox roof project caused damage. He asked for gutters to be installed on the roof housing the mailboxes and something to be done about the mulch beds and debris coming onto the courts after it rains.

Mr. Hays stated that contractors were already engaged to pressure wash the parking lot and the courts and to install gutters; the area would be inspected upon completion of those projects to determine if any additional work is necessary.

FOURTH ORDER OF BUSINESS

Approval of Requisition(s)

Ms. Cerbone reported that there were no requisitions but at least three would be presented at the next meeting.

FIFTH ORDER OF BUSINESS

Ratification of Contract(s)/Change Order(s)/ Purchase Order(s)/Proposal(s)

Ms. Cerbone presented the following items:

- A. Proposal: Juniper Landscaping of Florida, LLC Proposal 93033 for East Lift Station Screening**
- B. Proposal: Juniper Landscaping of Florida, LLC Proposal 94454 for Mailbox Renovation**
- C. Proposal: Juniper Landscaping of Florida, LLC Proposal 95003 for Restoration of Landscaping Around FPL Transformer Box Following Sitework Activities**

On MOTION by Mr. Hays and seconded by Mr. Peshkin, with all in favor, the Juniper Landscaping of Florida LLC Proposals 93033, 94454 and 95003, as presented, were ratified and/or approved.

SIXTH ORDER OF BUSINESS**Acceptance of Unaudited Financial Statements as of October 31, 2020**

Ms. Cerbone presented the Unaudited Financial Statements as of October 31, 2020.

On MOTION by Mr. Sweater and seconded by Mr. Peshkin with all in favor, the Unaudited Financial Statements as of October 31, 2020, were accepted.

SEVENTH ORDER OF BUSINESS**Approval of Minutes****A. November 18, 2020 Landowners' Meeting****B. November 18, 2020 Regular Meeting**

Ms. Cerbone presented the Meeting Minutes listed above.

Mr. LaBoe referred to Lines 159 and 209 and read the edits that he submitted to Ms. Cerbone during the meeting, which he transcribed from his personal recording of the last meeting. Mr. Hays expressed his opinion that the minutes in the agenda were accurate and provided an overall synopsis of what occurred at the meeting; therefore, without the chance to listen to the recording for accuracy, he did not support amending the minutes.

Ms. Cerbone polled the other Supervisors. Mr. Sweater recommended tabling the minutes to the next meeting so Staff could listen to the audio and determine the accuracy of the minutes. Ms. Cerbone stated that, once she has polled everyone, she would present the options and may ask District Counsel for further clarification. Mr. Peshkin had no comment. Mr. Watson wanted District Counsel's input. Ms. Cerbone presented the voting options.

On MOTION by Mr. LaBoe and seconded by Mr. Sweater, with Mr. LaBoe and Mr. Sweater in favor and Mr. Hays, Mr. Peshkin and Mr. Watson dissenting, the November 18, 2020 Landowner's Meeting Minutes, as presented, and the November 18, 2020 Regular Meeting Minutes, as amended to incorporate the edits Mr. LaBoe presented and submitted in writing to Management during the meeting, were not approved. [Motion failed 2-3]

Mr. Hays motioned to approve the minutes in the agenda and stated that the audio is available, as public record, and reiterated that the minutes are a synopsis of what occurred at the meeting.

On MOTION by Mr. Hays and seconded by Mr. Peshkin, with Mr. Hays, Mr. Peshkin and Mr. Watson in favor and Mr. LaBoe and Mr. Sweater dissenting, the November 18, 2020 Landowner's Meeting Minutes and the November 18, 2020 Regular Meeting Minutes, as presented, were approved. [Motion passed 3-2]

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Straley Robin Vericker*

Mr. Vericker distributed responses to questions posed to Ms. Collier at a previous meeting about the Series 2018 Bond Construction Funds and bicycle racks expenses. He stated that the bicycle racks were included in the Engineer's Report and were part of the Countywide Sidewalk and Trail System. He deemed it a legitimate expenditure, as they serve the entire community.

Mr. Vericker stated that he identified several common areas parcels that are scheduled to go to the Association and some to the District, which would need to be completed, prior to the final certification of completion being issued and prior to November, 2022, when the District's final Board seats transition over to the General Election process.

Mr. LaBoe asked about the status of his other questions that were missing. He posed and Mr. Vericker responded to the following questions:

➤ Core & Main purchases: Do the Series 2018 Bond funds allow the Board to approve capital item purchases?

Mr. Vericker stated that construction funds can be used to purchase construction equipment or related items and noted that the District Engineer is responsible for reviewing the requisitions and determining that the items purchased are part of the public project.

➤ Can the Board use the Series 2018 Bond funds for Unit 1 expenses?

Mr. Vericker stated, as noted above, the District Engineer reviews the requisitions and the Report to determine that the items purchased are to be used community wide.

B. District Engineer: *AM Engineering, LLC*

There being no report, the next item followed.

C. District Manager: *Wrathell, Hunt and Associates, LLC***I. Discussion: Alternate Meeting Locations and Dates**

Ms. Cerbone stated that she was unable to find another meeting room that could accommodate 25 people, which was a directive from the Board at the last meeting; therefore, she recommended holding the meetings at Comfort Suites, until a larger venue becomes available or COVID-19 constraints change.

Ms. Cerbone proposed meeting once a month to allow Staff time to retrieve, compile and prepare agenda materials. She distributed the proposed Fiscal Year 2021 Meeting Schedule and stated that she discussed these changes with District Staff to confirm there were no schedule conflicts. Mr. LaBoe asked why the Clubhouse was not available, since it was open and held other functions. Mr. Hays stated the Clubhouse was not taking reservations. Ms. Cerbone stated that she would email the Association Manager monthly to see if they were accepting reservations and the response would be included in the agenda and added to the District Manager's Report, as Clubhouse Update.

On MOTION by Mr. Watson and seconded by Mr. Hays, with Mr. Watson, Mr. Hays, Mr. Peshkin and Mr. Sweater in favor and Mr. LaBoe dissenting, the meeting dates and location changes and the Revised Fiscal Year 2020/2021 Meeting Schedule, as presented, was approved. [Motion passed 4-1]

II. Discussion: Workshop

Ms. Cerbone recalled Mr. Sweater's request to hold a workshop/training session for new Board Members and explained that she typically has individual phone conversations with new Supervisors to recap information about CDDs; the calls may include District Counsel and the District Engineer. Mr. Sweater withdrew his request, as no others showed interest and due to the costs to holding a workshop.

III. NEXT MEETING DATE: January 6, 2021 at 10:00 A.M.**• QUORUM CHECK**

The next meeting would be held January 27, 2021 at 10:00 a.m., in coordination with the newly revised Fiscal Year 2021 Meeting Schedule, instead of January 6, 2021.

The Board agreed with Ms. Cerbone's request to authorize her to work with District Counsel to prepare a Resolution addressing how meetings should be conducted and to prepare bullet points related to procedural matters, decorum and meeting length and content in order to hold effective and efficient meetings.

This item would be placed on the next agenda.

NINTH ORDER OF BUSINESS

Board Members' Comments/Requests

A. Discussion: 2018 Project with Respect to Cracking Occurring in New Concrete Curbing Construction Within Unit #2, Phases 5 & 6

Mr. LaBoe referred to his email in the agenda and noted that Agenda Item B was already discussed. He stated that residents photographed several structural cracks in the curbing and roadway, related to the 2018 Project within Unit #2, Phases 5 and 6. He noted that Curbco completed some repairs in Unit #1 and that the same issues were occurring in Unit #2, which are only vacant lots. He asked what the on-site Project Manager was doing about these issues. He suggested involving the City Engineer and City Inspector by scheduling an on-site public meeting to inspect Unit #2, Phases 5 and 6, to address curbing and roadway structures, as both visited, at his request, to inspect and then had the storm sewer drain repaired. Mr. Hays stated that the statement about the City Inspector mandating those repairs was inaccurate, as he is the person managing the corrections and he had already made the contractor aware of those items; the City Inspector never provided any direction to make those changes. The roadway materials that were used were standard, appropriate and symmetric; there were no concerns there and they are continuing to proceed with the repairs.

Discussion ensued regarding who pays for the repairs, the request to appoint a Board Member to meet on site with City Staff and the existing Resolution that appointed Mr. Hays and Ms. Cerbone as the only authorized individuals to interact with construction-related vendors and possibly changing that designation in the future. Mr. Hays stated he did not support holding an additional meeting; he had confidence in the ability of the District Engineer and Management appointed to address these issues.

On MOTION by Mr. LaBoe and seconded by Mr. Sweater, with Mr. LaBoe and Mr. Sweater in favor and Mr. Hays, Mr. Watson and Mr. Peshkin dissenting, holding a Special Public Meeting with the Board, the City Engineer and the City Inspector as attendees, on site at Unit #2, Phases 5 and 6, at a specific intersection, to discuss structural cracks in the curbing and the road surfaces that were documented in resident photographs, and to notice, accordingly, was not approved. [Motion failed 2-3]

B. Discussion: Mailbox Roof Structure Project

This item was addressed during the Third Order of Business.

TENTH ORDER OF BUSINESS

Public Comments

Mr. Paganelli suggested that Staff contact the Elk’s Club to determine room availability for District meetings, as they can accommodate large groups.

Mr. LaBoe thanked Mr. Paganelli for his suggestion, as, in his opinion, it would allow enough space for residents to begin participating in CDD meetings. The Board Members voiced their opinions. Some wanted to change the meeting location, if Staff received confirmation that the Elk’s Club can accommodate the District and others wanted to hold the January meeting at the Comfort Suites, until Staff returns with information about availability.

On MOTION by Mr. LaBoe and seconded by Mr. Sweater, with Mr. LaBoe and Mr. Sweater in favor and Mr. Peshkin, Mr. Watson and Mr. Hays dissenting, authorizing Ms. Cerbone to contact the Elks Club to confirm availability for District Meetings, based on the newly revised Meeting Schedule, was not approved. [Motion failed 2-3]

ELEVENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Watson and seconded by Mr. Sweater, with all in favor, the meeting adjourned at 11:14 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair