

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

The Board of Supervisors of the Toscana Isles Community Development District held a Regular Meeting on September 22, 2021, at 12:00 p.m, at 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
Jamie Sanchez	Wrathell, Hunt and Associates, LLC (WHA)
Daniel Rom (via telephone)	Wrathell, Hunt and Associates, LLC (WHA)
Vanessa Steinerts	District Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 12:00 p.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

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

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

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. 333, AM Engineering, LLC [\$4,238.75]
- B. No. 334, Guy’s Hauling & Dumpster Service, Inc. [\$95.00]
- C. No. 335, Nostalgic Lampposts & Mailboxes Plus, Inc. [\$185.00]
- D. No. 336, Pennuto Underground Cable and Conduit, Inc. [\$5,641.00]
- E. No. 337, Precision Gate & Security, Inc. [\$3,475.00]
- F. No. 338, Prestige Sod Service, Inc. [\$21,508.00]
- G. No. 339, LALP Development, LLC [\$298.56]
- H. No. 340, Guy’s Hauling & Dumpster, Inc. [\$516.79]
- I. No. 341, Nostalgic Lampposts & Mailboxes Plus, Inc. [\$490.00]
- J. No. 342, Moore’s Grading, Inc. [\$5,500.00]

FIFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of August 31, 2021

SIXTH ORDER OF BUSINESS

Approval of August 9, 2021 Regular Meeting Minutes

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

BUSINESS ITEMS

SEVENTH ORDER OF BUSINESS

Discussion/Ranking of Responses to Request for Proposals to Apply Second Lift of Asphalt [20 minutes]

A. Proof/Affidavit of Publication

The proof of publication was provided for informational purposes.

B. RFP Package (*upon request*)

Ms. Cerbone stated that copies of the Request for Proposals (RFP) Package were available for Board Members in need of one. Discussion ensued regarding the agenda and RFP documentation. Ms. Cerbone provided contact information for Staff members who may assist with mail and email issues.

C. Respondents (to be provided under separate cover)

Ms. Cerbone stated there were two respondents but the Ajax Paving Industries of Florida, LLC (Ajax) proposal was incomplete and not signed. Ajax advised Management that they wanted to respond but, because they did not have time to submit the complete proposal, the portions that were completed were submitted to meet the deadline.

Ms. Steinerts stated, as it stands now, the Ajax proposal is not a full bid proposal so, technically, it would not be considered a responsive bid proposal. The Board may reject the incomplete proposal for not being responsive or waive any irregularities for all proposals in order to be fair to all respondents. Discussion ensued regarding the respondents, whether to waive the irregularities and the RFP processes.

On MOTION by Mr. Watson and seconded by Mr. Hays, with Mr. Hays, Mr. Watson, Mr. Peshkin and Mr. Sweater in favor and Mr. LaBoe dissenting, waiving the irregularities with the Ajax bid in order to proceed with ranking the bidders, was approved. [Motion passed 4-1]

D. Ranking

The Board discussed the respondents and completed the Evaluation/Ranking sheets. Ms. Cerbone recorded the totals. Discussion ensued regarding the tabulation process. Ms. Sanchez tabulated the totals.

Ms. Cerbone stated the highest ranked respondent was Superior Asphalt.

On MOTION by Mr. Sweater and seconded by Mr. Hays, with Mr. Hays, Mr. Watson, Mr. Peshkin and Mr. Sweater in favor and Mr. LaBoe dissenting, authorizing District Counsel and Staff to prepare and negotiate a Form of Agreement with Superior Asphalt, the highest ranked respondent, to apply the second lift of asphalt and authorizing the Chair to execute the Agreement, was approved. [Motion passed 4-1]

EIGHTH ORDER OF BUSINESS

Consideration of Fourth Amendment to the Maintenance Agreement with Toscana Isles Master Association, Inc., and Toscana Isles Stormwater Maintenance Association, Inc. [5 minutes]

Ms. Cerbone stated when the Third Amendment to the Agreement was processed, it included insurance provisions; a certificate of insurance named the CDD as an additional insured by the Master Association and by the Stormwater Association and the CDD in return named both of those Associations as additional insureds. After review, the CDD’s insurance provider Egis stated, based on the Agreement and the services provided, they would not name the two Associations as additional insureds because it is not typical in such situations. With advice of District Counsel, the language included in the Amendment was modified accordingly.

Mr. Watson believed that Section 1 should have a mutual indemnification. Ms. Steinerts discussed the rationale for the revisions to the contractual indemnification language. Mr. Watson suggested tabling this item pending further discussion with the Associations, given previous discussions and the need for the Associations to review the Amendment. The consensus was for Mr. Watson to work with Ms. Steinerts and Egis regarding the Amendment.

NINTH ORDER OF BUSINESS

STAFF REPORTS [5 minutes]

A. District Counsel: *Straley Robin Vericker*

Ms. Steinerts discussed the Florida Legislature’s recently enacted requirement that a detailed 20-year Stormwater Management Needs Analysis be submitted to the County every five years beginning June 2022. Ms. Cerbone stated she would discuss this action item with the District Engineer; this would likely be presented at the March meeting before submission in June. Discussion ensued regarding the scope of work and the desire for the Board to review the Analysis prior to submission. Ms. Steinerts stated she would forward the statutory information to the Board. Ms. Cerbone stated that the CDD would need to work with the Stormwater Management Association with regard to the Needs Analysis.

On MOTION by Mr. Hays and seconded by Mr. Peshkin, with Mr. Hays, Mr. Watson, Mr. Peshkin and Mr. Sweater in favor and Mr. LaBoe dissenting, authorizing Staff to work with Mr. Sweater, as point of contact for developing the Stormwater Management Needs Analysis, was approved. [Motion passed 4-1]

B. District Engineer: *AM Engineering, LLC*

There was no report.

▪ Discussion/Ranking of Responses to Request for Proposals to Apply Second Lift of Asphalt

Discussion resumed.

Ms. Cerbone stated the tallying was completed. The total points awarded were as follows:

Ajax Paving Industries of Florida, LLC: 372 points

Superior Asphalt: 441 points

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

- NEXT MEETING DATE: October 27, 2021 at 10:00 A.M., Offices of Vanguard Land, LLC, located at 6561 Palmer Park Circle, Suite B, Sarasota, FL 34238

- QUORUM CHECK

The next meeting will be held on October 27, 2021, at the new meeting location.

TENTH ORDER OF BUSINESS

Board Members' Comments/Requests [5 minutes]

A Board Member asked if there are plans for the County to study the roads in the same manner as the stormwater management system. Ms. Steinerts stated it is possible but she had not heard of any similar study requirements relating to roads.

ELEVENTH ORDER OF BUSINESS

Public Comments [10 minutes]

There were no public comments.

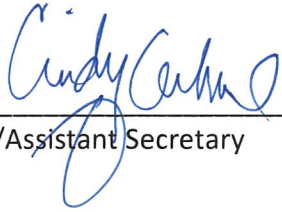
TWELFTH ORDER OF BUSINESS

Adjournment

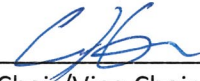
There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Watson and seconded by Mr. Peshkin, with all in favor, the meeting adjourned at 12:49 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair