

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

The Board of Supervisors of the Toscana Isles Community Development District held a Regular Meeting on January 26, 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
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)
Vanessa Steinerts (via telephone)	District Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 10:01 a.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 longer than one hour. The Board agreed that one hour was sufficient.

THIRD ORDER OF BUSINESS

Public Comments [10 minutes]

There were no public comments.

CONSENT AGENDA ITEMS [5 minutes]

FOURTH ORDER OF BUSINESS

Discussion: Requisition(s)

Ms. Cerbone presented the following Consent Agenda Items:

- A. No. 369, Nostalgic Lampposts & Mailboxes Plus, Inc. [\$575.00]
- B. No. 370, Universal Engineering Sciences, LLC [\$8,850.00]
- C. No. 371, Rusty Plumbing Company, Inc. [\$7,525.00]
- D. No. 372, Cast-Crete USA, LLC [\$6,496.80]
- E. No. 373, Juniper Landscaping of Florida, LLC [\$47,726.34]
- F. No.374, Care Electric, Inc. [\$5,322.90]
- G. No. 375, AM Engineering, LLC [\$5,845.00]
- H. No. 376, Environmental Consulting & Technology, Inc. [\$2,405.00]
- I. No. 377, Bontrager Painting, Inc. [\$950.00]
- J. No. 378, AM Engineering, LLC [\$596.26]

FIFTH ORDER OF BUSINESS

Ratification Items

- Sarasota Land Services, Inc., Proposal #JP 471013 for Balance & Grading Common Area & Lake Bank for New Sod (1 Day)
- Universal Engineering Sciences, Proposal Number 1110.1121.00057 for Asphalt Monitoring for Toscana Asphalt Observation Services
- LALP Development, LLC, Access and Maintenance Easement

SIXTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2021

SEVENTH ORDER OF BUSINESS

Approval of December 8, 2021 Regular Minutes

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

BUSINESS ITEMS

EIGHTH ORDER OF BUSINESS**Consideration of Fifth Amendment to the Maintenance Agreement with Toscana Isles Master Association, Inc., and Toscana Isles Stormwater Maintenance Association, Inc. [5 minutes]**

Ms. Cerbone presented the Fifth Amendment to the Maintenance Agreement with Toscana Isles Master Association, Inc., and Toscana Isles Stormwater Maintenance Association, Inc. Mr. Hays stated the Fifth Amendment was updated to include the 600 series tracts and some of the tracts were shifted around between CDD property and common area property. Ms. Cerbone asked if this might be the last amendment related to bringing areas on. Mr. Hays stated he did not think so.

Ms. Steinerts joined the meeting.

Ms. Cerbone recapped the items previously addressed by the Board.

Ms. Steinerts stated that she previously reviewed the Amendment to make sure everything was in place and it was in good final form for the Board to consider.

Asked to identify the locations of the lake parcels, Mr. Hays stated, the tracts with 5 as the second digit are roadway tracts, those with 6 as the second digit are lake tracts, those with 7 as the second digit are bumper tracts and those with 8 as the second digit are perimeter tracts. Ms. Cerbone stated the CDD contracted with the Master Association and the Stormwater Association to perform all repairs and maintenance for all CDD improvements.

On MOTION by Mr. Sweater and seconded by Mr. Watson, with Mr. Sweater, Mr. Watson, Mr. Hays and Mr. Peshkin in favor, and Mr. LaBoe dissenting, the Fifth Amendment to the Maintenance Agreement with Toscana Isles Master Association, Inc., and Toscana Isles Stormwater Maintenance Association, Inc., was approved. (Motion passed 4-1)

NINTH ORDER OF BUSINESS**Consideration of Resolution 2022-02, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date [5 minutes]**

Ms. Cerbone presented Resolution 2022-02. Ms. Steinerts stated that this Resolution should fall in line with the statutory requirement that the CDD and all local governmental entities are required to follow; it is an update based on recent changes to the statute.

Ms. Cerbone responded to questions regarding the statutory changes and potential reasons why payments would be withheld.

On MOTION by Mr. Peshkin and seconded by Mr. Hays, with all in favor, Resolution 2022-02, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Staff Reports [5 minutes]

A. District Counsel: *Straley Robin Vericker*

Ms. Steinerts asked if one of the ratification items considered by the Board included a Maintenance and Access Easement. Ms. Cerbone replied that the item was the last bullet point on the consent agenda, which passed 5-0 with a motion and a second.

Ms. Steinerts asked if additional parcels still need to be conveyed to the CDD. Ms. Cerbone stated the Board had not discussed the parcels yet; Mr. Hays would address the parcels during the Eleventh Order of Business.

B. District Engineer: *AM Engineering, LLC*

There was no report.

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

- **NEXT MEETING DATE: February 23, 2022 at 10:00 A.M.,**
 - **QUORUM CHECK**

The next meeting would be held on February 23, 2022.

ELEVENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Mr. Hays noted that the warranty for the 2,000 sabal palms installed by Juniper Landscaping along the northern property boundaries in Phase 5 would expire on December 31, 2022.

Discussion ensued regarding the condition of the sabals and other warranty items to be aware of. Ms. Cerbone would email a copy of the Juniper contract warranty to the Property Manager.

Referencing an Indenture handout, Mr. Hays explained that it is essentially a deed that is consistent with the Fifth Amendment to the Maintenance Agreement that was just approved and identifies the tracts that are to be transferred from the Developer to the CDD. The deed was prepared and reviewed by District Counsel’s office and, if approved, the tracts would be executed, recorded and transferred to the CDD.

It was noted that, once the indenture document is approved, all the tracts in the common space would be owned by either the CDD or the Association.

The handout, Fifth Amendment to the Maintenance Agreement, perimeters, lake banks, seawall repairs, CDD assessments and the Master Association and the Stormwater Association, were discussed. Ms. Steinerts stated accepting the Indenture helps tie up the real estate within the CDD between ownership and maintenance.

On MOTION by Mr. Sweater and seconded by Mr. Hays, with Mr. Sweater, Mr. Hays, Mr. Peshkin and Mr. Watson in favor, and Mr. LaBoe dissenting, the Indenture document, identifying the tracts to be conveyed to the CDD, was accepted and/or approved. (Motion passed 4-1)

TWELFTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Watson and seconded by Mr. Hays, with all in favor, the meeting adjourned at 10:22 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair