

TOSCANA ISLES

COMMUNITY DEVELOPMENT

DISTRICT

May 1, 2024

BOARD OF SUPERVISORS

REGULAR MEETING

AGENDA

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

**AGENDA
LETTER**

Toscana Isles Community Development District
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W•Boca Raton, Florida 33431
Phone: (561) 571-0100•Toll-free: (877) 276-0889•Fax: (561) 571-0013

April 24, 2024

Board of Supervisors
Toscana Isles Community Development District

Dear Board Members:

The Board of Supervisors of the Toscana Isles Community Development District will hold a Regular Meeting on May 1, 2024 at 10:00 a.m, at the Toscana Isles Amenity Center, 100 Maraviya Blvd, Venice, Florida 34275. The agenda is as follows:

1. Call to Order/Roll Call
2. Continued Discussion: Resolution 2021-05, Policies Regarding the Conduct of Meetings of the Board **[5 minutes]**
3. Discussion/Consideration: Meeting Duration **[95 minutes]**
4. Approval of Minutes **[5 minutes]**
 - March 12, 2024 Regular Meeting
5. Chairman's Opening Remarks **[5 minutes]**
6. Public Comments **[15 minutes]**
7. Consideration of Matters Related to Wisdom Properties, LLC vs. LALP Development, LLC, Toscana Isles Community Development District, and Toscana Isles Master Association, Inc., Case No. 2022 CA 004042 NC **[15 minutes]**
8. Continued Discussion: Second Demand Letter to Juniper Landscaping of Florida, LLC for Completion of Warrant Work **[10 minutes]**
9. Discussion: Correspondence from Becker & Poliakoff Regarding D.R. Horton Construction Defects **[10 minutes]**
10. Acceptance of Unaudited Financial Statements as of March 31, 2024 **[3 minutes]**
11. Staff Reports **[10 minutes]**
 - A. District Counsel: *Straley Robin Vericker*

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

- B. District Engineer: *AM Engineering, LLC*
- C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - NEXT MEETING DATE: June 5, 2024 at 10:00 AM

○ QUORUM CHECK

SEAT 1	WILLIAM CONTARDO	<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 2	JAMES COLLINS	<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 3	SCOTT BLASER	<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 4	MICHAEL TRACZUK	<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 5	PAUL SCHMITT	<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO

- 12. Board Members' Comments/Requests **[2 minutes]**
- 13. Public Comments **[15 minutes]**
- 14. Adjournment

Should you have any questions and/or concerns, please feel free to contact me directly at (561) 512-9027.

Sincerely,



Jamie Sanchez
 District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE
CALL-IN NUMBER: 1-888-354-0094
PARTICIPANT PASSCODE: 131 733 0895

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

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RESOLUTION 2021-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOSCANA ISLES COMMUNITY DEVELOPMENT DISTRICT ADOPTING POLICIES REGARDING THE CONDUCT OF MEETINGS OF THE BOARD AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Toscana Isles Community Development District (the “**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the District owns and maintains numerous common areas within its boundaries, and the District is governed by the Toscana Isles Community Development District Board of Supervisors (the “**Board**”); and

WHEREAS, the Board desires to adopt policies with respect to meetings of the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TOSCANA ISLES COMMUNITY DEVELOPMENT DISTRICT:

Section 1. Board of Supervisors Meeting Policies. The Board hereby adopts the following policies for the conduct of Board meetings:

- a) Board Supervisors and members of the public shall use respectful tones and words when they are addressing the Board, the public, or District Staff.
- b) Board Supervisors and members of the public should avoid repetitive or redundant questions or comments.
- c) Questions, comments, and other communications may not be directed to an individual, but rather should be addressed to the meeting chairperson and should relate to agenda items and discussion topics.
- d) District Staff will record any questions raised at the meeting and will provide a response at a subsequent Board meeting after District staff has had time to research the question.
- e) Degrading, uncomplimentary, or disrespectful remarks about an individual in any way may result in the adjournment of the Board meeting.
- f) Agenda items or discussion topics must pertain to District business.
- g) The Board meeting should be limited to one hour unless the Board votes to extend the time limit of the Board meeting. Time frames for discussion for each agenda item will be provided by the District Manager on the agenda. Unless approved by the Board, the time period allotted to each agenda item shall be followed, with remaining time at the conclusion of a meeting being made available to address topics which were not concluded during the meeting. Agenda items not concluded at a meeting shall be addressed at the following Board meeting.
- h) Agenda items should be submitted to the District Manager nine days prior to the Board meeting date.

- i) Questions based on agenda items should be provided to the District Manager at least two business days in advance of the Board meeting to allow for time to prepare a response. Time permitting, responses may be available at the Board meeting, otherwise questions and corresponding responses will be deferred until the following Board meeting

Section 2. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED AS OF THE 27TH DAY OF JANUARY, 2021.

Attest:



Name: Daniel Rom
Assistant Secretary

**Toscana Isles Community
Development District**



Alex Hays
Chair of the Board of Supervisors

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

MINUTES

DRAFT
MINUTES OF MEETING
TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Toscana Isles Community Development District held a Regular Meeting on March 12, 2024, at 11:00 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	Assistant Secretary
Michael Traczuk	Assistant Secretary

Also present:

Jamie Sanchez	Wrathell, Hunt and Associates, LLC (WHA)
Vivek Babbar	District Counsel
Diane Jochum	Resident & Director at Large
Sabastian Walczak	General Manager
Bill Ambrose	Resident
Jeff Munzing	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 11:04 a.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Continued Discussion: Resolution 2021-05, Policies Regarding the Conduct of Meetings of the Board [5 minutes]

Regarding conduct in CDD meetings, Mr. Blaser reminded the Board Members to wait for the Chair to recognize them before they speak.

THIRD ORDER OF BUSINESS

Discussion/Consideration: Meeting Duration [90 minutes]

This item was not addressed.

FOURTH ORDER OF BUSINESS

Approval of Minutes [5 minutes]

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A. November 1, 2023 Regular Meeting

Ms. Sanchez recalled the Board’s directive at the last meeting and stated that she listened to the audio related to a part of the minutes that was in question and deleted the last two sentences, on Lines 127 through 129, as she could not confirm the item in question.

B. February 7, 2024 Regular Meeting

On MOTION by Mr. Schmitt and seconded by Mr. Blaser with all in favor, the November 1, 2023 Regular Meeting Minutes, as amended, and the February 7, 2024 Regular Meeting Minutes, as presented, were approved.

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FIFTH ORDER OF BUSINESS

Chairman’s Opening Remarks [5 minutes]

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Mr. Blaser stated that there are no other opening remarks aside from his earlier statement.

SIXTH ORDER OF BUSINESS

Resident Concerns [5 minutes]

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• **Ownership of Roads and Curbing**

Ms. Sanchez stated that the CDD owns the roads, which are maintained by the Master Association; this is a follow-up item from the last meeting.

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SEVENTH ORDER OF BUSINESS

Public Comments [15 minutes]

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Resident Jeff Munzing voiced his opinion that the bridges and the road surface are starting to fail, which he will pass along to the new President of the Master Association. He hopes all deficiencies will be addressed before the Developer and builders leave the premises. It is his opinion the bridges have been misused by allowing vehicles over 20 tons to drive over them. He asked the Board to post weight capacity signage on the bridges. Mr. Schmitt discussed the classifications from the Army Corp of Engineers (ACOE) regarding the weight capacities for “live” roads and “dead” roads.

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Mr. Schmitt reported concrete cracks and broken pavers on the corner of the small bridge, which he believes is due to heavy construction traffic, and noted exposed rebar on Tusca Villa. The Board agreed with Mr. Schmitt’s suggestion that Mr. Leins evaluate the

78 roadways and provide an opinion at the next meeting. Mr. Schmitt was asked to email Ms.
79 Sanchez the locations to pass on to Mr. Liens.

80 Regarding the demand letter to D.R. Horton, Mr. Babbar stated a response is pending.

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82 **EIGHTH ORDER OF BUSINESS**

**Consideration of Matters Related to
Wisdom Properties, LLC vs. LALP
Development, LLC, Toscana Isles
Community Development District, and
Toscana Isles Master Association, Inc., Case
No 2022 CA 004042 NC [15 minutes]**

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89 Mr. Blaser recalled that a Shade Session was held last month, within a public meeting, to
90 discuss the settlement offer. He asked through the recommendation of the Board, whether to
91 reject the offers.

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**On MOTION by Mr. Contardo and seconded by Mr. Collins, with all in favor, to
rejecting all offers related to the Wisdom Properties, LLC vs. LALP
Development, LLC, Toscana Isles Community Development District, and
Toscana Isles Master Association, Inc., Case No 2022 CA 004042 NC litigation,
was approved.**

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100 Mr. Babbar stated that future Shade Sessions might be needed as the trial date in June
101 2024 nears. He recalled the ongoing authorization from the Board to schedule Shade Sessions,
102 as needed. He will work with Staff and the Board on the appropriate package for those
103 meetings.

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105 **NINTH ORDER OF BUSINESS**

**Discussion: Demand Letter to Juniper
Landscaping of Florida, LLC for Completion
of Warranty Work [10 minutes]**

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109 Mr. Blaser stated that he expected Juniper’s response to the CDD’s demand letter,
110 because of the time period and some of the work the residents and the HOA had done.

111 Ms. Sanchez read the February 16, 2024 email from Mr. Anthony Scappatura, of Juniper
112 Landscaping, into the record, as follows:

113 “Good Afternoon,

114 After our review of this letter, we are looking for some clarification on what
115 exactly is being requested for us to complete. The credit proposal (209075) that

116 was agreed upon and signed by Scott Blaser on 5/14/23 was completed. All
117 material installed. After we completed our commitment, the prior HOA Board
118 hired another company to come and remove ALL tree stakes throughout this
119 buffer, including the new staking that we installed on leaning or replacement
120 trees. To add, about a month ago, the current Board hired a separate company
121 to bring in a stump grinder. They have ground down multiple areas throughout
122 this buffer creating large holes and damaging the irrigation. I met with the
123 current HOA Board President Eugene January 10th to review the damaged caused
124 by their stump grinding vendor and he was requesting a quote from us to repair
125 the damage their vendor caused.

126 We have responded to all communications, this is the first time I have heard
127 from the CDD since my reply on November 10th.

- 128 1. Juniper completed all work that was agreed in last meeting for a credit on
129 missing palms.
- 130 2. Juniper's Maintenance contract was terminated May 15th leaving us no
131 control over the irrigation system.
- 132 3. The prior HOA board hired another company to remove ALL tree staking
133 throughout buffer, including new staking material we had just installed.
- 134 4. About a month ago the current HOA hired another company to come
135 stump grind several areas in buffer leaving large holes, debris, and damaged
136 irrigation.
- 137 5. Current Board President has requested a quote from us to clean up
138 debris and repair damaged caused by OTHER vendors.

139 Juniper is not responsible to complete any additional work or to clean up
140 after other vendors as stated in my last response to CDD. We have not received
141 any additional request until this letter.

142 If you would like to jump on a conference call or meet to discuss further,
143 please let us know."

144 Mr. Schmitt voiced his opinion that most of what Mr. Scappatura said is untrue;
145 specifically, that Juniper completed the work, since there is a long list of punch list items of
146 things that were not done and stump grinding was not done. He believes Mr. Scappatura is

147 correct in that the HOA fired Juniper so, in his opinion, the HOA will now have to pay to correct
148 whatever problems Juniper was unable to correct.

149 Ms. Sanchez discussed the \$7,215 Allen Tree Service Invoice sent to her from the HOA
150 for stump grinding and leveling. Mr. Blaser voiced his opinion that Juniper should pay the
151 invoice as it is part of the warranty work and on the punch list, which Juniper agreed to
152 complete; specifically, filling the holes, grind or flush cut the stumps and remove the debris.

153 Discussion ensued regarding certain project timelines, Mr. Scappatura not doing a final
154 walkthrough to review the punch list items and the HOA obtaining quotes to fix the damaged
155 irrigation caused by the vendor, which is separate from Juniper completing the stump grinding
156 punch list item.

157 Mr. Blaser suggested sending a second demand letter with the initial punch list and
158 asked Ms. Jochum to comment. Ms. Jochum stated that she agreed that the statements in Mr.
159 Scappatura's email are incorrect; certain stakes were removed but not the new ones and any
160 irrigation damaged during stump grinding has nothing to do with the hurricane damage. In her
161 opinion, the holes were not filled with subterranean material or mulched, the project is about
162 85% to 90% completed and looks much better than it did. She noted the TI Rangers picked up
163 the debris.

164 The HOA hiring Juniper for work separate from any CDD project was discussed.

165 Mr. Schmitt stated he will inspect to see if any holes need to be filled; he suggests
166 having Juniper pay the \$7,215 invoice to the HOA, since this is well documented. Mr. Blaser
167 thinks the letter should include language telling Juniper to either fill the holes or reimburse the
168 cost the HOA will incur to fill them.

169 The Board authorized sending the demand letter, without first reviewing the draft.

170 Regarding asking Juniper to have someone other than Mr. Scappatura respond to the
171 demand letter, Mr. Babbar stated that he will include that request in the demand letter.

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173 **On MOTION by Mr. Schmitt and seconded by Mr. Traczuk, with all in favor,**
174 **authorizing District Counsel to send a second demand letter/response to the**
175 **same parties, indicating that they have a punch list that was agreed upon by**
176 **Juniper to complete before any other vendors were brought in, and ask Juniper**
177 **to reimburse the HOA \$7,215 for stump grinding, which was part of Juniper's**
178 **warranty work, and to fill holes or reimburse the HOA for the costs to fill them,**
179 **since Juniper did not finish filling the holes, grind or flush cut the stumps or**
180 **remove debris for some time, was approved.**

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TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of January 31, 2024 [3 minutes]

Mr. Blaser cautioned the Board Members about contacting the District Engineer, as this line item already exceeds the budget and he expects expenses to increase by the Fiscal Year end. Ms. Sanchez noted the majority of the expenses pertained to the Inspection Report regarding CDD ownership.

On MOTION by Mr. Contardo and seconded by Mr. Schmitt, with all in favor, the Unaudited Financial Statements as of January 31, 2024, were accepted.

ELEVENTH ORDER OF BUSINESS

Staff Reports [10 minutes]

A. District Counsel: Straley Robin Vericker

Mr. Babbar stated that the legislative session ended March 8, 2024. He gave an overview of the recently passed Committee Substitute House Bill 7013 awaiting the Governor’s signature or veto; once executed he will provide further updates.

Regarding the required ethics training courses, Mr. Babbar recommends the \$49 course offered by the Florida Association of Special Districts (FASD), as it is tailored to Special Districts. Mr. Contardo suggested the Board Members attend a similar eight-hour course he took for new supervisors in Fort Myers; possibly including other CDDs in the area.

B. District Engineer: AM Engineering, LLC

There was no report.

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

- **NEXT MEETING DATE: April 3, 2024 at 10:00 AM**
 - **QUORUM CHECK**

The next meeting will be on April 3, 2024, unless cancelled.

TWELFTH ORDER OF BUSINESS

Board Members’ Comments/Requests [2 minutes]

There were no Board Members’ comments or requests.

218 **THIRTEENTH ORDER OF BUSINESS**

Public Comments [15 minutes]

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Regarding a punch list, Mr. Munzing stated, in his experience, contractors will typically say you cannot add anything else to it; he always had an ongoing open contract construction list. He thinks the Board should contact the person who signed the original Juniper contract.

Mr. Munzing asked if the CDD has anything to do with the damaged entrance gate.

Regarding Mr. Munzing’s earlier comment about weight capacity, Mr. Schmitt stated that he researched the weight of the concrete vehicles and voiced his opinion that the weight is not as heavy as one would think. Mr. Munzing stated that he received information from Eugene, the President of the Community, that indicated the weight of concrete trucks is over 33 tons. Mr. Schmitt asked for a copy.

Mr. Munzing stated a gate in question is the emergency fire gate off Laurel Road, which was damaged during the hurricane. Ms. Sanchez stated that she will verify ownership with the District Engineer. Resident Diane Jochum stated that the HOA maintains the gate, which has been fixed several times; it is an ongoing issue due to landscapers or neighbors pushing it open.

A resident pointed out a discrepancy in what Mr. Scappatura said about not being responsible for irrigating the palms when they are for new home construction. In their opinion, they could have asked Mike to irrigate the new plantings for 30 days.

Mr. Ambrose thinks, with regard to the stumps, the HOA invoice should reconcile with what Juniper did before. He asked if there should be a letter from the CDD to the HOA regarding Juniper advising the HOA that future involvement with Juniper is possibly not in the best interest. Mr. Blaser stated that it is the HOA Board’s decision whether to engage Juniper for HOA projects.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Schmitt and seconded by Mr. Contardo, with all in favor, the meeting adjourned at 12:10 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

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Straley Robin Vericker

Attorneys at Law

1510 W. Cleveland St.
Tampa, Florida 33606
Tel: (813) 223-9400

Writer's Direct Dial: (813) 321-4107
Writer's E-mail: vbabbar@srvlegal.com
Website: www.srvlegal.com

March 29, 2024

Via Email

Juniper Landscaping of Florida, LLC (“**Juniper**”)
Attn: Brandon Duke
Brandon@juniperlandscaping.com

**Re: Toscana Isles Community Development District
Demand Letter for Completion of Warranty Work**

Dear Brandon,

The Board of Supervisors (“**Board**”) of the Toscana Isles Community Development District (the “**District**”) requested that I send you this follow up letter to my prior correspondence dated February 14, 2024. The Board reviewed Juniper’s email response dated February 15, 2024 from Anthony Scappatura at its March meeting. The Board respectfully requests that you or another upper management level personnel respond to this letter as the relationship between the community and Anthony is tenuous and the Board disagrees with his responses.

The Board demands that Juniper reimburse the HOA in the amount of \$7,215 for the grinding and flush cutting work pursuant to the attached invoice that was supposed to be part of the warranty work as evidenced by Juniper’s letter dated March 28, 2023 (attached for your convenience and relevant portions highlighted) and complete the work related to grinding and flush cutting any remaining stumps and fill in any remaining holes.

The Board does not want to drag this out any further and wish to simply make the residents whole for the out-of-pocket costs already paid and avoid paying any additional out of pocket costs.

Sincerely,

Vivek K. Babbar

Vivek K. Babbar
*Board Certified in City, County,
and Local Government Law*

cc via email. Dan Damont, Chief Revenue Officer, dan@juniperlandscaping.com
Anthony Scappatura, Operations Manager, Ascappatura@juniperlandscaping.com
Keith Scappatura, Associate Branch Manager/Operations,
keithscappatura@juniperlandscaping.com
Jamie Sanchez, District Manager

March 28th, 2023

Dear Toscana Isles, CDD & Residents,

Due to hurricane Ian reaching Category 4 strength with wind exceeding 100 mph, the northeast buffer along Soliera/Vinadio sustained significant damage. Since hurricane Ian landed, we staked 200+ trees. Unfortunately, due to residential roads being blocked with debris, we had to cut and remove many trees to reopen the flow of traffic following the storm. At the time of original planting, Juniper was requested to furnish an insurance policy. At the time of the loss, the community had active coverage on those trees. The extent of that coverage is to re-stake, replace or credit affected trees at Juniper's expense. To date, Juniper has spent approximately \$80k restoring this buffer and there is still a little remaining.

To date, we have replaced 110 palms under warranty. There still are around 53 root balls in the ground that should not be removed. Removing additional root balls would damage the integrity of the existing berm. In addition, there is no access to remove these with a machine. **We will be sending a crew back through to flush cut any large stumps remaining and then they will be covered by mulch.** While the crew is flush cutting the stumps, they will identify any other trees that pose a threat and re-stake them. We feel like we have exceptionally staked all or all at risk trees.

Due to access, size, and character of the trees, not every palm is going to be perfectly straight. Most of these trees have a curved character to them and were not planted perfectly straight originally. The trees that remain slightly leaning will naturally straighten their head toward the sunlight. Those at risk, we have an obligation to stake. The palms that were replaced do not match the ones that were lost for a few reasons. First, the availability of the large Sabal palm is challenging, as these were all purchased from a specific ranch that no longer harvests them. Next, to weave large Sabal palms back into the existing ones is logistically not possible. They were originally planted back to front which we clearly do not have the luxury to do this time. For these reasons, plugging in the holes with smaller palms is the most beneficial solution to accomplish the goal of this buffer. We do not want to cause further damage to what remains, but in time, the newly installed replacements will grow to fill the holes that were created by the storm. The original intent of the planting was to create immediate opacity from the adjacent property and since the sabals come without established heads a tight and dense spacing was required. Now that they are established, we feel it is meeting the intent of the planting without replacements.

Regarding the size of the heads, when Sabal palms are harvested, their fronds are completely removed (hurricane cut). Trimming the Sabals this way increases the chances of their survivability when being transplanted, helps encourage early root development and reduces the risk of wind damage. Once Sabal palms are established, they can grow 2 to 3 feet per year. Heads should be well developed after about 6 months in the ground. Knowing the goal of this buffer is to visually cover activity that borders the north property line and reduce the sound that generated, filling the holes with these smaller palms is the best way to accomplish this. These replacements were planted strategically, so they grow to fill the holes created and are now visible from the back of the homes along Soliera. Originally, the Sabal palms were installed when there were no homes present. Now that homes are built on the lots, the visual angle to accomplish that goal has changed. Strategically packing the reachable areas of this buffer is the best way to achieve our goal.

Regarding replacing these palms, one for one, that will be done but not in the exact location. For example, an area along Vinadio that only lost one tree, did not get a replacement due to the density of what remains. Rather replace an area that was minimally impacted, that replacement was put where more significant damage was done. One home on Soliera lost 8 of about 14 behind their home. We added 12 in this location to fill the large hole created.

Another factor when planning these replacements was to consider causing damage to the turf due to machine traffic, along with damaging irrigation. Turf replacement and irrigation repairs are not covered by the warranty. We took reasonable care to do as little damage as possible to these areas to minimize those costs. To date, we have not billed for the irrigation repairs and adjustments caused by this storm damage. We have had 2 to 3 irrigation techs making repairs and adjustments that was caused by this damage.

Originally, there were 1,913 Sabal palms planted. Today, there are 1,868 palms, including the 110 we replaced. In addition, there are 30 dead trees in the ground that we will be cutting down. After cutting and removing these 30 trees, 75 palms will be missing from the original count. We are proposing a credit on these remaining trees to enhance the northeast corner on Vinadio, which took the most damage. The credit will be for 75 palms at \$285.30 each for a total of \$21,397.50. Upon approval of this credit, adding additional support to the at-risk trees and **flush cutting the remaining stumps**, warranty work on this buffer will be complete.

Thanks,
Anthony Scappatura
Venice Operations Manager

Invoice

FROM:
Alan Tree Service
P.O Box 51832
Sarasota, FL 34232
(941) 312- 3000

To:
Raymond Foxwell & Jeff Mandel
Community: VP FOR Toscana Isles HOA

Item Description	Quantity	Price Each	Total Amount
Stump Grinding/Roots	111	\$65 each stump	\$7,215
LABORERS X4	4	N/A	N/A
Stump's leveled to the ground.	111	\$65 stumps	N/A
Subtotal			\$7,215
Tax			We Notify You
BALANCE DUE			\$7,215

Notes

Thank you for your business!

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

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Mark J. Stempler
Office Managing Shareholder
Board Certified Construction Lawyer
AAA Arbitrator
Phone: 561.820.2884 Fax: 561.832.8987
mstempler@beckerlawyers.com



Becker & Poliakoff
625 N. Flagler Drive
7th Floor
West Palm Beach, FL 33401

April 2, 2024

Via Electronic Mail
vbabbar@srvlegal.com

Vivek K. Babbar, Esq.
Straley Robin Vericker
1510 W. Cleveland Street
Tampa, FL 33606

Re: Toscana Isles Community Development District
Response to Correspondence (dated February 14, 2024)
Our File No.: D06090.415152

Dear Mr. Babbar:

The undersigned law firm represents D.R. Horton, Inc. (“D.R. Horton”) concerning the Toscana Isles Community. We have been provided your letter dated February 14, 2024, concerning alleged damage to roadways, curbing, and sidewalks.

D.R. Horton denies that there are construction defect issues related to, “materials used, installation issues, or possibly both” as stated in your correspondence. Please advise what concerns are being raised about the concrete material, or specific installation issues. Further, it is not clear where all the alleged defects are located, based on your letter and the report from AM Engineering, LLC dated October 23, 2023. D.R. Horton, however, commits to working with the Toscana Isles Community Development District on these issues. D.R. Horton requests an opportunity to inspect the property and have someone from the CDD identify all areas alleged to have problems. A representative from the Toscana Isles association can accompany an inspection as well. Following the inspection, D.R. Horton will determine what areas, if any, are needed to be repaired and will make those repairs.

D.R. Horton is in the process of constructing homes and improvements within the Toscana Isles Community. It would be prudent for D.R. Horton to complete its work and then make the repairs it determines are required, since some or all of the alleged areas may be where D.R. Horton is currently working. It can make any and all repairs at one time.

Toscana Isles Community Development District

Vivek K. Babbar, Esq.

Page 2

Please provide dates and times when D.R. Horton can inspect the areas subject of your correspondence. D.R. Horton reserves all rights, and nothing herein shall be construed as a waiver of any defenses, claims, or otherwise concerning these issues.

We look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Mark J. Stempler". The signature is written in a cursive style.

Mark J. Stempler
For the Firm

MJS2/lb

cc: D.R. Horton, Inc.

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

**UNAUDITED
FINANCIAL
STATEMENTS**

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
MARCH 31, 2024**

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
MARCH 31, 2024**

	General Fund	Debt Service Fund Series 2014	Debt Service Fund Series 2018	Total Governmental Funds
ASSETS				
Cash	\$ 175,084	\$ -	\$ -	\$ 175,084
Investments				
Reserve	-	710,363	804,077	1,514,440
Prepayment	-	118	728	846
Revenue	-	1,003,610	1,173,441	2,177,051
Due from general fund	-	9,529	13,179	22,708
Total assets	<u>\$ 175,084</u>	<u>\$1,723,620</u>	<u>\$1,991,425</u>	<u>\$ 3,890,129</u>
LIABILITIES				
Liabilities:				
Due to debt service fund 2014	\$ 9,529	\$ -	\$ -	\$ 9,529
Due to debt service fund 2018	13,179	-	-	13,179
Taxes payable	306	-	-	306
Total liabilities	<u>23,014</u>	<u>-</u>	<u>-</u>	<u>23,014</u>
FUND BALANCES				
Restricted for:				
Debt service	-	1,723,620	1,991,425	3,715,045
Assigned:				
Three months working capital	41,772	-	-	41,772
Unassigned	110,298	-	-	110,298
Total fund balances	<u>152,070</u>	<u>1,723,620</u>	<u>1,991,425</u>	<u>3,867,115</u>
Total liabilities and fund balances	<u>\$ 175,084</u>	<u>\$1,723,620</u>	<u>\$1,991,425</u>	<u>\$ 3,890,129</u>

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED MARCH 31, 2024**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ 1,719	\$ 135,234	\$ 139,582	97%
Interest and miscellaneous	3	23	-	N/A
Total revenues	<u>1,722</u>	<u>135,257</u>	<u>139,582</u>	97%
EXPENDITURES				
Professional & administrative				
Supervisor's fees	1,000	4,000	12,000	33%
FICA	76	306	918	33%
Management/accounting/recording	3,643	21,861	43,721	50%
Debt service fund accounting	644	3,862	7,725	50%
Legal	-	497	36,000	1%
Engineering	400	8,000	5,000	160%
Audit	-	-	4,400	0%
Arbitrage rebate calculation	-	-	750	0%
Dissemination agent	167	1,000	2,000	50%
Trustee	-	10,403	11,236	93%
Telephone	17	100	200	50%
Postage	-	41	500	8%
Printing & binding	42	250	500	50%
Legal advertising	164	586	1,200	49%
Annual special district fee	-	175	175	100%
Insurance	-	8,467	9,167	92%
Contingencies/bank charges	32	162	1,000	16%
Website	-	705	705	100%
ADA website compliance	-	-	210	0%
Total professional & administrative	<u>6,185</u>	<u>60,415</u>	<u>137,407</u>	44%
Other fees & charges				
Tax collector	26	2,022	2,181	93%
Total other fees & charges	<u>26</u>	<u>2,022</u>	<u>2,181</u>	93%
Total expenditures	<u>6,211</u>	<u>62,437</u>	<u>139,588</u>	45%
Excess/(deficiency) of revenues over/(under) expenditures	(4,489)	72,820	(6)	
Fund balances - beginning	156,559	79,250	62,329	
Assigned				
Three months working capital	41,772	41,772	41,772	
Unassigned	110,298	110,298	20,551	
Fund balances - ending	<u>\$ 152,070</u>	<u>\$ 152,070</u>	<u>\$ 62,323</u>	

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2014
FOR THE PERIOD ENDED MARCH 31, 2024**

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ 9,674	\$ 760,936	\$ 785,537	97%
Interest	6,345	31,252	-	N/A
Total revenues	<u>16,019</u>	<u>792,188</u>	<u>785,537</u>	101%
EXPENDITURES				
Principal	-	205,000	205,000	100%
Interest	-	276,056	546,219	51%
Tax collector	145	11,376	12,274	93%
Total expenditures	<u>145</u>	<u>492,432</u>	<u>763,493</u>	64%
Excess/(deficiency) of revenues over/(under) expenditures	15,874	299,756	22,044	
Fund balances - beginning	1,707,746	1,423,864	1,381,547	
Fund balances - ending	<u>\$ 1,723,620</u>	<u>\$ 1,723,620</u>	<u>\$ 1,403,591</u>	

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2018
FOR THE PERIOD ENDED MARCH 31, 2024**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Assessment levy	\$ 13,380	\$ 1,052,450	\$ 1,086,623	97%
Interest	7,637	35,467	-	N/A
Total revenues	<u>21,017</u>	<u>1,087,917</u>	<u>1,086,623</u>	100%
EXPENDITURES				
Principal	-	265,000	265,000	100%
Interest	-	400,894	795,991	50%
Tax collector	201	15,735	16,978	93%
Total expenditures	<u>201</u>	<u>681,629</u>	<u>1,077,969</u>	63%
Excess/(deficiency) of revenues over/(under) expenditures	20,816	406,288	8,654	
Fund balances - beginning	1,970,609	1,585,137	1,532,589	
Fund balances - ending	<u>\$ 1,991,425</u>	<u>\$ 1,991,425</u>	<u>\$ 1,541,243</u>	

**TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

**STAFF
REPORTS**

TOSCANA ISLES COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE

LOCATION

Toscana Isles Amenity Center, 100 Maraviya Blvd, Venice, Florida 34275

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 4, 2023 CANCELED	Regular Meeting	10:00 AM
November 1, 2023	Regular Meeting	10:00 AM
December 6, 2023	Special Meeting and Attorney-Client Session Shade Meeting	9:00 AM
December 6, 2023	Regular Meeting	10:00 AM
January 3, 2024 CANCELED	Regular Meeting	10:00 AM
February 7, 2024	Attorney-Client Session Shade Meeting	9:00 AM
February 7, 2024	Regular Meeting	10:00 AM
March 6, 2024 CANCELED	Regular Meeting	10:00 AM
March 12, 2024	Attorney-Client Session Shade Meeting	10:00 AM
March 12, 2024	Regular Meeting	11:00 AM
April 3, 2024 CANCELED	Regular Meeting	10:00 AM
May 1, 2024	Attorney-Client Session Shade Meeting	9:00 AM
May 1, 2024	Regular Meeting	10:00 AM
June 5, 2024	Regular Meeting	10:00 AM
July 3, 2024	Regular Meeting	10:00 AM
August 7, 2024	Regular Meeting	10:00 AM
September 4, 2024	Regular Meeting	10:00 AM