TOSCANA ISLES

COMMUNITY DEVELOPMENT
DISTRICT

October 2, 2024

BOARD OF SUPERVISORS

REGULAR MEETING
AGENDA

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

www.toscanaislescdd.net

September 25, 2024

ATTENDEES:

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

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 October 2, 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
- 3. Approval of September 4, 2024 Regular Meeting Minutes
- 4. Chairman's Opening Remarks
- 5. Resident Concern(s)
 - Road Divot
- 6. Public Comments
- 7. Update: Correspondence from Becker & Poliakoff Regarding D.R. Horton Construction Defects
- 8. Acceptance of Unaudited Financial Statements as of August 31, 2024
- 9. Staff Reports
 - A. District Counsel: Straley Robin Vericker
 - B. District Engineer: AM Engineering, LLC
 - C. District Manager: Wrathell, Hunt and Associates, LLC
 - NEXT MEETING DATE: November 6, 2024 at 10:00 AM

Board of Supervisors Toscana Isles Community Development District October 2, 2024, Regular Meeting Agenda Page 2

QUORUM CHECK

SEAT 1	WILLIAM CONTARDO	In-Person	PHONE	No
SEAT 2	JAMES COLLINS	In-Person	PHONE	No
SEAT 3	SCOTT BLASER	☐ In-Person	PHONE	☐ No
SEAT 4	MICHAEL TRACZUK	In-Person	PHONE	No
SEAT 5	Paul Schmitt	IN-PERSON	PHONE	No

- 10. Board Members' Comments/Requests
- 11. Public Comments
- 12. 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

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

<u>Section 2</u>. This Resolution shall become effective immediately upon its adoption.

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

Attest:

Name: Danie
Assistant Secretary

Toscana Isles Community Development District

Alex Hays

Chair of the Board of Supervisors

MINUTES

DRAFT

		DRAFI
1	MINUT	ES OF MEETING
2		SCANA ISLES
3		DEVELOPMENT DISTRICT
	COMMUNITY	PEVELOPIVIEIVI DISTRICI
4 5	The Board of Supervisors of the To	scana Isles Community Development District held a
6	Regular Meeting on September 4, 2024 at 2	10:00 a.m. at the Toscana Isles Amenity Center, 100
7	Maraviya Boulevard, Venice, Florida 34275.	
8 9	Present were:	
10	Scott Blaser	Chair
11	Bill Contardo	Vice Chair
12	Paul Schmitt	Assistant Secretary
13 14	James Collins	Assistant Secretary
15	Also present:	
16	P	
17	Jamie Sanchez	District Manager
18	Vivek Babbar (via telephone)	District Counsel
19	Linda Hogenmiller	Resident
20	Jeff Munzing	Resident
	_	
21	Bill Ambrose	Resident
22	Dennis Koroll	Resident
23	Neal Green	Resident
24	Diane Jochum	Resident
25 26	Carlo Quintiliani	Resident
27 28	FIRST ORDER OF BUSINESS	Call to Order/Roll Call
29	Mr. Blaser called the meeting to	order at 10:00 a.m. Supervisors Blaser, Contardo,
30	Schmitt and Collins were present. Superviso	or Traczuk was absent.
31		
32 33 34 35	SECOND ORDER OF BUSINESS	Continued Discussion: Resolution 2021-05, Policies Regarding the Conduct of Meetings of the Board
36	Mr. Blaser reviewed the rules for co	onducting CDD meetings and noted the importance
37	of civility.	
38		
39 40 41	THIRD ORDER OF BUSINESS	Approval of August 7, 2024 Public Hearing and Regular Meeting Minutes
42	The following change was made:	

Lines 259 and 262: Change "Contardo" to "Schmitt"

On MOTION by Mr. Schmitt and seconded by Mr. Collins, with all in favor, the August 7, 2024 Public Hearing and Regular Meeting Minutes, as amended, were approved.

FOURTH ORDER OF BUSINESS

Chairman's Opening Remarks

Mr. Blaser thanked everyone for attending the meeting.

FIFTH ORDER OF BUSINESS

Resident Concern(s)

• Gialla Road Street Signs

Ms. Sanchez stated that the street signs should have been placed and are missing. They were ordered and will be installed.

Asked about a question from the previous meeting regarding a Board seat, Ms. Sanchez stated Staff checked with the Supervisor of Elections (SOE) and they confirmed that Seat 5 was on the election ballot. No one qualified to run for the seat at the November 2024 General Election so, when that term expires in November, it will be up to the Board to appoint a qualified elector to fill the seat. Asked about the term length, Mr. Babbar stated the open seat will be a four-year term.

SIXTH ORDER OF BUSINESS

Public Comments

Resident Carlo Quintiliani distributed photographs and asked for a stop sign to be installed at the corner of Maraviya and Villoresi Boulevard. He asked for the damaged asphalt on Maraviya Boulevard and Palestro Street, north of Villoresi Boulevard, to be repaired.

Regarding the road damage, Mr. Blazer stated, an ongoing report of all the damage throughout the development is being compiled and will be sent to the construction company, which previously agreed to review the damage and make some repairs. This data will be added to that report.

Regarding the stop sign request, Ms. Sanchez stated, typically, a traffic study must be performed for a stop sign to be approved and installed; she will find out if one is supposed to be at the location in question.

Resident Jeff Munzing asked about street inspections and a completion date for the roadwork.

Mr. Blaser stated, according to the builder, inspections will commence once home construction is completed.

Asked if he heard of the term "28 Inspections," Mr. Babbar replied no.

SEVENTH ORDER OF BUSINESS

Update: Second Demand Letter to Juniper Landscaping of Florida, LLC for Completion of Warrant Work

Ms. Sanchez stated she forwarded an email to the Board and blind-copied everyone regarding Anthony and Juniper's last email.

Mr. Schmitt reported that he coordinated with Anthony to complete the warranty work and inspected the area in question with Anthony six weeks ago. He stated the work is complete.

On MOTION by Mr. Schmitt and seconded by Mr. Contardo, with all in favor, deeming the Warranty Work complete, sending a letter to Juniper Landscaping of Florida, LLC, confirming completion and removing this item from future agendas, was approved.

EIGHTH ORDER OF BUSINESS

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

Ms. Sanchez read an update from Mr. Traczuk into the record as follows:

"As an update, myself and Ray Foxwell met yesterday, August 27th, on a tele-meeting with John Till of ICCIMS Infrastructure Management. During the meeting, a lot was discussed and John answered a lot of questions. Unfortunately, he has spoken with his associates and they feel there is a possibility that helping us, the CDD, may lead to having his engineer spend time in litigation and they feel they cannot spare the engineer's time. He did indicate that we needed someone with a smaller, regional engineering firm. He also suggested that some boring samples be taken from the area that appears to have damage. John's firm is in Largo, Florida. I did reach out to the City of Venice Engineering Department, Kathleen Weedon, in hopes she could recommend someone. I also spoke with Ray concerning the cost of a second opinion and

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

There were no Staff reports.

NEXT MEETING DATE: October 2, 2024 at 10:00 AM

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the meeting adjourned at 11:11 a.m.

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	TOSCANA ISLES CDD	DRAFT	September 4, 2024
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186			
187	Secretary/Assistant Secretary	Chair/Vice Cha	ir

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,

Mark J. Stempler

Mark J. Stempler

For the Firm

MJS2/lb

cc: D.R. Horton, Inc.

UNAUDITED FINANCIAL STATEMENTS

TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
AUGUST 31, 2024

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

			Debt	Debt		
			Service	Service		Total
	(General	Fund	Fund	Go	vernmental
		Fund	Series 2014	Series 2018		Funds
ASSETS						
Cash	\$	115,768	\$ -	\$ -	\$	115,768
Investments						
Reserve		-	710,363	801,431		1,511,794
Prepayment		-	17,182	744		17,926
Revenue		-	805,207	873,713		1,678,920
Due from general fund		<u> </u>	3,929	5,433		9,362
Total assets	\$	115,768	\$1,536,681	\$1,681,321	\$	3,333,770
LIABILITIES						
Liabilities:						
Due to debt service fund 2014	\$	3,929	\$ -	\$ -	\$	3,929
Due to debt service fund 2018		5,433	-	-		5,433
Taxes payable		153				153
Total liabilities		9,515				9,515
FUND BALANCES						
Restricted for:						
Debt service		-	1,536,681	1,681,321		3,218,002
Assigned						
Three months working capital		41,772	-	-		41,772
Unassigned		64,481				64,481
Total fund balances		106,253	1,536,681	1,681,321		3,324,255
Total liabilities and fund balances	\$	115,768	\$ 1,536,681	\$ 1,681,321	\$	3,333,770

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

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ -	\$ 140,617	\$ 139,582	101%
Interest and miscellaneous	1	28		N/A
Total revenues	1	140,645	139,582	101%
EXPENDITURES				
Professional & administrative				
Supervisor's fees	1,000	9,000	12,000	75%
FICA	76	688	918	75%
Management/accounting/recording	3,643	40,078	43,721	92%
Debt service fund accounting	644	7,081	7,725	92%
Legal	457	13,614	36,000	38%
Engineering	-	13,551	5,000	271%
Audit	-	4,300	4,400	98%
Arbitrage rebate calculation	-	-	750	0%
Dissemination agent	167	1,833	2,000	92%
Trustee	-	10,403	11,236	93%
Telephone	17	183	200	92%
Postage	11	119	500	24%
Printing & binding	42	458	500	92%
Legal advertising	215	1,045	1,200	87%
Annual special district fee	-	175	175	100%
Insurance	_	8,467	9,167	92%
Contingencies/bank charges	33	329	1,000	33%
Website	_	705	705	100%
ADA website compliance	210	210	210	100%
Total professional & administrative	6,515	112,239	137,407	82%
Other fees & charges Tax collector		1,403	2,181	64%
	<u>-</u>	1,403	2,181	64%
Total other fees & charges		113,642		81%
Total expenditures	6,515	113,042	139,588	0170
Excess/(deficiency) of revenues				
over/(under) expenditures	(6,514)	27,003	(6)	
, ,	,		, ,	
Fund balances - beginning	112,767	79,250	62,329	
Assigned				
Three months working capital	41,772	41,772	41,772	
Unassigned	64,481	64,481	20,551	
Fund balances - ending	\$ 106,253	\$ 106,253	\$ 62,323	

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

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ -	\$ 791,225	\$ 785,537	101%
Assessment prepayments	-	17,065	-	N/A
Interest	6,316	63,639	-	N/A
Total revenues	6,316	871,929	785,537	111%
EXPENDITURES				
Principal	-	205,000	205,000	100%
Interest	-	546,219	546,219	100%
Tax collector	-	7,893	12,274	64%
Total expenditures	-	759,112	763,493	99%
Excess/(deficiency) of revenues				
over/(under) expenditures	6,316	112,817	22,044	
Fund balances - beginning	1,530,365	1,423,864	1,381,547	
Fund balances - ending	\$ 1,536,681	\$ 1,536,681	\$1,403,591	

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

	Current Month	Year To Date	Budget	% of Budget
REVENUES				·
Assessment levy	\$ -	\$ 1,094,342	\$ 1,086,623	101%
Interest	7,295	73,750	-	N/A
Total revenues	7,295	1,168,092	1,086,623	107%
EXPENDITURES				
Principal	-	265,000	265,000	100%
Interest	-	795,991	795,991	100%
Tax collector		10,917	16,978	64%
Total expenditures		1,071,908	1,077,969	99%
Excess/(deficiency) of revenues				
over/(under) expenditures	7,295	96,184	8,654	
Fund balances - beginning	1,674,026	1,585,137	1,532,589	
Fund balances - ending	\$ 1,681,321	\$ 1,681,321	\$1,541,243	

STAFF REPORTS

BOARD OF SUPERVISORS FISCAL YEAR 2024/2025 MEETING SCHEDULE

LOCATION

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

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 2, 2024	Regular Meeting	10:00 AM
November 6, 2024	Regular Meeting	10:00 AM
December 4, 2024	Regular Meeting	10:00 AM
February 5, 2025	Regular Meeting	10:00 AM
March 5, 2025	Regular Meeting	10:00 AM
April 2, 2025	Regular Meeting	10:00 AM
May 7, 2025	Regular Meeting	10:00 AM
June 4, 2025	Regular Meeting	10:00 AM
July 2, 2025	Regular Meeting	10:00 AM
August 6, 2025	Regular Meeting	10:00 AM
September 3, 2025	Regular Meeting	10:00 AM