

**MINUTES OF MEETING
RUSTIC OAKS
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Rustic Oaks Community Development District held a Special Meeting on February 16, 2022, at 1:30 P.M., at the Comfort Suites Sarasota – Siesta Key, 5690 Honoré Avenue, Sarasota, Florida 34233.

Present at the meeting were:

Garth Noble	Chair
Jerry Tomberlin	Vice Chair
Jessica Reschke	Assistant Secretary
Chris Torres	Assistant Secretary

Also present were:

Kristen Suit	District Manager
Jordan Schrader (via telephone)	Interim District Engineer
John Vericker (via telephone)	District Counsel
John Kakridas	Meritage Homes

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Suit called the meeting to order at 1:38 p.m. Supervisors Noble, Tomberlin, Reschke and Torres were present, in person. Supervisor O'Brien was not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

**Acceptance of Resignation of Matt O'Brien,
Seat 5**

Ms. Suit presented the resignation of Mr. Matt O'Brien.

<p>On MOTION by Mr. Noble and seconded by Mr. Torres, with all in favor, the resignation of Mr. Matt O'Brien, dated February 14, 2022, was accepted.</p>

FOURTH ORDER OF BUSINESS

Consider Appointment of John Kakridas to Fill Unexpired Term of Seat 5, Term Expires November 2022

Mr. Noble nominated Mr. Kakridas to fill Seat 5. No other nominations were made.

On MOTION by Mr. Noble and seconded by Mr. Tomberlin, with all in favor, the appointment of Mr. John Kakridas to Seat 5, term expires November 2022, was approved.

A. Administration of Oath of Office to Newly Appointed Supervisor *(the following to be provided in a separate package)*

Ms. Suit, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Kakridas. She provided and briefly explained the following items:

- I. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- II. Membership, Obligations and Responsibilities**
- III. Financial Disclosure Forms**
 - a. Form 1: Statement of Financial Interests**
 - b. Form IX: Amendment to Form 1, Statement of Financial Interests**
 - c. Form IF: Final Statement of Financial Interests**
- IV. Form 8B – Memorandum of Voting Conflict**

B. Consideration of Resolution 2022-09, Designating Certain Officers of the District, and Providing for an Effective Date

Ms. Suit presented Resolution 2022-09.

Mr. Noble nominated the following slate of officers:

- | | |
|-----------------|---------------------|
| Garth Noble | Chair |
| Jerry Tomberlin | Vice Chair |
| Craig Wrathell | Secretary |
| Jessica Reschke | Assistant Secretary |
| Chris Torres | Assistant Secretary |
| John Kakridas | Assistant Secretary |

Kristen Suit

Assistant Secretary

No other nominations were made.

Prior appointments by the Board for Treasurer and Assistant Treasurer remain unaffected by this Resolution.

On MOTION by Mr. Noble and seconded by Mr. Torres, with all in favor, Resolution 2022-09, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-10, Approving the Execution of All Documents, Instruments, and Certificates in Connection with the District’s Series 2022 Capital Improvement Revenue Bonds; Setting Forth the Final Terms of the Special Assessments Which Secure the Series 2022 Capital Improvement Revenue Bonds; Adopting the Supplemental Engineer’s Report; Adopting the Final Supplemental Special Assessment Methodology Report; and Providing for Severability, Conflicts and an Effective Date

Ms. Suit presented Resolution 2022-10 and read the title.

Mr. Vericker stated the Resolution confirms the final pricing of the Series 2022 bonds.

Ms. Suit gave a brief overview of the Final Supplemental Special Assessment Methodology Report, dated January 27, 2022, and noted the pertinent information in each section and in the Appendix Tables.

On MOTION by Mr. Tomberlin and seconded by Ms. Reschke, with all in favor, Resolution 2022-10, Approving the Execution of All Documents, Instruments, and Certificates in Connection with the District’s Series 2022 Capital Improvement Revenue Bonds; Setting Forth the Final Terms of the Special Assessments Which Secure the Series 2022 Capital Improvement Revenue Bonds; Adopting the Supplemental Engineer’s Report; Adopting the Final Supplemental Special Assessment Methodology Report; and Providing for Severability, Conflicts and an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Any Pending Bond Related Matters

There were no pending bond related matters.

SEVENTH ORDER OF BUSINESS

Consideration of Clearview Land Design, P.L., Response to Request for Qualifications (RFQ) For Engineering Services

A. Competitive Selection Criteria/Ranking

The sole respondent to the RFQ was Clearview Land Design, P.L. (Clearview). Clearview received a total score of 85 points out of 100 points. Asked if the RFQ was advertised, Ms. Suit stated Staff advertised the RFQ as directed.

B. Award of Contract

On MOTION by Mr. Torres and seconded by Mr. Noble, with all in favor, ranking the sole respondent, Clearview Land Design, P.L., as the #1 ranked respondent, was approved.

On MOTION by Mr. Noble and seconded by Mr. Tomberlin, with all in favor, awarding the Engineering Services contract to Clearview Land Design, P.L., the #1 ranked respondent, authorizing Staff to negotiate an agreement with Clearview Land Design, P.L., and authorizing the Chair to execute the agreement, was approved.

EIGHTH ORDER OF BUSINESS

Ratification Items

A. Assignment and Assumption of Bridge Construction Agreement

B. Assignment and Assumption of the Onsite PH. 1.2 North and South Construction Agreement

Ms. Suit stated she was informed prior to the meeting that the CDD would not be proceeding with this assignment.

C. Assignment and Assumption of the Rustic Roads (Offsite/CDD) Construction Agreement

Mr. Vericker stated the contractor for Item 8A is Thomas Marine Construction, Inc. and the contractor for Item 8C is Deme Construction, LLC. He asked a Board Member to inform Deme that the project would proceed with the Meritage Homes Agreement.

Mr. Schrader asked for a summary to be provided after the meeting that clarifies what contracts are Meritage contracts and what contracts are CDD contracts. He stated since Clearview is not the Design Engineer for the bridge or the offsite project, the CDD would need to consult with another design engineering firm to perform the Development Engineering Inspection of that. He wanted clarification of what scopes are private and what scopes are for the CDD.

Mr. Vericker stated, currently, the CDD is assuming the bridge and off-site contracts in total and not assuming any of the on-site work. In response to the question of whether the Rustic Road and Ranch Improvement Plans and the Offsite Utility Extensions are being assumed by the CDD, Mr. Noble replied affirmatively.

Regarding how pay requests would be handled, Mr. Noble stated Clearview would not be processing pay requests for the off-site work from the Clearview Land Design office as a normal course of business. Eddie and Devon would be reviewing the application requests and all of the work and certifying to the Board that work is completed.

Discussion ensued regarding Deme Construction forwarding pay requests, ISS, Meritage, the design engineer, certification and Management processing payment requisitions. Mr. Noble would send an email explaining the payment requisition and processing process to all parties involved. Ms. Suit recommended sending the email to Management and to Mr. Schrader and for the Board Members to not "Reply All."

On MOTION by Mr. Noble and seconded by Mr. Torres, with all in favor, the Assignment and Assumption of Bridge Construction Agreement and the Assignment and Assumption of the Rustic Roads (Offsite/CDD) Construction Agreement, were ratified.

Mr. Vericker stated the on-site work is still under Meritage for now.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2022-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

This item was deferred.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2022-08, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date

This item was deferred.

ELEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2021

Ms. Suit presented the Unaudited Financial Statements as of December 31, 2021.

On MOTION by Mr. Noble and seconded by Mr. Tomberlin, with all in favor, Unaudited Financial Statements as of December 31, 2021, were accepted.

TWELFTH ORDER OF BUSINESS

Approval of January 19, 2022 Special Meeting Minutes

Ms. Suit presented the January 19, 2022 Special Meeting Minutes:

On MOTION by Mr. Nobel and seconded by Ms. Reschke, with all in favor, the January 19, 2022 Special Meeting Minutes, as presented, were approved.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Straley Robin Vericker*

There was nothing further to report.

B. District Engineer (Interim): *Clearview Land Design, P.L.*

Mr. Schrader stated that Clearview would do the bill of sale for the requisition. A proposal for the Stormwater Needs Analysis Report would be presented at the next meeting.

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

- **NEXT MEETING DATE: March 21, 2022 at 1:30 P.M.**
 - **QUORUM CHECK**

All Supervisors confirmed their attendance at the March 21, 2022 meeting.

FOURTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

FIFTEENTH ORDER OF BUSINESS

Public Comments

There were no public comments.


SIXTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Kakridas and seconded by Mr. Tomberlin, with all in favor, the meeting adjourned at 2:25 p.m.

[SIGNATURES APPEAR ON THE FOLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair