

# **RUSTIC OAKS**

**COMMUNITY DEVELOPMENT**

**DISTRICT**

**April 17, 2023**

**BOARD OF SUPERVISORS**

**REGULAR MEETING**

**AGENDA**

# **RUSTIC OAKS**

**COMMUNITY DEVELOPMENT DISTRICT**

# **AGENDA**

# **LETTER**

**Rustic Oaks Community Development District**  
**OFFICE OF THE DISTRICT MANAGER**  
**2300 Glades Road, Suite 410W•Boca Raton, Florida 33431**  
**Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013**

April 10, 2023

Board of Supervisors  
Rustic Oaks Community Development District

Dear Board Members:

The Board of Supervisors of the Rustic Oaks Community Development District will hold a Regular Meeting on April 17, 2023 at 1:30 p.m., at the Homewood Suites Sarasota Lakewood Ranch, 305 N. Cattlemen Road, Sarasota, Florida 34235. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Supervisor, Martha Schiffer [SEAT 3] *(the following will be provided in a separate package)*
  - A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
  - B. Membership, Obligations and Responsibilities
  - C. Financial Disclosure Forms
    - I. Form 1: Statement of Financial Interests
    - II. Form 1X: Amendment to Form 1, Statement of Financial Interests
    - III. Form 1F: Final Statement of Financial Interests
  - D. Form 8B – Memorandum of Voting Conflict
4. Consider Appointment to Fill Unexpired Term of Seat 4; *Term Expires November 2023*
  - Administration of Oath of Office to Appointed Supervisor
5. Consideration of Resolution 2023-03, Designating Certain Officers of the District, and Providing for an Effective Date
6. Consideration of Resolution 2023-04, Designating a Date, Time, and Location for Landowners' Meeting and Election; Providing for Publication, Providing for Severability and an Effective Date [November 7, 2023]

**ATTENDEES:**

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

- 7. Consideration of Agreement with SCP Acquisitions
- 8. Consideration of Resolution 2023-02, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date
- 9. Acceptance of Unaudited Financial Statements as February 28, 2023
- 10. Approval of February 20, 2023 Regular Meeting Minutes
- 11. Staff Reports
  - A. District Counsel: *Straley Robin Vericker*
  - B. District Engineer: *Clearview Land Design, P.L.*
  - C. District Manager: *Wrathell, Hunt and Associates, LLC*

- NEXT MEETING DATE: May 15, 2023 at 1:30 PM [Presentation of Fiscal Year 2024 Budget]

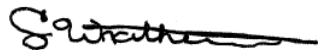
○ QUORUM CHECK

SEAT 1	GARTH NOBLE	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	JESSICA RESCHKE	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	MARTHA SCHIFFER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	JOHN KAKRIDAS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

- 12. Board Members' Comments/Requests
- 13. Public Comments
- 14. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 719-8675 or Kristen Suit at (410) 207-1802.

Sincerely,



Craig Wrathell  
 District Manager

**FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE**

**CALL-IN NUMBER: 1-888-354-0094**

**PARTICIPANT PASSCODE: 943 865 3730**

# **RUSTIC OAKS**

**COMMUNITY DEVELOPMENT DISTRICT**

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**RESOLUTION 2023-03**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE RUSTIC OAKS COMMUNITY DEVELOPMENT DISTRICT DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS**, the Board of Supervisors of the District desires to designate certain Officers of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE RUSTIC OAKS COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** \_\_\_\_\_ is appointed Chair.

**SECTION 2.** \_\_\_\_\_ is appointed Vice Chair.

**SECTION 3.** \_\_\_\_\_ is appointed Assistant Secretary.

\_\_\_\_\_ is appointed Assistant Secretary.

\_\_\_\_\_ is appointed Assistant Secretary.

**Kristen Suit** is appointed Assistant Secretary.

**SECTION 4.** This Resolution supersedes any prior appointments made by the Board for Chair, Vice Chair and Assistant Secretaries; however, prior appointments by the Board for Secretary, Treasurer and Assistant Treasurer remain unaffected by this Resolution.

**SECTION 5.** This Resolution shall become effective immediately upon its adoption.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

**PASSED AND ADOPTED** this 17th day of April, 2023.

ATTEST:

**RUSTIC OAKS COMMUNITY  
DEVELOPMENT DISTRICT**

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Secretary/Assistant Secretary

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Chair/Vice Chair, Board of Supervisors

# **RUSTIC OAKS**

**COMMUNITY DEVELOPMENT DISTRICT**

**6**



**RESOLUTION 2023-04**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF RUSTIC OAKS COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A DATE, TIME, AND LOCATION FOR LANDOWNERS' MEETING AND ELECTION; PROVIDING FOR PUBLICATION, PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

**WHEREAS**, Rustic Oaks Community Development District (the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Venice, Sarasota County, Florida; and

**WHEREAS**, the District's Board of Supervisors (the "Board") is statutorily authorized to exercise the powers granted to the District; and

**WHEREAS**, all meetings of the Board shall be open to the public and governed by provisions of Chapter 286, *Florida Statutes*; and

**WHEREAS**, the effective date of City Council of Venice Ordinance No. 2021-20 creating the District (the "Ordinance") is July 13, 2021; and

**WHEREAS**, the District is statutorily required to hold a meeting of the landowners of the District for the purpose of electing supervisors for the District on the first Tuesday in November, which shall be noticed pursuant to Section 190.006(2)(a), *Florida Statutes*.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF RUSTIC OAKS COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** In accordance with section 190.006(2), *Florida Statutes*, the meeting of the landowners to elect three (3) supervisors of the District, shall be held on the 7th day of November, 2023 at \_\_\_\_:\_\_\_\_ a/p.m., at \_\_\_\_\_.

**SECTION 2.** The District's Secretary is hereby directed to publish notice of this landowners meeting in accordance with the requirements of Section 190.006(2)(a), *Florida Statutes*.

**SECTION 3.** Pursuant to Section 190.006(2)(b), *Florida Statutes*, the landowners' meeting and election is hereby announced at the Board's Regular Meeting held on the 17th day of April, 2023. A sample notice of landowners' meeting and election, proxy, ballot form and instructions were presented at such meeting and are attached hereto as **Exhibit A**.

**SECTION 4.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 17th day of April, 2023.

**ATTEST:**

**RUSTIC OAKS COMMUNITY  
DEVELOPMENT DISTRICT**

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Secretary/Assistant Secretary

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Chair/Vice Chair, Board of Supervisors

## Exhibit A

**NOTICE OF LANDOWNERS' MEETING AND ELECTION AND MEETING OF THE BOARD OF SUPERVISORS OF THE RUSTIC OAKS COMMUNITY DEVELOPMENT DISTRICT**

Notice is hereby given to the public and all landowners within Rustic Oaks Community Development District (the "District") in the City of Venice, Sarasota County, Florida, advising that a meeting of landowners will be held for the purpose of electing three (3) persons to the District Board of Supervisors. Immediately following the landowners' meeting, there will be convened a meeting of the Board of Supervisors for the purpose of considering certain matters of the Board to include election of certain District officers, and other such business which may properly come before the Board.

DATE:            November 7, 2023

TIME:            \_\_\_\_\_

PLACE:          \_\_\_\_\_  
                      \_\_\_\_\_  
                      \_\_\_\_\_

Each landowner may vote in person or by written proxy. Proxy forms may be obtained upon request at the office of the District Manager, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, by emailing wrathellc@whhassociates.com or calling (561) 571-0010. At said meeting, each landowner or his or her proxy shall be entitled to nominate persons for the position of Supervisor and cast one vote per acre of land, or fractional portion thereof, owned by him or her and located within the District for each person to be elected to the position of Supervisor. A fraction of an acre shall be treated as one acre, entitling the landowner to one vote with respect thereto. Platted lots shall be counted individually and rounded up to the nearest whole acre. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner's proxy. At the landowners' meeting, the landowners shall select a person to serve as the meeting chair and who shall conduct the meeting.

The landowners' meeting and the Board of Supervisors meeting are open to the public and will be conducted in accordance with the provisions of Florida law. One or both of the meetings may be continued to a date, time, and place to be specified on the record at such meeting. A copy of the agenda for these meetings may be obtained from 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431. There may be an occasion where one or more supervisors will participate by telephone.

Any person requiring special accommodations to participate in these meetings is asked to contact the District Office at (877) 276-0889, at least 48 hours before the hearing. If you are hearing or speech impaired, please contact the Florida Relay Service at (800) 955-8770 for aid in contacting the District Office.

A person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that such person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

\_\_\_\_\_  
District Manager

Run Date(s): \_\_\_\_\_ & \_\_\_\_\_

**PUBLISH: ONCE A WEEK FOR 2 CONSECUTIVE WEEKS, THE LAST DAY OF PUBLICATION TO BE NOT FEWER THAN 14 DAYS OR MORE THAN 28 DAYS BEFORE THE DATE OF ELECTION, IN A NEWSPAPER WHICH IS IN GENERAL CIRCULATION IN THE AREA OF THE DISTRICT**

**INSTRUCTIONS RELATING TO LANDOWNERS' MEETING OF  
RUSTIC OAKS COMMUNITY DEVELOPMENT DISTRICT  
FOR THE ELECTION OF SUPERVISORS**

DATE OF LANDOWNERS' MEETING: **November 7, 2023**

TIME: \_\_\_\_\_

LOCATION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Chapter 190, Florida Statutes, and after a Community Development District ("**District**") has been established and the landowners have held their initial election, there shall be a subsequent landowners' meeting for the purpose of electing members of the Board of Supervisors ("**Board**") every two years until the District qualifies to have its board members elected by the qualified electors of the District. The following instructions on how all landowners may participate in the election are intended to comply with Section 190.006(2)(b), Florida Statutes.

A landowner may vote in person at the landowners' meeting, or the landowner may nominate a proxy holder to vote at the meeting in place of the landowner. Whether in person or by proxy, each landowner shall be entitled to cast one vote per acre of land owned by him or her and located within the District, for each position on the Board that is open for election for the upcoming term. A fraction of an acre shall be treated as one (1) acre, entitling the landowner to one vote with respect thereto. Please note that a particular parcel of real property is entitled to only one vote for each eligible acre of land or fraction thereof; therefore, two or more people who own real property in common, that is one acre or less, are together entitled to only one vote for that real property.

At the landowners' meeting, the first step is to elect a chair for the meeting, who may be any person present at the meeting. The landowners shall also elect a secretary for the meeting who may be any person present at the meeting. The secretary shall be responsible for the minutes of the meeting. The chair shall conduct the nominations and the voting. If the chair is a landowner or proxy holder of a landowner, he or she may nominate candidates and make and second motions. Candidates must be nominated and then shall be elected by a vote of the landowners. Nominees may be elected only to a position on the Board that is open for election for the upcoming term.

This year, three (3) seats on the Board will be up for election by landowners. The two candidates receiving the highest number of votes shall be elected for a term of four (4) years. The candidate receiving the next highest number of votes shall be elected for a term of two (2) years. The term of office for each successful candidate shall commence upon election.

A proxy is available upon request. To be valid, each proxy must be signed by one of the legal owners of the property for which the vote is cast and must contain the typed or printed name of the individual who signed the proxy; the street address, legal description of the property or tax parcel identification number; and the number of authorized votes. If the proxy authorizes more than one vote, each property must be listed and the number of acres of each property must be included. The signature on a proxy does not need to be notarized.

**LANDOWNER PROXY**

**RUSTIC OAKS COMMUNITY DEVELOPMENT DISTRICT  
THE CITY OF VENICE, SARASOTA COUNTY, FLORIDA  
LANDOWNERS' MEETING – NOVEMBER 7, 2023**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints \_\_\_\_\_ ("**Proxy Holder**") for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Rustic Oaks Community Development District to be held at \_\_\_\_:\_\_\_\_ a/p.m., on November 7, 2023 at \_\_\_\_\_,

and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner that the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing that may be considered at said meeting including, but not limited to, the election of members of the Board of Supervisors. Said Proxy Holder may vote in accordance with his or her discretion on all matters not known or determined at the time of solicitation of this proxy, which may legally be considered at said meeting.

Any proxy heretofore given by the undersigned for said meeting is hereby revoked. This proxy is to continue in full force and effect from the date hereof until the conclusion of the landowners' meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the landowners' meeting prior to the proxy holder's exercising the voting rights conferred herein.

\_\_\_\_\_  
Printed Name of Legal Owner

\_\_\_\_\_  
Signature of Legal Owner

\_\_\_\_\_  
Date

<u>Parcel Description</u>	<u>Acreage</u>	<u>Authorized Votes</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel. If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

**Total Number of Authorized Votes:** \_\_\_\_\_

NOTES: Pursuant to Section 190.006(2)(b), Florida Statutes (2019), a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto. For purposes of determining voting interests, platted lots shall be counted individually and rounded up to the nearest whole acre. Moreover, two (2) or more persons who own real property in common that is one acre or less are together entitled to only one vote for that real property.

If the fee simple landowner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto (e.g., bylaws, corporate resolution, etc.).

**OFFICIAL BALLOT**

**RUSTIC OAKS COMMUNITY DEVELOPMENT DISTRICT  
THE CITY OF VENICE, SARASOTA COUNTY, FLORIDA  
LANDOWNERS' MEETING – NOVEMBER 7, 2023**

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**For Election (3 Supervisors):** The two (2) candidates receiving the highest number of votes will each receive a four (4)-year term, and the one (1) candidate receiving the next highest number of votes will receive a two (2)-year term, with the term of office for the successful candidates commencing upon election.

The undersigned certifies that he/she/it is the fee simple owner of land, or the proxy holder for the fee simple owner of land, located within the Rustic Oaks Community Development District and described as follows:

<b><u>Description</u></b>	<b><u>Acreage</u></b>
_____	_____
_____	_____
_____	_____

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel.] [If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

or

**Attach Proxy.**

I, \_\_\_\_\_, as Landowner, or as the proxy holder of \_\_\_\_\_ (Landowner) pursuant to the Landowner's Proxy attached hereto, do cast my votes as follows:

<b>SEAT</b>	<b>NAME OF CANDIDATE</b>	<b>NUMBER OF VOTES</b>
2.	_____	_____
3.	_____	_____
4.	_____	_____

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Printed Name: \_\_\_\_\_

# **RUSTIC OAKS**

**COMMUNITY DEVELOPMENT DISTRICT**

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## **AGREEMENT**

This is an Agreement (the “**Agreement**”), dated effective as of \_\_\_\_\_, 2023, between the Rustic Oaks Community Development District, a special purpose unit of local government organized pursuant to Chapter 190, Florida Statutes (the “**District**”) and SCP Acquisitions, LLC, a Georgia limited liability company, and its successors and assigns (the “**SCP**”).

### **Background and Purpose**

SCP is the owner of the parcel zoned for multi-family development as more particularly described on Exhibit “A” attached hereto (the “**Multi-Family Parcel**”). The Multi-Family Parcel abuts, but lies outside, the boundaries of the District. The District constructed, and now owns and maintains, a master surface water management system (the “**Rustic Oaks Drainage System**”). Furthermore, the District owns and maintains common areas and community entrance signage at or near the intersection of Honore Ave and Ranch Road (the “Ranch Rd Entrance Area”). The Rustic Oaks Drainage System was designed and permitted to accommodate stormwater from the Multi-Family Parcel, as well as stormwater from the residential development lying within the boundaries of the District. As provided below, the District has agreed to allow the Multi-Family Parcel to connect to the Rustic Oaks Drainage System.

### **Operative Provisions**

**NOW, THEREFORE**, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the District and SCP agree as follows:

1. **Incorporation of Recitals.** The foregoing statement of Background and Purpose and all exhibits attached hereto are true and correct and are hereby incorporated into this Agreement by this reference.

2. **Connection to the Rustic Oaks Drainage System.** The District hereby authorizes SCP, and its successors and assigns, to connect the Multi-Family Parcel, as more particularly described on Exhibit “A” attached hereto, to the Rustic Oaks Drainage System. In connection therewith, the District agrees to grant an easement or other written assurance confirming that the Multi-Family Parcel may connect to the Rustic Oaks Drainage System.

3. **Maintenance.** SCP shall be responsible for the maintenance of all drainage facilities situated on the Multi-Family Parcel. The District shall be responsible for the maintenance of the Rustic Oaks Drainage System situated on District property. The District shall be responsible for the maintenance of the Ranch Rd Entrance Area.

4. **Cost Sharing.** SCP agrees to pay its agreed upon share of the cost of maintaining the Ranch Rd Entrance Area and the Rustic Oaks Drainage System which serves the Multi-Family Parcel as well as a portion of the residential development within the District. SCP’s contribution shall be paid annually on the first day of October, beginning October 1, 2023. The amount of the annual contribution by SCP shall be fixed at \$12,000 for a period of ten years. Beginning October 1, 2033 and at five year intervals thereafter, SCP’s annual share of the maintenance expense shall increase by the sum of \$2,500, provided, however, that the maximum annual contribution from SCP shall not exceed \$20,000.

5. **Indemnification by SCP.** SCP shall not discharge any hazardous or toxic materials into the Rustic Oaks Drainage System in violation of any applicable law or governmental regulation, and shall protect, defend, indemnify, and hold harmless the District

from and against all liabilities, costs, damages, expenses or claims, which may at any time be imposed upon the District, or incurred by the District, as a result of the Landowner discharging hazardous or toxic materials into the Rustic Oaks Drainage System.

6. **Default; Specific Performance.** In the event of a default hereunder, the parties acknowledge that there is no adequate remedy at law. Accordingly, in the event of such default, either party may seek specific performance of this Agreement.

7. **Attorneys' Fees.** In the event it becomes necessary for either party to institute legal proceedings in order to enforce the terms of this Agreement, the prevailing party shall be entitled to all costs including a reasonable attorneys' fees and costs incurred on the appeal of any lower court decision.

8. **Binding Effect.** This Agreement shall be binding upon and to the benefit of SCP and the District and their respective successors and assigns, and shall run with the property and to any assigns or successors in title to the property.

9. **Execution.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original.

10. **Notices.** All notices, consents, approvals, elections and other communications (collectively "**Notices**") hereunder shall be in writing (whether or not the other provisions of this Agreement expressly so provide) and shall be deemed to have been duly given if mailed by United States registered or certified mail, with return receipt requested, postage prepaid, or by United States Express Mail or courier service and shall be deemed complete upon receipt or refusal to accept delivery as indicated in the return receipt or in the receipt of such Express Mail or courier service.

11. **Partial Invalidity.** If any provision of this Agreement shall be determined to be unenforceable in any circumstances by a court of competent jurisdiction, then the balance of this Agreement nevertheless shall be enforceable, and the subject provision shall be enforceable in all other circumstances.

12. **Governing Law.** This Agreement and the rights and obligations of the parties hereunder shall in all respects be governed by, and construed and enforced in accordance with, the laws of Florida.

*[SIGNATURE PAGES FOLLOW]*

IN WITNESS WHEREOF, SCP and the District have executed this Agreement as of the date first set forth above.

**Witnesses:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name Here

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name Here

**Landowner:**

**SCP Acquisitions, LLC,**  
a Georgia limited liability company

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_ day of \_\_\_\_\_, 2023, by \_\_\_\_\_, as \_\_\_\_\_ of SCP Acquisitions, LLC, a Georgia limited liability company, on behalf of the company, who is  personally known to me or  has produced \_\_\_\_\_ as identification.

[Notary Seal]

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Name typed, printed or stamped

My Commission Expires: \_\_\_\_\_

**Witness:**

**Rustic Oaks Community  
Development District**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name Here

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name Here

By: \_\_\_\_\_

Garth Noble  
Chair of the Board of Supervisors

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_ day of \_\_\_\_\_, 2023, by Garth Noble, Chair of the Board of Supervisors of the Rustic Oaks Community Development District, who is  personally known to me or  has produced \_\_\_\_\_ as identification.

[Notary Seal]

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Name typed, printed or stamped  
My Commission Expires: \_\_\_\_\_

# **RUSTIC OAKS**

**COMMUNITY DEVELOPMENT DISTRICT**

**8**

**RESOLUTION 2023-02**

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE RUSTIC OAKS COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE PRIMARY ADMINISTRATIVE OFFICE AND PRINCIPAL HEADQUARTERS OF THE DISTRICT AND PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS**, the District desires to designate its primary administrative office as the location where the District’s public records are routinely created, sent, received, maintained, and requested, for the purposes of prominently posting the contact information of the District’s Record’s Custodian in order to provide citizens with the ability to access the District’s records and ensure that the public is informed of the activities of the District in accordance with Chapter 119, *Florida Statutes*; and

**WHEREAS**, the District additionally desires to specify the location of the District’s principal headquarters for the purpose of establishing proper venue under the common law home venue privilege applicable to the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE RUSTIC OAKS COMMUNITY DEVELOPMENT DISTRICT:**

**1. PRIMARY ADMINISTRATIVE OFFICE.** The District’s primary administrative office for purposes of Chapter 119, *Florida Statutes*, shall be located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.

**2. PRINCIPAL HEADQUARTERS.** The District’s principal headquarters for purposes of establishing proper venue shall be located at the offices of \_\_\_\_\_ and within Sarasota County, Florida.

**3. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** this 17th day of April, 2023.

ATTEST:

**RUSTIC OAKS COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors



# **RUSTIC OAKS**

**COMMUNITY DEVELOPMENT DISTRICT**

# **UNAUDITED FINANCIAL STATEMENTS**

**RUSTIC OAKS  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
FEBRUARY 28, 2023**

**RUSTIC OAKS  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
FEBRUARY 28, 2023**

	General Fund	Debt Service Fund Series 2022	Capital Projects Fund Series 2022	Total Governmental Funds
<b>ASSETS</b>				
Cash	\$ 7,228	\$ -	\$ -	\$ 7,228
Investments				
Revenue	-	726,627	-	726,627
Reserve	-	480,143	-	480,143
Construction	-	-	11,124,363	11,124,363
Due from Landowner	5,446	-	-	5,446
Due from other governments	162	-	-	162
Total assets	<u>\$ 12,836</u>	<u>\$1,206,770</u>	<u>\$11,124,363</u>	<u>\$ 12,343,969</u>
<b>LIABILITIES AND FUND BALANCES</b>				
Liabilities:				
Accounts payable	\$ 5,446	\$ -	\$ -	\$ 5,446
Retainage payable	-	-	345,204	345,204
Landowner advance	7,228	-	-	7,228
Total liabilities	<u>12,674</u>	<u>-</u>	<u>345,204</u>	<u>357,878</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>				
Deferred receipts	5,446	-	-	5,446
Total deferred inflows of resources	<u>5,446</u>	<u>-</u>	<u>-</u>	<u>5,446</u>
Fund balances:				
Restricted for:				
Debt service	-	1,206,770	-	1,206,770
Capital projects	-	-	10,779,159	10,779,159
Unassigned	(5,284)	-	-	(5,284)
Total fund balances	<u>(5,284)</u>	<u>1,206,770</u>	<u>10,779,159</u>	<u>11,980,645</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 12,836</u>	<u>\$1,206,770</u>	<u>\$11,124,363</u>	<u>\$ 12,343,969</u>

**RUSTIC OAKS  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
FOR THE PERIOD ENDED FEBRUARY 28, 2023**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Landowner contribution	\$ 15,300	\$ 34,361	\$ 801,760	4%
Total revenues	<u>15,300</u>	<u>34,361</u>	<u>801,760</u>	4%
<b>EXPENDITURES</b>				
<b>Professional &amp; administrative</b>				
Management/accounting/recording	4,000	20,000	48,000	42%
Legal	612	2,573	25,000	10%
Engineering	-	-	2,000	0%
Audit	-	-	5,000	0%
Arbitrage rebate calculation*	-	-	500	0%
Dissemination agent	83	417	1,000	42%
Trustee*	-	-	5,000	0%
DSF accounting	458	2,291	5,500	42%
Telephone	17	83	200	42%
Postage	72	107	500	21%
Printing & binding	42	209	500	42%
Legal advertising	-	-	1,500	0%
Annual special district fee	-	175	175	100%
Insurance	-	5,375	5,500	98%
Contingencies/bank charges	-	-	750	0%
Website hosting & maintenance	-	705	705	100%
Website ADA compliance	-	-	210	0%
Total professional & administrative	<u>5,284</u>	<u>31,935</u>	<u>102,040</u>	31%
<b>Field operations</b>				
<b>Administrative</b>				
Property management	-	-	41,760	0%
O&M accounting	-	-	5,000	0%
Insurance	-	-	30,000	0%
Printing, postage & supplies	-	-	5,000	0%
<b>Operating</b>				
Landscape maintenance	-	-	225,000	0%
Landscape replacement/extras	-	-	30,000	0%
Irrigation repair	-	-	5,000	0%
Pong mainteance	-	-	15,000	0%
Monitoring agreement	-	-	5,000	0%
Lights, signs & fences	-	-	5,000	0%
Pressure washing	-	-	25,000	0%
Streets & sidewalks	-	-	2,500	0%
misc. repairs & replacement	-	-	15,000	0%
Access control: monitoring	-	-	40,000	0%
Access control: interent	-	-	2,000	0%
Access control: maintenance	-	-	5,000	0%
Holiday lights	-	-	5,000	0%

**RUSTIC OAKS  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
FOR THE PERIOD ENDED FEBRUARY 28, 2023**

	Current Month	Year to Date	Budget	% of Budget
<b>Utilities</b>				
Electricity	-	-	25,000	0%
Electricity: well	-	-	15,000	0%
Streetlights	-	-	50,000	0%
<b>Amenities: South</b>				
Pool maintenance	-	-	8,000	0%
Amenity center R&M	-	-	3,500	0%
Janitorial	-	-	20,000	0%
Access control/monitoring	-	-	9,000	0%
Gym equipment repair	-	-	2,500	0%
Potable water	-	-	1,500	0%
Telephone: pool/clubhouse	-	-	1,200	0%
Electricity: amenity	-	-	5,000	0%
Internet	-	-	2,000	0%
Alarm monitoring	-	-	5,160	0%
<b>Amenity: North</b>				
Pool maintenance	-	-	8,000	0%
Amenity center R&M	-	-	2,500	0%
Janitorial	-	-	15,000	0%
Access control/monitoring	-	-	9,000	0%
Potable water	-	-	1,500	0%
Telephone: pool/clubhouse	-	-	1,200	0%
Electricity: amenity	-	-	3,500	0%
Internet	-	-	2,000	0%
Total field operations	-	-	651,820	0%
Total expenditures	5,284	31,935	753,860	4%
Excess/(deficiency) of revenues over/(under) expenditures	10,016	2,426	47,900	
Fund balances - beginning	(15,300)	(7,710)	-	
Assigned				
Repair & replacement	47,900	47,900	47,900	
Unassigned	(53,184)	(53,184)	-	
Fund balances - ending	<u>\$ (5,284)</u>	<u>\$ (5,284)</u>	<u>\$ 95,800</u>	

\*These items will be realized the year after the issuance of bonds.

**RUSTIC OAKS  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2022 BONDS  
FOR THE PERIOD ENDED FEBRUARY 28, 2023**

	<u>Current Month</u>	<u>Year To Date</u>
<b>REVENUES</b>		
Assessment levy: off-roll	\$ 240,072	\$ 720,215
Interest	3,114	9,436
Total revenues	<u>243,186</u>	<u>729,651</u>
<b>EXPENDITURES</b>		
<b>Debt service</b>		
Principal	-	-
Interest	-	310,904
Total expenditures	<u>-</u>	<u>310,904</u>
Excess/(deficiency) of revenues over/(under) expenditures	243,186	418,747
<b>OTHER FINANCING SOURCES/(USES)</b>		
Transfers out	-	(5,543)
Total other financing sources	<u>-</u>	<u>(5,543)</u>
Net change in fund balances	243,186	413,204
Fund balances - beginning	963,584	793,566
Fund balances - ending	<u>\$ 1,206,770</u>	<u>\$ 1,206,770</u>

**RUSTIC OAKS  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
CAPITAL PROJECTS FUND SERIES 2022 BONDS  
FOR THE PERIOD ENDED FEBRUARY 28, 2023**

	Current Month	Year To Date
<b>REVENUES</b>		
Interest	\$ 37,723	\$ 154,745
Total revenues	37,723	154,745
<b>EXPENDITURES</b>		
Capital outlay	95,340	1,378,213
Total expenditures	95,340	1,378,213
Excess/(deficiency) of revenues over/(under) expenditures	(57,617)	(1,223,468)
<b>OTHER FINANCING SOURCES/(USES)</b>		
Transfer in	-	5,543
Total other financing sources/(uses)	-	5,543
Net change in fund balances	(57,617)	(1,217,925)
Fund balances - beginning	10,836,776	11,997,084
Fund balances - ending	\$ 10,779,159	\$ 10,779,159

**RUSTIC OAKS**  
**COMMUNITY DEVELOPMENT DISTRICT**

**MINUTES**



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

The Board of Supervisors of the Rustic Oaks Community Development District held a Regular Meeting on February 20, 2023, at 1:30 p.m., at the Homewood Suites Sarasota Lakewood Ranch, 305 N. Cattlemen Road, Sarasota, Florida 34235.

**Present at the meeting were:**

Garth Noble	Chair
John Kakridas	Assistant Secretary
Jessica Reschke	Assistant Secretary

**Also present were:**

Kristen Suit	District Manager
Mark Straley (via telephone)	District Counsel
Jordan Schrader (via telephone)	District Engineer

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Suit called the meeting to order at 1:31 p.m. Supervisors Noble, Reschke and Kakridas were present. Supervisor Tomberlin was not present. One seat was vacant.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Acceptance of Resignation of Supervisor  
Jerry Tomberlin [SEAT 3]; *Term Expires  
November, 2023***

Ms. Suit presented the resignation of Mr. Tomberlin from Seat 3.

**On MOTION by Mr. Noble and seconded by Mr. Kakridas, with all in favor, the resignation of Mr. Jerry Tomberlin from Seat 3, was accepted.**

39 **FOURTH ORDER OF BUSINESS** **Consider Appointment of Martha Schiffer**  
40 **to Fill Unexpired Term of Seat 3**

41  
42 Mr. Noble nominated Ms. Martha Schiffer to fill Seat 3.

43 No other nominations were made.

44

45 **On MOTION by Mr. Noble and seconded by Ms. Reschke, with all in favor, the**  
46 **appointment of Ms. Martha Schiffer to Seat 3, was approved.**

47

48

49 **FIFTH ORDER OF BUSINESS** **Consider Appointment to Fill Unexpired**  
50 **Term of Seat 4**

51

52 This item was deferred.

53

54 **SIXTH ORDER OF BUSINESS** **Administration of Oath of Office (*the***  
55 ***following will be provided in a separate***  
56 ***package*)**

57

58 The Oath of Office will be administered to Ms. Schiffer at or prior to a future meeting.

59 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**

60 **B. Membership, Obligations and Responsibilities**

61 **C. Financial Disclosure Forms**

62 **I. Form 1: Statement of Financial Interests**

63 **II. Form 1X: Amendment for Form 1, Statement of Financial Interests**

64 **III. Form 1F: Final Statement of Financial Interests**

65 **D. Form 8B – Memorandum of Voting Conflict**

66 The above items were deferred to the next meeting.

67

68 **SEVENTH ORDER OF BUSINESS** **Consideration of Resolution 2023-01,**  
69 **Designating Certain Officers of the District,**  
70 **and Providing for an Effective Date**

71

72 Mr. Noble nominated the following slate of officers:

73 Chair Garth Noble

- 74 Vice Chair Martha Schiffer
- 75 Assistant Secretary Jessica Reschke
- 76 Assistant Secretary John Kakridas
- 77 Assistant Secretary Kristen Suit

78 No other nominations were made.

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

81

82 **On MOTION by Mr. Kakridas and seconded by Ms. Reschke, with all in favor,**  
 83 **Resolution 2023-01, Designating Certain Officers of the District, and**  
 84 **nominated, and Providing for an Effective Date, was adopted.**

85  
86

87 **EIGHTH ORDER OF BUSINESS**

**Discussion: On-Site Phase 1 Bill of Sale  
from Developer to CDD**

88  
89  
90

Mr. Schrader reported the following regarding the On-Site Phase 1 Bill of Sale:

91 ➤ Based on discussions with District Counsel and others, it was decided that the Bill of Sale  
92 will most likely occur at the end of the month, when construction is at the point where  
93 everyone is comfortable with conveying it.

94 ➤ The purpose today is to authorize the Chair or Vice Chair to execute the Bill of Sale  
95 conveying certain infrastructure to the CDD, subject to District Engineer and District Counsel  
96 review and approval.

97

98 **On MOTION by Mr. Noble and seconded by Mr. Kakridas, with all in favor, the**  
 99 **authorizing the Chair or Vice Chair to executed the Bill of Sale, outside of a**  
 100 **Board meeting, subject to District Engineer and District Counsel review and**  
 101 **approval, was approved.**

102  
103

104 **NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-02,  
Designating the Primary Administrative  
Office and Principal Headquarters of the  
District and Providing an Effective Date**

105  
106  
107  
108

109 This item was deferred.

110

111 **TENTH ORDER OF BUSINESS** **Consideration of Maintenance Agreement**  
112 **for Enhancements Within Public Right-of-**  
113 **Way for Designated Responsible Entities**

114  
115 Ms. Suit presented the Maintenance Agreement. Mr. Schrader stated that this  
116 Agreement is on a form utilized by the County. The Agreement is related to landscape  
117 enhancements and signage that will be constructed on Ranch Road.

118

119 **On MOTION by Mr. Noble and seconded by Ms. Reschke, with all in favor, the**  
120 **Maintenance Agreement for Enhancements Within Public Right-of-Way for**  
121 **Designated Responsible Entities, in substantial form, and authorizing the Chair**  
122 **or Vice Chair to negotiated any changes the County might require and/or**  
123 **request and to approve and execute the final Agreement, was approved.**

124

125

126 **ELEVENTH ORDER OF BUSINESS** **Acceptance of Unaudited Financial**  
127 **Statements as of December 31, 2022**

128

129

130 **On MOTION by Mr. Noble and seconded by Mr. Kakridas, with all in favor, the**  
131 **Unaudited Financial Statements as of December 31, 2022, were accepted.**

132

133

134 **TWELFTH ORDER OF BUSINESS** **Approval of September 19, 2022 Public**  
135 **Hearing and Regular Meeting Minutes**

136

137

138 **On MOTION by Mr. Noble and seconded by Mr. Kakridas, with all in favor, the**  
139 **September 19, 2022 Public Hearing and Regular Meeting Minutes, as**  
140 **presented, were approved.**

141

142

143 **THIRTEENTH ORDER OF BUSINESS** **Staff Reports**

144

145 **A. District Counsel: *Straley Robin Vericker***

146 There was no report.

147 **B. District Engineer: *Clearview Land Design, P.L.***

148 There was no report.

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

150 • NEXT MEETING DATE: March 20, 2023 at 1:30 P.M.

151 ○ QUORUM CHECK

152 The March 20, 2023 meeting will be cancelled.

153

154 **FOURTEENTH ORDER OF BUSINESS** **Board Members' Comments/Requests**

155

156 There were no Board Members' comments or requests.

157

158 **FIFTEENTH ORDER OF BUSINESS** **Public Comments**

159

160 There were no public comments.

161

162 **SIXTEENTH ORDER OF BUSINESS** **Adjournment**

163

164

165 **On MOTION by Mr. Noble and seconded by Mr. Kakridas, with all in favor, the**  
166 **meeting adjourned at 1:43 p.m.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

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Chair/Vice Chair

**RUSTIC OAKS**  
**COMMUNITY DEVELOPMENT DISTRICT**

**STAFF**  
**REPORTS**

**RUSTIC OAKS COMMUNITY DEVELOPMENT DISTRICT**

**BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE**

**LOCATION**

*Homewood Suites Sarasota Lakewood Ranch, 305 N Cattlemen Road, Sarasota, Florida 34235*

<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 17, 2022 CANCELED</b>	<b>Regular Meeting</b>	<b>1:30 PM</b>
<b>November 21, 2022 CANCELED</b>	<b>Regular Meeting</b>	<b>1:30 PM</b>
<b>December 19, 2022 CANCELED</b>	<b>Regular Meeting</b>	<b>1:30 PM</b>
<b>January 16, 2023 CANCELED</b>	<b>Regular Meeting</b>	<b>1:30 PM</b>
<b>February 20, 2023</b>	<b>Regular Meeting</b>	<b>1:30 PM</b>
<b>March 20, 2023 CANCELED</b>	<b>Regular Meeting</b>	<b>1:30 PM</b>
<b>April 17, 2023</b>	<b>Regular Meeting</b>	<b>1:30 PM</b>
<b>May 15, 2023</b>	<b>Regular Meeting</b>	<b>1:30 PM</b>
<b>June 12, 2023*</b>	<b>Regular Meeting</b>	<b>1:30 PM</b>
<b>July 17, 2023</b>	<b>Regular Meeting</b>	<b>1:30 PM</b>
<b>August 21, 2023</b>	<b>Regular Meeting</b>	<b>1:30 PM</b>
<b>September 18, 2023</b>	<b>Regular Meeting</b>	<b>1:30 PM</b>

**\*Exception**

*June meeting date is held one week earlier to accommodate the Juneteenth Holiday.*