

RYE RANCH

**COMMUNITY DEVELOPMENT
DISTRICT**

February 15, 2023

BOARD OF SUPERVISORS

PUBLIC HEARING

AND REGULAR

MEETING AGENDA

RYE RANCH
COMMUNITY DEVELOPMENT DISTRICT

AGENDA
LETTER

Rye Ranch 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

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

February 8, 2023

Board of Supervisors
Rye Ranch Community Development District

Dear Board Members:

The Board of Supervisors of the Rye Ranch Community Development District will hold a Public Hearing and Regular Meeting on February 15, 2023 at 5:00 p.m., at 6102 162nd Avenue E, Parrish, Florida 34219. The agenda is as follows:

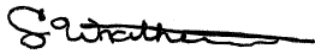
1. Call to Order/Roll Call
2. Public Comments
3. Public Hearing on Merger with Northlake Stewardship District
 - A. Affidavit/Proof of Publication
 - B. Consideration of Resolution 2023-08, Confirming its Intent to Merge with the Northlake Stewardship District; and Providing for Severability and an Effective Date
4. Ratification of Engagement with Jere Earlywine at Kutak Rock LLP
5. Acceptance of Unaudited Financial Statements as of December 31, 2022
6. Approval of December 8, 2022 Regular Meeting Minutes
7. Staff Reports
 - A. District Counsel: *Kutak Rock LLP*
 - B. District Engineer [Interim]: *ZNS Engineering, L.C.*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - NEXT MEETING DATE: March 15, 2023 at 5:00 PM
 - QUORUM CHECK

SEAT 1	STEPHEN CERVEN	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	A JOHN FALKNER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	SCOTT FALKNER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	JEFF CERVEN	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	ROY COHN	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

8. Public Comments
9. Board Members' Comments/Requests
10. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 719-8675 or Cindy Cerbone at (561) 346-5294.

Sincerely,



Craig Wrathell
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

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

PARTICIPANT PASSCODE: 801 901 3513

RYE RANCH
COMMUNITY DEVELOPMENT DISTRICT

3A



Beaufort Gazette
 Belleville News-Democrat
 Bellingham Herald
 Bradenton Herald
 Centre Daily Times
 Charlotte Observer
 Columbus Ledger-Enquirer
 Fresno Bee

The Herald - Rock Hill
 Herald Sun - Durham
 Idaho Statesman
 Island Packet
 Kansas City Star
 Lexington Herald-Leader
 Merced Sun-Star
 Miami Herald

el Nuevo Herald - Miami
 Modesto Bee
 Raleigh News & Observer
 The Olympian
 Sacramento Bee
 Fort Worth Star-Telegram
 The State - Columbia
 Sun Herald - Biloxi

Sun News - Myrtle Beach
 The News Tribune Tacoma
 The Telegraph - Macon
 San Luis Obispo Tribune
 Tri-City Herald
 Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
103816	374237	Joint Notice of Public Hearings and Meetings on	Joint Notice of Public He	\$350.00	3	20.50 in

Attention: Daphne Daphne
 Northlake Stewardship District
 c/o 2300 Glades Road, Suite 410W
 Boca Raton, FL 33431

Copy of ad content
 is on the next page

THE STATE OF TEXAS COUNTY OF DALLAS

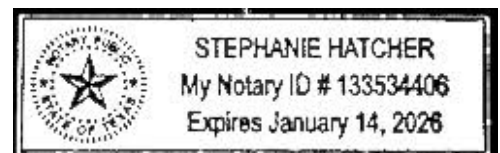
Before the undersigned authority personally appeared Crystal Trunick, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of Public Notice, was published in said newspaper in the issue(s) of:
 1 insertion(s) published on:
 01/26/23

THE STATE OF FLORIDA COUNTY OF MANATEE

Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 14th day of February in the year of 2023

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!

JOINT NOTICE OF PUBLIC HEARINGS AND MEETINGS REGARDING PROPOSED MERGER AND OTHER ITEMS

NORTHLAKE STEWARDSHIP DISTRICT AND RYE RANCH COMMUNITY DEVELOPMENT DISTRICT

The Boards of Supervisors of the Rye Ranch Community Development District (“CDD”) and the Northlake Stewardship District (“SD”) will each hold a public meeting and public hearing to determine whether to proceed with a merger of the CDD into the SD, and dissolution of the CDD, as follows:

CDD PUBLIC HEARING AND MEETING

DATE:	February 15, 2023
TIME:	5:00 p.m.
LOCATION:	6102 162 nd Avenue East Parrish, Florida 34219

SD PUBLIC HEARING AND MEETING

DATE:	February 15, 2023
TIME:	5:00 p.m. (to follow the Rye Ranch CDD meeting)
LOCATION:	6102 162 nd Avenue East Parrish, Florida 34219

By way of background, the CDD was established as of February 8, 2022, by Ordinance No. 22-12 adopted by the Board of County Commissioners of Manatee County, Florida for the purposes of planning, financing, constructing, operating and/or maintaining public infrastructure improvements. Similarly, the SD was established as of June 24, 2022, by Chapter 2022-248, Laws of Florida (“SD Act”), for the purposes of planning, financing, constructing, operating and/or maintaining public infrastructure improvements. The CDD is located within the boundaries of the SD, and both the CDD and SD are entirely located within the boundaries of Manatee County, Florida. Geographic depictions of the CDD and SD are shown below.

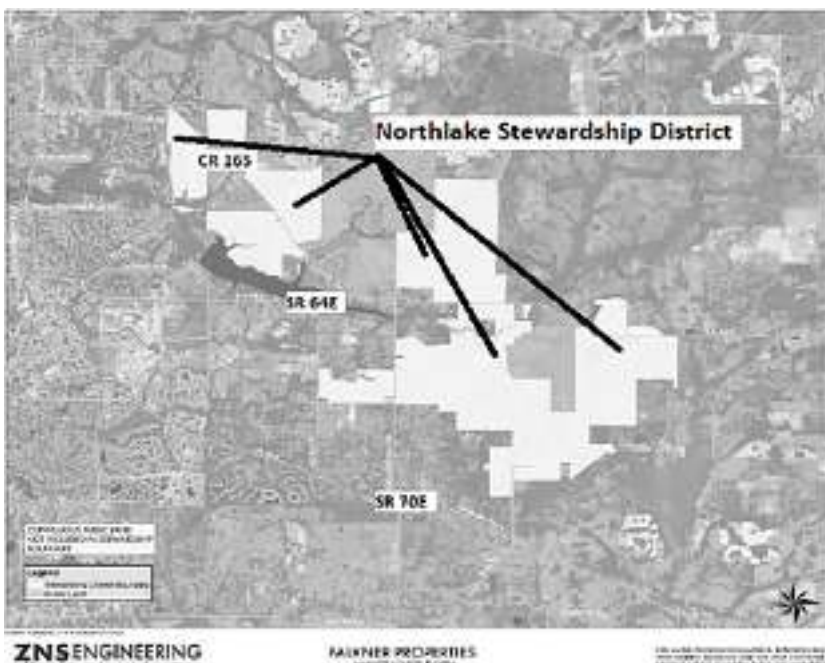
Section 190.046(3), Florida Statutes, authorizes the merger of community development districts and other types of special districts. Further, Section 27 of the SD Act authorizes the merger of one or more community development districts situated wholly within the boundaries of the SD and provides that the districts desiring to merge enter into a merger agreement which provides for the proper allocation of the indebtedness assumed by the merged district and the manner in which such debt shall be retired.

In accordance with Section 27 of the SD Act, and at their respective Board meetings held on December 8, 2022, the Boards of Supervisors of the CDD and SD authorized a proposed merger agreement whereby the CDD would be merged into the SD, and the CDD would be dissolved. The Boards of Supervisors of the CDD and SD now desire to hold public hearings in order to take public comment on the proposed merger in the merger agreement. At the conclusion of the public hearings, each Board will, by resolution, determine whether to move forward with the proposed merger. The CDD and SD will also each hold a special meeting where the respective Boards may consider any other business that may properly come before them.

The public hearings and meetings are open to the public and will be conducted in accordance with Florida law. The public hearings and meetings may be continued to a date, time, and place to be specified on the record. There may be occasions when staff or board members may participate by speaker telephone. Any person requiring special accommodations because of a disability or physical impairment should contact the Districts’ Office at least forty-eight (48) hours prior to the meeting. The Districts’ Office contact information is c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, 561-571-0010. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the Districts’ Office.

Please note that all affected property owners have the right to appear and comment at the public hearings and meetings, and may also file written objections with the Districts’ Office prior to the date of the public hearings and meetings. Each person who decides to appeal any decision made by the Boards with respect to any matter considered at the public hearings or meetings is advised that person will need a record of 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 such appeal is to be based.

District Manager



RYE RANCH
COMMUNITY DEVELOPMENT DISTRICT

3B

RESOLUTION 2023-08

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE RYE RANCH COMMUNITY DEVELOPMENT DISTRICT CONFIRMING ITS INTENT TO MERGE WITH THE NORTHLAKE STEWARDSHIP DISTRICT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Rye Ranch Community Development District (“**CDD**”) is a local unit of special purpose government established pursuant to Chapter 190, Florida Statutes, and for the purpose of planning, financing, constructing, operating, and/or maintaining public infrastructure improvements; and

WHEREAS, Northlake Stewardship District (“**SD**”) is a local unit of special purpose government established by the Florida Legislature pursuant to Chapter 2022-248, Laws of Florida (“**Act**”), for the purpose of planning, financing, constructing, operating, and/or maintaining public infrastructure improvements; and

WHEREAS, the Board of Supervisors of the CDD (“**Board**”) previously adopted Resolution 2023-07 approving the merger of the CDD with and into the SD, including the form of the merger agreement and setting a public hearing for the purpose of providing information and taking public comment on the proposed merger; and

WHEREAS, in accordance with Resolution 2023-07, the Board noticed and conducted the public hearing on February 15, 2023; and

WHEREAS, the Board desires to confirm its intent to merge the CDD with the SD and provide notice of such intent to the SD and Manatee County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE RYE RANCH COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The recitals as stated above are true and correct and by this reference are incorporated into and form a material part of this Resolution.

SECTION 2. The Board hereby confirms its intent to merge the CDD with the SD, and directs District Staff to (a) provide this Resolution to the SD and Manatee County as evidence thereof, and (b) otherwise execute the Merger Agreement (as defined in Resolution 2023-07) and effect the merger pursuant to the authority granted under Resolution 2023-07 and this Resolution.

SECTION 3. If any section or part of a section of this Resolution be declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

SECTION 4. This Resolution shall take effect immediately upon adoption.

[CONTINUED ON NEXT PAGE]

PASSED AND ADOPTED THIS 15th DAY OF FEBRUARY, 2023.

ATTEST:

**RYE RANCH COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

RYE RANCH
COMMUNITY DEVELOPMENT DISTRICT

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Rye Ranch Community Development District
c/o Craig Wrathell and
Steve Cerven
Wrathell, Hunt & Associates, LLC
2300 Glades Road Suite 410W
Boca Raton, Florida 33431
wrathellc@whhassociates.com
scerven@falknergrou.com

RE: District Counsel Matter

Dear Sirs or Madams,

Effective February 6, 2023, Jere Earlywine will resign from KE LAW GROUP PLLC to join the law firm of KUTAK ROCK LLP.

Mr. Earlywine was providing services to you on the above-referenced matter. Therefore, this letter is to inform you that you have the option to choose to have Mr. Earlywine continue to represent you in this matter at his new law firm, or you may have KE LAW GROUP PLLC continue to represent you, in which case representation will be handled by Meredith Hammock and Lauren Gentry in KE LAW GROUP PLLC's Tampa Office. Alternatively, you can choose to retain an entirely new lawyer.

If you wish to have Jere Earlywine or a new lawyer continue to represent you, please be aware that you remain liable for fees and costs for services already provided by members of KE LAW GROUP PLLC through the date of this letter. Further, given the manner in which legal fees for open financing matters are structured, no fee has been paid to date. Should you elect to have this matter go with Mr. Earlywine, the fee may be apportioned between KE LAW GROUP PLLC and KUTAK ROCK LLP.

Please advise Jere Earlywine and KE Law Group PLLC in writing, as quickly as possible, of the District's decision so that continuity in your representation is assured. You may do so by indicating your choice below and returning a signed and dated copy. Please retain the additional copy of this designation letter for your records.

Yours truly,

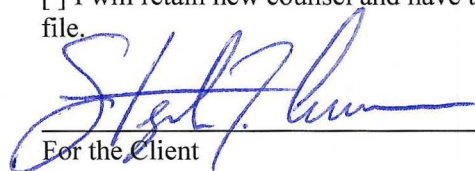
/s/ Jere Earlywine

Instructions

I wish my file to stay with KE LAW GROUP PLLC.

I wish my file and trust account balance to be transferred to Jere Earlywine at KUTAK ROCK LLP.

I will retain new counsel and have them contact KE LAW GROUP PLLC to coordinate transfer of my file.



For the Client

RYE RANCH
COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED
FINANCIAL
STATEMENTS

**RYE RANCH
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
DECEMBER 31, 2022**

**RYE RANCH
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
DECEMBER 31, 2022**

	General Fund	Debt Service Fund	Total Governmental Funds
ASSETS			
Cash	\$ 18,305	\$ -	\$ 18,305
Due from Rye Ranch, LLC.	786	-	786
Due from Kolter	1,153	-	1,153
Due from general fund	-	2,387	2,387
Total assets	<u>\$ 20,244</u>	<u>\$ 2,387</u>	<u>\$ 22,631</u>
LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	\$ 9,788	\$ 2,387	\$ 12,175
Due to Rye Ranch, LLC.	1,610	-	1,610
Due to Kolter	-	3,659	3,659
Due to other	459	-	459
Due to debt service fund	2,387	-	2,387
Landowner advance - Rye Ranch, LLC.	6,000	-	6,000
Total liabilities	<u>20,244</u>	<u>6,046</u>	<u>26,290</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred receipts	1,939	-	1,939
Total deferred inflows of resources	<u>1,939</u>	<u>-</u>	<u>1,939</u>
Fund balances:			
Restricted			
Debt service	-	(3,659)	(3,659)
Unassigned	(1,939)	-	(1,939)
Total fund balances	<u>(1,939)</u>	<u>(3,659)</u>	<u>(5,598)</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 20,244</u>	<u>\$ 2,387</u>	<u>\$ 22,631</u>

**RYE RANCH
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Landowner contribution - Pod A	\$ 4,249	\$ 5,500	\$ 57,282	10%
Landowner contribution - Pod B	4,110	5,381	18,413	29%
Landowner contribution - Pod C	5,937	7,772	26,595	29%
Total revenues	<u>14,296</u>	<u>18,653</u>	<u>102,290</u>	18%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording	2,000	6,000	48,000	13%
Legal	-	-	25,000	0%
Engineering	-	-	2,000	0%
Audit	-	-	5,500	0%
Arbitrage rebate calculation*	-	-	500	0%
Dissemination agent*	-	-	1,000	0%
Trustee***	-	-	5,500	0%
Telephone	16	50	200	25%
Postage	-	-	500	0%
Printing & binding	42	125	500	25%
Legal advertising	-	-	6,500	0%
Annual special district fee	-	175	175	100%
Insurance	-	5,000	5,500	91%
Contingencies/bank charges	-	-	500	0%
Website				
Hosting & maintenance	-	-	705	0%
ADA compliance	-	-	210	0%
Total professional & administrative	<u>2,058</u>	<u>11,350</u>	<u>102,290</u>	11%
Excess/(deficiency) of revenues over/(under) expenditures	12,238	7,303	-	
Fund balances - beginning	<u>(14,177)</u>	<u>(9,242)</u>	-	
Fund balances - ending	<u>\$ (1,939)</u>	<u>\$ (1,939)</u>	<u>\$ -</u>	

*This expense will be realized when bonds are issued

**RYE RANCH
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	<u>Current Month</u>	<u>Year To Date</u>
REVENUES	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
 EXPENDITURES	 <u>-</u>	 <u>-</u>
Total debt service	<u>-</u>	<u>-</u>
 Excess/(deficiency) of revenues over/(under) expenditures	 - -	 - -
 Fund balances - beginning	 (3,659)	 (3,659)
Fund balances - ending	<u>\$ (3,659)</u>	<u>\$ (3,659)</u>

RYE RANCH
COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT
MINUTES OF MEETING
RYE RANCH
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Rye Ranch Community Development District held a Regular Meeting on December 8, 2022, at 5:00 P.M., at 6102 162nd Avenue E, Parrish, Florida 34219.

Present at the meeting were:

Stephen (Steve) Cerven	Chair
A. John Falkner	Vice Chair
Scott Falkner	Assistant Secretary
Jeff Cerven (via telephone)	Assistant Secretary
Roy Cohn (via telephone)	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Cindy Cerbone	Wrathell, Hunt and Associates, LLC (WHA)
Jere Earlywine (via telephone)	District Counsel
Jeb Mulock (via telephone)	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 5:08 p.m. Supervisors Stephen Cerven, Scott Falkner and A. John Falkner were present. Supervisors Jeff Cerven and Roy Cohn were attending via telephone.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2023-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date

The following will be inserted into the Fiscal Year 2023 Meeting Schedule:

DATES: Third Wednesday of each month

43 TIME: 5:00 PM

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45 **On MOTION by Mr. Steve Cerven and seconded by Mr. Scott Falkner, with all in**
46 **favor, Resolution 2023-06, Designating Dates, Times and Locations for Regular**
47 **Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023**
48 **and Providing for an Effective Date, was adopted.**

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51 **FOURTH ORDER OF BUSINESS**

Consideration of Resolution 2023-07, Approving a Merger Agreement with the Northlake Stewardship District; Authorizing Such Actions as are Necessary in Furtherance of the Merger Process; Setting a Public Hearing; Limiting the Effective Date of Anticipated Merger; and Providing for Severability and an Effective Date

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61 **A. Form of Merger Agreement**

62 **B. Form of Transmittal Letter**

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64 **On MOTION by Mr. Steve Cerven and seconded by Mr. Scott Falkner, with all in**
65 **favor, Resolution 2023-07, as amended to include any necessary revisions,**
66 **Approving a Merger Agreement with the Northlake Stewardship District;**
67 **Authorizing Such Actions as are Necessary in Furtherance of the Merger**
68 **Process; Setting a Public Hearing for February 15, 2023 at 5:00 p.m. at 6102**
69 **162nd Avenue E, Parrish, Florida 34219; Limiting the Effective Date of**
70 **Anticipated Merger; and Providing for Severability and an Effective Date, was**
71 **adopted.**

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74 **FIFTH ORDER OF BUSINESS**

Acceptance of Unaudited Financial Statements as of October 31, 2022

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78 **On MOTION by Mr. Steve Cerven and seconded by Mr. A. John Falkner, with all**
79 **in favor, the Unaudited Financial Statements as of October 31, 2022, were**
80 **accepted.**

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83 **SIXTH ORDER OF BUSINESS**

Approval of November 2, 2022 Public Hearings and Regular Meeting Minutes

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On MOTION by Mr. Steve Cerven and seconded by Mr. Scott Falkner, with all in favor, the November 2, 2022 Public Hearings and Regular Meeting Minutes, as presented, were approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *KE Law Group, PLLC.*

Mr. Earlywine stated Kolter might issue bonds in March 2023 if permits are issued. Site work is beginning; the Site Work Contract will be reviewed in preparation for assignment.

B. District Engineer [Interim]: *ZNS Engineering, L.C.*

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

- **NEXT MEETING DATE: TBD**
- **QUORUM CHECK**

EIGHTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

NINTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

TENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Steve Cerven and seconded by Mr. John Falkner, with all in favor, the meeting adjourned at 5:34 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair

RYE RANCH
COMMUNITY DEVELOPMENT DISTRICT

STAFF
REPORTS

RYE RANCH COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE

LOCATION

6102 162nd Ave E., Parrish, Florida 34219

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
January 18, 2023 CANCELED	Regular Meeting	5:00 PM
February 15, 2023	Regular Meeting	5:00 PM
March 15, 2023	Regular Meeting	5:00 PM
April 19, 2023	Regular Meeting	5:00 PM
May 17, 2023	Regular Meeting	5:00 PM
June 21, 2023	Regular Meeting	5:00 PM
July 19, 2023	Regular Meeting	5:00 PM
August 16, 2023	Regular Meeting	5:00 PM
September 20, 2023	Regular Meeting	5:00 PM