

AVIARY AT RUTLAND RANCH

**COMMUNITY DEVELOPMENT
DISTRICT**

August 21, 2024

BOARD OF SUPERVISORS

**PUBLIC HEARINGS
AND REGULAR
MEETING AGENDA**

AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT

AGENDA
LETTER

Aviary at Rutland 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

August 14, 2024

Board of Supervisors

Aviary at Rutland Ranch Community Development District

ATTENDEES:

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

NOTE: Meeting Time

Dear Board Members:

The Board of Supervisors of the Aviary at Rutland Ranch Community Development District will hold Public Hearings and a Regular Meeting on August 21, 2024 at 5:00 p.m., or as soon thereafter as the matter may be heard, 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 Adoption of Fiscal Year 2024/2025 Budget
 - A. Proof/Affidavit of Publication
 - B. Consideration of Resolution 2024-07, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date
4. Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2024/2025, Pursuant to Florida Law
 - A. Proof/Affidavit of Publication
 - B. Mailed Notice(s) to Property Owners
 - C. Consideration of Resolution 2024-08, Providing for Funding for the Fiscal Year 2024/2025 Adopted Budget(s); Providing for the Collection and Enforcement of Special Assessments, Including But Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date
5. Presentation of Audited Financial Statements for the Fiscal Year Ended September 30, 2023, Prepared by DiBartolomeo, McBee, Hartley & Barnes, P.A.

- A. Consideration of Resolution 2024-09, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2023
6. Update: Financing Items
7. Consideration of FMSbonds Rule G-17 Disclosure Letter
- A. Acceptance of Nongovernmental Entity Human Trafficking Affidavit
8. Consideration of Goals and Objectives Reporting [HB7013 - Special Districts Performance Measures and Standards Reporting]
9. Acceptance of Unaudited Financial Statements as of June 30, 2024
10. Approval of June 12, 2024 Regular Meeting Minutes
11. Staff Reports
- A. District Counsel: *Kutak Rock LLP*
- B. District Engineer: *ZNS Engineering, L.C.*
- C. District Manager: *Wrathell, Hunt and Associates, LLC*
- NEXT MEETING DATE: September 18, 2024 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 | ROGER AMAN | <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 |

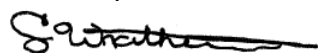
12. Public Comments

13. Board Members' Comments/Requests

14. 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

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE
CALL-IN NUMBER: 1-888-354-0094
PARTICIPANT PASSCODE: 801 901 3513

AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT

3A



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

| Account # | Order Number | Identification | Order PO | Amount | Cols | Depth |
|-----------|--------------|---|----------|---------|------|-------|
| 60753 | 577662 | Print Legal Ad-IPL01859800 - IPL0185980 | | \$85.41 | 1 | 72 L |

Attention: Aviary at

Aviary at Rutland Ranch CDD
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431

gillyardd@whhassociates.com

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT
DISTRICT
NOTICE OF PUBLIC HEARING
TO CONSIDER THE
ADOPTION OF THE FISCAL
YEAR 2024/2025
BUDGET(S); AND NOTICE OF
REGULAR BOARD OF
SUPERVISORS' MEETING.**

The Board of Supervisors ("Board") of the Aviary at Rutland Ranch Community Development District ("District") will hold a public hearing on **August 21, 2024 and at 5:00 p.m., and at 6102 162nd Ave. E., Parrish, Florida 34219**, for the purpose of hearing comments and objections on the adoption of the proposed budget(s) ("Proposed Budget") of the District for the fiscal year beginning October 1, 2024 and ending September 30, 2025 ("Fiscal Year 2024/2025"). A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it. A copy of the agenda and Proposed Budget may be obtained at the offices of the **District Manager, Wrathell Hunt and Associates, LLC, 2300 Glades Road #410W, Boca Raton, Florida 33431** ("District Manager's Office"), during normal business hours.

The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting. 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 District Manager's Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearing or meeting 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
IPL0185980
Aug 7 2024

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:

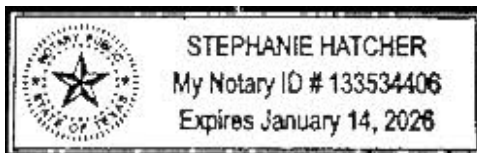
08/07/24

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. The McClatchy Company complies with all legal requirements for publication in chapter 50, Florida Statutes.

Sworn to and subscribed before me this 7th day of August in the year of 2024

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!

AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT

3B

RESOLUTION 2024-07

[FY 2025 APPROPRIATION RESOLUTION]

THE ANNUAL APPROPRIATION RESOLUTION OF THE AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET(S) FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has, prior to the fifteenth (15th) day in June, 2024, submitted to the Board of Supervisors (“**Board**”) of the Aviary at Rutland Ranch Community Development District (“**District**”) proposed budget(s) (“**Proposed Budget**”) for the fiscal year beginning October 1, 2024 and ending September 30, 2025 (“**Fiscal Year 2024/2025**”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

WHEREAS, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, the District Manager posted the Proposed Budget on the District’s website at least two days before the public hearing; and

WHEREAS, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

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

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District's Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.
- b. The Proposed Budget, attached hereto as **Exhibit "A,"** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* ("**Adopted Budget**"), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.
- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District's Local Records Office and identified as "The Budget for the Aviary at Rutland Ranch Community Development District for the Fiscal Year Ending September 30, 2025."
- d. The Adopted Budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption, and shall remain on the website for at least 2 years.

SECTION 2. APPROPRIATIONS

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2024/2025, the sums set forth in **Exhibit A** to be raised by the levy of assessments, a funding agreement and/or otherwise. Such sums are deemed by the Board to be necessary to defray all expenditures of the District during said budget year, and are to be divided and appropriated in the amounts set forth in **Exhibit A**.

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2024/2025 or within 60 days following the end of the Fiscal Year 2024/2025 may amend its Adopted Budget for that fiscal year as follows:

- a. A line-item appropriation for expenditures within a fund may be decreased or increased by motion of the Board recorded in the minutes, and approving the expenditure, if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may approve an expenditure that would increase or decrease a line-item appropriation for expenditures within a fund if the total appropriations of the fund do not increase and if either (i) the aggregate change in the original appropriation item does not exceed the greater of \$15,000 or 15% of the original appropriation, or (ii) such expenditure is authorized by separate disbursement or spending resolution.

- c. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must ensure that any amendments to the budget under paragraph c. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

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

PASSED AND ADOPTED THIS 21ST DAY OF AUGUST, 2024.

ATTEST:

**AVIARY AT RUTLAND RANCH COMMUNITY
DEVELOPMENT DISTRICT**

By: _____

By: _____

Title: _____

Its: _____

Exhibit A: Fiscal Year 2024/2025 Budget(s)

Exhibit A: Fiscal Year 2024/2025 Budget(s)

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2025**

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
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**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2025**

| | Fiscal Year 2024 | | | | Proposed Budget FY 2025 |
|--|------------------------------|---------------------------------|-----------------------------------|--------------------------------|----------------------------|
| | Adopted Budget FY 2024 | Actual through 03/31/2024 | Projected through 9/30/2024 | Total Actual & Projected | |
| REVENUES | | | | | |
| Assessment levy: on-roll - gross | \$ 118,806 | | | | \$ 112,143 |
| Allowable discounts (4%) | (4,752) | | | | (4,486) |
| Assessment levy: on-roll - net | 114,054 | \$ 113,333 | \$ 721 | \$ 114,054 | 107,657 |
| Assessment levy: off-roll | - | - | - | - | - |
| Interest | - | 163 | - | 163 | - |
| Total revenues | 114,054 | 113,496 | 721 | 114,217 | 107,657 |
| EXPENDITURES | | | | | |
| Professional & administrative | | | | | |
| Managment/accounting/recording | 48,000 | 24,000 | 24,000 | 48,000 | 48,000 |
| Legal | 20,000 | 1,786 | 18,214 | 20,000 | 10,000 |
| Engineering | 7,500 | - | 7,500 | 7,500 | 5,000 |
| Audit | 6,000 | 1,250 | 4,750 | 6,000 | 6,000 |
| Arbitrage rebate calculation | 1,000 | - | 1,000 | 1,000 | 1,000 |
| Debt service accounting - series 2019 | 2,500 | - | - | - | - |
| Debt service accounting - series 2021 | 2,500 | - | 2,500 | 2,500 | 2,500 |
| Debt service accounting - series 2024 | - | - | - | - | 2,500 |
| Dissemination agent | 2,000 | 1,000 | 1,000 | 2,000 | 3,000 |
| Trustee | | | | | |
| Series 2019 | 4,250 | - | 4,250 | 4,250 | 4,250 |
| Series 2021 | 4,250 | - | 4,250 | 4,250 | 4,250 |
| Series 2024 | - | - | - | - | 4,250 |
| Telephone | 200 | 100 | 100 | 200 | 200 |
| Postage | 500 | 22 | 478 | 500 | 500 |
| Printing & binding | 500 | 250 | 250 | 500 | 500 |
| Legal advertising | 1,700 | 68 | 1,632 | 1,700 | 1,700 |
| Annual special district fee | 175 | 175 | - | 175 | 175 |
| Insurance | 8,000 | 8,202 | - | 8,202 | 9,053 |
| Contingencies/bank charges | 500 | - | 500 | 500 | 500 |
| Website | | | | | |
| Hosting & maintenance | 705 | 185 | 705 | 890 | 705 |
| ADA compliance | 210 | - | 210 | 210 | 210 |
| Tax collector | 3,564 | 3,395 | 169 | 3,564 | 3,364 |
| Total professional & administrative | 114,054 | 40,433 | 71,508 | 111,941 | 107,657 |
| Total expenditures | \$ 114,054 | 40,433 | 71,508 | 111,941 | 107,657 |
| Net increase/(decrease) of fund balance | - | 73,063 | (70,787) | 2,276 | - |
| Fund balance - beginning (unaudited) | 106,184 | 140,429 | 213,492 | 140,429 | 142,705 |
| Fund balance - ending (projected) | | | | | |
| Committed | | | | | |
| Storm water reporting | - | - | - | - | 7,500 |
| Assigned | | | | | |
| 3 months working capital | - | - | - | - | 36,930 |
| Unassigned | 106,184 | 213,492 | 142,705 | 142,705 | 98,275 |
| Fund balance - ending | \$ 106,184 | \$ 213,492 | \$ 142,705 | \$ 142,705 | \$ 142,705 |

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

| | |
|--|-------------------------|
| Management/accounting/recording | \$ 48,000 |
| <p>Wrathell, Hunt and Associates, LLC (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.</p> | |
| Legal | 10,000 |
| <p>General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.</p> | |
| Engineering | 5,000 |
| <p>The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.</p> | |
| Audit | 6,000 |
| <p>Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.</p> | |
| Arbitrage rebate calculation | 1,000 |
| <p>To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.</p> | |
| Debt service accounting - series 2021 | 2,500 |
| Debt service accounting - series 2024 | 2,500 |
| Dissemination agent | 3,000 |
| <p>The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent.</p> | |
| Trustee | |
| <p>Annual fee for the service provided by trustee, paying agent and registrar.</p> | |
| Series 2019 | 4,250 |
| Series 2021 | 4,250 |
| Series 2024 | 4,250 |
| Telephone | 200 |
| <p>Telephone and fax machine.</p> | |
| Postage | 500 |
| <p>Mailing of agenda packages, overnight deliveries, correspondence, etc.</p> | |
| Printing & binding | 500 |
| <p>Letterhead, envelopes, copies, agenda packages, etc.</p> | |
| Legal advertising | 1,700 |
| <p>The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.</p> | |
| Annual special district fee | 175 |
| <p>Annual fee paid to the Florida Department of Economic Opportunity.</p> | |
| Insurance | 9,053 |
| <p>The District will obtain public officials and general liability insurance.</p> | |
| Contingencies/bank charges | 500 |
| <p>Bank charges and other miscellaneous expenses incurred during the year.</p> | |
| Website | |
| Hosting & maintenance | 705 |
| ADA compliance | 210 |
| Tax collector | 3,364 |
| Total expenditures | <u><u>\$107,657</u></u> |

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2019
FISCAL YEAR 2025**

| | Fiscal Year 2024 | | | | |
|---|------------------------------|---------------------------------|-----------------------------------|--------------------------------|-------------------------------|
| | Adopted Budget FY 2024 | Actual through 03/31/2024 | Projected through 9/30/2024 | Total Actual & Projected | Proposed Budget FY 2025 |
| REVENUES | | | | | |
| Assessment levy: on-roll | \$ 251,677 | | | | \$ 251,677 |
| Allowable discounts (4%) | (10,067) | | | | (10,067) |
| Net assessment levy - on-roll | 241,610 | \$ 240,142 | \$ - | \$ 240,142 | 241,610 |
| Interest | - | 4,817 | - | 4,817 | - |
| Total revenues | 241,610 | 244,959 | - | 244,959 | 241,610 |
| EXPENDITURES | | | | | |
| Debt service | | | | | |
| Principal | 75,000 | - | 75,000 | 75,000 | 75,000 |
| Interest | 158,369 | 79,184 | 80,544 | 159,728 | 158,369 |
| Tax collector | 7,550 | 7,193 | 7,550 | 14,743 | 7,550 |
| Total expenditures | 240,919 | 86,377 | 163,094 | 249,471 | 240,919 |
| Excess/(deficiency) of revenues over/(under) expenditures | 691 | 158,582 | (163,094) | (4,512) | 691 |
| Fund balance: | | | | | |
| Net increase/(decrease) in fund balance | 691 | 158,582 | (163,094) | (4,512) | 691 |
| Beginning fund balance (unaudited) | 216,866 | 211,945 | 370,527 | 211,945 | 207,433 |
| Ending fund balance (projected) | <u>\$217,557</u> | <u>\$ 370,527</u> | <u>\$ 207,433</u> | <u>\$ 207,433</u> | <u>208,124</u> |
| Use of fund balance: | | | | | |
| Debt service reserve account balance (required) | | | | | (117,659) |
| Interest expense - December 1, 2024 | | | | | (77,825) |
| Projected fund balance surplus/(deficit) as of September 30, 2024 | | | | | <u>\$ 12,640</u> |

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2019 AMORTIZATION SCHEDULE**

| | Principal | Coupon Rate | Interest | Debt Service | Bond Balance |
|-----------|------------------|--------------------|-----------------|---------------------|-------------------------|
| 12/1/2024 | | | 77,825.00 | 77,825.00 | 3,465,000.00 |
| 6/1/2025 | 80,000.00 | 4.000% | 77,825.00 | 157,825.00 | 3,465,000.00 |
| 12/1/2025 | | | 76,225.00 | 76,225.00 | 3,385,000.00 |
| 6/1/2026 | 80,000.00 | 4.000% | 76,225.00 | 156,225.00 | 3,385,000.00 |
| 12/1/2026 | | | 74,625.00 | 74,625.00 | 3,305,000.00 |
| 6/1/2027 | 85,000.00 | 4.000% | 74,625.00 | 159,625.00 | 3,305,000.00 |
| 12/1/2027 | | | 72,925.00 | 72,925.00 | 3,220,000.00 |
| 6/1/2028 | 90,000.00 | 4.000% | 72,925.00 | 162,925.00 | 3,220,000.00 |
| 12/1/2028 | | | 71,125.00 | 71,125.00 | 3,130,000.00 |
| 6/1/2029 | 90,000.00 | 4.000% | 71,125.00 | 161,125.00 | 3,130,000.00 |
| 12/1/2029 | | | 69,325.00 | 69,325.00 | 3,040,000.00 |
| 6/1/2030 | 95,000.00 | 4.000% | 69,325.00 | 164,325.00 | 3,040,000.00 |
| 12/1/2030 | | | 67,425.00 | 67,425.00 | 2,945,000.00 |
| 6/1/2031 | 100,000.00 | 4.500% | 67,425.00 | 167,425.00 | 2,945,000.00 |
| 12/1/2031 | | | 65,175.00 | 65,175.00 | 2,845,000.00 |
| 6/1/2032 | 105,000.00 | 4.500% | 65,175.00 | 170,175.00 | 2,845,000.00 |
| 12/1/2032 | | | 62,812.50 | 62,812.50 | 2,740,000.00 |
| 6/1/2033 | 110,000.00 | 4.500% | 62,812.50 | 172,812.50 | 2,740,000.00 |
| 12/1/2033 | | | 60,337.50 | 60,337.50 | 2,630,000.00 |
| 6/1/2034 | 115,000.00 | 4.500% | 60,337.50 | 175,337.50 | 2,630,000.00 |
| 12/1/2034 | | | 57,750.00 | 57,750.00 | 2,515,000.00 |
| 6/1/2035 | 120,000.00 | 4.500% | 57,750.00 | 177,750.00 | 2,515,000.00 |
| 12/1/2035 | | | 55,050.00 | 55,050.00 | 2,395,000.00 |
| 6/1/2036 | 125,000.00 | 4.500% | 55,050.00 | 180,050.00 | 2,395,000.00 |
| 12/1/2036 | | | 52,237.50 | 52,237.50 | 2,270,000.00 |
| 6/1/2037 | 130,000.00 | 4.500% | 52,237.50 | 182,237.50 | 2,270,000.00 |
| 12/1/2037 | | | 49,312.50 | 49,312.50 | 2,140,000.00 |
| 6/1/2038 | 135,000.00 | 4.500% | 49,312.50 | 184,312.50 | 2,140,000.00 |
| 12/1/2038 | | | 46,275.00 | 46,275.00 | 2,005,000.00 |
| 6/1/2039 | 145,000.00 | 4.500% | 46,275.00 | 191,275.00 | 2,005,000.00 |
| 12/1/2039 | | | 43,012.50 | 43,012.50 | 1,860,000.00 |
| 6/1/2040 | 150,000.00 | 4.625% | 43,012.50 | 193,012.50 | 1,860,000.00 |
| 12/1/2040 | | | 39,543.75 | 39,543.75 | 1,710,000.00 |
| 6/1/2041 | 155,000.00 | 4.625% | 39,543.75 | 194,543.75 | 1,710,000.00 |
| 12/1/2041 | | | 35,959.38 | 35,959.38 | 1,555,000.00 |
| 6/1/2042 | 165,000.00 | 4.625% | 35,959.38 | 200,959.38 | 1,555,000.00 |
| 12/1/2042 | | | 32,143.75 | 32,143.75 | 1,390,000.00 |
| 6/1/2043 | 170,000.00 | 4.625% | 32,143.75 | 202,143.75 | 1,390,000.00 |
| 12/1/2043 | | | 28,212.50 | 28,212.50 | 1,220,000.00 |

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2019 AMORTIZATION SCHEDULE**

| | Principal | Coupon Rate | Interest | Debt Service | Bond Balance |
|--------------|---------------------|--------------------|---------------------|---------------------|-------------------------|
| 6/1/2044 | 180,000.00 | 4.625% | 28,212.50 | 208,212.50 | 1,220,000.00 |
| 12/1/2044 | | | 24,050.00 | 24,050.00 | 1,040,000.00 |
| 6/1/2045 | 190,000.00 | 4.625% | 24,050.00 | 214,050.00 | 1,040,000.00 |
| 12/1/2045 | | | 19,656.25 | 19,656.25 | 850,000.00 |
| 6/1/2046 | 200,000.00 | 4.625% | 19,656.25 | 219,656.25 | 850,000.00 |
| 12/1/2046 | | | 15,031.25 | 15,031.25 | 650,000.00 |
| 6/1/2047 | 205,000.00 | 4.625% | 15,031.25 | 220,031.25 | 650,000.00 |
| 12/1/2047 | | | 10,290.63 | 10,290.63 | 445,000.00 |
| 6/1/2048 | 215,000.00 | 4.625% | 10,290.63 | 225,290.63 | 445,000.00 |
| 12/1/2048 | | | 5,318.75 | 5,318.75 | 230,000.00 |
| 6/1/2049 | 230,000.00 | 4.625% | 5,318.75 | 235,318.75 | - |
| Total | 3,540,000.00 | | 2,581,656.28 | 6,121,656.28 | |

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2021
FISCAL YEAR 2025**

| | Fiscal Year 2024 | | | | |
|---|------------------------------|---------------------------------|-----------------------------------|--------------------------------|-------------------------------|
| | Adopted Budget FY 2024 | Actual through 03/31/2024 | Projected through 9/30/2024 | Total Actual & Projected | Proposed Budget FY 2025 |
| REVENUES | | | | | |
| Assessment levy: on-roll | \$ 251,721 | | | | \$ 251,721 |
| Allowable discounts (4%) | (10,069) | | | | (10,069) |
| Net assessment levy - on-roll | 241,652 | \$ 240,201 | \$ - | \$ 240,201 | 241,652 |
| Interest | - | 5,473 | - | 5,473 | - |
| Total revenues | 241,652 | 245,674 | - | 245,674 | 241,652 |
| EXPENDITURES | | | | | |
| Debt service | | | | | |
| Principal | 90,000 | 90,000 | - | 90,000 | 90,000 |
| Interest | 144,085 | 72,594 | 72,594 | 145,188 | 144,085 |
| Tax collector | 7,552 | 7,195 | - | 7,195 | 7,552 |
| Total expenditures | 241,637 | 169,789 | 72,594 | 242,383 | 241,637 |
| Excess/(deficiency) of revenues over/(under) expenditures | 15 | 75,885 | (72,594) | 3,291 | 15 |
| Fund balance: | | | | | |
| Net increase/(decrease) in fund balance | 15 | 75,885 | (72,594) | 3,291 | 15 |
| Beginning fund balance (unaudited) | 284,289 | 287,180 | 363,065 | 287,180 | 290,471 |
| Ending fund balance (projected) | <u>\$284,304</u> | <u>\$ 363,065</u> | <u>\$ 290,471</u> | <u>\$ 290,471</u> | 290,486 |
| Use of fund balance: | | | | | |
| Debt service reserve account balance (required) | | | | | (117,680) |
| Principal expense - November 1, 2024 | | | | | (90,000) |
| Interest expense - November 1, 2024 | | | | | (71,491) |
| Projected fund balance surplus/(deficit) as of September 30, 2024 | | | | | <u>\$ 11,315</u> |

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2021 AMORTIZATION SCHEDULE**

| | Principal | Coupon Rate | Interest | Debt Service | Bond Balance |
|-----------|------------------|--------------------|-----------------|---------------------|-------------------------|
| 11/1/2023 | 90,000.00 | 2.450% | 72,593.75 | 162,593.75 | 4,085,000.00 |
| 5/1/2024 | | | 71,491.25 | 71,491.25 | 3,995,000.00 |
| 11/1/2024 | 90,000.00 | 2.450% | 71,491.25 | 161,491.25 | 3,995,000.00 |
| 5/1/2025 | | | 70,388.75 | 70,388.75 | 3,905,000.00 |
| 11/1/2025 | 90,000.00 | 2.450% | 70,388.75 | 160,388.75 | 3,905,000.00 |
| 5/1/2026 | | | 69,286.25 | 69,286.25 | 3,815,000.00 |
| 11/1/2026 | 95,000.00 | 2.450% | 69,286.25 | 164,286.25 | 3,815,000.00 |
| 5/1/2027 | | | 68,122.50 | 68,122.50 | 3,720,000.00 |
| 11/1/2027 | 95,000.00 | 3.100% | 68,122.50 | 163,122.50 | 3,720,000.00 |
| 5/1/2028 | | | 66,650.00 | 66,650.00 | 3,625,000.00 |
| 11/1/2028 | 100,000.00 | 3.100% | 66,650.00 | 166,650.00 | 3,625,000.00 |
| 5/1/2029 | | | 65,100.00 | 65,100.00 | 3,525,000.00 |
| 11/1/2029 | 105,000.00 | 3.100% | 65,100.00 | 170,100.00 | 3,525,000.00 |
| 5/1/2030 | | | 63,472.50 | 63,472.50 | 3,420,000.00 |
| 11/1/2030 | 105,000.00 | 3.100% | 63,472.50 | 168,472.50 | 3,420,000.00 |
| 5/1/2031 | | | 61,845.00 | 61,845.00 | 3,315,000.00 |
| 11/1/2031 | 110,000.00 | 3.100% | 61,845.00 | 171,845.00 | 3,315,000.00 |
| 5/1/2032 | | | 60,140.00 | 60,140.00 | 3,205,000.00 |
| 11/1/2032 | 115,000.00 | 3.400% | 60,140.00 | 175,140.00 | 3,205,000.00 |
| 5/1/2033 | | | 58,185.00 | 58,185.00 | 3,090,000.00 |
| 11/1/2033 | 115,000.00 | 3.400% | 58,185.00 | 173,185.00 | 3,090,000.00 |
| 5/1/2034 | | | 56,230.00 | 56,230.00 | 2,975,000.00 |
| 11/1/2034 | 120,000.00 | 3.400% | 56,230.00 | 176,230.00 | 2,975,000.00 |
| 5/1/2035 | | | 54,190.00 | 54,190.00 | 2,855,000.00 |
| 11/1/2035 | 125,000.00 | 3.400% | 54,190.00 | 179,190.00 | 2,855,000.00 |
| 5/1/2036 | | | 52,065.00 | 52,065.00 | 2,730,000.00 |
| 11/1/2036 | 130,000.00 | 3.400% | 52,065.00 | 182,065.00 | 2,730,000.00 |
| 5/1/2037 | | | 49,855.00 | 49,855.00 | 2,600,000.00 |
| 11/1/2037 | 135,000.00 | 3.400% | 49,855.00 | 184,855.00 | 2,600,000.00 |
| 5/1/2038 | | | 47,560.00 | 47,560.00 | 2,465,000.00 |
| 11/1/2038 | 140,000.00 | 3.400% | 47,560.00 | 187,560.00 | 2,465,000.00 |
| 5/1/2039 | | | 45,180.00 | 45,180.00 | 2,325,000.00 |
| 11/1/2039 | 145,000.00 | 3.400% | 45,180.00 | 190,180.00 | 2,325,000.00 |
| 5/1/2040 | | | 42,715.00 | 42,715.00 | 2,180,000.00 |
| 11/1/2040 | 145,000.00 | 3.400% | 42,715.00 | 187,715.00 | 2,180,000.00 |
| 5/1/2041 | | | 40,250.00 | 40,250.00 | 2,035,000.00 |
| 11/1/2041 | 150,000.00 | 3.400% | 40,250.00 | 190,250.00 | 2,035,000.00 |
| 5/1/2042 | | | 37,700.00 | 37,700.00 | 1,885,000.00 |
| 11/1/2042 | 155,000.00 | 4.000% | 37,700.00 | 192,700.00 | 1,885,000.00 |
| 5/1/2043 | | | 34,600.00 | 34,600.00 | 1,730,000.00 |
| 11/1/2043 | 165,000.00 | 4.000% | 34,600.00 | 199,600.00 | 1,730,000.00 |
| 5/1/2044 | | | 31,300.00 | 31,300.00 | 1,565,000.00 |
| 11/1/2044 | 170,000.00 | 4.000% | 31,300.00 | 201,300.00 | 1,565,000.00 |
| 5/1/2045 | | | 27,900.00 | 27,900.00 | 1,395,000.00 |
| 11/1/2045 | 175,000.00 | 4.000% | 27,900.00 | 202,900.00 | 1,395,000.00 |
| 5/1/2046 | | | 24,400.00 | 24,400.00 | 1,220,000.00 |
| 11/1/2046 | 185,000.00 | 4.000% | 24,400.00 | 209,400.00 | 1,220,000.00 |

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2021 AMORTIZATION SCHEDULE**

| | Principal | Coupon Rate | Interest | Debt Service | Bond Balance |
|--------------|---------------------|--------------------|---------------------|---------------------|-------------------------|
| 5/1/2047 | | | 20,700.00 | 20,700.00 | 1,035,000.00 |
| 11/1/2047 | 190,000.00 | 4.000% | 20,700.00 | 210,700.00 | 1,035,000.00 |
| 5/1/2048 | | | 16,900.00 | 16,900.00 | 845,000.00 |
| 11/1/2048 | 200,000.00 | 4.000% | 16,900.00 | 216,900.00 | 845,000.00 |
| 5/1/2049 | | | 12,900.00 | 12,900.00 | 645,000.00 |
| 11/1/2049 | 205,000.00 | 4.000% | 12,900.00 | 217,900.00 | 645,000.00 |
| 5/1/2050 | | | 8,800.00 | 8,800.00 | 440,000.00 |
| 11/1/2050 | 215,000.00 | 4.000% | 8,800.00 | 223,800.00 | 440,000.00 |
| 5/1/2051 | | | 4,500.00 | 4,500.00 | 225,000.00 |
| 11/1/2051 | 225,000.00 | 4.000% | 4,500.00 | 229,500.00 | - |
| Total | 4,085,000.00 | | 2,597,446.25 | 6,682,446.25 | |

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND AND DEBT SERVICE FUND
ASSESSMENT SUMMARY
FISCAL YEAR 2025**

Phase 1 Units - Series 2019 DS - On-Roll

| Number of Units | Unit Type | Projected Fiscal Year 2025 | | | FY 24 Assessment |
|--------------------|-----------|----------------------------|----------|----------|---------------------|
| | | GF | DSF | GF & DSF | |
| 214 | SF 50' | 234.51 | 1,176.06 | 1,410.57 | 1,465.69 |
| 214 | | | | | |

Phase 2 Units - Series 2021 DS - On-Roll

| Number of Units | Unit Type | Projected Fiscal Year 2025 | | | FY 24 Assessment |
|--------------------|-----------|----------------------------|----------|----------|---------------------|
| | | GF | DSF | GF & DSF | |
| 129 | SF 50' | 234.51 | 1,282.98 | 1,517.49 | 1,572.61 |
| 56 | SF 60' | 281.41 | 1,539.58 | 1,820.99 | 1,887.14 |
| 185 | | | | | |

Phase 3A Units - On-Roll

| | Unit Type | Projected Fiscal Year 2025 | | | |
|----|-----------|----------------------------|-----|----------|-----|
| | | GF | DSF | GF & DSF | |
| 68 | SF 50' | 234.51 | - | 234.51 | n/a |
| 68 | | | | | |

AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT

4A



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

| Account # | Order Number | Identification | Order PO | Amount | Cols | Depth |
|-----------|--------------|-----------------------------|-------------------------|----------|------|----------|
| 60753 | 577257 | Aviary at Rutland Ranch CDD | Notice of FY25 Budget & | \$175.00 | 3 | 10.18 in |

Attention: Daphne Gillyard

Aviary at Rutland Ranch CDD
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431

gillyardd@whhassociates.com

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:

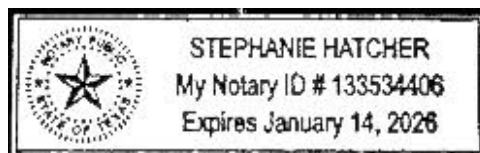
07/31/24

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. The McClatchy Company complies with all legal requirements for publication in chapter 50, Florida Statutes.

Sworn to and subscribed before me this 20th day of August in the year of 2024

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!

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2024/2025 BUDGET; NOTICE OF PUBLIC HEARING TO CONSIDER THE IMPOSITION OF OPERATIONS AND MAINTENANCE SPECIAL ASSESSMENTS, ADOPTION OF AN ASSESSMENT ROLL, AND THE LEVY, COLLECTION, AND ENFORCEMENT OF THE SAME; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING.

Upcoming Public Hearings, and Regular Meeting

The Board of Supervisors ("Board") for the Aviary at Rutland Ranch Community Development District ("District") will hold the following two public hearings and a regular meeting on August 21, 2024 at 5:00 p.m., at 5102 162nd Avenue E, Palm Bay, Florida 34219.

The first public hearing is being held pursuant to Chapter 190, Florida Statutes, to receive public comment and objections on the District's proposed budget ("Proposed Budget") for the fiscal year beginning October 1, 2024 and ending September 30, 2025 ("Fiscal Year 2024/2025"). The second public hearing is being held pursuant to Chapters 190, 197, and/or 170, Florida Statutes, to consider the imposition of operations and maintenance special assessments ("O&M Assessments") upon the lands located within the District, to fund the Proposed Budget for Fiscal Year 2024/2025; to consider the adoption of an assessment roll; and, to provide for the levy, collection, and enforcement of assessments. At the conclusion of the hearings, the Board will, by resolution, adopt a budget and levy O&M Assessments as finally approved by the Board. A Board meeting of the District will also be held where the Board may consider any other District business.

Description of Assessments

The District impose O&M Assessments on benefited property within the District for the purpose of funding the District's general administrative, operations, and maintenance budget. A geographic depiction of the property potentially subject to the proposed O&M Assessments is identified in the map attached hereto. The table below shows the schedule of the proposed O&M Assessments, which are subject to change at the hearing:

| Land Use | Total # of Units | Equivalent Assessment Unit Factor | Annual O&M Assessment ⁽¹⁾ |
|-----------------|------------------|-----------------------------------|--------------------------------------|
| Phase IA & IB | | | |
| Platted Lot | 234 | 1.80 | \$4204.92 |
| Phase IIA & IIB | | | |
| OP Lot | 168 | 1.80 | \$3024.96 |
| OP Lot | 24 | 1.80 | \$432.41 |
| Phase III | | | |
| OP Lot | 24 | 1.80 | \$432.48 |

(1) Annual O&M Assessment as stated above for Phases I and II includes County collection costs and early payment discounts. Not applicable to off-roll collections.

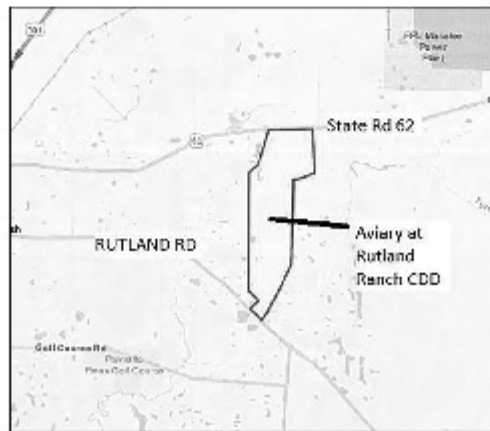
The O&M Assessments will be collected on the County tax roll. Note that the O&M Assessments are in addition to any other service assessments. If any previously levied by the District and due to be collected for Fiscal Year 2024/2025. However, pursuant to Section 197.001(2), Florida Statutes, the law enacted shall serve as the "uniform rule" controlled by law for questions and enforcement assessments, such that no assessment hearing shall be held or notice provided in future years unless the assessments are proposed to be increased or another article with Section 197.001(2)(4), F.S. is met. IF IT IS IMPORTANT TO YOU, YOUR ASSESSMENT BECAUSE WILLING TO PAY WILL, CANNOT AVOID ASSESSMENTS TO BE PAID AGAINST THE PROPERTY, THERE MAY BE LOSS OF TITLE, OR FOR PRESENT PAID ASSESSMENTS, MAY RESULT IN A FORECLOSURE ACTION, WHICH ALSO MAY RESULT IN A LOSS OF TITLE.

Additional Information

The public hearings and meeting are open to the public and will be conducted in accordance with Florida law. A copy of the Proposed Budget and assessment roll, and the agenda, for the hearings and meeting may be obtained by contacting Winkal, Hunt and Associates, LLC, 2899 Wilshire Blvd, Suite 4000, Boca Raton, FL 33431, 561-571-0710 ("District Manager's Office"). The public hearings and meeting may be conducted in a date, time, and place to be specified on the record. There may be assessments which shall or should assessments may participate by separate telephone. Any person requiring special accommodations because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the hearing. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-368-5871 (TDD) / 1-800-368-5870 (Voice), or visit the District Manager's Office.

Please note that all affected property owners have the right to appear and present at the public hearings and meeting, and may also file written objections with the District Manager's Office within twenty (20) days of issuance of this notice. Such persons who desire to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that persons will need a record of proceedings and that accordingly, the persons may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which their appeal is to be based. If you have any questions, please do not hesitate to contact the District Manager's Office.

District Manager



AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT

4B

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, this day personally appeared Curtis Marcoux, who by me first being duly sworn and deposed says:

1. I am over eighteen (18) years of age and am competent to testify as to the matters contained herein. I have personal knowledge of the matters stated herein.
2. I, Curtis Marcoux, am employed by Wrathell, Hunt and Associates, LLC, and, in the course of that employment, serve as and/or assist the Financial Analyst for the Aviary at Rutland Ranch Community Development District ("**District**"). Among other things, my duties include preparing and transmitting correspondence relating to the District.
3. I do hereby certify that on July 18, 2024, and in the regular course of business, I caused letters, in the forms attached hereto as **Exhibit A**, to be sent notifying affected landowner(s) in the District of their rights under Florida law, and with respect to the District's anticipated imposition of operations and maintenance assessments. I further certify that the letters were sent to the addressees identified in the letters or list, if any, included in **Exhibit A** and in the manner identified in **Exhibit A**.
4. I do hereby certify that the attached document(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters; were and are being kept in the course of the regularly conducted activity of the District; and were made as a regular practice in the course of the regularly conducted activity of the District.

FURTHER AFFIANT SAYETH NOT.


By: Curtis Marcoux

SWORN AND SUBSCRIBED before me by means of ☒ physical presence or ☐ online notarization this 18th day of July 2024, by Curtis Marcoux, for Wrathell, Hunt and Associates, LLC, who ☒ is personally known to me or ☐ has provided _____ as identification, and who ☐ did or ☒ did not take an oath.



DAPHNE GILLYARD
Notary Public
State of Florida
Comm# HH390392
Expires 8/20/2027

NOTARY PUBLIC

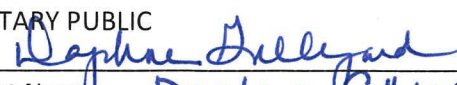

Print Name: Daphne Gillyard
Notary Public, State of Florida
Commission No.: HH390392
My Commission Expires: 8/20/2027

EXHIBIT A: Copies of Forms of Mailed Notices, including Addresses

Aviary at Rutland 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

THIS IS NOT A BILL – DO NOT PAY

July 18, 2024

VIA FIRST CLASS MAIL

ROWE VENTURES LLC
35100 SR 64 E
MYAKKA CITY, FL 34251-9228
PARCEL ID: 494901159
PRODUCT TYPE: 68 Phase III 50' Lot

RE: Aviary at Rutland Ranch Community Development District
Fiscal Year 2024/2025 Budget and O&M Assessments

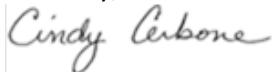
Dear Property Owner:

Pursuant to Chapters 190, 197, and/or 170, *Florida Statutes*, the Aviary at Rutland Ranch Community Development District (“**District**”) will be holding two public hearings and a Board of Supervisors’ (“**Board**”) meeting for the purposes of: (1) adopting the District’s proposed budget (“**Proposed Budget**”) for the fiscal year beginning October 1, 2024 and ending September 30, 2025 (“**Fiscal Year 2024/2025**”), and (2) levying operations and maintenance assessments (“**O&M Assessments**”) to fund the Proposed Budget for Fiscal Year 2024/2025, on **August, 21 2024, at 5:00 p.m., and at 6102 162nd Ave E, Parrish, Florida 34219**. The District is a special purpose unit of local government established under Chapter 190, *Florida Statutes*, for the purposes of providing infrastructure and services to your community. The proposed O&M Assessment information for your property is set forth in **Exhibit A**.

The public hearings and meeting are open to the public and will be conducted in accordance with Florida law. A copy of the Proposed Budget and assessment roll, and the agenda, for the hearings and meeting may be obtained by contacting Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, FL 33431, 561-571-0010 (“**District Manager’s Office**”). The public hearings and meeting 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 District Manager’s Office at least forty-eight (48) hours prior to the meeting. 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 District Manager’s Office.

Please note that all affected property owners have the right to appear and comment at the public hearings and meeting, and may also file written objections with the District Manager’s Office within twenty (20) days of issuance of this notice. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting 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. If you have any questions, please do not hesitate to contact the District Manager’s Office.

Sincerely,



Cindy Cerbone
District Manager

EXHIBIT A
Summary of O&M Assessments

The O&M Assessments are allocated on an Equivalent Assessment Unit (“**EAU**”) basis for platted lots. The O&M Assessments are intended to be collected on the County tax roll and/or by direct bill. Note that the O&M Assessments are in addition to any debt service assessments, if any, previously levied by the District and due to be collected for Fiscal Year 2024/2025. Moreover, pursuant to Section 197.3632(4), *Florida Statutes*, the lien amount shall serve as the “maximum rate” authorized by law for operation and maintenance assessments, such that no assessment hearing shall be held or notice provided in future years unless the assessments are proposed to be increased or another criterion within Section 197.3632(4) is met.

IT IS IMPORTANT TO PAY YOUR ASSESSMENT BECAUSE FAILURE TO PAY WILL CAUSE A TAX CERTIFICATE TO BE ISSUED AGAINST THE PROPERTY WHICH MAY RESULT IN LOSS OF TITLE, OR FOR DIRECT BILLED ASSESSMENTS, MAY RESULT IN A FORECLOSURE ACTION, WHICH ALSO MAY RESULT IN A LOSS OF TITLE.

| Land Use | Total # of Units | Equivalent Assessment Unit Factor | Annual O&M Assessment ⁽¹⁾ |
|----------------------------|------------------|-----------------------------------|--------------------------------------|
| Phase IA & IB | | | |
| Platted Lot | 214 | 1.00 | \$234.51 |
| Phase IIA & IIB | | | |
| 50’ Lot | 129 | 1.00 | \$234.51 |
| 60’ Lot | 56 | 1.20 | \$281.41 |
| Phase III | | | |
| 50’ Lot | 68 | 1.00 | \$218.09 |

(1) Annual O&M Assessment as stated above for Phases I and II includes County collection costs and early payment discounts. Not applicable to off-roll collections.

For all O&M Assessments levied to fund the Proposed Budget for Fiscal Year 2024/2025, the District expects to collect no more than **\$112,143** in gross revenue, including collection costs and early payment discounts.

AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT

4C

RESOLUTION 2024-08

[ANNUAL ASSESSMENT RESOLUTION]

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR FUNDING FOR THE FISCAL YEAR 2024/2025 ADOPTED BUDGET(S); PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS, INCLUDING BUT NOT LIMITED TO PENALTIES AND INTEREST THEREON; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Aviary at Rutland Ranch Community Development District ("**District**") is a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

WHEREAS, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District's adopted capital improvement plan and Chapter 190, *Florida Statutes*; and

WHEREAS, the Board of Supervisors ("**Board**") of the District has determined to undertake various operations and maintenance and other activities described in the District's budget ("**Adopted Budget**") for the fiscal year beginning October 1, 2024 and ending September 30, 2025 ("**Fiscal Year 2024/2025**"), attached hereto as **Exhibit A**; and

WHEREAS, in order to fund the District's Adopted Budget, the District's Board now desires to adopt this Resolution setting forth the means by which the District intends to fund its Adopted Budget.

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

1. FUNDING. As indicated in **Exhibits A and B**, the District's Board hereby authorizes the following funding mechanisms for the Adopted Budget:

- i. **Benefit Findings.** The provision of the services, facilities, and operations as described in **Exhibit A** confers a special and peculiar benefit to the lands within the District, which benefit exceeds or equals the cost of the assessments. The allocation of the assessments to the specially benefitted lands is shown in **Exhibits A and B**, and is hereby found to be fair and reasonable.
- ii. **Assessment Imposition.** Pursuant to Chapters 190, 197 and/or 170, *Florida Statutes*, and using the procedures authorized by Florida

law for the levy and collection of special assessments, a special assessment for operation and maintenance is hereby imposed and levied on benefitted lands within the District and in accordance with **Exhibits A and B**. The lien of the special assessments for operations and maintenance imposed and levied by this Resolution shall be effective upon passage of this Resolution.

- iii. **Maximum Rate.** Pursuant to Section 197.3632(4), *Florida Statutes*, the lien amount shall serve as the “maximum rate” authorized by law for operation and maintenance assessments.

- b. **DEBT SERVICE SPECIAL ASSESSMENTS.** The District’s Board hereby directs District Staff to effect the collection of the previously levied debt service special assessments, as set forth in **Exhibits A and B**.

2. **COLLECTION AND ENFORCEMENT; PENALTIES; INTEREST.**

- a. **Tax Roll Assessments.** If and to the extent indicated in **Exhibits A and B**, certain of the operations and maintenance special assessments (if any) and/or previously levied debt service special assessments (if any) imposed on the “**Tax Roll Property**” identified in **Exhibit B** shall be collected at the same time and in the same manner as County taxes in accordance with Chapter 197 of the *Florida Statutes*. The District’s Board finds and determines that such collection method is an efficient method of collection for the Tax Roll Property.
- b. **Direct Bill Assessments.** If and to the extent indicated in **Exhibits A and B**, certain operations and maintenance special assessments (if any) and/or previously levied debt service special assessments (if any) imposed on “**Direct Collect Property**” identified in **Exhibit B** shall be collected directly by the District in accordance with Florida law, as set forth in **Exhibits A and B**. The District’s Board finds and determines that such collection method is an efficient method of collection for the Direct Collect Property.
 - i. *Due Date (O&M Assessments)* - Operations and maintenance assessments directly collected by the District shall be due and payable on the dates set forth in the invoices prepared by the District Manager, but no earlier than October 1st and no later than September 30th of FY 2025.
 - ii. *Due Date (Debt Assessments)* - Debt service assessments directly collected by the District are due in full on December 1, 2024; provided, however, that, to the extent permitted by law, the assessments due may be paid in two partial, deferred payments and on dates that are 30 days prior to the District’s corresponding

debt service payment dates all as set forth in the invoice(s) prepared by the District Manager.

- iii. In the event that an assessment payment is not made in accordance with the schedule(s) stated above, the whole assessment – including any remaining partial, deferred payments for the Fiscal Year, shall immediately become due and payable; shall accrue interest, penalties in the amount of one percent (1%) per month, and all costs of collection and enforcement; and shall either be enforced pursuant to a foreclosure action, or, at the District's sole discretion, collected pursuant to the Uniform Method on a future tax bill, which amount may include penalties, interest, and costs of collection and enforcement. Any prejudgment interest on delinquent assessments shall accrue at the rate of any bonds secured by the assessments, or at the statutory prejudgment interest rate, as applicable. In the event an assessment subject to direct collection by the District shall be delinquent, the District Manager and District Counsel, without further authorization by the Board, may initiate foreclosure proceedings pursuant to Chapter 170, *Florida Statutes*, or other applicable law to collect and enforce the whole assessment, as set forth herein.

- c. **Future Collection Methods.** The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

3. **ASSESSMENT ROLL; AMENDMENTS.** The Assessment Roll, attached to this Resolution as **Exhibit "B,"** is hereby certified for collection. The District Manager shall keep apprised of all updates made to the County property roll by the Property Appraiser after the date of this Resolution, and shall amend the Assessment Roll in accordance with any such updates, for such time as authorized by Florida law, to the County property roll.

4. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

5. **EFFECTIVE DATE.** This Resolution shall take effect upon the passage and adoption of this Resolution by the Board.

[CONTINUED ON NEXT PAGE]

PASSED AND ADOPTED this 21st day of August, 2024.

ATTEST:

**AVIARY AT RUTLAND RANCH COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

By:_____

Its:_____

Exhibit A: Budget
Exhibit B: Assessment Roll

AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT

5

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

FINANCIAL STATEMENTS

September 30, 2023

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
September 30, 2023

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INDEPENDENT AUDITORS' REPORT

To the Board of Supervisors
Aviary at Rutland Ranch Community Development District
Manatee County, Florida

Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of Aviary at Rutland Ranch Community Development District, Manatee County, Florida ("District") as of and for the year ended September 30, 2023, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the District as of September 30, 2023, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions.

Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated June 4, 2024, on our consideration of the Aviary at Rutland Ranch Community Development District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, rules, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the District's internal control over financial reporting and compliance.

Report on Other Legal and Regulatory Requirements

We have also issued our report dated June 4, 2024 on our consideration of the District's compliance with requirements of Section 218.415, Florida Statutes, as required by Rule 10.556(10) of the Auditor General of the State of Florida. The purpose of that report is to provide an opinion based on our examination conducted in accordance with attestation Standards established by the American Institute of Certified Public Accountants.



DiBartolomeo, McBee, Hartley & Barnes, P.A.

Fort Pierce, Florida

June 4, 2024

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

MANAGEMENT'S DISCUSSION AND ANALYSIS

September 30, 2023

Our discussion and analysis of Aviary at Rutland Ranch Community Development District, Manatee County, Florida ("District") financial performance provides an overview of the District's financial activities for the fiscal year ended September 30, 2023. Please read it in conjunction with the District's Independent Auditor's Report, basic financial statements, accompanying notes and supplementary information to the basic financial statements.

FINANCIAL HIGHLIGHTS

- The assets of the District exceeded its liabilities at the close of the most recent fiscal year resulting in a net position balance of \$234,759.
- The change in the District's total net position in comparison with the prior fiscal year was \$323,383, An increase. The key component of the District's net position and change in net position are reflected in the table in the government-wide financial analysis section.
- At September 30, 2023, the District's governmental funds reported combined ending fund balances of \$640,510. A portion of fund balance is restricted for debt service and future capital repairs and replacement, and the remainder is mostly unassigned fund balance which is available for spending at the District's discretion.

OVERVIEW OF FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as the introduction to the District's financial statements. The District's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-Wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the District's finances, in a manner similar to a private-sector business.

The statement of net position presents information on all the District's assets and liabilities, with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The statement of activities presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

MANAGEMENT'S DISCUSSION AND ANALYSIS

September 30, 2023

The government-wide financial statements include all governmental activities that are principally supported by special assessment revenues. The District does not have any business-type activities. The governmental activities of the District include the general government (management) and maintenance and operations.

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The District, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The District has one fund category: governmental funds.

Governmental Funds

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a District's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the District's near-term financing decisions.

Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balance provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The District maintains three individual governmental funds for external reporting. Information is presented in the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund, debt service fund and capital projects fund. All funds are major funds. The District adopts an annual appropriated budget for its general fund. A budgetary comparison schedule has been provided for the general fund to demonstrate compliance with the budget.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

MANAGEMENT'S DISCUSSION AND ANALYSIS

September 30, 2023

GOVERNMENT WIDE FINANCIAL ANALYSIS

As noted earlier, net position may serve over time as a useful indicator of an entity's financial position. In the case of the District, assets exceeded liabilities at the close of the most recent fiscal year. A portion of the District's net position reflects its investment in capital assets (e.g. land, land improvements and infrastructure). These assets are used to provide services to residents; consequently, these assets are not available for future spending. The remaining balance of unrestricted net position may be used to meet the District's other obligations.

Key components of net position were as follows:

| | Statement of Net Position | |
|---------------------------------|---------------------------|--------------|
| | 2023 | 2022 |
| Current assets | \$ 644,260 | \$ 1,221,113 |
| Capital assets | 7,389,204 | 6,653,292 |
| Total assets | 8,033,464 | 7,874,405 |
| Current liabilities | 285,431 | 280,122 |
| Long-term liabilities | 7,516,659 | 7,682,907 |
| Total liabilities | 7,802,090 | 7,963,029 |
| Net position | | |
| Net invested in capital assets | (292,455) | (1,194,615) |
| Restricted for capital projects | - | 724,736 |
| Restricted for debt service | 385,888 | 275,071 |
| Unrestricted | 137,941 | 106,184 |
| Total net position | \$ 231,374 | \$ (88,624) |

The District's net position increased during the most recent fiscal year. The majority of the change represents the degree to which program revenues exceeded ongoing cost of operations.

Key elements of the District's change in net position are reflected in the following table:

| | Change in Net Position | |
|----------------------------------|------------------------|-------------|
| | 2023 | 2022 |
| Program revenues | \$ 688,531 | \$ 467,693 |
| General revenues | 17,037 | 3,034 |
| Total revenues | 705,568 | 470,727 |
| Expenses | | |
| General government | 81,266 | 63,328 |
| Interest on long-term debt | 304,304 | 294,068 |
| Cost of issuance | - | 218,800 |
| Total expenses | 385,570 | 576,196 |
| Change in net position | 319,998 | (105,469) |
| Net position - beginning of year | (88,624) | 16,845 |
| Net position - end of year | \$ 231,374 | \$ (88,624) |

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

MANAGEMENT'S DISCUSSION AND ANALYSIS

September 30, 2023

As noted above and in the statement of activities, the cost of all governmental activities during the fiscal year ended September 30, 2023 was \$382,185, which primarily consisted of interest on long-term debt, and costs associated with constructed and maintaining certain capital improvements. The costs of the District's activities were funded by special assessments.

GENERAL BUDGETING HIGHLIGHTS

An operating budget was adopted and maintained by the governing board for the District pursuant to the requirements of Florida Statutes. The budget is adopted using the same basis of accounting that is used in preparation of the fund financial statements. The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors. Actual general fund expenditures did not exceed appropriations for the fiscal year ended September 30, 2023.

The variance between budgeted and actual general fund revenues is not considered significant. The actual general fund expenditures for the current fiscal year were lower than budgeted amounts due primarily to anticipated costs which were not incurred in the current fiscal year.

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets

At September 30, 2023, the District had \$7,389,204 invested in construction in process. Construction in process has not completed as of September 30, 2023 and therefore is not depreciated to date. Once projects are complete, items will transfer to depreciable assets. More detailed information about the District's capital assets is presented in the notes of the financial statements.

Capital Debt

At September 30, 2023, the District had \$7,681,659 in Bonds outstanding for its governmental activities. More detailed information about the District's capital debt is presented in the accompanying notes to the financial statements.

ECONOMIC FACTORS, NEXT YEAR'S BUDGET AND OTHER INFORMATION

For the fiscal year 2024, the District anticipates that the cost of general operations will remain fairly constant. In connection with the District's future infrastructure maintenance and replacement plan, the District Board has included in the budget, an estimate of those anticipated future costs and has assigned a portion of current available resources for that purpose.

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

MANAGEMENT'S DISCUSSION AND ANALYSIS

September 30, 2023

CONTACTING THE DISTRICT'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, land owners, customers, investors and creditors with a general overview of the District's finances and to demonstrate the District's accountability for the financial resources it manages and the stewardship of the facilities it maintains. If you have questions about this report or need additional financial information, contact Aviary at Rutland Ranch Community Development District's Finance Department at 2300 Glades Road, Suite 410W, Boca Raton, FL 33431.

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

STATEMENT OF NET POSITION

September 30, 2023

| | GOVERNMENTAL ACTIVITIES |
|--|----------------------------|
| ASSETS | |
| Cash and cash equivalents | \$ 144,639 |
| Assessments receivable | 437 |
| Restricted assets: | |
| Investments | 497,096 |
| Assessments receivable | 2,088 |
| Capital assets: | |
| Non-depreciable | 7,389,204 |
| TOTAL ASSETS | \$ 8,033,464 |
| LIABILITIES | |
| Accounts payable and accrued expenses | \$ 7,135 |
| Accrued interest payable | 113,296 |
| Bonds payable, due within one year | 165,000 |
| Bonds payable, due in more than one year | 7,516,659 |
| TOTAL LIABILITIES | 7,802,090 |
| NET POSITION | |
| Net investment in capital assets | (292,455) |
| Restricted for: | |
| Debt service | 385,888 |
| Unrestricted | 137,941 |
| TOTAL NET POSITION | \$ 231,374 |

The accompanying notes are an integral part of this financial statement

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

STATEMENT OF ACTIVITIES

Year Ended September 30, 2023

| Functions/Programs | Expenses | Program Revenues | | Net (Expense) |
|-----------------------------------|-------------------|-------------------|---------------|-------------------|
| | | Charges for | Operating | Revenues and |
| | | Services | Contributions | Changes in Net |
| | | | | Position |
| | | | | Governmental |
| | | | | Activities |
| Governmental activities | | | | |
| General government | \$ 81,266 | \$ 81,266 | \$ - | \$ - |
| Physical environment | - | 31,732 | - | 31,732 |
| Interest on long-term debt | 304,304 | 575,533 | - | 271,229 |
| Total governmental activities | <u>\$ 385,570</u> | <u>\$ 688,531</u> | <u>\$ -</u> | <u>302,961</u> |
| General revenues: | | | | |
| | | | | 17,037 |
| Investment earnings | | | | <u>17,037</u> |
| Total general revenues | | | | 319,998 |
| Change in net position | | | | |
| Net position - October 1, 2022 | | | | (88,624) |
| Net position - September 30, 2023 | | | | <u>\$ 231,374</u> |

The accompanying notes are an integral part of this financial statement

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET – GOVERNMENTAL FUNDS
September 30, 2023

| | MAJOR FUNDS | | | TOTAL GOVERNMENTAL FUNDS |
|--|-------------------|-------------------|---------------------|--------------------------------|
| | GENERAL | DEBT SERVICE | CAPITAL PROJECTS | |
| <u>ASSETS</u> | | | | |
| Cash and cash equivalents | \$ 144,639 | \$ - | \$ - | \$ 144,639 |
| Assessments receivable | 437 | - | - | 437 |
| Restricted Assets: | | | | |
| Investments | - | 497,096 | - | 497,096 |
| Assessments receivable | - | 2,088 | - | 2,088 |
| TOTAL ASSETS | \$ 145,076 | \$ 499,184 | \$ - | \$ 644,260 |
| <u>LIABILITIES AND FUND BALANCES</u> | | | | |
| LIABILITIES | | | | |
| Accounts payable and accrued expenses | \$ 7,135 | \$ - | \$ - | \$ 7,135 |
| TOTAL LIABILITIES | 7,135 | - | - | 7,135 |
| FUND BALANCES | | | | |
| Restricted for: | | | | |
| Debt service | - | 499,184 | - | 499,184 |
| Unassigned | 137,941 | - | - | 137,941 |
| TOTAL FUND BALANCES | 137,941 | 499,184 | - | 637,125 |
| TOTAL LIABILITIES AND FUND BALANCES | \$ 145,076 | \$ 499,184 | \$ - | \$ 644,260 |

The accompanying notes are an integral part of this financial statement

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT
RECONCILIATION OF TOTAL GOVERNMENTAL FUND BALANCES
TO NET POSITION OF GOVERNMENTAL ACTIVITIES
September 30, 2023

| | |
|---|------------|
| Total Governmental Fund Balances in the Balance Sheet | \$ 637,125 |
|---|------------|

Amount reported for governmental activities in the Statement of Net
Assets are different because:

Capital asset used in governmental activities are not financial
resources and therefore are not reported in the governmental funds:

| | |
|-----------------------------|-----------|
| Governmental capital assets | 7,389,204 |
|-----------------------------|-----------|

Certain liabilities are not due and payable in the current period
and therefore are not reported in the funds:

| | |
|----------------------------|-------------|
| Accrued interest payable | (113,296) |
| Unamortized bond premium | (56,659) |
| Governmental bonds payable | (7,625,000) |
| | (7,625,000) |

| | |
|---|------------|
| Net Position of Governmental Activities | \$ 231,374 |
|---|------------|

The accompanying notes are an integral part of this financial statement

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCES – GOVERNMENTAL FUNDS
Year Ended September 30, 2023

| | MAJOR FUNDS | | | TOTAL |
|--|-------------------|-------------------|---------------------|-----------------------|
| | GENERAL | DEBT SERVICE | CAPITAL PROJECTS | GOVERNMENTAL FUNDS |
| REVENUES | | | | |
| Special assessments | \$ 112,998 | \$ 575,533 | \$ - | \$ 688,531 |
| Investment earnings | 25 | 5,836 | 11,176 | 17,037 |
| TOTAL REVENUES | <u>113,023</u> | <u>581,369</u> | <u>11,176</u> | <u>705,568</u> |
| EXPENDITURES | | | | |
| General government | 81,266 | - | - | 81,266 |
| Capital outlay | - | - | 735,912 | 735,912 |
| Debt | | | | |
| Principal | - | 165,000 | - | 165,000 |
| Interest expense | - | 307,378 | - | 307,378 |
| TOTAL EXPENDITURES | <u>81,266</u> | <u>472,378</u> | <u>735,912</u> | <u>1,289,556</u> |
| EXCESS REVENUES OVER (UNDER) EXPENDITURES | 31,757 | 108,991 | (724,736) | (583,988) |
| FUND BALANCE | | | | |
| Beginning of year | <u>106,184</u> | <u>390,193</u> | <u>724,736</u> | <u>1,221,113</u> |
| End of year | <u>\$ 137,941</u> | <u>\$ 499,184</u> | <u>\$ -</u> | <u>\$ 637,125</u> |

The accompanying notes are an integral part of this financial statement

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
Year Ended September 30, 2023

| | |
|--|--------------|
| Net Change in Fund Balances - Total Governmental Funds | \$ (583,988) |
|--|--------------|

Amount reported for governmental activities in the Statement of Activities
are different because:

Governmental funds report capital outlays as expenditures. However,
in the Statement of Activities, the costs of those assets are depreciated
over their estimated useful lives:

| | |
|----------------|---------|
| Capital outlay | 735,912 |
|----------------|---------|

Repayment of long-term liabilities are reported as expenditures in the
governmental fund financial statements, but such repayments reduce
liabilities in the Statement of Net Position and are eliminated in the
Statement of Activities:

| | |
|----------------------------|---------|
| Payments on long-term debt | 165,000 |
|----------------------------|---------|

Certain items reported in the Statement of Activities do not require
the use of current financial resources and therefore are not reported
expenditures in the governmental funds:

| | |
|--|-------|
| Provision for amortization of bond premium | 1,248 |
| Change in accrued interest payable | 1,826 |

| | |
|---|---|
| Change in Net Position of Governmental Activities | <div style="border-top: 1px solid black; border-bottom: 3px double black; padding: 2px 0;">\$ 319,998</div> |
|---|---|

The accompanying notes are an integral part of this financial statement

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE A- NATURE OF ORGANIZATION AND REPORTING ENTITY

Aviary at Rutland Ranch Community Development District ("District") was established on August 21, 2018 by Ordinance 18-32 of the Board of County Commissioners of Manatee County, under the Uniform Community Development District Act of 1980, otherwise known as Chapter 190, Florida Statutes. The Act provides among other things, the power to manage basic services for community development, power to borrow money and issue bonds, and to levy and assess non-ad valorem assessments for the financing and delivery of capital infrastructure.

The District was established for the purposes of financing and managing the acquisition, construction, maintenance and operation of a portion of the infrastructure necessary for community development within the District.

The District is governed by the Board of Supervisors ("Board"), which is composed of five members as of September 30, 2023. All of the five Board members are affiliated with the Developer. The Supervisors are elected on an at large basis by the qualified electors of the property owners within the District. The Board of Supervisors of the District exercise all powers granted to the District pursuant to Chapter 190, Florida Statutes.

The Board has the responsibility for:

1. Assessing and levying assessments.
2. Approving budgets.
3. Exercising control over facilities and properties.
4. Controlling the use of funds generated by the District.
5. Approving the hiring and firing of key personnel.
6. Financing Improvements.

The financial statements were prepared in accordance with Governmental Accounting Standards Board ("GASB") Statements. Under the provisions of those standards, the financial reporting entity consists of the primary government, organizations for which the District Board of Supervisors is considered to be financially accountable, and other organizations for which the nature and significance of their relationship with the District are such that, if excluded, the financial statements of the District would be considered incomplete or misleading. There are no entities considered to be component units of the District; therefore, the financial statements include only the operations of the District.

NOTE B - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Government-Wide and Fund Financial Statements

The basic financial statements include both government-wide and fund financial statements. The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the non-fiduciary activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements.

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE B - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Government-Wide and Fund Financial Statements (continued)

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment. Operating-type special assessments for maintenance and debt service are treated as charges for services and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Other Items not included among program revenues are reported instead as general revenues.

Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Assessments are recognized as revenues in the year for which they are levied. Grants and similar items are to be recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the economic financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period.

Expenditures are recorded when a liability is incurred, as under accrual accounting.

Assessments

Assessments are non-ad valorem assessments on benefited lands within the District. Assessments are levied to pay for the operations, maintenance and debt of the District. The fiscal year for which annual assessments are levied begins on October 1 with discounts available for payments through February 28 and become delinquent on April 1. Annual assessments that are collected by the County Tax Collector are remitted to the District net of applicable discounts or fees and include interest on monies held from the day of collection to the day of distribution.

Assessments and interest associated with the current fiscal period are considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. The portion of assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the government.

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE B - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Measurement Focus, Basis of Accounting and Financial Statement Presentation (continued)

The District reports the following major governmental funds:

General Fund

The general fund is the general operating fund of the District. It is used to account for all financial resources except those required to be accounted for in another fund.

When both restricted and unrestricted resources are available for use, it is the government's policy to use restricted resources first for qualifying expenditures, then unrestricted resources as they are needed.

Debt Service Fund

The debt service fund is used to account for the accumulation of resources for the annual payment of principal and interest of long-term debt.

Capital Projects Fund

The capital projects fund accounts for the financial resources to be used for the acquisition or construction of major infrastructure with the District.

Assets, Liabilities and Net Position or Equity

Restricted Assets

These assets represent cash and investments set aside pursuant to contractual restrictions.

Deposits and Investments

The District's cash and cash equivalents are considered to be cash on hand and demand deposits (interest and non-interest bearing).

The District has elected to proceed under the Alternative Investment Guidelines as set forth in Section 218.415 (17) Florida Statutes. The District may invest any surplus public funds in the following:

- a) The Local Government Surplus Trust Funds, or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act;
- b) Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency;

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE B - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Assets, Liabilities and Net Position or Equity (continued)

Deposits and Investments (continued)

- c) Interest bearing time deposits or savings accounts in qualified public depositories;
- d) Direct obligations of the U.S. Treasury.

Securities listed in paragraph c and d shall be invested to provide sufficient liquidity to pay obligations as they come due. In addition, surplus funds may be deposited into certificates of deposit which are insured.

The District records all interest revenue related to investment activities in the respective funds and reports investments at fair value.

Inventories and Prepaid Items

Inventories of governmental funds are recorded as expenditures when consumed rather than when purchased.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.

Capital Assets

Capital assets, which include property, plant and equipment, and infrastructure assets (e.g., roads, sidewalks and similar items) are reported in the government activities columns in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000 (amount not rounded) and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Property, plant and equipment of the District are depreciated using the straight-line method over the following estimated useful lives:

| <u>Assets</u> | <u>Years</u> |
|----------------|--------------|
| Infrastructure | 20 - 40 |
| Improvements | 10 - 20 |

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE B - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Assets, Liabilities and Net Position or Equity (continued)

Capital Assets (continued)

In the governmental fund financial statements, amounts incurred for the acquisition of capital assets are reported as fund expenditures. Depreciation expense is not reported in the governmental fund financial statements.

Unearned Revenue

Governmental funds report unearned revenue in connection with resources that have been received, but not yet earned.

Long-Term Obligations

In the government-wide financial statements long-term debt and other long-term obligations are reported as liabilities in the statement of net position. Bond premiums and discounts are deferred and amortized over the life of the Bonds. Bonds payable are reported net of applicable premiums or discounts. Bond issuance costs are expensed when incurred.

In the fund financial statements, governmental fund types recognize premiums and discounts, as well as issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Deferred Outflows/Inflows of Resources

The statement of net position reports, as applicable, a separate section for deferred outflows of resources. Deferred outflows of resources represent a consumption of net position that applies to future reporting period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until that time. For example, the District would record deferred outflows of resources related to debit amounts resulting from current and advance refundings resulting in the defeasance of debt (i.e. when there are differences between the reacquisition price and the net carrying amount of the old debt).

The statement of net position reports, as applicable, a separate section for deferred inflows of resources. Deferred inflows of resources represent an acquisition of net position that applies to future reporting period(s) and so will not be recognized as an inflow of resources (revenue) until that time. For example, when an asset is recorded in the governmental fund financial statements, but the revenue is not available, the District reports a deferred inflow of resources until such times as the revenue becomes available.

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE B - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Assets, Liabilities and Net Position or Equity (continued)

Fund Equity/Net Position

In the fund financial statements, governmental funds report non spendable and restricted fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. Assignments of fund balance represent tentative management plans that are subject to change.

Committed fund balance - Amounts that can be used only for the specific purposes determined by a formal action (resolution) of the Board of Supervisors. Commitments may be changed or lifted only by the Board of Supervisors taking the same formal action (resolution) that imposed the constraint originally. Resources accumulated pursuant to stabilization arrangements sometimes are reported in this category.

Assigned fund balance - Includes spendable fund balance amounts that are intended to be used for specific purposes that are neither considered restricted nor committed. The Board can assign fund balance as it does when appropriating fund balance to cover differences in estimated revenue and appropriations in the subsequent year's appropriated budget. Assignments are generally temporary and normally the same formal action need not be taken to remove the assignment.

The District first uses committed fund balance, followed by assigned fund balance and then unassigned fund balance when expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used.

Net position is the difference between assets and deferred outflows of resources less liabilities and deferred inflows of resources. Net position in the government-wide financial statements are categorized as net investment in capital assets, restricted or unrestricted. Net investment in capital assets represents net position related to infrastructure and property, plant and equipment. Restricted net position represents the assets restricted by the District's Bond covenants or other contractual restrictions. Unrestricted net position consists of the net position not meeting the definition of either of the other two components.

Other Disclosures

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE C - BUDGETARY INFORMATION

The District is required to establish a budgetary system and an approved Annual Budget. Annual Budgets are adopted on a basis consistent with generally accepted accounting principles for the general fund. All annual appropriations lapse at fiscal year end.

The District follows these procedures in establishing the budgetary data reflected in the financial statements.

- a) Each year the District Manager submits to the District Board a proposed operating budget for the fiscal year commencing the following October 1.
- b) Public hearings are conducted to obtain public comments.
- c) Prior to October 1, the budget is legally adopted by the District Board.
- d) All budget changes must be approved by the District Board.
- e) The budgets are adopted on a basis consistent with generally accepted accounting principles.
- f) Unused appropriation for annually budgeted funds lapse at the end of the year.

NOTE D – DEPOSITS AND INVESTMENTS

Deposits

The District's cash balances, including certificates of deposit, were entirely covered by federal depository insurance or by a collateral pool pledged to the State Treasurer. Florida Statutes Chapter 280, "Florida Security for Public Deposits Act", requires all qualified depositories to deposit with the Treasurer or another banking institution eligible collateral equal to various percentages of the average daily balance for each month of all public deposits in excess of any applicable deposit insurance held. The percentage of eligible collateral (generally, U.S. Governmental and agency securities, state or local government debt, or corporate bonds) to public deposits is dependent upon the depository's financial history and its compliance with Chapter 280. In the event of a failure of a qualified public depository, the remaining public depositories would be responsible for covering any resulting losses.

Investments

The District's investments were held as follows at September 30, 2023:

| Investment | Fair Value | Credit Risk | Maturities |
|--|-------------------|-------------|-------------------------|
| Money Market Mutual Funds - First | | | Weighted average of the |
| American Government Obligation FD CL D | \$ 497,096 | S&P AAAm | fund portfolio: 24 days |
| Total Investments | <u>\$ 497,096</u> | | |

Custodial credit risk - For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty, the District will not be able to recover the value of the investments or collateral securities that are in the possession of an outside party. The District has no formal policy for custodial risk. The investments listed in the schedule above are not evidenced by securities that exist in physical or book entry form.

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE D – DEPOSITS AND INVESTMENTS (CONTINUED)

Investments (continued)

Credit risk - For investments, credit risk is generally the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. Investment ratings by investment type are included in the preceding summary of investments.

Concentration risk - The District places no limit on the amount the District may invest in any one issuer.

Interest rate risk - The District does not have a formal policy that limits investment maturities as a means of managing exposure to fair value losses arising from increasing interest rates.

Fair Value Measurement - When applicable, the District measures and records its investments using fair value measurement guidelines established in accordance with GASB Statements. The framework for measuring fair value provides a fair value hierarchy that prioritizes the inputs to valuation techniques.

These guidelines recognize a three-tiered fair value hierarchy, in order of highest priority, as follows:

- Level 1: Investments whose values are based on unadjusted quoted prices for identical investments in active markets that the District has the ability to access;
- Level 2: Investments whose inputs - other than quoted market prices - are observable either directly or indirectly; and,
- Level 3: Investments whose inputs are unobservable.

The fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the entire fair value measurement. Valuation techniques used should maximize the use of observable inputs and minimize the use of unobservable inputs.

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT
NOTES TO FINANCIAL STATEMENTS
September 30, 2023

NOTE E - CAPITAL ASSETS

Capital asset activity for the fiscal year ended September 30, 2023 was as follows:

| | Balance 10/01/2022 | Increases | Decreases | Balance 09/30/2023 |
|--|-----------------------|------------|-----------|-----------------------|
| Governmental activities: | | | | |
| Capital assets, not being depreciated: | | | | |
| Construction in process | \$ 6,653,292 | \$ 735,912 | \$ - | \$ 7,389,204 |
| Total capital assets, not being depreciated | 6,653,292 | 735,912 | - | 7,389,204 |
| Governmental activities capital assets - net | \$ 6,653,292 | \$ 735,912 | \$ - | \$ 7,389,204 |

NOTE F – LONG-TERM LIABILITIES

\$3,820,000 Special Assessment Bonds, Series 2019 (Assessment Area One Project) – On May 15, 2019, the District issued \$3,820,000 in Special Assessment Bonds, Series 2019 (Assessment Area One Project). The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the District. The Bonds are payable in annual principal installments through June 2049. The Bonds bear interest ranging from 3.625% to 4.625% payable semi-annually on the first day of each June and December. Principal is due serially each June 1, commencing June 2020.

\$4,175,000 Special Assessment Bonds, Series 2021 (Assessment Area Two Project) – On November 10, 2021, the District issued \$4,175,000 in Special Assessment Bonds, Series 2021 (Assessment Area Two Project). The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the District. The Bonds are payable in annual principal installments through November 2051. The Bonds bear interest ranging from 2.45% to 4.0% payable semi-annually on the first day of each May and November. Principal is due serially each November 1, commencing November 2022.

The Bond Indenture established a debt service reserve requirement as well as other restrictions and requirements relating principally to the use of proceeds and the procedures to be followed by the District on assessments to property owners. The District agrees to levy special assessments in annual amounts adequate to provide payment of debt service and to meet the reserve requirements. The requirements have been met for the fiscal year ended September 30, 2023.

The District is in compliance with those requirements of the Bond Indenture at September 30, 2023.

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE F – LONG-TERM LIABILITIES (CONTINUED)

The following is a summary of activity in the long-term debt of the District for the year ended September 30, 2023:

| | Balance 10/01/2022 | Additions | Deletions | Balance 9/30/2023 | Due Within One Year |
|--|-----------------------|-------------|-------------------|----------------------|------------------------|
| Special Assessment Bonds, Series 2019 | \$ 3,615,000 | \$ - | \$ 75,000 | \$ 3,540,000 | \$ 75,000 |
| Special Assessment Bonds, Series 2021 | 4,175,000 | - | 90,000 | 4,085,000 | 90,000 |
| | 7,790,000 | - | 165,000 | 7,625,000 | 165,000 |
| Unamortized bond premium | 57,907 | - | 1,248 | 56,659 | - |
| | <u>\$ 7,847,907</u> | <u>\$ -</u> | <u>\$ 166,248</u> | <u>\$ 7,681,659</u> | <u>\$ 165,000</u> |

The annual requirements to amortize the principal and interest of bonded debt outstanding as of September 30, 2023 are as follows:

| September 30, | Principal | Interest | Total |
|---------------|---------------------|---------------------|----------------------|
| 2024 | \$ 165,000 | \$ 302,453 | \$ 467,453 |
| 2025 | 170,000 | 297,530 | 467,530 |
| 2026 | 170,000 | 292,125 | 462,125 |
| 2027 | 180,000 | 286,659 | 466,659 |
| 2028 | 185,000 | 280,623 | 465,623 |
| 2029-2033 | 1,035,000 | 1,297,677 | 2,332,677 |
| 2034-2038 | 1,250,000 | 1,079,803 | 2,329,803 |
| 2039-2043 | 1,520,000 | 807,720 | 2,327,720 |
| 2047-2048 | 1,875,000 | 454,582 | 2,329,582 |
| 2049-2052 | 1,075,000 | 79,952 | 1,154,952 |
| | <u>\$ 7,625,000</u> | <u>\$ 5,179,124</u> | <u>\$ 12,804,124</u> |

NOTE G - MANAGEMENT COMPANY

The District has contracted with a management company to perform services which include financial and accounting advisory services. Certain employees of the management company also serve as officers of the District. Under the agreement, the District compensates the management company for management, accounting, financial reporting, computer and other administrative costs.

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE H - RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; natural disasters; and environmental remediation. The District has obtained commercial insurance from independent third parties to mitigate the costs of these risks; coverage may not extend to all situations. Settled claims from these risks have not exceeded commercial insurance coverage over the past three years as there have been no claims.

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL – GENERAL FUND
Year Ended September 30, 2023

| | <u>* BUDGET</u> | <u>ACTUAL</u> | <u>VARIANCE WITH FINAL BUDGET POSITIVE (NEGATIVE)</u> |
|---|-----------------|-------------------|---|
| REVENUES | | | |
| Special assessments | \$ 112,914 | \$ 112,998 | \$ 84 |
| Investment earnings | - | 25 | 25 |
| TOTAL REVENUES | <u>112,914</u> | <u>113,023</u> | <u>109</u> |
| EXPENDITURES | | | |
| Current | | | |
| General government | <u>112,914</u> | <u>81,266</u> | <u>31,648</u> |
| TOTAL EXPENDITURES | <u>112,914</u> | <u>81,266</u> | <u>31,648</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | <u>\$ -</u> | 31,757 | <u>\$ 31,757</u> |
| FUND BALANCES | | | |
| Beginning of year | | <u>106,184</u> | |
| End of year | | <u>\$ 137,941</u> | |

* Original and final budget.

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION

The District is required to establish a budgetary system and an approved Annual Budget for the general fund. The District's budgeting process is based on estimates of cash receipts and cash expenditures which are approved by the Board. The budget approximates a basis consistent with accounting principles generally accepted in the United States of America (generally accepted accounting principles).

An operating budget was adopted and maintained by the governing board for the District pursuant to the requirements of Florida Statutes. The budget is adopted using the same basis of accounting that is used in preparation of the fund financial statements. The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors. Actual general fund expenditures did not exceed appropriations for the fiscal year ended September 30, 2023.

The variance between budgeted and actual general fund revenues is not considered significant. The actual general fund expenditures for the current fiscal year were lower than budgeted amounts due primarily to anticipated costs which were not incurred in the current fiscal year.

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING
STANDARDS*

To the Board of Supervisors
Aviary at Rutland Ranch Community Development District
Manatee County, Florida

We have audited in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to the financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of Aviary at Rutland Ranch Community Development District, as of September 30, 2023 and for the year ended September 30, 2023, which collectively comprise Aviary at Rutland Ranch Community Development District's basic financial statements and have issued our report thereon dated June 4, 2024.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the District's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control over financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the District's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

This report is intended solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



DiBartolomeo, McBee, Hartley & Barnes, P.A.

Fort Pierce, Florida

June 4, 2024

INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH THE REQUIREMENTS OF
SECTION 218.415, FLORIDA STATUTES, REQUIRED BY RULE 10.556(10) OF THE
AUDITOR GENERAL OF THE STATE OF FLORIDA

To the Board of Supervisors
Aviary at Rutland Ranch Community Development District
Manatee County, Florida

We have examined the District's compliance with the requirements of Section 218.415, Florida Statutes with regards to the District's investments during the year ended September 30, 2023. Management is responsible for the District's compliance with those requirements. Our responsibility is to express an opinion on the District's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about the District's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on the District's compliance with specified requirements.

In our opinion, the District complied, in all material respects, with the aforementioned requirements for the year ended September 30, 2023.

This report is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, management, and the Board of Supervisors of Aviary at Rutland Ranch Community Development District, Manatee County, Florida and is not intended to be and should not be used by anyone other than these specified parties.



DiBartolomeo, McBee Hartley & Barnes, P.A.
Fort Pierce, Florida
June 4, 2024

Management Letter

To the Board of Supervisors
Aviary at Rutland Ranch Community Development District
Manatee County, Florida

Report on the Financial Statements

We have audited the financial statements of the Aviary at Rutland Ranch Community Development District ("District") as of and for the fiscal year ended September 30, 2023, and have issued our report thereon dated June 4, 2024.

Auditors' Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and Chapter 10.550, Rules of the Auditor General.

Other Reporting Requirements

We have issued our Independent Auditors' Report on Internal Control over Financial Reporting and Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with Government Auditing Standards and Independent Accountants' Report on an examination conducted in accordance with AICPA Professional Standards, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those report, which are dated June 4, 2024, should be considered in conjunction with this management letter.

Prior Audit Findings

Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. There were no findings or recommendations made in the preceding annual audit report.

Official Title and Legal Authority

Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements. The information required is disclosed in the notes to the financial statements..

Financial Condition and Management

Section 10.554(1)(i)5.a. and 10.556(7), Rules of the Auditor General, require us to apply appropriate procedures and communicate the results of our determination as to whether or not the District has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and to identify the specific condition(s) met. In connection with our audit, we determined that the District did not meet any of the conditions described in Section 218.503(1), Florida Statutes.

Pursuant to Sections 10.554(1)(i)5.b. and 10.556(8), Rules of the Auditor General, we applied financial condition assessment procedures for the District. It is management's responsibility to monitor the District's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

Section 10.554(1)(i)2., Rules of the Auditor General, requires that we communicate any recommendations to improve financial management. In connection with our audit, we did not have any such recommendations.

Specific Information

As required by Section 218.39(3)(c), Florida Statutes, and Section 10.554(1)(i)6, Rules of the Auditor General, the Aviary at Rutland Ranch Community Development District reported:

- a. The total number of district employees compensated in the last pay period of the District's fiscal year as N/A.
- b. The total number of independent contractors to whom nonemployee compensation was paid in the last month of the district's fiscal year as 1.
- c. All compensation earned by or awarded to employees, whether paid or accrued, regardless of contingency as N/A.
- d. All compensation earned by or awarded to nonemployee independent contractors, whether paid or accrued, regardless of contingency as \$16,508.
- e. The District does not have any construction projects with a total cost of at least \$65,000 that are scheduled to begin on or after October 1 of the fiscal year being reported.
- f. The District did not amend its final adopted budget under Section 189.016(6), Florida Statutes.

As required by Section 218.39(3)(c), Florida Statutes, and Section 10.554(1)(i)7, Rules of the Auditor General, the Aviary at Rutland Ranch Community Development District reported:

- a. The rate or rates of non-ad valorem special assessments imposed by the District range from \$294 to \$1,540 per residential unit.
- b. The total amount of special assessments collected by or on behalf of the District as \$688,531.
- c. The total amount of outstanding bonds issued by the district as \$7,625,000.

Additional Matters

Section 10.554(1)(i)3., Rules of the Auditor General, requires us to communicate noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance. In connection with our audit, we did not note any such findings.

Purpose of this Letter

Our management letter is intended solely for the information and use of Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, the Board of Supervisors, and applicable management, and is not intended to be and should not be used by anyone other than these specified parties.



DiBartolomeo, McBee, Hartley & Barnes, P.A.

Fort Pierce, Florida

June 4, 2024

AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT

5A

RESOLUTION 2024-09

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVIARY AT
RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT HEREBY
ACCEPTING THE AUDITED FINANCIAL REPORT FOR THE FISCAL YEAR
ENDED SEPTEMBER 30, 2023**

WHEREAS, the District's Auditor, DiBartolomeo, McBee, Hartley & Barnes, P.A., has heretofore prepared and submitted to the Board, for accepting, the District's Audited Financial Report for Fiscal Year 2023;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS
OF THE AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT
DISTRICT;**

1. The Audited Financial Report for Fiscal Year 2023, heretofore submitted to the Board, is hereby accepted for Fiscal Year 2023, for the period ending September 30, 2023; and
2. A verified copy of said Audited Financial Report for Fiscal Year 2023 shall be attached hereto as an exhibit to this Resolution, in the District's "Official Record of Proceedings".

PASSED AND ADOPTED this 21st day of August, 2024.

ATTEST:

**AVIARY AT RUTLAND RANCH COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

AVIARY AT RUTLAND RANCH

COMMUNITY DEVELOPMENT DISTRICT

7

August 14, 2024

Aviary at Rutland Ranch Community Development District
c/o Wrathell Hunt & Associates, LLC
2300 Glades Road, Suite # 410W
Boca Raton, Florida 33431
Attn: Mr. Craig Wrathell

Re: Aviary at Rutland Ranch CDD, Series 2024 Bonds

Dear Mr. Wrathell:

We are writing to provide you, as the Aviary at Rutland Ranch Community Development District (the "Issuer"), with certain disclosures relating to the captioned bond issue (the "Bonds"), as required by the Municipal Securities Rulemaking Board (MSRB) Rule G-17 Disclosure, as set forth in the amended and restated MSRB Notice 2019-20 (November 8, 2019)¹ (the "Notice"). We ask that you provide this letter to the appropriate person at the Issuer.

The Issuer recognizes that FMSbonds, Inc. will serve as the underwriter (the "Underwriter") and not as a financial advisor or municipal advisor, in connection with the issuance of the bonds relating to this financing (herein, the "Bonds"). As part of our services as Underwriter, FMSbonds, Inc. may provide advice concerning the structure, timing, terms, and other similar matters concerning the issuance of the Bonds. Any such advice, if given, will be provided by FMSbonds, Inc. as Underwriter and not as your financial advisor or municipal advisor in this transaction. The Issuer may choose to engage the services of a municipal advisor with a fiduciary obligation to represent the Issuer's interest in this transaction.

The specific parameters under which FMS will underwrite the Bonds will be set forth in a Bond Resolution adopted by the Board.

Pursuant to the Notice, we are required by the MSRB to advise you that:

- MSRB Rule G-17 requires a broker to deal fairly at all times with both municipal issuers and investors.

¹ Interpretive Notice Concerning the Application of MSRB Rule G-17 to underwriters and Underwriters of Municipal Securities (effective March 31, 2021).

- The Underwriter's primary role is to purchase the Bonds in an arm's-length commercial transaction with the Issuer. As such, the Underwriter has financial and other interests that differ from those of the Issuer.
- Unlike a municipal advisor, the Underwriter does not have a fiduciary duty to the Issuer under the federal securities laws and is, therefore, not required by federal law to act in the best interests of the Issuer without regard to its own financial or other interests.
- The Underwriter has a duty to purchase the Bonds from the Issuer at a fair and reasonable price, but must balance that duty with its duty to use its best efforts to resell the Bonds with purchases at prices that are fair and reasonable.
- The Bonds may be sold into a trust either at the time of issuance or subsequent to issuance. In such instance FMSbonds, Inc., not in its capacity of Underwriter, may participate in such trust arrangement by performing certain administrative roles. Any compensation paid to FMSbonds, Inc. would not be derived from the proceeds of the Bonds or from the revenues pledged thereunder.

The Underwriter will be compensated in accordance with the terms of a bond purchase contract by and between the Underwriter and Issuer. Payment or receipt of the Underwriter's compensation will be contingent on the closing of the transaction. While this form of compensation is customary in the municipal securities market, it presents a conflict of interest since an Underwriter may have an incentive to recommend a transaction that is unnecessary or to recommend that the size of a transaction be larger than is necessary. The Issuer acknowledges no such recommendation has been made by the Underwriter.

Please note nothing in this letter is an expressed or an implied commitment by us to provide financing or to place or purchase the Bonds. Any such commitment shall only be set forth in a bond purchase contract or other appropriate form of agreement for the type of transaction undertaken by you.

Further, our participation in any transaction (contemplated herein or otherwise) remains subject to, among other things, the execution of a bond purchase contract (or other appropriate form of agreement), further internal review and approvals, satisfactory completion of our due diligence investigation and market conditions.

FMSbonds, Inc. is acting independently in seeking to act as Underwriter in the transaction contemplated herein and shall not be deemed for any purpose to be acting as an agent, joint venturer or partner of any other principal involved in the proposed financing. FMSbonds, Inc. assumes no responsibility, express or implied, for any actions or omissions of, or the performance of services by, the purchasers or any other brokers in connection with the transactions contemplated herein or otherwise.

If you or any other representative of the Issuer have any questions or concerns about these disclosures, please make those questions or concerns known immediately to the undersigned. In addition, you should consult with your own financial, municipal, legal,

accounting, tax and other advisors, as applicable, to the extent deemed appropriate.

The MSRB requires that we seek the Issuer's acknowledgement that it has received this letter. We request that the person at the Issuer who has the authority to bind the Issuer (herein, "Authorized Issuer Representative") acknowledge this letter as soon as practicable and by nature of such acknowledgment that such person is not a party to any conflict of interest relating to the subject transaction. If our understanding is incorrect, please notify the undersigned immediately.

Depending on the structure of the transaction that the Issuer decides to pursue, or if additional actual or perceived material conflicts are identified, we may be required to send you additional disclosures. At that time, we also will seek your acknowledgement of receipt of any such additional disclosures.

We look forward to working with you in connection with the issuance of the Bonds, and we appreciate the opportunity to assist you in this transaction. Thank you.

FMSbonds, Inc.

By: 

Name: Jon Kessler

Title: Executive Director

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

By: _____

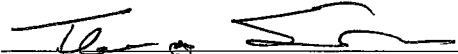
AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT

7A

**NONGOVERNMENTAL ENTITY
HUMAN TRAFFICKING AFFIDAVIT
Section 787.06(13), Florida Statutes**

I, the undersigned, am an officer or representative of FMSbonds, Inc. and attest that FMSbonds, Inc. does not use coercion for labor or services as defined in section 787.06, Florida Statutes. Under penalty of perjury, I hereby declare and affirm that the above stated facts are true and correct.

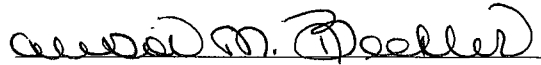
FMSbonds, Inc.

By: 
Print Name: _____
Print Title: _____

STATE OF Florida
COUNTY OF Miami-Dade

**Theodore A. Swinarski
Senior Vice President-Trading
FMSbonds, Inc.**

The foregoing instrument was sworn to and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 7 day of August, 2024, by Theodore Swinarski, as SVP-Trading of FMSbonds, Inc., a Florida corporation, who is personally known to me, or produced _____ as identification.

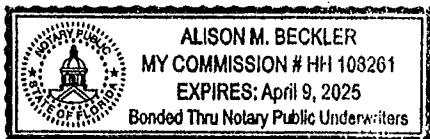


Notary Public Signature

[AFFIX NOTARY SEAL]

Print Notary Name: Alison M. Beckler

My commission expires: 4-9-25



AVIARY AT RUTLAND RANCH

COMMUNITY DEVELOPMENT DISTRICT

8

Memorandum

To: Board of Supervisors

From: District Management

Date: August 21, 2024

RE: HB7013 -Special Districts Performance Measures and Standards Reporting

To enhance accountability and transparency, new regulations were established for all special districts, by the Florida Legislature, during their 2024 legislative session. Starting on October 1, 2024, or by the end of the first full fiscal year after its creation (whichever comes later), each special district must establish goals and objectives for each program and activity, as well as develop performance measures and standards to assess the achievement of these goals and objectives. Additionally, by December 1 each year (initial report due on December 1, 2025), each special district is required to publish an annual report on its website, detailing the goals and objectives achieved, the performance measures and standards used, and any goals or objectives that were not achieved.

District Management has identified the following key categories to focus on for Fiscal Year 2025 and develop statutorily compliant goals for each:

- Community Communication and Engagement
- Infrastructure and Facilities Maintenance
- Financial Transparency and Accountability

Additionally, special districts must provide an annual reporting form to share with the public that reflects whether the goals & objectives were met for the year. District Management has streamlined these requirements into a single document that meets both the statutory requirements for goal/objective setting and annual reporting.

The proposed goals/objectives and the annual reporting form are attached as exhibit A to this memo. District Management recommends that the Board of Supervisors adopt these goals and objectives to maintain compliance with HB7013 and further enhance their commitment to the accountability and transparency of the District.

Exhibit A: Goals, Objectives and Annual Reporting Form

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
Performance Measures/Standards & Annual Reporting Form
October 1, 2024 – September 30, 2025**

1. COMMUNITY COMMUNICATION AND ENGAGEMENT

Goal 1.1 Public Meetings Compliance

Objective: Hold at least two (2) regular Board of Supervisor meetings per year to conduct CDD related business and discuss community needs.

Measurement: Number of public board meetings held annually as evidenced by meeting minutes and legal advertisements.

Standard: A minimum of two (2) regular board meetings was held during the fiscal year.

Achieved: Yes ☐ No ☐

Goal 1.2 Notice of Meetings Compliance

Objective: Provide public notice of each meeting at least seven days in advance, as specified in Section 190.007(1), using at least two communication methods.

Measurement: Timeliness and method of meeting notices as evidenced by posting to CDD website, publishing in local newspaper and via electronic communication.

Standard: 100% of meetings were advertised with 7 days' notice per statute on at least two mediums (i.e., newspaper, CDD website, electronic communications).

Achieved: Yes ☐ No ☐

Goal 1.3 Access to Records Compliance

Objective: Ensure that meeting minutes and other public records are readily available and easily accessible to the public

by completing monthly CDD website checks.

Measurement: Monthly website reviews will be completed to ensure meeting minutes and other public records are up to date as evidenced by District Management's records.

Standard: 100% of monthly website checks were completed by District Management.

Achieved: Yes ☐ No ☐

2. **INFRASTRUCTURE AND FACILITIES MAINTENANCE**

Goal 2.1 District Infrastructure and Facilities Inspections

Objective: District Engineer will conduct an annual inspection of the District's infrastructure and related systems.

Measurement: A minimum of one (1) inspection completed per year as evidenced by district engineer's report related to district's infrastructure and related systems.

Standard: Minimum of one (1) inspection was completed in the Fiscal Year by the district's engineer.

Achieved: Yes ☐ No ☐

3. **FINANCIAL TRANSPARENCY AND ACCOUNTABILITY**

Goal 3.1 Annual Budget Preparation

Objective: Prepare and approve the annual proposed budget by June 15 and final budget was adopted by September 30 each year.

Measurement: Proposed budget was approved by the Board before June 15 and final budget was adopted by September 30 as evidenced by meeting minutes and budget documents listed on CDD website and/or within district records.

Standard: 100% of budget approval and adoption were completed by the statutory deadlines and posted to the CDD website.

Achieved: Yes ☐ No ☐

Goal 3.2 Financial Reports

Objective: Publish to the CDD website the most recent versions of the following documents: annual audit, current fiscal year budget with any amendments, and most recent financials within the latest agenda package.

Measurement: Annual audit, previous years' budgets, and financials are accessible to the public as evidenced by corresponding documents on the CDD website.

Standard: CDD website contains 100% of the following information: most recent annual audit, most recently adopted/amended fiscal year budget, and most recent agenda package with updated financials.

Achieved: Yes ☐ No ☐

Goal 3.3 Annual Financial Audit

Objective: Conduct an annual independent financial audit per statutory requirements and publish the results to the CDD website for public inspection and transmit said results to the State of Florida.

Measurement: Timeliness of audit completion and publication as evidenced by meeting minutes showing board approval and annual audit is available on the CDD website and transmitted to the State of Florida.

Standard: Audit was completed by an independent auditing firm per statutory requirements and results were posted to the CDD website and transmitted to the State of Florida.

Achieved: Yes ☐ No ☐

District Manager

Chair/Vice Chair, Board of Supervisors

Print Name

Print Name

Date

Date

AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED
FINANCIAL
STATEMENTS

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JUNE 30, 2024**

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
JUNE 30, 2024**

| | Major Funds | | | Total |
|---|-------------------|--------------------------------|--------------------------------|-----------------------|
| | General | Debt Service Series 2019 | Debt Service Series 2021 | Governmental Funds |
| ASSETS | | | | |
| Cash - BankUnited | \$ 192,522 | \$ - | \$ - | \$ 192,522 |
| Investments | | | | |
| Revenue | - | 105,162 | 179,988 | 285,150 |
| Reserve | - | 117,659 | 117,680 | 235,339 |
| Sinking | - | 75,000 | - | 75,000 |
| Deposits | 2,500 | - | - | 2,500 |
| Assessments receivable | - | 1,662 | 682 | 2,344 |
| Total assets | <u>\$ 195,022</u> | <u>\$ 299,483</u> | <u>\$ 298,350</u> | <u>\$ 792,855</u> |
| LIABILITIES | | | | |
| Liabilities | | | | |
| Total liabilities | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> |
| DEFERRED INFLOWS OF RESOURCES | | | | |
| Deferred receipts | - | 1,662 | 682 | 2,344 |
| Total deferred inflows of resources | <u>-</u> | <u>1,662</u> | <u>682</u> | <u>2,344</u> |
| Fund balances | | | | |
| Restricted for: | | | | |
| Debt service | - | 297,821 | 297,668 | 595,489 |
| Unassigned | 195,022 | - | - | 195,022 |
| Total fund balances | <u>195,022</u> | <u>297,821</u> | <u>297,668</u> | <u>790,511</u> |
| Total liabilities, deferred inflows of resources and fund balances | <u>\$ 195,022</u> | <u>\$ 299,483</u> | <u>\$ 298,350</u> | <u>\$ 792,855</u> |

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED JUNE 30, 2024**

| | Current Month | Year to Date | Budget | % of Budget |
|--|------------------|-------------------|-------------------|----------------|
| REVENUES | | | | |
| Assessment levy: on-roll | \$ - | \$ 114,313 | \$ 114,054 | 100% |
| Interest & miscellaneous | 17 | 215 | - | N/A |
| Total revenues | <u>17</u> | <u>114,528</u> | <u>114,054</u> | 100% |
| EXPENDITURES | | | | |
| Professional & administrative | | | | |
| Management/accounting/recording | 4,000 | 36,000 | 48,000 | 75% |
| Legal | 396 | 3,002 | 20,000 | 15% |
| Engineering | - | - | 7,500 | 0% |
| Audit | 208 | 1,875 | 6,000 | 31% |
| Arbitrage rebate calculation | - | - | 1,000 | 0% |
| Debt service accounting - series 2019 | - | - | 2,500 | 0% |
| Debt service accounting - series 2021 | - | - | 2,500 | 0% |
| Dissemination agent | 167 | 1,500 | 2,000 | 75% |
| Trustee | | | | |
| Series 2019 | - | - | 4,250 | 0% |
| Series 2021 | - | 4,148 | 4,250 | 98% |
| Telephone | 17 | 150 | 200 | 75% |
| Postage & reproduction | 31 | 76 | 500 | 15% |
| Printing & binding | 41 | 375 | 500 | 75% |
| Legal advertising | 122 | 189 | 1,700 | 11% |
| Annual district filing fee | - | 175 | 175 | 100% |
| Insurance | - | 8,202 | 8,000 | 103% |
| ADA website compliance | - | 890 | 210 | 424% |
| Website | - | - | 705 | 0% |
| Contingencies | - | - | 500 | 0% |
| Tax collector | - | 3,423 | 3,564 | 96% |
| Total expenditures | <u>4,982</u> | <u>60,005</u> | <u>114,054</u> | 53% |
| Excess/(deficiency) of revenues over/(under) expenditures | (4,965) | 54,523 | - | |
| Fund balance - beginning | 199,987 | 140,499 | 122,708 | |
| Fund balance - ending | <u>\$195,022</u> | <u>\$ 195,022</u> | <u>\$ 122,708</u> | |

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2019
FOR THE PERIOD ENDED JUNE 30, 2024**

| | Current Month | Year to Date | Budget | % of Budget |
|--|------------------|-----------------|------------|----------------|
| REVENUES | | | | |
| Special assessments - on roll | \$ - | \$ 242,219 | \$ 241,610 | 100% |
| Interest | 1,510 | 9,279 | - | N/A |
| Total revenues | 1,510 | 251,498 | 241,610 | 104% |
| EXPENDITURES | | | | |
| Interest | 79,185 | 158,369 | 158,369 | 100% |
| Total expenditures | 79,185 | 158,369 | 233,369 | 68% |
| Other fees and charges | | | | |
| Property appraiser & tax collector | - | 7,253 | 7,550 | 96% |
| Total other fees and charges | - | 7,253 | 7,550 | 96% |
| Total expenditures | 79,185 | 165,622 | 240,919 | 69% |
| Excess/(deficiency) of revenues over/(under) expenditures | (77,675) | 85,876 | 691 | |
| Fund balance - beginning | 375,496 | 211,945 | 216,866 | |
| Fund balance - ending | \$ 297,821 | \$ 297,821 | \$ 217,557 | |

**AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2021
FOR THE PERIOD ENDED JUNE 30, 2024**

| | Current Month | Year to Date | Budget | % of Budget |
|--|-------------------|-------------------|-------------------|----------------|
| REVENUES | | | | |
| Special assessments - on roll | \$ - | \$ 242,279 | \$ 241,652 | 100% |
| Interest | 1,188 | 9,548 | - | N/A |
| Total revenues | <u>1,188</u> | <u>251,827</u> | <u>241,652</u> | 104% |
| EXPENDITURES | | | | |
| Principal | - | 90,000 | 90,000 | 100% |
| Interest | - | 144,085 | 144,085 | 100% |
| Total expenditures | <u>-</u> | <u>234,085</u> | <u>234,085</u> | 100% |
| Other fees and charges | | | | |
| Property appraiser & tax collector | - | 7,254 | 7,552 | 96% |
| Total other fees and charges | <u>-</u> | <u>7,254</u> | <u>7,552</u> | 96% |
| Total expenditures | <u>-</u> | <u>241,339</u> | <u>241,637</u> | 100% |
| Excess/(deficiency) of revenues over/(under) expenditures | 1,188 | 10,488 | 15 | |
| Fund balance - beginning | 296,480 | 287,180 | 284,289 | |
| Fund balance - ending | <u>\$ 297,668</u> | <u>\$ 297,668</u> | <u>\$ 284,304</u> | |

AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT

MINUTES OF MEETING

AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Aviary at Rutland Ranch Community Development District held a Regular Meeting on June 12, 2024 at 6:00 p.m., or as soon thereafter as the matter may be heard, at 6102 162nd Avenue E, Parrish, Florida 34219.

Present were:

| | |
|------------------------|---------------------|
| Stephen (Steve) Cerven | Chair |
| A. John Falkner | Vice Chair |
| Scott Falkner | Assistant Secretary |
| Roger Aman | Assistant Secretary |

Also present:

| | |
|--------------------------------|-------------------|
| Cindy Cerbone | District Manager |
| Jere Earlywine (via telephone) | District Counsel |
| Sarah Sandy (via telephone) | Kutak Rock LLP |
| Jeb Mulock (via telephone) | District Engineer |

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 6:31 p.m. Supervisors Cerven, Aman, A. John Falkner and Scott Falkner were present. Supervisor Cohn was not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2024-02, Designating a Date, Time and Location for Landowners' Meeting; Providing for Publication, Providing for an Effective Date

This item was presented following the Tenth Order of Business.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2024-03, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing

Severability; and Providing for an Effective Date

It was noted that assessments for Fiscal Year 2025 are proposed to decrease compared to Fiscal Year 2024. The proposed Fiscal Year 2025 budget will be amended, as applicable, to correct an error in the Fiscal Year and any other necessary changes/amendments/updates.

On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, Resolution 2024-03, Approving a Proposed Budget for Fiscal Year 2024/2025, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law on August 21, 2024 at 5:00 p.m., at 6102 162nd Ave E., Parrish, Florida 34219; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2024-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date

This item was presented following the Tenth Order of Business.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2024-05, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Manatee County Supervisor of Elections Begin Conducting the District's General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date

On MOTION by Mr. Cerven and seconded by Mr. Scott Falkner, with all in favor, Resolution 2024-05, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Manatee County Supervisor of Elections Begin Conducting the District's General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Update: Required Ethics Training and Financial Disclosure Filing

• **Sample Form 1 2023/Instructions**

This item was presented following the Tenth Order of Business.

EIGHTH ORDER OF BUSINESS

Update: Financing Items

Mr. Cerven stated that a bond issuance will likely be contemplated in August.

NINTH ORDER OF BUSINESS

Ratification of Acquisition of Phase IIIA Improvements

Ms. Cerbone stated that this document was received too late to be included in the physical agenda. She presented the Acquisition Package that she brought with her.

On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, the Acquisition of the Phase IIIA Improvements, was ratified.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2024-06, Directing the Chairman and District Staff to Request the Passage of an Ordinance by the County Commission of Manatee County, Florida, Amending the District's Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date

A. Consideration of Boundary Amendment Funding Agreement

Mr. Cerven discussed the areas to be added to the District through this Boundary Amendment. It was noted that the legal descriptions and a map are needed.

This will be included on the next agenda as a discussion item.

On MOTION by Mr. Cerven and seconded by Mr. Scott Faulkner, with all in favor, Resolution 2024-06, Directing the Chairman and District Staff to Request the Passage of an Ordinance by the County Commission of Manatee County, Florida, Amending the District's Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date, was adopted and the Boundary Amendment Funding Agreement, was approved.

Mr. A. John Falkner left the meeting.

- Consideration of Resolution 2024-02, Designating a Date, Time and Location for Landowners' Meeting; Providing for Publication, Providing for an Effective Date

This item, previously the Third Order of Business, was presented out of order.

On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, Resolution 2024-02, Designating a Date, Time and Location of November 5, 2024 at 11:00 a.m., at Home2 Suites by Hilton – Lakewood Ranch, 6015 Exchange Way, Bradenton, Florida 34202 for the Landowners' Meeting; Providing for Publication, Providing for an Effective Date, was adopted.

- Consideration of Resolution 2024-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date

This item, previously the Fifth Order of Business, was presented out of order.

On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, Resolution 2024-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date, was adopted.

- Update: Required Ethics Training and Financial Disclosure Filing

- Sample Form 1 2023/Instructions

This item, previously the Seventh Order of Business, was presented out of order.

This item was discussed during the Northlake Stewardship District meeting, at which the same Board Members were in attendance.

ELEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2024

On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, the Unaudited Financial Statements as of April 30, 2024, were accepted.

TWELFTH ORDER OF BUSINESS

Approval of November 9, 2023 Regular Meeting Minutes

On MOTION by Mr. Cerven and seconded by Mr. Scott Falkner, with all in favor, the November 9, 2023 Regular Meeting Minutes, as presented, were approved.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

B. District Engineer: ZNS Engineering, L.C.

There were no District Counsel or District Engineer reports.

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

- **507 Registered Voters in District as of April 15, 2024**

- **UPCOMING MEETINGS**

- **July 17, 2024 at 5:00 PM**

- **August 21, 2024 at 5:00 PM [Adoption of Delegation Resolution]**

- **September 18, 2024 at 5:00 PM**

- **QUORUM CHECK**

The next meeting will be held on July 17, 2024, unless cancelled.

FOURTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

FIFTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

SIXTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, the meeting adjourned at 6:56 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

201
202
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Secretary/Assistant Secretary

Chair/Vice Chair

AVIARY AT RUTLAND RANCH
COMMUNITY DEVELOPMENT DISTRICT

STAFF
REPORTS

| AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT | | |
|---|----------------------------------|-----------|
| | | |
| BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE | | |
| | | |
| LOCATION | | |
| 6102 162nd Avenue E, Parrish, Florida 34219 | | |
| | | |
| DATE | POTENTIAL DISCUSSION/FOCUS | TIME |
| | | |
| October 18, 2023 CANCELED | Regular Meeting | 5:00 PM |
| | | |
| November 9, 2023 | Regular Meeting | 5:00 PM |
| | | |
| November 15, 2023 CANCELED | Regular Meeting | 5:00 PM |
| | | |
| December 20, 2023 CANCELED | Regular Meeting | 5:00 PM |
| | | |
| January 17, 2024 CANCELED | Regular Meeting | 5:00 PM |
| | | |
| February 21, 2024 CANCELED | Regular Meeting | 5:00 PM |
| | | |
| March 20, 2024 CANCELED | Regular Meeting | 5:00 PM |
| | | |
| April 17, 2024 CANCELED | Regular Meeting | 5:00 PM |
| | | |
| May 15, 2024 <i>rescheduled to June 12, 2024</i> | Regular Meeting | 5:00 PM |
| | | |
| June 12, 2024 | Regular Meeting | 6:00 PM** |
| | | |
| June 19, 2024* CANCELED | Regular Meeting | 5:00 PM |
| | | |
| July 17, 2024 CANCELED | Regular Meeting | 5:00 PM |
| | | |
| August 21, 2024 | Public Hearing & Regular Meeting | 5:00 PM |
| | | |
| September 18, 2024 | Regular Meeting | 5:00 PM |
| | | |

Exceptions/Notes

*June 19, 2024 is Juneteenth holiday

**June 12, 2024 meeting will commence after adjournment of Northlake Stewardship District Meeting