

**MINUTES OF MEETING
AVIARY AT RUTLAND RANCH COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Aviary at Rutland Ranch Community Development District held 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.

Present:

Stephen (Steve) Cerven
A. John Falkner
Scott Falkner
Roger Aman

Chair
Vice Chair
Assistant Secretary
Assistant Secretary

Also present:

Cindy Cerbone
Michal Szymonowicz (via telephone)
Jere Earlywine (via telephone)
Jeb Mulock (via telephone)

District Manager
Wrathell, Hunt and Associates, LLC
District Counsel
District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 5:06 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

**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**

Ms. Cerbone presented Resolution 2024-07. She reviewed the proposed Fiscal Year 2025 budget. All assessments will be on roll. Assessments for Fiscal Year 2025 will decrease compared to Fiscal Year 2024.

On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, 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, was adopted.

FOURTH ORDER OF BUSINESS

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**

Ms. Cerbone presented Resolution 2024-08.

Discussion ensued regarding a difference in the General Fund assessment amount on the 68 Phase 3 units as reflected in the adopted Fiscal Year 2025 budget, which reflects the

grossed-up amount including the County collection fees, and the Mailed Notice, which does not include the County collection fee. Mr. Earlywine voiced his opinion that the Mailed Notice gives proper notice and the actions can proceed.

On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, 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, was adopted.

FIFTH ORDER OF BUSINESS

Presentation of Audited Financial Statements for the Fiscal Year Ended September 30, 2023, Prepared by DiBartolomeo, McBee, Hartley & Barnes, P.A.

Ms. Cerbone presented the Audited Financial Report for the Fiscal Year Ended September 30, 2023 and noted the pertinent information. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit.

A. Consideration of Resolution 2024-09, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2023

On MOTION by Mr. A. John Falkner and seconded by Mr. Scott Falkner, with all in favor, Resolution 2024-05, Resolution 2024-09, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2023, was adopted.

SIXTH ORDER OF BUSINESS

Update: Financing Items

Mr. Cerven stated that bonds will not be issued until calendar year 2025.

SEVENTH ORDER OF BUSINESS

**Consideration of FMSbonds Rule G-17
Disclosure Letter**

A. Acceptance of Nongovernmental Entity Human Trafficking Affidavit

These items were deferred.

EIGHTH ORDER OF BUSINESS

**Consideration of Goals and Objectives
Reporting [HB7013 - Special Districts
Performance Measures and Standards
Reporting]**

Ms. Cerbone presented the Memorandum explaining the new requirement for special districts to develop goals and objectives annually and develop performance measures and standards to assess the achievement of the goals and objectives. Community Communication and Engagement, Infrastructure and Facilities Maintenance, and Financial Transparency and Accountability will be the key categories to focus on for Fiscal Year 2025. She presented the Performance Measures/Standards & Annual Reporting Form developed for the CDD, which explains how the CDD will meet the goals.

The following change was made to the Performance Measures/Standards & Annual Reporting Form:

Page 2: Delete Item 2 “INFRASTRUCTURE AND FACILITIES MAINTENANCE” category

On MOTION by Mr. Cerven and seconded by Mr. Scott Falkner, with all in favor, the Goals and Objectives and the Performance Measures/Standards & Annual Reporting Form, as amended, were approved.

NINTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of June 30, 2024**

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

TENTH ORDER OF BUSINESS

Approval of June 12, 2024 Regular Meeting Minutes

On MOTION by Mr. Cerven and seconded by Mr. Scott Falkner, with all in favor, the June 12, 2024 Regular Meeting Minutes, as presented, were approved.

ELEVENTH 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**

- **NEXT MEETING DATE: September 18, 2024 at 5:00 PM**
 - **QUORUM CHECK**

The next meeting will be held on September 18, 2024, unless cancelled.

TWELFTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

THIRTEENTH ORDER OF BUSINESS

Public Comments

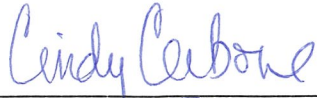
No members of the public spoke.

FOURTEENTH ORDER OF BUSINESS

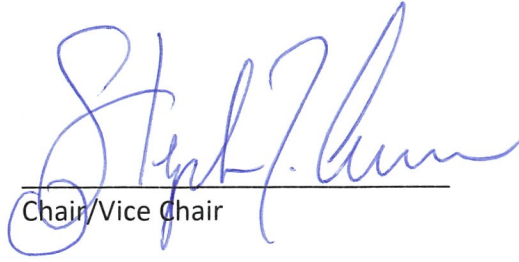
Adjournment

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

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair