

**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 May 28, 2025 at 5:00 p.m., or as soon thereafter as the matter could 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
Chris Conti
Jere Earlywine (via telephone)
Michelle Rigoni
Jeb Mulock
Taylor Falkner

District Manager
Wrathell, Hunt and Associates, LLC
District Counsel
Kutak Rock LLP
District Engineer
Falkner Group

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 5:02 p.m.

Supervisors Cerven, Aman, A. John Falkner and Scott Falkner were present. One Seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Elected Supervisor, Scott Falkner - Seat 3 (the following to be provided under separate cover)

Mr. Conti, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Scott Falkner. Mr. Scott Falkner is familiar with the following:

- A. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. **Membership, Obligations and Responsibilities**
- C. **Sample Form 1: Statement of Financial Interests/Instructions**
- D. **Form 8B – Memorandum of Voting Conflict**

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2025-01, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date

Ms. Cerbone presented Resolution 2025-01. The results of the Landowners' Election were as follows:

Seat 3	Scott Falkner	430 votes	4-year term
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On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, Resolution 2025-01, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2025-02, Declaring a Vacancy in Seat 4 and Seat 5 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing for Severability and an Effective Date

Ms. Cerbone presented Resolution 2025-02. Seats 4 and 5 were up for election at the November 2024 General Election. No candidates qualified to run for Seat 4 and, as no one was elected to Seat 4, Mr. Aman can remain in Seat 4 as a holdover until a qualified elector is appointed to fill Seat 4. Regarding Seat 5, a person ran for and was elected to Seat 5 but passed away.

Mr. Earlywine stated, since someone was actually elected to Seat 5 and subsequently passed away, the Seat does not need to be officially declared vacant. Instead, the Seat 5 vacancy will be handled similarly to when someone resigns. The Board will be able to appoint a qualified elector to fill Seat 5.

Resolution 2025-02 will be updated to reflect that the vacancy is being declared for Seat 4, only.

On MOTION by Mr. Cerven and seconded by Mr. Scott Falkner, with all in favor, Resolution 2025-02, as amended, Declaring a Vacancy in Seat 4 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing for Severability and an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consider Appointment of General Elector to Fill Unexpired Term of Seat 4; Term Expires November 2028

- **Administration of Oath of Office to Appointed Supervisor**

Ms. Cerbone reiterated that Mr. Aman will continue in Seat 4 as a holdover Board Member until a qualified elector is appointed.

This item was deferred.

SEVENTH ORDER OF BUSINESS

Consider Appointment of General Elector to Fill Unexpired Term of Seat 5; Term Expires November 2028

- **Administration of Oath of Office to Appointed Supervisor**

This item was deferred.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2025-03, Electing and Removing Officers of the District, and Providing for an Effective Date

Ms. Cerbone presented Resolution 2025-03. Mr. Cerven nominated the following:

Stephen Cerven

Chair

A. John Falkner	Vice Chair
Scott Falkner	Assistant Secretary
Roger Aman	Assistant Secretary
Chris Conti	Assistant Secretary

No other nominations were made. This Resolution removes the following from the Board:

Roy Cohn	Assistant Secretary
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The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell	Secretary
Cindy Cerbone	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, Resolution 2025-03, Electing, as nominated, and Removing Officers of the District, and Providing for an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2025-04, Approving a Proposed Budget for Fiscal Year 2025/2026 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date

Ms. Cerbone presented Resolution 2025-04. She reviewed the proposed Fiscal Year 2026 budget, highlighting increases, decreases and adjustments, compared to the Fiscal Year 2025 budget, and explained the reasons for any changes. New Phases are coming online and there will be both on and off-roll assessments. It was noted that, for the on-roll units, the General Fund portion of the on-roll assessments is projected to decrease slightly.

On MOTION by Mr. Cerven and seconded by Mr. Scott Falkner, with all in favor, Resolution 2025-04, Approving a Proposed Budget for Fiscal Year 2025/2026 and Setting a Public Hearing Thereon Pursuant to Florida Law on August 20, 2025 at 5:00 p.m., at 6102 162nd Avenue E, Parrish, Florida 34219; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2025-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2025/2026 and Providing for an Effective Date

On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, Resolution 2025-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2025/2026 and Providing for an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS

Consideration of Resolution 2025-06, 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

Ms. Cerbone presented Resolution 2025-06 and the Boundary Amendment Funding Agreement.

Mr. Cerven discussed the reason for the Boundary Amendment.

On MOTION by Mr. Cerven and seconded by Mr. Scott Falkner, with all in favor, Resolution 2025-06, 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, in substantial form and subject to the addition of a provision such that the Agreement will terminate upon completion of the Boundary Amendment and payment of all invoices related thereto, was approved

TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2025-07, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date

On MOTION by Mr. Cerven and seconded by Mr. Scott Falkner, with all in favor, Resolution 2025-07, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date, was adopted.

THIRTEENTH ORDER OF BUSINESS

Ratification of Sun State Landscape Management, Inc., Agreement for Services

On MOTION by Mr. Scott Falkner and seconded by Mr. Aman, with all in favor, Ratification of Sun State Landscape Management, Inc., Agreement for Services, was ratified.

FOURTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2025

On MOTION by Mr. Cerven and seconded by Mr. Aman, with all in favor, the Unaudited Financial Statements as of March 31, 2025, were accepted.

FIFTEENTH ORDER OF BUSINESS

Approval of Minutes

- A. August 21, 2024 Public Hearings and Regular Meeting
- B. November 5, 2024 Landowners' Meeting

On MOTION by Mr. Cerven and seconded by Mr. Scott Falkner, with all in favor, the August 21, 2024 Public Hearings and Regular Meeting Minutes and the November 5, 2024 Landowners' Meeting Minutes, both as presented, were approved.

SIXTEENTH 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

- **UPCOMING MEETINGS:**

- **June 18, 2025 at 5:00 PM [Adoption of Delegation Resolution]**

- **August 20, 2025 at 5:00 PM**

- **September 17, 2025 at 5:00 PM**

- **QUORUM CHECK**

SEVENTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

EIGHTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

NINETEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Aman and seconded by Mr. Cerven, with all in favor, the meeting adjourned at 5:28 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair