

**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 April 19, 2023, at 5:00 p.m., or as soon thereafter as the matter may be heard, at 6102 162nd Avenue E, Parrish, Florida 34219.

Present at the meeting were:

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

Also present were:

Cindy Cerbone	District Manager
Jere Earlywine (via telephone)	District Counsel
Jeb Mulock (via telephone)	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 5:00 p.m. Supervisors Steve Cerven, A. John Falkner and Scott Falkner were present. Supervisors Roy Cohn and Jeff Cerven attended via telephone.

Ms. Cerbone noted that the resolutions and certain actions taken today have a June 1, 2023 effective date.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2023-04, Appointing and Fixing the Compensation of the District Manager; and Providing for an Effective Date

On MOTION by Mr. Scott Falkner and seconded by Mr. Steve Cerven, with all in favor, Resolution 2023-04, Appointing and Fixing the Compensation of the District Manager, Wrathell, Hunt and Associates, LLC; and Providing for an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2023-05, Appointing and Removing Officers of the District and Providing for an Effective Date

The following changes were made to Resolution 2023-05:

Section 1, Vice Chair: Change "John Falkner" to "A. John Falkner"

Section 1, Jeff Cerven: Change "Assistant Treasurer" to "Assistant Secretary"

On MOTION by Mr. Steve Cerven and seconded by Mr. A. John Falkner, with all Resolution 2023-05, as amended and in substantial form, Appointing and Removing Officers of the District and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-06, Designating a Registered Agent and Registered Office of the District, and Providing for an Effective Date

On MOTION by Mr. Steve Cerven and seconded by Mr. Scott Falkner, with all in favor, Resolution 2023-06, Designating Craig Wrathell as the Registered Agent and Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 as the Registered Office of the District, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2023-07, Directing the District Manager to Appoint Signors on the Local Bank Account; and Providing an Effective Date

On MOTION by Mr. Steve Cerven and seconded by Mr. A. John Falkner, with all in favor, Resolution 2023-07, Directing the District Manager to Appoint Signors on the Local Bank Account; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-08, Designating the Dissemination Agent of Aviary at Rutland Ranch and Providing an Effective Date

The following change was made to Resolution 2023-08:

Section 1, Line 2: Insert “all current and” after “for”

On MOTION by Mr. Steve Cerven and seconded by Mr. Scott Falkner, with all in favor, Resolution 2023-08, as amended, Designating the Dissemination Agent of Aviary at Rutland Ranch and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Ratification of Engagement with Jere Earlywine at Kutak Rock LLP

- **Consideration of Retention and Fee Agreement**

On MOTION by Mr. Steve Cerven and seconded by Mr. Scott Falkner, with all in favor, engagement of Jere Earlywine/Kutak Rock LLP and the Retention and Fee Agreement, were ratified.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2023-09, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date

On MOTION by Mr. Steve Cerven and seconded by Mr. A. John Falkner, with all in favor, Resolution 2023-09, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2023-10, Designating the Primary Administrative Office, Principal Headquarters and Local District Records Office of the District and Providing an Effective Date

The following change was made:

Section 2: Change “35100 SR 64 East, Myakka City, Florida 34251” to “6102 162nd Avenue E, Parrish, Florida 34219”

On MOTION by Mr. Steve Cerven and seconded by Mr. Scott Falkner, with all in favor, Resolution 2023-10, as amended, Designating 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 as the Primary Administrative Office and 6102 162nd Avenue E, Parrish, Florida 34219 as the Principal Headquarters and Local District Records Office of the District and Providing an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS

Consideration of Website Related Matters

- A. Strange Zone, Inc., Quotation #M23-1013 for District Website Design, Maintenance and Domain Web-Site Design Agreement**

On MOTION by Mr. Steve Cerven and seconded by Mr. A. John Falkner, with all in favor, Strange Zone, Inc., Quotation #M23-1013 for District Website Design, Maintenance and Domain Web-Site Design, in the initial amount of \$1,679.99 and \$704.99 annually, thereafter, was approved.

- B. ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit**

On MOTION by Mr. Steve Cerven and seconded by Mr. Scott Falkner, with all in favor, the ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit, in the amount of \$210 annually, was approved.

TWELFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of February 28, 2023

On MOTION by Mr. Steve Cerven and seconded by Mr. Cohn, with all in favor, the Unaudited Financial Statements as of February 28, 2023, were accepted.

THIRTEENTH ORDER OF BUSINESS

Approval of March 13, 2023 Regular Meeting Minutes

On MOTION by Mr. Steve Cerven and seconded by Mr. A. John Falkner, with all in favor, the March 13, 2023 Regular Meeting Minutes, as presented, were approved.

FOURTEENTH ORDER OF BUSINESS

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: May 17, 2023 at 5:00 PM**
 - **QUORUM CHECK**

There were no District Counsel, District Engineer or District Manager reports.

FIFTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

SIXTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Steve Cerven and seconded by Mr. Jeff Cerven, with all in favor, the meeting adjourned at 5:23 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair