# **BROOKSTONE**

COMMUNITY DEVELOPMENT
DISTRICT

August 2, 2024
BOARD OF SUPERVISORS
PUBLIC HEARING AND
REGULAR MEETING
AGENDA

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT

# AGENDA LETTER

# Brookstone 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

July 26, 2024

**ATTENDEES:** 

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

Board of Supervisors Brookstone Community Development District

**Note: Meeting Time** 

**Dear Board Members:** 

The Board of Supervisors of the Brookstone Community Development District will hold a Public Hearing and Regular Meeting on August 2, 2024 at 11:00 a.m., at the Country Inn & Suites, Bradenton/Lakewood Ranch, 5610 Manor Hill Lane, Bradenton, Florida 34203. The agenda is as follows:

- 1. Call to Order/Roll Call
- 2. Public Comments
- 3. Administration of Oath of Office to Peter Eduardo (Seat 1); Term Expires November 2026 (the following will also be provided in a separate package)
  - A. Required Ethics Training and Disclosure Filing
    - Sample Form 1 2023/Instructions
  - B. Membership, Obligation and Responsibilities
  - C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
  - D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers
- 4. Consider Appointment of Qualified Elector to Fill Unexpired Term of Seat 4; *Term Expires November 2026* 
  - Administration of Oath of Office to Appointed Supervisor
- 5. Consideration of Resolution 2024-05, Electing and Removing Officers of the District and Providing for an Effective Date
- 6. Public Hearing on Adoption of Fiscal Year 2024/2025 Budget
  - A. Proof/Affidavit of Publication

- B. Consideration of Resolution 2024-06, 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
- 7. Consideration of Resolution 2024-07, Providing for Funding for the FY 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
- 8. Consideration of Goals and Objectives Reporting [HB7013 Special Districts Performance Measures and Standards Reporting]
- 9. Presentation of Audited Financial Report for Fiscal Year Ended September 30, 2023, Prepared by Carr, Riggs & Ingram, LLC
- 10. Consideration of Resolution 2024-08, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2023
- 11. Ratification of Phase III Stormwater Improvements Acquisition and Requisition
- 12. Consent Agenda
  - A. Acceptance of Unaudited Financial Statements as of June 30, 2024
  - B. Approval of May 21, 2024 Regular Meeting Minutes
- 13. 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 6, 2024 at 11:00 AM

#### QUORUM CHECK

SEAT 1	PETER EDUARDO	☐ In Person	PHONE	☐ No
SEAT 2	CHRISTINE SIFONTE	☐ In Person	PHONE	☐ No
SEAT 3	HAL LUTZ	☐ In Person	PHONE	☐ No
SEAT4		☐ In Person	PHONE	☐ No
SEAT 5	GREG MUNDELL	In Person	PHONE	☐ <b>N</b> o

Board of Supervisors Brookstone Community Development District August 2, 2024, Public Hearing and Regular Meeting Agenda Page 3

- 14. Board Members' Comments/Requests
- 15. Public Comments
- 16. Adjournment

Should you have any questions or concerns, please do not hesitate to contact me directly at (561) 909-7930.

Sincerely,

Daniel Rom District Manager FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHON

CALL-IN NUMBER: 1-888-354-0094 PARTICIPANT PASSCODE: 528 064 2804

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT

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107 West College Avenue, Tallahassee, FL 32301 850.692.7300

#### MEMORANDUM

**To:** Board of Supervisors

From: District Counsel

**Date:** January 1, 2024

**Subject:** Ethics Training Requirements

Beginning January 1, 2024, all Board Supervisors of Florida Community Development Districts will be required to complete four (4) hours of Ethics training each year. The four (4) hours must be allocated to the following categories: two (2) hours of Ethics Law, one (1) hour of Sunshine Law, and one (1) hour of Public Records law.

This training may be completed online, and the four (4) hours do not have to be completed all at once. The Florida Commission on Ethics ("COE") has compiled a list of resources for this training. An overview of the resources are described below, and links to the resources are included in this memo.

Each year when Supervisors complete the required financial disclosure form (Form 1 Statement of Financial Interests), Supervisors must mark a box confirming that he or she has completed the Ethics training requirements. At this time, there is no requirement to submit a certificate; however, the COE advises that Supervisors keep a record of all trainings completed (including date and time of completion), in the event Supervisors are ever asked to provide proof of completion. The training is a calendar year requirement and corresponds to the form year. So, Supervisors will not report their 2024 training until they fill out their Form 1 for the 2025 year.

#### **Free Training Options**

The Florida Commission on Ethics' ("COE") website has several free online resources and links to resources that Supervisors can access to complete the training requirements. Navigate to that page here: Florida Commission on Ethics Training. Please note that the COE only provides free training for the two (2) hour Ethics portion of the annual training. However, the COE does provide links to free outside resources to complete the Sunshine and Public Records portion of the training. These links are included in this memorandum below for your ease of reference.

<sup>&</sup>lt;sup>1</sup> https://ethics.state.fl.us/Training/Training.aspx

### KUTAKROCK

#### **Free Ethics Law Training**

The COE provides several videos for Ethics training, none of which are exactly two (2) hours in length. Please ensure you complete 120 minutes of Ethics training when choosing a combination of the below.

State Ethics Laws for Constitutional Officers & Elected Municipal Officers (100 minutes)

Click here: Kinetic Ethics

Business and Employment Conflicts and Post-Public-Service (56 minutes) Restriction

Click here: Business and Employment Conflicts

Gifts (50 minutes)

Click here: Ethics Laws Governing Acceptance of Gifts

**Voting Conflicts - Local Officers (58 minutes)**<sup>1</sup>

Click here: Voting Vertigo

#### Free Sunshine/Public Records Law Training

The Office of the Attorney General provides a two (2) hour online training course (audio only) that meets the requirements of the Sunshine Law and Public Records Law portion of Supervisors' annual training.

Click here to access: Public Meeting and Public Records Law

#### **Other Training Options**

#### **4- Hour Course**

Some courses will provide a certificate upon completion (not required), like the one found from the Florida State University, Florida Institute of Government, linked here: <u>4-Hour Ethics Course</u>. This course meets all the ethics training requirements for the year, including Sunshine Law and Public Records training. This course is currently \$79.00

#### **CLE Course**

The COE's website includes a link to the Florida Bar's Continuing Legal Education online tutorial which also meets all the Ethics training requirements. However, this is a CLE course designed more specifically for attorneys. The 5 hours 18 minutes' long course exceeds the 4-hour requirement and its cost is significantly higher than the 4-Hour Ethics course provided by the Florida State University. The course is currently \$325.00. To access this course, click here: Sunshine Law, Public Records and Ethics for Public Officers and Public Employees.

If you have any questions, please do not hesitate to contact me.

#### **General Information**

Name: DISCLOSURE FILER

Address: SAMPLE ADDRESS PID SAMPLE

County: SAMPLE COUNTY

#### **AGENCY INFORMATION**

Organization Suborganization Title

SAMPLE SAMPLE SAMP

#### **Disclosure Period**

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2023.

### **Primary Sources of Income**

PRIMARY SOURCE OF INCOME (Over \$2,500) (Major sources of income to the reporting person) (If you have nothing to report, write "nane" or "n/a")

Name of Source of Income

Source's Address

Description of the Source's Principal Business Activity

## **Secondary Sources of Income**

SECONDARY SOURCES OF INCOME (Major customers, clients, and other sources of income to businesses owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Name of Business Entity	Name of Major Sources of Business' Income	Address of Source	Principal Business Activity of Source

### **Real Property**

REAL PROPERTY (Land, buildings owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Location/D	escription
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### **Intangible Personal Property**

INTANGIBLE PERSONAL PROPERTY (Stocks, bonds, certificates of deposit, etc. over \$10,000) (If you have nothing to report, write "none" or "n/a")

Type of Intangible	Business Entity to Which the Property Relates

#### Liabilities

LIABILITIES (Major debts valued over \$10,000): (If you have nothing to report, write "none" or "n/a")

Name of Creditor	Address of Creditor	

### **Interests in Specified Businesses**

INTERESTS IN SPECIFIED BUSINESSES (Ownership or positions in certain types of businesses) (If you have nothing to report, write "none" or "n/a")

Business Entity # 1

### **Training**

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

Signature of Filer	
Digitally signed:	
Filed with COE:	
	AX

## 2023 Form 1 Instructions Statement of Financial Interests

#### **Notice**

The annual Statement of Financial Interest is due July 1, 2024. If the annual form is not submitted via the electronic filing system created and maintained by the Commission September 3, 2024, an automatic fine of \$25 for each day late will be imposed, up to a maximum penalty of \$1,500. Failure to file also can result in removal from public office or employment. [s. 112.3145, F.S.]

In addition, failure to make any required disclosure constitutes grounds for and may be punished by one or more of the following: disqualification from being on the ballot, impeachment, removal or suspension from office or employment, demotion, reduction in salary, reprimand, or a civil penalty not exceeding \$10,000. [s. 112.317, F.S.]

#### When To File:

**Initially**, each local officer/employee, state officer, and specified state employee must file **within 30 days** of the date of his or her appointment or of the beginning of employment. Appointees who must be confirmed by the Senate must file prior to confirmation, even if that is less than 30 days from the date of their appointment.

Candidates must file at the same time they file their qualifying papers.

Thereafter, file by July 1 following each calendar year in which they hold their positions.

**Finally**, file a final disclosure form (Form 1F) within 60 days of leaving office or employment. Filing a CE Form 1F (Final Statement of Financial Interests) does not relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2023.

#### Who Must File Form 1

- 1. Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
- 2. Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding those required to file full disclosure on Form 6 as well as members of solely advisory bodies, but including judicial nominating commission members; Directors of Enterprise Florida, Scripps Florida Funding Corporation, and Career Source Florida; and members of the Council on the Social Status of Black Men and Boys; the Executive Director, Governors, and senior managers of Citizens Property Insurance Corporation; Governors and senior managers of Florida Workers' Compensation Joint Underwriting Association; board members of the Northeast Fla. Regional Transportation Commission; board members of Triumph Gulf Coast, Inc; board members of Florida Is For Veterans, Inc.; and members of the Technology Advisory Council within the Agency for State Technology.
- 3. The Commissioner of Education, members of the State Board of Education, the Board of Governors, the local Boards of Trustees and Presidents of state universities, and the Florida Prepaid College Board.
- 4. Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file Form 6.
- 5. Appointed members of the following boards, councils, commissions, authorities, or other bodies of county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; community college or junior college district boards of trustees; boards having the power to enforce local code provisions; boards of adjustment; community redevelopment agencies; planning or zoning boards having the power to recommend, create, or modify land planning or zoning within a political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards, and except for representatives of a military installation acting on behalf of all military installations within that jurisdiction; pension or retirement boards empowered to invest pension or retirement funds or determine entitlement to or amount of pensions or other retirement benefits, and the Pinellas County Construction Licensing Board.
- 6. Any appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.
- 7. Persons holding any of these positions in local government: county or city manager; chief administrative employee or finance director of a county, municipality, or other political subdivision; county or municipal attorney; chief county or municipal building inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; appointed district school superintendent; community college president; district medical examiner; purchasing agent (regardless of title) having the authority to make any purchase exceeding \$35,000 for the local governmental unit.

- 8. Officers and employees of entities serving as chief administrative officer of a political subdivision.
- 9. Members of governing boards of charter schools operated by a city or other public entity.
- 10. Employees in the office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.
- 11. The following positions in each state department, commission, board, or council: Secretary, Assistant or Deputy Secretary, Executive Director, Assistant or Deputy Executive Director, and anyone having the power normally conferred upon such persons, regardless of title.
- 12. The following positions in each state department or division: Director, Assistant or Deputy Director, Bureau Chief, and any person having the power normally conferred upon such persons, regardless of title.
- 13. Assistant State Attorneys, Assistant Public Defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel, Public Counsel, full-time state employees serving as counsel or assistant counsel to a state agency, administrative law judges, and hearing officers.
- 14. The Superintendent or Director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.
- 15. State agency Business Managers, Finance and Accounting Directors, Personnel Officers, Grant Coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$35,000.
- 16. The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.
- 17. Each member of the governing body of a "large-hub commercial service airport," as defined in Section 112.3144(1)(c),
  Florida Statutes, except for members required to comply with the financial disclosure requirements of s. 8, Article II of the State Constitution.

ATTACHMENTS: A filer may include and submit attachments or other supporting documentation when filing disclosure.

PUBLIC RECORD: The disclosure form is a public record and is required by law to be posted to the Commission's website. Your Social Security number, bank account, debit, charge, and credit card numbers, mortgage or brokerage account numbers, personal identification numbers, or taxpayer identification numbers are not required and should not be included. If such information is included in the filing, it may be made available for public inspection and copying unless redaction is required by the filer, without any liability to the Commission. If you are an active or former officer or employee listed in Section 119.071, F.S., whose home address or other information is exempt from disclosure, the Commission will maintain that confidentiality if you submit a written and notarized request.

**QUESTIONS** about this form or the ethics laws may be addressed to the Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303; telephone (850) 488-7864.

### **Instructions for Completing Form 1**

#### **Primary Sources of Income**

[Required by s. 112.3145(3)(b)1, F.S.]

This section is intended to require the disclosure of your principal sources of income during the disclosure period. <u>You do not have to disclose any public salary or public position(s)</u>. The income of your spouse need not be disclosed; however, if there is joint income to you and your spouse from property you own jointly (such as interest or dividends from a bank account or stocks), you should disclose the source of that income if it exceeded the threshold.

Please list in this part of the form the name, address, and principal business activity of each source of your income which exceeded \$2,500 of gross income received by you in your own name or by any other person for your use or benefit.

"Gross income" means the same as it does for income tax purposes, even if the income is not actually taxable, such as interest on tax-free bonds. Examples include: compensation for services, income from business, gains from property dealings, interest, rents, dividends, pensions, IRA distributions, social security, distributive share of partnership gross income, and alimony if considered gross income under federal law, but not child support.

#### Examples:

- If you were employed by a company that manufactures computers and received more than \$2,500, list the name of the company, its address, and its principal business activity (computer manufacturing).
- If you were a partner in a law firm and your distributive share of partnership gross income exceeded \$2,500, list the name of the firm, its address, and its principal business activity (practice of law).
- If you were the sole proprietor of a retail gift business and your gross income from the business exceeded \$2,500, list the name of the business, its address, and its principal business activity (retail gift sales).
- If you received income from investments in stocks and bonds, list <u>each individual company</u> from which you derived more than \$2,500. Do not aggregate all of your investment income.

- If more than \$2,500 of your gross income was gain from the sale of property (not just the selling price), list as a
  source of income the purchaser's name, address and principal business activity. If the purchaser's identity is
  unknown, such as where securities listed on an exchange are sold through a brokerage firm, the source of income
  should be listed as "sale of (name of company) stock," for example.
- If more than \$2,500 of your gross income was in the form of interest from one particular financial institution
  (aggregating interest from all CD's, accounts, etc., at that institution), list the name of the institution, its address, and
  its principal business activity.

#### Secondary Sources of Income

[Required by s. 112.3145(3)(b)2, F.S.]

This part is intended to require the disclosure of major customers, clients, and other sources of income to businesses in which you own an interest. It is not for reporting income from second jobs. That kind of income should be reported in "Primary Sources of Income," if it meets the reporting threshold. You will not have anything to report unless, during the disclosure period:

- You owned (either directly or indirectly in the form of an equitable or beneficial interest) more than 5% of the total
  assets or capital stock of a business entity (a corporation, partnership, LLC, limited partnership, proprietorship, joint
  venture, trust, firm, etc., doing business in Florida); and,
- 2. You received more than \$5,000 of your gross income during the disclosure period from that business entity.

If your interests and gross income exceeded these thresholds, then for that business entity you must list every source of income to the business entity which exceeded 10% of the business entity's gross income (computed on the basis of the business entity's most recently completed fiscal year), the source's address, and the source's principal business activity.

#### Examples:

- You are the sole proprietor of a dry cleaning business, from which you received more than \$5,000. If only one
  customer, a uniform rental company, provided more than 10% of your dry cleaning business, you must list the name of
  the uniform rental company, its address, and its principal business activity (uniform rentals).
- You are a 20% partner in a partnership that owns a shopping mall and your partnership income exceeded the above thresholds. List each tenant of the mall that provided more than 10% of the partnership's gross income and the tenant's address and principal business activity.

#### **Real Property**

[Required by s. 112.3145(3)(b)3, F.S.]

In this part, list the location or description of all real property in Florida in which you owned directly or indirectly at any time during the disclosure period in excess of 5% of the property's value. You are not required to list your residences. You should list any vacation homes if you derive income from them.

Indirect ownership includes situations where you are a beneficiary of a trust that owns the property, as well as situations where you own more than 5% of a partnership or corporation that owns the property. The value of the property may be determined by the most recently assessed value for tax purposes, in the absence of a more accurate fair market value.

The location or description of the property should be sufficient to enable anyone who looks at the form to identify the property. A street address should be used, if one exists.

#### **Intangible Personal Property**

[Required by s. 112.3145(3)(b)3, F.S.]

Describe any intangible personal property that, at any time during the disclosure period, was worth more than \$10,000 and state the business entity to which the property related. Intangible personal property includes things such as cash on hand, stocks, bonds, certificates of deposit, vehicle leases, interests in businesses, beneficial interests in trusts, money owed you (including, but not limited to, loans made as a candidate to your own campaign), Deferred Retirement Option Program (DROP) accounts, the Florida Prepaid College Plan, and bank accounts in which you have an ownership interest. Intangible personal property also includes investment products held in IRAs, brokerage accounts, and the Florida College Investment Plan. Note that the product contained in a brokerage account, IRA, or the Florida College Investment Plan is your asset—not the account or plan itself. Things like automobiles and houses you own, jewelry, and paintings are not intangible property. Intangibles relating to the same business entity may be aggregated; for example, CDs and savings accounts with the same bank. Property owned as tenants by the entirety or as joint tenants with right of survivorship, including bank accounts owned in such a manner, should be valued at 100%. The value of a leased vehicle is the vehicle's present value minus the lease residual (a number found on the lease document).

#### Liabilities

List the name and address of each creditor to whom you owed more than \$10,000 at any time during the disclosure period. The amount of the liability of a vehicle lease is the sum of any past-due payments and all unpaid prospective lease payments. You are not required to list the amount of any debt. You do not have to disclose credit card and retail installment accounts, taxes owed (unless reduced to a judgment), indebtedness on a life insurance policy owed to the company of issuance, or contingent liabilities. A "contingent liability" is one that will become an actual liability only when one or more future events occur or fail to occur, such as where you are liable only as a guarantor, surety, or endorser on a promissory note. If you are a "co-maker" and are jointly liable or jointly and severally liable, then it is not a contingent liability.

#### **Interests in Specified Businesses**

[Required by s. 112.3145(7), F.S.]

The types of businesses covered in this disclosure include: state and federally chartered banks; state and federal savings and loan associations; cemetery companies; insurance companies; mortgage companies; credit unions; small loan companies; alcoholic beverage licensees; pari-mutuel wagering companies, utility companies, entities controlled by the Public Service Commission; and entities granted a franchise to operate by either a city or a county government.

Disclose in this part the fact that you owned during the disclosure period an interest in, or held any of certain positions with the types of businesses listed above. You must make this disclosure if you own or owned (either directly or indirectly in the form of an equitable or beneficial interest) at any time during the disclosure period more than 5% of the total assets or capital stock of one of the types of business entities listed above. You also must complete this part of the form for each of these types of businesses for which you are, or were at any time during the disclosure period, an officer, director, partner, proprietor, or agent (other than a resident agent solely for service of process).

If you have or held such a position or ownership interest in one of these types of businesses, list the name of the business, its address and principal business activity, and the position held with the business (if any). If you own(ed) more than a 5% interest in the business, indicate that fact and describe the nature of your interest.

#### **Training Certification**

[Required by s. 112.3142, F.S.]

If you are a Constitutional or elected municipal officer appointed school superintendent, a commissioner of a community redevelopment agency created under Part III, Chapter 163, or an elected local officers of independent special districts, including any person appointed to fill a vacancy on an elected special district board, whose service began on or before March 31 of the year for which you are filing, you are required to complete four hours of ethics training which addresses Article II, Section 8 of the Florida Constitution, the Code of Ethics for Public Officers and Employees, and the public records and open meetings laws of the state. You are required to certify on this form that you have taken such training.

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT

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#### **BOARD OF SUPERVISORS**

#### MEMBERSHIP, OBLIGATIONS AND RESPONSIBILITIES

A Community Development District ("District") is a special-purpose unit of local government which is established pursuant to and governed by Chapter 190, Florida Statutes.

#### The Board

The Community Development District ("District") is governed by a five (5)-member Board of Supervisors ("Board"). Member of the Board "Supervisor(s)") are elected in accordance with Section 190.006, F.S., either upon a one (1)-vote per one (1)-acre basis ("landowner voting") or through traditional elections ("resident voting"), depending upon the number of registered voters in the District and the length of time which has passed since the establishment of the District.

A CDD Board typically meets once per month, but may meet more often if necessary. Board meetings typically last from one (1) to three (3) hours, depending upon the business to be conducted by the Board. Prior to the meeting, each Supervisor is supplied with an agenda package which will contain the documents pertaining to the business to be considered by the Board at a particular meeting. A Supervisor should be willing to spend time reviewing these packages prior to each meeting, and may consult with District Staff (General Counsel, Management, Engineering, etc.) concerning the business to be addressed.

#### **Qualifications of Supervisors**

Each Supervisor must be a resident of the state of Florida and a citizen of the United States. Once a District has transitioned to resident voting, Supervisors must also be residents of the District.

#### **Compensation**

By statute, Board Members are entitled to be paid \$200 per meeting for their service, up to an annual cap of \$4,800 per year. To achieve the statutory cap, the District would have to meet twice each month, which is rare.

Sometimes Supervisors who are employees of the primary landowner waive their right to compensation, although this is not always the case.

#### **Responsibilities of Supervisors**

The position of Supervisor is that of an elected local public official. It is important to always remember that serving as an elected public official of a District carries with it certain restrictions and obligations. Each Supervisor, upon taking office, must subscribe to an oath of office acknowledging that he/she is a public officer, and as a recipient of public funds, a supporter of the constitutions of the State of Florida and of the United States of America.

Each Supervisor is subject to the same financial disclosure requirements as any other local elected official and must file a Statement of Financial Interests disclosing

sources of income, assets, debts, and other financial data, with the Supervisor of Elections in the County where he/she resides.

A Supervisor must act in accordance with the <u>Code of Ethics</u> for Public Officers and Employees, codified at Part III, Chapter 112, F.S., which addresses acceptance of gifts, conflicts of interest, etc. By law, it is not a conflict of interest for an employee of the developer to serve on a CDD Board of Supervisors.

Since a District is a unit of local government, the <u>Sunshine Law</u> (Chapter 286, F.S.) applies to Districts and to the Supervisors who govern them. In brief, the Sunshine Law states that two(2) or more Supervisors may never meet outside of a publicly noticed meeting of the Board <u>and/to</u> discuss District business.

Florida's <u>Public Records Law</u> (Chapter 119, F.S.) also applies to Districts and Supervisors. All records of the District, and the records of each individual Supervisor <u>relating</u> to the District, are public records. As such, any member of the public may inspect them upon request. Supervisors are therefore urged to keep any District records or documents in a separate file to allow ease of access by the public or press.

#### Conclusion

The position of Supervisor of a Community Development District is an important one, requiring both the time and the dedication to fulfill the responsibilities of a position of public trust. It should not be undertaken lightly. Each new Supervisor should enter office fully cognizant of the ethical, legal, and time requirements which are incumbent upon those who serve as Supervisors.

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT

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# FLORIDA COMMISSION ON ETHICS



GUIDE
to the
SUNSHINE AMENDMENT
and
CODE of ETHICS
for Public Officers and Employees

# State of Florida COMMISSION ON ETHICS

**Ashley Lukis**, *Chair*Tallahassee

Michelle Anchors, Vice Chair Fort Walton Beach

> William P. Cervone Gainesville

Tina Descovich Indialantic

Freddie Figgers
Fort Lauderdale

Luis M. Fusté Coral Gables

Wengay M. Newton, Sr. St. Petersburg

**Kerrie Stillman** 

Executive Director
P.O. Drawer 15709
Tallahassee, FL 32317-5709
www.ethics.state.fl.us
(850) 488-7864\*

<sup>\*</sup>Please direct all requests for information to this number.

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#### I. HISTORY OF FLORIDA'S ETHICS LAWS

Florida has been a leader among the states in establishing ethics standards for public officials and recognizing the right of citizens to protect the public trust against abuse. Our state Constitution was revised in 1968 to require a code of ethics, prescribed by law, for all state employees and non-judicial officers prohibiting conflict between public duty and private interests.

Florida's first successful constitutional initiative resulted in the adoption of the Sunshine Amendment in 1976, providing additional constitutional guarantees concerning ethics in government. In the area of enforcement, the Sunshine Amendment requires that there be an independent commission (the Commission on Ethics) to investigate complaints concerning breaches of public trust by public officers and employees other than judges.

The Code of Ethics for Public Officers and Employees is found in Chapter 112 (Part III) of the Florida Statutes. Foremost among the goals of the Code is to promote the public interest and maintain the respect of the people for their government. The Code is also intended to ensure that public officials conduct themselves independently and impartially, not using their offices for private gain other than compensation provided by law. While seeking to protect the integrity of government, the Code also seeks to avoid the creation of unnecessary barriers to public service.

Criminal penalties, which initially applied to violations of the Code, were eliminated in 1974 in favor of administrative enforcement. The Legislature created the Commission on Ethics that year "to serve as guardian of the standards of conduct" for public officials, state and local. Five of the Commission's nine members are appointed by the Governor, and two each are appointed by the President of the Senate and Speaker of the House of Representatives. No more than five Commission members may be members of the same political party, and none may be lobbyists, or hold any public employment during their two-year terms of office. A chair is selected from among the members to serve a one-year term and may not succeed himself or herself.

#### II. ROLE OF THE COMMISSION ON ETHICS

In addition to its constitutional duties regarding the investigation of complaints, the Commission:

- Renders advisory opinions to public officials;
- Prescribes forms for public disclosure;
- Prepares mailing lists of public officials subject to financial disclosure for use by Supervisors of Elections and the Commission in distributing forms and notifying delinquent filers;
- Makes recommendations to disciplinary officials when appropriate for violations of ethics and disclosure laws, since it does not impose penalties;
- Administers the Executive Branch Lobbyist Registration and Reporting Law;
- Maintains financial disclosure filings of constitutional officers and state officers and employees; and,
- Administers automatic fines for public officers and employees who fail to timely file required annual financial disclosure.

#### III. THE ETHICS LAWS

The ethics laws generally consist of two types of provisions, those prohibiting certain actions or conduct and those requiring that certain disclosures be made to the public. The following descriptions of these laws have been simplified in an effort to provide notice of their requirements. Therefore, we suggest that you also review the wording of the actual law. Citations to the appropriate laws are in brackets.

The laws summarized below apply generally to all public officers and employees, state and local, including members of advisory bodies. The principal exception to this broad coverage is the exclusion of judges, as they fall within the jurisdiction of the Judicial Qualifications Commission.

Public Service Commission (PSC) members and employees, as well as members of the PSC Nominating Council, are subject to additional ethics standards that are enforced by the Commission on Ethics under Chapter 350, Florida Statutes. Further, members of the governing boards of charter schools are subject to some of the provisions of the Code of Ethics [Sec. 1002.33(26), Fla. Stat.], as are the officers, directors, chief executive officers and some employees of business entities that serve as the chief administrative or executive officer or employee of a political subdivision. [Sec. 112.3136, Fla. Stat.].

#### A. PROHIBITED ACTIONS OR CONDUCT

#### 1. Solicitation and Acceptance of Gifts

Public officers, employees, local government attorneys, and candidates are prohibited from soliciting or accepting anything of value, such as a gift, loan, reward, promise of future employment, favor, or service, that is based on an understanding that their vote, official action, or judgment would be influenced by such gift. [Sec. 112.313(2), Fla. Stat.]

Persons required to file financial disclosure FORM 1 or FORM 6 (see Part III F of this brochure), and state procurement employees, are prohibited from **soliciting** any gift from a political committee, lobbyist who has lobbied the official or his or her agency within the past 12 months, or the partner, firm, employer, or principal of such a lobbyist or from a vendor doing business with the official's agency. [Sec. 112.3148, Fla. Stat.]

Persons required to file FORM 1 or FORM 6, and state procurement employees are prohibited from directly or indirectly **accepting** a gift worth more than \$100 from such a lobbyist, from a partner, firm, employer, or principal of the lobbyist, or from a political committee or vendor doing business with their agency. [Sec.112.3148, Fla. Stat.]

**However**, notwithstanding Sec. 112.3148, Fla. Stat., no Executive Branch lobbyist or principal shall make, directly or indirectly, and no Executive Branch agency official who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.] Typically, this would include gifts valued at less than \$100 that formerly

were permitted under Section 112.3148, Fla. Stat. Similar rules apply to members and employees of the Legislature. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.]

Also, persons required to file Form 1 or Form 6, and state procurement employees and members of their immediate families, are prohibited from accepting any gift from a political committee. [Sec. 112.31485, Fla. Stat.]

#### 2. Unauthorized Compensation

Public officers or employees, local government attorneys, and their spouses and minor children are prohibited from accepting any compensation, payment, or thing of value when they know, or with the exercise of reasonable care should know, that it is given to influence a vote or other official action. [Sec. 112.313(4), Fla. Stat.]

#### 3. Misuse of Public Position

Public officers and employees, and local government attorneys are prohibited from corruptly using or attempting to use their official positions or the resources thereof to obtain a special privilege or benefit for themselves or others. [Sec. 112.313(6), Fla. Stat.]

#### 4. Abuse of Public Position

Public officers and employees are prohibited from abusing their public positions in order to obtain a disproportionate benefit for themselves or certain others. [Article II, Section 8(h), Florida Constitution.]

#### 5. Disclosure or Use of Certain Information

Public officers and employees and local government attorneys are prohibited from disclosing or using information not available to the public and obtained by reason of their public position, for the personal benefit of themselves or others. [Sec. 112.313(8), Fla. Stat.]

#### 6. Solicitation or Acceptance of Honoraria

Persons required to file financial disclosure FORM 1 or FORM 6 (see Part III F of this brochure), and state procurement employees, are prohibited from **soliciting** honoraria related to their public offices or duties. [Sec. 112.3149, Fla. Stat.]

Persons required to file FORM 1 or FORM 6, and state procurement employees, are prohibited from knowingly **accepting** an honorarium from a political committee, lobbyist who has lobbied the person's agency within the past 12 months, or the partner, firm, employer, or principal of such a lobbyist, or from a vendor doing business with the official's agency. However, they may accept the payment of expenses related to an honorarium event from such individuals or entities, provided that the expenses are disclosed. See Part III F of this brochure. [Sec. 112.3149, Fla. Stat.]

Lobbyists and their partners, firms, employers, and principals, as well as political committees and vendors, are prohibited from **giving** an honorarium to persons required to file FORM 1 or FORM 6 and to state procurement employees. Violations of this law may result in fines of up to \$5,000 and prohibitions against lobbying for up to two years. [Sec. 112.3149, Fla. Stat.]

However, notwithstanding Sec. 112.3149, Fla. Stat., no Executive Branch or legislative lobbyist or principal shall make, directly or indirectly, and no Executive Branch agency official who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.] This may include honorarium event related expenses that formerly were permitted under Sec. 112.3149, Fla. Stat. Similar rules apply to members and employees of the Legislature. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.]

#### B. PROHIBITED EMPLOYMENT AND BUSINESS RELATIONSHIPS

#### 1. Doing Business With One's Agency

a) A public employee acting as a purchasing agent, or public officer acting in an official capacity, is prohibited from purchasing, renting, or leasing any realty, goods, or

- services for his or her agency from a business entity in which the officer or employee or his or her spouse or child owns more than a 5% interest. [Sec. 112.313(3), Fla. Stat.]
- b) A public officer or employee, acting in a private capacity, also is prohibited from renting, leasing, or selling any realty, goods, or services to his or her own agency if the officer or employee is a state officer or employee, or, if he or she is an officer or employee of a political subdivision, to that subdivision or any of its agencies. [Sec. 112.313(3), Fla. Stat.]

#### 2. Conflicting Employment or Contractual Relationship

- a) A public officer or employee is prohibited from holding any employment or contract with any business entity or agency regulated by or doing business with his or her public agency. [Sec. 112.313(7), Fla. Stat.]
- b) A public officer or employee also is prohibited from holding any employment or having a contractual relationship which will pose a frequently recurring conflict between the official's private interests and public duties or which will impede the full and faithful discharge of the official's public duties. [Sec. 112.313(7), Fla. Stat.]
- c) Limited exceptions to this prohibition have been created in the law for legislative bodies, certain special tax districts, drainage districts, and persons whose professions or occupations qualify them to hold their public positions. [Sec. 112.313(7)(a) and (b), Fla. Stat.]
- 3. Exemptions—Pursuant to Sec. 112.313(12), Fla. Stat., the prohibitions against doing business with one's agency and having conflicting employment may not apply:
  - a) When the business is rotated among all qualified suppliers in a city or county.
  - b) When the business is awarded by sealed, competitive bidding and neither the official nor his or her spouse or child have attempted to persuade agency personnel to enter

the contract. NOTE: Disclosure of the interest of the official, spouse, or child and the nature of the business must be filed prior to or at the time of submission of the bid on Commission FORM 3A with the Commission on Ethics or Supervisor of Elections, depending on whether the official serves at the state or local level.

- c) When the purchase or sale is for legal advertising, utilities service, or for passage on a common carrier.
- d) When an emergency purchase must be made to protect the public health, safety, or welfare.
- e) When the business entity is the only source of supply within the political subdivision and there is full disclosure of the official's interest to the governing body on Commission FORM 4A.
- f) When the aggregate of any such transactions does not exceed \$500 in a calendar year.
- g) When the business transacted is the deposit of agency funds in a bank of which a county, city, or district official is an officer, director, or stockholder, so long as agency records show that the governing body has determined that the member did not favor his or her bank over other qualified banks.
- h) When the prohibitions are waived in the case of ADVISORY BOARD MEMBERS by the appointing person or by a two-thirds vote of the appointing body (after disclosure on Commission FORM 4A).
- i) When the public officer or employee purchases in a private capacity goods or services, at a price and upon terms available to similarly situated members of the general public, from a business entity which is doing business with his or her agency.
- j) When the public officer or employee in a private capacity purchases goods or services from a business entity which is subject to the regulation of his or her agency where the price and terms of the transaction are available to similarly situated members of

the general public and the officer or employee makes full disclosure of the relationship to the agency head or governing body prior to the transaction.

#### 4. Additional Exemptions

No elected public officer is in violation of the conflicting employment prohibition when employed by a tax exempt organization contracting with his or her agency so long as the officer is not directly or indirectly compensated as a result of the contract, does not participate in any way in the decision to enter into the contract, abstains from voting on any matter involving the employer, and makes certain disclosures. [Sec. 112.313(15), Fla. Stat.]

#### 5. Legislators Lobbying State Agencies

A member of the Legislature is prohibited from representing another person or entity for compensation during his or her term of office before any state agency other than judicial tribunals. [Art. II, Sec. 8(e), Fla. Const., and Sec. 112.313(9), Fla. Stat.]

#### 6. Additional Lobbying Restrictions for Certain Public Officers and Employees

A statewide elected officer; a member of the legislature; a county commissioner; a county officer pursuant to Article VIII or county charter; a school board member; a superintendent of schools; an elected municipal officer; an elected special district officer in a special district with ad valorem taxing authority; or a person serving as a secretary, an executive director, or other agency head of a department of the executive branch of state government shall not lobby for compensation on issues of policy, appropriations, or procurement before the federal government, the legislature, any state government body or agency, or any political subdivision of this state, during his or her term of office. [Art. II Sec 8(f)(2), Fla. Const. and Sec. 112.3121, Fla. Stat.]

#### 7. Employees Holding Office

A public employee is prohibited from being a member of the governing body which serves as his or her employer. [Sec. 112.313(10), Fla. Stat.]

#### 8. Professional and Occupational Licensing Board Members

An officer, director, or administrator of a state, county, or regional professional or occupational organization or association, while holding such position, may not serve as a member of a state examining or licensing board for the profession or occupation. [Sec. 112.313(11), Fla. Stat.]

#### 9. Contractual Services: Prohibited Employment

A state employee of the executive or judicial branch who participates in the decision-making process involving a purchase request, who influences the content of any specification or procurement standard, or who renders advice, investigation, or auditing, regarding his or her agency's contract for services, is prohibited from being employed with a person holding such a contract with his or her agency. [Sec. 112.3185(2), Fla. Stat.]

#### 10. Local Government Attorneys

Local government attorneys, such as the city attorney or county attorney, and their law firms are prohibited from representing private individuals and entities before the unit of local government which they serve. A local government attorney cannot recommend or otherwise refer to his or her firm legal work involving the local government unit unless the attorney's contract authorizes or mandates the use of that firm. [Sec. 112.313(16), Fla. Stat.]

#### 11. Dual Public Employment

Candidates and elected officers are prohibited from accepting public employment if they know or should know it is being offered for the purpose of influence. Further, public employment may not be accepted unless the position was already in existence or was created without the anticipation of the official's interest, was publicly advertised, and the officer had to meet the same qualifications and go through the same hiring process as other applicants. For elected public officers already holding public employment, no promotion given for the purpose of influence may be accepted, nor may promotions that are inconsistent with those given other similarly situated employees. [Sec. 112.3125, Fla. Stat.]

#### C. RESTRICTIONS ON APPOINTING, EMPLOYING, AND CONTRACTING WITH RELATIVES

#### 1. Anti-Nepotism Law

A public official is prohibited from seeking for a relative any appointment, employment, promotion, or advancement in the agency in which he or she is serving or over which the official exercises jurisdiction or control. No person may be appointed, employed, promoted, or advanced in or to a position in an agency if such action has been advocated by a related public official who is serving in or exercising jurisdiction or control over the agency; this includes relatives of members of collegial government bodies. NOTE: This prohibition does not apply to school districts (except as provided in Sec. 1012.23, Fla. Stat.), community colleges and state universities, or to appointments of boards, other than those with land-planning or zoning responsibilities, in municipalities of fewer than 35,000 residents. Also, the approval of budgets does not constitute "jurisdiction or control" for the purposes of this prohibition. This provision does not apply to volunteer emergency medical, firefighting, or police service providers. [Sec. 112.3135, Fla. Stat.]

#### 2. Additional Restrictions

A state employee of the executive or judicial branch or the PSC is prohibited from directly or indirectly procuring contractual services for his or her agency from a business entity of which a relative is an officer, partner, director, or proprietor, or in which the employee, or his or her spouse, or children own more than a 5% interest. [Sec. 112.3185(6), Fla. Stat.]

#### D. POST OFFICE HOLDING AND EMPLOYMENT (REVOLVING DOOR) RESTRICTIONS

#### 1. Lobbying by Former Legislators, Statewide Elected Officers, and Appointed State Officers

A member of the Legislature or a statewide elected or appointed state official is prohibited for two years following vacation of office from representing another person or entity for compensation before the government body or agency of which the individual was an officer or member. Former members of the Legislature are also prohibited for two years from lobbying the executive branch. [Art. II, Sec. 8(e), Fla. Const. and Sec. 112.313(9), Fla. Stat.]

#### 2. Lobbying by Former State Employees

Certain employees of the executive and legislative branches of state government are prohibited from personally representing another person or entity for compensation before the agency with which they were employed for a period of two years after leaving their positions, unless employed by another agency of state government. [Sec. 112.313(9), Fla. Stat.] These employees include the following:

- a) Executive and legislative branch employees serving in the Senior Management Service and Selected Exempt Service, as well as any person employed by the Department of the Lottery having authority over policy or procurement.
- b) serving in the following position classifications: the Auditor General; the director of the Office of Program Policy Analysis and Government Accountability (OPPAGA); the Sergeant at Arms and Secretary of the Senate; the Sergeant at Arms and Clerk of the House of Representatives; the executive director and deputy executive director of the Commission on Ethics; an executive director, staff director, or deputy staff director of each joint committee, standing committee, or select committee of the Legislature; an executive director, staff director, executive assistant, legislative analyst, or attorney serving in the Office of the President of the Senate, the Office of the Speaker of the House of Representatives, the Senate Majority Party Office, the Senate Minority Party Office, the House Majority Party Office, or the House Minority Party Office; the Chancellor and Vice-Chancellors of the State University System; the general counsel to the Board of Regents; the president, vice presidents, and deans of each state university; any person hired on a contractual basis and having the power normally conferred upon such persons, by whatever title; and any person having the power normally conferred upon the above positions.

This prohibition does not apply to a person who was employed by the Legislature or other agency prior to July 1, 1989; who was a defined employee of the State University System or the Public Service Commission who held such employment on December 31, 1994; or who reached normal retirement age and retired by July 1, 1991. It does apply to OPS employees.

PENALTIES: Persons found in violation of this section are subject to the penalties contained in the Code (see PENALTIES, Part V) as well as a civil penalty in an amount equal to the compensation which the person received for the prohibited conduct. [Sec. 112.313(9)(a)5, Fla. Stat.]

#### 3. 6-Year Lobbying Ban

For a period of six years after vacation of public position occurring on or after December 31, 2022, a statewide elected officer or member of the legislature shall not lobby for compensation on issues of policy, appropriations, or procurement before the legislature or any state government body or agency. [Art. II Sec 8(f)(3)a., Fla. Const. and Sec. 112.3121, Fla. Stat.]

For a period of six years after vacation of public position occurring on or after December 31, 2022, a person serving as a secretary, an executive director, or other agency head of a department of the executive branch of state government shall not lobby for compensation on issues of policy, appropriations, or procurement before the legislature, the governor, the executive office of the governor, members of the cabinet, a department that is headed by a member of the cabinet, or his or her former department. [Art. II Sec 8(f)(3)b., Fla. Const. and Sec. 112.3121, Fla. Stat.]

For a period of six years after vacation of public position occurring on or after December 31, 2022, a county commissioner, a county officer pursuant to Article VIII or county charter, a school board member, a superintendent of schools, an elected municipal officer, or an elected special district officer in a special district with ad valorem taxing authority shall not lobby for compensation on issues of policy, appropriations, or procurement before his or her former agency or governing body. [Art. II Sec 8(f)(3)c., Fla. Const. and Sec. 112.3121, Fla. Stat.]

#### 4. Additional Restrictions on Former State Employees

A former executive or judicial branch employee or PSC employee is prohibited from having employment or a contractual relationship, at any time after retirement or termination of employment, with any business entity (other than a public agency) in connection with a contract in which the employee participated personally and substantially by recommendation or decision while a public employee. [Sec. 112.3185(3), Fla. Stat.]

A former executive or judicial branch employee or PSC employee who has retired or terminated employment is prohibited from having any employment or contractual relationship for two years with any business entity (other than a public agency) in connection with a contract for services which was within his or her responsibility while serving as a state employee. [Sec.112.3185(4), Fla. Stat.]

Unless waived by the agency head, a former executive or judicial branch employee or PSC employee may not be paid more for contractual services provided by him or her to the former agency during the first year after leaving the agency than his or her annual salary before leaving. [Sec. 112.3185(5), Fla. Stat.]

These prohibitions do not apply to PSC employees who were so employed on or before Dec. 31, 1994.

#### 5. Lobbying by Former Local Government Officers and Employees

A person elected to county, municipal, school district, or special district office is prohibited from representing another person or entity for compensation before the government body or agency of which he or she was an officer for two years after leaving office. Appointed officers and employees of counties, municipalities, school districts, and special districts may be subject to a similar restriction by local ordinance or resolution. [Sec. 112.313(13) and (14), Fla. Stat.]

#### E. VOTING CONFLICTS OF INTEREST

State public officers are prohibited from voting in an official capacity on any measure which they know would inure to their own special private gain or loss. A state public officer who abstains, or who votes on a measure which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate, must make every reasonable effort to file a memorandum of voting conflict with the recording secretary in advance of the vote. If that is not possible, it must be filed within 15 days after the vote occurs. The memorandum must disclose the nature of the officer's interest in the matter.

No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss, or which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate. The officer must publicly announce the nature of his or her interest before the vote and must file a memorandum of voting conflict on Commission Form 8B with the meeting's recording officer within 15 days after the vote occurs disclosing the nature of his or her interest in the matter. However, members of community redevelopment agencies and district officers elected on a one-acre, one-vote basis are not required to abstain when voting in that capacity.

No appointed state or local officer shall participate in any matter which would inure to the officer's special private gain or loss, the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate, without first disclosing the nature of his or her interest in the matter. The memorandum of voting conflict (Commission Form 8A or 8B) must be filed with the meeting's recording officer, be provided to the other members of the agency, and be read publicly at the next meeting.

If the conflict is unknown or not disclosed prior to the meeting, the appointed official must orally disclose the conflict at the meeting when the conflict becomes known. Also, a written memorandum of voting conflict must be filed with the meeting's recording officer within 15 days of the disclosure being made and must be provided to the other members of the agency, with the disclosure being read publicly at the next scheduled meeting. [Sec. 112.3143, Fla. Stat.]

#### F. DISCLOSURES

Conflicts of interest may occur when public officials are in a position to make decisions that affect their personal financial interests. This is why public officers and employees, as well as candidates who run for public office, are required to publicly disclose their financial interests. The disclosure process serves to remind officials of their obligation to put the public interest above personal considerations. It also helps citizens to monitor the considerations of those who spend their tax dollars and participate in public policy decisions or administration.

All public officials and candidates do not file the same degree of disclosure; nor do they all file at the same time or place. Thus, care must be taken to determine which disclosure forms a particular official or candidate is required to file.

The following forms are described below to set forth the requirements of the various disclosures and the steps for correctly providing the information in a timely manner.

#### 1. FORM 1 - Limited Financial Disclosure

#### Who Must File:

Persons required to file FORM 1 include all state officers, local officers, candidates for local elective office, and specified state employees as defined below (other than those officers who are required by law to file FORM 6).

#### STATE OFFICERS include:

- Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form
   6.
- 2) Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding members of solely advisory bodies; but including judicial nominating commission members; directors of Enterprise Florida, Scripps Florida Funding Corporation, and CareerSource Florida, and members of the Council on the Social Status of Black Men and Boys; the Executive Director, governors, and senior managers of Citizens Property Insurance Corporation; governors and senior managers of Florida Workers' Compensation Joint Underwriting Association, board members of the Northeast Florida Regional Transportation Commission, and members of the board of Triumph Gulf Coast, Inc.; members of the board of Florida is

for Veterans, Inc.; and members of the Technology Advisory Council within the Agency for State Technology.

3) The Commissioner of Education, members of the State Board of Education, the Board of Governors, local boards of trustees and presidents of state universities, and members of the Florida Prepaid College Board.

#### LOCAL OFFICERS include:

- 1) Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
- 2) Appointed members of the following boards, councils, commissions, authorities, or other bodies of any county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; a community college or junior college district board of trustees; a board having the power to enforce local code provisions; a planning or zoning board, board of adjustments or appeals, community redevelopment agency board, or other board having the power to recommend, create, or modify land planning or zoning within the political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards, except for representatives of a military installation acting on behalf of all military installations within that jurisdiction; a pension board or retirement board empowered to invest pension or retirement funds or to determine entitlement to or amount of a pension or other retirement benefit.
- 3) Any other appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.
- 4) Persons holding any of these positions in local government: county or city manager; chief administrative employee or finance director of a county, municipality, or other

political subdivision; county or municipal attorney; chief county or municipal building inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; appointed district school superintendent; community college president; district medical examiner; purchasing agent (regardless of title) having the authority to make any purchase exceeding \$35,000 for the local governmental unit.

- 5) Members of governing boards of charter schools operated by a city or other public entity.
- 6) The officers, directors, and chief executive officer of a corporation, partnership, or other business entity that is serving as the chief administrative or executive officer or employee of a political subdivision, and any business entity employee who is acting as the chief administrative or executive officer or employee of the political subdivision. [Sec. 112.3136, Fla. Stat.]

#### SPECIFIED STATE EMPLOYEE includes:

- 1) Employees in the Office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.
- 2) The following positions in each state department, commission, board, or council: secretary or state surgeon general, assistant or deputy secretary, executive director, assistant or deputy executive director, and anyone having the power normally conferred upon such persons, regardless of title.
- 3) The following positions in each state department or division: director, assistant or deputy director, bureau chief, assistant bureau chief, and any person having the power normally conferred upon such persons, regardless of title.

- 4) Assistant state attorneys, assistant public defenders, criminal conflict and civil regional counsel, assistant criminal conflict and civil regional counsel, public counsel, full-time state employees serving as counsel or assistant counsel to a state agency, judges of compensation claims, administrative law judges, and hearing officers.
- 5) The superintendent or director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.
- 6) State agency business managers, finance and accounting directors, personnel officers, grant coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$35,000.
- 7) The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.

#### What Must Be Disclosed:

FORM 1 requirements are set forth fully on the form. In general, this includes the reporting person's sources and types of financial interests, such as the names of employers and addresses of real property holdings. NO DOLLAR VALUES ARE REQUIRED TO BE LISTED. In addition, the form requires the disclosure of certain relationships with, and ownership interests in, specified types of businesses such as banks, savings and loans, insurance companies, and utility companies.

#### When to File:

CANDIDATES who do not currently hold a position requiring the filing of a Form 1 or Form 6 must register and use the electronic filing system to complete the Form 6, then print and file the disclosure with the officer before whom they qualify at the time of qualifying. [Art. II, Sec. 8(a) and (i), Fla. Const., and Sec. 112.3144, Fla. Stat.]

STATE and LOCAL OFFICERS and SPECIFIED STATE EMPLOYEES are required to file disclosure by July 1 of each year. They also must file within thirty days from the date of appointment or the beginning of employment. Those appointees requiring Senate confirmation must file prior to confirmation.

Where to File:

File with the Commission on Ethics. [Sec. 112.3145, Fla. Stat.]

Beginning January 1, 2024, all Form 1 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable by name or organization on the Commission's website.

#### 2. FORM 1F - Final Form 1 Limited Financial Disclosure

FORM 1F is the disclosure form required to be filed within 60 days after a public officer or employee required to file FORM 1 leaves his or her public position. The form covers the disclosure period between January 1 and the last day of office or employment within that year.

#### 3. FORM 2 - Quarterly Client Disclosure

The state officers, local officers, and specified state employees listed above, as well as elected constitutional officers, must file a FORM 2 if they or a partner or associate of their professional firm represent a client for compensation before an agency at their level of government.

A FORM 2 disclosure includes the names of clients represented by the reporting person or by any partner or associate of his or her professional firm for a fee or commission before agencies at the reporting person's level of government. Such representations do not include appearances in ministerial matters, appearances before judges of compensation claims, or representations on behalf of one's agency in one's official capacity. Nor does the term include the preparation and filing of forms and applications merely for the purpose of obtaining or transferring a license, so long as the

issuance of the license does not require a variance, special consideration, or a certificate of public convenience and necessity.

When to File:

This disclosure should be filed quarterly, by the end of the calendar quarter following the calendar quarter during which a reportable representation was made. FORM 2 need not be filed merely to indicate that no reportable representations occurred during the preceding quarter; it should be filed ONLY when reportable representations were made during the quarter.

Where To File:

File with the Commission on Ethics. [Sec. 112.3145(4), Fla. Stat.]

Beginning January 1, 2024, all Form 2 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable on the Commission's website.

#### 4. FORM 6 - Full and Public Disclosure

Who Must File:

Persons required by law to file FORM 6 include all elected constitutional officers and candidates for such office; the mayor and members of a city council and candidates for these offices; the Duval County Superintendent of Schools; judges of compensation claims (pursuant to Sec. 440.442, Fla. Stat.); members of the Florida Housing Finance Corporation Board and members of expressway authorities, transportation authorities (except the Jacksonville Transportation Authority), bridge authority, or toll authorities created pursuant to Ch. 348 or 343, or 349, or other general law.

#### What Must be Disclosed:

FORM 6 is a detailed disclosure of assets, liabilities, and sources of income over \$1,000 and their values, as well as net worth. Officials may opt to file their most recent income tax return in lieu of listing sources of income but still must disclose their assets, liabilities, and net worth. In addition, the form requires the disclosure of certain relationships with, and ownership interests in, specified types of businesses such as banks, savings and loans, insurance companies, and utility companies.

#### When and Where To File:

Officials must file FORM 6 annually by July 1 with the Commission on Ethics.

Beginning January 1, 2023, all Form 6 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable by name and organization on the Commission's website.

CANDIDATES who do not currently hold a position requiring the filing of a Form 1 or Form 6 must register and use the electronic filing system to complete the Form 6, then print and file the disclosure with the officer before whom they qualify at the time of qualifying. [Art. II, Sec. 8(a) and (i), Fla. Const., and Sec. 112.3144, Fla. Stat.]

#### 5. FORM 6F - Final Form 6 Full and Public Disclosure

This is the disclosure form required to be filed within 60 days after a public officer or employee required to file FORM 6 leaves his or her public position. The form covers the disclosure period between January 1 and the last day of office or employment within that year.

#### 6. FORM 9 - Quarterly Gift Disclosure

Each person required to file FORM 1 or FORM 6, and each state procurement employee, must file a FORM 9, Quarterly Gift Disclosure, with the Commission on Ethics on the last day of any calendar quarter following the calendar quarter in which he or she received a gift worth more than \$100, other

than gifts from relatives, gifts prohibited from being accepted, gifts primarily associated with his or her business or employment, and gifts otherwise required to be disclosed. FORM 9 NEED NOT BE FILED if no such gift was received during the calendar quarter.

Information to be disclosed includes a description of the gift and its value, the name and address of the donor, the date of the gift, and a copy of any receipt for the gift provided by the donor. [Sec. 112.3148, Fla. Stat.]

7. FORM 10 - Annual Disclosure of Gifts from Government Agencies and Direct-Support Organizations and Honorarium Event Related Expenses

State government entities, airport authorities, counties, municipalities, school boards, water management districts, and the South Florida Regional Transportation Authority, may give a gift worth more than \$100 to a person required to file FORM 1 or FORM 6, and to state procurement employees, if a public purpose can be shown for the gift. Also, a direct-support organization for a governmental entity may give such a gift to a person who is an officer or employee of that entity. These gifts are to be reported on FORM 10, to be filed by July 1.

The governmental entity or direct-support organization giving the gift must provide the officer or employee with a statement about the gift no later than March 1 of the following year. The officer or employee then must disclose this information by filing a statement by July 1 with his or her annual financial disclosure that describes the gift and lists the donor, the date of the gift, and the value of the total gifts provided during the calendar year. State procurement employees file their statements with the Commission on Ethics. [Sec. 112.3148, Fla. Stat.]

In addition, a person required to file FORM 1 or FORM 6, or a state procurement employee, who receives expenses or payment of expenses related to an honorarium event from someone who is prohibited from giving him or her an honorarium, must disclose annually the name, address, and affiliation of the donor, the amount of the expenses, the date of the event, a description of the expenses paid or provided, and the total value of the expenses on FORM 10. The donor paying the expenses must provide the officer or employee with a statement about the expenses within 60 days of the honorarium event.

The disclosure must be filed by July 1, for expenses received during the previous calendar year, with the officer's or employee's FORM 1 or FORM 6. State procurement employees file their statements with the Commission on Ethics. [Sec. 112.3149, Fla. Stat.]

However, notwithstanding Sec. 112.3149, Fla. Stat., no executive branch or legislative lobbyist or principal shall make, directly or indirectly, and no executive branch agency official or employee who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, any expenditure made for the purpose of lobbying. This may include gifts or honorarium event related expenses that formerly were permitted under Sections 112.3148 and 112.3149. [Sec. 112.3215, Fla. Stat.] Similar prohibitions apply to legislative officials and employees. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.] In addition, gifts, which include anything not primarily related to political activities authorized under ch. 106, are prohibited from political committees. [Sec. 112.31485 Fla. Stat.]

#### 8. FORM 30 - Donor's Quarterly Gift Disclosure

As mentioned above, the following persons and entities generally are prohibited from giving a gift worth more than \$100 to a reporting individual (a person required to file FORM 1 or FORM 6) or to a state procurement employee: a political committee; a lobbyist who lobbies the reporting individual's or procurement employee's agency, and the partner, firm, employer, or principal of such a lobbyist; and vendors. If such person or entity makes a gift worth between \$25 and \$100 to a reporting individual or state procurement employee (that is not accepted in behalf of a governmental entity or charitable organization), the gift should be reported on FORM 30. The donor also must notify the recipient at the time the gift is made that it will be reported.

The FORM 30 should be filed by the last day of the calendar quarter following the calendar quarter in which the gift was made. If the gift was made to an individual in the legislative branch, FORM 30 should be filed with the Lobbyist Registrar. [See page 35 for address.] If the gift was to any other reporting individual or state procurement employee, FORM 30 should be filed with the Commission on Ethics.

However, notwithstanding Section 112.3148, Fla. Stat., no executive branch lobbyist or principal shall make, directly or indirectly, and no executive branch agency official or employee who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, any expenditure made for the purpose of lobbying. This may include gifts that formerly were permitted under Section 112.3148. [Sec. 112.3215, Fla. Stat.] Similar prohibitions apply to legislative officials and employees. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.] In addition, gifts from political committees are prohibited. [Sec. 112.31485, Fla. Stat.]

#### 9. FORM 1X AND FORM 6X - Amendments to Form 1 and Form 6

These forms are provided for officers or employees to amend their previously filed Form 1 or Form 6.

#### IV. AVAILABILITY OF FORMS

Beginning January 1, 2024, LOCAL OFFICERS and EMPLOYEES, and OTHER STATE OFFICERS, and SPECIFIED STATE EMPLOYEES who must file FORM 1 annually must file electronically via the Commission's Electronic Financial Disclosure Management System (EFDMS). Paper forms will not be promulgated. Communications regarding the annual filing requirement will be sent via email to filers no later than June 1. Filers must maintain an updated email address in their User Profile in EFDMS.

ELECTED CONSTITUTIONAL OFFICERS and other officials who must file Form 6 annually, including City Commissioners and Mayors, must file electronically via the Commission's Electronic Financial Disclosure Management System (EFDMS). Paper forms will not be promulgated. Communications regarding the annual filing requirement will be sent via email to filers no later than June 1. Filers must maintain an updated email address in their User Profile in EFDMS.

#### V. PENALTIES

A. Non-criminal Penalties for Violation of the Sunshine Amendment and the Code of Ethics

There are no criminal penalties for violation of the Sunshine Amendment and the Code of Ethics. Penalties for violation of these laws may include: impeachment, removal from office or employment, suspension, public censure, reprimand, demotion, reduction in salary level, forfeiture of no more than one-third salary per month for no more than twelve months, a civil penalty not to exceed \$10,000\*, and restitution of any pecuniary benefits received, and triple the value of a gift from a political committee.

#### B. Penalties for Candidates

CANDIDATES for public office who are found in violation of the Sunshine Amendment or the Code of Ethics may be subject to one or more of the following penalties: disqualification from being on the ballot, public censure, reprimand, or a civil penalty not to exceed \$10,000\*, and triple the value of a gift received from a political committee.

#### C. Penalties for Former Officers and Employees

FORMER PUBLIC OFFICERS or EMPLOYEES who are found in violation of a provision applicable to former officers or employees or whose violation occurred prior to such officer's or employee's leaving public office or employment may be subject to one or more of the following penalties: public censure and reprimand, a civil penalty not to exceed \$10,000\*, and restitution of any pecuniary benefits received, and triple the value of a gift received from a political committee.

<sup>\*</sup>Conduct occurring after May 11, 2023, will be subject to a recommended civil penalty of up to \$20,000. [Ch. 2023-49, Laws of Florida.]

#### D. Penalties for Lobbyists and Others

An executive branch lobbyist who has failed to comply with the Executive Branch Lobbying Registration law (see Part VIII) may be fined up to \$5,000, reprimanded, censured, or prohibited from lobbying executive branch agencies for up to two years. Lobbyists, their employers, principals, partners, and firms, and political committees and committees of continuous existence who give a prohibited gift or honorarium or fail to comply with the gift reporting requirements for gifts worth between \$25 and \$100, may be penalized by a fine of not more than \$5,000 and a prohibition on lobbying, or employing a lobbyist to lobby, before the agency of the public officer or employee to whom the gift was given for up to two years. Any agent or person acting on behalf of a political committee giving a prohibited gift is personally liable for a civil penalty of up to triple the value of the gift.

Executive Branch lobbying firms that fail to timely file their quarterly compensation reports may be fined \$50 per day per report for each day the report is late, up to a maximum fine of \$5,000 per report.

#### E. Felony Convictions: Forfeiture of Retirement Benefits

Public officers and employees are subject to forfeiture of all rights and benefits under the retirement system to which they belong if convicted of certain offenses. The offenses include embezzlement or theft of public funds; bribery; felonies specified in Chapter 838, Florida Statutes; impeachable offenses; and felonies committed with intent to defraud the public or their public agency. [Sec. 112.3173, Fla. Stat.]

#### F. Automatic Penalties for Failure to File Annual Disclosure

Public officers and employees required to file either Form 1 or Form 6 annual financial disclosure are subject to automatic fines of \$25 for each day late the form is filed after September 1, up to a maximum penalty of \$1,500. [Sec. 112.3144 and 112.3145, Fla. Stat.]

#### **VI. ADVISORY OPINIONS**

Conflicts of interest may be avoided by greater awareness of the ethics laws on the part of public officials and employees through advisory assistance from the Commission on Ethics.

#### A. Who Can Request an Opinion

Any public officer, candidate for public office, or public employee in Florida who is in doubt about the applicability of the standards of conduct or disclosure laws to himself or herself, or anyone who has the power to hire or terminate another public employee, may seek an advisory opinion from the Commission about himself or herself or that employee.

#### B. How to Request an Opinion

Opinions may be requested by letter presenting a question based on a real situation and including a detailed description of the situation. Opinions are issued by the Commission and are binding on the conduct of the person who is the subject of the opinion, unless material facts were omitted or misstated in the request for the opinion. Published opinions will not bear the name of the persons involved unless they consent to the use of their names; however, the request and all information pertaining to it is a public record, made available to the Commission and to members of the public in advance of the Commission's consideration of the question.

#### C. How to Obtain Published Opinions

All of the Commission's opinions are available for viewing or download at its website: www.ethics.state.fl.us.

#### VII. COMPLAINTS

#### A. Citizen Involvement

The Commission on Ethics cannot conduct investigations of alleged violations of the Sunshine Amendment or the Code of Ethics unless a person files a sworn complaint with the Commission alleging such violation has occurred, or a referral is received, as discussed below.

If you have knowledge that a person in government has violated the standards of conduct or disclosure laws described above, you may report these violations to the Commission by filing a sworn complaint on the form prescribed by the Commission and available for download at www.ethics.state.fl.us. The Commission is unable to take action based on learning of such misdeeds through newspaper reports, telephone calls, or letters.

You can download a complaint form (FORM 50) from the Commission's website: www.ethics.state.fl.us, or contact the Commission office at the address or phone number shown on the inside front cover of this booklet.

#### B. Referrals

The Commission may accept referrals from: the Governor, the Florida Department of Law Enforcement, a State Attorney, or a U.S. Attorney. A vote of six of the Commission's nine members is required to proceed on such a referral.

#### C. Confidentiality

The complaint or referral, as well as all proceedings and records relating thereto, is confidential until the accused requests that such records be made public or until the matter reaches a stage in the Commission's proceedings where it becomes public. This means that unless the Commission receives a written waiver of confidentiality from the accused, the Commission is not free to release any documents or to comment on a complaint or referral to members of the public or press, so long as the complaint or referral remains in a confidential stage.

A COMPLAINT OR REFERRAL MAY NOT BE FILED WITH RESPECT TO A CANDIDATE ON THE DAY OF THE ELECTION, OR WITHIN THE 30 CALENDAR DAYS PRECEDING THE ELECTION DATE, UNLESS IT IS BASED ON PERSONAL INFORMATION OR INFORMATION OTHER THAN HEARSAY.

#### D. How the Complaint Process Works

Complaints which allege a matter within the Commission's jurisdiction are assigned a tracking number and Commission staff forwards a copy of the original sworn complaint to the accused within five working days of its receipt. Any subsequent sworn amendments to the complaint also are transmitted within five working days of their receipt.

Once a complaint is filed, it goes through three procedural stages under the Commission's rules. The first stage is a determination of whether the allegations of the complaint are legally sufficient: that is, whether they indicate a possible violation of any law over which the Commission has jurisdiction. If the complaint is found not to be legally sufficient, the Commission will order that the complaint be dismissed without investigation, and all records relating to the complaint will become public at that time.

In cases of very minor financial disclosure violations, the official will be allowed an opportunity to correct or amend his or her disclosure form. Otherwise, if the complaint is found to be legally sufficient, a preliminary investigation will be undertaken by the investigative staff of the Commission. The second stage of the Commission's proceedings involves this preliminary investigation and a decision by the Commission as to whether there is probable cause to believe that there has been a violation of any of the ethics laws. If the Commission finds no probable cause to believe there has been a violation of the ethics laws, the complaint will be dismissed and will become a matter of public record. If the Commission finds probable cause to believe there has been a violation of the ethics laws, the complaint becomes public and usually enters the third stage of proceedings. This stage requires the Commission to decide whether the law was actually violated and, if so, whether a penalty should be recommended. At this stage, the accused has the right to request a public hearing (trial) at which evidence is presented, or the Commission may order that such a hearing be held. Public hearings usually are held in or near the area where the alleged violation occurred.

When the Commission concludes that a violation has been committed, it issues a public report of its findings and may recommend one or more penalties to the appropriate disciplinary body or official.

When the Commission determines that a person has filed a complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations, the complainant will be liable for costs plus reasonable attorney's fees incurred by the person complained against. The Department of Legal Affairs may bring a civil action to recover such fees and costs, if they are not paid voluntarily within 30 days.

#### E. Dismissal of Complaints At Any Stage of Disposition

The Commission may, at its discretion, dismiss any complaint at any stage of disposition should it determine that the public interest would not be served by proceeding further, in which case the Commission will issue a public report stating with particularity its reasons for the dismissal. [Sec. 112.324(12), Fla. Stat.]

#### *F.* Statute of Limitations

All sworn complaints alleging a violation of the Sunshine Amendment or the Code of Ethics must be filed with the Commission within five years of the alleged violation or other breach of the public trust. Time starts to run on the day AFTER the violation or breach of public trust is committed. The statute of limitations is tolled on the day a sworn complaint is filed with the Commission. If a complaint is filed and the statute of limitations has run, the complaint will be dismissed. [Sec. 112.3231, Fla. Stat.]

#### VIII. EXECUTIVE BRANCH LOBBYING

Any person who, for compensation and on behalf of another, lobbies an agency of the executive branch of state government with respect to a decision in the area of policy or procurement may be required to register as an executive branch lobbyist. Registration is required before lobbying an agency and is renewable annually. In addition, each lobbying firm must file a compensation report

with the Commission for each calendar quarter during any portion of which one or more of the firm's

lobbyists were registered to represent a principal. As noted above, no executive branch lobbyist or

principal can make, directly or indirectly, and no executive branch agency official or employee who

files FORM 1 or FORM 6 can knowingly accept, directly or indirectly, any expenditure made for the

purpose of lobbying. [Sec. 112.3215, Fla. Stat.]

Paying an executive branch lobbyist a contingency fee based upon the outcome of any specific

executive branch action, and receiving such a fee, is prohibited. A violation of this prohibition is a first

degree misdemeanor, and the amount received is subject to forfeiture. This does not prohibit sales

people from receiving a commission. [Sec. 112.3217, Fla. Stat.]

Executive branch departments, state universities, community colleges, and water

management districts are prohibited from using public funds to retain an executive branch (or

legislative branch) lobbyist, although these agencies may use full-time employees as lobbyists. [Sec.

11.062, Fla. Stat.]

Online registration and filing is available at www.floridalobbyist.gov. Additional information

about the executive branch lobbyist registration system may be obtained by contacting the Lobbyist

Registrar at the following address:

Executive Branch Lobbyist Registration

Room G-68, Claude Pepper Building

111 W. Madison Street

Tallahassee, FL 32399-1425

Phone: 850/922-4990

IX. WHISTLE-BLOWER'S ACT

In 1986, the Legislature enacted a "Whistle-blower's Act" to protect employees of agencies

and government contractors from adverse personnel actions in retaliation for disclosing information

in a sworn complaint alleging certain types of improper activities. Since then, the Legislature has

revised this law to afford greater protection to these employees.

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While this language is contained within the Code of Ethics, the Commission has no jurisdiction or authority to proceed against persons who violate this Act. Therefore, a person who has disclosed information alleging improper conduct governed by this law and who may suffer adverse consequences as a result should contact one or more of the following: the Office of the Chief Inspector General in the Executive Office of the Governor; the Department of Legal Affairs; the Florida Commission on Human Relations; or a private attorney. [Sec. 112.3187 - 112.31895, Fla. Stat.]

#### X. ADDITIONAL INFORMATION

As mentioned above, we suggest that you review the language used in each law for a more detailed understanding of Florida's ethics laws. The "Sunshine Amendment" is Article II, Section 8, of the Florida Constitution. The Code of Ethics for Public Officers and Employees is contained in Part III of Chapter 112, Florida Statutes.

Additional information about the Commission's functions and interpretations of these laws may be found in Chapter 34 of the Florida Administrative Code, where the Commission's rules are published, and in The Florida Administrative Law Reports, which until 2005 published many of the Commission's final orders. The Commission's rules, orders, and opinions also are available at www.ethics.state.fl.us.

If you are a public officer or employee concerned about your obligations under these laws, the staff of the Commission will be happy to respond to oral and written inquiries by providing information about the law, the Commission's interpretations of the law, and the Commission's procedures.

#### XI. TRAINING

Constitutional officers, elected municipal officers, commissioners of community redevelopment agencies (CRAs), and commissioners of community development districts are required to receive a total of four hours training, per calendar year, in the area of ethics, public

records, and open meetings. The Commission on Ethics does not track compliance or certify providers.

Officials indicate their compliance with the training requirement when they file their annual Form 1 or Form 6.

Visit the training page on the Commission's website for up-to-date rules, opinions, audio/video training, and opportunities for live training conducted by Commission staff.

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT

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## FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LACTNAME FIDETNAME MIDDLENAME		NAME OF BOARD OF	OLINICII COMMUSSIONI	LAUTHODITY OD COMMITTEE	
LAST NAME—FIRST NAME—MIDDLE NAME		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE			
MAILING ADDRESS		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON			
		WHICH I SERVE IS A UNIT OF:			
		CITY	□ COUNTY	☐ OTHER LOCAL AGENCY	
CITY	COUNTY	3 0111	<b>-</b> COON11	- OTTIER EOOAL AGENCT	
		NAME OF POLITICAL SUBDIVISION:			
DATE ON WHICH VOTE OCCURRED		MV DOCITION IC:			
		MY POSITION IS:			
			ELECTIVE	□ APPOINTIVE	

#### WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filling the form.

#### INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

#### **ELECTED OFFICERS:**

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

#### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

• You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

#### **APPOINTED OFFICERS (continued)**

- · A copy of the form must be provided immediately to the other members of the agency.
- · The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- · You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST				
I,, hereby disclose that of	on, 20 :			
(a) A measure came or will come before my agency which (check one or mo	re)			
inured to my special private gain or loss;				
inured to the special gain or loss of my business associate,	;			
inured to the special gain or loss of my relative,	;			
inured to the special gain or loss of	, by			
whom I am retained; or				
inured to the special gain or loss of	, which			
is the parent subsidiary, or sibling organization or subsidiary of a princ	cipal which has retained me.			
(b) The measure before my agency and the nature of my conflicting interest	in the measure is as follows:			
If disclosure of specific information would violate confidentiality or privilege who is also an attorney, may comply with the disclosure requirements of this as to provide the public with notice of the conflict.				
Date Filed	Signature			

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT

#### **RESOLUTION 2024-05**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT ELECTING AND REMOVING OFFICERS OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Brookstone Community Development District (the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

**WHEREAS**, the District's Board of Supervisors desires to elect and remove Officers of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT THAT:

2024:	SECTION 1.	The following is	s/are elected as Officer(s) of the District effective August 2,
			is elected Chair
			is elected Vice Chair
			is elected Assistant Secretary
			is elected Assistant Secretary
			is elected Assistant Secretary
	SECTION 2.	The following O	fficer(s) shall be removed as Officer(s) as of August 2, 2024:

**SECTION 3**. The following prior appointments by the Board remain unaffected by this Resolution:

	Craig Wrathell	is Secretary	
	Daniel Rom	is Assistant Secretary	
	Kristen Thomas	is Assistant Secretary	
	Craig Wrathell	is Treasurer	
	Jeff Pinder	is Assistant Treasurer	
PASSED AND ADOPTED THIS 2ND DAY OF AUGUST, 2024.			
ATTEST:		BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT	
Connet	ym / Assistant Convotony	Chain Mine Chain Board of Constructions	
secreta	ry/Assistant Secretary	Chair/Vice Chair, Board of Supervisors	

## BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT

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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
18787	571793	Print Legal Ad-IPL01828090 - IPL0182809		\$158.01	1	72 L

#### Attention:

BROOKSTONE CDD 2300 GLADES ROAD SUITE 410 W BOCA RATON, FL 33431

gillyardd@whhassociates.com

BROOKSTONE COMMUNITY DEVELPMENT DISTRICT NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2025 BUDGET; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING.

The Board of Supervisors ("Board") of the Brookstone Community Development District ("**District**") will hold a public hearing on August 2, 2024 at 11:00 a.m., or as soon thereafter as the matter may be heard, at Country Inn & Suites, Bradenton/Lakewood Ranch, 5610 Manor Hill Lane, Bradenton, Florida 34203 for the purpose of hearing comments and objections on the adoption of the proposed budget ("**Proposed Budget**") of the District for the fiscal year beginning October 1, 2024 and ending September 30, 2025 ("Fiscal Year 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, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (877) 276-0889 ("District Manager's Office"), during normal business hours, or by visiting the District's website at www.brookstonecdd.

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 IPL0182809 Jul 14,21 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: 2 insertion(s) published on:

07/14/24, 07/21/24

### THE STATE OF FLORIDA COUNTY OF MANATEE

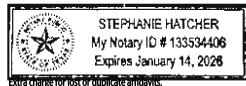
Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office 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 22nd day of July in the year of 2024

lyter Tunick

Stephanie Hatcher

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



Legal document please do not destroy!

## BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT

**6B** 

### RESOLUTION 2024-06 [FY 2025 APPROPRIATION RESOLUTION]

THE ANNUAL APPROPRIATION RESOLUTION OF THE BROOKSTONE 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, for the fiscal year beginning October 1, 2024, and ending September 30, 2025 ("FY 2025"), the District Manager prepared and submitted to the Board of Supervisors ("Board") of the Brookstone Community Development District ("District") prior to June 15, 2024, proposed budget(s) ("Proposed Budget") 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 general-purpose government(s) 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 on the Proposed Budget 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 in accordance with Section 189.016, *Florida Statutes*; and

WHEREAS, Section 190.008(2)(a), Florida Statutes, requires that, prior to October 1<sup>st</sup> 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.

### NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT:

#### SECTION 1. BUDGET

a. 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.

- b. 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 Brookstone Community Development District for the Fiscal Year Ending September 30, 2025."
- c. The Adopted Budget shall be posted by the District Manager on the District's official website in accordance with Section 189.016, *Florida Statutes* and shall remain on the website for at least two (2) years.

#### SECTION 2. APPROPRIATIONS

There is hereby appropriated out of the revenues of the District, for FY 2025, the sum(s) set forth in **Exhibit A** to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated as set forth in **Exhibit A**.

#### **SECTION 3. BUDGET AMENDMENTS**

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within FY 2025 or within 60 days following the end of the FY 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 this paragraph c. are posted on the District's website in accordance with Section 189.016, *Florida Statutes*, and remain on the website for at least two (2) years.

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

#### PASSED AND ADOPTED THIS 2ND DAY OF AUGUST, 2024.

ATTEST:		BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT		
Secretary/A	ssistant Secretary	Chair/Vice Chair, Board of Supervisors		
Exhibit A:	FY 2025 Budget			

Exhibit A: FY 2025 Budget

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT PROPOSED BUDGET FISCAL YEAR 2025

## BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT TABLE OF CONTENTS

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# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT GENERAL FUND BUDGET FISCAL YEAR 2025

		Fiscal	Year 2024		
	Adopted	Actual	Projected	Total	Proposed
	Budget	through	through	Actual &	Budget
	FY 2024	3/31/2024	9/30/2024	Projected	FY 2025
REVENUES					
Assessment levy: on-roll - gross	\$ 127,898				\$ 127,898
Allowable discounts (4%)	(5,116)				(5,116)
Assessment levy: on-roll - net	122,782	\$120,817	\$ 1,965	\$ 122,782	122,782
Interest Income	, -	7,954	-	7,954	-
Total revenues	122,782	128,771	1,965	130,736	122,782
EXPENDITURES					
Professional & administrative					
Supervisors	2,584	_	2,584	2,584	5,167
Management/accounting/recording	46,818	23,409	23,409	46,818	48,223
DSF accounting/assessment collections	5,500	2,750	2,750	5,500	5,500
Legal	12,000	905	11,095	12,000	10,000
Engineering	2,500	905	2,500	2,500	5,000
Audit	6,950	_	6,950	6,950	6,800
Arbitrage rebate calculation	1,500	500	1,000	1,500	1,500
Dissemination agent <sup>1</sup>	2,000	1,000	1,000	2,000	2,000
Trustee	10,000	1,000	10,000	10,000	10,000
EMMA Software Service	10,000	_	10,000	10,000	1,000
Telephone	200	100	100	200	200
Postage	500	35	465	500	500
Printing & binding	500	250	250	500	500
Legal advertising	5,500	-	5,500	5,500	1,750
Annual special district fee	175	175	-	175	175
Insurance	6,600	6,228	_	6,228	6,851
Contingencies/bank charges	5,000	232	250	482	500
Website	3,333		-		
Hosting & maintenance	705	705	-	705	705
ADA compliance	210	210	-	210	210
Property appraiser & tax collector	3,836	3,619	217	3,836	3,836
Total professional & administrative	113,078	40,118	68,070	108,188	110,417
Total expenditures	113,078	40,118	68,070	108,188	110,417
Excess/(deficiency) of revenues	9,704	88,653	(66,105)	22,548	12,365
over/(under) expenditures					
Fund balance - beginning (unaudited)	69,475	48,504	137,157	48,504	71,052
Fund balance - ending					
Committed:					
3 months working capital	33,220	32,581	33,220	33,220	32,743
Unassigned	45,959	104,576	37,832	37,832	50,674
Fund balance - ending (projected)	\$ 79,179	\$ 137,157	\$ 71,052	\$ 71,052	\$ 83,417

<sup>&</sup>lt;sup>1</sup> \$1,000 per bond issuance.

#### **BROOKSTONE** COMMUNITY DEVELOPMENT DISTRICT **DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES	
Professional & administrative Supervisors	\$ 5,167
Management/accounting/recording	48,223
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.	. 5,==5
DSF accounting/assessment collections Series 2018 and Series 2022 bonds	5,500
Legal	10,000
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.	
Engineering	5,000
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.	
Audit	6,800
Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.	•
Arbitrage rebate calculation	1,500
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Dissemination agent	2,000
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.	
Trustee	10,000
Annual fee for the service provided by trustee, paying agent and registrar. EMMA	1,000
Disclosure Technology Services, LLC EMMA filing assistance software license agreement for quarterly disclosure reporting	
Telephone	200
Telephone and fax machine.  Postage	500
Mailing of agenda packages, overnight deliveries, correspondence, etc.	000
Printing & binding Letterhead, envelopes, copies, agenda packages, etc.	500
Legal advertising  The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.	1,750
Annual special district fee	175
Annual fee paid to the Florida Department of Economic Opportunity.	
Insurance The District will obtain public officials and general liability insurance.	6,851
Contingencies/bank charges  Bank charges,automated AP routing, nd other miscellaneous expenses incurred during the year.	500
Website	705
Hosting & maintenance ADA compliance	705 210
Property appraiser & tax collector	3,836
Total expenditures	\$110,417

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT DEBT SERVICE FUND BUDGET - SERIES 2018 FISCAL YEAR 2025

		Fisca	Year 2024		_
	Adopted	Actual	Projected	Total	Proposed
	Budget	through	through	Actual &	Budget
	FY 2024	3/31/2024	9/30/2024	Projected	FY 2025
REVENUES					
Assessment levy: on-roll	\$ 858,379				\$ 858,379
Allowable discounts (4%)	(34,335				(34,335)
Net assessment levy - on-roll	824,044		\$ 13,190	\$ 824,044	824,044
Assessment prepayments	-	16,227	-	16,227	-
Interest		35,006	-	35,006	
Total revenues	824,044	862,087	13,190	875,277	824,044
EXPENDITURES					
Debt service					
Principal	225,000	225,000	_	225,000	230,000
Interest	570,684	•	283,162	570,684	560,225
Property appraiser & tax collector	25,752	•	1,463	25,752	25,752
Total expenditures	821,436		284,625	821,436	815,977
Excess/(deficiency) of revenues					
over/(under) expenditures	2,608	325,276	(271,435)	53,841	8,067
, , ,			,		
Fund balance:					
Beginning fund balance (unaudited)	1,464,579	1,510,357	1,835,633	1,510,357	1,564,198
Ending fund balance (projected)	\$ 1,467,187	\$1,835,633	\$ 1,564,198	\$ 1,564,198	1,572,265
					_
Use of fund balance:					
Debt service reserve account balance (re	equired)				(800,600)
Principal expense - November 1, 2025					(240,000)
Interest expense - November 1, 2025					(277,453)
Projected fund balance surplus/(deficit) a	s of Septembe	r 30, 2025			\$ 254,212

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT SERIES 2018 AMORTIZATION SCHEDULE

				Bond
Principal	Coupon Rate	Interest	Debt Service	Balance
230,000.00	4.625%	282,771.88	512,771.88	10,780,000.00
		277,453.13	277,453.13	10,780,000.00
240,000.00	4.625%	277,453.13	517,453.13	10,540,000.00
		,	*	10,540,000.00
255,000.00	4.625%	,	•	10,285,000.00
		,	•	10,285,000.00
265,000.00	4.625%			10,020,000.00
		259,878.13	259,878.13	10,020,000.00
275,000.00	4.625%	259,878.13		9,745,000.00
		253,518.75	253,518.75	9,745,000.00
290,000.00	5.125%		543,518.75	9,455,000.00
			•	9,455,000.00
305,000.00	5.125%	246,087.50	•	9,150,000.00
		238,271.88	•	9,150,000.00
320,000.00	5.125%	238,271.88	558,271.88	8,830,000.00
		230,071.88	230,071.88	8,830,000.00
335,000.00	5.125%	230,071.88	565,071.88	8,495,000.00
		221,487.50	221,487.50	8,495,000.00
355,000.00	5.125%	221,487.50	576,487.50	8,140,000.00
		212,390.63	212,390.63	8,140,000.00
370,000.00	5.125%	212,390.63	582,390.63	7,770,000.00
		202,909.38	202,909.38	7,770,000.00
390,000.00	5.125%	202,909.38	592,909.38	7,380,000.00
		192,915.63	192,915.63	7,380,000.00
410,000.00	5.125%	192,915.63	602,915.63	6,970,000.00
		182,409.38	182,409.38	6,970,000.00
430,000.00	5.125%	182,409.38	612,409.38	6,540,000.00
		171,390.63	171,390.63	6,540,000.00
455,000.00	5.125%	171,390.63	626,390.63	6,085,000.00
		159,731.25	159,731.25	6,085,000.00
480,000.00	5.250%	159,731.25	639,731.25	5,605,000.00
		147,131.25	147,131.25	5,605,000.00
505,000.00	5.250%	147,131.25	652,131.25	5,100,000.00
		133,875.00	133,875.00	5,100,000.00
	230,000.00 240,000.00 255,000.00 265,000.00 275,000.00 305,000.00 320,000.00 335,000.00 355,000.00 370,000.00 410,000.00 430,000.00 455,000.00 480,000.00	230,000.00       4.625%         240,000.00       4.625%         255,000.00       4.625%         265,000.00       4.625%         275,000.00       4.625%         290,000.00       5.125%         305,000.00       5.125%         335,000.00       5.125%         370,000.00       5.125%         370,000.00       5.125%         410,000.00       5.125%         430,000.00       5.125%         455,000.00       5.125%         480,000.00       5.250%	230,000.00       4.625%       282,771.88         240,000.00       4.625%       277,453.13         240,000.00       4.625%       271,903.13         255,000.00       4.625%       266,006.25         265,000.00       4.625%       266,006.25         259,878.13       275,000.00       4.625%       259,878.13         275,000.00       5.125%       253,518.75         290,000.00       5.125%       246,087.50         305,000.00       5.125%       238,271.88         320,000.00       5.125%       230,071.88         335,000.00       5.125%       230,071.88         355,000.00       5.125%       221,487.50         370,000.00       5.125%       221,487.50         212,390.63       202,909.38         390,000.00       5.125%       202,909.38         390,000.00       5.125%       202,909.38         430,000.00       5.125%       192,915.63         430,000.00       5.125%       171,390.63         455,000.00       5.125%       171,390.63         455,000.00       5.250%       159,731.25         480,000.00       5.250%       147,131.25	230,000.00         4.625%         282,771.88         512,771.88           240,000.00         4.625%         277,453.13         277,453.13           240,000.00         4.625%         277,453.13         517,453.13           255,000.00         4.625%         271,903.13         526,903.13           266,006.25         266,006.25         266,006.25         266,006.25           265,000.00         4.625%         266,006.25         531,006.25           259,878.13         259,878.13         259,878.13         259,878.13           275,000.00         4.625%         259,878.13         534,878.13           290,000.00         5.125%         253,518.75         543,518.75           290,000.00         5.125%         246,087.50         246,087.50           305,000.00         5.125%         246,087.50         551,087.50           338,271.88         238,271.88         238,271.88           335,000.00         5.125%         238,271.88         230,071.88           335,000.00         5.125%         230,071.88         565,071.88           221,487.50         257,487.50         257,487.50         257,487.50           355,000.00         5.125%         221,487.50         576,487.50           370

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT SERIES 2018 AMORTIZATION SCHEDULE

	Driveinel	Course Bata	Interest	Dobt Comice	Bond
-	Principal	Coupon Rate	Interest	Debt Service	Balance
11/01/41	530,000.00	5.250%	133,875.00	663,875.00	4,570,000.00
05/01/42			119,962.50	119,962.50	4,570,000.00
11/01/42	555,000.00	5.250%	119,962.50	674,962.50	4,015,000.00
05/01/43			105,393.75	105,393.75	4,015,000.00
11/01/43	585,000.00	5.250%	105,393.75	690,393.75	3,430,000.00
05/01/44			90,037.50	90,037.50	3,430,000.00
11/01/44	615,000.00	5.250%	90,037.50	705,037.50	2,815,000.00
05/01/45			73,893.75	73,893.75	2,815,000.00
11/01/45	650,000.00	5.250%	73,893.75	723,893.75	2,165,000.00
05/01/46			56,831.25	56,831.25	2,165,000.00
11/01/46	685,000.00	5.250%	56,831.25	741,831.25	1,480,000.00
05/01/47			38,850.00	38,850.00	1,480,000.00
11/01/47	720,000.00	5.250%	38,850.00	758,850.00	760,000.00
05/01/48			19,950.00	19,950.00	760,000.00
11/01/48	760,000.00	5.250%	19,950.00	779,950.00	-
Total	11,010,000.00		8,627,471.98	19,637,471.98	

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT DEBT SERVICE FUND BUDGET - SERIES 2018 FISCAL YEAR 2025

		Fiscal	Year 2024		
	Adopted Budget FY 2024	Actual through 3/31/2024	Projected through 9/30/2024	Total Actual & Projected	Proposed Budget FY 2025
REVENUES					-
Assessment levy: on-roll	\$ 786,266				\$ 786,266
Allowable discounts (4%)	(31,451	)			(31,451)
Net assessment levy - on-roll	754,815	\$ 742,734	\$ 12,081	\$ 754,815	754,815
Interest		17,219		17,219	
Total revenues	754,815	759,953	12,081	772,034	754,815
EXPENDITURES					
Debt service					
Principal	160,000	-	160,000	160,000	170,000
Interest	571,131	285,567	285,564	571,131	564,131
Property appraiser & tax collector	23,588	22,248	1,340	23,588	23,588
Total expenditures	754,719	307,815	446,904	754,719	757,719
Excess/(deficiency) of revenues over/(under) expenditures	96	452,138	(434,823)	17,315	(2,904)
OTHER FINANCING SOURCES/(USES) Transfer out	-	-	-	-	-
Total other financing sources/(uses)	_		-		-
Net increase/(decrease) in fund balance	96	452,138	(434,823)	17,315	(2,904)
Fund balance:					
Beginning fund balance (unaudited)	659,346	677,088	1,129,226	677,088	694,403
Ending fund balance (projected)	\$ 659,442	\$1,129,226	\$ 694,403	\$ 694,403	691,499
Use of fund balance:					
Debt service reserve account balance (rec	guired)				(366,086)
Interest expense - November 1, 2025	, ,				(278,347)
Projected fund balance surplus/(deficit) as	of Septembe	r 30, 2025			\$ 47,066
, , , , , , , , , , , , , , , , , , , ,	•	•			

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT DEBT SERVICE FUND BUDGET - SERIES 2022

	Principal	Coupon Rate	Interest	Debt Service	Bond Balance
11/01/24	·	•	282,065.63	282,065.63	10,385,000.00
05/01/25	170,000.00	4.375%	282,065.63	452,065.63	10,215,000.00
11/01/25			278,346.88	278,346.88	10,215,000.00
05/01/26	175,000.00	4.375%	278,346.88	453,346.88	10,040,000.00
11/01/26			274,518.75	274,518.75	10,040,000.00
05/01/27	185,000.00	4.375%	274,518.75	459,518.75	9,855,000.00
11/01/27			270,471.88	270,471.88	9,855,000.00
05/01/28	195,000.00	4.750%	270,471.88	465,471.88	9,660,000.00
11/01/28			265,840.63	265,840.63	9,660,000.00
05/01/29	205,000.00	4.750%	265,840.63	470,840.63	9,455,000.00
11/01/29			260,971.88	260,971.88	9,455,000.00
05/01/30	215,000.00	4.750%	260,971.88	475,971.88	9,240,000.00
11/01/30			255,865.63	255,865.63	9,240,000.00
05/01/31	225,000.00	4.750%	255,865.63	480,865.63	9,015,000.00
11/01/31			250,521.88	250,521.88	9,015,000.00
05/01/32	235,000.00	4.750%	250,521.88	485,521.88	8,780,000.00
11/01/32			244,940.63	244,940.63	8,780,000.00
05/01/33	245,000.00	5.500%	244,940.63	489,940.63	8,535,000.00
11/01/33			238,203.13	238,203.13	8,535,000.00
05/01/34	260,000.00	5.500%	238,203.13	498,203.13	8,275,000.00
11/01/34			231,053.13	231,053.13	8,275,000.00
05/01/35	275,000.00	5.500%	231,053.13	506,053.13	8,000,000.00
11/01/35			223,490.63	223,490.63	8,000,000.00
05/01/36	290,000.00	5.500%	223,490.63	513,490.63	7,710,000.00
11/01/36			215,515.63	215,515.63	7,710,000.00
05/01/37	305,000.00	5.500%	215,515.63	520,515.63	7,405,000.00
11/01/37			207,128.13	207,128.13	7,405,000.00
05/01/38	325,000.00	5.500%	207,128.13	532,128.13	7,080,000.00
11/01/38			198,190.63	198,190.63	7,080,000.00
05/01/39	345,000.00	5.500%	198,190.63	543,190.63	6,735,000.00
11/01/39			188,703.13	188,703.13	6,735,000.00
05/01/40	360,000.00	5.500%	188,703.13	548,703.13	6,375,000.00
11/01/40			178,803.13	178,803.13	6,375,000.00
05/01/41	385,000.00	5.500%	178,803.13	563,803.13	5,990,000.00
11/01/41			168,215.63	168,215.63	5,990,000.00
05/01/42	405,000.00	5.500%	168,215.63	573,215.63	5,585,000.00
11/01/42			157,078.13	157,078.13	5,585,000.00

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT DEBT SERVICE FUND BUDGET - SERIES 2022

					Bond
	Principal	Coupon Rate	Interest	<b>Debt Service</b>	Balance
05/01/43	430,000.00	5.625%	157,078.13	587,078.13	5,155,000.00
11/01/43			144,984.38	144,984.38	5,155,000.00
05/01/44	455,000.00	5.625%	144,984.38	599,984.38	4,700,000.00
11/01/44			132,187.50	132,187.50	4,700,000.00
05/01/45	480,000.00	5.625%	132,187.50	612,187.50	4,220,000.00
11/01/45			118,687.50	118,687.50	4,220,000.00
05/01/46	505,000.00	5.625%	118,687.50	623,687.50	3,715,000.00
11/01/46			104,484.38	104,484.38	3,715,000.00
05/01/47	535,000.00	5.625%	104,484.38	639,484.38	3,180,000.00
11/01/47			89,437.50	89,437.50	3,180,000.00
05/01/48	565,000.00	5.625%	89,437.50	654,437.50	2,615,000.00
11/01/48			73,546.88	73,546.88	2,615,000.00
05/01/49	600,000.00	5.625%	73,546.88	673,546.88	2,015,000.00
11/01/49			56,671.88	56,671.88	2,015,000.00
05/01/50	635,000.00	5.625%	56,671.88	691,671.88	1,380,000.00
11/01/50			38,812.50	38,812.50	1,380,000.00
05/01/51	670,000.00	5.625%	38,812.50	708,812.50	710,000.00
11/01/51			19,968.75	19,968.75	710,000.00
05/01/52	710,000.00	5.625%	19,968.75	729,968.75	
Total	10,385,000.00		10,337,412.72	20,722,412.72	

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT ASSESSMENT COMPARISON PROJECTED FISCAL YEAR 2025 ASSESSMENTS

On-Roll Assessments - Series 2018 Bond Units									
			Fiscal Year 2025						al Year 2024
			O&M	DS		Total		Total	
		Assessment		Assessment		Assessment		Assessment	
	Units	per Unit		per Unit		per Unit		per Unit	
SF 40'	88	\$	117.23	\$	1,290.32	\$	1,407.55	\$	1,407.55
SF 50'	209		117.23		1,559.14		1,676.37		1,676.37
SF 60'	2	117.23			1,639.78		1,757.01		1,757.01
Total	299								

Note: DS Assessment amounts are the result of partial prepayments

On-Roll Assessments - Series 2018 Bond Units									
			F	isca	l Year 2025			Fisca	al Year 2024
			O&M	DS		Total		Total	
		Ass	essment	Assessment		Assessment		Assessment	
	Units	per Unit		per Unit		per Unit		per Unit	
SF 40'	8	\$	117.23	\$	1,724.86	\$	1,842.09	\$	1,842.09
SF 50'	187		117.23	1,724.86		1,842.09			1,842.09
SF 60'	46	117.23			1,724.86		1,842.09		1,842.09
Total	241								

	On-Roll Assessments - Series 2022 Units								
			ſ	Fisca	al Year 2024				
		(	O&M	DS		Total		Total	
		Ass	essment	Assessment		Assessment		Assessment	
	Units	per Unit		per Unit		per Unit		per Unit	
SF 40'	281	\$	117.23	\$	1,288.43	\$	1,405.66	\$	1,405.66
SF 50'	222	117.23		1,556.86		1,674.09			1,674.09
SF 60'	48	117.23			1,637.39		1,754.62		1,754.62
Total	551								

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT

## RESOLUTION 2024-07 [FY 2025 ASSESSMENT RESOLUTION]

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR FUNDING FOR THE FY 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 Brookstone 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, located in Manatee County, Florida ("County"); 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, for the fiscal year beginning October 1, 2024, and ending September 30, 2025 ("FY 2025"), 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"), attached hereto as Exhibit A; and

WHEREAS, pursuant to Chapter 190, Florida Statutes, the District may fund the Adopted Budget through the levy and imposition of special assessments on benefitted lands within the District and, regardless of the imposition method utilized by the District, under Florida law the District may collect such assessments by direct bill, tax roll, or in accordance with other collection measures provided by law; 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 BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT:

- 1. **FUNDING.** The District's Board hereby authorizes the funding mechanisms for the Adopted Budget as provided further herein and as indicated in the Adopted Budget attached hereto as **Exhibit A** and the assessment roll attached hereto as **Exhibit B** ("Assessment Roll").
  - 2. OPERATIONS AND MAINTENANCE ASSESSMENTS.

- a. 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 Exhibit A and Exhibit B and is hereby found to be fair and reasonable.
- b. O&M Assessment Imposition. Pursuant to Chapter 190, Florida Statutes, a special assessment for operations and maintenance ("O&M Assessment(s)") is hereby levied and imposed on benefitted lands within the District and in accordance with Exhibit A and Exhibit B. The lien of the O&M Assessments imposed and levied by this Resolution shall be effective upon passage of this Resolution.
- **c. 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.
- 3. DEBT SERVICE SPECIAL ASSESSMENTS. The District's Board hereby certifies for collection the FY 2025 installment of the District's previously levied debt service special assessments ("Debt Assessments," and together with the O&M Assessments, the "Assessments") in accordance with this Resolution and as further set forth in Exhibit A and Exhibit B, and hereby directs District staff to effect the collection of the same.
- 4. **COLLECTION AND ENFORCEMENT; PENALTIES; INTEREST.** Pursuant to Chapter 190, *Florida Statutes*, the District is authorized to collect and enforce the Assessments as set forth below.
  - a. Tax Roll Assessments. To the extent indicated in Exhibit A and Exhibit B, those certain O&M Assessments (if any) and/or Debt Assessments (if any) imposed on the "Tax Roll Property" identified in Exhibit B shall be collected by the County Tax Collector at the same time and in the same manner as County property taxes in accordance with Chapter 197, Florida Statutes ("Uniform Method"). That portion of the Assessment Roll which includes the Tax Roll Property is hereby certified to the County Tax Collector and shall be collected by the County Tax Collector in the same manner and time as County property taxes. The District's Board finds and determines that such collection method is an efficient method of collection for the Tax Roll Property.
  - **b.** Future Collection Methods. The District's decision to collect 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.

- 5. **ASSESSMENT ROLL; AMENDMENTS.** The Assessment Roll, attached hereto as **Exhibit B,** is hereby certified for collection. The Assessment Roll shall be collected pursuant to the collection methods provided above. The proceeds therefrom shall be paid to the District. 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.
- 6. **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.
- 7. **EFFECTIVE DATE.** This Resolution shall take effect upon the passage and adoption of this Resolution by the Board.

PASSED AND ADOPTED THIS 2ND DAY OF AUGUST, 2024.

ATTEST:	BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT
Secretary/Assistant Secretary	By: Its:

**Exhibit A:** Budget

**Exhibit B:** Assessment Roll

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT



#### **Memorandum**

**To:** Board of Supervisors

From: District Management

**Date:** August 2, 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

#### BROOKSTONE 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) <u>regular</u> 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. <u>INFRASTRUCTURE AND FACILITIES MAINTENANCE</u>

#### **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	

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT

9

# **Brookstone Community Development District FINANCIAL STATEMENTS** September 30, 2023

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#### INDEPENDENT AUDITOR'S REPORT

To the Board of Supervisors
Brookstone Community Development District
Manatee County, Florida

#### **Opinions**

We have audited the accompanying financial statements of the governmental activities and each major fund of Brookstone Community Development District (hereinafter referred to as "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 and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. 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 these 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 and *Government 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 and Government 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 budget to actual comparison information on pages 4 - 8 and 25 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.

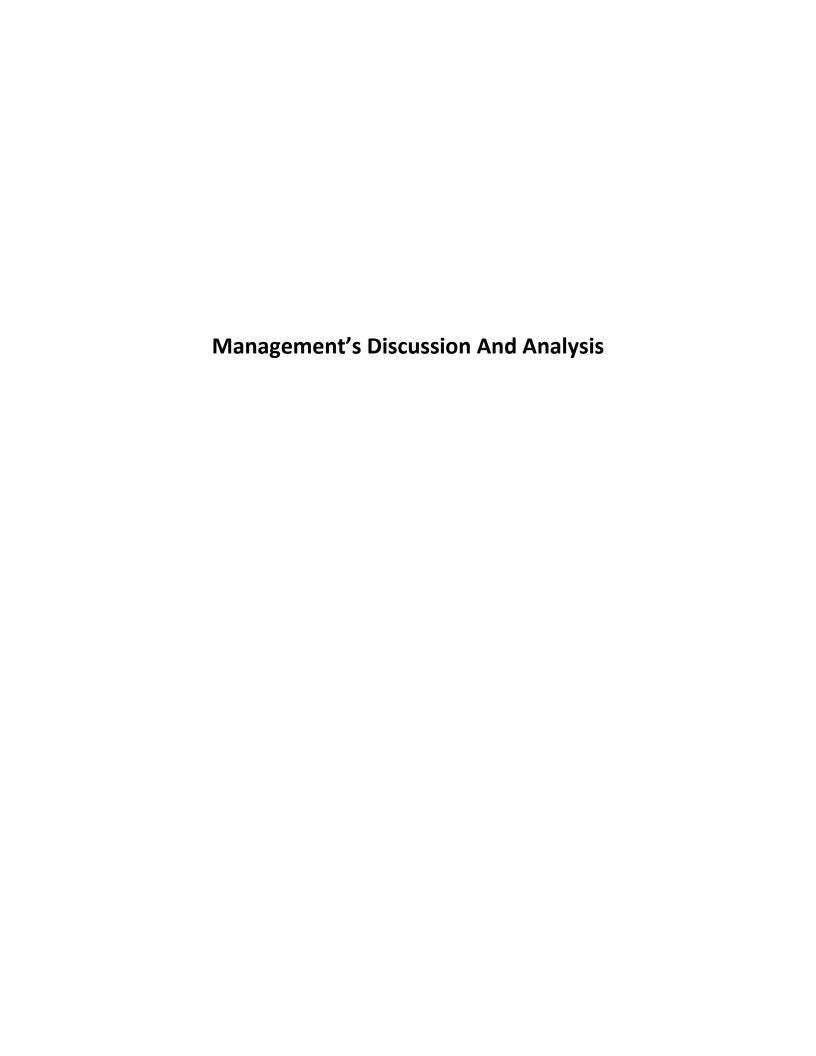
#### Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated June 21, 2024, on our consideration of the District's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is 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 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.

CARR, RIGGS & INGRAM, LLC

Can, Rigge & Ingram, L.L.C.

Fort Walton Beach, Florida June 21, 2024



Our discussion and analysis of the Brookstone Community Development District's 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 financial statements, which begin on page 9.

#### **FINANCIAL HIGHLIGHTS**

- At September 30, 2023, the assets of the District exceeded its liabilities by approximately \$1.2 million.
- During the fiscal year ended September 30, 2023, the District incurred interest expenditures totaling approximately \$920,000, and repaid \$370,000 of outstanding long-term principal.

#### **USING THE ANNUAL REPORT**

This annual report consists of a series of financial statements. The Statement of Net Position and the Statement of Activities on pages 9 – 10 provide information about the activities of the District as a whole and present a longer-term view of the District's finances. Fund financial statements start on page 11. For governmental activities, these statements tell how these services were financed in the short-term as well as what remains for future spending. Fund financial statements also report the District's operations in more detail than the government-wide statements by providing information about the District's most significant funds.

#### Reporting the District as a Whole

Our analysis of the District as a whole begins on page 5. One of the most important questions asked about the District's finances is, "Is the District as a whole better off or worse off as a result of the year's activities?" The Statement of Net Position and the Statement of Activities report information about the District as a whole and about its activities in a way that helps answer this question. These statements include all assets and liabilities using the accrual basis of accounting, which is similar to the accounting used by most private-sector companies. All of the current year's revenues and expenses are taken into account regardless of when cash is received or paid.

These two statements report the District's net position and related changes during the current year. You can think of the District's net position – the difference between assets and liabilities – as one way to measure the District's financial health, or financial position. Over time, increases or decreases in the District's net position is one indicator of whether its financial health is improving or deteriorating. You will need to consider other nonfinancial factors; however, such as changes in the District's assessment base and the condition of the District's infrastructure, to assess the overall health of the District.

#### Reporting the District's Most Significant Funds

Our analysis of the District's major funds begins on page 6. The fund financial statements begin on page 11 and provide detailed information about the most significant funds – not the District as a whole. Some funds are required to be established by State law and by bond covenants. All of the District's funds are governmental fund-types.

Governmental funds – All of the District's basic services are reported in governmental funds, which focus on how money flows into and out of those funds and the balances left at year-end that are available for spending. The governmental fund statements provide a detailed short-term view of the District's general government operations and the basic services it provides. Governmental fund information helps you determine whether there are more or fewer financial resources that can be spent in the near future to finance the District's programs.

#### THE DISTRICT AS A WHOLE

The following table reflects the condensed Statement of Net Position and is compared to the prior year.

September 30,	2023	2022	Change
Assets			_
Current and other assets	\$ 4,089,229	\$ 3,669,172	\$ 420,057
Capital assets, net	19,419,565	19,788,665	(369,100)
Total assets	\$ 23,508,794	\$ 23,457,837	\$ 50,957
Liabilities			
Current liabilities	\$ 903,683	\$ 646,223	\$ 257,460
Other liabilities	21,410,000	21,795,000	(385,000)
Total liabilities	22,313,683	22,441,223	(127,540)
Net position			
Net investment in capital assets	501,512	566,643	(65,131)
Restricted for:			
Debt service	560,559	401,466	159,093
Capital projects	65,739	-	65,739
Unrestricted	67,301	48,505	18,796
Total net position	1,195,111	1,016,614	178,497
Total liabilities and net position	\$ 23,508,794	\$ 23,457,837	\$ 50,957

For more detailed information, see the accompanying Statement of Net Position.

During the fiscal year ended September 30, 2023, total assets increased and total liabilities decreased by approximately \$51,000 and \$128,000, respectively, from the prior fiscal year. The increase in assets relates to the excess of assessments over expenses in the current year, and the decrease in liabilities is primarily due to the repayment of outstanding long-term principal.

The following schedule compares the Statement of Activities for the current and previous fiscal year.

For the year ended September 30,	2023		2022		Change
Revenue:					_
Program revenue:					
Charges for services	\$	1,654,818	\$ 950,881	\$	703,937
Grants and contributions		148,795	9,324,183		(9,175,388)
Total revenue		1,803,613	10,275,064		(8,471,451)
Expenses:					
General government		99,788	98,133		1,655
Conveyance of capital assets		-	8,837,060		(8,837,060)
Bond issuance costs		5,725	275,272		(269,547)
Unallocated depreciation		383,761	-		383,761
Interest		1,135,842	602,231		533,611
Total expenses		1,625,116	9,812,696		(8,187,580)
Change in net position		178,497	462,368		(283,871)
Net position, beginning of year		1,016,614	554,246		462,368
Net position, end of year	\$	1,195,111	\$ 1,016,614	\$	178,497

For more detailed information, see the accompanying Statement of Activities.

During the fiscal year ended September 30, 2023, total revenue and expenses decreased by approximately \$8.5 million and \$8.2 million, respectively, from the prior fiscal year. The decrease in revenue is primarily due to contribution of certain completed infrastructure from the Developer in the prior year. The decrease in expenses is primarily due to conveyance of infrastructure to Manatee County and the costs of issuance associated with the Series 2022 bonds incurred in the prior year. The overall result was a \$178,497 increase in net position for fiscal year 2023.

#### THE DISTRICT'S FUNDS

As the District completed the year, its governmental funds (as presented in the balance sheet on page 11) reported a combined fund balance of approximately \$4.0 million, which is an increase from last year's balance that totaled approximately \$3.7 million. Significant transactions are discussed below.

• During the fiscal year ended September 30, 2023, the District incurred interest expenditures totaling approximately \$920,000, and repaid \$370,000 of outstanding long-term principal.

The overall increase in fund balance for the year ended September 30, 2023 totaled approximately \$394,000.

#### **GOVERNMENTAL FUNDS BUDGETARY HIGHLIGHTS**

An Operating budget was established by the governing board for the District pursuant to the requirements of Florida Statutes. The budget to actual comparison for the general fund, including the original budget and final adopted budget, is shown at page 25.

The District experienced an unfavorable variance in revenue and a favorable variance in expenditures in the amounts of \$593 and \$28,072, respectively, compared to the budget. The variance in expenditures occurred primarily because the District incurred fewer general government expenditures than anticipated, such as trustee fees, legal fees and legal advertising.

#### CAPITAL ASSET AND DEBT ADMINISTRATION

#### **Capital Assets**

At September 30, 2023, the District had approximately \$19.4 million invested in capital assets. This amount represents a decrease of approximately \$369,000 from the fiscal year 2022 total. A listing of capital assets by major category for the current and prior year is as follows:

September 30,	2023	2022	Change
Capital assets not being depreciated	\$ 8,290,486 \$	8,275,825	\$ 14,661
Capital assets being depreciated	11,512,840	11,512,840	·
			_
Total, prior to depreciation	19,803,326	19,788,665	14,661
Accumulated depreciation	(383,761)	-	(383,761)
Net capital assets	\$ 19,419,565 \$	19,788,665	\$ (369,100)

More information about the District's capital assets is presented in Note 4 to the financial statements.

#### Debt

At September 30, 2023, the District had approximately \$21.8 million of bonds outstanding. This amount represents a decrease of \$370,000 from the fiscal year 2022 total.

A listing of debt amounts outstanding for the current and prior year is as follows:

September 30,	2023	2022	Change
Special Assessment Revenue Bonds:			
Series 2018 bonds	\$ 11,250,000	\$ 11,465,000	\$ (215,000)
Series 2022 bonds	10,545,000	10,700,000	(155,000)
Total	\$ 21,795,000	\$ 22,165,000	\$ (370,000)

More information about the District's long-term debt is presented in Note 5 to the financial statements.

#### **FUTURE FINANCIAL FACTORS**

Brookstone Community Development District is an independent special district that operates under the provisions of Chapter 190, Florida Statutes. The District operates under an elected Board of Supervisors, which establishes policy and sets assessment rates. Assessment rates for fiscal year 2024 were established to provide for the operations of the District as well as the necessary debt service requirements.

#### **CONTACTING THE DISTRICT'S FINANCIAL MANAGEMENT**

This financial report is designed to provide a general overview of the District's finances. If you have questions about this report or need additional financial information, contact the Brookstone Community Development District's management company, Wrathell, Hunt & Associates, LLC, at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.



# **Brookstone Community Development District Statement of Net Position**

September 30,	2023			
	Governmental			
	Activities			
Assets				
Cash and cash equivalents	\$ 79,816			
Investments	3,950,521			
Assessments receivable	52,664			
Prepaid expenses	6,228			
Capital assets:				
Not being depreciated	8,290,486			
Depreciable, net	11,129,079			
Total assets	23,508,794			
	==,500,70			
Liabilities				
Accounts payable	9,230			
Contracts payable	14,212			
Accrued interest payable	477,574			
Due to developer	17,667			
Non-current liabilities:				
Due within one year	385,000			
Due in more than one year	21,410,000			
Total liabilities	22,313,683			
Net position				
•	501,512			
Net investment in capital assets Restricted for:	501,512			
Debt service	560,559			
Capital projects	65,739			
Unrestricted	67,391			
S.II COCIOCCA	37,301			
Total net position	\$ 1,195,111			

# **Brookstone Community Development District Statement of Activities**

For the year ended September 30,	2023					
				Net (Expense)		
				Revenue and		
				Changes in		
		<u>Progran</u>	<u>n Revenue</u>	Net Position		
			Operating			
		Charges for	<b>Grants and</b>	Governmental		
Functions/Programs	Expenses	Services	Contributions	Activities		
Primary government:						
Governmental activities:						
General government	\$ (99,788)	\$ 119,521	\$ -	\$ 19,733		
Bond issuance costs	(5,725)	-	-	(5,725)		
Unallocated depreciation	(383,761)	-	-	(383,761)		
Interest	(1,135,842)	1,535,297	84,108	548,250		
Total governmental activities	\$ (1,625,116)	\$1,654,818	\$ 84,108	178,497		
				-		
	Net position - b	eginning of ye	ear	1,016,614		
	Net position - 6	end of year		\$ 1,195,111		

## **Brookstone Community Development District Balance Sheet – Governmental Funds**

September 30,	2023						
							Total
					Capital	Go	vernmental
		General	D	ebt Service	Projects		Funds
Assets							
Cash and cash equivalents	\$	79,816	\$	-	\$ -	\$	79,816
Investments		-		2,198,627	1,751,894		3,950,521
Accounts receivable		472		6,192	46,000		52,664
Due from other funds		17,375		-	-		17,375
Prepaid expenditures		6,228		-	-		6,228
Total assets	\$	103,891	\$	2,204,819	\$ 1,797,894	\$	4,106,604
Liabilities and Fund Balances							
Liabilities							
Accounts payable	\$	9,230	\$	-	\$ -	\$	9,230
Contracts payable		-		-	14,212		14,212
Due to other funds		-		17,375	-		17,375
Due to developer		9,985		-	7,682		17,667
Total liabilities		19,215		17,375	21,894		58,484
Fund balances							
Nonspendable		6,228		-	-		6,228
Restricted for debt service		-		2,187,444	-		2,187,444
Restricted for capital projects		_			1,776,000		1,776,000
Unassigned		78,448		-	-		78,448
Total fund balances		84,676		2,187,444	1,776,000		4,048,120
							· · · · · · · · · · · · · · · · · · ·
Total liabilities and fund balances	\$	103,891	\$	2,204,819	\$ 1,797,894	\$	4,106,604

## Brookstone Community Development District Reconciliation of the Balance Sheet of Governmental Funds to the Statement of Net Position

September 30,	2023
Total fund balances, governmental funds	\$ 4,048,120
Capital assets used in governmental activities are not financial resources and therefore are not reported in the fund level statements.	19,419,565
Liabilities not due and payable from current resources, including accrued interest, are not reported in the fund level statements.	(22,272,574)
Total net position - governmental activities	\$ 1,195,111

## Brookstone Community Development District Statement of Revenue, Expenditures and Changes in Fund Balances – Governmental Funds

For the year ended September 30,			202	23			
							Total
					Capital	Go	vernmental
	General	D	ebt Service		Projects		Funds
Revenue							
Assessments	\$ 119,521	\$	1,535,297	\$	-	\$	1,654,818
Interest	-		84,108		64,687		148,795
Total revenue	119,521		1,619,405		64,687		1,803,613
Expenditures							
Current:							
General government	83,350		16,438		-		99,788
Debt service:							
Principal	-		370,000		-		370,000
Interest	-		919,535		-		919,535
Capital outlay	-		-		14,661		14,661
Cost of issuance	-		5,725		-		5,725
Total expenditures	83,350		1,311,698		14,661		1,409,709
Excess (deficit) of revenue							
over expenditures	36,171		307,707		50,026		393,904
Other Financing Sources (Uses)							
Transfers in	-		(1,052)		-		(1,052)
Transfers out	-		-		1,052		1,052
Total other financing sources (uses)	-		(1,052)		1,052		-
Net change in fund balances	36,171		306,655		51,078		393,904

48,505

84,676 \$

\$

1,880,789

1,724,922

2,187,444 \$ 1,776,000

3,654,216

4,048,120

Fund balances, beginning of year

Fund balances, end of year

## Brookstone Community Development District Reconciliation of the Statement of Revenue, Expenditures and Changes in Fund Balances of Governmental Funds to the Statement of Activities

For the year ended September 30,	2023
Net change in fund balances - governmental funds	\$ 393,904
Capital outlay, reported as expenditures in the governmental funds, is shown as capital assets on the Statement of Net Position.	14,661
Depreciation on capital assets is not recognized in the fund financial statements but is reported as an expense in the Statement of Activities.	(383,761)
Repayment of bond principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the Statement of Net Position.	370,000
The change in accrued interest between the current and prior year is recorded on	
the Statement of Activities but not on the fund financial statements.	(216,307)
Change in net position of governmental activities	\$ 178,497

#### **NOTE 1: NATURE OF ORGANIZATION**

The Brookstone Community Development District (the "District") was established on January 26, 2016 pursuant to the Uniform Community Development District Act of 1980, otherwise known as Chapter 190, Florida Statutes, by Manatee County Ordinance No. 16-04. 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 a Board of Supervisors ("Board"), which is comprised of five members. The Supervisors are elected on an at large basis by the owners of the property within the District. All five of the Supervisors are currently affiliated with the Subsequent Developer of the community (see Note 9). The Board of Supervisors of the District exercises all powers granted to the District pursuant to Chapter 190, Florida Statutes.

The Board has the final 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.

In evaluating how to define the government, for financial reporting purposes, management has considered all potential component units. The decision to include or exclude a potential component unit in the reporting entity was made by applying the criteria set forth by Generally Accepted Accounting Principles (GAAP) as defined by the Governmental Accounting Standards Board (GASB). Based on the foregoing criteria, no potential component units were found.

#### **NOTE 2: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The accounting policies of the District conform to GAAP as applicable to governments in accordance with those promulgated by GASB. The following is a summary of the more significant policies:

#### **Government-wide and Fund Financial Statements**

The basic financial statements include both government-wide and fund financial statements.

#### **NOTE 2: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

The government-wide financial statements (i.e., the Statement of Net Position and the Statement of Activities) report information on all the non-fiduciary activities of the primary government. Governmental activities, which normally are supported by assessments, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support. The business-type activities are reported separately in government-wide financial statements; however, at September 30, 2023, the District did not have any significant business-type activities. Therefore, no business-type activities are reported. Assessments and other items not properly included as program revenues (i.e., charges to customers or applicants who purchase, use, or directly benefit from goods or services) are reported as general revenues.

Separate financial statements are provided for governmental funds. Major individual governmental funds are reported as separate columns in the fund financial statements.

#### Measurement Focus, Basis of Accounting and Basis of 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 the related cash flows. Assessments are recognized as revenues in the year for which they are levied. Grants and other 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 current 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 District considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures are recorded only when payment is due.

Assessments, including debt service assessments along with operation and maintenance assessments, are non-ad valorem special assessments imposed on all lands located within the District and benefited by the District's activities, operation and maintenance. Assessments are levied and certified for collection by the District prior to the start of the fiscal year which begins October 1<sup>st</sup> and ends on September 30<sup>th</sup>. Operation and maintenance special assessments are imposed upon all benefited lands located in the District. Debt service special assessments are imposed upon certain lots and lands as described in each resolution imposing the special assessment for each series of bonds issued by the District.

#### **NOTE 2: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

Assessments and interest associated with the current fiscal period are all considered to be susceptible to accrual and have been recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received by the District.

The District reports the following major governmental funds:

<u>General Fund</u> – The General Fund is the primary operating fund of the District. It is used to account for all financial resources except those required to be accounted for in other funds.

<u>Debt Service Fund</u> – The Debt Service Fund is used to account for the accumulation of resources for the annual payment of principal and interest on long-term debt.

<u>Capital Projects Fund</u> – The Capital Projects Fund is used to account for the financial resources to be used in the acquisition or construction of major infrastructure within the District.

For the year ended September 30, 2023, the District does not report any proprietary funds.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements.

When both restricted and unrestricted resources are available for use, it is the District's policy to use restricted resources first, then unrestricted resources as they are needed. When committed, assigned, or unassigned resources are available for use in the governmental fund financial statements, it is the government's policy to use committed resources first, followed by assigned resources, then unassigned resources as needed.

#### Cash, Deposits and Investments

The District maintains deposits with "Qualified Public Depositories" as defined in Chapter 280, Florida Statutes. All Qualified Public Depositories must place with the Treasurer of the State of Florida securities in accordance with collateral requirements determined by the State's Chief Financial Officer. In the event of default by a Qualified Public Depository, the State Treasurer will pay public depositors all losses. Losses in excess of insurance and collateral will be paid through assessments between all Qualified Public Depositories.

Under this method, all the District's deposits are fully insured or collateralized at the highest level of security as defined by GASB, Statement Number 40, Deposits and Investment Disclosures (An Amendment of GASB, Statement Number 3).

#### **NOTE 2: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

The District is authorized to invest in financial instruments as established by Section 218.415, Florida Statutes. The authorized investments include among others direct obligations of the U.S. Treasury; the Local Government Surplus Trust Funds as created by Section 218.405, Florida Statutes; SEC registered money market funds with the highest credit quality rating from a nationally recognized rating agency; and interest-bearing time deposits or savings accounts in authorized financial institutions.

#### **Estimates**

The preparation of U.S. GAAP financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and changes therein, disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates.

#### Capital Assets

Capital assets, which include primarily infrastructure assets (e.g., roads, sidewalks, water management systems and similar items), are reported in the governmental activities column in the government-wide financial statements. Capital assets are defined by the District as assets with an initial/individual cost of more than \$5,000 and an estimated useful life in excess of 2 years. Such assets are recorded at historical cost and estimated historical cost if purchased or constructed. Donated 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 asset lives are not capitalized. Major outlays for capital assets and improvements are capitalized as projects are constructed. Property, plant and equipment of the primary government, once placed into service, will be depreciated using the straight-line method over the estimated useful lives.

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.

#### **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 using the straight-line or effective interest method. Bonds payable are reported net of these premiums or discounts. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as current period expenses.

#### **NOTE 2: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

In the fund financial statements, governmental fund types recognize bond premiums and discounts during the current period. The face amount of the debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts 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**

In addition to assets, the Statement of Net Position and Balance Sheet – Governmental Funds will sometimes include a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The District does not have any of this type of item at September 30, 2023.

In addition to liabilities, the Statement of Net Position and Balance Sheet – Governmental Funds will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The District does not have any of this type of item at September 30, 2023.

#### **Fund Equity**

Net position in the government-wide financial statements represents the difference between assets and deferred outflows of resources and liabilities and deferred inflows of resources and is categorized as net investment in capital assets, restricted or unrestricted. Net investment in capital assets represents assets related to infrastructure and property, plant and equipment, net of any related debt. Restricted net position represents the assets restricted by the District's bond covenants.

Governmental fund equity is classified as fund balance. Fund balance is further classified as nonspendable, restricted, committed, assigned, or unassigned. Nonspendable fund balance cannot be spent because of its form. Restricted fund balance has limitations imposed by creditors, grantors, or contributors or by enabling legislation or constitutional provisions. Committed fund balance is a limitation imposed by the District board through approval of resolutions. Assigned fund balance is a limitation imposed by a designee of the District board. Unassigned fund balance in the General Fund is the net resources in excess of what can be properly classified in one of the above four categories. Negative unassigned fund balance in other governmental funds represents excess expenditures incurred over the amounts restricted, committed, or assigned to those purposes.

#### **NOTE 2: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

#### **Budgets**

The District is required to establish a budgetary system and an approved annual budget. Annual budgets are legally adopted on a basis consistent with GAAP for the General Fund. Any revision to the budget must be approved by the District Board. The budgets are compared to actual expenditures. In instances where budget appropriations and estimated revenues have been revised during the year, budget data presented in the financial statements represent final authorization amounts.

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. A public hearing is conducted to obtain 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. Budgets are adopted on a basis consistent with accounting principles generally accepted in the United States of America.

#### **Subsequent Events**

Management has evaluated subsequent events through the date the financial statement were available to be issued, June 21, 2024, and determined there were no events that occurred that required disclosure. No subsequent events occurring after this date have been evaluated for inclusion in these financial statements.

#### **NOTE 3: INVESTMENTS**

All investments held at September 30, 2023 consist of money market funds in which shares are owned in the fund rather than the underlying investments. In accordance with GASB 72, Fair Value Measurement and Application, these amounts are reported at amortized cost.

The following is a summary of the District's investments:

September 30,	2023	<b>Credit Risk</b>	Maturities
Short-term Money Market Funds	\$ 3,950,521	S&P AAAm	45 days

Concentration risk – The District's investment policy requires diversification, but does not specify limits on types of investments.

#### **NOTE 3: INVESTMENTS (Continued)**

Custodial credit risk – For an investment, custodial credit risk is the risk that 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. At September 30, 2023, none of the investments listed above are exposed to custodial credit risk because their existence is not evidenced by securities that exist in physical or book entry form.

Interest rate risk — The District does not have a formal policy for addressing interest rate risk; however, investments are made with discretion, to seek reasonable returns, preserve capital, and in general, avoid speculative investments. The District manages its exposure to declines in fair values from interest rate changes by reviewing the portfolio on an ongoing basis for changes in effective yield amounts.

**NOTE 4: CAPITAL ASSETS** 

The following is a summary of changes in the capital assets for the year ended September 30, 2023.

	1	Beginning				Ending
		Balance	Additions	Disposals		 Balance
Governmental Activities:						
Capital assets not being depreciated						
Infrastructure under construction	\$	8,275,825	\$ 14,661	\$	-	\$ 8,290,486
Total capital assets, not being depreciated		8,275,825	14,661		-	8,290,486
Capital assets being depreciated						
Infrastructure		11,512,840	-		-	11,512,840
Total capital assets, being depreciated		11,512,840	-		-	11,512,840
Less accumulated depreciation						
Infrastructure - drainage system		-	92,559		-	92,559
Infrastructure - entrance features		-	44,678		-	44,678
Infrastructure - landscaping and irrigation		-	137,551		-	137,551
Infrastructure - parks and recreation		-	44,694			44,694
Infrastructure - street and entry lighting		-	64,279		-	64,279
Total accumulated depreciation		-	383,761		-	383,761
Total capital assets, being depreciated, net		11,512,840	(383,761)		-	11,129,079
Governmental activities capital assets, net	\$	19,788,665	\$ (369,100)	\$	-	\$ 19,419,565

#### **NOTE 4: CAPITAL ASSETS (Continued)**

The District issued the Series 2018 Bonds during fiscal year 2018 to fund a portion of the 2018 Project. The 2018 Project (Phase I) is estimated to cost approximately \$23.1 million, of which approximately \$12.4 million was funded by the Series 2018 Bonds. The Developer funded the remaining portion of the 2018 Project, which was completed during fiscal year 2022. The District issued the Series 2022 bonds during the prior fiscal year to finance the acquisition of infrastructure associated with the remaining land in the District (Phase II).

#### **NOTE 5: BONDS PAYABLE**

On February 8, 2018, the District issued \$14,300,000 of Special Assessment Revenue Bonds, Series 2018 consisting of \$1,225,000 2018 Term Bonds due November 1, 2023 with a fixed interest rate of 3.875%, \$1,505,000 2018 Term Bonds due November 1, 2028 with a fixed interest rate of 4.625%, \$4,355,000 2018 Term Bonds due May 1, 2038 with a fixed interest rate of 5.125%, and \$7,215,000 2018 Term Bonds due May 1, 2048 with a fixed interest rate of 5.25%. The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the District. Interest is to be paid semiannually on each May 1 and November 1. Principal on the Series 2018 Bonds is to be paid serially commencing November 1, 2019 through November 1, 2048. The Series 2018 Bonds are subject to optional redemption beginning November 1, 2031 and to extraordinary mandatory redemption prior to maturity in the manner determined by the Bond Registrar if certain events occur as outlined in the Bond Indenture.

On September 13, 2022, the District issued \$10,700,000 of Special Assessment Revenue Bonds, Series 2022 consisting of \$845,000 2022 Term Bonds due May 1, 2027 with a fixed interest rate of 4.375%, \$1,075,000 2022 Term Bonds due May 1, 2032 with a fixed interest rate of 4.75%, \$3,195,000 2022 Term Bonds due May 1, 2042 with a fixed interest rate of 5.5%, and \$5,585,000 2022 Term Bonds due May 1, 2052 with a fixed interest rate of 5.625%. The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the District. Interest is to be paid semiannually on each May 1 and November 1. Principal on the Series 2022 Bonds is to be paid serially commencing May 1, 2023 through May 1, 2052. The Series 2022 Bonds are subject to optional redemption beginning May 1, 2032 and to extraordinary mandatory redemption prior to maturity in the manner determined by the Bond Registrar if certain events occur as outlined in the Bond Indenture.

The Bond Indentures have certain restrictions and requirements relating principally to the use of proceeds to pay for infrastructure improvements and the procedure to be followed by the District on assessments to property owners. The District agreed to levy special assessments in annual amounts adequate to provide payment of debt service and to meet the debt service reserve requirements. The District is in compliance with the requirements of the Bond Indentures.

The Bond Indentures require that the District maintain adequate funds in the reserve accounts to meet the debt service reserve requirements as defined in the Indentures. These requirements have been met for the fiscal year ended September 30, 2023.

**NOTE 5: BONDS PAYABLE (Continued)** 

Long-term liability activity for the year ended September 30, 2023, was as follows:

	Beginning Balance	Additions	5	Re	eductions	Ending Balance	ue Within One Year
Governmental Activities Bonds Payable:							
Series 2018	\$ 11,465,000	\$	-	\$	(215,000)	\$ 11,250,000	\$ 225,000
Series 2022	10,700,000		-		(155,000)	10,545,000	160,000
	\$ 22,165,000	\$	-	\$	(370,000)	\$ 21,795,000	\$ 385,000

At September 30, 2023, the scheduled debt service requirements on long-term debt were as follows:

For the year ending September 30,	Principal	Interest	•	Total Debt Service
2024	\$ 385,000	\$ 1,141,815	\$	1,526,815
2025	400,000	1,125,137		1,525,137
2026	415,000	1,106,832		1,521,832
2027	440,000	1,087,729		1,527,729
2028	460,000	1,067,610		1,527,610
2029 - 2033	2,650,000	4,977,453		7,627,453
2034 - 2038	3,415,000	4,208,687		7,623,687
2039 - 2043	4,455,000	3,182,659		7,637,659
2044 - 2048	5,800,000	1,824,526		7,624,526
2049 - 2052	3,375,000	397,950		3,772,950
	\$ 21,795,000	\$ 20,120,398	\$	41,915,398

#### **NOTE 6: 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; and natural disasters. The District maintains commercial insurance coverage to mitigate the risk of loss. Coverage may not extend to all situations. Management believes such coverage is sufficient to preclude any significant uninsured losses to the District. There have been no settled claims since the District was established.

#### **NOTE 7: MANAGEMENT COMPANY**

The District has contracted with a management company to perform management advisory services, which include financial and accounting advisory services. Certain employees of the management company also serve as officers (Board appointed non-voting positions) of the District. Under the agreement, the District compensates the management company for management, accounting, financial reporting, and other administrative costs.

#### **NOTE 8: RELATED PARTY TRANSACTIONS**

A significant portion of the District's activity is dependent upon the continued involvement of the Subsequent Developer, DR Horton, the loss of significant involvement could have a material adverse effect on the District's operations.

For the year ended September 30, 2023, the Developer was assessed \$40,773 and \$502,913 for operations and maintenance and debt service, respectively. In addition, the District owed the previous Developer \$5,649 as of fiscal year end related to an overpayment of fiscal year 2019 expenditures and DR Horton \$12,018 for overpayment of current and prior year expenditures, which is reported as due to developer on the accompanying Statement of Net Position and Balance Sheet – Governmental Funds.

#### **NOTE 9: COMMITMENTS**

In November 2017, the District entered into an interlocal agreement with Fieldstone Community Development District ("Fieldstone"), an adjoining district, related to roadway and utility improvements that will benefit both districts. In January 2018, the agreement was amended to clarify that the District's proportionate share of these improvement costs will not exceed \$2.5 million.

## Required Supplemental Information (Other Than MD&A)

## Brookstone Community Development District Budget to Actual Comparison Schedule – General Fund

For the year ended September 30,				2023		
	Or	iginal and		Actual	Var	riance with
	Fin	al Budget	4	Amounts	Fir	nal Budget
Revenue						_
Assessments	\$	120,114	\$	119,521	\$	(593)
Total revenue		120,114		119,521		(593)
Expenditures						
General government		111,422		83,350		28,072
Total expenditures		111,422		83,350		28,072
Excess of revenue over expenditures	\$	8,692	\$	36,171	\$	27,479



Carr, Riggs & Ingram, LLC 189 Eglin Parkway NE, 2nd Floor Fort Walton Beach, FL 32548

(850) 244-8395 (850) 243-5024 (fax) www.cricpa.com

# 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
Brookstone 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 financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities and each major fund of Brookstone Community Development District (hereinafter referred to as the "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, and have issued our report thereon dated June 21, 2024.

#### **Report on Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the District's internal control over financial reporting (internal control) as a basis for designing 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 the District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control.

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 and correct, 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.

#### **Report on Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the District's financial statements are free from 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 financial statements. 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**

The purpose of this report is 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 District'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 District's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

CARR, RIGGS & INGRAM, LLC

Can, Rigge & Ingram, L.L.C.

Fort Walton Beach, Florida June 21, 2024



Carr, Riggs & Ingram, LLC 189 Eglin Parkway NE, 2nd Floor Fort Walton Beach, FL 32548

(850) 244-8395 (850) 243-5024 (fax) www.cricpa.com

#### MANAGEMENT LETTER

To the Board of Supervisors Brookstone Community Development District Manatee County, Florida

#### **Report on the Financial Statements**

We have audited the financial statements of the Brookstone Community Development District ("District") as of and for the fiscal year ended September 30, 2023, and have issued our report thereon dated June 21, 2024.

#### **Auditor's 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 Auditor's 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 21, 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 Brookstone Community Development District reported:

- a. The total number of district employees compensated in the last pay period of the District's fiscal year as 0.
- b. The total number of independent contractors to whom nonemployee compensation was paid in the last month of the district's fiscal year as 0.
- c. All compensation earned by or awarded to employees, whether paid or accrued, regardless of contingency as \$0.
- d. All compensation earned by or awarded to nonemployee independent contractors, whether paid or accrued, regardless of contingency as \$0.
- 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 general fund 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 Brookstone Community Development District reported:

a. The rate or rates of non-ad valorem special assessments imposed by the District range from \$1,307 to \$1,842 per residential unit.

- b. The total amount of special assessments collected by or on behalf of the District as \$1,654,818.
- c. The total amount of outstanding bonds issued by the district as \$21,795,000.

#### **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 have 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.

CARR, RIGGS & INGRAM, LLC

Cau, Rigge & Ingram, L.L.C.

Fort Walton Beach, Florida June 21, 2024



Carr, Riggs & Ingram, LLC 189 Eglin Parkway NE, 2nd Floor Fort Walton Beach, FL 32548

(850) 244-8395 (850) 243-5024 (fax) www.cricpa.com

#### INDEPENDENT ACCOUNTANT'S REPORT

To the Board of Supervisors
Brookstone Community Development District
Manatee County, Florida

We have examined Brookstone Community Development District's compliance with the requirements of Section 218.415, Florida Statutes, *Local Government Investment Policies*, 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. Those standards require that we plan and performed the examination to obtain reasonable assurance about whether the District complied, in all material respects, with the specified requirements referenced above. An examination involves performing procedures to obtain evidence about whether the District complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgement, including an assessment of the risks of material noncompliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

We are required to be independent and to meet our other ethical responsibilities in accordance with relevant ethical requirements relating to the engagement.

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 management and the State of Florida Auditor General and is not intended to be and should not be used by anyone other than these specified parties.

CARR, RIGGS & INGRAM, LLC

Caux Rigge & Ingram, L.L.C.

Fort Walton Beach, Florida June 21, 2024

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT

#### **RESOLUTION 2024-08**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT HEREBY ACCEPTING THE AUDITED FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2023

WHEREAS, the District's Auditor, Carr, Riggs & Ingram, LLC, has heretofore prepared and submitted to the Board, for accepting, the District's Audited Financial Statements for Fiscal Year 2023;

### NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT;

- 1. The Audited Financial Statements 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 Statements 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 2nd day of August, 2024.

ATTEST:	BROOKSTONE COMMUNITY
	DEVELOPMENT DISTRICT
Constant (Annistant Constant	Chair A Gas Chair Board of Correspondence
Secretary/Assistant Secretary	Chair/Vice Chair, Board of Supervisors

# BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT

#### REQUISITION FOR ASSESSMENT AREA TWO PROJECT

The undersigned, a Responsible Officer of Brookstone Community Development District (the "District") hereby submits the following requisition for disbursement under and pursuant to the terms of the Master Trust Indenture between the District and U.S. Bank Trust Company, National Association, Fort Lauderdale, Florida, as successor in interest to U.S. Bank National Association, as trustee (the "Trustee"), dated as of February 1, 2018 (the "Master Indenture"), as amended and supplemented by the Second Supplemental Trust Indenture between the District and the Trustee, dated as of September 1, 2022 (the "Supplemental Indenture" and together with the Master Indenture, the "Indenture") (all capitalized terms used herein shall have the meaning ascribed to such term in the Indenture):

- (A) Requisition Number: 10
- (B) Name of Payee: <u>D.R. HORTON, INC.</u>
- (C) Amount Payable: <u>The lesser of \$3,240,060.73,1</u> which is the total eligible cost of the Bella Lago Phase III Stormwater Improvements, or \$1,860,821.38, which is the balance of the Series 2022 Acquisition and Construction Account as of May 28, 2024
- (D) Purpose for which paid or incurred (refer also to specific contract if amount is due and payable pursuant to a contract involving progress payments or state Costs of Issuance, if applicable): <u>Acquisition of Bella Lago Phase III Stormwater</u> Improvements
- (E) Fund or Account and subaccount, if any, from which disbursement to be made:

The undersigned hereby certifies that:

obligations in the stated amount set forth above have been incurred by the District, that each disbursement set forth above is a proper charge against the Series 2022 Acquisition and Construction Account referenced above, that each disbursement set forth above was incurred in connection with the acquisition and/or construction of the Assessment Area Two Project and each represents a Cost of the Assessment Area Two Project, and has not previously been paid out of such Account;

OR

<sup>1</sup> The total costs of the Bella Lago Phase III Stormwater Improvements are \$3,240,060.73. Any amounts still owed after payment of this requisition may be paid with proceeds from additional monies released into the Series 2022 Acquisition and Construction Account at a future date and without further authorization from the District's Board of Supervisors.

this requisition is for costs of issuance payable from the Series 2022 Costs of Issuance Account that has not previously been paid out of such Account.

The undersigned hereby further certifies that there has not been filed with or served upon the District notice of any lien, right to lien, or attachment upon, or claim affecting the right to receive payment of, any of the moneys payable to the Payee set forth above, which has not been released or will not be released simultaneously with the payment hereof.

The undersigned hereby further certifies that such requisition contains no item representing payment on account of any retained percentage which the District is at the date of such certificate entitled to retain.

Originals or copies of the invoice(s) from the vendor of the property acquired or services rendered with respect to which disbursement is hereby requested are on file with the District.

## BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT

Responsible Officer

## CONSULTING ENGINEER'S APPROVAL FOR NON-COST OF ISSUANCE REQUESTS ONLY

If this requisition is for a disbursement from other than the Series 2022 Costs of Issuance Account, the undersigned Consulting Engineer hereby certifies that this disbursement is for a Cost of the Assessment Area Two Project and is consistent with (i) the applicable acquisition or construction contract, (ii) the plans and specifications for the portion of the Assessment Area Two Project with respect to which such disbursement is being made, and (iii) the report of the Consulting Engineer attached as an exhibit to the Supplemental Indenture, as such report shall have been amended or modified on the date hereof.

[See next page]

Consulting Engineer

	this	requisition	is for	costs	of issuance	payable	from	the	Series	2022
Costs of Issu	ance	Account the	t has	not pr	eviously bee	n paid ou	it of s	uch	Accoun	t.

The undersigned hereby further certifies that there has not been filed with or served upon the District notice of any lien, right to lien, or attachment upon, or claim affecting the right to receive payment of, any of the moneys payable to the Payee set forth above, which has not been released or will not be released simultaneously with the payment hereof.

The undersigned hereby further certifies that such requisition contains no item representing payment on account of any retained percentage which the District is at the date of such certificate entitled to retain.

Originals or copies of the invoice(s) from the vendor of the property acquired or services rendered with respect to which disbursement is hereby requested are on file with the District.

### BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT

By: _	[See previous	page]
	Responsible	Officer

### CONSULTING ENGINEER'S APPROVAL FOR NON-COST OF ISSUANCE REQUESTS ONLY

If this requisition is for a disbursement from other than the Series 2022 Costs of Issuance Account, the undersigned Consulting Engineer hereby certifies that this disbursement is for a Cost of the Assessment Area Two Project and is consistent with (i) the applicable acquisition or construction contract, (ii) the plans and specifications for the portion of the Assessment Area Two Project with respect to which such disbursement is being made, and (iii) the report of the Consulting Engineer attached as an exhibit to the Supplemental Indenture, as such report shall have been amended or modified on the date hereof.

Consulting Engineer

### D.R. HORTON, INC.

#### **ACH INSTRUCTIONS**

Bank of America 100 West 33<sup>rd</sup> St NY, NY 10001

ABA Routing No. 111000012

Account No. 3752129980

Account Name: D. R. Horton, Inc. – Corporate Payment Acct

Reference: Details of payment

Owner/Client:	DR Horton				Central Site De	velopment	•	Application No:	25 Final
	12603 Telecom Drive N				213 Provide	nce Rd		Period To:	2/29/24
	Tampa, FL 33638		CENTRAL SITE DEVELOPMENT		Brandon, FL			Project No:	
			PROVIDING EXCELLENCE IM SITE DEVELOPMENT		813-621-	7800		Contract Date:	
	Bella Lago Phase 3 R1	_							
Project Information:	Parrish, FL	_							
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED	FROM PREVIOUS		MATERIALS	TOTAL COMPLETED &		BALANCE TO FINISH	RETAINAGE
ITENTINO.	DESCRIPTION OF WORK	VALUES	APPLICATION (D+E)	THIS PERIOD	PRESENTLY	STORED TO DATE	% (G/C)	(C-G)	5%
	PPLICATION FOR PAYMENT								
Application is made f	PPLICATION FOR PAYMENT or payment, as shown below, in connection with Generic AIA Document G703, is attached.	the Contract.			the work covered	Contractor certifies that to the by this Application for Paym	ent has been co	ompleted in accordance v	vith the contract
Application is made f	or payment, as shown below, in connection with Generic AIA Document G703, is attached.  CT SUM	the Contract.	\$14,815,720.34 \$655,700.65		the work covered documents, that a		ent has been co y the Contractor	ompleted in accordance v for Work for which previou	vith the contracts certificates for
Application is made f Continuation Sheet, ORIGINAL CONTRA	or payment, as shown below, in connection with Generic AIA Document G703, is attached. CT SUM HANGE ORDERS	the Contract.		<u>i</u>	the work covered documents, that a	by this Application for Paym Il amounts have been paid b	ent has been co y the Contractor	ompleted in accordance v for Work for which previou	vith the contracts certificates for
Application is made f Continuation Sheet, ORIGINAL CONTRA NET CHANGE BY CI CONTRACT SUM TO TOTAL COMPLETED RETAINAGE 5% OF	or payment, as shown below, in connection with Generic AIA Document G703, is attached. CT SUM HANGE ORDERS	the Contract. \$15,471,420.99 \$0.00	\$655,700.65 \$15,471,420.99	<u>i</u>	the work covered documents, that a Payment were iss	by this Application for Paym Il amounts have been paid b	ent has been co y the Contractor	ompleted in accordance v for Work for which previou	vith the contracts certificates for

\$0.00

CHANGE ORDER SUMMARY Total Previously Approved 655,700.65 Total Approved This Month NET CHANGE ORDER 655,700.65

BALANCE TO FINISH INCLUDING RETAINAGE

STATE OF FLORIDA COUNTY OF HILLSBOROUGH SUBSCRIBED AND NOTARY PUBLIC:

DR Horton

CHRISTIANNA CONCILIO Notary Public - State of Florida Commission # HH 143969 My Comm. Expires Oct 16, 2025 Bonded through National Notary Assn.

ITEM NO.	DESCRIPTION OF WORK	SCHEDULED	FROM PREVIOUS		MATERIALS	TOTAL COMPLETED &		BALANCE TO FINISH	RETAINAGE
		VALUES	APPLICATION (D+E)	THIS PERIOD	PRESENTLY	STORED TO DATE	% (G/C)	(C-G)	5%
<u>A</u>	General Conditions & Mobilization	\$ 436,246.81	404000 00	0.00		404000 00	100%	0.00	6200.0
	Mobilization	\$ 124,000.00 \$ 38,250.00	124000.00 38250.00	0.00		124000.00 38250.00	100%	0.00	
	General Conditions & Supervision	\$ 150,923.36	150923.36	0.00		150923.36	100%	0.00	
	Survey Construction Staking Survey As-Built	\$ 150,923.36	52609.45	0.00		52609.45	100%	0.00	
	Construction Entrance	\$ 18,140.00	18140.00	0.00		18140.00	100%	0.00	
	Silt Fence	\$ 31,609.36	31609.36			31609.36	100%	0.00	
	Inlet Protection	\$ 12,165.60	12165.60	0.00		12165.60	100%	0.00	
	MOT	\$ 8,549.04	8549.04	0.00		8549.04	100%	0.00	
	INO	Ψ 0,010.01	436246.81	0.00		436246.81	10070	0.00	
			430240.01	0.00		430240.61		0.00	21012.3
<u>B</u>	Clearing & Grubbing	\$ 506,893.01							
	Clear, Grubb, Strip/Disc (Burn Onsite)	\$ 506,893.01	506893.01	0.00		506893.01	100%	0.00	25344.6
			506893.01	0.00	0.00	506893.01		0.00	25344.6
	Fauthment	\$ 2.513.192.18							
<u>C</u>	<u>Earthwork</u>	\$ <b>2,513,192.18</b> \$ 1,667,900.34	1667900.34	0.00		1667900.34	100%	0.00	83395.0
	Onsite Excavation Final Grade & Sod Pond Slopes	\$ 388,481.99	388481.99	0.00		388481.99	100%	0.00	
	Final Grade & Sod Pond Slopes Final Grade & Sod Swale	\$ 62,583.29	62583.29	0.00		62583.29	100%	0.00	
	Final Grade & Sod Swale Final Grade	\$ 94.744.00	94744.00	0.00		94744.00	100%	0.00	
	Sod 2' B.O.C	\$ 25,765.74	25765.74	0.00		25765.74	100%	0.00	
	Sod Open Space	\$ 118,976.88	118976.88	0.00		118976.88	100%	0.00	
	Seed & Mulch Right of Way	\$ 17.955.64	17955.64	0.00		17955.64	100%	0.00	
	Seed & Mulch Disturbed Area	\$ 120,343.85	120343.85	0.00		120343.85	100%	0.00	6017.1
	Dewater Devater	\$ 16,440.45	16440.45			16440.45	100%	0.00	
		•	2513192.18	0.00	0.00	2513192.18		0.00	125659.6
		1							
<u>D</u>	Sanitary Sewer Systems	\$ 3,048,424.97					1000/		
	08" PVC DR26 00'-06'	\$ 50,935.17	50935.17			50935.17	100%	0.00	
	08" PVC DR26 06'-08'	\$ 149,741.13	149741.13	0.00		149741.13	100%	0.00	
	08" PVC DR26 08'-10'	\$ 111,526.80	111526.80	0.00		111526.80	100%	0.00	
	08" PVC DR26 10'-12'	\$ 104,199.80	104199.80			104199.80	100%	0.00	
	08" PVC DR26 12'-14'	\$ 105,046.92 \$ 95,592.90	105046.92 95592.90	0.00		105046.92 95592.90	100% 100%	0.00 0.00	
	08" PVC DR26 14'-16' 08" PVC DR26 16'-18'	\$ 95,592.90	90700.85	0.00		90700.85	100%	0.00	
	08" PVC DR26 16-18 08" PVC DR26 18'-20'	\$ 99,468.84	99468.84	0.00		99468.84	100%	0.00	
	08" PVC DR26 16-20 08" PVC DR26 20'-22'	\$ 83,250.40	83250.40	0.00		83250.40	100%	0.00	
	08" PVC DR26 20'-22	\$ 215,553.75	215553.75	0.00		215553.75	100%	0.00	
	08" PVC DR26 24'-26'	\$ 19,801.60	19801.60	0.00		19801.60	100%	0.00	
	4' Manhole 00'-06'	\$ 59.246.07	59246.07	0.00		59246.07	100%	0.00	
	4' Manhole 06'-08'	\$ 56,155.55	56155.55	0.00		56155.55	100%	0.00	
	4' Manhole 08'-10'	\$ 39,822.09	39822.09			39822.09	100%	0.00	
	4' Manhole 10'-12'	\$ 25,518.44	25518.44	0.00		25518.44	100%	0.00	
	4' Manhole 12'-14'	\$ 23,472.24	23472.24	0.00		23472.24	100%	0.00	
	4' Manhole 14'-16'	\$ 25,929.06	25929.06	0.00		25929.06	100%	0.00	
	4' Manhole 18'-20'	\$ 10,271.84	10271.84	0.00		10271.84	100%	0.00	
	4' Manhole 20'-22'	\$ 34,828.53	34828.53	0.00		34828.53	100%	0.00	
	4' Manhole 22'-24'	\$ 12,514.13	12514.13	0.00	-	12514.13	100%	0.00	
	4' Polymer Manhole 08'-10'	\$ 21,571.15	21571.15	0.00		21571.15	100%	0.00	
	4' Polymer Manhole 10'-12'	\$ 68,278.47	68278.47	0.00		68278.47	100%	0.00	
	4' Polymer Manhole 12'-14'	\$ 58,867.34	58867.34	0.00		58867.34	100%	0.00	
	4' Polymer Manhole 14'-16'	\$ 26,919.12	26919.12			26919.12	100%	0.00	
	4' Polymer Manhole 16'-18'	\$ 108,042.93	108042.93	0.00		108042.93	100%	0.00	
	4' Polymer Manhole 18'-20'	\$ 43,196.97	43196.97	0.00		43196.97	100%	0.00	
	4' Polymer Manhole 22'-24'	\$ 173,167.53 \$ 271,960.64	173167.53 271960.64	0.00		173167.53 271960.64	100% 100%	0.00 0.00	
	06" PVC DR26 Service Lateral	\$ 271,960.64 \$ 55,263.26	55263.26	0.00		55263.26	100%	0.00	
	08" X 06" PVC Wye	\$ 55,263.26	34734.57	0.00		34734.57	100%	0.00	
	06" PVC Bend 45deg	\$ 54,151.12	54151.12	0.00		54151.12	100%	0.00	
	Single Service								
	Double Service	\$ 250,156.10 \$ 453,294.23	250156.10 453294.23	0.00		250156.10 453294.23	100% 100%	0.00 0.00	
	Lift Station 6' Dia. (Polymer Concrete) Connect To Existing 08" Force Main	\$ 453,294.23	453294.23 9505.41	0.00		453294.23 9505.41	100%	0.00	
	Connect to Existing Up" Force Main	φ 9,505.41							
	00" DVC DD10	¢ 2677 60	2677 60			2677 60	100%	0.00	1000
	08" PVC DR18 08" MJ Bend 45deg	\$ 2,677.60 \$ 3,062.42	2677.60 3062.42	0.00		2677.60 3062.42	100% 100%	0.00	

ITEM NO.	DECODIDATION OF WORK	SCHEDULED	FROM PREVIOUS		MATERIALS	TOTAL COMPLETED &		BALANCE TO FINISH	RETAINAGE
TIEM NO.	DESCRIPTION OF WORK	VALUES	APPLICATION (D+E)	THIS PERIOD	PRESENTLY	STORED TO DATE	% (G/C)	(C-G)	5%
<u>E</u>	Storm Sewer System	\$ 3,240,060.73	44750.75	0.00		44750.75	4000/	0.00	707.0
	Connect To Existing Box Culvert	\$ 14,752.75 \$ 15.844.00	14752.75 15844.00	0.00		14752.75 15844.00	100% 100%	0.00 0.00	737.6 792.2
	18" HDPE N-12 24" HDPE N-12	\$ 15,644.00	14546.40	0.00		14546.40	100%	0.00	792.2
	18" RCP Class III	\$ 273,736.80	273736.80	0.00		273736.80	100%	0.00	13686.8
	24" RCP Class III	\$ 324,616.32	324616.32	0.00		324616.32	100%	0.00	16230.8
	30" RCP Class III	\$ 576,180.48	576180.48	0.00		576180.48	100%	0.00	28809.0
	36" RCP Class III	\$ 151,380.48	151380.48			151380.48	100%	0.00	7569.0
	48" RCP Class III	\$ 119,146.88	119146.88	0.00		119146.88	100%	0.00	5957.3
	54" RCP Class III	\$ 305,390.40	305390.40			305390.40	100%	0.00	15269.5
	04' X 06' Concrete Box Culvert	\$ 361,996.56	361996.56			361996.56	100%	0.00	18099.8
	Concrete Yard Drain (2'x2')	\$ 23,357.70 \$ 4,896.46	23357.70 4896.46	0.00		23357.70 4896.46	100% 100%	0.00 0.00	1167.8 244.8
	Grate Inlet Valley Gutter Inlet	\$ 4,896.46 \$ 71,456.56	71456.56	0.00		71456.56	100%	0.00	3572.8
	Curb Inlet	\$ 324,346.00	324346.00	0.00		324346.00	100%	0.00	16217.3
	Junction Box	\$ 330,457.47	330457.47	0.00		330457.47	100%	0.00	16522.8
	Control Structure Type H	\$ 201.542.74	201542.74	0.00		201542.74	100%	0.00	10077.1
	18" End Wall (FDOT#250)	\$ 3,871.94	3871.94	0.00		3871.94	100%	0.00	193.6
	18" Pipe Support	\$ 13,957.10	13957.10	0.00		13957.10	100%	0.00	697.8
	24" Pipe Support	\$ 17,623.54	17623.54	0.00		17623.54	100%	0.00	881.1
	30" Pipe Support	\$ 23,073.57	23073.57	0.00		23073.57	100%	0.00	1153.6
	36" Pipe Support	\$ 9,792.25	9792.25	0.00		9792.25	100%	0.00	489.6
	18" MES	\$ 4,711.66 \$ 5,837.49	4711.66 5837.49	0.00		4711.66 5837.49	100% 100%	0.00 0.00	235.5 291.8
	36" MES 48" MES	\$ 8,089.18	8089.18	0.00		8089.18	100%	0.00	404.4
	Rubble Rip-Rap	\$ 39,456.00	39456.00			39456.00	100%	0.00	1972.8
	Rubble Rip-Rap	ψ σσ, ισσ.σσ	3240060.73	0.00	0.00	3240060.73	10070	0.00	162003.0
F	Water Main	\$ 1,534,130.86	0240000.70	0.00	0.00	0240000.10		0.00	102000.0
<u>-</u>	Connect To Existing Water	\$ 9.108.72	9108.72	0.00		9108.72	100%	0.00	455.4
	Relocate Fire Hydrant Assembly	\$ 2,992.05	2992.05	0.00		2992.05	100%	0.00	149.6
	02" Poly DR9	\$ 17,356.80	17356.80	0.00		17356.80	100%	0.00	867.8
	04" PVC DR18	\$ 34,353.80	34353.80	0.00		34353.80	100%	0.00	1717.6
	06" PVC DR18	\$ 79,433.40	79433.40	0.00		79433.40	100%	0.00	3971.6
	08" PVC DR18	\$ 190,512.00	190512.00	0.00		190512.00	100%	0.00	9525.6
	10" PVC DR18	\$ 264,792.00	264792.00			264792.00	100%	0.00	13239.6
	04" Ductile Iron Pipe	\$ 1,935.80	1935.80	0.00		1935.80 10523.00	100%	0.00	96.7
	08" Ductile Iron Pipe	\$ 10,523.00 \$ 13,978.80	10523.00 13978.80	0.00		13978.80	100% 100%	0.00 0.00	526.1 698.9
	10" Ductile Iron Pipe 06" Casing (F&I)	\$ 29,995.20	29995.20	0.00		29995.20	100%	0.00	1499.7
	12" Casing (F&I)	\$ 23,795.20	23795.20	0.00		23795.20	100%	0.00	1189.7
	16" Casing (F&I)	\$ 7,813.60	7813.60	0.00		7813.60	100%	0.00	390.6
	12" HDPE DR11 Directional Drill	\$ 18,295.00	18295.00	0.00		18295.00	100%	0.00	914.7
	Jumper	\$ 17,034.48	17034.48	0.00		17034.48	100%	0.00	851.7
	04" MJ Bend 22.5deg	\$ 4,307.76	4307.76			4307.76	100%	0.00	215.3
	04" MJ Bend 45deg	\$ 7,928.58	7928.58	0.00		7928.58	100%	0.00	396.4
	06" MJ Bend 45deg	\$ 3,536.16	3536.16	0.00		3536.16	100%	0.00	176.8
	08" MJ Bend 45deg	\$ 25,393.28	25393.28	0.00		25393.28	100%	0.00	1269.6
	10" MJ Bend 45deg	\$ 36,957.66 \$ 2,117.60	36957.66	0.00		36957.66 2117.60	100% 100%	0.00 0.00	1847.8
	04" X 02" MJ Reducer 06" X 04" MJ Reducer	\$ 2,117.60 \$ 2,719.78	2117.60 2719.78	0.00		2117.60 2719.78	100% 100%	0.00	105.8 135.9
	08" X 04" MJ Reducer	\$ 2,719.76	460.31	0.00		460.31	100%	0.00	23.0
	08" X 06" MJ Reducer	\$ 1,942.56	1942.56	0.00		1942.56	100%	0.00	97.1
	10" X 08" MJ Reducer	\$ 3,399.00	3399.00	0.00		3399.00	100%	0.00	169.9
	10" X 06" MJ Reducer	\$ 1,218.96	1218.96	0.00		1218.96	100%	0.00	60.9
	08" MJ Tee	\$ 3,507.48	3507.48	0.00		3507.48	100%	0.00	175.3
	10" MJ Tee	\$ 7,676.16	7676.16	0.00		7676.16	100%	0.00	383.8
	06" MJ Gate Valve & Box	\$ 16,407.63	16407.63	0.00		16407.63	100%	0.00	820.3
	08" MJ Gate Valve & Box	\$ 35,326.90	35326.90	0.00		35326.90	100%	0.00	1766.3
	10" MJ Gate Vavle & Box	\$ 48,231.96	48231.96	0.00		48231.96	100%	0.00	2411.6
	Fire Hydrant Assembly	\$ 110,045.04	110045.04	0.00		110045.04	100%	0.00	5502.2
	Single Service Short	\$ 63,432.00 \$ 35,169.66	63432.00 35169.66	0.00		63432.00	100%	0.00	3171.6
			35169.66	0.00		35169.66	100%	0.00	1758.4
	Single Service Long					1207/11 05	1000/	0.00	6027.0
	Double Service Long  Double Service Short  Double Service Long	\$ 138,741.25 \$ 121,611.75	138741.25 121611.75	0.00		138741.25 121611.75	100% 100%	0.00 0.00	6937.0 6080.5

ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUES	FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD	MATERIALS PRESENTLY	TOTAL COMPLETED & STORED TO DATE	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE 5%
	Restraint	\$ 70,427.93	70427.93	0.00		70427.93	100%	0.00	3521.40
			1534130.86	0.00	0.00	1534130.86		0.00	76706.54
G	Reclaim Main	\$ 1,079,246.86							
	Connect To 08" Reclaimed	\$ 8,545.80	8545.80	0.00		8545.80	100%	0.00	427.29
	02" PE DR9	\$ 1,309.00	1309.00	0.00		1309.00	100%	0.00	65.45
	04" PVC DR18	\$ 133,977.60	133977.60	0.00		133977.60	100%	0.00	6698.88
	06" PVC DR18	\$ 100,744.80	100744.80	0.00		100744.80	100%	0.00	5037.24
	08" PVC DR18	\$ 199,773.60	199773.60			199773.60	100%	0.00	9988.68
	04" Ductile Iron Pipe	\$ 15,486.40	15486.40	0.00		15486.40	100%	0.00	774.32
	06" Ductile Iron Pipe	\$ 12,627.60	12627.60			12627.60	100%	0.00	631.38
	08" Ductile Iron Pipe	\$ 9,319.20	9319.20			9319.20	100%	0.00	465.96
	08" Casing (F&I)	\$ 6,581.90	6581.90			6581.90	100%	0.00	329.10
	12" Casing (F&I)	\$ 6,581.90	6581.90			6581.90	100%	0.00	329.10
	16" Casing (F&I)	\$ 22,311.90	22311.90			22311.90	100%	0.00	1115.60
	04" MJ Bend 22.5deg	\$ 14,000.22	14000.22			14000.22	100%	0.00	700.01
	04" MJ Bend 45deg	\$ 13,694.82	13694.82			13694.82	100%	0.00	684.74
	06" MJ Bend 45deg	\$ 12,376.56	12376.56			12376.56	100%	0.00	618.83
	08" MJ Bend 45deg	\$ 21,930.56	21930.56			21930.56	100%	0.00	1096.53
<b></b>	04" X 02" MJ Reducer	\$ 2,886.20	2886.20			2886.20	100%	0.00	144.31
<b></b>	06" X 04" MJ Reducer	\$ 2,331.24	2331.24			2331.24	100%	0.00	116.56
<b></b>	08" X 04" MJ Reducer	\$ 1,380.93	1380.93			1380.93	100%	0.00	69.05
<b></b>	08" X 06" MJ Reducer	\$ 971.28	971.28			971.28	100%	0.00	48.56
<b></b>	04" MJ Tee	\$ 495.49	495.49			495.49	100%	0.00	24.77
<b></b>	06" MJ Tee	\$ 1,297.78	1297.78			1297.78	100%	0.00	64.89
<b></b>	08" X 06" MJ Tee	\$ 1,559.54	1559.54	0.00		1559.54	100%	0.00	77.98
<u> </u>	08" MJ Tee	\$ 4,384.35	4384.35			4384.35	100%	0.00	219.22
<u> </u>	04" MJ Gate Valve & Box	\$ 10,570.56	10570.56			10570.56	100%	0.00	528.53
<u> </u>	06" MJ Gate Valve & Box	\$ 16,281.00	16281.00			16281.00	100%	0.00	814.05
<u> </u>	08" MJ Gate Valve & Box	\$ 32,584.11 \$ 33,279.24	32584.11			32584.11	100%	0.00 0.00	1629.21
<u> </u>	Single Service Short		33279.24			33279.24	100%		1663.96
<u> </u>	Single Service Long	\$ 40,461.67	40461.67 148502.72			40461.67 148502.72	100% 100%	0.00 0.00	2023.08
<b></b>	Double Service Short	\$ 148,502.72 \$ 133,331.61	133331.61				100%	0.00	7425.14 6666.58
<b></b>	Double Service Long Blow Off	\$ 133,331.61 \$ 56,761.83	56761.83			133331.61 56761.83	100%	0.00	2838.09
<u> </u>	Restraint	\$ 12,905.45	12905.45			12905.45	100%	0.00	645.27
<b></b>	Restraint	Ψ 12,000.40	1079246.86		0.00	1079246.86	100 /6	0.00	53962.34
н	Roads, Curb & Traffic	\$ 2.457.524.92	1079240:00	0.00	0.00	1079240.80		0:00	33302.34
		\$ 325,331.74	325331.74	0.00		325331.74	100%	0.00	16266.59
<u> </u>	.75" Asphalt Type SP 1" Asphalt Type SP	\$ 351,945.62	351945.62			351945.62	100%	0.00	17597.28
<u> </u>	06" Shell Base	13 331,343,02							1/39/.20
<del></del>			524035 84			524035 84		0.00	26246.70
1		\$ 524,935.84	524935.84			524935.84	100%	0.00	26246.79
	06" Stabilized Subgrade (Shell)	\$ 524,935.84 \$ 475,563.80	475563.80	0.00		475563.80	100%	0.00	23778.19
	06" Stabilized Subgrade (Shell) 4" Sidewalk (Common Areas)	\$ 524,935.84 \$ 475,563.80 \$ 161,980.00	475563.80 161980.00	0.00		475563.80 161980.00	100% 100%	0.00 0.00	23778.19 8099.00
	06" Stabilized Subgrade (Shell) 4" Sidewalk (Common Areas) ADA Concrete Ramp & Dome	\$ 524,935.84 \$ 475,563.80 \$ 161,980.00 \$ 32,045.00	475563.80 161980.00 32045.00	0.00 0.00 0.00		475563.80 161980.00 32045.00	100% 100% 100%	0.00 0.00 0.00	23778.19 8099.00 1602.25
	06" Stabilized Subgrade (Shell) 4" Sidewalk (Common Areas) ADA Concrete Ramp & Dome Miami Curb	\$ 524,935.84 \$ 475,563.80 \$ 161,980.00 \$ 32,045.00 \$ 351,336.96	475563.80 161980.00 32045.00 351336.96	0.00 0.00 0.00 0.00		475563.80 161980.00 32045.00 351336.96	100% 100% 100% 100%	0.00 0.00 0.00 0.00	23778.19 8099.00 1602.25 17566.85
	06" Stabilized Subgrade (Shell) 4" Sidewalk (Common Areas) ADA Concrete Ramp & Dome Miami Curb Type F Curb	\$ 524,935.84 \$ 475,563.80 \$ 161,980.00 \$ 32,045.00 \$ 351,336.96 \$ 146,855.80	475563.80 161980.00 32045.00 351336.96 146855.80	0.00 0.00 0.00 0.00 0.00		475563.80 161980.00 32045.00 351336.96 146855.80	100% 100% 100% 100% 100%	0.00 0.00 0.00 0.00 0.00	23778.19 8099.00 1602.25 17566.85 7342.79
	06" Stabilized Subgrade (Shell) 4" Sidewalk (Common Areas) ADA Concrete Ramp & Dome Miami Curb Type F Curb Stop Sign With Stop Bar	\$ 524,935.84 \$ 475,563.80 \$ 161,980.00 \$ 32,045.00 \$ 351,336.96 \$ 146,855.80 \$ 9,837.96	475563.80 161980.00 32045.00 351336.96 146855.80 9837.96	0.00 0.00 0.00 0.00 0.00 0.00		475563.80 161980.00 32045.00 351336.96 146855.80 9837.96	100% 100% 100% 100% 100% 100%	0.00 0.00 0.00 0.00 0.00 0.00	23778.19 8099.00 1602.25 17566.85 7342.79 491.90
	06" Stabilized Subgrade (Shell) 4" Sidewalk (Common Areas) ADA Concrete Ramp & Dome Miami Curb Type F Curb Stop Sign With Stop Bar Speed Limit Sign	\$ 524,935.84 \$ 475,563.80 \$ 161,980.00 \$ 32,045.00 \$ 351,336.96 \$ 146,855.80 \$ 9,837.96 \$ 11,047.92	475563.80 161980.00 32045.00 351336.96 146855.80 9837.96	0.00 0.00 0.00 0.00 0.00 0.00		475563.80 161980.00 32045.00 351336.90 146855.80 9837.96 11047.92	100% 100% 100% 100% 100% 100%	0.00 0.00 0.00 0.00 0.00 0.00	23778.19 8099.00 1602.25 17566.85 7342.79 491.90 552.40
	06" Stabilized Subgrade (Shell) 4" Sidewalk (Common Areas) ADA Concrete Ramp & Dome Miami Curb Type F Curb Stop Sign With Stop Bar Speed Limit Sign No Outlet Sign	\$ 524,935.84 \$ 475,563.80 \$ 161,980.00 \$ 32,045.00 \$ 351,336.96 \$ 146,855.80 \$ 9,837.96 \$ 11,047.92 \$ 6,510.46	475563.80 161980.00 32045.00 351336.96 146855.80 9837.96 11047.92 6510.46	0.00 0.00 0.00 0.00 0.00 0.00 0.00		475563.80 161980.00 32045.00 351336.96 146855.80 9837.96 11047.92 6510.46	100% 100% 100% 100% 100% 100% 100%	0.00 0.00 0.00 0.00 0.00 0.00 0.00	23778.19 8099.00 1602.25 17566.85 7342.79 491.90 552.40 325.52
	06" Stabilized Subgrade (Shell) 4" Sidewalk (Common Areas) ADA Concrete Ramp & Dome Miami Curb Type F Curb Stop Sign With Stop Bar Speed Limit Sign No Outlet Sign Conservation Sign	\$ 524,935.84 \$ 475,563.80 \$ 161,980.00 \$ 32,045.00 \$ 351,336.96 \$ 146,855.80 \$ 9,837.96 \$ 11,047.92 \$ 6,510.46 \$ 12,428.91	475563.80 161980.00 32045.00 351336.96 146855.80 9837.96 11047.92 6510.46	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0		475563.80 161980.00 32045.00 351336.96 146855.80 9837.96 11047.92 6510.46 12428.91	100% 100% 100% 100% 100% 100% 100% 100%	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	23778.19 8099.00 1602.25 17566.85 7342.79 491.90 552.40 325.52 621.45
	06" Stabilized Subgrade (Shell) 4" Sidewalk (Common Areas) ADA Concrete Ramp & Dome Miami Curb Type F Curb Stop Sign With Stop Bar Speed Limit Sign No Outlet Sign Conservation Sign Bike Lane Sign	\$ 524,935.84 \$ 475,563.80 \$ 161,980.00 \$ 32,045.00 \$ 351,336.96 \$ 146,855.80 \$ 9,837.96 \$ 11,047.92 \$ 6,510.46 \$ 12,428.91 \$ 1,052.18	475563.80 161980.00 32045.00 351336.96 146855.80 9837.96 11047.92 6510.46 12428.91	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0		475563.80 161980.00 32045.00 351336.96 146855.80 9837.96 11047.92 6510.46 12428.91	100% 100% 100% 100% 100% 100% 100% 100%	0.00 0.00 0.00 0.00 0.00 0.00 0.00	23778.19 8099.00 1602.25 17566.85 7342.79 491.90 552.40 325.52 621.45 52.61
	06" Stabilized Subgrade (Shell) 4" Sidewalk (Common Areas) ADA Concrete Ramp & Dome Miami Curb Type F Curb Stop Sign With Stop Bar Speed Limit Sign No Outlet Sign Conservation Sign Bike Lane Sign Divided Highway/ OM1-1 Sign	\$ 524,935.84 \$ 475,563.80 \$ 161,980.00 \$ 32,045.00 \$ 351,336.96 \$ 146,855.80 \$ 9,837.96 \$ 11,047.92 \$ 6,510.46 \$ 12,428.91 \$ 1,052.18 \$ 4,274.50	475563.80 161980.00 32045.00 351336.96 146855.80 9837.96 11047.92 6510.46 12428.91 1052.18 4274.50	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0		475563.80 161980.00 32045.00 351336.96 146855.80 9837.96 11047.92 6510.46 12428.91 1052.18 4274.50	100% 100% 100% 100% 100% 100% 100% 100%	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	23778.19 8099.00 1602.25 17566.85 7342.79 491.90 552.40 325.52 621.45 52.61 213.73
	06" Stabilized Subgrade (Shell) 4" Sidewalk (Common Areas) ADA Concrete Ramp & Dome Miami Curb Type F Curb Stop Sign With Stop Bar Speed Limit Sign No Outlet Sign Conservation Sign Bike Lane Sign	\$ 524,935.84 \$ 475,563.80 \$ 161,980.00 \$ 32,045.00 \$ 351,336.96 \$ 146,855.80 \$ 9,837.96 \$ 11,047.92 \$ 6,510.46 \$ 12,428.91 \$ 4,274.50	475563.80 161980.00 32045.00 351336.96 146855.80 9837.96 11047.92 6510.46 12428.91 1052.18 4274.50 42378.23	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	0.00	475563.80 161980.00 32045.00 351336.96 146855.80 9837.96 11047.92 6510.46 12428.91 1052.18 4274.50 42378.23	100% 100% 100% 100% 100% 100% 100% 100%	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	23778.19 8099.00 1602.25 17566.85 7342.79 491.90 552.40 325.52 621.45 52.61 213.73 2118.91
	06" Stabilized Subgrade (Shell) 4" Sidewalk (Common Areas) ADA Concrete Ramp & Dome Miami Curb Type F Curb Stop Sign With Stop Bar Speed Limit Sign No Outlet Sign Conservation Sign Bike Lane Sign Divided Highway/ OM1-1 Sign	\$ 524,935.84 \$ 475,563.80 \$ 161,980.00 \$ 32,045.00 \$ 351,336.96 \$ 146,855.80 \$ 9,837.96 \$ 11,047.92 \$ 6,510.46 \$ 12,428.91 \$ 1,052.18 \$ 4,274.50	475563.80 161980.00 32045.00 351336.96 146855.80 9837.96 11047.92 6510.46 12428.91 1052.18 4274.50	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	0.00	475563.80 161980.00 32045.00 351336.96 146855.80 9837.96 11047.92 6510.46 12428.91 1052.18 4274.50	100% 100% 100% 100% 100% 100% 100% 100%	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	23778.19 8099.00 1602.25 17566.85 7342.79 491.90 552.40 325.52 621.45 52.61 213.73
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<u>I</u>	06" Stabilized Subgrade (Shell) 4" Sidewalk (Common Areas) ADA Concrete Ramp & Dome Miami Curb Type F Curb Stop Sign With Stop Bar Speed Limit Sign No Outlet Sign Conservation Sign Bike Lane Sign Divided Highway/ OM1-1 Sign Misc. Pavement Markings	\$ 524,935.84 \$ 475,563.80 \$ 161,980.00 \$ 32,045.00 \$ 351,336.96 \$ 146,855.80 \$ 9,837.96 \$ 11,047.92 \$ 6,510.46 \$ 12,428.91 \$ 1,052.18 \$ 4,274.50 \$ 42,378.23 \$ 15,471,420.99 \$ 655,700.65 \$ 345,155.97 \$ 6,452.31 \$ 21,558.14	475563.80 161980.00 32045.00 351336.96 146855.80 9837.96 11047.92 6510.46 12428.91 1052.13 42378.23 2457524.92 15471420.99	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0		475563.80 161980.00 32045.00 351336.96 146855.80 9837.96 11047.92 6510.46 12428.91 1052.18 4274.50 42378.23 2457524.92 15471420.99	100% 100% 100% 100% 100% 100% 100% 100%	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	23778.19 8099.00 1602.25 17566.85 7342.79 491.90 552.40 325.52 621.45 52.61 213.73 2118.91 122876.25 773571.05
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ITEM NO.	DESCRIPTION OF WORK	SCHEDULED	FROM PREVIOUS		MATERIALS	TOTAL COMPLETED &		BALANCE TO FINISH	RETAINAGE
ITEWINO.		VALUES	APPLICATION (D+E)	THIS PERIOD	PRESENTLY	STORED TO DATE	% (G/C)	(C-G)	5%
	CO 09 October Fuel Increase	\$ 3,678.71	3678.71	0.00		3678.71	100%	0.00	183.94
	CO 10 Plan Discrepancy	\$ 97,999.32	97999.32	0.00		97999.32	100%	0.00	4899.97
	CO 11 Additional Base Cost	\$ 195,041.84	195041.84	0.00		195041.84	100%	0.00	9752.09
	CO 12 Credit Second Lift Asphalt	\$ (325,331.74)	-325331.74	0.00		-325331.74	100%	0.00	-16266.59
	CO 13 Grade Plan Change	\$ 65,850.00	65850.00	0.00		65850.00	100%	0.00	3292.50
	CO 14 Plan Change LS Water Services	\$ 2,295.14	2295.14	0.00		2295.14	100%	0.00	114.76
	CO 15 Credit against CO 10	\$ (12,136.63)	-12136.63	0.00		-12136.63	100%	0.00	-606.83
	CO 16 First Lift Asphalt Escalation	\$ 91,772.00	91772.00	0.00		91772.00	100%	0.00	4588.60
	CO 17 Mill Overlay	\$ 100,932.00	100932.00	0.00		100932.00	100%	0.00	5046.60
•	CO 18 Remove Existing Hydrants	\$ 17,785.25	17785.25	0.00	•	17785.25	100%	0.00	889.26
			655700.65	0.00	0.00	655700.65		0.00	32785.03

Brookstone Community Development District c/o Daniel Rom, District Manager Wrathell, Hunt & Associates, LLC 2300 Glades Road, Suite 410W Boca Raton, Florida 33431

Re:

Brookstone Community Development District (the "District")

Acquisition of Bella Lago Phase III Stormwater Improvements Described in Exhibit "A"

#### Dear Daniel:

Pursuant to the Agreement by and between the Brookstone Community Development District and Amazon Landco, LLC, Regarding the Acquisition of Certain Work Product, Infrastructure and Real Property, dated February 8, 2018, as assigned by Amazon Landco, LLC and assumed by SFTEN, LLC<sup>1</sup>, you are hereby notified that D.R. Horton, Inc., has completed and wishes to sell to the District those certain improvements described in Exhibit "A" attached hereto (the "Improvements"). D.R. Horton, Inc., wishes to convey the Improvements, which were included in the District's Engineer's Report for Infrastructure Improvements, dated November 9, 2016, as supplemented by the Supplemental Engineer's Report II for Infrastructure Improvements, dated December 2021 (collectively, the "Engineer's Report"), to the District in exchange for the payment of the sum shown in Exhibit "A" attached hereto, representing the actual cost of constructing the Improvements. Please requisition up to the amount of the Total Acquisition Price shown on Exhibit "A" to D.R. Horton, Inc. from available funds held in the District's 2022 Acquisition and Construction Account.

Sincerely,

D.R. HORTON, INC.,

a Delaware corporation

By: Tarak Patel Its: Vice President

Tucker F. Mackie, District Counsel cc:

Nathan Kragt, P.E., District Engineer

<sup>&</sup>lt;sup>1</sup> SFTEN, LLC, is a wholly owned subsidiary of D.R. Horton, Inc.

#### AFFIDAVIT REGARDING COSTS PAID

#### STATE OF FLORIDA COUNTY OF SARASOTA

- I, <u>Tarak Patel</u>, as <u>Vice President</u> of D.R. HORTON, INC., a Delaware corporation, being first duly sworn, do hereby state for my affidavit as follows:
  - 1. I have personal knowledge of the matters set forth in this affidavit.
- 2. My name is <u>Tarak Patek</u>, and I am <u>Vice President</u> of D.R. HORTON, INC., a Delaware corporation (the "Developer"). I have authority to make this affidavit on behalf of Developer.
- 3. Developer is the developer of certain lands within the Brookstone Community Development District, a special purpose unit of local government established pursuant to Chapter 190, *Florida Statutes* ("District").
- 4. The District's Engineer's Report for Infrastructure Improvements, dated November 9, 2016, as supplemented by the Supplemental Engineer's Report II for Infrastructure Improvements, dated December 2021 (collectively, the "Engineer's Report"), describes certain public infrastructure improvements and/or work product that the District intends to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, or maintain pursuant to Chapter 190, Florida Statutes.
- 5. Pursuant to contracts in place between Developer and certain contractors and construction related professionals, as may be more particularly identified on the attached **Exhibit A**, Developer has expended funds to develop improvements that are included and described in the Engineer's Report and are part of the District's capital improvement plan. The attached **Exhibit A** accurately identifies the completed improvements and states, at least in part, the amounts that Developer has spent on the completed improvements. No money is owed to any contractors or subcontractors for any work performed on the completed improvements.
- 6. In making this affidavit, I understand that the District intends to rely on this affidavit for purposes of acquiring the completed improvements that Developer has developed consistent with the Engineer's Report.

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 4 day of \_\_\_\_\_\_\_ 2024.

**D.R. HORTON, INC.,** a Delaware corporation

By: <u>Tarak Patel</u>
Its: Vice President

STATE OF FLORIDA COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me by means of □ physical presence or □ online notarization this ☐ day of ☐ 2024, by Tarak Patel, as Vice President of D.R. HORTON, INC., a Delaware corporation, on behalf of said company and who has personally appeared before me and is personally known to me.

(NOTARY SEAL)

MICHELLE FARO
MY COMMISSION # HH 324450
EXPIRES: January 22, 2027

Notary Public Signature

Michelle Faro

(Name typed, printed or stamped)
Notary Public, State of FLORIDA

Commission No. HH 324450

My Commission Expires: 61.22.2027

### Exhibit "A"

### Description of Improvements to be Acquired

All stormwater management systems, including but not limited to inlets yard drains, manholes and pipes providing drainage, curb and gutter providing drainage for streets and rights-of-way, dry stormwater retention basins, retaining wall, and related system components as located within Subphases IIIA, IIIB and IIIC, as depicted on the plat for BELLA LAGO PHASE III – SUBPHASES IIIA, IIIB AND IIIC, as recorded in Plat Book 77, Pages 78 through 112, of the Public Records of Manatee County, Florida.

Improvement	Contract / Invoices	Total Costs Paid
Stormwater	RIPA & Associates	
	Total:	3,240,060.73

### ZNS ENGINEERING, L.C., CERTIFICATION TO BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT REGARDING BELLA LAGO PHASE III STORMWATER IMPROVEMENTS

STATE OF FLORIDA COUNTY OF Manage

BEFORE ME, the undersigned, personally appeared Nathan Kragt, P.E., of ZNS Engineering, L.C., who, after being first duly sworn, deposes and says:

I, Nathan Kragt, am a Professional Engineer registered in the State of Florida. I have reviewed certain documentation, including, but not limited to, permitted plans and specifications, as-builts and applicable permits. I, or my authorized agent, have conducted on-site observations of Bella Lago Phase III Stormwater Improvements (the "Improvements"), as described in **Exhibit A**.

I hereby certify to the Brookstone Community Development District (the "District") the below listed matters:

- 1) The Improvements have been completed in substantial compliance with the applicable permit requirements and in substantial accordance with the permitted plans and specifications.
  - 3) The Improvements are free from obstruction and are functional for their intended purpose.
- In my opinion, the acquisition amount of \$3,240,060.73 (1) relates directly to the construction of certain improvements described in the *Engineer's Report for Infrastructure Improvements*, dated November 9, 2016, as supplemented by the *Supplemental Engineer's Report II for Infrastructure Improvements*, dated December 2021 (collectively, the "Engineer's Report"), as may be amended, for the Brookstone Community Development District, (2) specifically benefits property within the boundaries of the District as described in the Engineer's Report, and (3) is fair and reasonable. Further, in my opinion, this amount does not exceed the value of the Improvements as installed.
- 5) All known plans, permits and specifications necessary for the future operation and maintenance of the Improvements are complete and on file with the District, and have been transferred, or are capable of being transferred, to the District for future operations and maintenance responsibilities.
  - 6) With this document, I hereby certify that it is appropriate at this time to acquire Improvements.

FURTHER AFFIANT SAYETH NOT.

Nathan Kragt, P.E. ZNS Engineering, L.C.

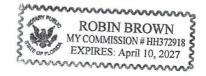
Florida Registration No. 69272

The foregoing instrument was acknowledged and subscribed before me this **20** day of **May** by Nathan Kragt, P.E., who has produced **100** Sonoth the foregoing instrument was acknowledged and subscribed before me this **20** day of **May** 2024, by Nathan Kragt, P.E., who has produced **100** Sonoth the foregoing instrument was acknowledged and subscribed before me this **20** day of **May** 2024, by Nathan Kragt, P.E., who has produced **100** Sonoth the foregoing instrument was acknowledged and subscribed before me this **20** day of **May** 2024, by Nathan Kragt, P.E., who has produced **100** Sonoth the foregoing instrument was acknowledged and subscribed before me this **20** day of **May** 2024, by Nathan Kragt, P.E., who has produced **100** Sonoth the foregoing instrument was acknowledged and subscribed before me this **20** day of **May** 2024, by Nathan Kragt, P.E., who has produced **100** Sonoth the foregoing instrument was acknowledged and subscribed before me this **20** day of **100** Sonoth the foregoing instrument was acknowledged and subscribed before me this **20** day of **100** Sonoth the foregoing instrument was acknowledged and subscribed before me this **20** day of **100** Sonoth the foregoing instrument was acknowledged and subscribed before me this **20** day of **100** Sonoth the foregoing instrument was acknowledged and subscribed before me this **20** day of **100** Sonoth the foregoing instrument was acknowledged and subscribed before me this **20** day of **100** Sonoth the foregoing instrument was acknowledged and subscribed before me this **20** day of **100** Sonoth the foregoing instrument was acknowledged and subscribed before me this **20** day of **100** Sonoth the foregoing instrument was acknowledged and subscribed before me this **20** day of **100** Sonoth the foregoing instrument was acknowledged and the foreg

Notary Public

Name of officer taking acknowledgment

Commission Expires:



### Exhibit "A"

### Description of Improvements to be Acquired.

All stormwater management systems, including but not limited to inlets yard drains, manholes and pipes providing drainage, curb and gutter providing drainage for streets and rights-of-way, dry stormwater retention basins, retaining wall, and related system components as located within Subphases IIIA, IIIB and IIIC, as depicted on the plat for BELLA LAGO PHASE III – SUBPHASES IIIA, IIIB AND IIIC, as recorded in Plat Book 77, Pages 78 through 112, of the Public Records of Manatee County, Florida.

Improvement	Contract / Invoices		Total Costs Paid
Stormwater	Central Site Development		
		Total:	3,240,060.73

### **BILL OF SALE**

KNOW ALL MEN BY THESE PRESENTS, that **D.R. Horton, Inc.**, a Delaware corporation, whose address for purposes hereof is 12602 Telecom Drive, Tampa, Florida 33637 ("Seller"), and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, to it paid by the **Brookstone Community Development District**, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes* ("**District**") whose address is 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, the receipt whereof is hereby acknowledged, has granted, bargained, sold, transferred and delivered, and by these presents does grant, bargain, sell, transfer, and deliver unto the District, its successors and assigns, the following described property, assets and rights, to-wit:

All stormwater management systems, including but not limited to inlets yard drains, manholes and pipes providing drainage, curb and gutter providing drainage for streets and rights-of-way, dry stormwater retention basins, retaining wall, and related system components as located within Subphases IIIA, IIIB and IIIC, as depicted on the plat for BELLA LAGO PHASE III – SUBPHASES IIIA, IIIB AND IIIC, as recorded in Plat Book 77, Pages 78 through 112, of the Public Records of Manatee County, Florida.

TO HAVE AND TO HOLD all of the foregoing unto the District, its successors and assigns, for its own use forever, free and clear and discharged of and from any and all obligations, claims or liens.

AND the Seller does hereby covenant to and with the District, its successors and assigns, that they are the lawful owners of the above-described personal property and assets; that said personal property and assets are free from all liens and encumbrances; that Seller has good right to sell said personal property and assets; that all contractors, subcontractors and material men furnishing labor or materials relative to the construction of the personal property and assets have been paid in full; and that Seller will warrant and defend the sale of its said personal property and assets hereby made, unto the District, its successors and assigns, against the lawful claims and demands of all persons whosoever.

[remainder left intentionally blank]

IN WITNESS WHEREOF, the Seller has caused may 2024.	this instrument to be executed in its name this 14th day of
	D.R. HORTON, INC., a Delaware corporation
Coton Cay	By:Print Name: <u>Tarak Patel</u> Print Title: <u>Vice President</u>
Print Name: Michelle Faro	
STATE OF FLORIDA COUNTY OF SARASOTA	
I hereby certify that on this day, before me, an off appeared <u>Tarak Patel</u> as <u>Vice President</u> of D.R. Horton, In instrument, acknowledged before me that he executed the sin the manner indicated below.	
Witness my hand and official seal this Lynday of	of <u>May</u> 2024.
	Notary Public
MICHELLE FARO MY COMMISSION # HH 324450 EXPIRES: January 22, 2027	Personally known: Produced Identification:  Type of Identification:

### CONSENT AGENDA

# UNAUDITED FINANCIAL STATEMENTS

BROOKSTONE
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JUNE 30, 2024

### BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT BALANCE SHEET GOVERNMENTAL FUNDS JUNE 30, 2024

	General Fund	Debt Debt Service Service Fund Fund Series 2018 Series 2022		Capital Projects Fund	Total Governmental Funds
ASSETS		_		_	
Cash	\$ 169,065	\$ -	\$ -	\$ -	\$ 169,065
Investments					
Revenue	-	756,963	338,674	-	1,095,637
Reserve	-	800,600	366,086	-	1,166,686
Prepayment	-	11,227	-	-	11,227
Construction - general	-			1,861,053	1,861,053
Due from general fund	- 0.100.005	5,136	4,705	-	9,841
Total assets	\$ 169,065	\$1,573,926	\$ 709,465	\$ 1,861,053	\$ 4,313,509
LIABILITIES AND FUND BALANCES Liabilities: Contracts payable Due to developer Due to debt service fund 2018 Due to debt service fund 2022 Total liabilities	\$ - 9,985 5,136 4,705 19,826	\$ - - - - -	\$ - - - - -	\$ 1,861,053 - - - - 1,861,053	\$ 1,861,053 9,985 5,136 4,705 1,880,879
Fund balances:					
Restricted for:					
Debt service	-	1,573,926	709,465	-	2,283,391
Committed:					
3 months working capital	33,220	-	-	-	33,220
Unassigned	116,019				116,019
Total fund balances	149,239	1,573,926	709,465		2,432,630
Total liabilities and fund balances	\$ 169,065	\$1,573,926	\$ 709,465	\$ 1,861,053	\$ 4,313,509

### BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT GENERAL FUND

### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES FOR THE PERIOD ENDED JUNE 30, 2024

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll	\$ 789	\$ 123,099	\$ 122,782	100%
Interest and miscellaneous		9,465		N/A
Total revenues	789	132,564	163,555	81%
EXPENDITURES				
Professional & administrative				
Supervisors	-	-	2,584	0%
Management/accounting/recording	3,902	35,113	46,818	75%
DSF accounting/assessment collections	458	4,125	5,500	75%
Legal	1,541	2,767	12,000	23%
Engineering	-	-	2,500	0%
Audit	2,250	6,750	6,950	97%
Arbitrage rebate calculation	-	500	1,500	33%
Dissemination agent	167	1,500	2,000	75%
EMMA software service	1,000	1,000	-	N/A
Trustee	4,331	4,331	10,000	43%
Telephone	17	150	200	75%
Postage	-	35	500	7%
Printing & binding	42	375	500	75%
Legal advertising	120	120	5,500	2%
Annual special district fee	-	175	175	100%
Insurance	_	6,228	6,600	94%
Contingencies/bank charges	_	232	5,000	5%
Website		202	0,000	070
Hosting	_	705	705	100%
ADA compliance	_	210	210	100%
Total professional & administrative	13,828	64,316	109,242	59%
Total professional & auministrative	13,020	04,310	109,242	3976
Other fees & charges				
Property appraiser & tax collector	24	3,686	3,836	96%
Total other fees & charges	24	3,686	3,836	96%
Total expenditures	13,852	68,002	113,078	60%
Excess/(deficiency) of revenues				
over/(under) expenditures	(13,063)	64,562	9,704	
Fund balances - beginning	162,302	84,677	69,475	
Assigned:	,	,	•	
Committed:				
3 months working capital	33,220	33,220	33,220	
Unassigned	116,019	116,019	45,959	
Fund balances - ending	\$ 149,239	\$ 149,239	\$ 79,179	

### BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES DEBT SERVICE FUND SERIES 2018 FOR THE PERIOD ENDED JUNE 30, 2024

	С	urrent	`	Year To			% of
	N	Month		Date		Budget	Budget
REVENUES						_	
Assessment levy: on-roll	\$	5,295	\$	826,174	\$	824,044	100%
Assessment prepayments		-		16,227		-	N/A
Interest		6,483		56,590			N/A
Total revenues		11,778		898,991		824,044	109%
EXPENDITURES							
Debt service							
Principal		-		225,000		225,000	100%
Principal prepayment		-		15,000		-	N/A
Interest		-		570,684		570,684	100%
Total debt service		-		810,684		795,684	102%
Other fees & charges							
Property appraiser & tax collector		158		24,738		25,752	96%
Total other fees and charges		158		24,738		25,752	96%
Total expenditures		158		835,422		821,436	102%
Excess/(deficiency) of revenues							
over/(under) expenditures		11,620		63,569		2,608	
Fund balances - beginning	1,	562,306	1	1,510,357		1,464,579	
Fund balances - ending	\$1,	573,926	\$ 1	1,573,926	\$ ^	1,467,187	

### BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES DEBT SERVICE FUND SERIES 2022 FOR THE PERIOD ENDED JUNE 30, 2024

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll	\$ 4,850	\$ 756,767	\$ 754,815	100%
Interest	2,893	29,400	<u> </u>	N/A
Total revenues	7,743	786,167	754,815	104%
EXPENDITURES				
Debt service				
Principal	-	160,000	160,000	100%
Interest	-	571,131	571,131	100%
Total debt service		731,131	731,131	100%
Other fees & charges				
Property appraiser & tax collector	144	22,659	23,588	96%
Total other fees and charges	144	22,659	23,588	96%
Total expenditures	144	753,790	754,719	100%
Excess/(deficiency) of revenues				
over/(under) expenditures	7,599	32,377	96	
Fund balances - beginning	701,866	677,088	659,346	
Fund balances - ending	\$ 709,465	\$ 709,465	\$ 659,442	

### BROOKSTONE COMMUNITY DEVELOPMENT DISTRICT STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES CAPITAL PROJECTS FUND FOR THE PERIOD ENDED JUNE 30, 2024

		Current Month		Year To Date
REVENUES	·			
Developer contribution	\$	7,682	\$	7,682
Interest		7,758		67,364
Total revenues		15,440		75,046
EXPENDITURES Capital outlay Total expenditures		1,851,046 1,851,046		1,851,046 1,851,046
Excess/(deficiency) of revenues over/(under) expenditures	(	(1,835,606)		(1,776,000)
Fund balances - beginning		1,835,606		1,776,000
Fund balances - ending	\$	_	\$	_

### MINUTES

### DRAFT

1 2	MINUTES OF MEETING BROOKSTONE						
3	COMMUNITY DEVEL	OPMENT DISTRICT					
4							
5	The Board of Supervisors of the Brooks	tone Community Development District held a					
6	Regular Meeting on May 21, 2024 at 1	,					
7 8	Bradenton/Lakewood Ranch, 5610 Manor Hill La  Present were:	ne, Bradenton, Florida 34203.					
9	riesent were.						
10	Christine Sifonte	Chair					
11	Hal Lutz	Assistant Secretary					
12	Greg Mundell	Assistant Secretary					
13	Greg Manach	Assistant Secretary					
14	Also present were:						
15	Also present were.						
16	Daniel Rom	District Manager					
17	Kristen Thomas	District Manager					
		Wrathell, Hunt and Associates, LLC					
18	Ryan Dugan (via telephone)	District Counsel					
19	FIRST ORDER OF BUSINESS	Call to Code (Pall Call					
20	FIRST ORDER OF BUSINESS	Call to Order/Roll Call					
21	<b>N D H L H . . H . . H . . H . . . . . . . . . .</b>	4.07					
22	Mr. Rom called the meeting to order at	1:37 p.m. Supervisors Lutz and Mundell were					
23	present. Mr. Rom noted that resignations were	received several months ago from Supervisors					
24	Zook, Aparicio and Janek, who are not present.						
25							
26 27	SECOND ORDER OF BUSINESS	Public Comments					
28	There were no public comments.						
	The state of the s						
29							
30 31 32	THIRD ORDER OF BUSINESS	Acceptance of Resignation of Ryan Zook (Seat 1)					
33	Mr. Rom presented Mr. Ryan Zook's resig	nation.					
	, ,						
34							
35	On MOTION by Mr. Lutz and seconded	by Mr. Mundell, with all in favor, the					
36	resignation of Mr. Ryan Zook, from Seat	· · · · · · · · · · · · · · · · · · ·					
37	resignation of thirty and 200K, from ocal	2, 1143 4550 ptc 41					
38	FOLIDTIL ODDED OF DUCINESS						
39	FOURTH ORDER OF BUSINESS	Consider Appointment of Christine Sifonte					
40		to Fill Unexpired Term of Seat 1; Term					
41		Expires November 2024					
42							

78

	BROO	KSTONE CDD	DRAF	Т	May 21, 2024
79		The preference to	appoint Ms. Sifonte to Se	eat 2, rather than Seat 1	, was discussed.
80		Mr. Rom stated th	nat the Board accepted t	he resignation of Mr. Ry	yan Zook from Seat 1,
81	as mo	tioned and seconde	ed by Mr. Lutz and Mr. I	Mundell, respectively, a	nd approved 2-0. The
82	Board	's intention is now	to leave Seat 1 vacan	t, at this time, and to	instead appoint Ms.
83	Christ	ine Sifonte to Seat 2	<u>.</u> .		
84		Mr. Lutz nominate	ed Ms. Christine Sifonte to	o fill Seat 2.	
85		No other nominat	ions were made.		
86					
87 88 89		_	Ar. Lutz and seconded back to Section 15. Christine Sifonte to Section 15.	•	l in favor, the
90		A durinistration of	Ooth of Office to Amnei	stad Cumamican	
91	•		Oath of Office to Appoin	•	
92 93		The Oath of Office	was previously administ	erea to Ms. Silonte.	
94 95 96	SEVEN	NTH ORDER OF BUS	INESS	Acceptance of Resign (Seat 4)	ation of Brian Janek
96 97 98		Mr. Rom presente	d Mr. Brian Janek's resigi	nation.	
99 100		•	ls. Sifonte and seconded . Brian Janek, from Seat	•	ll in favor, the
101 102 103 104 105	EIGHT	H ORDER OF BUSIN	ESS	Consider Appointmen to Fill Unexpired Te Expires November 202	rm of Seat 4; Term
106 107	•	Administration of	Oath of Office to Appoir	nted Supervisor	
108		This item was pres	sented following the Tent	h Order of Business.	
109					
110 111 112 113	NINTH	I ORDER OF BUSINE	:SS	Consideration of F Electing and Remov District and Providing	_
114		Mr. Rom presente	d Resolution 2024-01. M	r. Lutz nominated the fo	llowing:
115		Chair		Christine Sifonte	
116		Vice Chair		Hal Lutz	

	BROOKSTONE C	DD I	DRAFT	May 21, 2024
117	Α	ssistant Secretary	Greg Mundell	
118	Α	ssistant Secretary	Kristen Thomas	
119	No other	nominations were made.		
120	This Reso	olution removes the following	from the Board:	
121	С	hair	Ryan Zook	
122	V	ice Chair	Nicolas Aparicio	
123	А	ssistant Secretary	Brian Janek	
124	The follo	wing prior appointments by t	he Board remain unaffected by th	nis Resolution:
125	Se	ecretary	Craig Wrathell	
126	А	ssistant Secretary	Daniel Rom	
127	Ti	reasurer	Craig Wrathell	
128	А	ssistant Treasurer	Jeff Pinder	
129				
131 132		on 2024-01, Electing, as no and Providing for an Effective	minated, and Removing Office Date, was adopted.	ers of the
133 134 135 136 137 138	TENTH ORDER C	OF BUSINESS	Implementing Section 19 Statutes, and Requestin	g that Manatee
134 135 136 137 138 139 140 141 142 143	TENTH ORDER C	OF BUSINESS	Implementing Section 19	90.006(3), Florida g that Manatee tions Conduct the ns; Providing for orth the Terms of of the Qualifying
134 135 136 137 138 139 140 141 142		of BUSINESS  presented Resolution 2024-0	Implementing Section 19 Statutes, and Requestin County Supervisor of Elect District's General Election Compensation; Setting for Office; Authorizing Notice Period; and Providing for an Effective Date	90.006(3), Florida g that Manatee tions Conduct the ns; Providing for orth the Terms of of the Qualifying
134 135 136 137 138 139 140 141 142 143 144	Mr. Rom	presented Resolution 2024-0	Implementing Section 19 Statutes, and Requestin County Supervisor of Elect District's General Election Compensation; Setting for Office; Authorizing Notice Period; and Providing for an Effective Date	90.006(3), Florida g that Manatee tions Conduct the ns; Providing for orth the Terms of of the Qualifying Severability and
134 135 136 137 138 139 140 141 142 143 144 145	Mr. Rom > Seat 1, co	presented Resolution 2024-0	Implementing Section 19 Statutes, and Requestin County Supervisor of Elect District's General Election Compensation; Setting for Office; Authorizing Notice Period; and Providing for an Effective Date	90.006(3), Florida g that Manatee tions Conduct the ns; Providing for orth the Terms of of the Qualifying Severability and
134 135 136 137 138 139 140 141 142 143 144 145	Mr. Rom  Seat 1, co the November 2	presented Resolution 2024-0 urrently vacant, and Seat 3, o	Implementing Section 19 Statutes, and Requestin County Supervisor of Elect District's General Election Compensation; Setting for Office; Authorizing Notice Period; and Providing for an Effective Date	90.006(3), Florida g that Manatee tions Conduct the ns; Providing for orth the Terms of of the Qualifying Severability and up for election at
134 135 136 137 138 139 140 141 142 143 144 145 146	Mr. Rom  Seat 1, co the November 2  Candidat	presented Resolution 2024-0 urrently vacant, and Seat 3, c 2024 General Election. tes must be a citizen of the	Implementing Section 19 Statutes, and Requestin County Supervisor of Elect District's General Election Compensation; Setting for Office; Authorizing Notice Period; and Providing for an Effective Date  11 and noted the following: urrently held by Mr. Lutz, will be	g that Manatee tions Conduct the ns; Providing for orth the Terms of of the Qualifying Severability and up for election at rs of age, a legal
134 135 136 137 138 139 140 141 142 143 144 145 146 147	Mr. Rom  Seat 1, co the November 2  Candidat resident of Florid	presented Resolution 2024-0 urrently vacant, and Seat 3, c 2024 General Election. tes must be a citizen of the	Implementing Section 19 Statutes, and Requestin County Supervisor of Elect District's General Election Compensation; Setting for Office; Authorizing Notice Period; and Providing for an Effective Date  11 and noted the following: urrently held by Mr. Lutz, will be United States, at least 18 year	g that Manatee tions Conduct the ns; Providing for orth the Terms of of the Qualifying Severability and up for election at rs of age, a legal
134 135 136 137 138 139 140 141 142 143 144 145 146 147 148	Mr. Rom  Seat 1, co the November 2  Candidat resident of Florid	presented Resolution 2024-0 urrently vacant, and Seat 3, o 2024 General Election. ces must be a citizen of the da, reside within the CDD and	Implementing Section 19 Statutes, and Requestin County Supervisor of Elect District's General Election Compensation; Setting for Office; Authorizing Notice Period; and Providing for an Effective Date  11 and noted the following: urrently held by Mr. Lutz, will be United States, at least 18 year	g that Manatee tions Conduct the ns; Providing for orth the Terms of of the Qualifying Severability and up for election at rs of age, a legal

190191192

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TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2024-04, Designating Dates, Times and Locations for

Addressing Transmittal, Posting and Publication Requirements; Addressing

Severability; and Providing an Effective Date, was adopted.

	BROO	KSTONE CDD	DRAF1	Ī		M	ay 21, 2024
195 196 197 198 199				2024/202 Date	ors of the I 25 and Prov	District for viding for a	
200		Mr. Rom presented Resolution 2024-		J			
201		The following changes were made to	the Fis	scal Year 2	:025 Meeting	3 Schedule:	
202		DATE, POTENTIAL DISCUSSION/FOCI	US & I	LOCATION	l: Insert "No	vember 5,	2024" and
203	"Lando	owners' Meeting" and "Home2 Suites	by Hil	ton - Lake	ewood Ranch	ı, 6015 Excl	hange Way,
204	Brader	nton, Florida 34202"					
205		DATE & POTENTIAL DISCUSSION/F	OCUS:	Insert "	February 7,	2024" an	d "Regular
206	Meetir	ng"					
207							
208 209 210 211 212		On MOTION by Mr. Mundell and Resolution 2024-04, Designating Meetings of the Board of Superviso as amended, and Providing for an Ef	Dates, rs of th	Times a	nd Location for Fiscal Y	ns for Reg	gular
<ul><li>213</li><li>214</li><li>215</li><li>216</li><li>217</li></ul>	THIRTI	EENTH ORDER OF BUSINESS		Services, Software	ation of D LLC EMM e as a Service	IA® Filing License Ag	Assistance
<ul><li>218</li><li>219</li></ul>		Mr. Rom discussed the EMMA® softw	vare en	iabling ele	ectronically fi	ling.	
<ul><li>220</li><li>221</li><li>222</li><li>223</li><li>224</li></ul>		On MOTION by Mr. Mundell and se Disclosure Technology Services, LLG Service License Agreement, was app	C EMIN	1A® Filing	•	-	
224 225 226 227 228 229 230	FOURT	TEENTH ORDER OF BUSINESS		Environn Perpetua	ion of Req nental Reso al Operatio Permit No. 3	ource Perm n and M	nit to the Iaintenance
231 232 233 234 235		On MOTION by Ms. Sifonte and se Request for Transfer of the Environ Operation and Maintenance Entity III], was ratified.	nmenta	al Resour	ce Permit to	the Perpe	etual

	BRO	OKSTONE CDD	DRAFT	May 21, 2024		
37 38	FIFTE	ENTH ORDER OF BUSINESS	Consent Agenda			
39	A.	Acceptance of Unaudited Financial Statements as of March 31, 2024				
40	В.	Approval of August 4, 2023 Public Hearing and Regular Meeting Minutes				
11 12 13		· ·	ell and seconded by Ms. Sifonte, with a as presented, were accepted an	•		
14 15						
16 17	SIXTE	EENTH ORDER OF BUSINESS	Staff Reports			
8	A.	District Counsel: Kutak Roo	k LLP			
9		Mr. Dugan encouraged Supervisors to contact District Management or District Counsel				
	with	n any questions about the ethics training requirements or paperwork distributed today. He				
	discu	ussed the need to ensure a quorum for the August 2, 2024 budget public hearing.				
	В.	District Engineer: ZNS Engineering, L.C.				
		There was no report.				
	C.	District Manager: Wrathell	, Hunt and Associates, LLC			
		860 Registered Vote	ers in District as of April 15, 2024			
		NEXT MEETING DATE	TE: August 2, 2024 at 11:00 AM			
		O QUORUM C	HECK			
		Supervisors Mundell and	Sifonte confirmed their attendance at	the August 2, 2024		
	meet	ting. Supervisor Lutz will not attend. It was noted that Supervisor-appointee Peter Eduardo				
	will a	attend; he will be sworn in before the meeting to achieve quorum.				
	SEVE	NTEENTH ORDER OF BUSINES	Board Members' Com	ments/Requests		
		There were no Board Mem	bers' comments or requests.			
	EIGH	TEENTH ORDER OF BUSINESS	Public Comments			
		No members of the public s	poke.			
	NINE	TEENTH ORDER OF BUSINESS	Adjournment			
		On MOTION by Mr. Mundell and seconded by Ms. Sifonte, with all in favor, the meeting adjourned at 2:03 p.m.				

	BROOKSTONE CDD	DRAFT	May 21, 2024
274			
275			
276			
277			
278			
279	Secretary/Assistant Secretary	Chair/Vice Chair	

## STAFF REPORTS

### **BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE**

### **LOCATION**

Country Inn & Suites, Bradenton/Lakewood Ranch 5610 Manor Hill Lane, Bradenton, Florida 34203

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 6, 2023 CANCELED	Regular Meeting	11:00 AM
November 3, 2023 CANCELED	Regular Meeting	11:00 AM
December 1, 2023 CANCELED	Regular Meeting	11:00 AM
January 5, 2024 CANCELED	Regular Meeting	11:00 AM
February 2, 2024 CANCELED	Regular Meeting	11:00 AM
March 1, 2024 CANCELED	Regular Meeting	11:00 AM
April 5, 2024 CANCELED	Regular Meeting	11:00 AM
May 3, 2024 CANCELED	Approval of Fiscal Year 2024/2025	11:00 AM
	Proposed Budget	
May 21, 2024	Approval of Fiscal Year 2024/2025	1:30 PM
	Proposed Budget	
June 7, 2024 CANCELED	Regular Meeting	11:00 AM
July 5, 2024 CANCELED	Regular Meeting	11:00 AM
		44.00
August 2, 2024	Adoption of Fiscal Year 2024/2025	11:00 AM
	Budget	
6		44.00.414
September 6, 2024	Regular Meeting	11:00 AM