

Anabelle Island
Community Development District

JUNE 8, 2021

AGENDA

Anabelle Island
Community Development District
475 West Town Place
Suite 114
St. Augustine, Florida 32092
1-866-705-2554 Code: 665769

June 1, 2021

Board of Supervisors
Anabelle Island Community Development District

Dear Board Members:

The Meeting of the Board of Supervisors of the Anabelle Island Community Development District will be held Tuesday, June 8, 2021 at 2:00 p.m. at the Plantation Oaks Amenity Center, 845 Oakleaf Plantation Parkway, Orange Park, Florida 32065.

- I. Roll Call
- II. Audience Comments (*regarding agenda items listed below*)
- III. Oath of Office for Newly Elected Supervisors (Darren Gowens & Rose Bock)
- IV. Consideration of Minutes of the May 11, 2021 Meeting
- V. Acceptance of the Minutes of the May 11, 2021 Landowners' Meeting
- VI. Public Hearings
 - A. Public Hearing - Adopting the Uniform Method of Collection, Resolution 2021-31
 - B. Public Hearing - Imposing and Levying Master Special Assessments, Resolution 2021-32
 - C. Public Hearing Relating to the Annual Appropriations and Adopting the Budget for Fiscal Year 2021, Resolution 2021-33
 - D. Public Hearing Adopting the Rules of Procedure, Resolution 2021-34
- VII. Consideration of Resolution 2021-35 Approving the Proposed Budget for Fiscal Year 2022 and Setting a Public Hearing Date to Adopt

- VIII. Acceptance of Audit Committee’s Recommendation; Approval of Audit Criteria and Authorization for Staff to Publish an RFP for Auditing Services

- IX. Staff Reports
 - A. Attorney

 - B. Engineer

 - C. Manager

- X. Supervisors Requests

- XI. Audience Comments

- XII. Consideration of Funding Request No. 3

- XIII. Next Scheduled Meeting – July 13, 2021 @ 2:00 p.m.

- XIV. Adjournment

FOURTH ORDER OF BUSINESS

MINUTES OF MEETING
ANABELLE ISLAND
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Anabelle Island Community Development District was held Tuesday, May 11, 2021 at 2:20 p.m. at Plantation Oaks Amenity Center, 845 Oakleaf Plantation Parkway, Orange Park, Florida.

Present and constituting a quorum:

Michael Russo
Kurt von der Osten
Jim McDade

Vice Chairman
Assistant Secretary
Chairman

Also, present were:

Jim Perry
Jennifer Kilinski
David Taylor *by phone*
Marilee Giles

District Manager, GMS
Hopping Green & Sams
Dunn & Associates
GMS, LLC

FIRST ORDER OF BUSINESS

Roll Call

Ms. Giles stated the roll was the same as the Landowner's meeting and all were still in attendance. Three Board members were present constituting a quorum.

SECOND ORDER OF BUSINESS

Audience Comments

There were no members of the public present for the meeting.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Oath of Office for Newly Elected Supervisors

Ms. Giles stated the oath for the newly elected Board members. Included were Jim McDade, Mike Russo, and Kurt von der Osten. This meeting was advertised in the newspaper and the notice was included in the agenda package.

B. Consideration of Resolution 2021-29, Canvassing and Certifying the Results of the Landowners Election

Ms. Giles stated the results of the Landowner’s meeting were Mr. Jim McDade with 100 votes and a 4 year term. Mr. Michael Russo with 100 votes for a 4 year term. Mr. Darrin Gowens, Mr. Kurt von der Osten, and Ms. Rose Bock with 50 votes and 2 year terms.

On MOTION by Mr. Russo, seconded by Mr. Osten with all in favor, Resolution 2021-29 Canvassing and Certifying the Results of the Landowners Election to include Mr. Russo and Mr. McDade with 100 votes and a 4 year term and Mr. Gowens, Mr. Osten, and Ms. Bock with a 2 year term, was approved.

C. Consideration of Resolution 2021-30, Electing and Designating the Officers of the District

Ms. Giles asked for nominations for the Board officers. Mr. McDade was elected as Chairman, Mr. Russo as Vice Chairman, Mr. Perry as Secretary, Ms. Bock, Mr. Osten, Mr. Gowens, Mr. Torres, Mr. Oliver, and Ms. Giles as Assistant Secretaries. Elected as Treasurer was Ms. Giles and Assistant Treasurer as Mr. Perry, Mr. Torres and Mr. Oliver.

On MOTION by Mr. McDade, seconded by Mr. Osten, with all in favor, Resolution 2021-30 Appointing Officers with Mr. McDade as Chairman, Mr. Russo as Vice Chairman, Mr. Perry as Secretary, Mr. Osten, Mr. Gowens, Ms. Bock, Mr. Oliver, Ms. Giles, and Mr. Torres, and as Assistant Secretaries, and Ms. Giles as Treasurer, and Mr. Perry, Mr. Torres and Mr. Oliver as Assistant Treasurer, was approved.

FOURTH ORDER OF BUSINESS

Consideration of Minutes of the April 6, 2021 Organizational Meeting

Ms. Giles asked for any comments or questions on the April 6, 2021 meeting minutes. There being no changes from the Board,

On MOTION by Mr. McDade, seconded by Mr. Russo, with all in favor, the Minutes of the April 6, 2021 Organization Meeting, were approved.

FIFTH ORDER OF BUSINESS

Consideration of RFQ for Engineering Services

Ms. Giles stated the only proposal received was from Dunn & Associates. She asked the Board to accept and enter into an agreement for Engineering Services. Ms. Kilinski added this was a required agreement and recommended approval.

On MOTION by Mr. McDade, seconded by Mr. Russo, with all in favor, the RFQ for Engineering Services with Dunn & Associates, was approved.

SIXTH ORDER OF BUSINESS

Appointment of Audit Committee

Ms. Giles stated this is an annual requirement for an independent audit and GMS recommends the Board appoint themselves.

On MOTION by Mr. McDade, seconded by Mr. Russo, with all in favor, the Appointment of the Board as the Audit Committee, was approved.

SEVENTH ORDER OF BUSINESS

Ratification of Amendments to Assessment Methodology

Mr. Perry stated the revised Assessment Methodology was attached to the agenda package. The changes are all lots are treated exactly the same, regardless of lot size with all having an ERU of 1.

On MOTION by Mr. McDade, seconded by Mr. Russo, with all in favor, the Amendments to the Assessment Methodology, was ratified.

EIGHTH ORDER OF BUSINESS

Discussion of Fiscal Year 2021 Approved Budget

Ms. Giles stated there would be a budget adoption at the next meeting. Mr. Perry reviewed the proposed FY2021 budget with no changes. Mr. Perry replied that lot number changes would not impact this budget, but it will go up if it changes. He added when we are ready to issue bonds, the lot numbers need to be final.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Kilinski reports the validation hearings are set for June 23rd at 9:00a.m.

B. Engineer

There being none, the next item followed.

C. Manager – Report on the Number of Registered Voters – 0

This is a requirement by law to report as of April 15th. As of April 15th, there were zero registered voters in Anabelle Island.

TENTH ORDER OF BUSINESS

Supervisors Requests

There were questions from Mr. McDade regarding a build out budget and Annual assessments.

ELEVENTH ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

TWELTH ORDER OF BUSINESS

Consideration of Funding Request No. 2

Ms. Giles stated this includes HGS for bond validation and counsel, GMS management fees, payroll from April, and notices published in the paper. This is for \$10,958.90

On MOTION by Mr. McDade, seconded by Mr. Russo, with all in favor, the Funding Request No. 2 for \$10,958.90, was approved.

THIRTEENTH ORDER OF BUSINESS

Next Scheduled Meeting – June 8, 2021 @ 2:00 p.m.

Ms. Giles stated the next meeting date is June 8, 2021 at 2:00p.m. Mr. Perry added that Supervisors will be receiving a compensation for \$200 a meeting not to exceed \$4,800 per year. Mr. Osten and Ms. Rose Bock will accept the compensation. All other Board members will not.

FOURTEENTH ORDER OF BUSINESS

Adjournment

Ms. Giles adjourned the meeting.

On MOTION by Mr. Osten, seconded by Mr. McDade, with all in favor, the meeting was adjourned.

Secretary/Assistant Secretary

Chairman/Vice Chairman

FIFTH ORDER OF BUSINESS

MINUTES OF MEETING
ANABELLE ISLAND
COMMUNITY DEVELOPMENT DISTRICT

The Landowners' meeting of the Anabelle Island Community Development District was held Tuesday, May 11, 2021 at 2:13 p.m. at Plantation Oaks Amenity Center 845 Oakleaf Plantation Parkway, Orange Park, Florida.

Present:

Michael Russo
Kurt von der Osten
Jim McDade
Jim Perry
Jennifer Kilinski
David Taylor *by phone*
Marilee Giles

District Manager, GMS
Hopping Green & Sams
Dunn & Associates
GMS, LLC

FIRST ORDER OF BUSINESS

Roll Call

Ms. Giles called the meeting to order and called the roll. Three Board members were present constituting a quorum.

SECOND ORDER OF BUSINESS

Determination of Number of Voting Units Represented

Ms. Giles reviewed the Florida statute to define the number of voting units and the purpose of electing the Board of Supervisors. She noted that landowners may vote in person or by proxy. She added that each landowner is entitled to cast one vote per acre of land owned. Anabelle Island is 164.13 acres, so this authorizes 165 votes.

THIRD ORDER OF BUSINESS

Election of a Chairman for the Purpose of Conducting the Landowners Meeting

Ms. Giles suggested she be allowed to be the Chair to run the meeting. There was no opposition.

FOURTH ORDER OF BUSINESS

Nominations for the Position of Supervisors

Ms. Giles noted there were five seats up for election. The two candidates that received the highest number of votes will be elected for four years, the three candidates that receive the next highest number of votes, shall be elected for a two year terms. The nominations include:

Michael Russo

Kurt von der Osten

Jim McDade

The other 2 were not in attendance, Rose Bock and Darrin Gowens.

FIFTH ORDER OF BUSINESS

Casting of Ballots

Ms. Giles stated the casting of ballots:

Michael Russo received 100 votes

Jim McDade received 100 votes

Kurt von der Osten received 50 votes

Darrin Gowens received 50 votes

Rose Bock received 50 votes

SIXTH ORDER OF BUSINESS

Tabulation of Ballots and Announcement of Results

Ms. Giles announced the results as the following:

Jim McDade will serve a 4 year term in Seat 1

Michael Russo will serve a 4 year term in Seat 2

Darrin Gowens will serve a 2 year term in Seat 3

Kurt von der Osten will serve a 2 year term in Seat 4

Rose Bock will serve a 2 year term in Seat 5

SEVENTH ORDER OF BUSINESS

Landowners Questions and Comments

Ms. Giles asked for questions and comments. There being none,

EIGHTH ORDER OF BUSINESS

Adjournment

Ms. Giles adjourned the meeting.

SIXTH ORDER OF BUSINESS

A.

RESOLUTION 2021-31

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ANABELLE ISLAND COMMUNITY DEVELOPMENT DISTRICT EXPRESSING ITS INTENT TO UTILIZE THE UNIFORM METHOD OF LEVYING, COLLECTING, AND ENFORCING NON-AD VALOREM ASSESSMENTS WHICH MAY BE LEVIED BY THE ANABELLE ISLAND COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH SECTION 197.3632, FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Anabelle Island Community Development District (“District”) was established pursuant to the provisions of Chapter 190, *Florida Statutes*, which authorizes the District to levy certain assessments which include benefit and maintenance assessments and further authorizes the District to levy special assessments pursuant to Chapters 170 and 197, *Florida Statutes*, for the acquisition, maintenance, construction, or reconstruction of assessable improvements authorized by Chapter 190, *Florida Statutes*; and

WHEREAS, the above referenced assessments are non-ad valorem in nature and, therefore, may be levied and collected under the provisions of Section 197.3632, *Florida Statutes*, in which the State of Florida has provided a uniform method for the levying, collecting, and enforcing such non-ad valorem assessments (“Uniform Method”); and

WHEREAS, the Board has previously adopted Resolution 2021-11 declaring the intent to use the Uniform Method for the levy, collection and enforcement of non-ad valorem special assessments authorized by Section 197.3632, *Florida Statutes*, over certain lands within the District as described therein; and

WHEREAS, pursuant to Section 197.3632, *Florida Statutes*, the District has caused notice of a public hearing on the District’s intent to use the Uniform Method to be advertised weekly in a newspaper of general circulation within Clay County for four (4) consecutive weeks prior to such hearing; and

WHEREAS, the District has held a public hearing pursuant to Section 197.3632, *Florida Statutes*, where public and landowners were allowed to give testimony regarding the use of the Uniform Method; and

WHEREAS, the District desires to use the Uniform Method for the levy, collection and enforcement of non-ad valorem special assessments authorized by Section 197.3632, *Florida Statutes*, for special assessments, including benefit and maintenance assessments, over all the lands in the District as further described in **Exhibit A**.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ANABELLE ISLAND COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The Anabelle Island Community Development District, upon conducting its public hearing as required by Section 197.3632, *Florida Statutes*, hereby expresses its need and intent to use the Uniform Method of collecting assessments imposed by the District over the lands described in **Exhibit A**, as provided in Chapters 170 and 190, *Florida Statutes*, each of which are non-ad valorem assessments which may be collected annually pursuant to the provisions of Chapter 190, *Florida Statutes*, for the purpose of paying principal and interest on any and all of its indebtedness and for the purpose of paying the cost of operating and maintaining its assessable improvements. The legal description of the boundaries of the real property subject to a levy of assessments is attached and made a part of this Resolution as **Exhibit A**. The non-ad valorem assessments and the District's use of the uniform method of collecting its non-ad valorem assessment(s) may continue in any given year when the Board of Supervisors determines that use of the uniform method for that year is in the best interests of the District.

SECTION 2. The District's Secretary is authorized to provide the Property Appraiser and Tax Collector of Clay County and the Department of Revenue of the State of Florida with a copy of this Resolution and enter into any agreements with the Property Appraiser and/or Tax Collector necessary to carry out the provisions of this Resolution.

SECTION 3. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 4. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 8th day of June 2021.

ATTEST:

**ANABELLE ISLAND COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: Legal Description of Anabelle Island Community Development District

EXHIBIT A
Legal Description of Anabelle Island Community Development District

**ANABELLE ISLAND
COMMUNITY
DEVELOPMENT DISTRICT**

EXHIBIT 2A

**CDD LEGAL
DESCRIPTION**

February 1, 2021

A PORTION OF BLOCKS 2, 3, 15, 16 AND 19, FLORIDA FARMERS LAND COMPANY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 49, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA, TOGETHER WITH THAT PORTION OF ALL PLATTED ROADS LYING BETWEEN OR ADJACENT TO THE AFORESAID BLOCKS (SAID PORTION OF PLATTED ROADS VACATED AND ABANDONED ACCORDING TO OFFICIAL RECORDS BOOK 1633, PAGE 1463, OF SAID PUBLIC RECORDS), AND A PORTION OF THE MOSES E. LEVY GRANT, SECTION 39, TOWNSHIP 5 SOUTH, RANGE 25 EAST, CLAY COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT AN INTERSECTION OF THE NORTHEASTERLY LINE OF LOT 9, SAID BLOCK 19, FLORIDA FARMERS LAND COMPANY'S SUBDIVISION, AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. C-738-3, ALSO KNOWN AS SANDRIDGE ROAD (AN 80 FOOT RIGHT-OF-WAY PER S.R.D. RIGHT-OF-WAY MAP SECTION NO. 71530-2903); THENCE NORTH 68°33'29" EAST, ALONG SAID RIGHT-OF-WAY LINE OF COUNTY ROAD NO. C-738-3, A DISTANCE OF 190.65 FEET; THENCE NORTH 66°19'49" EAST, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, 538.26 FEET TO THE SOUTHWESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4312, PAGE 1830 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 42°29'09" WEST, ALONG LAST SAID LINE, AND ALONG THE SOUTHWESTERLY LINES OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3891, PAGE 1679; OFFICIAL RECORDS BOOK 1893, PAGE 960 AND OFFICIAL RECORDS BOOK 4026, PAGE 305, ALL BEING OF THE PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 2253.84 FEET; THENCE NORTH 47°38'59" EAST, ALONG THE NORTHWESTERLY LINE OF SAID OFFICIAL RECORDS BOOK 4026, PAGE 305, A DISTANCE OF 680.24 FEET TO THE NORTHWESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 732, PAGE 198 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 47°37'20" EAST, ALONG LAST SAID LINE, 607.56 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. C-209, ALSO KNOWN AS RUSSELL ROAD (AN 80 FOOT RIGHT-OF-WAY PER S.R.D. RIGHT-OF-WAY MAP SECTION NO. 71530-2902); THENCE NORTH 42°41'41" WEST, ALONG LAST SAID LINE, 153.78 FEET TO THE SOUTHEASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2349, PAGE 1675 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 47°18'44" WEST, ALONG LAST SAID LINE, 345.00 FEET TO THE SOUTHWESTERLY LINE OF SAID LANDS; THENCE NORTH 42°41'18" WEST, ALONG LAST SAID LINE, 378.78 FEET TO THE NORTHWESTERLY LINE OF SAID OFFICIAL RECORDS BOOK 2349, PAGE 1675; THENCE NORTH 47°18'44" EAST, ALONG LAST SAID LINE, 344.95 FEET TO SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. C-209; THENCE NORTHWESTERLY, ALONG SAID RIGHT-OF-WAY LINE, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: NORTH 42°41'41" WEST, 983.05 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHWESTERLY; COURSE NO. 2: NORTHWESTERLY ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2251.83 FEET, AN ARC DISTANCE OF 1078.48 FEET; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 58°23'23" WEST, 1098.55 FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 3: NORTH 70°05'05" WEST 516.00 FEET TO THE SOUTHEASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2171, PAGE 1730 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 47°47'36" WEST, ALONG LAST SAID LINE, 1189.26 FEET; THENCE SOUTH 42°12'24" EAST, 120.06 FEET; THENCE SOUTH 09°08'00" WEST, 86.05 FEET; THENCE SOUTH 47°47'36" WEST, 80.00 FEET; THENCE SOUTH 42°12'24" EAST, 130.00 FEET; THENCE SOUTH 49°33'12" WEST, 80.04 FEET; THENCE SOUTH 42°12'24" EAST, 122.40 FEET; THENCE SOUTH 16°36'35" EAST, 64.78 FEET; THENCE SOUTH 36°01'07" EAST, 138.50 FEET; THENCE SOUTH 58°28'04" WEST, 95.24 FEET; THENCE SOUTH 38°14'29" WEST, 74.40 FEET TO THE ARC OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 41.14 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 87°43'32" WEST, 38.00 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 348.87 FEET, AN ARC DISTANCE OF 130.61 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 59°09'37" WEST, 129.89 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 70.73 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 02°20'24" WEST, 55.45 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 65°12'08" EAST, 62.20 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 40.00 FEET, AN ARC DISTANCE OF 37.37 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 89°01'54" EAST, 36.03 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 545.00 FEET, AN ARC DISTANCE OF 4.18 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 81°02'45" EAST, 4.18 FEET; THENCE SOUTH 48°59'34" EAST, 211.28 FEET; THENCE SOUTH 61°12'10" EAST, 299.88 FEET; THENCE SOUTH 83°06'37" EAST, 200.11 FEET; THENCE NORTH 65°52'43" EAST, 172.12 FEET; THENCE NORTH 80°28'18" EAST, 128.28 FEET; THENCE NORTH 63°43'27" EAST, 188.60 FEET TO THE ARC OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 555.00 FEET, AN ARC DISTANCE OF 13.96 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 30°26'52" EAST, 13.95 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 345.00 FEET, AN ARC DISTANCE OF 474.54 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 08°14'12" WEST, 438.01 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 47°38'29" WEST, 48.95 FEET TO THE NORTHWESTERLY PROLONGATION OF THE AFORESAID NORTHEASTERLY LINE OF LOT 9; THENCE SOUTH 42°24'25" EAST, ALONG LAST SAID LINE AND ALONG SAID NORTHEASTERLY LINE OF LOT 9, A DISTANCE OF 3529.87 FEET TO THE POINT OF BEGINNING.

CONTAINING: 164.13 ACRES, MORE OR LESS.

B.

RESOLUTION 2021-32

A RESOLUTION MAKING CERTAIN FINDINGS; AUTHORIZING AN IMPROVEMENT PLAN FOR THE MASTER ASSESSMENT AREA; ADOPTING A CAPITAL IMPROVEMENT PLAN; PROVIDING AN ESTIMATED COST OF IMPROVEMENTS; ADOPTING AN ASSESSMENT REPORT; EQUALIZING, APPROVING, CONFIRMING AND LEVYING DEBT ASSESSMENTS ON THE MASTER ASSESSMENT AREA; ADDRESSING THE FINALIZATION OF SPECIAL ASSESSMENTS; ADDRESSING THE PAYMENT OF DEBT ASSESSMENTS AND THE METHOD OF COLLECTION; PROVIDING FOR THE ALLOCATION OF DEBT ASSESSMENTS AND TRUE-UP PAYMENTS; ADDRESSING GOVERNMENT PROPERTY AND TRANSFERS OF PROPERTY TO UNITS OF LOCAL, STATE AND FEDERAL GOVERNMENT; AUTHORIZING AN ASSESSMENT NOTICE; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the Anabelle Island Community Development District (“**District**”) is a local unit of special-purpose government established by ordinance of the Board of County Commissioners of Clay County, Florida, and existing under and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*, as amended (“**Act**”); and

WHEREAS, the District has previously indicated its intention to construct certain types of improvements and to finance such improvements through the issuance of bonds, notes or other specific financing mechanisms, which bonds, notes or other specific financing mechanisms would be repaid by the imposition of special assessments on benefited property within the District; and

WHEREAS, the District’s Board of Supervisors (“**Board**”) has noticed and conducted a public hearing pursuant to Chapters 170, 190 and 197, *Florida Statutes*, relating to the imposition, levy, collection and enforcement of such assessments, and now desires to adopt a resolution imposing and levying such assessments as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ANABELLE ISLAND COMMUNITY DEVELOPMENT DISTRICT AS FOLLOWS:

1. **AUTHORITY.** This Resolution is adopted pursuant to Chapters 170, 190 and 197, *Florida Statutes*, including without limitation, Section 170.08, *Florida Statutes*. The recitals stated above are incorporated herein; are adopted by the Board as true and correct statements; and are further declared to be findings made and determined by the Board.

2. **FINDINGS.** The Board further finds and determines as follows:

The Capital Improvement Plan

- a. The District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct roadways, sewer and water distribution systems, stormwater management/earthwork improvements, landscape, irrigation and entry features, conservation and mitigation, street lighting and

other infrastructure projects and services necessitated by the development of, and serving lands within, the District; and

- b. On April 6, 2021, and pursuant to Section 170.03, *Florida Statutes*, among other laws, the Board adopted Resolution 2021-27 (“**Declaring Resolution**”), and in doing so determined to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements described in the District’s *Master Engineer’s Report*, dated March 31, 2021, attached hereto as **Exhibit A** and incorporated herein by reference (“**Capital Improvement Plan**,” and the project described therein, the “**Project**”); and
- c. The plans and specifications for the Project are on file in the offices of the District Manager at c/o Governmental Management Services, LLC, 475 West Town Place, Suite 114, St. Augustine, Florida 32092 (“**District Records Office**”); and

The Debt Assessment Process

- d. Also as part of the Declaring Resolution, the Board expressed an intention to issue bonds, notes or other specific financing mechanisms to provide a portion of the funds needed for the Project, and further declared its intention to defray the whole or any part of the expense of the Project by levying special assessments (“**Debt Assessments**”) on specially benefited property within all of the District (i.e., “**Master Assessment Area**”); and
- e. The Declaring Resolution was adopted in compliance with the requirements of Section 170.03, *Florida Statutes*, and prior to the time it was adopted, the requirements of Section 170.04, *Florida Statutes*, had been met; and
- f. As directed by the Declaring Resolution, said Declaring Resolution was published as required by Section 170.05, *Florida Statutes*, and a copy of the publisher’s affidavit of publication is on file with the Secretary of the District; and
- g. As directed by the Declaring Resolution, the Board caused to be made a preliminary assessment roll as required by Section 170.06, *Florida Statutes*; and
- h. As required by Section 170.07, *Florida Statutes*, and as part of the Declaring Resolution, the Board fixed the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein could appear before the Board and be heard as to (i) the propriety and advisability of making the improvements, (ii) the cost thereof, (iii) the manner of payment therefore, and (iv) the amount thereof to be assessed against each specially benefited property or parcel, and the Board further authorized publication of notice of such public hearing and individual mailed notice of such public hearing in accordance with Chapters 170, 190, and 197, *Florida Statutes*; and
- i. Notice of the scheduled public hearing was given by publication and also by mail as required by Sections 170.07 and 197.3632, *Florida Statutes*, and affidavits as to such publication and mailings are on file in the office of the Secretary of the District; and
- j. On June 8, 2021, and at the time specified in the Declaring Resolution, the Board conducted such public hearing and heard and considered all complaints and testimony as to the matters described above; the Board further met as an “Equalization Board;” and the Board has

made such modifications in the preliminary assessment roll as it deems necessary, just and right in the making of the final assessment roll; and

Equalization Board Additional Findings

- k. Having considered the estimated costs of the Project, the estimated financing costs and all comments and evidence presented at such public hearing, the Board further finds and determines that:
- i. It is necessary to the public health, safety and welfare and in the best interests of the District that: (1) the District provide the Project as set forth in the Capital Improvement Plan; (2) the cost of such Project be assessed against the lands specially benefited by such Project, and within the Master Assessment Area; and (3) the District issue bonds, notes or other specific financing mechanisms to provide funds for such purposes pending the receipt of such Debt Assessments; and
 - ii. The provision of said Project, the levying of the Debt Assessments, and the sale and issuance of such bonds, notes, or other specific financing mechanisms serve a proper, essential, and valid public purpose and are in the best interests of the District, its landowners and residents; and
 - iii. The estimated costs of the Project are as specified in the Capital Improvement Plan and Assessment Report (defined below), and the amount of such costs is reasonable and proper; and
 - iv. It is reasonable, proper, just and right to assess the cost of such Project against the properties specially benefited thereby in the Master Assessment Area, using the method determined by the Board and set forth in the *Master Special Assessment Methodology Report*, dated April 15, 2021 (“**Assessment Report**,” attached hereto as **Exhibit B** and incorporated herein by this reference), which results in the Debt Assessments set forth on the final assessment roll; and
 - v. The Project benefits all developable property within the Master Assessment Area; and
 - vi. Accordingly, the Debt Assessments as set forth in the Assessment Report constitute a special benefit to all parcels of real property listed on said final assessment roll, and the benefit, in the case of each such parcel, will be equal to or in excess of the Debt Assessments imposed thereon, as set forth in **Exhibit B**; and
 - vii. All developable property within the Master Assessment Area is deemed to be benefited by the Project, and the Debt Assessments will be allocated in accordance with the Assessment Report at **Exhibit B**; and
 - viii. The Debt Assessments are fairly and reasonably allocated across the benefitted property, as set forth in **Exhibit B**; and
 - ix. It is in the best interests of the District that the Debt Assessments be paid and collected as herein provided; and

- x. In order to provide funds with which to pay the costs of the Project which are to be assessed against the benefited properties, pending the collection of the Debt Assessments, it is necessary for the District to issue revenue bonds, notes or other specific financing mechanisms, including refunding bonds (together, “**Bonds**”).

3. **AUTHORIZATION FOR PROJECT; ADOPTION OF CAPITAL IMPROVEMENT PLAN.** The Capital Improvement Plan identifies and describes the infrastructure improvements to be financed in part with the Bonds and sets forth the costs of the Project. The District hereby confirms that the Project serves a proper, essential, and valid public purpose. The use of the Capital Improvement Plan in connection with the sale of the Bonds is hereby authorized, approved and ratified, and the proper officers, employees and/or agents of the District are hereby authorized and directed to take such further action as may be necessary or desirable to cause the same to be made.

4. **ESTIMATED COST OF IMPROVEMENTS.** The total estimated costs of the Project and the costs to be paid by the Debt Assessments on all specially benefited property are set forth in **Exhibits A and B**, respectively, hereto.

5. **ADOPTION OF ASSESSMENT REPORT.** The Assessment Report setting forth the allocation of Debt Assessments to the benefitted lands within the Master Assessment Area is hereby approved, adopted, and confirmed. The District ratifies its use in connection with the sale of the Bonds.

6. **EQUALIZATION, APPROVAL, CONFIRMATION AND LEVY OF DEBT ASSESSMENTS.** The Debt Assessments imposed on the parcels specially benefited by the Project within the Master Assessment Area, all as specified in the final assessment roll set forth in **Exhibit B**, attached hereto, are hereby equalized, approved, confirmed and levied. Immediately following the adoption of this Resolution, the lien of Debt Assessments as reflected in **Exhibit B**, attached hereto, shall be recorded by the Secretary of the District in the District’s “**Improvement Lien Book.**” The Debt Assessments against each respective parcel shown on such final assessment roll and interest, costs, and penalties thereon, as hereafter provided, shall be and shall remain a legal, valid and binding first lien on such parcel, coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims.

- a. ***Supplemental Assessment Resolutions for Bonds.*** The lien for the Debt Assessments established hereunder shall be inchoate until the District issues Bonds. In connection with the issuance of any particular series of the Bonds, the District may adopt, without the need for further public hearing, a supplemental assessment resolution establishing specific Debt Assessments, in one or more separately enforceable Debt Assessment liens, securing such Bonds. Such subsequent resolutions shall be adopted at a noticed meeting of the District, and shall set forth the actual amounts financed, costs of issuance, expected costs of collection, and the total amount of the assessments pledged to that issue, which amount shall be consistent with the lien imposed by this Resolution. Among other things, the supplemental assessment resolutions may provide for the issuance of multiple series of Bonds each secured by one or more different assessment areas within the Master Assessment Area.
- b. ***Adjustments to Debt Assessments.*** The District may, by subsequent resolution, adjust the acreage assigned to particular parcel identification numbers listed on the final assessment roll to reflect accurate apportionment of acreage amongst individual parcel identification numbers. The District may make any other such acreage and boundary adjustments to parcels listed on the final assessment roll as may be necessary and in the best interests of

the District, as determined by the Board by subsequent resolution. Any such adjustment in the assessment roll shall be consistent with the requirements of law.

- c. **Impact Fee Credits.** The District may or may not be entitled to impact fee credits as a result of the development of the Project, based on applicable laws and/or agreements governing impact fee credits. Unless otherwise addressed by supplemental assessment resolution, the proceeds from any impact fee credits received may be used in the District's sole discretion as an offset for any acquisition of any portion of the Project, for completion of the Project, or otherwise used against the outstanding indebtedness of any debt issuance that funded the improvement giving rise to the credits.

7. **FINALIZATION OF DEBT ASSESSMENTS.** When a project has been constructed or otherwise provided to the satisfaction of the Board, the Board shall adopt a resolution accepting the same and determining the actual costs (including financing costs) thereof, as required by Sections 170.08 and 170.09, *Florida Statutes*. Pursuant to Section 170.08, *Florida Statutes*, the District shall credit to each Debt Assessment the difference, if any, between the Debt Assessment as hereby made, approved and confirmed and the actual costs incurred in completing the applicable project. In making such credits, no credit shall be given for bond, note or other specific financing mechanism costs, capitalized interest, funded reserves or bond or other discounts. Such credits, if any, shall be entered in the Improvement Lien Book.

8. **PAYMENT OF DEBT ASSESSMENTS AND METHOD OF COLLECTION.**

- a. **Payment.** The Debt Assessments, as further set forth in each supplemental assessment resolution, and securing the issuance of each series of the Bonds, may be paid in not more than thirty (30) yearly installments of principal and interest – beginning upon the issuance of the particular series of the Bonds (and after taking into account any capitalized interest periods), provided, however, that the Board shall at any time make such adjustments by resolution, and at a noticed meeting of the Board, to that payment schedule as may be necessary and in the best interests of the District to account for changes in long and short term debt as actually issued by the District.
- b. **Prepayment.** Subject to the provisions of any supplemental assessment resolution, any owner of property subject to the Debt Assessments may, at its option, pre-pay the entire amount of the Debt Assessment any time, or a portion of the amount of the Debt Assessment up to two times, plus accrued interest to the next succeeding interest payment date (or the second succeeding interest payment date if such prepayment is made within forty-five (45) calendar days before an interest payment date (or such other time as set forth in the supplemental indenture for the applicable series of bonds secured by the Debt Assessments in question), attributable to the property subject to Debt Assessments owned by such owner. Prepayment of Debt Assessments does not entitle the property owner to any discounts for early payment. If authorized by a supplemental assessment resolution, the District may grant a discount equal to all or a part of the payee's proportionate share of the cost of the Project consisting of bond financing costs, such as capitalized interest, funded reserves, and bond discount included in the estimated cost of the Project, upon payment in full of any Debt Assessment during such period prior to the time such financing costs are incurred as may be specified by the District.
- c. **Uniform Method; Alternatives.** The District may elect to use the method of collecting Debt Assessments authorized by Sections 197.3632 and 197.3635, *Florida Statutes* (“**Uniform Method**”). The District has heretofore taken all required actions to comply with Sections 197.3632 and 197.3635, *Florida Statutes*. Such Debt Assessments may be subject

to all of the collection provisions of Chapter 197, *Florida Statutes*. Notwithstanding the above, in the event the Uniform Method of collecting its Debt Assessments is not available to the District in any year, or if determined by the District to be in its best interests, and subject to the terms of any applicable trust indenture, the Debt Assessments may be collected as is otherwise permitted by law. In particular, the District may, in its sole discretion, collect Debt Assessments by directly billing landowners and enforcing said collection in any manner authorized by law. Any prejudgment interest on delinquent assessments that are directly billed shall accrue at the applicable rate of any bonds or other debt instruments secured by the Debt Assessments. The decision to collect Debt 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 Debt 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.

- d. ***Uniform Method Agreements Authorized.*** For each year the District uses the Uniform Method, the District shall enter into an agreement with the County Tax Collector who may notify each owner of a lot or parcel within the District of the amount of the special assessment, including interest thereon, in the manner provided in Section 197.3635, *Florida Statutes*.
- e. ***Re-amortization.*** Any particular lien of the Debt Assessments shall be subject to re-amortization where the applicable series of Bonds is subject to re-amortization pursuant to the applicable trust indenture and where the context allows.

9. ALLOCATION OF DEBT ASSESSMENTS; APPLICATION OF TRUE-UP PAYMENTS.

- a. At such time as parcels of land, or portions thereof, are included in a plat or site plan, it shall be an express condition of the lien established by this Resolution that, prior to County approval, any and all plats or site plans for any portion of the lands within the District, as the District's boundaries may be amended from time to time, shall be presented to the District Manager for review. As parcels of land, or portions thereof, are included in a plat or site plan, the District Manager shall review the plat or site plan and cause the Debt Assessments securing each series of Bonds to be reallocated to the units being included in the plat or site plan and the remaining property in accordance with **Exhibit B**, and cause such reallocation to be recorded in the District's Improvement Lien Book.
- b. Pursuant to the Assessment Report, attached hereto as **Exhibit B**, and which terms are incorporated herein, there may be required from time to time certain true-up payments. When a plat or site plan is presented to the District, the District Manager shall review the plat or site plan to determine whether, taking into account the plat or site plan, there is a net shortfall in the overall principal amount of assessments reasonably able to be assigned to benefitted lands within the Master Assessment Area. Such determination shall be made based on the language in this Resolution and/or the tests or other methods set forth in **Exhibit B** (if any), or any tests or methods set forth in a supplemental assessment resolution and corresponding assessment report. If the overall principal amount of assessments reasonably cannot be assigned, or is not reasonably expected to be assigned, as set forth in more detail in and subject to the terms of **Exhibit B** (or any supplemental resolution and report, as applicable), to the platted and site planned lands as well as the undeveloped lands, then a debt reduction payment ("**True-Up Payment**") in the amount of such shortfall shall become due and payable that tax year by the landowner(s) of record of the land subject to

the proposed plat or site plan and of the remaining undeveloped lands, in addition to any regular assessment installment. The District's review shall be limited solely to this function and the enforcement of the lien established by this Resolution. In the event a True-Up Payment is due and unpaid, the lien established herein for the True-Up Payment amount shall remain in place until such time as the True-Up Payment is made. The District shall record all True-Up Payments in its Improvement Lien Book.

- c. In connection with any true-up determination, affected landowner(s) may request that such true-up determination be deferred because the remaining undeveloped lands are able to support the development of all of the originally planned units within the Master Assessment Area. To support the request, the affected landowner(s) shall provide the following evidence for the District's consideration: a) proof of the amount of entitlements remaining on the undeveloped lands within the Master Assessment Area, b) a revised overall development plan showing the number and type of units reasonably planned for the remainder of the development, c) evidence of allowable zoning conditions that would enable those entitlements to be placed in accordance with the revised development plan, and d) documentation prepared by a licensed engineer that shows the feasibility of implementing the proposed development plan. Any deferment shall be in the District's reasonable discretion.
- d. The foregoing is based on the District's understanding that the community would be developed with the type and number of units set forth in **Exhibit B**, on the developable acres. However, more than the stated number of units may be developed. In no event shall the District collect Debt Assessments pursuant to this Resolution in excess of the total debt service related to the Project, including all costs of financing and interest. The District recognizes that such things as regulatory requirements and market conditions may affect the timing and scope of the development in the District. If the strict application of the true-up methodology to any assessment reallocation pursuant to this paragraph would result in Debt Assessments collected in excess of the District's total debt service obligations for the Project, the Board shall by resolution take appropriate action to equitably reallocate the Debt Assessments.
- e. As set forth in any supplemental assessment resolution and/or supplemental assessment report for a specific series of Bonds, the District may assign a specific debt service assessment lien comprising a portion of the Debt Assessments to an assessment area comprised of specific unplatted lands which are less than all of the unplatted lands in the Master Assessment Area, and, accordingly, any related true-up determinations may be limited to determining whether the planned units for such specified lands in the assessment area have been and/or will be developed.

10. GOVERNMENT PROPERTY; TRANSFERS OF PROPERTY TO UNITS OF LOCAL, STATE, AND FEDERAL GOVERNMENT. Real property owned by units of local, state, and federal governments, or similarly exempt entities, shall not be subject to the Debt Assessments without specific consent thereto. If at any time, any real property on which Debt Assessments are imposed by this Resolution is sold or otherwise transferred to a unit of local, state, or federal government (without consent of such governmental unit to the imposition of Debt Assessments thereon), or similarly exempt entity, all future unpaid Debt Assessments for such tax parcel shall become due and payable immediately prior to such transfer without any further action of the District.

11. ASSESSMENT NOTICE. The District's Secretary is hereby directed to record a general Notice of Assessments in the Official Records of Clay County, Florida, which shall be updated from time

to time in a manner consistent with changes in the boundaries of the District.

12. **SEVERABILITY.** If any section or part of a section of this Resolution is declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

13. **CONFLICTS.** All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

14. **EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

APPROVED AND ADOPTED THIS 8th DAY OF JUNE 2021.

ATTEST:

**ANABELLE ISLAND COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: *Master Engineer's Report*, dated March 31, 2021

Exhibit B: *Master Special Assessment Methodology Report*, dated April 15, 2021

Exhibit A
Master Engineer's Report

Exhibit B
Master Special Assessment Methodology Report

C.

RESOLUTION 2021-33

THE ANNUAL APPROPRIATION RESOLUTION OF THE ANABELLE ISLAND COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE REMAINDER OF THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Anabelle Island Community Development District (“**District**”) was recently established by the Board of County Commissioners of Clay County, Florida on March 23, 2021; and

WHEREAS, the District Manager has submitted to the Board of Supervisors (“**Board**”) of the District a proposed budget (“**Proposed Budget**”) for the remainder of the fiscal year beginning October 1, 2020, and ending September 30, 2021 (“**Fiscal Year 2020/2021**”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ANABELLE ISLAND COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.
- b. The Proposed Budget, attached hereto as **Exhibit “A,”** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* (“**Adopted Budget**”), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.
- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District’s Local Records Office and identified as “The Budget for the Anabelle Island Community Development District for the Fiscal Year Ending September 30, 2021.”
- d. The Adopted Budget shall be posted by the District Manager on the District’s official website within thirty (30) days after adoption and shall remain on the website for at least 2 years.

SECTION 2. APPROPRIATIONS

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2020/2021, the sum of \$ _____ 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 in the following fashion:

TOTAL GENERAL FUND	\$ _____
TOTAL ALL FUNDS	\$ _____

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2020/2021 or within 60 days following the end of the Fiscal Year 2020/2021 may amend its Adopted Budget for that fiscal year as follows:

- a. The Board may authorize an increase or decrease in line-item appropriations within a fund by motion recorded in the minutes if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may authorize an increase or decrease in line-item appropriations within a fund if the total appropriations of the fund do not increase and if the aggregate change in the original appropriation item does not exceed \$10,000 or 10% of the original appropriation.

- c. By resolution, the Board may increase any appropriation item and/or fund to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.
- d. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must establish administrative procedures to ensure that any budget amendments are in compliance with this Section 3 and Section 189.016, *Florida Statutes*, among other applicable laws. Among other procedures, the District Manager or Treasurer must ensure that any amendments to budget under subparagraphs c. and d. above are posted on the District’s website within 5 days after adoption and remain on the website for at least 2 years.

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

PASSED AND ADOPTED THIS 8TH DAY OF JUNE 2021.

ATTEST:

**ANABELLE ISLAND COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: Fiscal Year 2020/2021 Budget

Exhibit A
Fiscal Year 2020/2021 Budget

D.

RESOLUTION 2021-34

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ANABELLE ISLAND COMMUNITY DEVELOPMENT DISTRICT ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Anabelle Island Community Development District (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Clay County, Florida; and

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, to provide for efficient and effective District operations and to maintain compliance with Florida law, the Board of Supervisors finds that it is in the best interests of the District to adopt by resolution the Rules of Procedure attached hereto as **Exhibit A** for immediate use and application; and

WHEREAS, the Board of Supervisors has complied with applicable Florida law concerning rule development and adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ANABELLE ISLAND COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The attached Rules of Procedure are hereby adopted pursuant to this resolution as necessary for the conduct of District business. These Rules of Procedure shall stay in full force and effect until such time as the Board of Supervisors may amend these rules in accordance with Chapter 190, *Florida Statutes*.

SECTION 2. If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 3. This resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 8th day of June 2021.

ATTEST:

**ANABELLE ISLAND COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: Rules of Procedure

EXHIBIT A
Rules of Procedure

SEVENTH ORDER OF BUSINESS

RESOLUTION 2021-35

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ANABELLE ISLAND COMMUNITY DEVELOPMENT DISTRICT APPROVING THE PROPOSED BUDGET FOR FISCAL YEAR 2021/2022; DECLARING SPECIAL ASSESSMENTS TO FUND THE PROPOSED BUDGETS PURSUANT TO CHAPTERS 170, 190 AND 197, FLORIDA STATUTES; SETTING PUBLIC HEARINGS; ADDRESSING PUBLICATION; ADDRESSING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has heretofore prepared and submitted to the Board of Supervisors (“**Board**”) of the Anabelle Island Community Development District (“**District**”) prior to June 15, 2021, the proposed budget (“**Proposed Budget**”) for the fiscal year beginning October 1, 2021, and ending September 30, 2022 (“**Fiscal Year 2021/2022**”); and

WHEREAS, it is in the best interest of the District to fund the administrative and operations services (together, “**Services**”) set forth in the Proposed Budget by levy of special assessments pursuant to Chapters 170, 190 and 197, Florida Statutes (“**Assessments**”), as set forth in the preliminary assessment roll included within the Proposed Budget; and

WHEREAS, the District hereby determines that benefits would accrue to the properties within the District, as outlined within the Proposed Budget, in an amount equal to or in excess of the Assessments, and that such Assessments would be fairly and reasonably allocated as set forth in the Proposed Budget; and

WHEREAS, the Board has considered the Proposed Budget, including the Assessments, and desires to set the required public hearings thereon;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ANABELLE ISLAND COMMUNITY DEVELOPMENT DISTRICT:

1. PROPOSED BUDGET APPROVED. The Proposed Budget prepared by the District Manager for Fiscal Year 2021/2022 attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said Proposed Budget.

2. DECLARING ASSESSMENTS. Pursuant to Chapters 170, 190 and 197, Florida Statutes, the Assessments shall defray the cost of the Services in the total estimated amounts set forth in the Proposed Budget. The nature of, and plans and specifications for, the Services to be funded by the Assessments are described in the Proposed Budget and in the reports (if any) of the District Engineer, all of which are on file and available for public inspection at the “**District’s Office**,” Governmental Management Services, LLC, 475 West Town Place, Suite 114, St. Augustine, Florida 32092. The Assessments shall be levied within the District on all benefitted lots and lands, and shall be apportioned, all as described in the Proposed Budget and the preliminary assessment roll included therein. The preliminary assessment roll is also on file and available for public inspection at the District’s Office. The Assessments shall be paid in one more installments pursuant to a bill issued by the District in November of 2021, and pursuant to Chapter

170, Florida Statutes, or, alternatively, pursuant to the *Uniform Method* as set forth in Chapter 197, Florida Statutes.

3. SETTING PUBLIC HEARINGS. Pursuant to Chapters 170, 190, and 197, Florida Statutes, public hearings on the approved Proposed Budget and the Assessments are hereby declared and set for the following date, hour, and location:

DATE: August 10, 2021
HOOR: 2:00 p.m.
LOCATION: Plantation Oaks Amenity Center
845 Oakleaf Plantation Parkway
Orange Park, Florida 32065

4. TRANSMITTAL OF PROPOSED BUDGET TO LOCAL GENERAL-PURPOSE GOVERNMENT. The District Manager is hereby directed to submit a copy of the Proposed Budget to Clay County at least sixty (60) days prior to the hearing set above.

5. POSTING OF PROPOSED BUDGET. In accordance with Section 189.016, *Florida Statutes*, the District's Secretary is further directed to post the approved Proposed Budget on the District's website at least two days before the budget hearing date as set forth in Section 3 and shall remain on the website for at least forty-five (45) days.

6. PUBLICATION OF NOTICE. The District shall cause this Resolution to be published once a week for a period of two weeks in a newspaper of general circulation published in Clay County. Additionally, notice of the public hearings shall be published in the manner prescribed in Florida law.

7. 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.

8. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 8th day of June 2021.

ATTEST:

**ANABELLE ISLAND COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: Proposed Budget for Fiscal Year 2021/2022

Exhibit A
Fiscal Year 2021/2022 Proposed Budget

Anabelle Island
Community Development District

Proposed Budget
FY 2022



Anabelle Island

Community Development District

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General Fund

Budget
Narrative

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Anabelle Island
Community Development District
General Fund
Proposed Operating Budget

Description	Proposed Budget FY 2022
Revenues	
Developer Contributions	\$ 550,329
Special Assessments	\$ 54,798
Total Revenues	\$ 605,127
Expenditures	
Administrative	
Supervisors Fees	\$ 12,000
FICA Expense	\$ 918
Engineering	\$ 5,000
Attorney	\$ 12,000
Arbitrage	\$ 750
Assessment Roll	\$ 5,000
Dissemination Agent	\$ 3,500
Annual Audit	\$ 3,900
Trustee	\$ 6,500
Management Fees	\$ 45,000
Website Maintenance	\$ 1,250
Information Technology	\$ 1,800
Telephone	\$ 200
Postage	\$ 600
Insurance	\$ 6,550
Printing & Binding	\$ 250
Legal Advertising	\$ 2,500
Other Current Charges	\$ 500
Office Supplies	\$ 100
Dues, Licenses & Subscriptions	\$ 175
Total Administrative	\$ 108,493
Field	
Security- monitoring	\$ 45,000
Electric	\$ 1,500
Water & Sewer/Irrigation	\$ 30,000
Repairs & Maintenance	\$ 5,000
Landscape - Contract	\$ 61,977
Landscape - Contingency	\$ 5,000
Landscape - Pond Banks	\$ 39,000
Lake Maintenance	\$ 10,000
Irrigation Repairs	\$ 10,000
Total Field	\$ 207,477

Anabelle Island
Community Development District
General Fund
Proposed Operating Budget

Description	Proposed Budget FY 2022
<u>Amenity</u>	
Insurance	\$ 30,000
Phone/Internet/Cable	\$ 3,000
Electric	\$ 16,000
Water/Irrigation	\$ 6,000
Gas	\$ 1,250
Refuse Service	\$ 2,500
Security Monitoring	\$ 11,497
Access Cards	\$ 2,500
Field Mgmt/Admin	\$ 20,000
Landscape - Contract	\$ 50,000
Fitness Equipment Lease (Sofitco)	\$ 17,500
Janitorial Maintenance	\$ 28,000
Janitorial Supplies	\$ 4,000
Pool Maintenance	\$ 12,900
Facility Maintenance	\$ 7,500
Repairs & Maintenance	\$ 4,310
Special Events	\$ 4,000
Fitness Center Repairs/Supplies	\$ 900
Office Supplies	\$ 1,000
ASCAP/BMI License Fees	\$ 500
Pest Control	\$ 800
Capital Outlay	\$ 15,000
Reserves	\$ 50,000
<u>Total Amenity Center</u>	\$ 289,157
<u>Total Expenditures</u>	\$ 605,127
<u>Excess Revenues/(Expenditures)</u>	\$ -

	FY 2022
Net Assessment	\$54,798
Gross Assessment	\$58,294
Per Unit net Assessments	\$782.83
Per Unit Gross Assessments	\$832.77
Homes Platted/Sold	70

Anabelle Island
Community Development District
General Fund Budget

REVENUES:

Assessments

The District will levy a non ad-valorem special assessment on all taxable property within the District to fund all of the General Operating Expenditures for the fiscal year. The assessment may either be invoiced directly to the property owner or placed on the Clay County Tax Roll.

EXPENDITURES:

Administrative:

Supervisors Fees

Chapter 190, The Florida Statutes, allows each Board member to receive \$200 per meeting not to exceed \$4,800 per year per supervisor for the time devoted to District business and meetings.

FICA Expense

Represents the Employer's share of Social Security and Medicare taxes withheld from the Board of Supervisors checks.

Engineering

The District will be providing general engineering services to the District, e.g., attendance and preparation for monthly board meetings, review invoices, etc.

Attorney

The District's legal counsel, Hopping, Green & Sams will be providing general legal services to the District, i.e. attendance and preparation for monthly meetings, review operating & maintenance contracts, etc.

Arbitrage

The District is required to annually have an arbitrage rebate calculation on the District's Series Special Assessment Revenue Bonds.

Assessment Roll

The District has contracted with Governmental Management Services, LLC for the certification and collection of the District's annual maintenance and debt service assessments. Assessments on platted lots are collected by agreement with Clay County while unplatted assessments may be collected directly by District and/or by County Tax Collector.

Anabelle Island
Community Development District
General Fund Budget

Dissemination

The District has contracted with GMS, LLC to act as the Dissemination Agent for the District to prepare the Annual Disclosure Report required by the Security and Exchange Commission in order to comply with Rule 15(c)(2)-12(b)(5), which relates to additional reporting requirements for un-rated bond issues.

Annual Audit

The District is required annually to conduct an audit of its financial records.

Trustee Fees

The Trustee administers the District's Special Assessment Revenue Bonds. The amount represents the annual fee for the administration of the District's bond issue.

Management Fees

The District receives management, accounting and administrative services as part of a management agreement with Governmental Management Services, LLC ("GMS"). These services are further outlined in Exhibit "A" of the Management Agreement with GMS.

Website Maintenance

Represents the costs associated with monitoring and maintaining the District's website created in accordance with Chapter 189, Florida Statutes. These services include site performance assessments, security and firewall maintenance, updates, document uploads, hosting and domain renewals, website backups, etc.

Information Technology

Represents costs related to the District's information systems, which include but are not limited to video conferencing services, cloud storage services and servers, security, accounting software, etc.

Telephone

Telephone conference costs for District meetings, workshops and committee meetings.

Postage

Mailing of agenda packages, overnight deliveries, correspondence, etc.

Insurance

The District's General Liability & Public Officials Liability Insurance policy is with Florida Insurance Alliance. FIA specializes in providing insurance coverage to governmental agencies.

Anabelle Island
Community Development District
General Fund Budget

Printing & Binding

Printing and Binding agenda packages for board meetings, printing of computerized checks, stationary, envelopes, etc.

Legal Advertising

The District is required to advertise various notices for monthly Board meetings, public hearings etc. in a newspaper of general circulation.

Other Current Charges

Estimated bank charges and any other miscellaneous expenses that incurred during the year.

Office Supplies

Miscellaneous office supplies.

Dues, Licenses & Subscriptions

The District is required to pay an annual fee to the Department of Economic Opportunity for \$175. This is the only expense under this category for the District.

Field:

Security

Estimated maintenance costs of the security monitoring.

Electric

Estimated costs for electric billed to the District by Clay County Electric.

Water/Sewer/Irrigation

Estimated costs for irrigation by the district for water, sewer and irrigation.

Repairs and Maintenance

Any costs related to miscellaneous repairs and maintenance that occur during the fiscal year.

Landscape Maintenance

Estimated costs related to maintain the common areas of the District.

Anabelle Island
Community Development District
General Fund Budget

Landscape Contingency

Estimated costs for other landscape maintenance incurred by the District.

Landscape Pond Banks

Estimated costs to maintain ponds in the District.

Lake Maintenance

Estimated costs to maintain ponds throughout the District.

Irrigation Repairs

Estimated miscellaneous irrigation maintenance and repair costs.

Amenity:

Insurance

Estimated Property Insurance policy from Florida Insurance Alliance.

Phone/Internet/Cable

Estimated costs for phone, cable and internet in the Amenity Center.

Electric

Estimated costs for electric billed to the District by Clay County Electric.

Water/Irrigation

Estimated costs for irrigation by the district for water, sewer and irrigation.

Gas

The estimated cost for gas for firepit/grills.

Refuse Service

Estimated cost for refuse removal service.

Security Monitoring

Estimated maintenance costs of the security monitoring.

Anabelle Island
Community Development District
General Fund Budget

Access Cards

Entry cards are issued to all CDD residents for facility access.

Field Management

Estimated costs for onsite field management of contracts for District Services such as landscaping, amenity & pool facilities, lake maintenance, etc.

Fitness Equipment Rentals

The District has contracted with Sofitco to rent fitness equipment.

Janitorial Maintenance

Estimated costs for janitorial services for the Amenity Center.

Janitorial Supplies

Estimated costs for janitorial for janitorial supplies for Amenity Center.

Pool Maintenance

Estimated cost to maintain the Amenity swimming pools.

Facility Maintenance

Estimated cost for maintenance and repairs necessary for upkeep of the Amenity Center and common grounds area.

Repair and Maintenance

Any costs related to miscellaneous repairs and maintenance that occur during the fiscal year.

Special Events

Represents estimated costs for the District to host special events for the community through the Fiscal Year.

Fitness Center R&M

Estimated costs to provide maintenance and repairs necessary for upkeep of the Amenity Fitness Center.

Office Supplies

Office supplies for the Amenity Center.

Anabelle Island
Community Development District
General Fund Budget

ASCAP/BMI License Fees

Represent estimated costs for music licenses for Amenity Center.

Pest Control

The estimated costs for monthly pest control services.

Capital Outlay

Estimated costs of capital assets, such as equipment, goods and services, the benefits of which extend beyond the fiscal year that materially increase their value or useful life.

Reserves

Establishment of general reserve for operating capital and to fund future replacements.

EIGHTH ORDER OF BUSINESS

ANABELLE ISLAND CDD
AUDITOR SELECTION
EVALUATION CRITERIA

1. *Ability of Personnel.* **(20 Points)**

(E.g., geographic locations of the firm's headquarters or permanent office in relation to the project; capabilities and experience of key personnel; present ability to manage this project; evaluation of existing work load; proposed staffing levels, etc.)

2. *Proposer's Experience.* **(20 Points)**

(E.g. past record and experience of the Proposer in similar projects; volume of work previously performed by the firm; past performance for other Community Development Districts in other contracts; character, integrity, reputation, or respondent, etc.)

3. *Understanding of Scope of Work.* **(20 Points)**

Extent to which the proposal demonstrates an understanding of the District's needs for the services requested.

4. *Ability to Furnish the Required Services.* **(20 Points)**

Extent to which the proposal demonstrates the adequacy of Proposer's financial resources and stability as a business entity necessary to complete the services required. (E.g., the existence of any natural disaster plan for business operations)

5. *Price.* **(20 Points)**

Points will be awarded based upon the price bid for the rendering of the services and reasonableness of the price to the services.

TWELFTH ORDER OF BUSINESS

Anabelle Island

Community Development District

FY 21 Funding Request #3

May 27, 2021

PAYEE	CAPITAL PROJECT	GENERAL FUND
1 Hopping Green & Sams		
Inv # 122351 - General Counsel - April 2021		\$ 2,618.50
Inv # 122352 - Bond Validation - April 2021	\$ 3,597.50	
2 Governmental Management Services		
Inv# 2 - Management Fees - May 2021		\$ 4,299.61
4 Clay Today		
Inv # 276029 - Notice of Public Hearing Special Assessments - 5/6/21		\$ 1,530.00
	\$ 3,597.50	\$ 8,448.11
	TOTAL	\$12,045.61

Please make check payable to:

Anabelle Island CDD
475 W Town Place Suite 114
Saint Augustine, FL 32092

Signature: _____
Chairman/Vice Chairman

Signature: _____
Secretary/Asst. Secretary