HARMONY WEST

COMMUNITY DEVELOPMENT DISTRICT

November 21, 2024

BOARD OF SUPERVISORS

PUBLIC HEARING AND REGULAR MEETING AGENDA

HARMONY WEST

COMMUNITY DEVELOPMENT DISTRICT

AGENDA LETTER

Harmony West 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

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

November 14, 2024

Board of Supervisors
Harmony West Community Development District

Dear Board Members:

The Board of Supervisors of the Harmony West Community Development District will hold a Public Hearing and Regular Meeting on November 21, 2024 at 10:30 a.m., at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744. The agenda is as follows:

1. Call to Order/Roll Call

2. Public Comments

3. Administration of Oath of Office to Elected Supervisors (Kathleen Myers - Seat 3, Kolton Benson - Seat 4) *(the following will be provided in a separate package)*

   A. Updates and Reminders: Ethics Training for Special District Supervisors and Form 1

   B. Membership, Obligations 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. Consideration of Resolution 2025-01, Declaring a Vacancy in Seat 5 of the Board of Supervisors Pursuant to Section 190.006(3)(b), *Florida Statutes;* and Providing for Severability and an Effective Date

5. Consider Appointment of Qualified Elector to Fill Vacant Seat 5; *Term Expires November 2028*

   - Administration of Oath of Office to Appointed Supervisor

6. Consideration of Resolution 2025-02, Electing and Removing Officers of the District and Providing for an Effective Date

7. Public Hearing on Lake and Trespass Rule

   A. Affidavits of Publication

   - Notice of Rule Development
   - Notice of Rulemaking

   B. Consideration of Resolution 2025-03, Adopting a Rule Regarding Lake Use and Trespass Enforcement; Authorizing the Issuance of a Letter Regarding the Same; Providing General Authorization; Authorizing Signage; Providing a Severability Clause; and Providing an Effective Date

8. Consideration of Irrigation Ownership

   A. Forestar (USA) Real Estate Group Inc. Bills of Sale and Limited Assignment [Irrigation Improvements]

   B. Forestar (USA) Real Estate Group Inc. Non-Exclusive Perpetual Utility Easement (Irrigation)

9. Presentation of Audited Financial Report for the Fiscal Year Ended September 30, 2023, Prepared by Berger, Toombs, Elam, Gaines & Frank

   A. Consideration of Resolution 2025-04, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2023

10. Consideration of Resolution 2025-05, Amending the General Fund Portion of the Budget for Fiscal Year 2024; and Providing for an Effective Date

11. Ratification Items

    A. Poulos & Bennett, LLC Amendment 22 to Agreement for Preparation of Assessment 3 Supplemental Engineer's Report

    B. Deficit Funding Agreement

12. Acceptance of Unaudited Financial Statements as of September 30, 2024

13. Approval of September 19, 2024 Regular Meeting Minutes

14. Staff Reports

    A. District Counsel: *Kutak Rock LLP*

    B. District Engineer: *Poulos & Bennett, LLC*

    C. Field Operations Manager: *Association Solutions of Central Florida, Inc.*

    D. District Manager: *Wrathell, Hunt and Associates, LLC*

- NEXT MEETING DATE: December 19, 2024 at 10:30 AM
  - QUORUM CHECK

SEAT 1	SHELLEY KAERCHER	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 2	CHRIS TYREE	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 3	KATHLEEN MYERS	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 4	KOLTON BENSON	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 5	ROGER VAN AUKER	☐ IN PERSON	☐ PHONE	☐ NO

15. Board Members' Comments/Requests

16. Public Comment

17. Adjournment

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

<u>**FOR BOARD MEMBERS & STAFF TO ATTEND BY TELEPHONE**</u>
CALL-IN NUMBER: 1-888-354-0094
PARTICIPANT CODE: 528 064 2804

Sincerely,

Daniel Rom
District Manager

HARMONY WEST

COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2025-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT DECLARING A VACANCY IN SEAT 5 OF THE BOARD OF SUPERVISORS PURSUANT TO SECTION 190.006(3)(b), *FLORIDA STATUTES*; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

WHEREAS, on November 5, 2024, two (2) members of the Board of Supervisors ("Board") are to be elected by the "Qualified Electors" of the District, as that term is defined in Section 190.003, Florida Statutes; and

WHEREAS, the District published a notice of qualifying period set by the Supervisor of Elections at least two (2) weeks prior to the start of said qualifying period; and

WHEREAS, at the close of the qualifying period there were no Qualified Electors qualified to run for one (1) of the seats available for election by the Qualified Electors of the District; and

WHEREAS, pursuant to Section 190.006(3)(b), *Florida Statutes*, the Board shall declare the remaining seat vacant, effective the second Tuesday following the general election; and

WHEREAS, a Qualified Elector is to be appointed to the vacant seat within 90 days thereafter; and

WHEREAS, the Board finds that it is in the best interests of the District to adopt this Resolution declaring the seat available for election as vacant.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT:

1. DECLARATION OF VACANT BOARD SUPERVISOR SEAT. The following seat is hereby declared vacant effective as of November 19, 2024:

Seat # 5 (currently held by Roger Van Auker)

2. INCUMBENT BOARD SUPERVISOR. Until such time as the Board nominates a Qualified Elector to fill the vacancy declared in Section 1 above, the incumbent Board Supervisor shall remain in office.

3. 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.

4. EFFECTIVE DATE. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 21st day of November, 2024.

ATTEST:

HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT

____
Secretary / Assistant Secretary

____
Chair/Vice Chair, Board of Supervisors

HARMONY WEST

COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2025-02

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

WHEREAS, the Harmony West 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 HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT THAT:

SECTION 1. The following is/are elected as Officer(s) of the District effective November 21, 2024:

__________________________ is elected Chair

__________________________ is elected Vice Chair

__________________________ is elected Assistant Secretary

__________________________ is elected Assistant Secretary

__________________________ is elected Assistant Secretary

SECTION 2. The following Officer(s) shall be removed as Officer(s) as of November 21, 2024:

Robyn Bronson	Assistant Secretary

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 21ST DAY OF NOVEMBER, 2024.

ATTEST:

HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT

____
Secretary/Assistant Secretary

____
Chair/Vice Chair, Board of Supervisors

HARMONY WEST

COMMUNITY DEVELOPMENT DISTRICT

7A

OSCEOLA NEWS-GAZETTE
aroundosceola.com

AFFIDAVIT OF PUBLICATION

Osceola News-Gazette
222 Church Street
(407) 846-7600

I, Rebecca Bikul, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Osceola News-Gazette, a publication that is a "legal newspaper" as that phrase is defined for the city of Kissimmee, for the County of Osceola, in the state of Florida, that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

PUBLICATION DATES:
Oct. 17, 2024

Notice ID: hv5jThOttLGzxGngu1HE
Notice Name: HARMONY WEST CDD*Rule Development Lake

PUBLICATION FEE: $46.20

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true,

Rebecca Bikul
Agent

VERIFICATION

State of Florida
County of Orange

Signed or attested before me on this: 10/17/2024

PAMELA BAEZ
Notary Public - State of Florida
Commission # HH 186700
Expires on October 14, 2025

Notary Public
Notarized remotely online using communication technology via Proof.

NOTICE OF RULE DEVELOPMENT FOR LAKE AND TRESPASS RULE OF THE HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT

In accord with Chapters 120 and 190, Florida Statutes, the Harmony West Community Development District ("District") hereby gives notice of its intention to develop its proposed "Lake and Trespass Rule," which address among other things, recreational uses of the District's lakes and waterways, and provides for enforcement authority. The purpose and effect of the proposed Lake and Trespass Rule is to provide for efficient and effective operations of the District's properties.

Specific laws implemented for the rule includes Sections 190.035, 190.011, 190.012, 120.54, 120.69 and 120.81, Florida Statutes (2024).

A copy of the proposed Lake and Trespass Rule may be obtained by contacting the District Manager, c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (877) 276-0889.

Daniel Rom
District Manager

October 17, 2024

OSCEOLA
NEWS-GAZETTE
aroundosceola.com

AFFIDAVIT OF PUBLICATION

Osceola News-Gazette
222 Church Street
(407) 846-7600

I, Laquansay Nickson Watkins, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Osceola News-Gazette, a publication that is a "legal newspaper" as that phrase is defined for the city of Kissimmee, for the County of Osceola, in the state of Florida, that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

PUBLICATION DATES:
Oct. 24, 2024

Notice ID: GX2vEw2J2CPW5zHzYjEj
Notice Name: HARMONY WEST CDD*Rulemaking Lake Trespass

PUBLICATION FEE: $89.42

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true,

Laquansay Nickson Watkins

Agent

VERIFICATION

State of Florida
County of Orange

Signed or attested before me on this: 10/28/2024

PAMELA BAEZ
Notary Public - State of Florida
Commission # HH 186700
Expires on October 14, 2025

NOTARY PUBLIC STATE OF FLORIDA

Notary Public
Notarized remotely online using communication technology via Proof.

NOTICE OF RULEMAKING REGARDING THE LAKE AND TREPASS RULE OF THE HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT

A public hearing will be conducted by the Board of Supervisors of the Harmony West Community Development District (District") on November 21, 2024, at 10:30 a.m., at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744.

In accordance with Chapters 120 and 190, Florida Statutes, the District hereby gives the public notice of its intent to adopt its proposed "Lake and Trespass Rule," which address among other things, recreational uses of the District's lakes and waterways, and provides for enforcement authority. The purpose and effect of the proposed Lake and Trespass Rule is to provide for efficient and effective operations of the District's properties. Prior notice of rule development was published in the Osceola News-Gazette on October 17, 2024.

Specific legal authority for the rule includes Sections 190.035, 190.011, 190.012, 120.54, 120.69 and 120.81, Florida Statutes (2020).

A copy of the proposed Lake and Trespass Rule may be obtained by contacting the District Manager at Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (877) 276-0889 ("District Manager's Office").

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), Florida Statutes, must do so in writing within twenty-one (21) days after publication of this notice to the District Manager's Office.

This public hearing may be continued to a date, time, and place to be specified on the record at the hearing without additional notice. If anyone chooses to appeal any decision of the Board with respect to any matter considered at a public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which such appeal is to be based. At the hearing, staff or Supervisors may participate in the public hearing by speaker telephone.

Pursuant to the provisions of the Americans with Disabilities Act, 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 at 1-800-955-8771 or 1 800-955-8770 for aid in contacting the District Manager's Office.

Daniel Rom
District Manager
October 24, 2024

HARMONY WEST

COMMUNITY DEVELOPMENT DISTRICT

7B

RESOLUTION 2025-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT ADOPTING A RULE REGARDING LAKE USE AND TRESPASS ENFORCEMENT; AUTHORIZING THE ISSUANCE OF A LETTER REGARDING THE SAME; PROVIDING GENERAL AUTHORIZATION; AUTHORIZING SIGNAGE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Harmony West 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;

WHEREAS, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District's adopted improvement plan and Chapter 190, *Florida Statutes*;

WHEREAS, the District owns certain real property, including but not limited to stormwater retention ponds comprising a portion of the District's stormwater management system ("**Stormwater Management System**"), conservation and mitigation areas, and other open spaces (collectively, "**District Property**");

WHEREAS, the Stormwater Management System primarily serves to facilitate the treatment and attenuation of stormwater run-off and overflow, and District Property is not intended or maintained for recreational activities;

WHEREAS, the District desires to adopt a formal Rule regarding the use of the District Property and enforce the Rule through criminal and civil penalties (together, the "**Rule**");

WHEREAS, the District determines that the Rule is in the best interests of the District to protect the health, safety and welfare of persons present on District Property; and

WHEREAS, the District desires to secure the assistance of the County Sheriff's Office or such other law enforcement agencies as may be available, to prevent trespassing on District Property in contravention of the Rule.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT:

1. ADOPTION OF RULE REGARDING USE OF DISTRICT PROPERTY. The Board hereby adopts the Rule attached hereto as **Exhibit 1** prohibiting recreational and other activities on District Property, including but not limited to fishing, boating or any other watercraft use, wading or swimming, and the use of unauthorized vehicles, and authorizing criminal and civil penalties.

2. AUTHORITY REGARDING ENFORCEMENT OF TRESPASS LAWS; FORM OF TRESPASS LETTER. The Board hereby acknowledges that District Staff, including the District's Manager and any of the staff or representatives of the District Manager, have the authority to act on behalf of the District with respect to the enforcement of the District's rules and policies, including but not limited to taking any actions necessary to the enforcement and/or prosecution of a trespass violation on behalf of the District and pursuant to Florida law. In addition, the Board hereby authorizes the District Manager to issue to District's residents and to the County Sherriff's Office a copy of this resolution and the attached trespass letter – substantially in the form attached as **Exhibit 2,** and as may be amended from time to time by the District Manager to update the names of authorized individuals **–** providing authorization with respect to the enforcement of trespass laws as they relate to the District's prohibition of activities within the District Property.

3. GENERAL AUTHORIZATION; AUTHORIZING SIGNAGE. The Chairman, members of the Board of Supervisors and District staff are hereby generally authorized, upon the adoption of this Resolution, to do all acts and things required of them by this Resolution or desirable or consistent with the requirements or intent hereof. District Staff is directed to obtain and install signage and otherwise take all actions reasonably necessary to ensure the enforceability of the Rule.

4. 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.

5. EFFECTIVE DATE. This Resolution shall take effect upon the passage and adoption of this Resolution by the Board of Supervisors of the Harmony West Community Development District.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

PASSED AND ADOPTED on the 21st day of November, 2024.

ATTEST:	**HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT**
______________________________	______________________________________
Secretary/Assistant Secretary	Chair/Vice Chair, Board of Supervisors

EXHIBIT 1: Lake and Trespass Rule
EXHIBIT 2: Letter Regarding Trespass Enforcement

EXHIBIT 1

In accordance with Chapters 190 and 120, *Florida Statutes*, and on November 21st, 2024, at a duly noticed public meeting and after a duly noticed public hearing, the Board of Supervisors of the Harmony West Community Development District adopted the following Lake and Trespass Rule. All prior policies of the District governing this subject matter are hereby rescinded.

LAKE AND TRESPASS RULE

Introduction

1. The Harmony West Community Development District (the "**District**") owns certain real property, including but not limited to stormwater retention ponds ("**Ponds**") comprising a portion of the District's stormwater management system ("**Stormwater Management System**"), conservation and mitigation areas, and other open spaces ("**District Property**").
2. The Ponds, as identified in **Attachment A** attached hereto, are components of the Stormwater Management System and are designed to function as retention ponds to facilitate the District's treatment of stormwater run-off and overflow. As a result, contaminants may be present in the water. The Stormwater Management System is not intended or maintained for recreational purposes.
3. The District's conservation and mitigation areas, common areas and open spaces are not intended or maintained for recreational use by motorized vehicles.
4. Nothing herein shall prohibit or limit the District's ability to operate and maintain District Property consistent with the requirements of the applicable permits and approvals, and applicable law.
5. The District is not responsible for injury or damage to persons or property, including accidental death, resulting from the use of District Property.

Use of District's Stormwater Management System

1. Swimming or wading, boating or use of other watercrafts (whether motorized or non-motorized, flotation devices, etc.), or other recreational activities in the Stormwater Management System by any person is prohibited. However, shoreline fishing is permitted on a catch and release basis from sunrise until sunset.
2. Pets are not allowed in the Stormwater Management System.
3. No docks or other structures, whether permanent or temporary, may be constructed and placed in or around the Stormwater Management System unless properly permitted and approved by the District and other applicable governmental agencies.
4. No foreign materials may be disposed of in the Stormwater Management System, including, but not limited to: tree branches, paint, cement, oils, soap suds, building materials, chemicals, fertilizers, or any other material that is not naturally occurring or which may be detrimental to the system.
5. Any hazardous condition concerning the Stormwater Management System must immediately be reported to the District Manager and the proper authorities.
6. Property owners and residents are responsible for their tenants', guests' and invitees' adherence to these policies.
7. NOTE: Nothing in this section is intended to change existing rules/policies governing Buck Lake.

Unauthorized Vehicle Use on District Property

1. The District prohibits the use of unauthorized vehicles on District Property.

Trespass Authorization

1. District Staff, including the District's and any of the staff or representatives of the District Manager, have the authority to act on behalf of the District with respect to the enforcement of the District's rules and policies, including but not limited to taking any actions necessary to the enforcement and/or prosecution of a trespass violation on behalf of the District and pursuant to Florida law.
2. In addition, the District Manager is authorized to issue to the District's residents and to the County Sherriff's Office a trespass letter, providing authorization with respect to the enforcement of trespass laws as they relate to the District's prohibition of activities within the Stormwater Management System or on District Property.

Additional Enforcement; Penalties/Fines

For any violation of this Rule, and pursuant to Sections 190.012(3), 120.69, F.S., the District shall have the right to impose a fine of up to the amount of $1,000 per violation and collect such fine and attorney's fees as provided pursuant to Florida law.

Severability

If any section, paragraph, clause or provision of this Rule shall be held to be invalid or ineffective for any reason, the remainder of this Rule shall continue in full force and effect, it being expressly hereby found and declared that the remainder of this rule would have been adopted despite the invalidity or ineffectiveness of such section.

ATTACHMENT A: MAP OF DISTRICT STORMWATER PONDS

EXHIBIT 2

HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT

Wrathell, Hunt and Associates, LLC
2300 Glades Road, Suite 410W
Boca Raton, FL 33431
Office: 561-571-0010

November 21st, 2024

Osceola County Sheriff's Office
2601 E. Irlo Bronson Memorial Highway
Kissimmee, Florida 34744

Re: Harmony West Community Development District Authorization for Law Enforcement Officers to Enforce Trespass Violations

To Whom It May Concern:

I serve as District Manager for the Harmony West Community Development District (the "**District**") and am authorized to issue this letter on behalf of the District. Pursuant to District Resolution 2025-03, a copy of which is enclosed with this letter, please be advised that:

1. The District's policies forbid recreational and other activities on District property, including but not limited to fishing, swimming and boating on the stormwater retention ponds and the use of unauthorized vehicles on District property; and
2. The District hereby authorizes any law enforcement officer to order trespassers to leave the District's property for violation of the District's Rule (as stated in Item 1 above), and to otherwise enforce the provisions of Sections 810.08 and 810.09, *Florida Statutes*, and any other applicable law against any such trespassers; and
3. The following are authorized to contact law enforcement officers in Osceola County, Florida and provide this written authorization to law enforcement officers for the purpose of enforcing the District's rule (as stated in Item 1 above) and Florida law:

Name/Position	**Address**

4. The Board of Supervisors and staff of the Harmony West Community Development District will aid in the prosecution of any individuals arrested pursuant to this grant of authority.

Should you have any questions regarding this authorization, please contact me at (561)571-0010.

Sincerely,

Kristen Suit
District Manager

Enclosure A: Resolution 2025-03 (with attachments)

HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT

8A

<u>**BILL OF SALE AND LIMITED ASSIGNMENT**</u>
[IRRIGATION IMPROVEMENTS]

THIS BILL OF SALE AND LIMITED ASSIGNMENT is made to be effective as of the ____ day of __________________________, 2024, by and between **Forestar (USA) Real Estate Group Inc.,** a Delaware corporation, with an address of 10700 Pecan Park Blvd, Suite 150, Austin, Texas 78750 ("**Developer**"), **Harmony West Homeowners Association, Inc.,** a Florida not-for-profit, with an address of 811 Mabbette Street, Kissimmee, Florida 34741 ("**Association**"), and **Harmony West Community Development District,** a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes* ("**District**" or "**Grantee**") whose address is c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Developer, Association and Grantee, intending to be legally bound, do hereby agree as follows:

1. Developer and Association hereby transfer, grant, convey, and assign to Grantee all of their respective right, title and interest of Developer and Association, if any, in and to the following property (together, "**Property**") as described below to have and to hold for Grantee's own use and benefit forever:

a) All of the improvements and work product identified in **Exhibit A;** and

b) All of their respective right, title, interest, and benefit of Developer and Association, if any, in, to and under any and all contracts, guaranties, affidavits, warranties, bonds, claims, lien waivers, and other forms of indemnification, given heretofore and with respect to the construction, installation, or composition of the improvements and work product described in **Exhibit A**.

2. Developer and Association each hereby covenants that: (i) Developer and Association is each the lawful owner of its respective interest in the Property; (ii) the Property is free from any liens or encumbrances and the Developer and Association each covenants to timely address any such liens or encumbrances with respect to their respective interests, if and when filed; (iii) Developer and Association each has good right to sell the Property; and (iv) the Developer and Association will each warranty and defend the sale of their respective interests in the Property hereby made unto the Grantee against the lawful claims and demands of all persons claiming by, through or under the Developer or Association, as the case may be.

3. Without waiving any of the rights against third parties granted herein, the Property is being conveyed to the District in its as-is condition, without representation or warranty of any kind from Developer or Association. The District agrees that neither Developer nor Association shall be responsible or liable to the District for any defect, errors, or omissions in or relating to, their respective interests in the Property, latent or otherwise, or on account of any

other conditions affecting their respective interests in the Property, "**AS IS, WHERE IS**"**, AND** "**WITH ALL FAULTS**".

4. The Developer and Association each represents that it has no knowledge of any latent or patent defects in their respective interests in the Property, and hereby assigns, transfers and conveys to the Grantee any and all rights against any and all firms or entities which may have caused any latent or patent defects, including, but not limited to, any and all warranties and other forms of indemnification.

5. By execution of this document, the Developer and Association each affirmatively represents that it has the contractual right, consent and lawful authority of any and all forms to take this action in this document and in this form. Nothing herein shall be construed as a waiver of Grantee's limitations on liability as provided in Section 768.28, *Florida Statutes*, and other statutes and law.

[CONTINUED ON FOLLOWING PAGE]

WHEREFORE, the foregoing Bill of Sale and Limited Assignment is hereby executed and delivered on the date first set forth above.

Signed, sealed and delivered by:

WITNESSES

By: Victoria Walker
Name: VICTORIA WALKER

By: C Stewart
Name: CARRIE STEWART

FORESTAR (USA) REAL ESTATE GROUP INC.

James D. Allen
Name: James D. Allen
Title: Executive Vice President

STATE OF TEXAS
COUNTY OF TARRANT

The foregoing instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization this 20 day of SEPT, 2024, by James D. Allen as Executive Vice President of Forestar (USA) Real Estate Group Inc., and with authority to execute the foregoing on behalf of the entit(ies) identified above, and who appeared before me this day in person, and who is either personally known to me, or produced ____________________ as identification.

C Stewart
NOTARY PUBLIC, STATE OF TEXAS
Name: CARRIE STEWART
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

(NOTARY SEAL)

NOTARY PUBLIC STATE OF TEXAS
CARRIE STEWART
Notary Public, State of Texas
Comm. Expires 07-17-2027
Notary ID 11824225

WHEREFORE, the foregoing Bill of Sale and Limited Assignment is hereby executed and delivered on the date first set forth above.

HARMONY WEST HOMEOWNER'S ASSOCIATION, INC., a Florida not-for-profit corporation

___________________________________	
Witness Name: ______________________	By: ________________________
Address: ___________________________	Name: ________________________
___________________________________	Title: ________________________

____
Witness Name: ______________________
Address: ___________________________
____

STATE OF FLORIDA
COUNTY OF ______________

The foregoing instrument was acknowledged before me by means of (__) physical presence or (__) online notarization, this ______ day of ___________, 2024, by ___________________________, as ___________________________ of Harmony West Homeowner's Association, Inc., a Florida not-for-profit corporation, for and on behalf of said entity. He/She [ ] is personally known to me or [ ] produced _________________ as identification.

NOTARY STAMP:

____
Signature of Notary Public

____
Printed Name of Notary Public

EXHIBIT A

Irrigation Improvements – All irrigation systems, including but not limited to wells, pumps, pipes, structures, fittings, valves, spray heads and related system components, located within or upon all utility easement areas including those labeled “Utility Easements” and “Drainage and Utility Easements” as identified on the plat entitled, *Harmony West Phase 1A,* as recorded at Plat Book 27, Pages 116-120, of the Official Records of Osceola County, Florida, Tracts A-1, OS-2, OS-3, OS-4, and all utility easement areas including those labeled “Utility Easements” as identified on the plat entitled, *Villages at Harmony Phase 1B,* as recorded at Plat Book 29, Pages 104 - 112, of the Official Records of Osceola County, Florida, Tracts OS-1, OS-2, OS-6, and all utility easement areas including those labeled “Utility Easements” as identified on the plat entitled, *Villages at Harmony Phase 1C-1 and 1D,* as recorded at Plat Book 30, Pages 39-45, of the Official Records of Osceola County, Florida, Tracts OS-2, OS-4, and all utility easement areas including those labeled “Utility Easements” as identified on the plat entitled, *Villages at Harmony Phase 1C2,* as recorded at Plat Book 30, Pages 198-199, of the Official Records of Osceola County, Florida, Tracts A-1, A-2, OS-1, OS-2, OS-4, OS-9, and all utility easement areas including those labeled “Utility Easements” as identified on the plat entitled, *Villages at Harmony Phase 2A,* as recorded at Plat Book 32, Pages 148-153, of the Official Records of Osceola County, Florida, Tracts A-1, M-1, OS-1, OS-2, OS-3, OS-4, OS-5, OS-6, OS-7, OS-8, OS-9, OS-10, REC-1, and all utility easement areas including those labeled “Drainage and Utility Easements” “Utility Easements” as identified on the plat entitled, *Villages at Harmony Phase 2C and 2D,* as recorded at Plat Book 34, Pages 62-67, of the Official Records of Osceola County, Florida.

HARMONY WEST

COMMUNITY DEVELOPMENT DISTRICT

8B

NON-EXCLUSIVE PERPETUAL UTILITY EASEMENT
(Irrigation)

THIS NON-EXCLUSIVE PERPETUAL UTILITY EASEMENT is made this______day of __________________, 2024, by and between:

> **Forestar (USA) Real Estate Group Inc.,** a Delaware corporation, whose address is 10700 Pecan Park Blvd, Suite 150, Austin, Texas 78750 ("**Developer**"); and
>
> **Harmony West Homeowners Association, Inc.,** a Florida not-for-profit corporation, whose address is 811 Mabbette Street, Kissimmee, Florida 34741 ("**Association**"); and
>
> **Harmony West Community Development District**, a local unit of special-purpose government established pursuant to Chapter 189, *Florida Statutes*, and whose address is c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("**District**").

Recitals

WHEREAS, the District was established pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, as amended ("Act"), and is validly existing under the Constitution and laws of the State of Florida; and

WHEREAS, the Act authorizes the District to plan, finance, construct, install, operate and/or maintain certain infrastructure, including, but not limited to, stormwater ponds, roadway improvements, and other improvements and uses within the boundaries of the District; and

WHEREAS, the Developer and Association desire to formally grant to, and/or clarify the terms of, the utility easements over the properties more particularly described herein for the purposes of the District operating and maintaining the irrigation system; and

WHEREAS, Developer and Association each grant to the District a perpetual easement over the Easement Areas as defined herein, and Developer and Association are agreeable to granting such an easement on the terms and conditions set forth herein, to the extent of their respective interests therein, if any.

NOW, THEREFORE, for good and valuable consideration and the mutual covenants of all parties, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. RECITALS. The foregoing recitals are true and correct and by this reference are incorporated as a material part of this Easement.

2. **GRANT OF NON-EXCLUSIVE EASEMENT**. Developer and Association hereby each grant to the District, its successors, and assigns, in perpetuity, non-exclusive easements over, upon, under, through, and across the lands identified below – to the extent of the Developer's and Association's respective interests, if any - ("**Easement Areas**") to have and to hold the same unto the District, its successors and assigns forever for the following purposes (collectively, "**Easement**"):

A) The District shall have and is hereby granted a perpetual, non-exclusive easement for purposes of ingress and egress, construction, installation, use, maintenance, repair, reconstruction, and replacement by the District of the irrigation system, located within all utility easement areas including those labeled "Utility Easements" and "Drainage and Utility Easements" as identified on the plat entitled, ***Harmony West Phase 1A,*** **as recorded at Plat Book 27, Pages 116-120, of the Official Records of Osceola County, Florida**.

B) The District shall have and is hereby granted a perpetual, non-exclusive easement for purposes of ingress and egress, construction, installation, use, maintenance, repair, reconstruction, and replacement by the District of the irrigation system, located within Tracts A-1, OS-2, OS-3, OS-4, and all utility easement areas including those labeled "Utility Easements" as identified on the plat entitled, ***Villages at Harmony Phase 1B,*** **as recorded at Plat Book 29, Pages 104 - 112, of the Official Records of Osceola County, Florida**.

C) The District shall have and is hereby granted a perpetual, non-exclusive easement for purposes of ingress and egress, construction, installation, use, maintenance, repair, reconstruction, and replacement by the District of the irrigation system, located within Tracts OS-1, OS-2, OS-6, and all utility easement areas including those labeled "Utility Easements" as identified on the plat entitled, ***Villages at Harmony Phase 1C-1 and 1D,*** **as recorded at Plat Book 30, Pages 39-45, of the Official Records of Osceola County, Florida**.

D) The District shall have and is hereby granted a perpetual, non-exclusive easement for purposes of ingress and egress, construction, installation, use, maintenance, repair, reconstruction, and replacement by the District of the irrigation system, located within Tracts OS-2, OS-4, and all utility easement areas including those labeled "Utility Easements" as identified on the plat entitled, ***Villages at Harmony Phase 1C2,*** **as recorded at Plat Book 30, Pages 198-199, of the Official Records of Osceola County, Florida**.

E) The District shall have and is hereby granted a perpetual, non-exclusive easement for purposes of ingress and egress, construction, installation, use, maintenance, repair, reconstruction, and replacement by the District of the irrigation system, located within Tracts A-1, A-2, OS-1, OS-2, OS-4, OS-9, and all utility easement areas including those labeled "Utility Easements" as identified on the plat entitled, ***Villages at Harmony Phase 2A,*** **as recorded at Plat Book 32, Pages 148-153, of the Official Records of Osceola County, Florida**.

F) The District shall have and is hereby granted a perpetual, non-exclusive easement for purposes of ingress and egress, construction, installation, use, maintenance, repair, reconstruction, and replacement by the District of the irrigation system, located within Tracts A-1, M-1, OS-1, OS-2, OS-3, OS-4, OS-5, OS-6, OS-7, OS-8, OS-9, OS-10, REC-1, and all utility easement areas including those labeled "Drainage and Utility Easements" "Utility Easements" as identified on the plat entitled, ***Villages at Harmony Phase 2C and 2D,*** **as recorded at Plat Book 34, Pages 62-67, of the Official Records of Osceola County, Florida**.

3. INCONSISTENT USE. Grantor agrees and covenants that it shall not grant or exercise any rights in the property inconsistent with, or which interfere with, the rights herein accorded to District. Grantor shall be free to make any use of the property which is consistent with District's intended use.

4. DEFAULT. A default by any party under this Utility Easement shall entitle the other party to all remedies available at law or in equity, which may include but not be limited to the right of actual damages, injunctive relief and/or specific performance.

5. MODIFICATION; WAIVER. No modification or amendment of this Utility Easement may be made except by written agreement between the parties. No failure by any person or entity now or hereafter bound by this Utility Easement to insist upon the strict performance of any covenant, duty, agreement or condition of this Utility Easement, or to exercise any right or remedy upon a breach of this Utility Easement, shall constitute a waiver of any such breach or of such covenant, agreement, term or condition. Any person or entity now or hereafter bound by any provision of this Utility Easement may, but shall be under no obligation to, waive any of its rights or any conditions to its obligations hereunder, or any duty, obligation or covenant of any other party hereto; provided, however, that such waiver must be affected by a written instrument signed by the waiving party.

6. ATTORNEYS' FEES. In the event that either party seeks to enforce this Utility Easement by court proceedings or otherwise, then the substantially prevailing party shall be entitled to recover all fees and costs incurred, including reasonable attorneys' fees, paralegal fees, and expert witness fees and costs for trial, alternative dispute resolution or appellate proceedings.

7. NOTICES. Any notice, demand, consent, authorization, request, approval or other communication that any party is required, or may desire, to give to or make upon the other party pursuant to this Utility Easement shall be effective and valid only if in writing, signed by the party giving notice and delivered personally to the other parties or sent by express 24-hour guaranteed courier or delivery service or by certified mail of the United States Postal Service, postage prepaid and return receipt requested, addressed to the other party as follows (or to such other place as any party may by notice to the others specify):

To District:	Harmony West Community Development District c/o Wrathell, Hunt and Associates LLC 2300 Glades Road, Suite 410W Boca Raton, Florida 33431 Attn: Daniel Rom
With a copy to:	Kutak Rock, LLP 107 W. College Ave Tallahassee, Florida 32301 Attn: District Counsel
To Developer:	Forestar (USA) Real Estate Group Inc. 10700 Pecan Park Blvd, Suite 150 Austin, Texas 78750
To Association:	Harmony West Homeowners Association, Inc. 811 Mabbette Street Kissimmee, Florida 34741

Notice shall be deemed given when received, except that if delivery is not accepted, notice shall be deemed given on the date of such non-acceptance. Notices delivered after 5:00 p.m. (at the place of delivery) or on a non-business day shall be deemed received on the next business day. If any time for giving notice would otherwise expire on a non-business day, the notice period shall be extended to the next succeeding business day. Saturdays, Sundays and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for District and counsel for Grantor may deliver Notice on behalf of District and Grantor.

8. **THIRD PARTIES**. This Utility Easement is solely for the benefit of the formal parties hereto, and no right or cause of action shall accrue upon or by reason, to or for the benefit of any third party not a formal party to this Utility Easement. Nothing in this Utility Easement, expressed or implied, is intended or shall be construed to confer upon any person or corporation other than the parties hereto any right, remedy, or claim under or by reason of this Utility Easement or any of the provisions or conditions hereof. The District shall be solely responsible for enforcing its rights under this Utility Easement against any interfering third party. Nothing contained in this Utility Easement shall limit or impair the District's right to protect its rights from interference by a third party.

9. **CONTROLLING LAW**. This Utility Easement and the provisions contained herein shall be construed, controlled, and interpreted according to the laws of the State of Florida. Venue shall be in Osceola County, Florida.

10. PUBLIC RECORDS. Grantor understands and agrees that all documents of any kind provided to the District or to District staff in connection with this Utility Easement are public records and are to be treated as such in accordance with Florida law.

11. BINDING EFFECT. This Utility Easement and all of the provisions of this Utility Easement shall inure to the benefit of and be binding upon the parties set forth herein and their respective successors and permitted assigns, and the agents, employees, invitees, tenants, subtenants, licensees, lessees, mortgagees in possession and independent contractors thereof, as a covenant running with and binding upon the Easement Area.

12. AUTHORIZATION. By execution below, the undersigned represent that they have been duly authorized by the appropriate body or official of their respective entity to execute this Utility Easement, and that each party has complied with all the requirements of law and has full power and authority to comply with the terms and provisions of this instrument.

13. SEVERABILITY. If any part of this Agreement is found invalid or unenforceable by any court, such invalidity or unenforceability shall not affect the other parts of this Agreement if the rights and obligations of the parties contained therein are not materially prejudiced and if the intentions of the parties can continue to be affected. To that end, this Agreement is declared to be severable.

14. COUNTERPARTS. This instrument may be executed in any number of counterparts, each of which, when executed and delivered, shall constitute an original, and such counterparts together shall constitute one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

15. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement between the parties and has been entered into voluntarily and with independent advice and legal counsel, and has been executed by the authorized representative of each party on the date written herein.

[Signatures on Next Page]

IN WITNESS WHEREOF, the Developer has hereunto set its hand and seal the day and year first above written.

FORESTAR (USA) REAL ESTATE GROUP INC., a Delaware corporation

Witness Name: VICTORIA WALKER
Address: 2221 E LAMAR
ARL TX 76006

By: ______________
Name: James D. Allen
Title: Executive Vice President

Witness Name: CARRIE STEWART
Address: 2221 E LAMAR
ARL TX 76006

STATE OF TEXAS
COUNTY OF TARRANT

The foregoing instrument was acknowledged before me by means of (✓) physical presence or (__) online notarization, this 20 day of SEPT, 2024, by James D. Allen, as Executive Vice President of Forestar (USA) Real Estate Group Inc., a Delaware corporation, for and on behalf of said entity. He/She [ ] is personally known to me or [ ] produced ________________ as identification.

NOTARY STAMP:

CARRIE STEWART
Notary Public, State of Texas
Comm. Expires 07-17-2027
Notary ID 11824225

Signature of Notary Public

CARRIE STEWART
Printed Name of Notary Public

IN WITNESS WHEREOF, the Association has hereunto set its hand and seal the day and year first above written.

HARMONY WEST HOMEOWNER'S ASSOCIATION, INC., a Florida not-for-profit corporation

____________________________________	By: _________________________
Witness Name: ______________________	Name: _________________________
Address: ____________________________	Title: _________________________
____________________________________	

____
Witness Name: ______________________
Address: ____________________________
____

STATE OF FLORIDA
COUNTY OF ________________

The foregoing instrument was acknowledged before me by means of (__) physical presence or (__) online notarization, this ______ day of ___________, 2024, by ____________________________, as ____________________________ of Harmony West Homeowner's Association, Inc., a Florida not-for-profit corporation, for and on behalf of said entity. He/She [ ] is personally known to me or [ ] produced _________________ as identification.

NOTARY STAMP:

____
Signature of Notary Public

____
Printed Name of Notary Public

IN WITNESS WHEREOF, the District has hereunto set its hand and seal the day and year first above written.

HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT

____

Chairman, Board of Supervisors

____

Witness Name: _______________________

Address: ____________________________

____

____

Witness Name: _______________________

Address: ____________________________

____

STATE OF FLORIDA

COUNTY OF ___________________

The foregoing instrument was acknowledged before me by means of (__) physical presence or (__) online notarization, this ______ day of ___________, 2024, by _______________, as Chairman of the Board of Supervisors of the Harmony West Community Development District, special-purpose unit of local government, for and on behalf of said entity. He [ ] is personally known to me or [ ] produced _________________ as identification.

NOTARY STAMP:

____

Signature of Notary Public

____

Printed Name of Notary Public

HARMONY WEST

COMMUNITY DEVELOPMENT DISTRICT

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Harmony West Community Development District

ANNUAL FINANCIAL REPORT

September 30, 2023

Harmony West Community Development District

ANNUAL FINANCIAL REPORT

September 30, 2023

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Berger, Toombs, Elam,
Gaines & Frank

Certified Public Accountants PL

600 Citrus Avenue
Suite 200
Fort Pierce, Florida 34950

772/461-6120 // 461-1155
FAX: 772/468-9278

REPORT OF INDEPENDENT AUDITORS

To the Board of Supervisors
Harmony West Community Development District
Osceola County, Florida

Report on Audit of the Financial Statements

Opinion

We have audited the financial statements of the governmental activities and each major fund of Harmony West Community Development District (the "District"), as of and for the year ended September 30, 2023, and the related notes to financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of Harmony West Community Development District as of September 30, 2023, and the respective changes in financial position and the budgetary comparison for the General Fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audits in accordance with auditing standards generally accepted in the United States of America (GAAS), 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 audits. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

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.

To the Board of Supervisors
Harmony West Community Development District

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 one year beyond the financial statement date, including currently known information that may raise substantial doubt thereafter.

Auditor's Responsibility 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 opinion. 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 GAAS 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 GAAS and *Government Auditing Standards*, we:

- Exercise professional judgement 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 judgement, 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.

Berger, Toombs, Elam,
Gaines & Frank
Certified Public Accountants PL

To the Board of Supervisors
Harmony West Community Development District

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that Management's Discussion and Analysis 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 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 a report dated September 24, 2024 on our consideration of the District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations and contracts.

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 effectiveness of the District's 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 Harmony West Community Development District's internal control over financial reporting and compliance.

Berger Toombs Elam
Gaines + Frank

Berger, Toombs, Elam, Gaines & Frank
Certified Public Accountants PL
Fort Pierce, Florida

September 24, 2024

Harmony West Community Development District
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended September 30, 2023

Management's discussion and analysis of Harmony West Community Development District's (the "District") financial performance provides an objective and easily readable analysis of the District's financial activities. The analysis provides summary financial information for the District and should be read in conjunction with the District's financial statements.

OVERVIEW OF THE FINANCIAL STATEMENTS

The District's basic financial statements comprise three components; 1) *Government-wide financial statements,* 2) *Fund financial statements,* and 3) *Notes to financial statements.* The *Government-wide financial statements* present an overall picture of the District's financial position and results of operations. The *Fund financial statements* present financial information for the District's major funds. The *Notes to financial statements* provide additional information concerning the District's finances.

The *Government-wide financial statements* are the **statement of net position** and the **statement of activities**. These statements use accounting methods similar to those used by private-sector companies. Emphasis is placed on the net position of governmental activities and the change in net position. Governmental activities are primarily supported by special assessments.

The **statement of net position** presents information on all assets and liabilities of the District, with the difference between assets and liabilities reported as net position. Net position is reported in three categories; 1) net investment in capital assets, 2) restricted, and 3) unrestricted. Assets, liabilities, and net position are reported for all Governmental activities.

The **statement of activities** presents information on all revenues and expenses of the District and the change in net position. Expenses are reported by major function and program revenues relating to those functions are reported, providing the net cost of all functions provided by the District. To assist in understanding the District's operations, expenses have been reported as governmental activities. Governmental activities financed by the District include general government, physical environment, and debt service.

Fund financial statements present financial information for governmental funds. These statements provide financial information for the major funds of the District. Governmental fund financial statements provide information on the current assets and liabilities of the funds, changes in current financial resources (revenues and expenditures), and current available resources.

OVERVIEW OF THE FINANCIAL STATEMENTS (CONTINUED)

Fund financial statements include a **balance sheet** and a **statement of revenues, expenditures and changes in fund balances** for all governmental funds. A **statement of revenues, expenditures, and changes in fund balances – budget and actual** is provided for the District's General Fund. *Fund financial statements* provide more detailed information about the District's activities. Individual funds are established by the District to track revenues that are restricted to certain uses or to comply with legal requirements.

The *government-wide financial statements* and the *fund financial statements* provide different pictures of the District. The *government-wide financial statements* provide an overall picture of the District's financial standing. These statements are comparable to private-sector companies and give a good understanding of the District's overall financial health and how the District paid for the various activities, or functions, provided by the District. All assets of the District, including infrastructure, are reported in the **statement of net position**. All liabilities, including principal outstanding on bonds are included. The **statement of activities** includes depreciation on all long-lived assets of the District, but transactions between the different functions of the District have been eliminated in order to avoid "doubling up" the revenues and expenses. The *fund financial statements* provide a picture of the major funds of the District. In the case of governmental activities, outlays for long lived assets are reported as expenditures and long-term liabilities, such as general obligation bonds, are not included in the fund financial statements. To provide a link from the *fund financial statements* to the *government-wide financial statements*, reconciliations are provided from the *fund financial statements* to the *government-wide financial statements.*

Notes to financial statements provide additional detail concerning the financial activities and financial balances of the District. Additional information about the accounting practices of the District, investments of the District, capital assets and long-term debt are some of the items included in the *notes to financial statements.*

Financial Highlights

The following are the highlights of financial activity for the year ended September 30, 2023.

- The District's assets exceeded liabilities by $5,131,030. Net investment in capital assets was $4,501,444, restricted net position was $207,187 and unrestricted net position was $422,399.

- Governmental activities revenues totaled $1,462,309 while governmental activities expenses totaled $1,722,326.

OVERVIEW OF THE FINANCIAL STATEMENTS (CONTINUED)

Financial Analysis of the District

The following schedule provides a summary of the assets, liabilities and net position of the District and is presented by category for comparison purposes.

Net Position

	Governmental Activities	
	2023	2022
Current assets	$ 451,479	$ 280,055
Restricted assets	948,879	724,653
Capital assets, net	15,020,911	12,384,234
Total Assets	16,421,269	13,388,942
Current liabilities	477,743	392,895
Non current liabilities	10,812,496	7,605,000
Total Liabilities	11,290,239	7,997,895
Net Position		
Net investment in capital assets	4,501,444	5,074,328
Restricted net position	207,187	145,826
Unrestricted	422,399	170,893
Total Net Position	$ 5,131,030	$ 5,391,047

The increase in current assets is related to revenues exceeding expenditures in the General Fund in the current year.

The increase in restricted assets is related to revenues exceeding expenditures in the Debt Service Fund in the current year.

The increase in current liabilities is mainly related to the increase in accrued interest in the current year.

The increase in non-current liabilities is related to the issuance of long-term debt in the current year.

The increase in capital assets is related to the construction in progress additions in the current year.

OVERVIEW OF THE FINANCIAL STATEMENTS (CONTINUED)

Financial Analysis of the District (Continued)

The following schedule provides a summary of the changes in net position of the District and is presented by category for comparison purposes.

Change In Net Position

	Governmental Activities	
	2023	2022
Program Revenues		
Charges for services	$ 1,423,248	$ 1,146,518
Miscellaneous revenues	4,700	1,420
Investment income	34,361	2,286
Total Revenues	1,462,309	1,150,224
Expenses		
General government	105,786	126,809
Physical environment	895,830	824,564
Interest and other charges	720,710	418,260
Total Expenses	1,722,326	1,369,633
Change in Net Position	(260,017)	(219,409)
Net Position - Beginning of Year	5,391,047	5,610,456
Net Position - End of Year	$ 5,131,030	$ 5,391,047

The increase in charges for services is related to the increase in special assessments in the current year.

The decrease in general government is primarily related to the decrease in legal advertising and engineering expenses in the current year.

The increase in physical environment is related to the increase in canal maintenance, aquatic maintenance, and streetlight expenses in the current year.

OVERVIEW OF THE FINANCIAL STATEMENTS (CONTINUED)

Capital Assets Activity

The following schedule provides a summary of the District's capital assets as of September 30, 2023 and 2022.

	Governmental Activities	
Description	**2023**	**2022**
Construction in progress	$ 3,089,759	$ -
Infrastructure	13,592,452	13,592,452
Accumulated depreciation	(1,661,300)	(1,208,218)
Total	$ 15,020,911	$ 12,384,234

Current year activity consisted of additions to depreciation of $453,082 and additions to construction in progress of $3,089,759.

General Fund Budgetary Highlights

Actual expenditures were less than the final budget because landscaping expenditures were less than anticipated.

The September 30, 2023 budget was not amended.

Debt Management

Governmental Activities debt includes the following:

- In July 2018, the District issued $8,710,000 Series 2018 Special Assessment Revenue Bonds. These bonds were issued to finance the cost of acquisition, construction, and equipping of the 2018 project. The balance outstanding at September 30, 2023 was $7,605,000.

- In February 2023, the District issued $3,435,000 Series 2023 Special Assessment Revenue Bonds. These bonds were issued to finance the cost of acquisition, construction, and equipping of the Assessment Area Two Project. The balance outstanding at September 30, 2023 was $3,435,000.

Economic Factors and Next Year's Budget

Harmony West Community Development District issued new long-term debt during 2023 and other than the effects of the new debt, does not expect any other economic factors to have any significant effect on the financial position or results of operations of the District in fiscal year 2024.

OVERVIEW OF THE FINANCIAL STATEMENTS (CONTINUED)

Request for Information

The financial report is designed to provide a general overview of Harmony West Community Development District's finances for all those with an interest. Questions concerning any of the information provided in this report or requests for additional information should be addressed to the Harmony West Community Development District's Finance Department at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.

Harmony West Community Development District
STATEMENT OF NET POSITION
September 30, 2023

		Governmental Activities
ASSETS		
Current Assets		
Cash	$	432,688
Due from other governments		8,482
Due from others		1,204
Deposits		9,105
Total Current Assets		451,479
Non-current Assets		
Restricted Assets		
Investments		948,879
Capital assets not being depreciated		
Construction in progress		3,089,759
Capital assets being depreciated		
Infrastructure		13,592,452
Accumulated depreciation		(1,661,300)
Total Non-Current Assets		15,969,790
Total Assets		16,421,269
LIABILITIES		
Current Liabilities		
Accounts payable and accrued expenses		20,361
Due to developer		23,349
Due to others		4,246
Accrued interest		234,787
Bonds payable - current		195,000
Total Current Liabilities		477,743
Non-current Liabilities		
Bonds payable, net		10,812,496
Total Liabilities		11,290,239
NET POSITION		
Net investment in capital assets		4,501,444
Restricted for debt service		207,180
Restricted for capital projects		7
Unrestricted		422,399
Total Net Position	$	5,131,030

See accompanying notes to financial statements.

Harmony West Community Development District
STATEMENT OF ACTIVITIES
For the Year Ended September 30, 2023

Functions/Programs	Expenses	Program Services Charges for Services	Net (Expenses) Revenues and Changes in Net Position Governmental Activities
Governmental Activities			
General government	$ (105,786)	$ 190,062	$ 84,276
Physical environment	(895,830)	599,768	(296,062)
Interest and other charges	(720,710)	633,418	(87,292)
Total Governmental Activities	$ (1,722,326)	$ 1,423,248	(299,078)
General Revenues			
Investment income			34,361
Miscellaneous revenues			4,700
Total General Revenues			39,061
Change in Net Position			(260,017)
Net Position - October 1, 2022			5,391,047
Net Position - September 30, 2023			$ 5,131,030

See accompanying notes to financial statements.

Harmony West Community Development District
BALANCE SHEET –
GOVERNMENTAL FUNDS
September 30, 2023

	General	Debt Service	Capital Projects	Total Governmental Funds
ASSETS				
Cash	$ 432,688	$ -	$ -	$ 432,688
Due from other governments	4,125	4,357	-	8,482
Due from others	1,204	-	-	1,204
Deposits	9,105	-	-	9,105
Restricted Assets				
Investments	-	948,872	7	948,879
Total Assets	$ 447,122	$ 953,229	$ 7	$ 1,400,358
LIABILITIES AND FUND BALANCES				
LIABILITIES				
Accounts payable and accrued expenses	$ 20,361	$ -	$ -	$ 20,361
Due to others	-	4,246	-	4,246
Due to developer	3,300	20,049	-	23,349
Total Liabilities	23,661	24,295	-	47,956
FUND BALANCES				
Nonspendable				
Deposits	9,105	-	-	9,105
Restricted				
Debt service	-	928,934	-	928,934
Capital projects	-	-	7	7
Assigned				
Playground/sign and wall	10,000	-	-	10,000
Operating reserve	147,445	-	-	147,445
Unassigned	256,911	-	-	256,911
Total Fund Balances	423,461	928,934	7	1,352,402
Total Liabilities and Fund Balances	$ 447,122	$ 953,229	$ 7	$ 1,400,358

See accompanying notes to financial statements.

Harmony West Community Development District
RECONCILIATION OF TOTAL GOVERNMENTAL FUND BALANCES
TO NET POSITION OF GOVERNMENTAL ACTIVITIES
September 30, 2023

Total Governmental Fund Balances	$ 1,352,402
Amounts reported for governmental activities in the Statement of Net Position are different because:	
Capital assets, construction in progress, $3,089,759, infrastructure, $13,592,452, net of accumulated depreciation, $(1,661,300), in governmental activities are not current financial resources and therefore, are not reported at the fund level.	15,020,911
Long-term liabilities, including bonds payable, $(11,040,000), net of bond discount, net, $32,504, are not due and payable from current financial resources and therefore, are not reported at the fund level.	(11,007,496)
Accrued interest is not payable from current financial resources and therefore, is not reported at the fund level.	(234,787)
Net Position of Governmental Activities	$ 5,131,030

See accompanying notes to financial statements.

Harmony West Community Development District
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES – GOVERNMENTAL FUNDS
For the Year Ended September 30, 2023

	General	Debt Service	Capital Projects	Total Governmental Funds
Revenues				
Special assessments	$ 789,830	$ 633,418	$ -	$ 1,423,248
Investment income	-	34,239	122	34,361
Miscellaneous revenues	4,700	-	-	4,700
Total Revenues	794,530	667,657	122	1,462,309
Expenditures				
Current				
General government	99,214	6,572	-	105,786
Physical environment	442,748	-	-	442,748
Capital outlay	-	-	3,089,759	3,089,759
Debt Service				
Principal	-	135,000	-	135,000
Interest	-	426,113	-	426,113
Other	-	224,078	-	224,078
Total Expenditures	541,962	791,763	3,089,759	4,423,484
Excess of revenues over/(under) expenditures	252,568	(124,106)	(3,089,637)	(2,961,175)
Other Financing Sources/(Uses)				
Issuance of long-term debt	-	402,236	3,032,764	3,435,000
Bond discount	-	(33,149)	-	(33,149)
Transfers in	-	-	56,873	56,873
Transfers out	-	(56,873)	-	(56,873)
Total Other financing Sources/(Uses)	-	312,214	3,089,637	3,401,851
Net change in fund balances	252,568	188,108	-	440,676
Fund Balances - October 1, 2022	170,893	740,826	7	911,726
Fund Balances - September 30, 2023	$ 423,461	$ 928,934	$ 7	$ 1,352,402

See accompanying notes to financial statements.

Harmony West Community Development District
RECONCILIATION OF THE STATEMENT
OF REVENUES, 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 - Total Governmental Funds	$ 440,676
Amounts reported for governmental activities in the Statement of Activities are different because:	
Capital assets additions are reported as an expenditure at the fund level. However, at the government-wide level, these assets are capitalized and depreciated over the estimated useful life. This is the amount that depreciation, $(453,082), was exceeded by capital outlay, $3,089,759, in the current year.	2,636,677
The issuance of long-term debt, $(3,435,000), and bond discount, $33,149, are reflected as an other financing source/use at the fund level, however, they increase liabilities at the government-wide level.	(3,401,851)
Payment of long-term liabilities are reported as expenditures in the governmental fund statement but such repayments reduce liabilities in the Statement of Net Position.	135,000
Bond discount is amotized over the life of the bonds as interest. This is the current year amortization.	(645)
At the government-wide level interest is accrued on outstanding bonds; whereas at the fund level, interest expenditures are reported when due. This is the net change in accrued interest in the current year.	(69,874)
Change in Net Position of Governmental Activities	$ (260,017)

See accompanying notes to financial statements.

Harmony West Community Development District
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES – BUDGET AND ACTUAL – GENERAL FUND
For the Year Ended September 30, 2023

	Original Budget	Final Budget	Actual	Variance with Final Budget Positive (Negative)
Revenues				
Special assessments	$ 788,766	$ 788,766	$ 789,830	$ 1,064
Miscellaneous revenues	9,375	9,375	4,700	(4,675)
Total Revenues	798,141	$ 798,141	794,530	(3,611)
Expenditures				
Current				
General government	130,346	130,346	99,214	31,132
Physical environment	608,450	608,450	442,748	165,702
Total Expenditures	738,796	738,796	541,962	196,834
Net Change in Fund Balances	59,345	59,345	252,568	193,223
Fund Balances - October 1, 2022	110,328	110,328	170,893	60,565
Fund Balances - September 30, 2023	$ 169,673	$ 169,673	$ 423,461	$ 253,788

See accompanying notes to financial statements.

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the District have been prepared in conformity with generally accepted accounting principles (GAAP) as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The District's more significant accounting policies are described below.

1. Reporting Entity

The District was established on April 18, 2017, pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, as amended (the "Act"), and by Ordinance 2017-02 of Osceola County, Florida, as a Community Development District. The District was established for the purposes of financing and managing the acquisition, construction, maintenance and operation of the infrastructure necessary for community development within its jurisdiction. The District is authorized to issue bonds for the purpose, among others, of financing, funding, planning, establishing, acquiring, constructing district roads, landscaping, and other basic infrastructure projects within or outside the boundaries of the Harmony West Community Development District. The District is governed by a five-member Board of Supervisors. All the Supervisors are employed by the Developer. The District operates within the criteria established by Chapter 190, Florida Statutes.

As required by GAAP, these financial statements present the Harmony West Community Development District (the primary government) as a stand-alone government. The reporting entity for the District includes all functions of government in which the District's Board exercises oversight responsibility including, but not limited to, financial interdependency, selection of governing authority, designation of management, significant ability to influence operations and accountability for fiscal matters.

Based upon the application of the above-mentioned criteria as set forth in Governmental Accounting Standards Board, The Financial Reporting Entity, the District has identified no component units.

2. Measurement Focus and Basis of Accounting

The basic financial statements of the District are composed of the following:

- Government-wide financial statements
- Fund financial statements
- Notes to financial statements

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

2. Measurement Focus and Basis of Accounting (Continued)

a. Government-wide Financial Statements

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting.

Government-wide financial statements report all non-fiduciary information about the reporting government as a whole. These statements include all the governmental activities of the primary government. The effect of interfund activity has been removed from these statements.

Governmental activities are supported by special assessments and interest. Program revenues are netted with program expenses in the statement of activities to present the net cost of each program.

Amounts paid to acquire capital assets are capitalized as assets, rather than reported as an expenditure. Proceeds of long-term debt are recorded as liabilities in the government-wide financial statements, rather than as an other financing source.

Amounts paid to reduce long-term indebtedness of the reporting government are reported as a reduction of the related liability, rather than as an expenditure.

b. Fund Financial Statements

The underlying accounting system of the District is organized and operated on the basis of separate funds, each of which is considered to be a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues and expenditures or expenses, as appropriate. Governmental resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled.

Fund financial statements for the primary government's governmental funds are presented after the government-wide financial statements. These statements display information about major funds individually.

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

2. Measurement Focus and Basis of Accounting (Continued)

b. Fund Financial Statements (Continued)

Governmental Funds

The District classifies fund balance according to Governmental Accounting Standards Board Statement 54 – Fund Balance Reporting and Governmental Fund Type Definitions. The Statement requires the fund balance for governmental funds to be reported in classifications that comprise a hierarchy based primarily on the extent to which the government is bound to honor constraints on the specific purposes for which amounts in those funds can be spent.

The District has various policies governing the fund balance classifications.

Nonspendable Fund Balance – This classification consists of amounts that cannot be spent because they are either not in spendable form or are legally or contractually required to be maintained intact.

Restricted Fund Balance – This classification includes amounts that can be spent only for specific purposes stipulated by constitution, external resource providers, or through enabling legislation.

Assigned Fund Balance – This classification consists of the Board of Supervisors' intent to be used for specific purposes, but are neither restricted nor committed. The assigned fund balances can also be assigned by the District's management company.

Unassigned Fund Balance – This classification is the residual classification for the government's general fund and includes all spendable amounts not contained in the other classifications. Unassigned fund balance is considered to be utilized first when an expenditure is incurred for purposes for which amounts in any of those unrestricted fund balance classifications could be used.

Fund Balance Spending Hierarchy – For all governmental funds except special revenue funds, when restricted, committed, assigned, and unassigned fund balances are combined in a fund, qualified expenditures are paid first from restricted or committed fund balance, as appropriate, then assigned and finally unassigned fund balances.

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

2. Measurement Focus and Basis of Accounting (Continued)

b. Fund Financial Statements (Continued)

Governmental Funds (Continued)

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are considered to be available when they are collected within the current period or soon thereafter, to pay liabilities of the current period. For this purpose, the District considers revenues to be available if they are collected within 90 days of the end of the current fiscal period.

Expenditures generally are recorded when a liability is incurred, as under accrual accounting. Interest associated with the current fiscal period is considered to be an accrual item and so has been recognized as revenue of the current fiscal period.

Under the current financial resources measurement focus, only current assets and current liabilities are generally included on the balance sheet. The reported fund balance is considered to be a measure of “available spendable resources”.

Governmental fund operating statements present increases (revenues and other financing sources) and decreases (expenditures and other financing uses) in net current assets. Accordingly, they are said to present a summary of sources and uses of “available spendable resources” during a period.

Because of their spending measurement focus, expenditure recognition for governmental fund types excludes amounts represented by non-current liabilities. Since they do not affect net current assets, such long-term amounts are not recognized as governmental fund type expenditures or fund liabilities.

Amounts expended to acquire capital assets are recorded as expenditures in the year that resources are expended, rather than as fund assets. The proceeds of long-term debt are recorded as an other financing source rather than as a fund liability.

Debt service expenditures are recorded only when payment is due.

3. Basis of Presentation

a. Governmental Major Funds

General Fund – The General Fund is the District’s primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

3. Basis of Presentation (Continued)

a. Governmental Major Funds (Continued)

Debt Service Fund – The Debt Service Fund accounts for debt service requirements to retire the outstanding debt of the District.

Capital Projects Fund – The Capital Projects Fund accounts for the construction of infrastructure improvements within the District.

b. Non-current Governmental Assets/Liabilities

GASB Statement 34 requires that non-current governmental assets, such as land and improvements, and non-current governmental liabilities, such as general obligation bonds and due to developer be reported in the governmental activities column in the government-wide Statement of Net Position.

4. Assets, Liabilities, and Net Position or Equity

a. Cash and Investments

Florida Statutes require state and local governmental units to deposit monies with financial institutions classified as "Qualified Public Depositories," a multiple financial institution pool whereby groups of securities pledged by the various financial institutions provide common collateral from their deposits of public funds. This pool is provided as additional insurance to the federal depository insurance and allows for additional assessments against the member institutions, providing full insurance for public deposits.

The District is authorized to invest in those financial instruments as established by Section 218.415, Florida Statutes. The authorized investments consist of:

1. Direct obligations of the United States Treasury;

2. The Local Government Surplus Funds Trust or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperative Act of 1969;

3. Interest-bearing time deposits or savings accounts in authorized qualified public depositories;

4. Securities and Exchange Commission, registered money market funds with the highest credit quality rating from a nationally recognized rating agency.

Cash equivalents include time deposits and all highly liquid debt instruments with original maturities of three months or less and held in a qualified public depository as defined by Section 280.02, Florida Statutes.

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

4. Assets, Liabilities, and Net Position or Equity (Continued)

b. Restricted Assets

Certain net position of the District are classified as restricted assets on the Statement of Net Position because their use is limited either by law through constitutional provisions or enabling legislation; or by restrictions imposed externally by creditors. In a fund with both restricted and unrestricted net position, qualified expenses are considered to be paid first from restricted net position and then from unrestricted net position.

c. Capital Assets

Capital assets, which include construction in progress and infrastructure, are reported in the governmental activities column.

The District defines capital assets as assets with an initial, individual cost of $5,000 or more and an estimated useful life in excess of one year. The valuation basis for all assets is historical cost.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend its useful life are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are constructed.

Depreciation is computed utilizing the straight-line method over the estimated useful lives of the assets. The estimated useful life for infrastructure is 30 years.

d. Budgets

Budgets are prepared and adopted after public hearings for the governmental funds, pursuant to Chapter 190, Florida Statutes. The District utilizes the same basis of accounting for budgets as it does for revenues and expenditures in its various funds. The legal level of budgetary control is at the fund level. All budgeted appropriations lapse at year end. A formal budget is adopted for the general fund. As a result, deficits in the budget columns of the accompanying financial statements may occur.

e. Unamortized Bond Discount

Bond discounts are presented on the government-wide financial statements. The costs are amortized over the life of the bonds using the straight-line method of accounting. For financial reporting, the unamortized bond discount is netted against the applicable long-term debt.

NOTE B – RECONCILIATION OF GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS

1. Explanation of Differences Between the Governmental Fund Balance Sheet and the Government-wide Statement of Net Position

"Total fund balances" of the District's governmental funds, $1,352,402, differs from "net position" of governmental activities, $5,131,030, reported in the Statement of Net Position. This difference primarily results from the long-term economic focus of the Statement of Net Position versus the current financial resources focus of the governmental fund balance sheet. The effect of the differences is illustrated below:

Capital related items

When capital assets (that are to be used in governmental activities) are purchased or constructed, the cost of those assets is reported as expenditures in governmental funds. However, the Statement of Net Position included those capital assets among the assets of the District as a whole.

Construction in progress	$ 3,089,759
Infrastructure	13,592,452
Accumulated depreciation	(1,661,300)
Total	$ 15,020,911

Long-term debt transactions

Long-term liabilities applicable to the District's governmental activities are not due and payable in the current period and accordingly are not reported as fund liabilities. Bonds payable are reported in the Statement of Net Position. Balances at September 30, 2023 were:

Bonds payable	$ (11,040,000)
Bond discount	32,504
Total	$ (11,007,496)

Accrued interest

Accrued liabilities in the Statement of Net Position differ from the amount reported in governmental funds due to the accrued interest on bonds.

Accrued interest	$ (234,787)

NOTE B – RECONCILIATION OF GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS (CONTINUED)

2. Explanation of Differences Between the Governmental Fund Operating Statements and the Statement of Activities

The “net change in fund balances” for government funds, $440,676, differs from the “change in net position” for governmental activities, $(260,017), reported in the Statement of Activities. The differences arise primarily from the long-term economic focus of the Statement of Activities versus the current financial resources focus of the governmental funds. The effect of the differences is illustrated below:

Capital related items

When capital assets that are to be used in governmental activities are acquired, the resources provided for those assets are not reported in governmental funds. However, in the Statement of Activities, the costs of those assets are allocated over their estimated useful lives and reported as depreciation. As a result, fund balances decrease by the financial resources expended, whereas net position decrease by the amount of depreciation charged for the year.

Capital outlay	$ 3,089,759
Depreciation	(453,082)
Total	$ 2,636,677

Long-term debt transactions

Repayments of bond principal are reported as expenditures in the governmental funds and, thus, have the effect of reducing fund balance because current financial resources have been used.

Bond principal payments	$ 135,000
Issuance of long term debt	(3,435,000)
Bond discount	33,149
Total	$ (3,266,851)

Some expenses reported in the Statement of Activities do not require the use of current financial resources, therefore, are not reported as expenditures in governmental funds.

Change in accrued interest payable	$ (69,874)
Bond discount amortization	$ (645)

NOTE C – CASH AND INVESTMENTS

All deposits are held in qualified public depositories and are included on the accompanying balance sheet as cash and investments.

Custodial Credit Risk – Deposits

Custodial credit risk is the risk that in the event of a bank failure, the District's deposits may not be returned to it. The District does not have a formal deposit policy for custodial credit risk, however, they follow the provisions of Chapter 280, Florida Statutes regarding deposits and investments. As of September 30, 2023, the District's bank balance was $494,632 and the carrying value was $432,688. Exposure to custodial credit risk was as follows. The District maintains all deposits in a qualified public depository in accordance with the provisions of Chapter 280, Florida Statutes, which means that all deposits are fully insured by Federal Depositors Insurance or collateralized under Chapter 280, Florida Statutes.

Investments

As of September 30, 2023, the District has the following investment and maturity:

Investment	Maturity	Fair Value
First American Government Obligation Fund	24 days *	$ 948,879

* Maturity is a weighted average maturity.

The District categorizes its fair value measurements within the fair value hierarchy recently established by generally accepted accounting principles. The fair value is the price that would be received to sell an asset, or paid to transfer a liability, in an orderly transaction between market participants at the measurement date. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. The District uses a market approach in measuring fair value that uses prices and other relevant information generated by market transactions involving identical or similar assets, liabilities, or groups of assets and liabilities.

Assets or liabilities are classified into one of three levels. Level 1 is the most reliable and is based on quoted price for identical assets, or liabilities, in an active market. Level 2 uses significant other observable inputs when obtaining quoted prices for identical or similar assets, or liabilities, in markets that are not active. Level 3 is the least reliable and uses significant unobservable inputs that use the best information available under the circumstances, which includes the District’s own data in measuring unobservable inputs.

Based on the criteria in the preceding paragraph, the investment listed above is a Level 1 asset.

NOTE C – CASH AND INVESTMENTS (CONTINUED)

Interest Rate Risk

The District does not have a formal investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates.

Credit Risk

The District's investments are limited by state statutory requirements and bond compliance. The District has no investment policy that would further limit its investment choices. As of September 30, 2023, the District's investments in First American Government Obligation Fund was rated AAAm by Standard & Poor's.

Concentration of Credit Risk

The District places no limit on the amount it may invest in any one fund. The investments in First American Government Obligation Fund represent 100% of the District's total investments.

The types of deposits and investments and their level of risk exposure as of September 30, 2023 were typical of these items during the period then ended. The District considers any decline in fair value for certain investments to be temporary.

NOTE D – CAPITAL ASSETS

Capital Asset activity for the year ended September 30, 2023 was as follows:

	Balance October 1, 2022	Additions	Deletions	Balance September 30, 2023
Governmental Activities:				
Capital assets, not depreciated				
Construction in progress	$ -	$ 3,089,759	$ -	$ 3,089,759
Capital aseets, being depreciated				
Infrastructure	13,592,452	-	-	13,592,452
Less: accumulated depreciation	(1,208,218)	(453,082)	-	(1,661,300)
Capital Assets, Being Depreciated, Net	12,384,234	(453,082)	-	11,931,152
Total Capital Assets, Net	$ 12,384,234	$ 2,636,677	$ -	$ 15,020,911

Depreciation of $453,082 was charged to physical environment.

NOTE E – LONG-TERM DEBT

The following is a summary of activity for long-term debt of the District for the year ended September 30, 2023:

Long-term debt at October 1, 2022	$ 7,740,000
Issuance of long-term debt	3,435,000
Principal payments	(135,000)
Long-term Debt at September 30, 2023	11,040,000
Bond discount, net	(32,504)
Long-term Debt, Net at September 30, 2023	$ 11,007,496

Long-term debt is comprised of the following:

Special Assessment Revenue Bonds

$8,710,000 Series 2018 Special Assessment Revenue Bonds due in annual installments beginning May 2020 and maturing May 2049. Interest from 4.125% to 5.25% is due in May and November starting November 2018. Current portion is $140,000.	$ 7,605,000
$3,435,000 Series 2023 Special Assessment Revenue Bonds due in annual installments beginning May 2024 and maturing May 2053. Interest from 4.125% to 5.300% is due in May and November starting May 2023. Current portion is $55,000.	3,435,000
Bonds Payable at September 30, 2023	$ 11,040,000

NOTE E – LONG-TERM DEBT (CONTINUED)

The annual requirements to amortize the principal and interest of the bonds outstanding as of September 30, 2023 are as follows:

Year Ending September 30,	Principal	Interest	Total
2024	$ 195,000	$ 563,489	$ 758,489
2025	210,000	555,446	765,446
2026	220,000	545,814	765,814
2027	230,000	535,739	765,739
2028	235,000	525,189	760,189
2029-2033	1,385,000	2,445,010	3,830,010
2034-2038	1,775,000	2,058,010	3,833,010
2039-2043	2,295,000	1,554,338	3,849,338
2044-2048	2,990,000	886,696	3,876,696
2049-2053	1,505,000	190,010	1,695,010
Totals	$ 11,040,000	$ 9,859,741	$ 20,899,741

Significant Bond Provisions

The Series 2018 Bonds are subject to redemption at the option of the District prior to their maturity, in whole or in part, at any time after May 1, 2032 at a redemption price equal to the principal amount of the Series 2018 Bonds to be redeemed, together with accrued interest to the date of redemption. The Series 2018 Bonds are subject to extraordinary mandatory redemption prior to maturity in the manner determined by the Bond Registrar if certain events occurred as outlined in the Trust Indenture.

The Series 2023 Bonds are subject to redemption at the option of the District prior to their maturity, in whole or in part, at any time after May 1, 2033 at a redemption price equal to the principal amount of the Series 2023 Bonds to be redeemed, together with accrued interest to the date of redemption. The Series 2023 Bonds are subject to extraordinary mandatory redemption prior to maturity in the manner determined by the Bond Registrar if certain events occurred as outlined in the Trust Indenture.

The Trust Indenture established certain amounts be maintained in a reserve account. In addition, the Trust Indenture has certain restrictions and requirements relating principally to the use of proceeds to pay for the infrastructure improvements and the procedures to be followed by the District on assessments to property owners. The District agrees to levy special assessments in annual amounts adequate to provide payment of debt service and to meet reserve requirements

NOTE E – LONG-TERM DEBT (CONTINUED)

Depository Funds

The bond resolution established certain funds and determines the order in which revenues are to be deposited into these funds. A description of the significant funds, including their purposes, is as follows:

1. Reserve Fund – The 2018 Reserve Account is funded from the proceeds of the Series 2018 Bonds in an amount equal to 75% of the maximum annual debt service requirement for the Series 2018 Bonds as of the dated date of the Series 2018 Bonds. The 2023 Reserve Account is funded from the proceeds of the Series 2023 Bonds in an amount equal to 25% of the maximum annual debt service on the outstanding Series 2023 Bonds. Monies held in the reserve account will be used only for the purpose established in the Trust Indenture.

	Reserve Balance	Reserve Requirement
Series 2018 Special Assessment Bonds	$ 430,094	$ 430,094
Series 2023 Special Assessment Bonds	$ 56,873	$ 56,873

NOTE F – INTERFUND ACTIVITY

Interfund activity for the year ended September 30, 2023, consisted of the following:

	Transfers In
Transfers Out	Capital Projects Fund
Debt Service Fund	$ 56,873

Transfer was made in accordance with the Trust Indenture.

NOTE G – RELATED PARTY TRANSACTIONS

All voting members of the Board of Supervisors were employed by the Developer or a related entity during fiscal year ended September 30, 2023. During fiscal year ended September 30, 2023, the District collected $358,844 in developer assessments and lot closings. The balance due to developer as of September 30, 2023 was $23,349.

NOTE H – ECONOMIC DEPENDENCY

The Developer owns a significant portion of land within the District. The District’s activity is dependent upon the continued involvement of the Developer, the loss of which could have a material adverse effect on the District’s operations.

NOTE I – 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 for which the government carries commercial insurance. The District has not filed any claims under this commercial coverage.

Berger, Toombs, Elam,
Gaines & Frank

Certified Public Accountants PL

600 Citrus Avenue
Suite 200
Fort Pierce, Florida 34950

772/461-6120 // 461-1155
FAX: 772/468-9278

INDEPENDENT AUDITORS' 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
Harmony West Community Development District
Osceola 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, as listed in the table of contents, of Harmony West Community Development District, as of and for the year ended September 30, 2023, and the related notes to the financial statements, which collectively comprise the basic financial statements and have issued our report thereon dated September 24, 2024.

Report on Internal Control Over Financial Reporting

In planning and performing our audit, we considered Harmony West Community Development 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 of Harmony West Community Development District's internal control. Accordingly, we do not express an opinion on the effectiveness of Harmony West Community Development 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 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 or significant deficiencies may exist that have not been identified.

Berger, Toombs, Elam,
Gaines & Frank
Certified Public Accountants PL

To the Board of Supervisors
Harmony West Community Development District

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether Harmony West Community Development District's financial statements are free of 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 determination of financial statement amounts. 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 entity'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 entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Berger Toombs Elam
Gaines + Frank

Berger, Toombs, Elam, Gaines & Frank
Certified Public Accountants PL
Fort Pierce, Florida

September 24, 2024

Berger, Toombs, Elam,
Gaines & Frank

Certified Public Accountants PL

600 Citrus Avenue
Suite 200
Fort Pierce, Florida 34950

772/461-6120 // 461-1155
FAX: 772/468-9278

MANAGEMENT LETTER

To the Board of Supervisors
Harmony West Community Development District
Osceola County, Florida

Report on the Financial Statements

We have audited the financial statements of the Harmony West Community Development District as of and for the year ended September 30, 2023, and have issued our report thereon dated September 24, 2024.

Auditor's Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States; 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 Florida Auditor General.

Other Reporting Requirements

We have issued our 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* and our Independent Auditor's Report on an examination conducted in accordance with AICPA Professionals Standards, AT-C Section 315 regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in that report, which is dated September 24, 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 made to address findings and recommendations made in the preceding financial audit report. There were no findings or recommendations in the preceding audit.

Financial Condition and Management

Section 10.554(1)(i)5.a. and 10.556(7), Rules of the Auditor General, requires us to apply appropriate procedures and communicate the results of our determination as to whether or not Harmony West Community Development District has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and to identify the specific conditions met. In connection with our audit, we determined that the Harmony West Community Development 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 conditions assessment procedures as of September 30, 2023 for the Harmony West Community Development District.

Berger, Toombs, Elam,
Gaines & Frank
Certified Public Accountants PL

To the Board of Supervisors
Harmony West Community Development District

It is management's responsibility to monitor the Harmony West Community Development District's financial condition; our financial condition assessment was based in part on the representations made by management and the review of the financial information provided by the 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

The information below was provided by management and has not been audited by us; therefore, we do not express an opinion or provide any assurance on the information.

As required by Section 218.39(3)(c), Florida Statutes, and Section 10.554(1)(i)6, Rules of the Auditor General, Harmony West Community Development District reported:

1) The total number of District employees compensated in the last pay period of the District's fiscal year: 0
2) The total number of independent contractors to whom nonemployee compensation was paid in the last month of the District's fiscal year: 4
3) All compensation earned by or awarded to employees, whether paid or accrued, regardless of contingency: $0
4) All compensation earned by or awarded to nonemployee independent contractors, whether paid or accrued, regardless of contingency: $127,361
5) Each construction project with a total cost of at least $65,000 approved by the District that is scheduled to begin on or after October 1, 2022, together with the total expenditures for such project: N/A
6) A budget variance based on the budget adopted under Section 189.016(4), Florida Statutes, before the beginning of the fiscal year being reported if the District amends a final adopted budget under Section 189.016(6), Florida Statutes: The budget was not amended.

As required by Section 218.39(3)(c), Florida Statutes, and Section 10.554(1)(i)8, Rules of the Auditor General, Harmony West Community Development District reported the following:

1) The rate or rates of non-ad valorem special assessments imposed by the District as: General Fund $68.77 - $1,004.77 and Debt Service Fund $778.64 - $1,397.80.
2) The amount of special assessments collected by or on behalf of the District as: The District collected total special assessments of $1,423,248.
3) The total amount of outstanding bonds issued by the District and the terms of such bonds: The outstanding balance as of September 30, 2023 is Series 2018, $7,605,000 maturing May 2049 and Series 2023, $3,435,000 maturing May 2053.

Berger, Toombs, Elam,
Gaines & Frank
Certified Public Accountants PL

To the Board of Supervisors
Harmony West Community Development District

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 noted no such findings.

Purpose of this Letter

Our management letter is intended solely for the information and use of the 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.

Berger Toombs Elam Gaines + Frank

Berger, Toombs, Elam, Gaines & Frank
Certified Public Accountants PL
Fort Pierce, Florida

September 24, 2024

Berger, Toombs, Elam,
Gaines & Frank

Certified Public Accountants PL

600 Citrus Avenue
Suite 200
Fort Pierce, Florida 34950

772/461-6120 // 461-1155
FAX: 772/468-9278

INDEPENDENT ACCOUNTANTS' REPORT/COMPLIANCE WITH SECTION 218.415, FLORIDA STATUTES

To the Board of Supervisors
Harmony West Community Development District
Osceola County, Florida

We have examined Harmony West Community Development District's compliance with Section 218.415, Florida Statutes during the year ended September 30, 2023. Management is responsible for Harmony West Community Development District's compliance with those requirements. Our responsibility is to express an opinion on Harmony West Community Development 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 and, accordingly, included examining, on a test basis, evidence about Harmony West Community Development District's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on Harmony West Community Development District's compliance with the specified requirements.

In our opinion, Harmony West Community Development District complied, in all material respects, with the aforementioned requirements during the year ended September 30, 2023.

Berger Toombs Elam Gaines + Frank

Berger, Toombs, Elam, Gaines & Frank
Certified Public Accountants PL
Fort Pierce, Florida

September 24, 2024

HARMONY WEST

COMMUNITY DEVELOPMENT DISTRICT

9A

RESOLUTION 2025-04

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

WHEREAS, the District's Auditor, Berger, Toombs, Elam, Gaines & Frank, 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 HARMONY WEST 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 21st day of November, 2024.

ATTEST:	**HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT**
______________________________	______________________________
Secretary/Assistant Secretary	Chair/Vice Chair, Board of Supervisors

HARMONY WEST

COMMUNITY DEVELOPMENT DISTRICT

10

RESOLUTION 2025-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT AMENDING THE GENERAL FUND PORTION OF THE BUDGET FOR FISCAL YEAR 2024; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Board of Supervisors (hereinafter referred to as the "Board") of the Harmony West Community Development District (hereinafter referred to as the "District"), adopted a Budget for Fiscal Year 2024; and

WHEREAS, the Board desires to amend the General Fund portion of the budget previously approved for the Fiscal Year 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT:

Section 1. The Fiscal Year 2024 Budget is hereby amended in accordance with Exhibit "A" attached hereto; and

Section 2. This resolution shall become effective immediately upon its adoption, and be reflected in the monthly and Fiscal Year End September 30, 2024 Financial Statements and Audit Report of the District.

PASSED AND ADOPTED this 21st day of November, 2024.

ATTEST:

HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT

____
Secretary/Assistant Secretary

____
Chair/Vice Chair, Board of Supervisors

EXHIBIT "A"

HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT
AMENDED GENERAL FUND BUDGET
FISCAL YEAR 2024
EFFECTIVE NOVEMBER 30, 2024

HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT
AMENDED GENERAL FUND BUDGET
FISCAL YEAR 2024
EFFECTIVE NOVEMBER 30, 2024

	Actual	Adopted Budget	Budget to Actual Variance	Proposed Amendment Increase/ (Decrease)	Amended Budget
REVENUES					
Assessment levy: on-roll	$ 817,363	$ 815,070	$ (2,293)	$ 2,293	$ 817,363
Assessment levy: off-roll	31,841	63,681	31,840	-	63,681
Lot closings	6,705	-	(6,705)	6,705	6,705
Interest and miscellaneous	2,000	-	(2,000)	2,000	2,000
Buck Lake mgmt & consulting cost-share	-	875	875	-	875
Buck Lake maintenance cost-share	4,375	7,200	2,825	-	7,200
Dock applications	-	500	500	-	500
Total revenues	862,284	887,326	25,042	10,998	898,324
EXPENDITURES					
Professional & administrative					
Management fees	48,000	48,000	-	-	48,000
Legal - general counsel	10,855	25,000	14,145	(14,145)	10,855
Engineering	1,107	10,000	8,893	(8,893)	1,107
Audit	5,340	12,150	6,810	(6,810)	5,340
Arbitrage rebate calculation	500	1,250	750	(750)	500
Dissemination fee	2,000	3,000	1,000	(1,000)	2,000
Trustee	8,493	15,750	7,257	(7,257)	8,493
Telephone	200	200	-	-	200
Postage	1,127	500	(627)	627	1,127
Printing & binding	500	500	-	-	500
Legal advertising	1,475	1,500	25	(25)	1,475
Annual district filing fee	175	175	-	-	175
Insurance	14,784	7,600	(7,184)	7,184	14,784
Room rental	-	-	-	-	-
Contingencies	393	750	357	(357)	393
Office supplies	-	750	750	(750)	-
Miscellaneous	-	750	750	(750)	-
Bank fees	-	750	750	(750)	-
Website					
Hosting & maintenance	705	705	-	-	705
ADA compliance	210	210	-	-	210
EMMA software service	1,000	-	(1,000)	1,000	1,000
Total professional & administrative	96,864	129,540	32,676	(32,676)	96,864

HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT
AMENDED GENERAL FUND BUDGET
FISCAL YEAR 2024
EFFECTIVE NOVEMBER 30, 2024

	Actual	Adopted Budget	Budget to Actual Variance	Proposed Amendment Increase/ (Decrease)	Amended Budget
Field operations and maintenance					
Field operations manager	6,000	6,000	-	-	6,000
Field operations accounting	1,750	1,750	-	-	1,750
Landscaping contract labor	429,578	300,740	(128,838)	203,838	504,578
Insurance: property	15,623	7,882	(7,741)	7,741	15,623
Porter services - dog park	3,840	5,000	1,160	(1,160)	3,840
Playground ADA mulch	6,750	4,000	(2,750)	2,750	6,750
Backflow prevention test	-	150	150	(150)	-
Irrigation maintenance / repair	29,975	10,000	(19,975)	19,975	29,975
Plants, shrubs & mulch	17,361	38,000	20,639	(20,639)	17,361
Annuals	27,520	44,000	16,480	(16,480)	27,520
Tree trimming	6,811	28,000	21,189	(21,189)	6,811
Signage	-	3,500	3,500	(3,500)	-
General maintenance	36,370	6,000	(30,370)	30,370	36,370
Fountain maintenance	2,320	8,000	5,680	(5,680)	2,320
Fence / wall repair	-	4,000	4,000	(4,000)	-
Aquatic control - waterway	25,780	14,000	(11,780)	11,780	25,780
Wetland monitoring & maitenance	13,775	4,800	(8,975)	8,975	13,775
Buck lake mgmt & consulting cost-share	-	1,750	1,750	(1,750)	-
Buck lake maintenance cost-share	12,263	14,400	2,137	(2,137)	12,263
Electric:					
Irrigation	17,491	54,000	36,509	(36,509)	17,491
Street lights	33,526	56,000	22,474	(22,474)	33,526
Entrance signs	12,156	3,000	(9,156)	9,156	12,156
Palm tree lights	-	5,000	5,000	(5,000)	-
Fountain electricity	80,684	60,000	(20,684)	30,684	90,684
Water irrigation	97,572	60,000	(37,572)	52,572	112,572
Total field operations and maintenance	877,145	739,972	(137,173)	237,173	977,145
Other fees & charges					
Property appraiser	408	328	(80)	80	408
Tax collector	10,072	16,981	6,909	(6,909)	10,072
Property taxes	5,358	-	(5,358)	5,358	5,358
Total other fees & charges	15,838	17,309	1,471	(1,471)	15,838
Total expenditures	989,847	886,821	(103,026)	203,026	1,089,847
Excess/(deficiency) of revenues over/(under) expenditures	(127,563)	505	128,068	(192,028)	(191,523)
Fund balances - beginning	423,461	282,040	(141,421)	141,421	423,461
Fund balances - ending					
Playground	7,500	7,500	-	-	7,500
Sign and wall	7,000	7,000	-	-	7,000
3 months working capital	184,405	184,405	-	-	184,405
Unassigned	96,993	83,640	(13,353)	(50,607)	33,033
Fund balances - ending	$ 295,898	$ 282,545	$ (13,353)	$ (50,607)	$ 231,938

HARMONY WEST

COMMUNITY DEVELOPMENT DISTRICT

RATIFICATION ITEMS A

POULOS & BENNETT

Orlando Office
2602 E. Livingston Street
Orlando, Florida 32803

(407) 487-2594
poulosandbennett.com

Jacksonville Office
7563 Philips Hwy., Suite 303
Jacksonville, Florida 32256

September 16, 2024

Via Email

Harmony West Community Development District
C/O Mr. Daniel Rom, District Manager
Wrathell, Hunt and Associates LLC
2300 Glades Road, 410W
Boca Raton, FL 33431
romd@whhassociates.com

Subject: Amendment 22 – Assessment Area 3 Supplemental Engineer's Report
Harmony West Community Development District
Villages at Harmony - Phase 2
Poulos & Bennett Job No. 17-084D

Dear Mr. Rom:

Pursuant to the original executed Agreement dated March 5, 2020, the parties enter into this Amendment to the original Agreement for the Harmony West CDD for preparation of the Assessment Area 3 Supplemental Engineer's Report. <u>All services shall be accomplished in accordance with the terms and conditions of the original Agreement.</u>

Poulos & Bennett, LLC (Poulos & Bennett) and the Harmony West Community Development District (Client) enter into this Amendment to the Agreement as follows:

<u>SCOPE OF SERVICES</u>

A. CDD Assessment Area 3 Supplemental Engineer's Report (17-084D.253)

Poulos & Bennett shall prepare a Community Development District (CDD) Engineer's Report for the Assessment Area 3 portion of the Villages at Harmony subdivision to assist the Community Development District (CDD) with the financing and construction of the capital improvements contemplated to be constructed in association with the project. The Engineer's Report shall be based upon the approved "*Construction Plans for the Villages at Harmony Phase 2C & 2D*" and the approved "*Construction Plans for the Villages at Harmony Phase 2E & 2F*". The Engineer's Report shall include the following:

- Project Narrative sections including Description, Government Actions, Infrastructure Benefit, Capital Improvement Plan, Ownership and Maintenance, Roadways & Stormwater
- Table summarizing planned development program
- Exhibits detailing location, district limits, ownership & maintenance, offsite improvements, public & private uses, utilities, stormwater, roadways, cost option, permitting summary, assessment areas
- Engineer's Opinion of Probable Construction Cost

The Client shall be responsible for providing the cost for CDD infrastructure elements outside the site civil related facilities (landscaping, walls & signage, lighting, amenity centers, etc.). Poulos & Bennett shall provide the Engineer's Report for review and shall incorporate comments into the final Engineer's Report.

B. CDD Assessment Area 3 Meetings & Coordination (17-084D.263)

Poulos & Bennett will prepare for and attend project meetings and shall coordinate with the CDD development Team as needed in association with the CDD.

C. CDD Assessment Area 3 Bond Requisition Processing (17-084D.273)

Poulos & Bennett will review and process bond requests for reimbursement for the CDD.

<u>FEE SCHEDULE:</u>

Task Number	Description	Lump Sum Fees	Estimated Hourly Fees in Accordance with Exhibit B
.253	CDD Assessment Area 3 Engineer's Report	$8,500.00	---
.263	CDD Assessment Area 3 Meetings & Coordination	---	$2,000.00
.273	CDD Assessment Area 3 Bond Requisition Processing	---	Hourly in Accordance with Exhibit 'B'
.993	Reimbursable Expense	---	Budget Estimate of $500.00

Hourly services will be billed in accordance with the hourly rate schedule attached as Exhibit B.

These fees do not include required application fees made payable to the respective public agencies through which permitting is required, reimbursable expenses as specified in this agreement or illustrative plans that may be required for community/public meetings.

<u>REIMBURSABLE EXPENSE (17-084D.993)</u>

Reimbursables will be charged on a direct cost basis times a multiple of 1.20. Reimbursables shall include, but not be limited to, all print and reproduction costs associated with reports, prints and reproducibles, postage and shipping, expenses to travel outside a thirty (30) mile radius of the office.

<u>SERVICES NOT INCLUDED</u>

This scope of services does not include final engineering design, geotechnical services, surveying, environmental, landscape architecture, transportation engineering/planning or site lighting design. It is assumed that these consultants will contract directly with the client.

Should you have any questions regarding the information included with Amendment, please do not hesitate to contact us. Please sign this Amendment and return one copy for our records.

Sincerely,

R. Lance Bennett, P.E.
Partner
Poulos & Bennett, LLC

Marc D. Stehli, P.E.
Team Leader
Poulos & Bennett, LLC

MS:lab

Amendment 22 v2
Assessment Area 3 Supplemental Engineer's Report
Harmony West Community Development District
Poulos & Bennett Job No. 17-084D

I agree to the terms and conditions listed above.

Signed by:
79849351563C4C1...

9/25/2024

Signature Date

Chris Tyree

Printed Name

Company

EXHIBIT "B"
POULOS & BENNETT, LLC
2024 HOURLY RATE SCHEDULE

EXPERT WITNESS	$400
PUBLIC MEETING REPRESENTATION	$400
PRINCIPAL	$280
EXECUTIVE TEAM LEADER	$250
PLANNING GROUP LEADER	$235
PRACTICE TEAM LEADER	$235
PROFESSIONAL SURVEYOR & MAPPER	$235
SURVEY FIELD CREW (3) PERSON	$215
DEVELOPMENT MANAGER	$205
SENIOR PROJECT MANAGER	$205
SENIOR PROJECT ENGINEER	$185
PROJECT MANAGER	$175
PROJECT MANAGER – DEVELOPMENT SERVICES	$165
PROJECT MANAGER – SURVEY	$165
SURVEY FIELD CREW (2) PERSON / PARTY CHIEF	$165
SENIOR PLANNER	$150
PLAT MANAGER	$145
PROJECT ENGINEER	$145
CAD MANAGER	$140
DEVELOPMENT COORDINATOR	$140
GIS MANAGER	$165
PROJECT PLANNER	$135
SENIOR CAD DESIGNER	$135
SENIOR COMMUNITY DESIGNER	$135
GIS ANALYST	$130
PLANNING / 3D GRAPHICS TECHNICIAN	$125
SENIOR PROJECT COORDINATOR	$125
STAFF ENGINEER	$120
CAD TECHNICIAN	$110
CAD TECHNICIAN – SURVEY	$110
STAFF PLANNER	$110
PROJECT COORDINATOR	$100
ADMINISTRATIVE ASSISTANT	$75

HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT

RATIFICATION ITEMS B

FISCAL YEAR 2025 DEFICIT FUNDING AGREEMENT

This **FISCAL YEAR 2025 DEFICIT FUNDING AGREEMENT** ("**Agreement**") is made and entered into this ___ day of ___________, 2024, by and between:

HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, and whose mailing address is c/o Wrathell Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("**District**"); and

FORESTAR (USA) REAL ESTATE GROUP INC., a Delaware corporation, the owner and developer of lands within the boundary of the District, whose mailing address is 10700 Pecan Park Blvd, Suite 150, Austin, Texas 78750 ("**Developer**").

RECITALS

WHEREAS, the District was established for the purposes of planning, financing, constructing, operating and/or maintaining certain infrastructure; and

WHEREAS, the District, pursuant to Chapter 190, *Florida Statutes,* is authorized to levy such taxes, special assessments, fees and other charges as may be necessary in furtherance of the District's activities and services; and

WHEREAS, the District has adopted its annual budget for Fiscal Year 2025 ("**FY 2025 Budget**"), which begins on October 1, 2024 and ends on September 30, 2025, and has levied and imposed operations and maintenance assessments ("**O&M Assessments**") on lands within the District to fund a portion of the FY 2025 Budget; and

WHEREAS, the Developer has agreed to fund the cost of any "**Budget Deficit**," representing the difference between the FY 2025 Budget amount and the amount of the O&M Assessments, but subject to the terms of this Agreement.

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **FUNDING.** The Developer agrees to make available to the District any monies ("**Developer Contributions**") necessary for the Budget Deficit as identified in **Exhibit A** (and as **Exhibit A** may be amended from time to time pursuant to Florida law, but subject to the Developers' consent to such amendments to incorporate them herein), and within thirty (30) days of written request by the District. As a point of clarification, the District shall only request funding for the actual expenses of the District, and the Developer is not required to fund the total general fund budget in the event that actual expenses are less than the projected total general fund budget set forth in **Exhibit A.** The District shall have no obligation to repay any Developer Contribution provided hereunder.

2. **ENTIRE AGREEMENT.** This instrument shall constitute the final and complete expression of the agreement among the parties relating to the subject matter of this Agreement. Amendments to

and waivers of the provisions contained in this Agreement may be made only by an instrument in writing which is executed by both of the parties hereto.

3. **AUTHORIZATION.** The execution of this Agreement has been duly authorized by the appropriate body or official of all parties hereto, each party has complied with all of the requirements of law, and each party has full power and authority to comply with the terms and provisions of this instrument.

4. **ASSIGNMENT.** This Agreement may be assigned, in whole or in part, by any party only upon the written consent of the other(s). Any purported assignment without such consent shall be void.

5. **DEFAULT.** A default by any party under this Agreement shall entitle the other(s) to all remedies available at law or in equity, which shall include, but not be limited to, the right of damages, injunctive relief and specific performance.

6. **ENFORCEMENT.** In the event that any party is required to enforce this Agreement by court proceedings or otherwise, then the parties agree that the prevailing party shall be entitled to recover from the other(s) all costs incurred, including reasonable attorneys' fees and costs for trial, alternative dispute resolution, or appellate proceedings.

7. **THIRD PARTY BENEFICIARIES.** This Agreement is solely for the benefit of the formal parties herein and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party not a formal party hereto. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or corporation other than the parties hereto any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof; and all of the provisions, representations, covenants and conditions herein contained shall inure to the sole benefit of and shall be binding upon the parties hereto and their respective representatives, successors and assigns.

8. **CHOICE OF LAW.** This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida.

9. **ARM'S LENGTH.** This Agreement has been negotiated fully among the parties as an arm's length transaction. The parties participated fully in the preparation of this Agreement with the assistance of their respective counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the parties are each deemed to have drafted, chosen and selected the language, and the doubtful language will not be interpreted or construed against any party.

10. **EFFECTIVE DATE.** The Agreement shall be effective after execution by the parties hereto.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the parties execute this Agreement the day and year first written above.

HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT

____
By: ___________________________
Its: ___________________________

FORESTAR (USA) REAL ESTATE GROUP INC.

By: James D. Allen
Its: James D. Allen
Executive Vice President & CFO

EXHIBIT A: FY 2025 Budget

HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED FINANCIAL STATEMENTS

HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
SEPTEMBER 30, 2024

HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2024

	General Fund	Debt Service Fund Series 2018	Debt Service Fund Series 2023	Capital Projects Fund Series 2018	Capital Projects Fund Series 2023	Total Governmental Funds
ASSETS						
Cash	$ 426,165	$ -	$ -	$ -	$ -	$ 426,165
Investments						
Revenue	-	421,358	101,843	-	-	523,201
Reserve	-	430,094	56,873	-	-	486,967
Prepayment	-	7	-	-	-	7
Capitalized interest	-	4	1,111	-	-	1,115
Construction	-	-	-	-	56	56
Cost of issuance	-	7	1,768	-	-	1,775
Undeposited funds	230	-	-	-	-	230
Accounts receivable	6,684	4,474	1,923	-	-	13,081
Due from other	2,408	-	-	-	-	2,408
Due from debt service fund 201	1,022	-	-	-	-	1,022
Due from debt service fund 202	439	-	-	-	-	439
Due from Forestar Real Estate G	25,135	-	-	-	-	25,135
Utility deposit	10,260	-	-	-	-	10,260
Total assets	$ 472,343	$ 855,944	$ 163,518	$ -	$ 56	$ 1,491,861
LIABILITIES AND FUND BALANCES						
Liabilities:						
Accounts payable on-site	$ 117,930	$ -	$ -	$ -	$ -	$ 117,930
Accounts payable off-site	30,080	-	-	-	-	30,080
Due to Developer	-	-	$ 20,049	-	-	20,049
Due to general fund	-	1,022	439	-	-	1,461
Landowner advance	3,300	-	-	-	-	3,300
Total liabilities	151,310	1,022	20,488	-	-	172,820
DEFERRED INFLOWS OF RESOURCES						
Deferred receipts	25,135	-	-	-	-	25,135
Total deferred inflows of resources	25,135	-	-	-	-	25,135
Fund balances:						
Restricted						
Debt service	-	854,922	143,030	-	-	997,952
Capital projects	-	-	-	-	56	56
Playground	7,500	-	-	-	-	7,500
Sign and wall	7,000	-	-	-	-	7,000
3 months working capital	184,405	-	-	-	-	184,405
Unassigned	96,993	-	-	-	-	96,993
Total fund balances	295,898	854,922	143,030	-	56	1,293,906
Total liabilities, deferred inflows of resources and fund balances	$ 472,343	$ 855,944	$ 163,518	$ -	$ 56	$ 1,491,861

HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED SEPTEMBER 30, 2024

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll	$ 434	$ 817,363	$ 815,070	100%
Assessment levy: off-roll	-	31,841	63,681	50%
Lot closings	-	6,705	-	N/A
Interest and miscellaneous	-	2,000	-	N/A
Buck Lake mgmt & consulting cost-share	-	-	875	0%
Buck Lake maintenance cost-share	-	4,375	7,200	61%
Dock applications	-	-	500	0%
Total revenues	434	862,284	887,326	97%
EXPENDITURES				
Professional & administrative				
Management fees	4,000	48,000	48,000	100%
Legal - general counsel	3,763	10,855	25,000	43%
Engineering	-	1,107	10,000	11%
Audit	5,340	5,340	12,150	44%
Arbitrage rebate calculation	-	500	1,250	40%
Dissemination fee	167	2,000	3,000	67%
Trustee	-	8,493	15,750	54%
Telephone	17	200	200	100%
Postage	-	1,127	500	225%
Printing & binding	42	500	500	100%
Legal advertising	-	1,475	1,500	98%
Annual district filing fee	-	175	175	100%
Insurance	7,681	14,784	7,600	195%
Contingencies	307	393	750	52%
Office supplies	-	-	750	0%
Miscellaneous	-	-	750	0%
Bank fees	-	-	750	0%
Website				
Hosting & maintenance	-	705	705	100%
ADA compliance	-	210	210	100%
EMMA software service	-	1,000	-	N/A
Total professional & administrative	21,317	96,864	129,540	75%

HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED SEPTEMBER 30, 2024

	Current Month	Year to Date	Budget	% of Budget
Field operations and maintenance				
Field operations manager	500	6,000	6,000	100%
Field operations accounting	146	1,750	1,750	100%
Landscaping contract labor	62,528	429,578	300,740	143%
Insurance: property	8,155	15,623	7,882	198%
Porter services - dog park	560	3,840	5,000	77%
Playground ADA mulch	-	6,750	4,000	169%
Backflow prevention test	-	-	150	0%
Irrigation maintenance / repair	6,941	29,975	10,000	300%
Plants, shrubs & mulch	4,200	17,361	38,000	46%
Annuals	7,040	27,520	44,000	63%
Tree trimming	1,250	6,811	28,000	24%
Signage	-	-	3,500	0%
General maintenance	885	36,370	6,000	606%
Fountain maintenance	-	2,320	8,000	29%
Fence / wall repair	-	-	4,000	0%
Aquatic control - waterway	4,520	25,780	14,000	184%
Wetland monitoring & maitenance	1,200	13,775	4,800	287%
Buck lake mgmt & consulting cost-share	-	-	1,750	0%
Buck lake maintenance cost-share	-	12,263	14,400	85%
Electric:				
Irrigation	2,034	17,491	54,000	32%
Street lights	3,231	33,526	56,000	60%
Entrance signs	1,735	12,156	3,000	405%
Palm tree lights	-	-	5,000	0%
Fountain electricity	9,304	80,684	60,000	134%
Water irrigation	12,502	97,572	60,000	163%
Total field operations and maintenance	126,731	877,145	739,972	119%
Other fees & charges				
Property appraiser	-	408	328	124%
Tax collector	(6,250)	10,072	16,981	59%
Property taxes	-	5,358	-	
Total other fees & charges	(6,250)	15,838	17,309	92%
Total expenditures	141,798	989,847	886,821	112%
Excess/(deficiency) of revenues over/(under) expenditures	(141,364)	(127,563)	505	
Net change in fund balances	(141,364)	(127,563)	505	
Fund balances - beginning	437,262	423,461	282,040	
Fund balances - ending				
Playground	7,500	7,500	7,500	
Sign and wall	7,000	7,000	7,000	
3 months working capital	184,405	184,405	184,405	
Unassigned	96,993	96,993	83,640	
Fund balances - ending	$ 295,898	$ 295,898	$ 282,545	

HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2018
FOR THE PERIOD ENDED SEPTEMBER 30, 2024

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll	$ 290	$ 547,041	$ 545,854	100%
Interest	3,534	45,284	-	N/A
Total revenues	3,824	592,325	545,854	109%
EXPENDITURES				
Debt service				
Principal	-	140,000	140,000	100%
Interest	-	390,223	390,223	100%
Tax collector	(4,183)	6,741	11,372	59%
Total expenditures	(4,183)	536,964	541,595	99%
Excess/(deficiency) of revenues over/(under) expenditures	8,007	55,361	4,259	
OTHER FINANCING SOURCES/(USES)				
Transfer in	-	7	-	N/A
Total other financing sources	-	7	-	N/A
Net change in fund balances	8,007	55,368	4,259	
Fund balances - beginning	846,915	799,554	770,289	
Fund balances - ending	$ 854,922	$ 854,922	$ 774,548	

HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2023
FOR THE PERIOD ENDED SEPTEMBER 30, 2024

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll	$ 125	$ 235,132	$ 234,829	100%
Interest	671	9,682	-	N/A
Total revenues	796	244,814	234,829	104%
EXPENDITURES				
Debt service				
Principal	-	55,000	55,000	100%
Interest	-	173,266	173,266	100%
Tax collector	(1,798)	2,897	4,892	59%
Total expenditures	(1,798)	231,163	233,158	99%
Excess/(deficiency) of revenues over/(under) expenditures	2,594	13,651	1,671	
Fund balances - beginning	140,436	129,379	200,378	
Fund balances - ending	$ 143,030	$ 143,030	$ 202,049	

HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2018
FOR THE PERIOD ENDED SEPTEMBER 30, 2024

	Current Month	Year To Date
REVENUES	$ -	$ -
Total revenues	-	-
EXPENDITURES	-	-
Total expenditures	-	-
Excess/(deficiency) of revenues over/(under) expenditures	-	-
OTHER FINANCING SOURCES/(USES)		
Transfer out	-	(7)
Total other financing sources/(uses)	-	(7)
Net change in fund balances	-	(7)
Fund balances - beginning	-	7
Fund balances - ending	$ -	$ -

HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2023
FOR THE PERIOD ENDED SEPTEMBER 30, 2024

	Current Month	Year To Date
REVENUES		
Interest	$ -	$ 56
Total revenues	-	56
EXPENDITURES	-	-
Total expenditures	-	-
Excess/(deficiency) of revenues over/(under) expenditures	-	56
Fund balances - beginning	56	-
Fund balances - ending	$ 56	$ 56

HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT

MINUTES OF MEETING
HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Harmony West Community Development District held a Regular Meeting on September 19, 2024 at 10:30 a.m., at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744.

Present were:

Shelley Kaercher	Chair
Chris Tyree	Vice Chair
Roger Van Auker	Assistant Secretary

Also present:

Daniel Rom	District Manager
Kristen Thomas	Wrathell, Hunt and Associates, LLC
Clif Fischer	Wrathell, Hunt and Associates, LLC
Jere Earlywine (via telephone)	District Counsel
Mark Hills	Field Operations Manager
Robyn Bronson	Forestar

FIRST ORDER OF BUSINESS **Call to Order/Roll Call**

Mr. Rom called the meeting to order at 10:33 a.m. Supervisors Kaercher, Tyree and Van Auker were present. Supervisor Williams was not present. One seat was vacant.

SECOND ORDER OF BUSINESS **Public Comments**

No members of the public spoke.

THIRD ORDER OF BUSINESS **Acceptance of Resignation of Ayden Williams (Seat 3); Term Expires November 2024**

On MOTION by Ms. Kaercher and seconded by Mr. Tyree, with all in favor, the resignation of Mr. Ayden Williams from Seat 3, was accepted.

FOURTH ORDER OF BUSINESS **Consider Appointment to Fill Unexpired Term of Seat 3**

Mr. Tyree nominated Robyn Bronson to fill Seat 3. No other nominations were made.

On MOTION by Mr. Van Auker and seconded by Ms. Kaercher, with all in favor, the appointment of Ms. Robyn Bronson to fill Seat 3, was approved.

- **Administration of Oath of Office (the following will be provided in a separate package)**

Mr. Rom, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Robyn Bronson. Ms. Bronson is already familiar with the following:

A. Updates and Reminders: Ethics Training for Special District Supervisors and Form 1

B. Membership, Obligations and Responsibilities

C. Guide to Sunshine Amendment and Cost of Ethics for Public Officers and Employees

D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers

FIFTH ORDER OF BUSINESS — Consideration of Resolution 2024-10, Electing and Removing Officers of the District and Providing for an Effective Date

Mr. Rom presented Resolution 2024-10. Mr. Tyree nominated the following:

Shelley Kaercher	Chair
Chris Tyree	Vice Chair
Robyn Bronson	Assistant Secretary
Roger Van Auker	Assistant Secretary
Kristen Thomas	Assistant Secretary

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

Ayden Williams	Assistant Secretary

The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell	Secretary
Daniel Rom	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

On MOTION by Mr. Tyree and seconded by Ms. Kaercher, with all in favor, Resolution 2024-10, Electing, as nominated, and Removing Officers of the District and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS **Consideration of Fiscal Year 2025 Deficit Funding Agreement**

On MOTION by Ms. Kaercher and seconded by Mr. Tyree, with all in favor, the Fiscal Year 2025 Deficit Funding Agreement, was approved.

SEVENTH ORDER OF BUSINESS **Consideration of Irrigation Ownership**

A. Bills of Sale and Limited Assignment [Irrigation Improvements]

I. Forestar (USA) Real Estate Group Inc.

The following change was made:

Remove verbiage related to "Harmony West Townhomes Homeowners Association, Inc." and "Townhomes Association"

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the Bill of Sale and Limited Assignment, as amended, and authorizing the Chair to review and execute, was approved.

Discussion ensued about the tracts, utilities, the irrigation system that runs throughout the tracts, ownership of the irrigation system by the HOA and maintenance responsibilities.

II. DHIR – Orlando East I LLC

B. Non-Exclusive Perpetual Utility Easement (Irrigation)

I. Forestar (USA) Real Estate Group Inc.

II. DHIR – Orlando East I LLC

The consensus was to table Items 7A and 7B, pending further review.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, rescinding the motion approving the Bill of Sale and Limited Assignment, as amended, and authorizing the Chair to review and execute, was approved.

EIGHTH ORDER OF BUSINESS **Consideration of ERP Permit Modifications**

A. Villages at Harmony Phase 2 Boulevard, Phase 2A and Phase 2B

B. Villages at Harmony Phase 2C and Phase 2D

On MOTION by Mr. Van Auker and seconded by Ms. Bronson, with all in favor, the ERP Permit Modifications for Villages at Harmony Phase 2 Boulevard, Phase 2A and Phase 2B; and for Villages at Harmony Phase 2C and Phase 2D, were approved.

NINTH ORDER OF BUSINESS **Consideration of Resolution 2024-11, Amending Resolution 2023-13 and Declaring the District's Intent to Accept Responsibility for the Perpetual Operation, Maintenance, and Funding of the Stormwater Management System and Conservation Areas Within the District**

A. Letter to South Florida Water Management District Regarding the Villages at Harmony Phase 2G & 2H Operating Entity Responsibilities Permit No 49-107702/App No. 240510-43777

On MOTION by Mr. Van Auker and seconded by Ms. Bronson, with all in favor, Resolution 2024-11, Amending Resolution 2023-13 and Declaring the District's Intent to Accept Responsibility for the Perpetual Operation, Maintenance, and Funding of the Stormwater Management System and Conservation Areas Within the District, was adopted.

TENTH ORDER OF BUSINESS **Consideration of Resolution 2024-12, to Designate Date, Time and Place of a Public Hearing to Consider a Lake and Trespass Rule; Providing for Interim Use and Enforcement; Authorizing Publication; and Providing an Effective Date**

A. Sample Notices of Rule Development and Rulemaking

Mr. Rom presented Resolution 2024-12.

Mr. Earlywine stated the Rules provide for prohibition of swimming and boating; catch and release fishing is permitted from sunrise to sunset.

On MOTION by Mr. Tyree and seconded by Ms. Kaercher, with all in favor, Resolution 2024-12, to Designate November 21, 2024 at 10:30 a.m., at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744, as the Date, Time and Place for a Public Hearing to Consider a Lake and

Trespass Rule; Providing for Interim Use and Enforcement; Authorizing Publication; and Providing an Effective Date, was adopted.

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

Mr. Rom presented the Memorandum detailing this new requirement and explained that newly adopted legislation requires special districts to establish goals and objectives annually and develop performance measures and standards to assess the achievement of the goals and objectives, 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 and District Counsel collaborated on identifying Community Communication and Engagement, Infrastructure and Facilities Maintenance, and Financial Transparency and Accountability as the key categories to focus on for Fiscal Year 2025. He presented the Performance Measures/Standards & Annual Reporting Form developed for the CDD and explained how the CDD will meet the goals.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the Goals and Objectives and the Performance Measures/Standards & Annual Reporting Form, were approved.

TWELFTH ORDER OF BUSINESS **Consideration of Straightline Fence Pond Fencing Proposal**

Mr. Rom presented the Straightline Fence Pond Fencing Proposal, to remedy previously discussed resident complaints about trespassing near ponds, cars parking in the street and parties on Buck Lake. Mr. Hills stated the gate will allow landscapers to access property for maintenance, while preventing access to trespassing vehicles. He requested that the quote include both residential and commercial fencing, which is more resistant to damage.

Mr. Tyree left the meeting at 11:00 a.m.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the Straightline Fence Pond Fencing Proposal for commercial fencing, in the amount of $14,000, was approved.

THIRTEENTH ORDER OF BUSINESS **Ratification Items**

A. Allsmiths Services Estimates

Mr. Rom and Mr. Hills presented the Allsmiths Services Estimates.

> **On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, the Allsmiths Services Estimates, as presented, were ratified.**

B. Conservation Covenant

Mr. Earlywine presented the Conservation Covenant, which is a precautionary document meant to ensure that these areas are treated as conservation areas for tax purposes.

> **On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, the Conservation Covenant and execution and recording of it, were ratified.**

FOURTEENTH ORDER OF BUSINESS **Presentation of Audited Financial Report for the Fiscal Year Ended September 30, 2023, Prepared by Berger, Toombs, Elam, Gaines & Frank (to potentially be provided under separate cover)**

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

This item was deferred.

FIFTEENTH ORDER OF BUSINESS **Acceptance of Unaudited Financial Statements as of July 31, 2024**

> **On MOTION by Ms. Bronson and seconded by Ms. Kaercher, with all in favor, the Unaudited Financial Statements as of July 31, 2024, were accepted.**

SIXTEENTH ORDER OF BUSINESS **Approval of July 18, 2024 Public Hearings and Regular Meeting Minutes**

The following change was made:

Line 23: Change “Resident” to “Forestar”

On MOTION by Ms. Bronson and seconded by Ms. Kaercher, with all in favor, the July 18, 2024 Public Hearings and Regular Meeting Minutes, as amended, were approved.

SEVENTEENTH ORDER OF BUSINESS — Staff Reports

A. District Counsel: Kutak Rock LLP

Mr. Earlywine estimated that the next bonds will be issued in January 2025.

B. District Engineer: Poulos & Bennett, LLC

There was no report.

C. Field Operations Manager: Association Solutions of Central Florida, Inc.

Mr. Hills reported the following:

- Three areas of fencing were repaired.
- All signs were cleaned and/or painted over the last few weeks and look really good.
- Landscaping looks very good, apart from a few issues related to copious amounts of rain.

D. District Manager: Wrathell, Hunt and Associates, LLC

- **NEXT MEETING DATE: October 17, 2024 at 10:30 AM**
  - **QUORUM CHECK**

The next meeting will be held on October 17, 2024, unless canceled.

EIGHTEENTH ORDER OF BUSINESS — Board Members' Comments/Requests

There were no Board Members' comments or requests.

NINETEENTH ORDER OF BUSINESS — Public Comment

No members of the public spoke.

TWENTIETH ORDER OF BUSINESS — Adjournment

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the meeting adjourned at 11:07 a.m.

______________________________ ______________________________

Secretary/Assistant Secretary Chair/Vice Chair

HARMONY WEST

COMMUNITY DEVELOPMENT DISTRICT

STAFF REPORTS

HARMONY WEST COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2024/2025 MEETING SCHEDULE		
LOCATION *Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744*		
DATE	**POTENTIAL DISCUSSION/FOCUS**	**TIME**
October 17, 2024 CANCELED	**Regular Meeting**	**10:30 AM**
November 5, 2024	**Landowners' Meeting**	**1:00 PM**
November 21, 2024	**Regular Meeting**	**10:30 AM**
December 19, 2024	**Regular Meeting**	**10:30 AM**
January 16, 2025	**Regular Meeting**	**10:30 AM**
February 20, 2025	**Regular Meeting**	**10:30 AM**
March 20, 2025	**Regular Meeting**	**10:30 AM**
April 17, 2025	**Regular Meeting**	**10:30 AM**
May 15, 2025	**Regular Meeting**	**10:30 AM**
July 17, 2025	**Regular Meeting**	**10:30 AM**
August 21, 2025	**Regular Meeting**	**10:30 AM**
September 18, 2025	**Regular Meeting**	**10:30 AM**