

ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT

LEE COUNTY

REGULAR BOARD MEETING SEPTEMBER 18, 2023 9:00 A.M.

> Special District Services, Inc. 27499 Riverview Center Boulevard, #253 Bonita Springs, FL 33134

> > www.arborwoodcdd.org 561.630.4922 Telephone 877.SDS.4922 Toll Free 561.630.4923 Facsimile

AGENDA ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT

Amenity Center Community Room Somerset at the Plantation 10401 Dartington Drive Fort Myers, Florida, 33913 **REGULAR BOARD MEETING** September 18, 2023 9:00 A.M.

A.	Call to Order
B.	Proof of PublicationPage 1
C.	Establish Quorum
D.	Additions or Deletions to Agenda
E.	Comments from the Public for Items Not on the Agenda
F.	Approval of Minutes
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G.	Old Business
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H.	New Business
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	1. Manager's Report
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	3. Engineer Report
	4. Field Inspectors Report
	5. Preserves Compliance Updates
J.	Board Members Comments
K.	Adjourn

Notice

Publication Date 2023-09-08

Subcategory Miscellaneous Notices

NOTICE OF REGULAR BOARD MEETING ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT The Board of Supervisors (the "Board") of the Arborwood Community Development District (the "District") will hold a Regular Board Meeting (the "Meeting") on September 18, 2023, at 9:00 a.m. in the Amenity Center Community Room, Somerset at the Plantation, 10401 Dartington Drive, Fort Myers, Florida, 33913. The purpose of the Regular Board Meeting is for the Board to consider any business which may properly come before it. The Meeting is open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The Meeting may be continued in progress without additional notice to a time, date, and location stated on the record. A copy of the agenda for the Meeting may be obtained from the District's website or by contacting the District Manager, Special District Services, at (941) 223-2475. There may be occasions when one or more Supervisors will participate by telephone. Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this Meeting is asked to advise the District Office at least forty-eight (48) hours before the Meeting by contacting the District Manager at (561) 630-4922. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770, who can aid you in contacting the District Office. A person who decides to appeal any decision made at the Meeting with respect to any matter considered at the Meeting is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based. Meetings may be cancelled from time to time without advertised notice. District Manager Arborwood Community Development District www.arborwoodcdd.org AD#5810913 Sep. 8, 2023

ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT PUBLIC HEARING & REGULAR BOARD MEETING AUGUST 21, 2023

A. CALL TO ORDER

The August 21, 2023, Regular Board Meeting of the Arborwood Community Development District (the "District") was called to order at 9:00 a.m. in the Amenity Center Community Room of the Somerset at the Plantation located at 10401 Dartington Drive, Fort Myers, Florida 33913.

B. PROOF OF PUBLICATION

Proof of publication was presented that notice of the Regular Board Meeting had been published in the *Fort Myers News-Press* on August 1, 2023, and August 8, 2023, as legally required.

C. ESTABLISH A QUORUM

It was determined that the attendance of the following Supervisors constituted a quorum and it was in order to proceed with the meeting:

Chairman	Joan Pattison	Present
Vice Chairman	Jeff Gordish	Present
Supervisor	Jack Aycock	Present
Supervisor	Donald Schrotenboer	Present
Supervisor	Karin Hagen	Present

Staff members in attendance were:

District Manager	Michelle Krizen	Special District Services, Inc.
General Counsel	Wes Haber (via phone)	Kutak Rock, LLC
District Engineer	Ryan Lorenz	JR Evans Engineering
Field Inspector	Bohdan Hirniak	

Also present was Bethany Brosious of Passarella & Associates as well as Chris Anderson, John Wiest and Paul E. Pugsley.

D. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the public.

F. APPROVAL OF MINUTES 1. July 17, 2023, Regular Board Meeting

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The July 17, 2023, Regular Board Meeting minutes were presented for consideration.

Under Old Business, No. 3, Update on Lee County Assuming Streetlights; it currently reads, "...accepting the County's offer to assume responsibility for the District's lights for a not to exceed amount..."

Mrs. Pattison recommended removing "a" so it would read as follows: "...accepting the County's offer to assume responsibility for the District's lights for not to exceed amount..."

A **motion** was then made by Mr. Schrotenboer, seconded by Mr. Gordish and passed unanimously approving the July 17, 2023, Regular Board Meeting minutes, as amended.

The Regular Board Meeting was then recessed and the Public Hearing was opened.

G. PUBLIC HEARING 1. Proof of Publication

Proof of publication was presented that notice of the Public Hearing had been published in the *Fort Myers News-Press* on August 1, 2023, and August 8, 2023, as legally required.

2. Receive Public Comment on Fiscal Year 2023/2024 Final Budget

Mr. Pugsley questioned why one area of assessment had a decrease in assessment while all other areas saw an increase. It was explained that the Board had changed from using gross acres to using net acres by removing the ponds and preserves.

Mr. Wiest asked when would the CDD end? It was explained that the bond portion would end, but the CDD would still have an Operating and Maintenance assessment. The bond maturity date is May 2036.

3. Consider Resolution No. 2023-04 – Adopting a Fiscal Year 2023/2024 Final Budget

Resolution No. 2023-04 was presented, entitled:

RESOLUTION 2023-04

THE ANNUAL APPROPRIATION RESOLUTION OF THE ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT") RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by Mr. Schrotenboer, seconded by Ms. Hagen and passed unanimously adopting Resolution No. 2023-04, as presented.

4. Consider Resolution No. 2023-05 – Adopting a Fiscal Year 2023/2024 Assessment Roll

Resolution No. 2023-05 was presented, entitled:

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RESOLUTION 2023-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT MAKING A DETERMINATION OF BENEFIT AND IMPOSING SPECIAL ASSESSMENTS FOR FISCAL YEAR 2023/2024; PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS, INCLUDING BUT NOT LIMITED TO PENALTIES AND INTEREST THEREON; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by Ms. Hagen, seconded by Mr. Aycock and passed unanimously adopting Resolution No. 2023-05, as presented.

The Public Hearing was then closed and the Regular Board Meeting was reconvened.

H. OLD BUSINESS1. Update Regarding Road and School Impact Fee Credits

Mr. Haber researched the impact fee credits and recommended that the District follow the formal method to authorize and distribute assets using the same method as Floridia Unclaimed Property. The entities would need to provide documentation to support the ownership of the dissolved entities and have no bankruptcies.

A **motion** was made by Mr. Aycock, seconded by Ms. Hagen and passed unanimously authorizing District staff to distribute the Road and School Impact Fee in accordance with the formal method to allow the proper distribution of assets.

2. Update Regarding Treeline Streetlighting

Lee County has sent over a punch list of items required before the County would assume the streetlights. Most of the items on the list are already under contract for completion with American Infrastructure. Ms. Krizen has sent the list to American Infrastructure requesting a proposal for the remaining items. Mr. Gordish advised there were two places that were foundation only and never received the installation of a pole. He wanted to be sure the Board was not replacing a streetlight that had never been installed. This will be reviewed once the proposal is received from American Infrastructure.

3. Discussion Regarding Individual Environmental Resource Permit

There were no updates regarding this item.

I. NEW BUSINESS 1. Consider Resolution No. 2023-06 – Adopting a Fiscal Year 2023/2024 Meeting Schedule

Resolution No. 2023-06 was presented, entitled:

RESOLUTION NO. 2023-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR

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MEETING SCHEDULE FOR FISCAL YEAR 2023/2024 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

There was a brief discussion regarding the holidays. A consensus of the Board was reached regarding continuing to hold meetings on the third Monday of the month.

A **motion** was then made by Mr. Schrotenboer, seconded by Ms. Hagen and passed unanimously adopting Resolution No. 2023-06, as presented.

2. Discussion Regarding Required Ethics Training

Mr. Habe explained that there was a new statute requiring four hours of annual training for CDD Board Members. Kutak Rock will provide a Memo with additional information regarding the training.

J. ADMINISTRATIVE MATTERS 1. Manager's Report

a. Financials

Ms. Krizen presented the financial. The Board had no questions.

A resident has reached out with a concern about Spikerush. The photos were shared with the District Engineer, the Field Inspector, and the Board. The engineer and Field Inspector feel this is optimal conditions and will help prevent erosion as well as maintain water quality. Mr. Aycock stated his community, Botanica Lakes, had similar growth. A resident who is a certified Florida Naturalist agreed with the benefits of Spikerush. Ms. Krizen will reach out again to the resident to convey the benefits of Spikerush.

Ms. Krizen updated the Board regarding the Bond Estoppel for the fire station. Due to Mr. Schrotenboer noticing the sale and alerting the Board, the District was able to contact the brokers and owners to get a bond estoppel processed. This included the O&M for the 2023-2024 budget year; however next year this will have to be absorbed into the remaining parcels.

2. Attorney's Report

Mr. Haber had nothing to report at this time but was available for questions. There were no further questions from the Board.

3. Engineer's Report

Mr. Lorenz reported that he was still working on a proposal within the budget limits for the drainage. Mr. Gordish stated that the ponds were full and the erosion areas were under water. Dragonfly is supposed to be repairing erosion. Can this happen if the areas are under water?

A **motion** was made by Mr. Gordish, seconded by Mr. Aycock and passed unanimously authorizing the District Engineer to postpone the Dragonfly or ensure there is a guarantee for the work.

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A discussion ensued to ensure the cost does not increase due to postponing the proposal. If Dragonfly was confident that the erosion issues could be solved while under water and could guarantee the work, the Board was in consensus to continue.

4. Field Inspector's Report

The monthly rainfall was normal while year-to-date is 73%. The lakes are performing as designed. There is a dead tree on Chadsford Circle, on the edge of the preserve. The homeowner is concerned about property damage if the tree was to fall. SFWMD must approve of all cuttings in the preserve. Ms. Krizen will reach out to SFWMD for direction.

A **motion** was by Mr. Gordish, seconded by Ms. Hagen and passed unanimously authorizing District staff to coordinate with SFWMD to seek and coordinate removal of the tree.

5. Preserves Compliance Report

Ms. Brosious reported that all preserve treatments were completed and SFWMD was in agreement. All work at the panther mitigation area has been completed as well.

K. BOARD MEMBER COMMENTS

There were no further comments from the Board Members.

L. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Aycock, seconded by Ms. Hagen and passed unanimously adjourning the Regular Board Meeting at 10:22 a.m.

Secretary/Assistant Secretary

Chair/Vice-Chair



PROJECT NUMBER : TLABF COUNTY: Lee LOCATION : Tree Line at Arborwood BID DATE : August 29, 2023

mastraceo	0 G.
11341 Lindberg	h Blvd.
Fort Myers, FL	33913

BID ITEM	QUANTITY		DESCRIPTION	UNIT PRICE	TOTAL
1	1.00	EA	Replace Pole Completely	\$11,050.00	\$11,050.00
2	5.00	EA	Supply Pole Complete	\$6,757.00	\$33,785.00
3	10.00	EA	Replace shield	\$840.00	\$8,400.00
4	10.00	EA	Replace Ballast	\$480.00	\$4,800.00
				Lighting Sub-Total	\$58,035.00
				BID TOTAL	\$58,035.00

NOTES :

The above quoted prices are good for a period of 60 days. All work according to applicable D.O.T. Specifications.
Taxes and Insurance are included.

Doug McIntyre 08/29/2023

08/29/2023



Trusted Experience. Sustainable Solutions.

PROPOSAL

August 24, 2023

PROJECT:Somerset at The Plantation Invasive Vegetation Maintenance Control**CLIENT:**Arborwood Community Development District

SCOPE OF WORK

Woods and Wetlands Inc. will provide the equipment, labor, and materials for three (3) annual invasive vegetation maintenance events within the 349.97 AC preserve areas at Somerset at The Plantation in Fort Myers, FL. These events will include the treatment of all nuisance and 2019 FISC List of Invasive Plant Species which will be killed-in-place with the appropriate herbicide and left-in-place to naturally decompose.

DATE AND PRICE OF WORK

MAY/JUNE or month TBD 2024-2026

\$35,000.00 per event

Woods and Wetlands Inc will perform all the services described in the above referenced SCOPE OF WORK in a professional and workman-like manner and in compliance with all applicable Florida state and local statutes, rules, and regulations.

TERMS AND CONDITIONS

Invoices are due and payable upon receipt. Prices are valid for 30 days. This Proposal becomes an Agreement when signed by both the Client and Woods and Wetlands Inc and modifications or services not specifically included by reference herein will be undertaken and completed only by Change Order(s) signed by an authorized representative of each of the above and will be invoiced as additional services to the Client. In the event of an issue, clarification of intent or dispute at some future date, this Proposal/Agreement shall be interpreted according to the laws of the State of Florida.

Accepted this ______ day of ______, 2023.

Arborwood Community Development District

Woods & Wetlands Inc.

Title

Title





Primary Stormwater Drainage Utility Overview				
UNITS TYPE SIZE				
RCP	15"	544		
RCP	18"	1525		
RCP	24"	4466		
RCP	30"	8087		
RCP	36"	4955		
RCP	42"	1826		
RCP	48"	4820		
RCP	54"	1171		
RCP	60"	248		
ERCP	38" X 60"	23		
Box Culvert	4" X 6"	963		
All Known Primary D	Drainage Pipes (ft)	28628		
Total Known Units				
	TYPE RCP RCP RCP RCP RCP RCP RCP RCP RCP ERCP Box Culvert	YPE S26 RCP 15" RCP 36" RCP 36" RCP 30" RCP 30" RCP 42" RCP 42" RCP 42" RCP 45" RCP 45" RCP 56" RCP 56" RCP 56" BCCUert 36" S0" BCCUert 4" X 6"		

Secondary Stormwater Drainage Utility Overview						
UNITS	TYPE	SIZE	TOTAL LENGTH (FT)			
91	RCP	15"	5450			
99	RCP	18"	11164			
60	RCP	24"	7031			
16	RCP	30"	2143			
10	RCP	36"	949			
4	RCP	42"	836			
2	ERCP	24"x18"	49			
1	ERCP	12"x18"	22			
Total Length of A	Known Secondar	y Drainage Pipes (ft)	27644			
	Total Known Units 283					

PIPE SIZE	LEGEND
12" ADS	
15" RCP	and the second s
18" RCP	
18" HDPE	Sec.
24" RCP	and the second sec
30" RCP	
36" RCP	
42" RCP	and the second
48" RCP	and the second

Ν

2023 10% Yard Drain Inspection							
UNITS INSPECTED	TYPE	SIZE	TOTAL LENGTH (FT)	INSPECTED LENGTH (ft)	PERCENTAGE OF TOTAL LENGTH INSPECTED (ft)		
6	ADS	12"	36094	3981	11%		
1	HDPE	18"	86	86	100%		

2023 10% Inspection Primary Stormwater Drainage Utility Data						
UNITS INSPECTED	INSPECTED TYPE	SIZE TOTAL LENGTH (FT)	INSPECTED LENGTH (ft)	PERCENTAGE OF TOTAL LENGTH INSPECTED (ft)		
1	RCP	15"	544	164	30.1%	
1	RCP	18"	1525	159	10.4%	
3	RCP	24"	4466	478	10.7%	
3	RCP	30"	8087	862	10.7%	
2	RCP	36"	4955	479	9.7%	
1	RCP	42"	1826	191	10.5%	
1	RCP	48"	4820	460	9.5%	
0	RCP	54"	1171	0	0.0%	
0	RCP	60"	248	0	0.0%	
0	ERCP	38" X 60"	23	0	0%	
0	Box Culvert	4' X 6'	963	0	0%	

2023 10% Inspection Secondary Stormwater Drainage Utility Data							
UNITS INSPECTED	TYPE	SIZE	TOTAL LENGTH (FT)	INSPECTED LENGTH (ft)	PERCENTAGE OF TOTAL LENGTH INSPECTED (ft)		
4	RCP	15"	5450	493	9.0%		
7	RCP	18"	11164	1128	10.1%		
4	RCP	24"	7031	740	10.5%		
1	RCP	30"	2143	190	8.9%		
1	RCP	36"	949	163	17.2%		
1	RCP	42"	836	94	11.2%		
0	ERCP	24"x18"	49	0	0.0%		
0	ERCP	12"x18"	22	0	0.0%		



ARBORWOOD CDD

MASTER EXHIBIT

JUNE, 2023



BRIDGETOWN





ARBORWOOD CDD

JUNE, 2023 SHEET 2

BRIDGETOWN



SOMERSET





ARBORWOOD CDD

SOMERSET





ARBORWOOD CDD

JUNE, 2023 SHEET 5

SOMERSET

Arborwood Community Development District Budget vs. Actual October 2022 through August 2023

	Oct '22 - Aug 23	22/23 Budget	\$ Over Budget	% of Budget
Income				
01-3100 · O & M Assessments	504,563.37	503,606.00	957.37	100.19%
01-3305 · O&M Assesments-Off Roll-Lennar	0.00	1,011.00	-1,011.00	0.0%
01-3812 · Debt Assessments (2018)	2,636,606.35	2,636,069.00	537.35	100.02%
01-3818 · Debt Assessments (2014A-1)	603,743.05	603,623.00	120.05	100.02%
01-3822 · Debt Assess-Pd To Trustee-2018	-2,528,722.95	-2,530,626.00	1,903.05	99.93%
01-3829 · Debt Asses-Pd To Trustee-2014	-579,032.15	-609,673.00	30,640.85	94.97%
01-3830 · Assessment Fees	-10,069.50	-10,000.00	-69.50	100.7%
01-3831 · Assessment Discounts	-143,130.91	-149,732.00	6,601.09	95.59%
01-3922 · Debt Direct Bill - Lennar(2014)	0.00	30,195.00	-30,195.00	0.0%
01-9400 · Other Revenue	74,566.45	18,000.00	56,566.45	414.26%
Total Income	558,523.71	492,473.00	66,050.71	113.41%
Expense				
01-1130 · Payroll Tax Expense	642.60	880.00	-237.40	73.02%
01-1131 · Supervisor Fees	8,400.00	11,000.00	-2,600.00	76.36%
01-1310 · Engineering	39,372.22	32,500.00	6,872.22	121.15%
01-1311 · Management Fees	35,354.00	38,568.00	-3,214.00	91.67%
01-1313 · Website Management	1,833.26	2,000.00	-166.74	91.66%
01-1315 · Legal Fees	9,535.00	22,000.00	-12,465.00	43.34%
01-1318 · Assessment/Tax Roll	0.00	5,000.00	-5,000.00	0.0%
01-1320 · Audit Fees	0.00	5,350.00	-5,350.00	0.0%
01-1330 · Arbitrage Rebate Fee	1,000.00	2,000.00	-1,000.00	50.0%
01-1332 · Amortization Schedule Fee	300.00	500.00	-200.00	60.0%
01-1450 · Insurance	10,839.00	12,000.00	-1,161.00	90.33%
01-1480 · Legal Advertisements	2,556.72	5,500.00	-2,943.28	46.49%
01-1512 · Miscellaneous	2,349.13	3,300.00	-950.87	71.19%
01-1513 · Postage and Delivery	2,677.37	1,150.00	1,527.37	232.82%
01-1514 · Office Supplies	3,701.15	2,300.00	1,401.15	160.92%
01-1540 · Dues, License & Subscriptions	175.00	175.00	0.00	100.0%
01-1555 · Trustee Fees	4,246.25	30,000.00	-25,753.75	14.15%
01-1743 · Continuing Disclosure Fee	3,000.00	4,000.00	-1,000.00	75.0%

Arborwood Community Development District Budget vs. Actual October 2022 through August 2023

	Oct '22 - Aug 23	22/23 Budget	\$ Over Budget	% of Budget
01-1811 · Professional Fee & Permits	0.00	1,250.00	-1,250.00	0.0%
01-1815 · Miscellaneous Maintenance	13,916.01	0.00	13,916.01	100.0%
01-1816 · Treeline Preserve Maint-Exotics	0.00	6,000.00	-6,000.00	0.0%
01-1818 · DRI / Traffic Monitoring	0.00	10,000.00	-10,000.00	0.0%
01-1819 · Environmentl Cnsltng-Passarella	18,250.00	22,000.00	-3,750.00	82.96%
01-1820 · Panther Mitigation Mnt-Exotics	80,000.00	80,000.00	0.00	100.0%
01-1822 · Street Lighting-Utility & Maint	5,900.48	13,000.00	-7,099.52	45.39%
01-1824 · Field Inspector - Somerset Only	21,175.84	25,500.00	-4,324.16	83.04%
01-1825 · Lake Maintenance-Somerset Only	42,229.00	46,100.00	-3,871.00	91.6%
01-1826 · Preserve Maint - Somerset Only	39,500.00	35,000.00	4,500.00	112.86%
01-1827 · Flowway Maintenance	0.00	4,600.00	-4,600.00	0.0%
01-1828 · Preserve Maint (Parcel C Only)	10,800.00	10,800.00	0.00	100.0%
01-1829 · Lake Bank Erosion Mte(Somerset)	10,020.00	36,500.00	-26,480.00	27.45%
01-1830 · Strmwtr Drains Ins/MTE-Somerset	0.00	20,000.00	-20,000.00	0.0%
01-1831 · Strmwtr Drains Ins (Bridgetown)	0.00	2,500.00	-2,500.00	0.0%
01-1850 · Capital Outlay - Small	0.00	1,000.00	-1,000.00	0.0%
Total Expense	367,773.03	492,473.00	-124,699.97	74.68%
Net Income	190,750.68	0.00	190,750.68	100.0%

Bank Balance As Of 8/31/23	\$ 532,561.21
Accounts Payable As Of 8/31/23	\$ 29,235.41
Other Assets As Of 8/31/23	\$ -
Total Fund Balance As Of 8/31/23	\$ 503,325.80

Series 2014A-1 Bond Balance As Of 8/31/23	\$ 4,220,000.00
Series 2014A-2 Bond Balance As Of 8/31/23	\$ 890,000.00
Series 2018A-1 Bond Balance As Of 8/31/23	\$ 18,750,000.00
Series 2018A-2 Bond Balance As Of 8/31/23	\$ 6,470,000.00
Total Bond Balance As Of 8/31/23	\$ 30,330,000.00