

**ORDINANCE NO. O-21-01**

**AN ORDINANCE OF THE CITY COMMISSION OF EAGLE LAKE, FLORIDA GRANTING THE PETITION OF RANCHES AT LAKE MCLEOD, LLC, FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT, SUBJECT TO CONDITIONS; CREATING AND ESTABLISHING RANCHES AT LAKE MCLEOD COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR NAME, POWERS, AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Florida Legislature created and amended Chapter 190, Florida Statutes, to provide an alternative method to finance and manage basic services for community development; and

**WHEREAS**, Ranches at Lake McLeod, LLC, a Florida limited liability company (the “Petitioner”), has petitioned the City Commission (the “Commission”) of The City of Eagle Lake, Florida (the “City”), for the establishment of the Ranches at Lake McLeod Community Development District (the “District”); and

**WHEREAS**, a public hearing has been conducted by the Commission, in accordance with the requirements and procedures of § 190.005(2)(d), Florida Statutes, and the applicable requirements and procedures of the City’s Charter and Code of Ordinances; and

**WHEREAS**, the Commission has determined that the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area, thereby providing a solution to the City’s management and financing needs for a delivery of capital infrastructure therein without overburdening the City and its taxpayers; and

**WHEREAS**, the Commission finds that the statements contained in the Petition are true and correct; and

**WHEREAS**, the creation of the District is not inconsistent with any applicable element or portion of the State comprehensive plan or the City’s Comprehensive Plan; and

**WHEREAS**, the area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated development; and

**WHEREAS**, the creation of the District is the best alternative available for delivering community development facilities and services to the area that will be served by the District; and

**WHEREAS**, the proposed facilities and services to be provided by the District will be compatible with the capacity and uses of existing local and regional community development facilities and services; and

**WHEREAS**, the area that will be served by the District is amenable to separate special district government; and

**WHEREAS**, the Commission finds that the District shall have those general and special powers authorized by §§ 190.011 and 190.012, Florida Statutes, and set forth herein, and that it is in the public interest of all of the citizens of the City that the District have such powers.

**NOW THEREFORE**, BE IT ENACTED BY THE PEOPLE OF THE CITY OF EAGLE LAKE, FLORIDA:

**SECTION 1.** The foregoing findings, which are expressly set forth herein, are hereby adopted and made a part hereof.

**SECTION 2.** The Petition to establish the Ranches at Lake McLeod Community Development District over the real property described in Exhibit 1A of the Petition, a copy of which is attached hereto, which was filed by the Petitioner on September 9, 2020, and which Petition is on file at the Office of the City Clerk, is hereby granted: A copy of the Petition is attached and incorporated herein as Exhibit A.

**SECTION 3.** The external boundaries of the District are depicted on the location map attached hereto and incorporated herein as Exhibit B.

**SECTION 4.** The initial members of the Board of Supervisors shall be as follows:

Name: David Waronker  
Address: 1568 Castile Street, Celebration, FL 34747

Name: Raj Balkaran  
Address: 2852 Majestic Isle Drive, Clermont, FL 34711

Name: Mark Goitein  
Address: 8730 Midnight Pass Road, Unit 400A, Sarasota, FL 34242

Name: Ruth Waronker  
Address: 1568 Castile Street, Celebration, FL 34747

Name: Donald Schrotenboer  
Address: 13 Catalpa Court, Ft. Myers, FL 33919

**SECTION 5.** The name of the District shall be the “Ranches at Lake McLeod Community Development District.”

**SECTION 6.** The Ranches at Lake McLeod Community Development District is created for the purposes set forth in Chapter 190, Florida Statutes.

**SECTION 7.** Pursuant to § 190.005 (2)(d), Florida Statutes, the charter for the Ranches at Lake McLeod Community Development District shall be §§ 190.006 through 190.041, Florida Statutes, as amended.

**SECTION 8.** Based on the findings referenced above, the Commission hereby grants to the Ranches at Lake McLeod Community Development District all powers authorized pursuant to §§ 190.011 and 190.012(1)(a)-(h), (2)(a), and (3), Florida Statutes, and hereby finds that it is in the public interest of all citizens of the City to grant such general powers.

**SECTION 9.** All bonds issued by the Ranches at Lake McLeod Community Development District pursuant to the powers granted by this ordinance shall be validated pursuant to Chapter 75, Florida Statutes.

**SECTION 10.** No bond, debt or other obligation of the Ranches at Lake McLeod Community Development District, nor any default thereon, shall constitute a debt or obligation of the City.

**SECTION 11.** If any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**SECTION 12.** It is the intention of the Commission, and it is hereby ordained that the provisions of this ordinance shall be excluded from the City's Code of Ordinances.

**SECTION 13.** This ordinance shall become effective ten (10) days after the date of enactment, provided however, that this ordinance shall be void and of no force or effect unless, on or before July 1, 2021, either 1) the property described in Exhibit 1A of the Petition is purchased by the Petitioner and a deed for the transfer of such property is recorded in the public records of Polk County, Florida; or 2) the Landowners, as defined in the Petition, of the property files with the City of Eagle Lake a notice waiving the requirement for the transfer of the property.

INTRODUCED AND PASSED on first reading this 22<sup>nd</sup> day of September, 2020.

PASSED AND ADOPTED on second reading this 5<sup>th</sup> day of October, 2020.

CITY OF EAGLE LAKE, FLORIDA

  
CORY COLER, MAYOR

ATTEST:

  
  
CITY CLERK DAWN M. WRIGHT

Approved as to form:

  
CITY ATTORNEY JEFFREY S. DAWSON

PETITION BY

RANCHES AT LAKE MCLEOD, LLC

FOR THE  
ESTABLISHMENT OF THE

**RANCHES AT LAKE MCLEOD  
COMMUNITY DEVELOPMENT DISTRICT**

IN

THE CITY OF EAGLE LAKE, FLORIDA

AUGUST 27, 2020

# PETITION FOR ESTABLISHMENT OF THE RANCHES AT LAKE MCLEOD COMMUNITY DEVELOPMENT DISTRICT

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**PETITION FOR ESTABLISHMENT OF THE RANCHES AT LAKE MCLEOD  
COMMUNITY DEVELOPMENT DISTRICT**

BEFORE THE BOARD OF CITY COMMISSIONERS  
OF THE CITY OF EAGLE LAKE, FLORIDA

IN RE: AN ORDINANCE TO ESTABLISH )  
THE RANCHES AT LAKE MCLEOD )  
COMMUNITY DEVELOPMENT DISTRICT )

**PETITION**

Ranches at Lake McLeod, LLC, a Florida Limited Liability Company (the "Petitioner"), hereby petitions the Board of City Commissioners of the City of Eagle Lake, Florida pursuant to the "Uniform Community Development District Act of 1980", Chapter 190, Florida Statutes (the "Act") to adopt an ordinance establishing a Community Development District (the "District") on the property described herein. In support of the Petition, Petitioner states:

1. The proposed District is located entirely within the boundaries of the City of Eagle Lake, Florida and covers approximately 288 +/- acres of land. Exhibit 1A provides the legal description of the external boundaries of the District. As illustrated in Exhibit 1B, the real property within the boundaries of the proposed District is generally located both north and south of Bomber Road, east of Ben Durrance Road, and west of Gerber Dairy Road. There is no real property within the proposed external boundaries of the District that is excluded from the District.

2. Attached to this Petition as Exhibit 2 and made a part hereof is the written consent form to the establishment of the District by the Landowner (as defined in Section 190.003(14), Florida Statutes) of 100% of the real property to be included in the District.

3. The five persons designated to serve as initial members of the Board of Supervisors of the proposed District are as follows:

- |                   |                        |
|-------------------|------------------------|
| 1. David Waronker | 2. Ruth Waronker       |
| 3. Raj Balkaran   | 4. Donald Schrotenboer |
| 5. Mark Goitein   |                        |

All of the initial supervisors are residents of the State of Florida and citizens of the United States of America.

4. The proposed name of the District to be established is Ranches at Lake McLeod Community Development District (the "District").

5. Exhibit 3 is the map of the District showing existing major trunk water mains and sewer interceptors and outfalls.

6. The proposed timetable for the construction of the proposed improvements is shown in Exhibit 4A. The estimated cost of constructing the proposed public improvements is



shown in Exhibit 4B. The information presented in both exhibits are good faith estimates and are not binding on the Petitioner or the District and are subject to change.

7. The proposed future general distribution, location, and extent of the public and private land uses within the District, as designated on the current City of Eagle Lake Future Land Use Map is also attached hereto and incorporated with this Petition as Exhibit 5. The land within the proposed District is anticipated to be developed with a total of 1,160 residential dwelling units, with an additional 3 acres of commercial space, although development plans are preliminary and subject to change. The Petitioner intends that the District will finance general conditions, earthwork, storm water management, water, sewer, reclaimed water, paving, improvements to Bomber Road, landscaping and irrigation, walls/fencing, clubhouse, and parks (collectively, the "Public Improvements"). Upon completion, the water, sewer, and reclaimed water improvements will be dedicated to the City of Eagle Lake for ownership, operation and maintenance. The improvements performed on Bomber Road will be dedicated to Polk County for ownership, operation and maintenance. All other improvements will be dedicated to and maintained by the District.

8. Exhibit 6 is a Statement of Estimated Regulatory Costs prepared in accordance with the requirements of Section 120.541, Florida Statutes.

9. Exhibit 7 is a proposed form of ordinance to establish the Ranches at Lake McLeod Community Development District.

10. Copies of all correspondence and official notices should be sent to: (1) David Waronker, c/o Ranches at Lake McLeod, LLC, 1420 Celebration Boulevard, Suite 200, Celebration, FL 34747; and also, (2) Craig A. Wrathell, c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, FL 33431, Ph. (561) 571-0010.

11. The property within the proposed District is amenable to operating as an independent special district for the following reasons:

(a) Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the effective City of Eagle Lake Comprehensive Plan, as amended or any applicable elements or portions of the state comprehensive plan.

(b) The land within the boundaries of the proposed District is of sufficient size and is sufficiently compact and contiguous to be developed as one functional interrelated community.

(c) The community development services of the District will be compatible with the capacity and use of existing local and regional community development services and facilities.

(d) The proposed District will be the best alternative available for delivering community development services to the area to be served because (i) the District provides a governmental entity responsible for delivering those services and facilities in a manner that does not financially impact persons residing outside the District, (ii) the Act authorizes a community development district to acquire infrastructure improvements previously constructed by qualified developers within the District or allows for a community development district to, in the first instance, construct such

infrastructure improvements, (iii) the timing for the establishment of the proposed District and the issuance of special assessment bonds is compatible with the timing for the construction and acquisition of such infrastructure improvements which results in direct benefit to the landowners within the District, (iv) establishment of a community development district in conjunction with a comprehensively planned community, as proposed, allows for a more efficient use of resources as well as providing the opportunity for new growth to pay for itself, and (v) establishment of the District will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of many of the District services and facilities.

12. Petitioner hereby requests that the City consents to the proposed District having the rights to exercise the powers provided in Sections 190.012(2)(a) and 190.012(2)(d), Florida Statutes.

13. The Petitioner undertakes on behalf of the District that the District will provide full disclosure of information relating to the public financing and maintenance of improvements to real property to be undertaken by the District as required by Section 190.009 and Section 190.048, Florida Statutes, as amended.

[Remainder of page intentionally left blank]

WHEREFORE, Petitioner respectfully requests the Board of City Commissioners of Eagle Lake, Florida to:

Hold a public hearing as required by Section 190.005(2)(b), Florida Statutes to consider the establishment of the Ranches at Lake McLeod Community Development District;

Adopt an ordinance pursuant to Chapter 190, Florida Statutes, granting this Petition and establishing the Ranches at Lake McLeod Community Development District;

Respectfully submitted this 10<sup>th</sup> day of September, 2020.

Ranches at Lake McLeod, LLC,  
a Florida Limited Liability Company, as Petitioner



By: [Signature]  
David Waronker as its Manager

Subscribed and sworn to before me this 10<sup>th</sup> day of September, 2020 by David Waronker, the Manager of Ranches at Lake McLeod, LLC, a Florida Limited Liability Company, who personally appeared before me, produced driver's license or is personally known to me.

[NOTARIAL SEAL]

Notary: Naresh Balkaran  
Print Name: Naresh Balkaran  
Notary Public, State of Florida  
My Commission Expires: 1-22<sup>nd</sup> - 2024

AFFIDAVIT OF PETITIONER

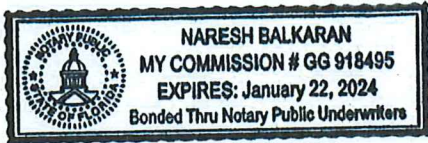
STATE OF FLORIDA )  
COUNTY OF Osceola )

On this 10<sup>th</sup> day of September, 2020, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, David Waronker, who, after being duly sworn, deposes and says:

1. Affiant, David Waronker, an individual, is the Manager of Ranches at Lake McLeod, LLC, a Florida Limited Liability Company;
2. Affiant, hereby swears and affirms as individual and as the Manager of Ranches at Lake McLeod, LLC, a Florida Limited Liability Company, that all information contained in the petition to establish the Ranches at Lake McLeod Community Development District is true and correct to the best knowledge and belief of the Affiant.

FURTHER, AFFIANT SAYETH NOT.

**Ranches at Lake McLeod, LLC,**  
a Florida Limited Liability Company, as Petitioner



By: [Signature]  
David Waronker as its Manager

Subscribed and sworn to before me this 10<sup>th</sup> day of September, 2020 by David Waronker, the Manager of Ranches at Lake McLeod, LLC, a Florida Limited Liability Company, who personally appeared before me, produced driver's license or is personally known to me.

[NOTARIAL SEAL]

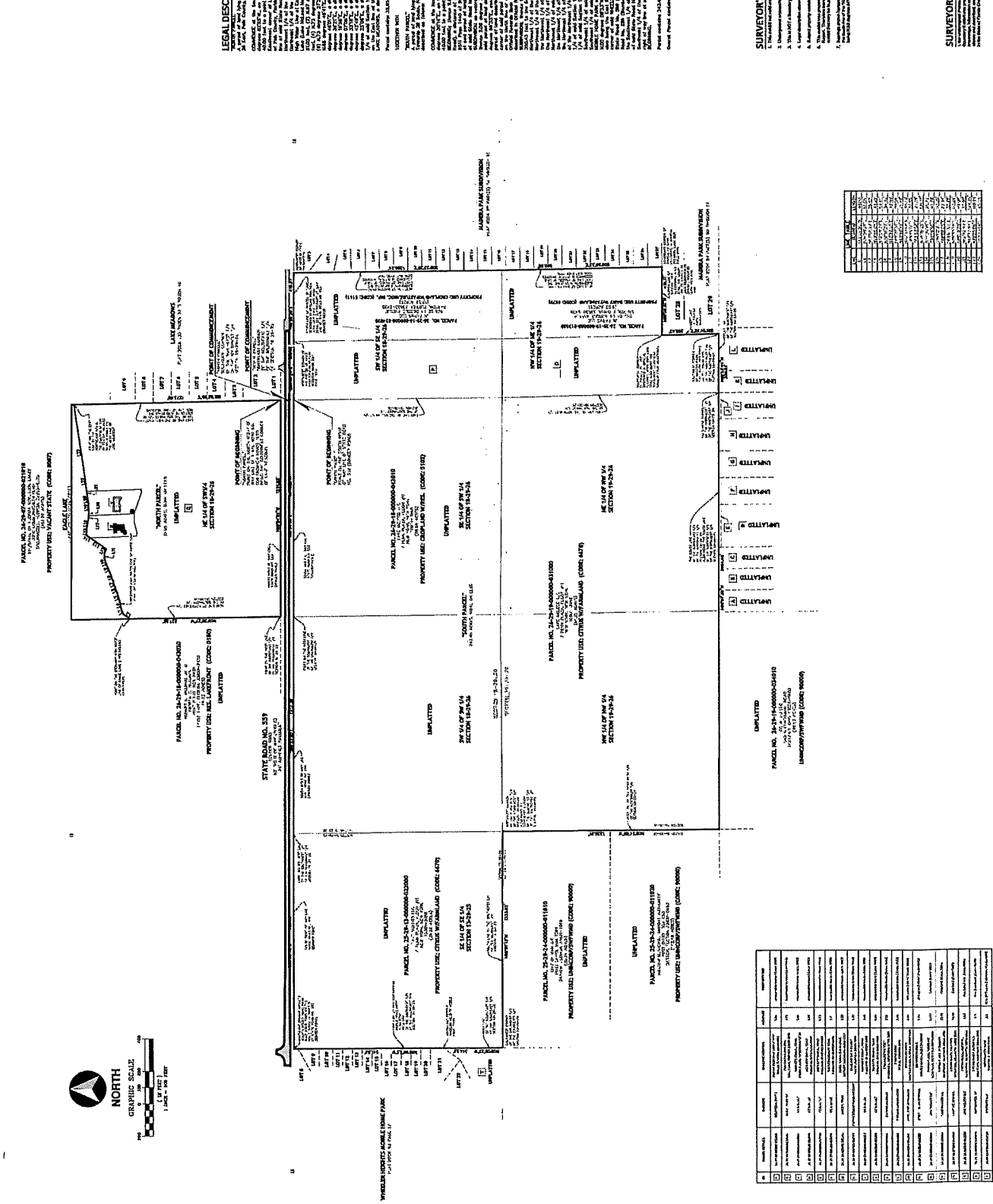
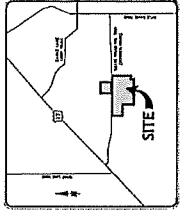
Notary: Naresh Balkaran  
Print Name: Naresh Balkaran  
Notary Public, State of Florida  
My Commission Expires: 1-22nd-2024

**EXHIBIT 1A**

**LEGAL DESCRIPTION OF THE RANCHES AT LAKE MCLEOD COMMUNITY  
DEVELOPMENT DISTRICT**

BOUNDARY EXHIBIT

SECTION 13, TOWNSHIP 28 SOUTH, RANGE 26 EAST, SECTION(S) 13 AND 19, TOWNSHIP 29 SOUTH, RANGE 26 EAST, POLK COUNTY, FLORIDA.



**GRAPHIC SCALE**

0' 10' 20' 30' 40' 50' 60' 70' 80' 90' 100'

**LEGAL DESCRIPTION**

A CERTAIN TRACT OF LAND, situated in Section 13, Township 28 South, Range 26 East, Polk County, Florida, and being more particularly described as follows: ...

**SURVEYOR'S REPORT**

1. The land shown on the attached plat is the property of the owner named herein.
2. The survey was made by the undersigned, and the boundaries shown thereon are the boundaries of the property of the owner named herein.
3. The survey was made on the day and date specified on the plat.
4. The survey was made in accordance with the laws of the State of Florida, and the rules and regulations of the Board of Professional Surveyors.
5. The survey was made in accordance with the rules and regulations of the Board of Professional Surveyors.
6. The survey was made in accordance with the rules and regulations of the Board of Professional Surveyors.
7. The survey was made in accordance with the rules and regulations of the Board of Professional Surveyors.

**SURVEYOR'S CERTIFICATE**

I, the undersigned, being duly qualified and sworn as a Professional Surveyor, do hereby certify that the above is a true and correct copy of the original plat on file in my office, and that the same was prepared by me or under my direct supervision and that I am a duly licensed and sworn Professional Surveyor of the State of Florida.

NO.	SECTION	TOWNSHIP	RANGE
1	13	28	26
2	13	29	26
3	19	28	26
4	19	29	26

NO.	SECTION	TOWNSHIP	RANGE
1	13	28	26
2	13	29	26
3	19	28	26
4	19	29	26

NO.	SECTION	TOWNSHIP	RANGE	DATE	PROPERTY OWNER
1	13	28	26	01/15/2008	THE RANCHES AT LAKE MCLEOD
2	13	29	26	01/15/2008	THE RANCHES AT LAKE MCLEOD
3	19	28	26	01/15/2008	THE RANCHES AT LAKE MCLEOD
4	19	29	26	01/15/2008	THE RANCHES AT LAKE MCLEOD

Prepared by:  
**ACCURATE SURVEYING OF FLORIDA, INC.**  
ONE WINDY BLVD, SUITE 101, FLORIDA 32818  
TOLSON@ASFL.COM  
USDC REGESTER NO. 8311

PROJECT NAME:  
THE RANCHES AT LAKE MCLEOD

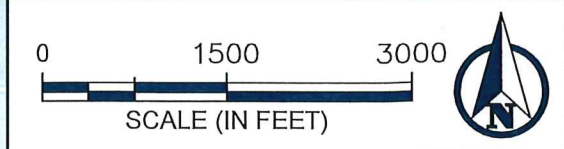
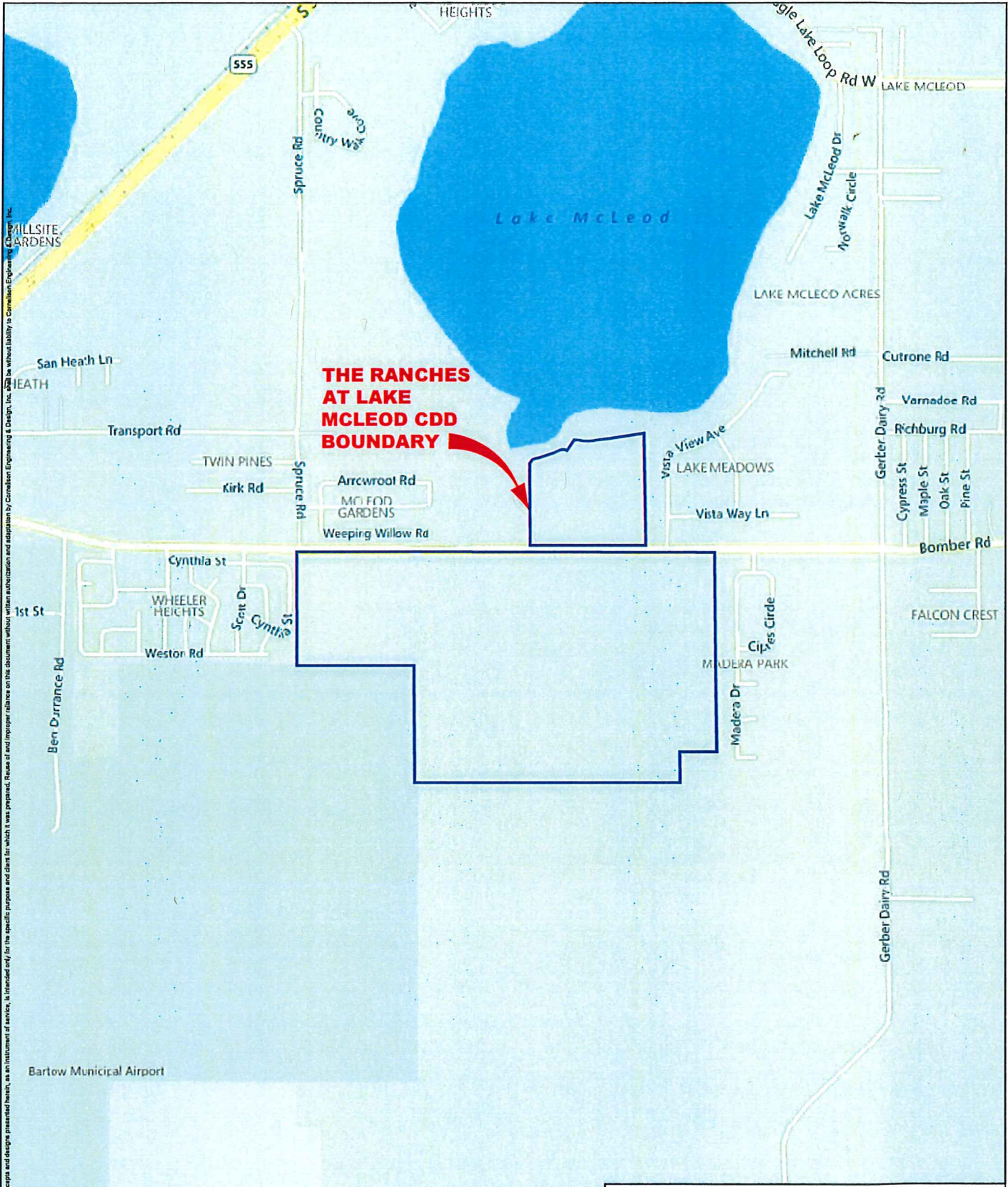
PREPARED FOR:  
C/O DAVID WALKER, MANAGING MEMBER  
CELEBRATION, FLORIDA 34747

DATE:  
JULY 1, 2008

SHEET:  
1A

EXHIBIT 1B

LOCATION MAP OF THE RANCHES AT LAKE MCLEOD COMMUNITY  
DEVELOPMENT DISTRICT



Drawing name: P:\1401014 - Ranches at Lake McLeod, Bomber Road\Cadd\Exhibits\RANCHES AT LAKE MCLEOD - CDD EXHIBITS.dwg LOCATION Jul 06, 2020 11:04am by: Craig Cornelison  
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**RANCHES AT LAKE MCLEOD**  
**EAGLE LAKE, FL**

**LOCATION MAP**

DATE  
 6/30/2020  
 PROJECT NO.  
 1401014

SHEET NUMBER  
**1B**



## EXHIBIT 2

### CONSENT OF LANDOWNERS TO THE ESTABLISHMENT OF THE RANCHES AT LAKE MCLEOD COMMUNITY DEVELOPMENT DISTRICT

The land described in Exhibit 1 to this Petition comprises 100% of the real property proposed to be included within the boundaries of the Ranches at Lake McLeod Community Development District. Such land is depicted graphically in Exhibit 1 to this Petition and the specific parcel to be included within the boundaries of the proposed Ranches at Lake McLeod Community Development District is as follows:

Parcel ID	OWNER	MAILING ADDRESS
25-29-13-000000-022000	LAKE MCLEOD, LLC	7 Penn Plz, Floor 11 New York, NY 10001
26-29-18-000000-042010	LAKE MCLEOD, LLC	7 Penn Plz, Floor 11 New York, NY 10001
26-29-19-000000-031000	LAKE MCLEOD, LLC	7 Penn Plz, Floor 11 New York, NY 10001
26-29-18-000000-041010	LAKE MCLEOD, LLC	7 Penn Plz, Floor 11 New York, NY 10001
26-29-18-000000-041030	LAKE MCLEOD, LLC	7 Penn Plz, Floor 11 New York, NY 10001
26-29-18-000000-041020	LAKE MCLEOD, LLC	7 Penn Plz, Floor 11 New York, NY 10001
26-29-18-000000-024010	LAKE MCLEOD, LLC	7 Penn Plz, Floor 11 New York, NY 10001
26-29-18-000000-024020	JX FARMS, LLC	965 De La Bosque Ave, Bartow, FL 33830
26-29-19-000000-013010	LAKE MCLEOD, LLC	7 Penn Plz, Floor 11 New York, NY 10001
26-29-19-000000-013020	JX FARMS, LLC	965 De La Bosque Ave, Bartow, FL 33830

**AFFIDAVIT OF OWNERSHIP AND CONSENT  
TO THE ESTABLISHMENT OF THE  
RANCHES AT LAKE MCLEOD COMMUNITY DEVELOPMENT DISTRICT**

STATE OF FLORIDA )  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2020, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Jeffrey J. Feil, who, after being duly sworn, deposes and says:

1. Affiant, Jeffrey J. Feil, an individual, is the Manager of Lake McLeod, LLC, a Florida Limited Liability Company;
2. Lake McLeod, LLC is the owner of the following described property (the "Property"), located in the City of Eagle Lake, Florida: Parcel ID#'s 25-29-13-000000-022000, 26-29-18-000000-042010, 26-29-19-000000-031000, 26-29-18-000000-041010; 26-29-18-000000-041030, 26-29-18-000000-041020, 26-29-18-000000-024010, 26-29-19-000000-013010
3. Affiant, Jeffrey J. Feil, hereby represents that he has full authority to execute all documents and instruments on behalf of Lake McLeod, LLC, relating to the Petition before the Board of City Commissioners of the City of Eagle Lake, Florida, to enact an ordinance to establish the Ranches at Lake McLeod Community Development District (the "Proposed CDD").
4. The Property described above represents 100% of the land proposed to be included in the Proposed CDD.
5. Affiant, Jeffrey J. Feil, on behalf of Lake McLeod, LLC, as the sole owner of the Property in the capacity described above, hereby consents to the establishment of the Proposed CDD.

FURTHER, AFFIANT SAYETH NOT.

**Lake McLeod, LLC,**  
a Florida Limited Liability Company, as Petitioner

By: \_\_\_\_\_  
Jeffrey J Feil as its Manager

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2020 by Jeffrey J. Feil, the Manager of Lake McLeod, LLC, a Florida Limited Liability Company, who personally appeared before me, produced driver's license or is personally known to me.

[NOTARIAL SEAL]

Notary: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public, State of Florida  
My Commission Expires: \_\_\_\_\_

**AFFIDAVIT OF OWNERSHIP AND CONSENT  
TO THE ESTABLISHMENT OF THE  
RANCHES AT LAKE MCLEOD COMMUNITY DEVELOPMENT DISTRICT**

STATE OF FLORIDA )  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2020, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, John M. Crum, who, after being duly sworn, deposes and says:

1. Affiant, John M. Crum, an individual, is the Manager of JX Farms, LLC, a Florida Limited Liability Company;
2. JX Farms, LLC is the owner of the following described property (the "Property"), located in the City of Eagle Lake, Florida: Parcel ID#'s 26-29-18-000000-024020 and 26-29-19-000000-013020
3. Affiant, John M. Crum, hereby represents that he has full authority to execute all documents and instruments on behalf of JX Farms, LLC, relating to the Petition before the Board of City Commissioners of the City of Eagle Lake, Florida, to enact an ordinance to establish the Ranches at Lake McLeod Community Development District (the "Proposed CDD").
4. The Property described above represents 100% of the land proposed to be included in the Proposed CDD.
5. Affiant, John M. Crum, on behalf of JX Farms, LLC, as the sole owner of the Property in the capacity described above, hereby consents to the establishment of the Proposed CDD.

FURTHER, AFFIANT SAYETH NOT.

**JX Farms, LLC,**  
a Florida Limited Liability Company, as Petitioner

By: \_\_\_\_\_  
John M. Crum as its Manager

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2020 by John M. Crum, the Manager of JX Farms, LLC, a Florida Limited Liability Company, who personally appeared before me, produced driver's license or is personally known to me.

[NOTARIAL SEAL]

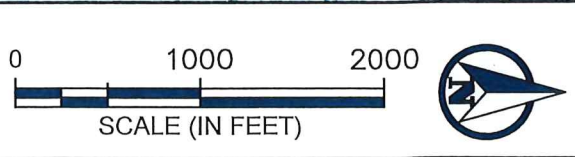
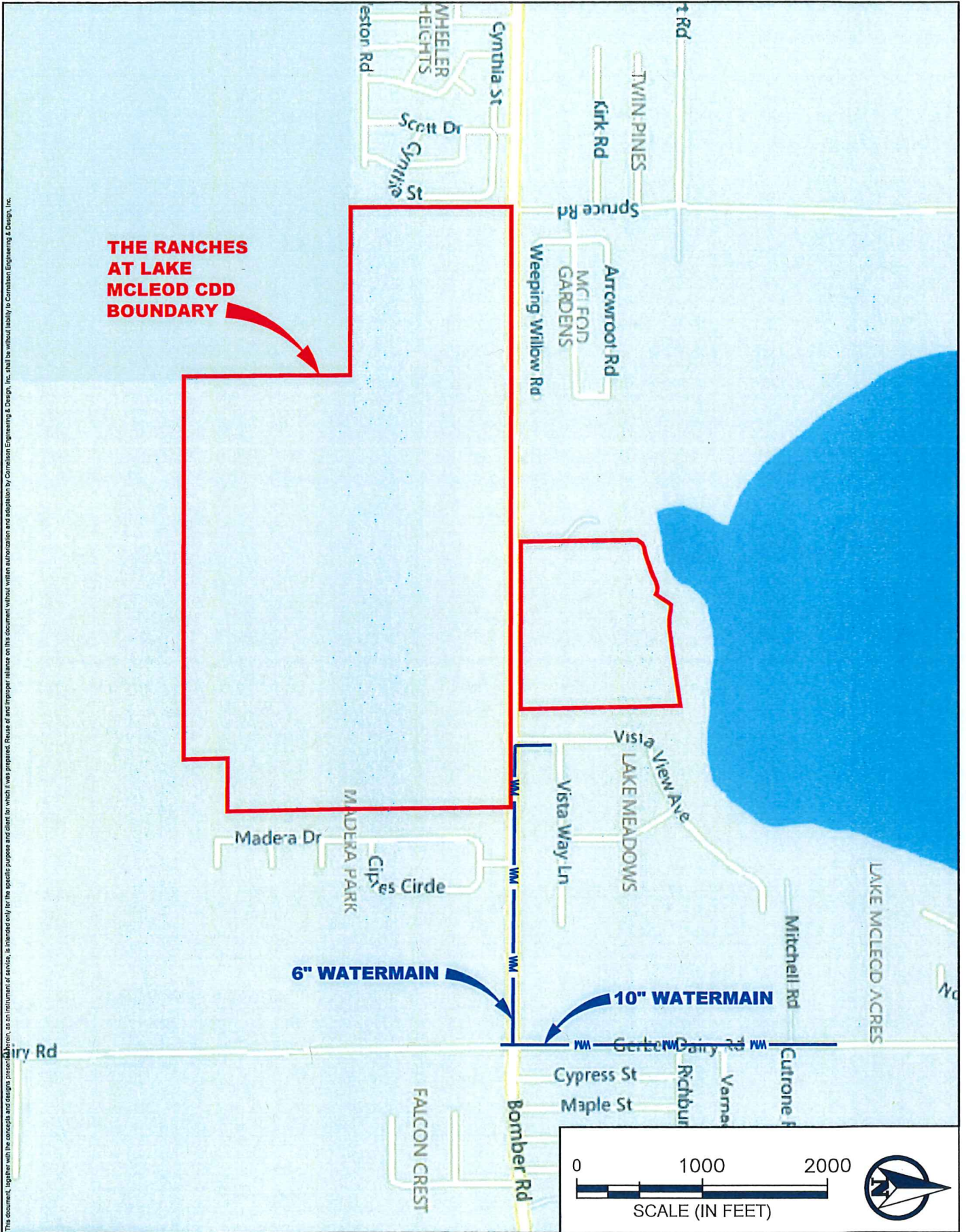
Notary: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public, State of Florida  
My Commission Expires: \_\_\_\_\_

**EXHIBIT 3**

**MAPS OF THE RANCHES AT LAKE MCLEOD COMMUNITY DEVELOPMENT  
DISTRICT SHOWING CURRENT MAJOR TRUNK WATER MAINS AND SEWER  
INTERCEPTORS AND OUTFALLS**

Drawing name: P:\1401014 - Ranches at Lake McLeod, Bomber Road\Cadd\Exhibits\RANCHES AT LAKE MCLEOD - CDD EXHIBITS.dwg WATER Jul 06, 2020 12:27pm by: CraigCornelison

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RANCHES AT LAKE  
 MCLEOD  
 EAGLE LAKE, FL

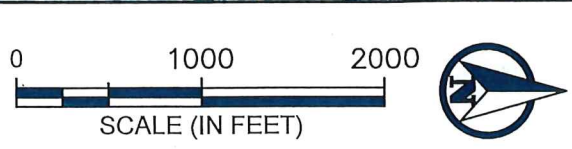
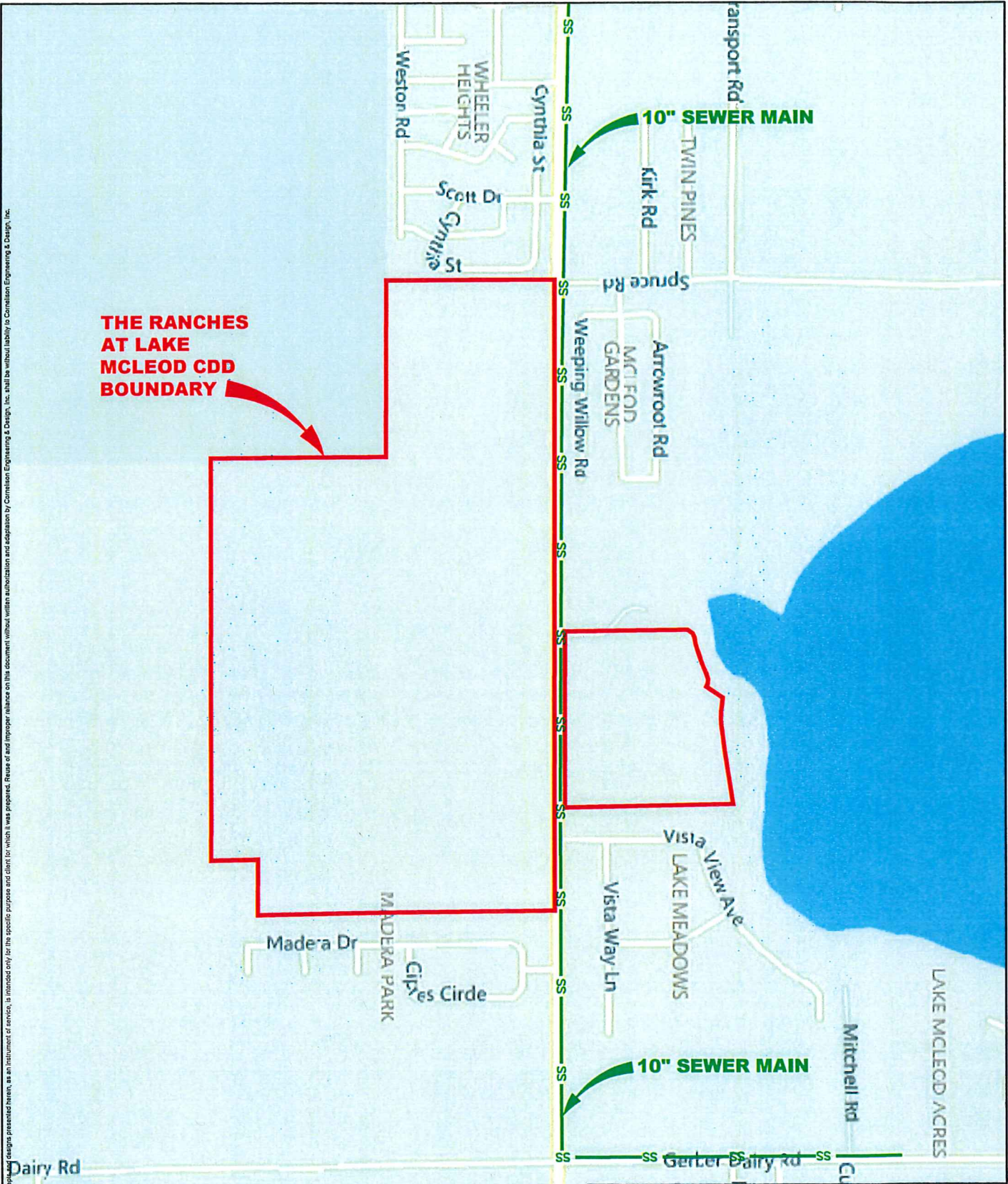
UTILITY MAP  
 WATER

DATE  
 6/30/2020  
 PROJECT NO.  
 1401014

SHEET NUMBER  
 3

Drawing name: P:1401014 - Ranches at Lake McLeod, Bomber Road\Cadd\Exhibits\RANCHES AT LAKE MCLEOD - CDD EXHIBITS.dwg SEWER Jul 06, 2020 12:28pm by: CraigCornelson

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DESIGN, INC.  
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38039 OLD 5TH AVE, ZEPHYRHILLS, FLORIDA 33452

RANCHES AT LAKE  
MCLEOD  
EAGLE LAKE, FL

UTILITY MAP  
SEWER

DATE  
6/30/2020  
PROJECT NO.  
1401014

SHEET NUMBER  
3

## EXHIBIT 4A

### ESTIMATED INFRASTRUCTURE CONSTRUCTION TIME TABLE

#### RANCHES AT LAKE MCLEOD COMMUNITY DEVELOPMENT DISTRICT

<b>Improvement Category</b>	<b>Start Date</b>	<b>Completion Date</b>
General Conditions	March 2021	May 2024
Earthwork	March 2021	May 2024
Stormwater	March 2021	May 2024
Water	March 2021	May 2024
Sewer	March 2021	May 2024
Irrigation	March 2021	May 2024
Paving	March 2021	May 2024
Bomber Road Improvements	March 2021	May 2026
Landscaping	March 2021	May 2025
Walls/Fencing	March 2021	June 2022
Clubhouse	March 2021	June 2022
Parks	March 2021	May 2024

**EXHIBIT 4B**

**CONSTRUCTION COST ESTIMATES**

**RANCHES AT LAKE MCLEOD COMMUNITY DEVELOPMENT DISTRICT**

<b>Improvement Category</b>	<b>Cost Estimate</b>
General Conditions	\$750,000
Earthwork	\$2,000,000
Stormwater	\$5,750,000
Water	\$2,500,000
Sewer	\$4,500,000
Irrigation	\$1,800,000
Paving	\$7,500,000
Bomber Road Improvements	\$300,000
Landscaping	\$200,000
Walls/Fencing	\$300,000
Clubhouse	\$1,500,000
Parks	\$500,000
<b>Total</b>	<b>\$27,600,000</b>



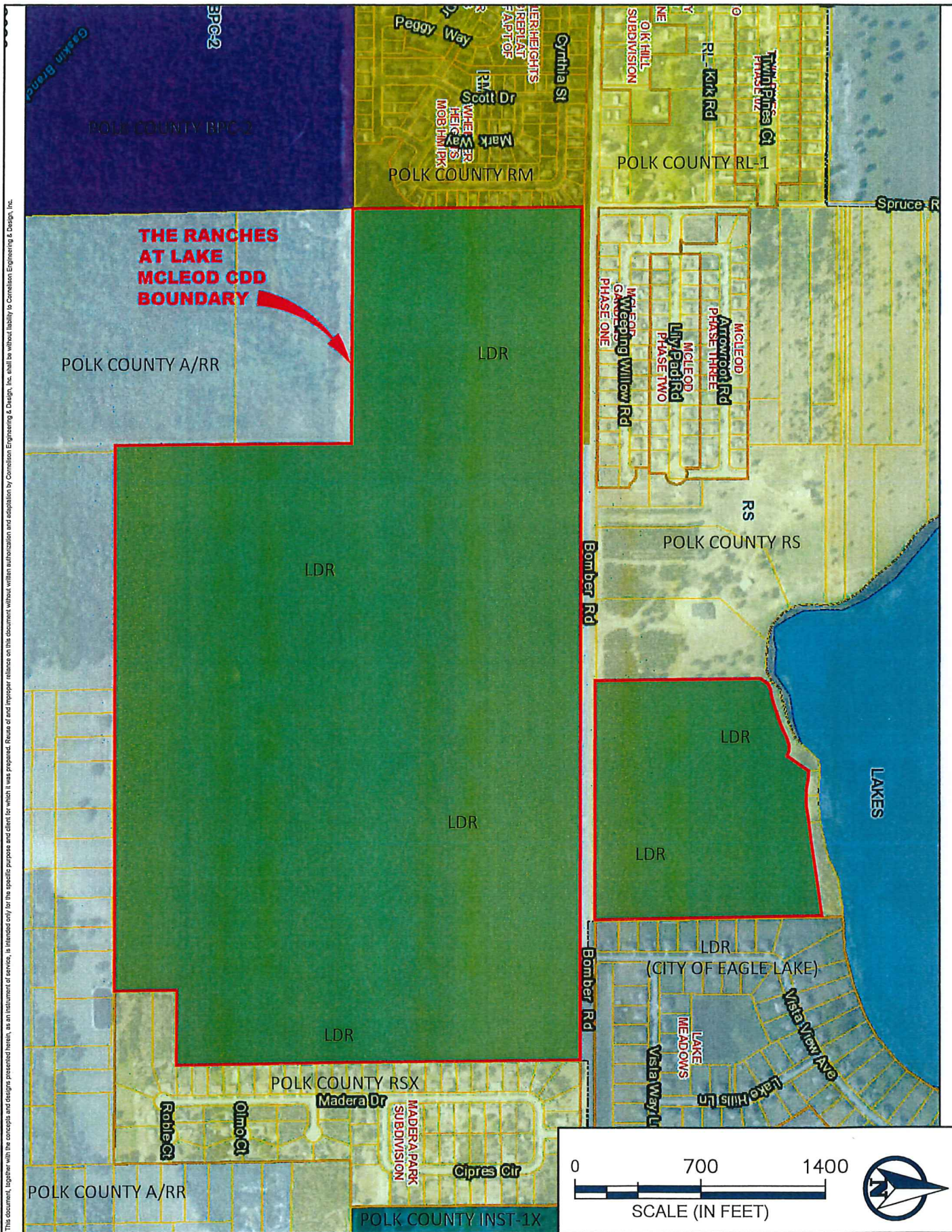
EXHIBIT 5

FUTURE LAND USE MAP AND ZONING MAP

RANCHES AT LAKE MCLEOD COMMUNITY DEVELOPMENT DISTRICT

Drawing name: P:\1401014 - Ranches at Lake McLeod, Bomber Road\Cadd\Exhibits\RANCHES AT LAKE MCLEOD - CDD EXHIBITS.dwg PROP FLUM Jul 06, 2020 12:32pm by: CraigCornelison

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RANCHES AT LAKE MCLEOD  
 EAGLE LAKE, FL

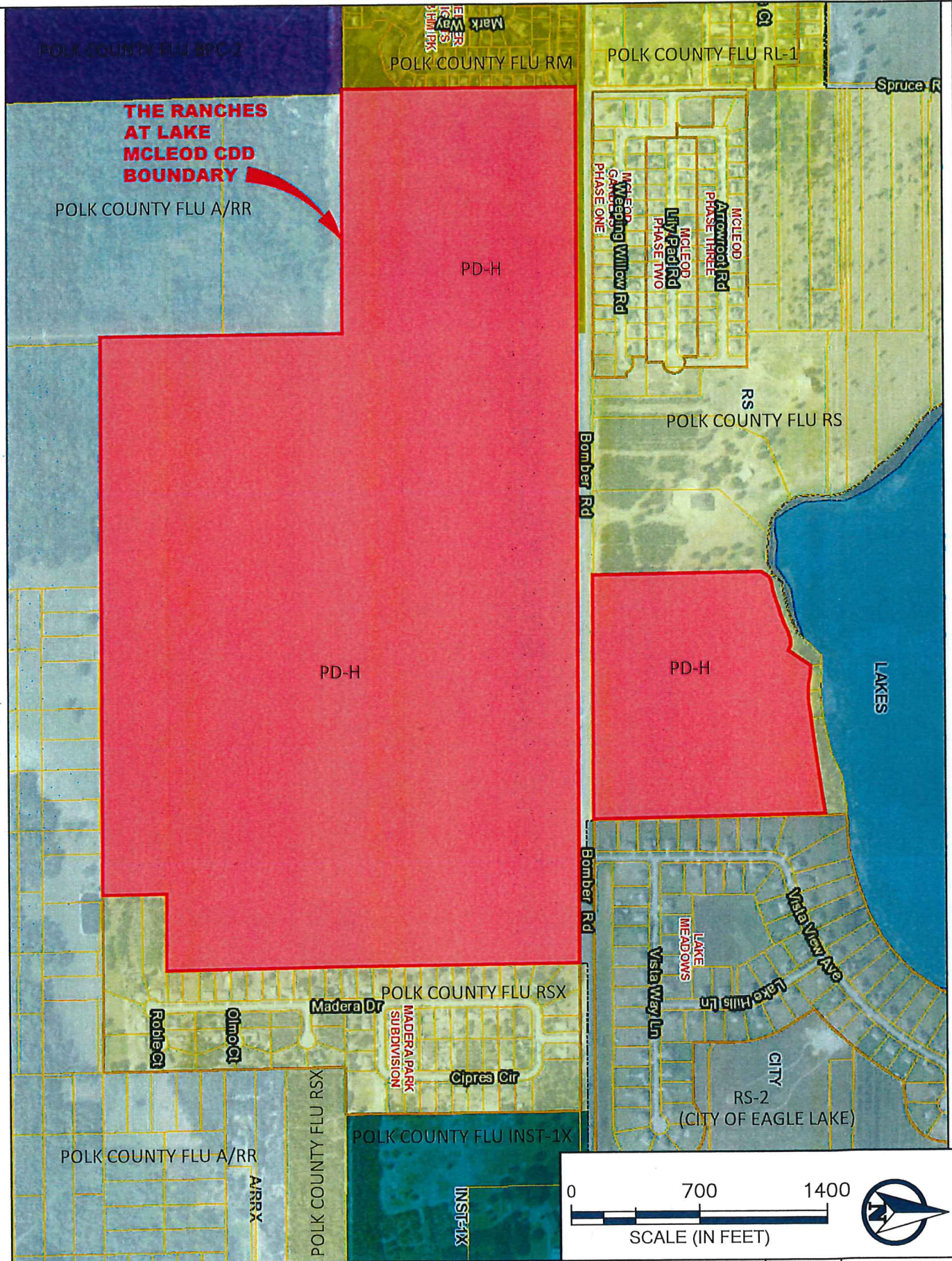
FUTURE LAND USE MAP

DATE  
 6/30/2020  
 PROJECT NO.  
 1401014

SHEET NUMBER  
 5

Drawing name: P:\1401014 - Ranches at Lake McLeod, Bomber Road\Cadd\Exhibits\RANCHES AT LAKE MCLEOD - CDD EXHIBITS.dwg PROP ZONING Jul 06, 2020 12:32pm by: Craig Cornelison

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RANCHES AT LAKE MCLEOD  
 EAGLE LAKE, FL

ZONING MAP

DATE  
 6/30/2020  
 PROJECT NO.  
 1401014

SHEET NUMBER  
 5

**EXHIBIT 6**

**STATEMENT OF ESTIMATED REGULATORY COSTS**

**RANCHES AT LAKE MCLEOD COMMUNITY DEVELOPMENT DISTRICT**

RANCHES AT LAKE  
MCLEOD  
COMMUNITY DEVELOPMENT DISTRICT

Statement  
of  
Estimated Regulatory Costs

September 29, 2020



Provided by

***Wrathell, Hunt and Associates, LLC***

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Boca Raton, FL 33431

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# **STATEMENT OF ESTIMATED REGULATORY COSTS**

## **1.0 Introduction**

### **1.1 Purpose and Scope**

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to establish the Ranches at Lake McLeod Community Development District ("District") in accordance with the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes (the "Act"). The proposed District will comprise approximately 288 +/- acres of land located within the City of Eagle Lake, Florida (the "City") and is projected to contain approximately 1,160 residential dwelling units and 3 acres of commercial space, which will make up the Ranches at Lake McLeod development. The limitations on the scope of this SERC are explicitly set forth in Section 190.002(2)(d), Florida Statutes ("F.S.") (governing District establishment) as follows:

*"That the process of establishing such a district pursuant to uniform general law be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant (emphasis added)."*

### **1.2 Overview of the Ranches at Lake McLeod Community Development District**

The District is designed to provide public infrastructure, services, and facilities along with operation and maintenance of the same to a master planned residential development currently anticipated to contain a total of approximately 1,160 residential dwelling units and 3 acres of commercial space, all within the boundaries of the District. Tables 1 and 2 under Section 5.0 detail the anticipated improvements and ownership/maintenance responsibilities the proposed District is anticipated to construct, operate and maintain.

A community development district ("CDD") is an independent unit of special purpose local government authorized by the Act to plan, finance, construct, operate and maintain community-wide infrastructure in planned community developments. CDDs provide a "solution to the state's planning, management and financing needs for delivery of capital infrastructure in order to service projected growth without overburdening other governments and their taxpayers." Section 190.002(1)(a), F.S.

A CDD is not a substitute for the local, general purpose government unit, i.e., the city or county in which the CDD lies. A CDD does not have the permitting, zoning or policing powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating and maintaining public infrastructure for developments, such as Ranches at Lake McLeod.

### **1.3 Requirements for Statement of Estimated Regulatory Costs**

Section 120.541(2), F.S., defines the elements a statement of estimated regulatory costs must contain:

- (a) An economic analysis showing whether the rule directly or indirectly:
1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;
  2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or
  3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.
- (b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.
- (c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues.
- (d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.
- (e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses. (City of Eagle Lake, according to Census 2010, has a population of 2,255; therefore, it is defined as a small City for the purposes of this requirement.)
- (f) Any additional information that the agency determines may be useful.
- (g) In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

Note: the references to "rule" in the statutory requirements for the Statement of Estimated Regulatory Costs also apply to an "ordinance" under section 190.005(2)(a), F.S.

- 2.0 An economic analysis showing whether the ordinance directly or indirectly:**
- 1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance;**
  - 2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance; or**
  - 3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.**

The ordinance establishing the District is not anticipated to have any direct or indirect adverse impact on economic growth, private sector job creation or employment, private sector investment, business competitiveness, ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation. Any increases in regulatory costs, principally the anticipated increases in transactional costs as a result of imposition of special assessments by the District will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is voluntary and all additional costs will be disclosed to prospective buyers prior to sale, such increases should be considered voluntary, self-imposed and offset by benefits received from the infrastructure and services provided by the District.

**2.1 Impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.**

The purpose for establishment of the District is to provide public facilities and services to support the development of a new, master planned residential development. The development of the approximately 288 +/- acres anticipated to be within the District will promote local economic activity, create local value, lead to local private sector investment and is likely to result in local private sector employment and/or local job creation.

Establishment of the District will allow a systematic method to plan, fund, implement, operate and maintain, for the benefit of the landowners within the District, various public facilities and services. Such facilities and services, as further described in Section 5, will allow for the development of the land within the District. The provision of District's infrastructure and the subsequent development of land will generate private economic activity, economic growth, investment and employment, and job creation. The District intends to use proceeds of indebtedness to fund construction of public infrastructure, which will be constructed by private firms, and once constructed, is likely to use private firms to operate and maintain such infrastructure and provide services to the landowners and residents of the District. The private developer of the land in the District will use its private funds to conduct the private land development and construction of an anticipated approximately 1,160 residential dwelling units, the construction, sale, and continued use/maintenance of which will involve private firms. While similar economic growth, private sector job creation or employment, or private sector investment could be achieved in absence of the District by the private sector alone, the fact that the establishment of the District is initiated by the private developer means that the



private developer considers the establishment and continued operation of the District as beneficial to the process of land development and the future economic activity taking place within the District, which in turn will lead directly or indirectly to economic growth, likely private sector job growth and/or support private sector employment, and private sector investments.

**2.2 Impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.**

When assessing the question of whether the establishment of the District is likely to directly or indirectly have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation, one has to compare these factors in the presence and in the absence of the District in the development. When the question is phrased in this manner, it can be surmised that the establishment of the District is likely to not have a direct or indirect adverse impact on business competitiveness, productivity, or innovation versus that same development without the District. Similar to a purely private solution, District contracts will be bid competitively as to achieve the lowest cost/best value for the particular infrastructure or services desired by the landowners, which will insure that contractors wishing to bid for such contracts will have to demonstrate to the District the most optimal mix of cost, productivity and innovation. Additionally, the establishment of the District for the development is not likely to cause the award of the contracts to favor non-local providers any more than if there was no District. The District, in its purchasing decisions, will not vary from the same principles of cost, productivity and innovation that guide private enterprise.

**2.3 Likelihood of an increase in regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.**

The establishment of the District will not increase any regulatory costs of the State or the County by virtue that the District will be one of many already existing similar districts within the State and also one of a many already existing similar districts in the County. As described in more detail in Section 4, the proposed District will pay a one-time filing fee to the City to offset any expenses that the City may incur in holding a local public hearing on the petition. Similarly, the proposed District will pay annually the required Special District Filing Fee, which fee is meant to offset any State costs related to its oversight of all special districts in the State.

The establishment of the District will, however, directly increase regulatory costs to the landowners within the District. Such increases in regulatory costs, principally the anticipated increases in transactional costs as a result of likely imposition of special assessments and use fees by the District, will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is completely voluntary, all current property owners must consent to the establishment of the District and all initial prospective buyers will have such additional transaction costs disclosed to them prior to sale, as required by State law. Such costs, however, should be considered voluntary, self-imposed, and as a tradeoff for the service

and facilities provided by the District.

The District will incur overall operational costs related to services for infrastructure maintenance, landscaping, and similar items. In the initial stages of development, the costs will likely be minimized. These operating costs will be funded by the landowners through direct funding agreements or special assessments levied by the District. Similarly, the District may incur costs associated with the issuance and repayment of special assessment revenue bonds. While these costs in the aggregate may approach the stated threshold over a five year period, this would not be unusual for a Project of this nature and the infrastructure and services proposed to be provided by the District will be needed to serve the Project regardless of the existence of the District. Thus, the District-related costs are not additional development costs. Due to the relatively low cost of financing available to CDDs, due to the tax-exempt nature of their debt, certain improvements can be provided more efficiently by the District than by alternative entities. Furthermore, it is important to remember that such costs would be funded through special assessments paid by landowners within the District, and would not be a burden on the taxpayers outside the District.

**3.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the ordinance, together with a general description of the types of individuals likely to be affected by the ordinance.**

The individuals and entities likely to be required to comply with the ordinance or affected by the proposed action (i.e., adoption of the ordinance) can be categorized, as follows: 1) The State of Florida and its residents, 2) the City of Eagle Lake and its residents, 3) current property owners, and 4) future property owners.

a. The State of Florida

The State of Florida and its residents and general population will not incur any compliance costs related to the establishment and on-going administration of the District, and will only be affected to the extent that the State incurs those nominal administrative costs outlined herein. The cost of any additional administrative services provided by the State as a result of this project will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

b. City of Eagle Lake

The City and its residents not residing within the boundaries of the District will not incur any compliance costs related to the establishment and on-going administration of the District other than any one-time administrative costs outlined herein, which will be offset by the filing fee submitted to the City. Once the District is established, these residents will not be affected by adoption of the ordinance. The cost of any additional administrative services provided by the City as a result of this development will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

c. Current Property Owners

The current property owners of the lands within the proposed District boundaries will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

d. Future Property Owners

The future property owners are those who will own property in the proposed District. These future property owners will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

The proposed District will serve land that comprises an approximately 288 +/- acre master planned residential development currently anticipated to contain a total of approximately 1,160 residential dwelling units, although the development plan can change. Assuming an average density of 3.5 persons per residential dwelling unit, the estimated residential population of the proposed District at build out would be approximately 4,060 +/- and all of these residents as well as the landowners within the District will be affected by the ordinance. The City, the proposed District and certain state agencies will also be affected by or required to comply with the ordinance as more fully discussed hereafter.

**4.0 A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed ordinance, and any anticipated effect on state or local revenues.**

The City is establishing the District by ordinance in accordance with the Act and, therefore, there is no anticipated effect on state or local revenues.

**4.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance**

Because the result of adopting the ordinance is the establishment of an independent local special purpose government, there will be no significant enforcing responsibilities of any other government entity, but there will be various implementing responsibilities which are identified with their costs herein.

State Governmental Entities

The cost to state entities to review or enforce the proposed ordinance will be very modest. The District comprises less than 2,500 acres and is located within the boundaries of the City of Eagle Lake. Therefore, the City (and not the Florida Land and Water Adjudicatory Commission) will review and act upon the Petition to establish the District, in accordance with Section 190.005(2), F.S. There are minimal additional ongoing costs to various state entities to implement and enforce the proposed ordinance. The costs to various state entities to implement and enforce the proposed ordinance relate strictly to the receipt and processing of various reports that the District is required to file with the State and its various entities. Appendix A lists the reporting requirements. The costs to those state agencies that will receive and process the District's reports are minimal because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.064, F.S., the District must pay an annual fee to the State of Florida Department of Economic Opportunity which offsets such costs.

## City of Eagle Lake, Florida

The proposed land for the District is located within the City of Eagle Lake, Florida and consists of less than 2,500 acres. The City and its staff may process, analyze, conduct a public hearing, and vote upon the petition to establish the District. These activities will absorb some resources; however, these costs incurred by the City will be modest for a number of reasons. First, review of the petition to establish the District does not include analysis of the project itself. Second, the petition itself provides most, if not all, of the information needed for a staff review. Third, the City already possesses the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, the potential costs are offset by a filing fee included with the petition to offset any expenses the City may incur in the processing of this petition. Finally, the City already processes similar petitions, though for entirely different subjects, for land uses and zoning changes that are far more complex than the petition to establish a community development district.

The annual costs to the City, because of the establishment of the District, are also very small. The District is an independent unit of local government. The only annual costs the City faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the City, or any monitoring expenses the City may incur if it establishes a monitoring program for this District.

### **4.2 Impact on State and Local Revenues**

Adoption of the proposed ordinance will have no negative impact on state or local revenues. The District is an independent unit of local government. It is designed to provide infrastructure facilities and services to serve the development project and it has its own sources of revenue. No state or local subsidies are required or expected.

Any non-ad valorem assessments levied by the District will not count against any millage caps imposed on other taxing authorities providing services to the lands within the District. It is also important to note that any debt obligations the District may incur are not debts of the State of Florida or any other unit of local government. By Florida law, debts of the District are strictly its own responsibility.

### **5.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the ordinance.**

Table 1 provides an outline of the various facilities and services the proposed District may provide. Financing for these facilities is projected to be provided by the District.

Table 2 illustrates the estimated costs of construction of the capital facilities, outlined in Table 1. Total costs of construction for those facilities that may be provided are estimated to be approximately \$27,600,000. The District may levy non-ad valorem special assessments (by a variety of names) and may issue special assessment bonds to fund the costs of these facilities. These bonds would be repaid through non-ad valorem special assessments levied on all developable properties in the District that may benefit from the District's infrastructure program as outlined in Table 2.

Prospective future landowners in the proposed District may be required to pay non-ad valorem special assessments levied by the District to provide for facilities and secure any debt incurred through bond issuance. In addition to the levy of non-ad valorem special assessments which may be used for debt service, the District may also levy a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services. However, purchasing a property within the District or locating in the District by new residents is completely voluntary, so, ultimately, all landowners and residents of the affected property choose to accept the non-ad valorem assessments as a tradeoff for the services and facilities that the District will provide. In addition, state law requires all assessments levied by the District to be disclosed by the initial seller to all prospective purchasers of property within the District.

**Table 1**

**RANCHES AT LAKE MCLEOD COMMUNITY  
DEVELOPMENT DISTRICT  
Proposed Facilities and Services**

<b>FACILITY</b>	<b>FUNDED BY</b>	<b>OWNED BY</b>	<b>MAINTAINED BY</b>
General Conditions	CDD	CDD	CDD
Earthwork	CDD	CDD	CDD
Stormwater	CDD	CDD	CDD
Water	CDD	City	City
Sewer	CDD	City	City
Irrigation	CDD	CDD	CDD
Paving	CDD	CDD	CDD
Bomber Road Improvements	CDD	County	County
Landscaping	CDD	CDD	CDD
Walls/Fencing	CDD	CDD	CDD
Clubhouse	CDD	CDD	CDD
Parks	CDD	CDD	CDD

A CDD provides the property owners with an alternative mechanism of providing public services; however, special assessments and other impositions levied by the District and collected by law represent the transactional costs incurred by landowners as a result of the establishment of the District. Such transactional costs should be considered in terms of costs likely to be incurred under alternative public and private mechanisms of service provision, such as other independent special districts, County or its dependent districts, or County management but financing with municipal service benefit units and municipal service taxing units, or private entities, all of which can be grouped into three major categories: public district, public other, and private.

With regard to the public services delivery, dependent and other independent special districts can be used to manage the provision of infrastructure and services, however, they are limited in the types of services they can provide, and likely it would be necessary to employ more than one district to provide all services needed by the development.

**Table 2**

**RANCHES AT LAKE MCLEOD COMMUNITY  
DEVELOPMENT DISTRICT  
Estimated Costs of Construction**

<b>CATEGORY</b>	<b>COST</b>
General Conditions	\$750,000
Earthwork	\$2,000,000
Stormwater	\$5,750,000
Water	\$2,500,000
Sewer	\$4,500,000
Irrigation	\$1,800,000
Paving	\$7,500,000
Bomber Road Improvements	\$300,000
Landscaping	\$200,000
Walls/Fencing	\$300,000
Clubhouse	\$1,500,000
Parks	\$500,000
<b>Total</b>	<b>\$27,600,000</b>

Other public entities, such as cities, are also capable of providing services, however, their costs in connection with the new services and infrastructure required by the new development and, transaction costs, would be borne by all taxpayers, unduly burdening existing taxpayers. Additionally, other public entities providing services would also be inconsistent with the State's policy of "growth paying for growth".

Lastly, services and improvements could be provided by private entities. However, their interests are primarily to earn short-term profits and there is no public accountability. The marginal benefits of tax-exempt financing utilizing CDDs would cause the CDD to utilize its lower transactional costs to enhance the quality of infrastructure and services.

In considering transactional costs of CDDs, it shall be noted that occupants of the lands to be included within the District will receive three major classes of benefits.

First, those residents in the District will receive a higher level of public services which in most instances will be sustained over longer periods of time than would otherwise be the case.

Second, a CDD is a mechanism for assuring that the public services will be completed concurrently with development of lands within the development. This satisfies the revised growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Establishment of the District will ensure that these landowners pay for the provision of facilities, services and improvements to these lands.

Third, a CDD is the sole form of local governance which is specifically established to provide District landowners with planning, construction, implementation and short and long-term maintenance of public infrastructure at sustained levels of service.

The cost impact on the ultimate landowners in the development is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above, if applicable, what the landowners would have paid to install infrastructure via an alternative financing mechanism.

Consequently, a CDD provides property owners with the option of having higher levels of facilities and services financed through self-imposed revenue. The District is an alternative means to manage necessary development of infrastructure and services with related financing powers. District management is no more expensive, and often less expensive, than the alternatives of various public and private sources.

#### **6.0 An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.**

There will be little impact on small businesses because of the establishment of the District. If anything, the impact may be positive because the District must competitively bid all of its contracts and competitively negotiate all of its contracts with consultants over statutory thresholds. This affords small businesses the opportunity to bid on District work.

City of Eagle Lake has a population of 2,255 according to the Census 2010 conducted by the United States Census Bureau and is therefore not defined as a "small" City according to Section 120.52, F.S. It can be reasonably expected that the establishment of community development district for the Ranches at Lake McLeod development will not produce any marginal effects that would be different from those that would have occurred if the Ranches at Lake McLeod development was developed without a community development district established for it by the City.

#### **7.0 Any additional useful information.**

The analysis provided above is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the Petitioner's Engineer and other professionals associated with the Petitioner.

In relation to the question of whether the proposed Ranches at Lake McLeod Community Development District is the best possible alternative to provide public facilities and services to the project, there are several additional factors which bear importance. As an alternative to an independent district, the City could establish a dependent district for the area or establish an MSBU or MSTU. Either of these alternatives could finance the improvements contemplated in Tables 1 and 2 in a fashion similar to the proposed District.

There are a number of reasons why a dependent district is not the best alternative for providing public facilities and services to the Ranches at Lake McLeod development. First, unlike a CDD, this alternative would require the City to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be directly and wholly attributed to the land directly benefiting from them, as the case would be with a CDD. Administering a project of the size and complexity of the development program anticipated for the Ranches at Lake McLeod development is a significant and expensive undertaking.

Second, a CDD is preferable from a government accountability perspective. With a CDD, residents and landowners in the District would have a focused unit of government ultimately under their direct control. The CDD can then be more responsive to resident needs without disrupting other City responsibilities. By contrast, if the City were to establish and administer a dependent Special District, then the residents and landowners of the Ranches at Lake McLeod development would take their grievances and desires to the City Commission meetings.

Third, any debt of an independent CDD is strictly that District's responsibility. While it may be technically true that the debt of a City-established, dependent Special District is not strictly the City's responsibility, any financial problems that a dependent Special District may have may reflect on the City. This will not be the case if a CDD is established.

Another alternative to a CDD would be for a Property Owners' Association (POA) to provide the infrastructure as well as operations and maintenance of public facilities and services. A CDD is superior to a POA for a variety of reasons. First, unlike a POA, a CDD can obtain low cost funds from the municipal capital market. Second, as a government entity a CDD can impose and collect its assessments along with other property taxes on the County's real estate tax bill. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Third, the proposed District is a unit of local government. This provides a higher level of transparency, oversight and accountability and the CDD has the ability to enter into interlocal agreements with other units of government.

**8.0 A description of any regulatory alternatives submitted under section 120.541(1)(a), F.S., and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed ordinance.**

No written proposal, statement adopting an alternative or statement of the reasons for rejecting an alternative have been submitted.

Based upon the information provided herein, this Statement of Estimated Regulatory Costs supports the petition to establish the Ranches at Lake McLeod Community Development District.



**APPENDIX A  
LIST OF REPORTING REQUIREMENTS**

<b>REPORT</b>	<b>FL. STATUE CITATION</b>	<b>DATE</b>
Annual Financial Audit	190.008/218.39	9 months after end of Fiscal Year
Annual Financial Report	190.008/218.32	45 days after the completion of the Annual Financial Audit but no more than 9 months after end of Fiscal Year
TRIM Compliance Report	200.068	no later than 30 days following the adoption of the property tax levy ordinance/resolution (if levying property taxes)
Form 1 - Statement of Financial Interest	112.3145	within 30 days of accepting the appointment, then every year thereafter by 7/1 (by "local officers" appointed to special district's board); during the qualifying period, then every year thereafter by 7/1 (by "local officers" elected to special district's board)
Public Facilities Report	189.08	within one year of special district's creation; then annual notice of any changes; and updated report every 7 years, 12 months prior to submission of local government's evaluation and appraisal report
Public Meetings Schedule	189.015	quarterly, semiannually, or annually
Bond Report	218.38	when issued; within 120 days after delivery of bonds
Registered Agent	189.014	within 30 days after first meeting of governing board
Proposed Budget	190.008	annually by June 15
Adopted Budget	190.008	annually by October 1
Public Depositor Report	280.17	annually by November 30
Notice of Establishment	190.0485	within 30 days after the effective date of an ordinance establishing the District
Notice of Public Financing	190.009	file disclosure documents in the property records of the county after financing

EXHIBIT 7

PROPOSED ORDINANCE

RANCHES AT LAKE MCLEOD COMMUNITY DEVELOPMENT DISTRICT

**ORDINANCE NO. O-21-01**

**AN ORDINANCE OF THE CITY COMMISSION OF EAGLE LAKE, FLORIDA GRANTING THE PETITION OF RANCHES AT LAKE MCLEOD, LLC, FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT, SUBJECT TO CONDITIONS; CREATING AND ESTABLISHING RANCHES AT LAKE MCLEOD COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR NAME, POWERS, AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Florida Legislature created and amended Chapter 190, Florida Statutes, to provide an alternative method to finance and manage basic services for community development; and

**WHEREAS**, Ranches at Lake McLeod, LLC, a Florida limited liability company (the “Petitioner”), has petitioned the City Commission (the “Commission”) of The City of Eagle Lake, Florida (the “City”), for the establishment of the Ranches at Lake McLeod Community Development District (the “District”); and

**WHEREAS**, a public hearing has been conducted by the Commission, in accordance with the requirements and procedures of § 190.005(2)(d), Florida Statutes, and the applicable requirements and procedures of the City’s Charter and Code of Ordinances; and

**WHEREAS**, the Commission has determined that the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area, thereby providing a solution to the City’s management and financing needs for a delivery of capital infrastructure therein without overburdening the City and its taxpayers; and

**WHEREAS**, the Commission finds that the statements contained in the Petition are true and correct; and

**WHEREAS**, the creation of the District is not inconsistent with any applicable element or portion of the State comprehensive plan or the City’s Comprehensive Plan; and

**WHEREAS**, the area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated development; and

**WHEREAS**, the creation of the District is the best alternative available for delivering community development facilities and services to the area that will be served by the District; and

**WHEREAS**, the proposed facilities and services to be provided by the District will be compatible with the capacity and uses of existing local and regional community development facilities and services; and

**WHEREAS**, the area that will be served by the District is amenable to separate special district government; and

**WHEREAS**, the Commission finds that the District shall have those general and special powers authorized by §§ 190.011 and 190.012, Florida Statutes, and set forth herein, and that it is in the public interest of all of the citizens of the City that the District have such powers.

**NOW THEREFORE**, BE IT ENACTED BY THE PEOPLE OF THE CITY OF EAGLE LAKE, FLORIDA:

**SECTION 1.** The foregoing findings, which are expressly set forth herein, are hereby adopted and made a part hereof.

**SECTION 2.** The Petition to establish the Ranches at Lake McLeod Community Development District over the real property described in Exhibit 1A of the Petition, a copy of which is attached hereto, which was filed by the Petitioner on September 9, 2020, and which Petition is on file at the Office of the City Clerk, is hereby granted: A copy of the Petition is attached and incorporated herein as Exhibit A.

**SECTION 3.** The external boundaries of the District are depicted on the location map attached hereto and incorporated herein as Exhibit B.

**SECTION 4.** The initial members of the Board of Supervisors shall be as follows:

Name: David Waronker  
Address: 1568 Castile Street, Celebration, FL 34747

Name: Raj Balkaran  
Address: 2852 Majestic Isle Drive, Clermont, FL 34711

Name: Mark Goitein  
Address: 8730 Midnight Pass Road, Unit 400A, Sarasota, FL 34242

Name: Ruth Waronker  
Address: 1568 Castile Street, Celebration, FL 34747

Name: Donald Schrotenboer  
Address: 13 Catalpa Court, Ft. Myers, FL 33919

**SECTION 5.** The name of the District shall be the “Ranches at Lake McLeod Community Development District.”

**SECTION 6.** The Ranches at Lake McLeod Community Development District is created for the purposes set forth in Chapter 190, Florida Statutes.

**SECTION 7.** Pursuant to § 190.005 (2)(d), Florida Statutes, the charter for the Ranches at Lake McLeod Community Development District shall be §§ 190.006 through 190.041, Florida Statutes, as amended.

**SECTION 8.** Based on the findings referenced above, the Commission hereby grants to the Ranches at Lake McLeod Community Development District all powers authorized pursuant to §§ 190.011 and 190.012(1)(a)-(h), (2)(a), and (3), Florida Statutes, and hereby finds that it is in the public interest of all citizens of the City to grant such general powers.

**SECTION 9.** All bonds issued by the Ranches at Lake McLeod Community Development District pursuant to the powers granted by this ordinance shall be validated pursuant to Chapter 75, Florida Statutes.

**SECTION 10.** No bond, debt or other obligation of the Ranches at Lake McLeod Community Development District, nor any default thereon, shall constitute a debt or obligation of the City.

**SECTION 11.** If any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**SECTION 12.** It is the intention of the Commission, and it is hereby ordained that the provisions of this ordinance shall be excluded from the City's Code of Ordinances.

**SECTION 13.** This ordinance shall become effective ten (10) days after the date of enactment, provided however, that this ordinance shall be void and of no force or effect unless, on or before July 1, 2021, either 1) the property described in Exhibit 1A of the Petition is purchased by the Petitioner and a deed for the transfer of such property is recorded in the public records of Polk County, Florida; or 2) the Landowners, as defined in the Petition, of the property files with the City of Eagle Lake a notice waiving the requirement for the transfer of the property.

INTRODUCED AND PASSED on first reading this \_\_\_\_ day of \_\_\_\_\_, 2020.

PASSED AND ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF EAGLE LAKE, FLORIDA

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CORY COLER, MAYOR

ATTEST:

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CITY CLERK DAWN M. WRIGHT

Approved as to form:

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CITY ATTORNEY JEFFREY S. DAWSON