

ORDINANCE NO. O2023-2

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, ESTABLISHING AND NAMING MIDDLETON DOWNTOWN COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH CHAPTER 190 OF THE FLORIDA STATUTES; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; GRANTING SPECIAL POWERS; NAMING THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 190, Florida Statutes, The Villages Development Company, LLC ("Petitioner"), has petitioned the City Commission of the City of Wildwood, Florida ("Commission"), to adopt an ordinance establishing the Middleton Downtown Community Development District ("District"), pursuant to Chapter 190, Florida Statutes (2021); and,

WHEREAS, Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida; and,

WHEREAS, pursuant to Chapter 190, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the petition for establishment ("Petition") at a duly noticed public hearing conducted by the Commission; and,

WHEREAS, upon consideration of the record established at that hearing, the Commission determined that the statements within the Petition are true and correct; that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the local government comprehensive plan; that the land within the District is of sufficient size, is sufficiently compact, and sufficiently contiguous to be developable as a functionally interrelated community; that the District is the best alternative available for delivering community development services and facilities to the area served by the District; that the services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities and that the area to be served by the District is amenable to separate special-district governance; and,

WHEREAS, establishment of the District will constitute a timely, efficient, effective,

responsive and economic way to deliver community development services in the area described in the Petition.

NOW, THEREFORE, be it ordained by the City Commission of the City of Wildwood, Florida, as follows:

SECTION 1: RECITALS. That the recitals above are hereby incorporated as if fully set forth herein.

SECTION 2: AUTHORITY. This Ordinance is adopted in compliance with, and pursuant to, the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2021).

SECTION 3: DISTRICT NAME. There is hereby established a community development district situated within the City of Wildwood, Florida, which shall be known as the "Middleton Downtown Community Development District".

SECTION 4: EXTERNAL BOUNDARIES OF THE DISTRICT. Encompassing approximately 61.14 acres, the external boundaries of the District are described in Exhibit A attached hereto.

SECTION 5: POWERS AND FUNCTIONS. The District shall have all general and special functions and powers described in Chapter 190, Florida Statutes, as the same may be expanded by general law from time to time. Without limiting the foregoing, the City of Wildwood consents to the exercise of the special powers described in Section 190.012(2) excluding Subsection 190.012(2)(f); provided however, that the District's exercise of the special powers described in Section 190.012, Florida Statutes, shall be subject to the regulatory jurisdiction and permitting authority of the City of Wildwood and shall not materially prevent or hinder the operation of current systems and facilities provided by the City of Wildwood. The City of Wildwood's regulatory and permitting authority includes the power to require a negotiated franchise agreement prior to the District's operation of utility facilities in City rights-of-way for water, sanitary sewer, natural gas, or electric utilities.

SECTION 6: BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Dennis Stradinger, Steve Printz, Don Levens, Alison Emily and John Weber. All of the above-listed persons are residents of the State of Florida and citizens of the United States of America.

SECTION 7: SEVERABILITY. If any section, sentence, clause or phrase of this Ordinance, or any particular application thereof, is held to be invalid or unconstitutional by a Court of competent jurisdiction, then said holding shall in no way affect the validity

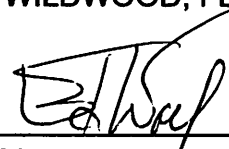
of the remaining portions of said Ordinance.

SECTION 8: EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

PASSED AND ORDAINED this 27th day of March, 2023, by the City Commission of the City of Wildwood, Florida.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

SEAL



Ed Wolf, Mayor

ATTEST:



Susan Patterson, City Clerk

First Reading: 1.9.2023

Second Reading: 3.27.2023

Approved as to form and Legal Sufficiency:



City Attorney

**PETITION TO ESTABLISH
MIDDLETON DOWNTOWN COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, The Villages Development Operating Company, LLC, a Florida limited liability company, petitions the City of Wildwood, Florida (hereinafter referred to as "City") pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, to adopt an ordinance to establish a Community Development District and to designate the boundaries of the District, and states as follows:

1. Petitioner is a Florida limited liability company with its principal place of business at 3619 Kiessel Road, The Villages, Florida 32163.
2. The boundary of the District comprises approximately 61.14 acres. A map showing the location of the District is attached as **Exhibit 1**. All of the land in the proposed District is within the City.
3. A sketch and metes and bounds legal description of the external boundaries of the District is attached as **Exhibit 2**.
4. Attached as **Exhibit 3** is documentation constituting written consent to establishment of the District by the owners of the real property to be included in the District.
5. The five (5) persons designated to serve as the initial members of the Board of Supervisors of the District are named in **Exhibit 4** attached hereto.
6. The proposed name of the District is Middleton Downtown Community Development District.
7. The major trunk water mains, sewer interceptors, and outfalls currently in existence on the property within the District are identified on **Exhibit 5** attached hereto.
8. The proposed timetables and related estimates of cost to construct the District services and facilities, based upon available data, are attached as **Exhibit 6**.
9. All of the property to be included in the District, as shown in **Exhibit 7** will be developed pursuant to the approved development plan of The Villages of Southern Oaks (VOSO) Age Restricted Development.
10. The Statement of Estimated Regulatory Costs of the granting of this Petition and the establishment of the District is attached as **Exhibit 8**.

WHEREFORE, Petitioner respectfully requests the City to:

- A. Schedule public hearings on January 9, 2023 and January 23, 2023 to consider this Petition filed pursuant to the uniform procedures set forth in Section 190.005(2), Florida Statutes.

B. Grant the Petition and adopt an ordinance to establish the District and designate the boundary of the District, pursuant to Sections 190.005(2), Florida Statutes.

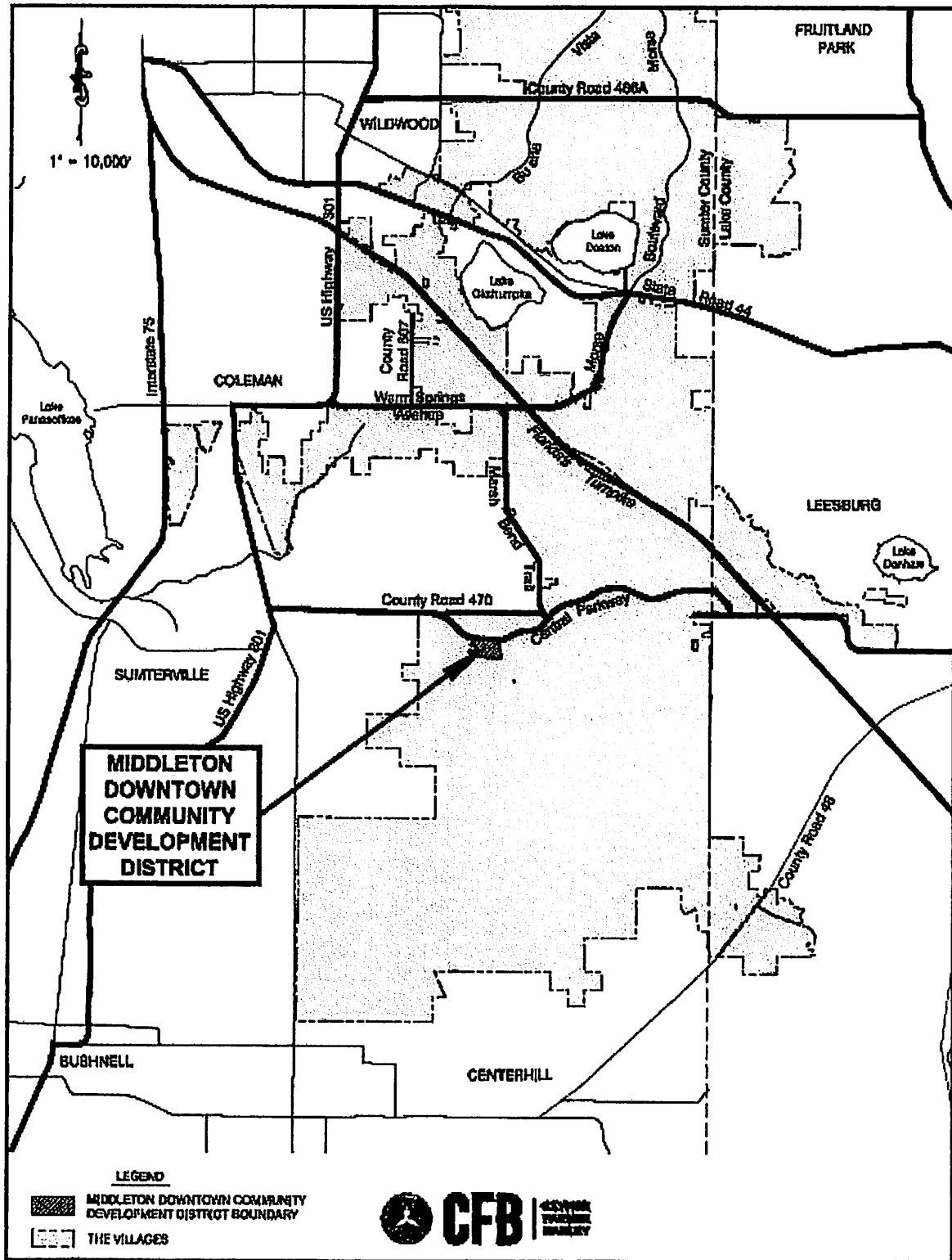
RESPECTFULLY SUBMITTED this 14th day of Nov., 2022.

**THE VILLAGES DEVELOPMENT
COMPANY, LLC,**
a Florida limited liability company

By: VDC MANAGER, LLC,
a Florida limited liability company,
its Manager

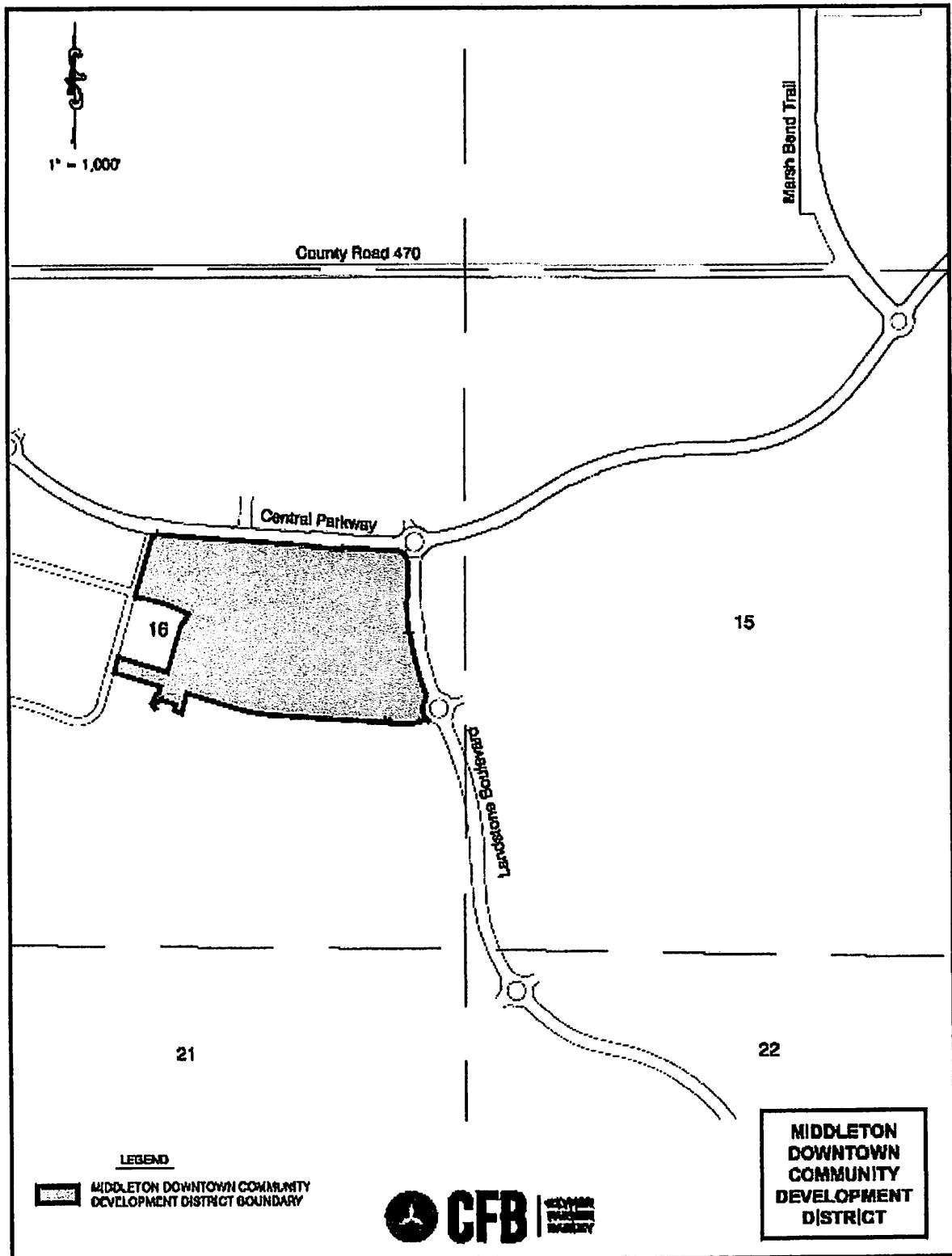
By: 
Martin L. Dzuro, Manager

EXHIBIT 1



GENERAL LOCATION MAP

EXHIBIT 2



MIDDLETON DOWNTOWN COMMUNITY DEVELOPMENT DISTRICT

**METES AND BOUND LEGAL DESCRIPTION
FOR
MIDDLETON DOWNTOWN COMMUNITY DEVELOPMENT DISTRICT**

A PARCEL OF LAND LYING WITHIN SECTION 16, TOWNSHIP 20 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF AFORESAID SECTION 16; THENCE ALONG THE NORTH LINE THEREOF RUN S89°52'59"E, 408.10 FEET; THENCE DEPARTING SAID NORTH LINE RUN S00°07'01"W, 2057.35 FEET TO THE POINT OF BEGINNING; THENCE S85°48'23"E, 1,025.94 FEET; THENCE S73°23'56"E, 51.20 FEET; THENCE S85°48'23"E, 228.96 FEET; THENCE N46°28'02"E, 14.87 FEET; THENCE S85°48'23"E, 201.98 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 2,133.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°12'11", AN ARC DISTANCE OF 193.69 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 102.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 45°20'18", AN ARC DISTANCE OF 80.71 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 123.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°49'54", AN ARC DISTANCE OF 3.93 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 102.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 47°30'10", AN ARC DISTANCE OF 84.57 FEET TO THE POINT OF TANGENCY; THENCE S00°00'00"E, 253.60 FEET; THENCE S10°42'06"W, 51.46 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 2,154.00 FEET AND A CHORD BEARING AND DISTANCE OF S04°11'22"E, 227.44 FEET TO WHICH A RADIAL LINE BEARS S88°50'13"W; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°03'10", AN ARC DISTANCE OF 227.55 FEET; THENCE ALONG A NON-TANGENT LINE RUN S52°12'57"E, 14.18 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 2,144.00 FEET AND A CHORD BEARING AND DISTANCE OF S13°44'50"E, 467.84 FEET TO WHICH A RADIAL LINE BEARS S82°30'59"W; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°31'39", AN ARC DISTANCE OF 468.77 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 102.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 45°53'20", AN ARC DISTANCE OF 81.69 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 123.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°03'41", AN ARC DISTANCE OF 184.75 FEET TO A POINT OF CUSP OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 102.00 FEET AND A CHORD BEARING AND DISTANCE OF N84°06'25"W, 82.73 FEET TO WHICH A RADIAL LINE BEARS N29°49'00"E; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 47°50'50", AN ARC DISTANCE OF 85.18 FEET TO THE POINT OF TANGENCY; THENCE S71°58'10"W, 6.89 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 449.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°52'05", AN ARC DISTANCE OF 116.51 FEET; THENCE ALONG A NON-TANGENT LINE RUN N83°50'45"W, 85.89 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 5.00 FEET AND A CHORD BEARING AND DISTANCE OF S24°34'10"W, 7.88 FEET TO WHICH A RADIAL LINE BEARS N62°35'40"E; THENCE SOUTHWESTERLY

ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 103°57'00", AN ARC DISTANCE OF 9.07 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 72.70 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°54'27", AN ARC DISTANCE OF 18.92 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 5.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 75°32'30", AN ARC DISTANCE OF 6.59 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 26.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 131°39'21", AN ARC DISTANCE OF 59.74 FEET; THENCE ALONG A NON-TANGENT LINE RUN N85°59'56"W, 847.21 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 1,346.81 FEET AND A CHORD BEARING AND DISTANCE OF N79°40'05"W, 322.28 FEET TO WHICH A RADIAL LINE BEARS S03°27'37"W; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 13°44'36", AN ARC DISTANCE OF 323.05 FEET; THENCE ALONG A NON-TANGENT LINE RUN N72°58'38"W, 399.92 FEET; THENCE S14°14'24"W, 160.85 FEET; THENCE N66°38'39"W, 53.31 FEET; THENCE N24°41'34"W, 12.90 FEET; THENCE N05°06'41"E, 40.99 FEET; THENCE N72°58'38"W, 120.53 FEET; THENCE S56°27'15"W, 70.00 FEET; THENCE S33°32'45"E, 30.00 FEET; THENCE S56°27'15"W, 8.00 FEET; THENCE N33°32'45"W, 41.72 FEET; THENCE N25°01'13"E, 70.63 FEET; THENCE N47°55'49"E, 40.13 FEET; THENCE N14°12'14"E, 46.54 FEET; THENCE N72°58'38"W, 379.61 FEET; THENCE N16°05'58"E, 121.16 FEET; THENCE N73°54'02"W, 3.00 FEET; THENCE N16°05'58"E, 2.84 FEET; THENCE S72°58'38"E, 404.07 FEET; THENCE N16°26'38"E, 385.22 FEET; THENCE N46°05'39"E, 33.22 FEET; THENCE N28°30'59"E, 63.88 FEET; THENCE N61°30'34"W, 8.57 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1,135.50 FEET AND A CHORD BEARING AND DISTANCE OF N67°13'34"W, 217.69 FEET TO WHICH A RADIAL LINE BEARS N28°16'28"E; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°00'04", AN ARC DISTANCE OF 218.02 FEET; THENCE ALONG A NON-TANGENT LINE RUN N76°47'49"W, 74.27 FEET; THENCE N74°16'58"W, 100.42 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 46.83 FEET AND A CHORD BEARING AND DISTANCE OF S79°29'52"W, 41.94 FEET TO WHICH A RADIAL LINE BEARS N16°05'59"E; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 53°12'13", AN ARC DISTANCE OF 43.49 FEET; THENCE ALONG A NON-TANGENT LINE RUN N16°05'58"E, 513.21 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 2,056.97 FEET AND A CHORD BEARING AND DISTANCE OF S81°05'27"E, 21.89 FEET TO WHICH A RADIAL LINE BEARS S09°12'51"W; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°36'35", AN ARC DISTANCE OF 21.89 FEET; THENCE ALONG A NON-TANGENT LINE RUN N50°48'53"E, 14.88 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 2,046.00 FEET AND A CHORD BEARING AND DISTANCE OF S83°44'28"E, 147.48 FEET TO WHICH A RADIAL LINE BEARS S08°19'28"W; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°07'51", AN ARC DISTANCE OF 147.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 61.14 ACRES, MORE OR LESS.

EXHIBIT 3

**CONSENT TO THE ESTABLISHMENT OF
MIDDLETON DOWNTOWN COMMUNITY DEVELOPMENT DISTRICT**

The undersigned, being the owner of the property described in Exhibit 2 to the Petition to Establish Middleton Downtown Community Development District, hereby consents to the Petition to Establish Middleton Downtown Community Development District, dated the 14th of Nov., 2022.

**THE VILLAGES DEVELOPMENT
OPERATING COMPANY, LLC,**
a Florida limited liability company

By: VDC MANAGER, LLC,
a Florida limited liability company,
its Manager

By: 

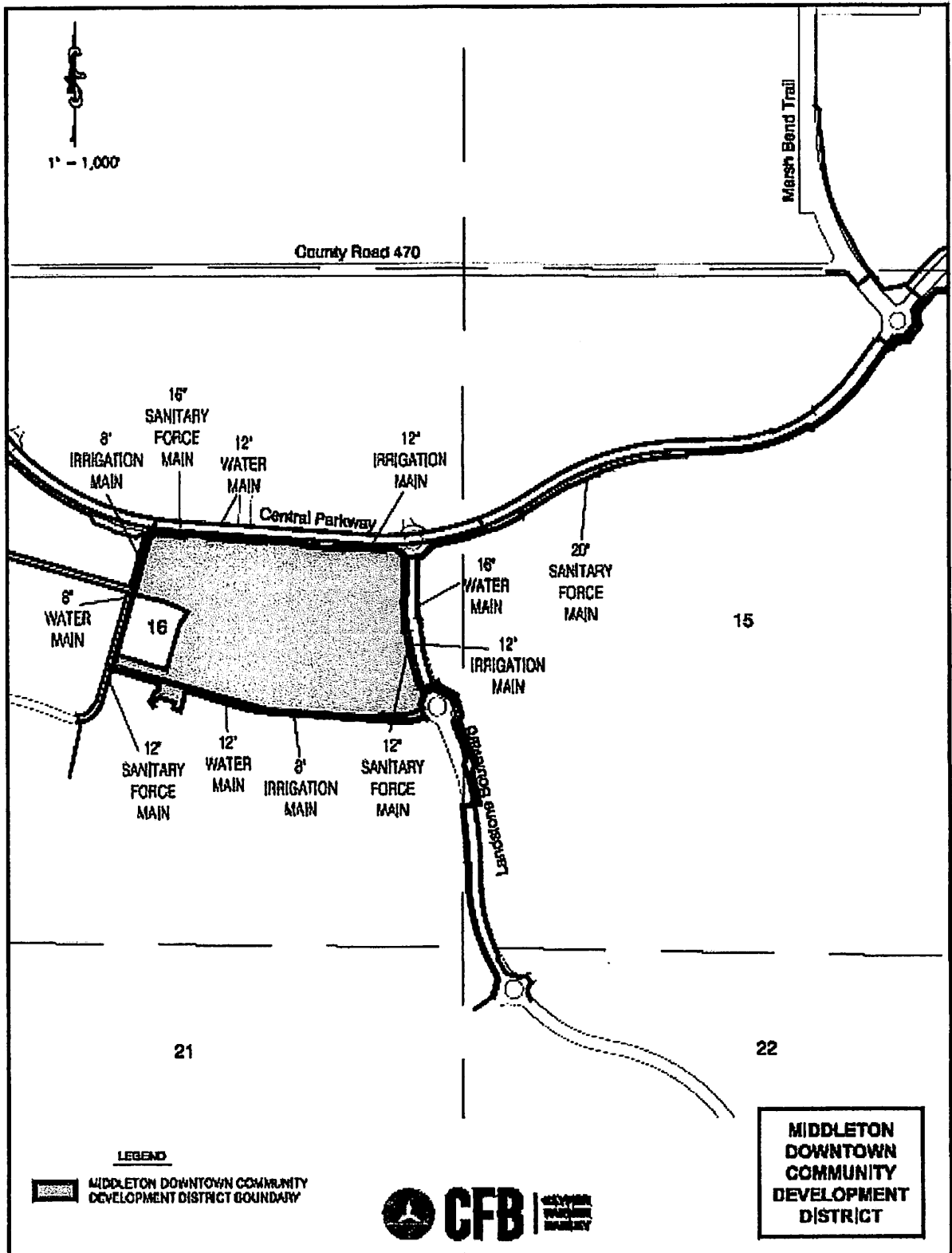
Martin L. Dzuro, Manager

EXHIBIT 4

**BOARD OF SUPERVISORS
MIDDLETON DOWNTOWN COMMUNITY DEVELOPMENT DISTRICT**

1. Supervisor/Chair – Dennis Stradinger
2. Supervisor/Vice Chair – Steve Printz
3. Supervisor/Secretary-Treasurer – Don Levens
4. Supervisor – Alison Emily
5. Supervisor – John Weber

EXHIBIT 5



MIDDLETON DOWNTOWN COMMUNITY DEVELOPMENT DISTRICT

EXHIBIT 6

PROPOSED TIME TABLES AND RELATED ESTIMATES OF COST¹ OF THE DISTRICT SERVICES AND FACILITIES MIDDLETON DOWNTOWN COMMUNITY DEVELOPMENT DISTRICT

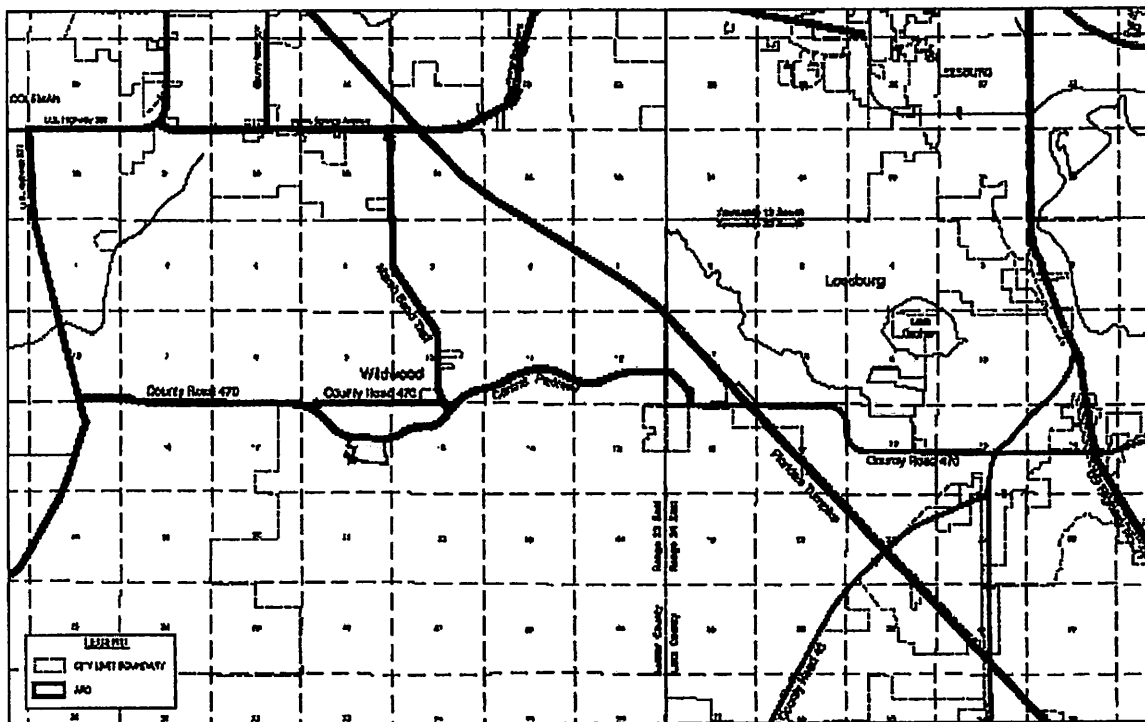
ITEM	ANTICIPATED SCHEDULE	ESTIMATED COST
Roadways	2022-2025	\$4,134,240.00
Landscaping & Irrigation in Common Areas ²	2022-2025	\$12,487,200.00
Parking Areas	2022-2025	\$26,880,420.00
Master Earthwork and Stormwater Collection Systems	2022-2025	\$6,933,300.00
TOTAL:		\$50,435,160.00

¹ Costs are preliminary in nature and are subject to change. Costs include engineering and contingencies.

² The irrigation system beyond the point of delivery serving common areas will be owned and maintained by the District, with water purchased pursuant to a bulk water agreement. The master irrigation system up to the point of delivery will be funded by the Utility.

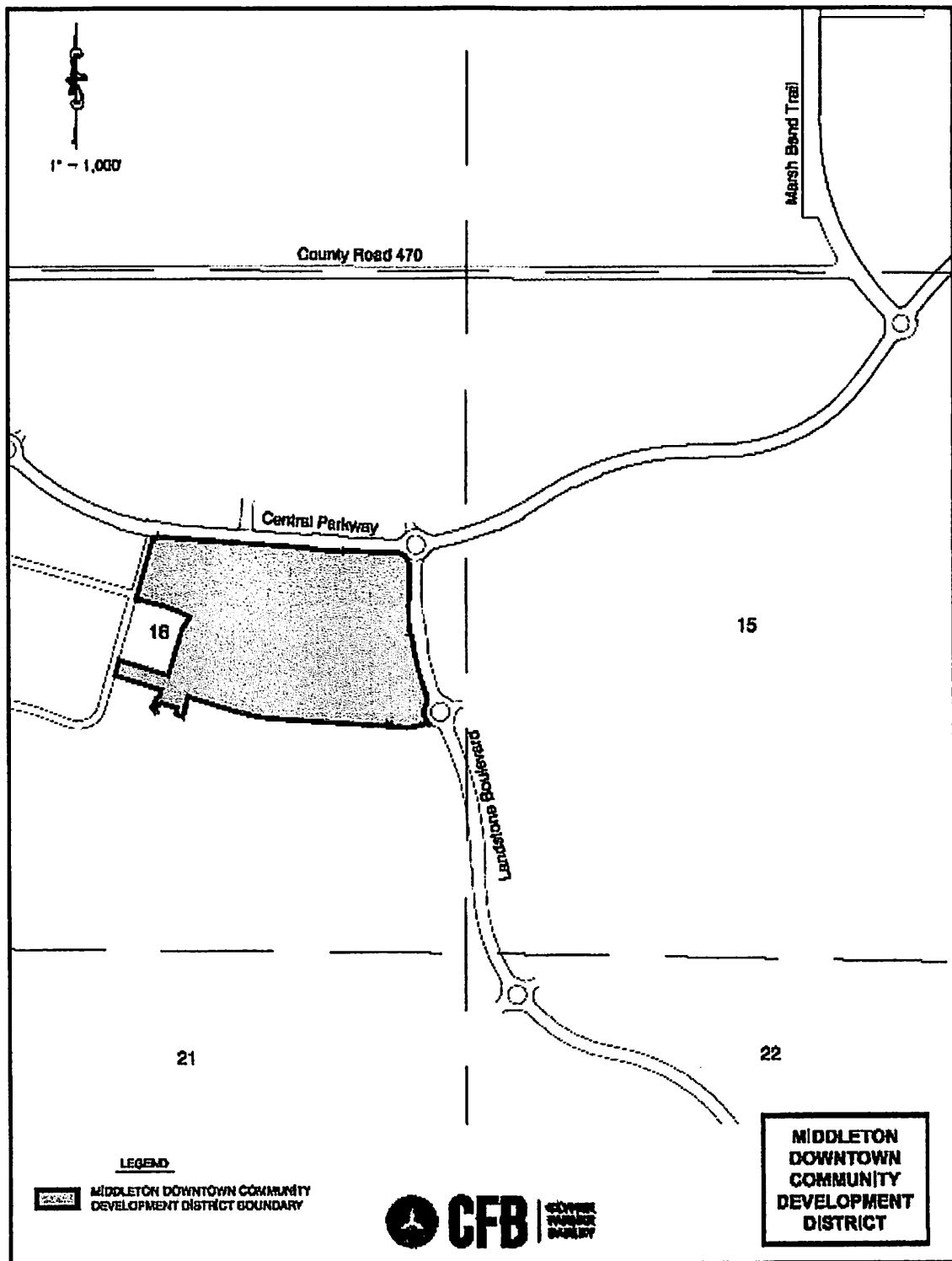
EXHIBIT 7

Middleton Downtown Community Development District (the "District") is located within the city limits of the City of Wildwood (the "City") in Sumter County, Florida. The District lies within The Villages of Southern Oaks (VOSO), which was approved on May 8, 2017 as an Age Restricted Development (ARD). Subsequent amendments were approved by the City on January 8, 2018, January 22, 2018, August 27, 2018, January 28, 2019, September 23, 2019, February 24, 2020, October 12, 2020, November 8, 2021, and again on July 11, 2022.



LAND USE AND ZONING MAP

EXHIBIT 7



MIDDLETON DOWNTOWN COMMUNITY DEVELOPMENT DISTRICT

EXHIBIT 8

STATEMENT OF ESTIMATED REGULATORY COSTS ESTABLISHMENT OF MIDDLETON DOWNTOWN COMMUNITY DEVELOPMENT DISTRICT

1.0 Introduction

1.1 Purpose and Scope

This statement of estimated regulatory costs (SERC) supports the petition to establish Middleton Downtown Community Development District (the "District"). The proposed District will include approximately 61.14 acres of land on which roughly 350,000 square feet of commercial space is planned for development with the possibility of additional mixed uses, including residential. The District proposes to provide infrastructure and community services to this area in the District as described more fully below.

The limitations on the scope and use of this SERC are set out in Section 190.002(2)(d), Florida Statutes ("F.S."), as follows:

"That the process of establishing such a District pursuant to uniform general law shall 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."

1.2 Overview of the Proposed District Middleton Downtown Community Development District

The proposed District would provide community infrastructure, services, and facilities, along with their operations and maintenance, to the proposed area, located in the City of Wildwood, Florida. The proposed District will encompass 61.14 acres to be used for development. The District may include a mix of commercial and residential uses including roughly 350,000 square feet of commercial space.

1.3 Requirements for Statement of Estimated Regulatory Costs (SERC)

Section 120.541(2), F.S. (2022) defines the elements a SERC must contain (or in this case, City ordinance).

(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 five (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 five 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 five 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 Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined in Section 120.52, F.S. 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.
 - (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.

2.0 An economic analysis showing whether the rule/ordinance directly or indirectly will have an adverse impact on economic growth, job creation, employment, private-sector investment, business competitiveness, or regulatory costs.

Section 120.541(2)(a), F.S., requires an economic analysis showing whether the establishment of the District will directly or indirectly have an adverse impact on economic growth, job creation, employment, private-sector investment, business competitiveness, or regulatory costs exceeding \$1 million in the aggregate within five years after the establishment takes place. The answer, based upon numerous other community development districts, is that the establishment of the District will not have an adverse impact on economic growth, job creation, employment, private-sector investment, business competitiveness, or regulatory costs.

The establishment of the District is likely to increase economic growth, job creation, employment, private-sector investment, and business competitiveness. This is because the District will provide infrastructure improvements within the District's boundaries, allowing for the commercial development of the land within the District. The development is planned to include roughly 350,000 square feet of commercial development. The commercial development will increase economic growth, job creation, employment, private-sector investment, and business competitiveness in the District.

The District will have the ability to assess the property owners to pay for the installation, operation, and maintenance of its infrastructure improvements. However, such costs will not be in addition to, or unique to, the District. The infrastructure improvements to be funded by the District would be required to support development of the planned development, regardless of the District's existence. Community development districts, such as Middleton Downtown Community Development District can fund their infrastructure improvements with long-term bond financing that typically carries more favorable terms than other sources of funding. Thus, the costs related to the installation of the public infrastructure serving the planned development will not be increased due to the existence of the District.

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

The landowner of the District plans to develop roughly 350,000 square feet of commercial development, with the possibility of additional residential units and other mixed uses, within the District. Establishment of the proposed District would put all of the development under the jurisdiction of the proposed District. Prior to the sale of the property within the District, the developer will also be subject to the District's jurisdiction.

4.0 Good-faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed ordinance, and any anticipated effect on state and local revenues

4.1 Impact on State and Local Costs

State Government Entities

There will be only modest costs to various Florida ("State") governmental entities due to the formation of the District. The District consists of less than 2,500 acres; therefore, the City of Wildwood (the "City") is the establishing entity, pursuant to Florida Statutes Section 190.005(2). The State will incur no costs in reviewing the petition to establish the District and the State will not be required to hold any public hearings on the matter.

The ongoing costs to various State entities to implement and enforce the establishment of the District relate strictly to the receipt and processing of various reports that the District is required to file annually with the State and its various entities. These annual reports are outlined in the attached Appendix. However, the costs to the State agencies that will receive and process the District's reports will be minimal. The District is only one of many governmental subdivisions required to submit various reports to the State. Additionally, pursuant to Section 189.018, F.S., the District will pay an annual fee to the State Department of Economic Opportunity to offset such processing costs.

The City of Wildwood

City staff will process, analyze, and conduct public hearing(s) on the petition to establish the District. These activities will utilize the time of the staff and City Commissioners, however, these costs to the City are likely to be minimal for a number of reasons. First, review of the petition does not include analysis of the development to be served by the District. Second, the petition itself provides most of the information needed for City staff's review. Third, the City currently employs the staff needed to conduct the review of the petition. Fourth, no capital expenditure is required to review the petition. Finally, local governments routinely process similar petitions for land use and zoning changes that are more complex than is the petition to establish a Community Development District.

The annual costs to the City, related to the ongoing operations of the District, are also minimal. The District will be an independent unit of local government. The only annual costs incurred by the City will be the minimal costs of receiving and, to the extent desired, reviewing the various reports that the District is required to provide to the City.

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 community facilities and services to serve the development. It has its own sources of revenue. No State or local subsidies are required or expected.

In this regard, it is important to note that any debt obligations incurred by the District to construct its infrastructure, or for any other reason, are not debts of the State, the County, the City, or any unit of local government. By State law, the 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 required to comply with the requirements of the rule/ordinance.

Table 2, below, provides an outline of the various facilities and services the proposed District may provide. The District plans to fund, own, operate, and maintain certain drainage and stormwater systems, landscaping, and ponds. The roadways and drainage systems within publicly dedicated rights-of-way will be conveyed to the appropriate general-purpose government for operation and maintenance. The landowner will construct the utilities and other community infrastructure and facilities. The District will be responsible for maintenance of some of these facilities.

Table 2. Proposed Facilities and Services

<u>Improvements/Facility</u>	<u>Funded By</u>	<u>O&M By</u>	<u>Ownership</u>
Roads	Landowner	CDD	Landowner
Utilities	Landowner	Landowner	Landowner
Drainage	Landowner	CDD	Landowner
Landscape/Lakes	Landowner	CDD	Landowner

The petitioner has estimated the costs for providing the capital improvements and facilities outlined in Table 2. The cost estimates for these improvements and facilities are shown in Table 3, below. Total costs are estimated at approximately \$50,435,160.00.

Table 3. Summary of Estimated Capital Costs and Time Table³

<u>Improvement/Facility</u>	<u>Anticipated Schedule</u>	<u>Estimated Cost</u>
Roadways	2022-2024	\$4,134,240.00
Landscaping & Irrigation in Common Areas	2022-2024	\$12,487,200.00
Parking Areas	2022-2024	\$26,880,420.00
Master Earthwork and Stormwater Collection Systems	2022-2024	\$6,933,300.00
TOTAL:		\$50,435,160.00

The District may impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

It is important to note that the various costs outlined in Table 3 are typical for developments of the type contemplated herein. In other words, there is nothing unusual about the District's

³ Costs are preliminary in nature and are subject to change. Costs include engineering and contingencies.

financing that requires additional infrastructure over and above what would normally be needed. Therefore, these costs are not in addition to normal development costs. Instead, the facilities and services provided by the District are substituting in part for developer-provided infrastructure and facilities. Along these same lines, District-imposed assessments for operations and maintenance costs are similar to what would be charged in any event by a property owner's association common to most master-planned developments.

Real estate markets take into account the District's cost because buyers and renters evaluate all of the costs and benefits associated with various alternative locations. Therefore, market forces preclude developers from marking up the prices of their products beyond what the competition allows. To remain competitive, the operations and maintenance charges must also be in line with the competition.

Furthermore, locating to the District by businesses is completely voluntary. So ultimately, all owners and users of the affected property choose to accept the District's costs because of the benefits that the District provides.

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 no adverse impact on small businesses because of establishment the District. If anything, the impact will be positive. This is because the District must competitively bid certain of its contracts. This affords small businesses the opportunity to bid on District work.

The City of Wildwood has an estimated population of 15,730 according to the most recent U.S. Census Bureau (2020) and the population was 6,709 at the 2010 census. Therefore, the City of Wildwood is not considered a small city as defined by Section 120.52 F.S. The District will provide infrastructure facilities and services to the property located within the District. These facilities and services will help to make this property developable.

Development of the property within the District will increase the value of this property, and consequently, will increase the property taxes that accrue to the City. These increased property taxes, along with other direct and indirect revenues accruing to the City as a result of the development of the land within the District, will offset any new staff, facilities, or equipment the City adds to provide services to the property owners within the District.

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 developer's engineer and other professionals associated with the developer.

It is useful to reflect upon the question of whether the establishment of the District is the best alternative to provide community facilities and services to the development. As an alternative to the District, the City could approve a dependent special District for the area, such as an MSBU or a special taxing District under Chapter 170 of the Florida Statutes. Either of these alternatives could finance the improvements contemplated in Table 2 in a fashion similar to the existing District.

However, unlike the District, the alternatives would require the City to continue to administer the projects and its facilities and services. As a result, the costs for these services and facilities would not be sequestered to the land directly benefiting from them, as the case would be with the District. In addition, administering a project of the size and complexity of the development program for the District is a very significant and expensive undertaking. Other alternative to the District would be for the developer to provide the infrastructure and to use a property owners association (POA) for operations and maintenance of community facilities and services. A District is superior to a POA for a variety of reasons. First, unlike a POA, a District can impose and collect its assessments along with other property taxes on the combined real estate tax bill through the County tax collector. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Second, the District is a unit of local government. Therefore, unlike a POA, the District must abide by all governmental rules and regulations.

Additionally, any debt of a District is strictly the 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 the special district may have will inevitably entangle the City. This will not be the case if the District is established as proposed.

With a District, businesses (owners and renters) within the District would have a focused unit of government under their direct control. The District can then be more responsive to commercial and residential needs without disrupting other City responsibilities.

APPENDIX

REPORT	STATUE SECTION	DUE DATE
Annual Financial Audit	218.39	Nine months after end of fiscal year
Annual Financial Report (AFR)	218.32	Within 45 days after completion of audit but no later than 9 months after end of fiscal year
Financial Disclosure Form 1	112.3145	By July 1
Public Depositor Report	280.17	By November 30
Proposed Budget	190.008	By June 15
Adopted Budget	190.008	By October 1
Public Meetings Schedule	189.015	Quarterly semiannually or annually
Notice of Bond Issuance	218.38	Within 120 days after delivery
Registered Agent	189.014	30 days after first Board meeting
Notice of Establishment	190.0485	30 days after formation
Establishment Documents	189.016	30 days after adoption
Notice of Public Finance	190.009	After financing