

(Public Hearing 05-17-05)

Memorandum

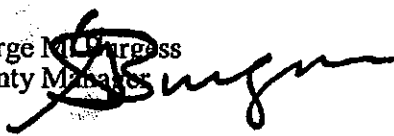
MIAMI-DADE
COUNTY

Date: September 21, 2004

Agenda Item No. 5(B)

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George M. Burgess
County Manager



Subject: Ordinance Creating the Crestview II
Community Development District

05-94

RECOMMENDATION

It is recommended that the Board adopt the attached ordinance creating the Crestview II Community Development District (CDD) in unincorporated Miami-Dade County, pursuant to the authority granted by the Miami-Dade County Home Rule Charter for the purposes set forth in Chapter 190 of the Florida Statutes, subject to acceptance of the declaration of restrictive covenants running with the lands within the jurisdiction of the CDD.

BACKGROUND

Crestview II, LTD., owner of the Crestview II Development, has filed an application to create the Crestview II CDD in connection with said development. Crestview II is a 30.0 acre residential development lying wholly within unincorporated Miami-Dade County, in the area bounded by theoretical S.W. 58th and 60th Streets on the north, theoretical S.W. 60th and 62nd Streets on the south, theoretical S.W. 163rd and 164th Avenues on the east and theoretical S.W. 164th Avenue and S.W. 167th Avenue on the west. The CDD is designed to provide a financing mechanism for community infrastructure, services and facilities, along with certain ongoing operations and maintenance for the Crestview II Development. The development plans for the lands within the proposed CDD include construction of 120 single family units with associated roadway, storm drainage and water and sewer facilities estimated to cost approximately \$4.7965 million. A detailed summary of CDD elements, as well as their cost and anticipated lack of fiscal impacts to government agencies, is presented in the attached application submitted by Crestview II, LTD. In accordance with Florida Statute 190, Crestview II, LTD., has paid a filing fee of \$15,000 to the County.

A declaration of restrictive covenants will be proffered at public hearing by the owner of the lands within the CDD jurisdiction, providing for notice in the public records of the projected taxes and assessments to be levied by the CDD, and providing for individual prior notice to the initial purchaser of a residential lot or unit within the development. The document shall also include provisions for remedial options to property owners whose contract for sale did not include timely notice of the existence and extent of CDD liens and special assessments.

Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners
Page 2

This Board is authorized by the Florida Constitution and the Miami-Dade County Home Rule Charter to establish governmental units such as the CDD within Miami-Dade County and to prescribe such government's jurisdiction and powers.

This development's roadways are all public, and will be maintained by Miami-Dade County. A special taxing district shall be created to maintain this development's lakes, access tracts, swales and landscape tracts.

FISCAL IMPACT

The creation of the Crestview II Community Development District will have no fiscal impact on Miami-Dade County other than normal maintenance of the roads, storm drainage system, water and sewer facilities dedicated to the County.



Assistant County Manager

Approved _____ Mayor

Agenda Item No. 5(B)

05-17-05

Veto _____

Override _____

ORDINANCE NO. **05-94**

ORDINANCE GRANTING PETITION OF CRESTVIEW II, LTD., ("CRESTVIEW" OR "PETITIONER") FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT; CREATING AND ESTABLISHING CRESTVIEW II COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT"); PROVIDING FOR NAME, POWERS AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; ACCEPTING PROFFERED DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND 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, Section 1.01(A)(21) of the Miami-Dade County Home Rule Charter grants the Miami-Dade County Board of County Commissioners the authority to exercise all powers and privileges granted to municipalities and counties by the laws of this State; and

WHEREAS, Article VIII, section 6(1) of the Florida Constitution provides for exclusive County Charter authority to establish all governmental units within Miami-Dade County and to provide for their government and prescribe their jurisdiction and powers; and

WHEREAS, Crestview II, LTD., ("Crestview" or "Petitioner") has petitioned for the establishment of the Crestview II Community Development District (the "District"); and

WHEREAS, a public hearing has been conducted by the Miami-Dade County Board of County Commissioners in accordance with the requirements and procedures of



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: May 17, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 5(B)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required .
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

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Section 190.005(2)(b), Florida Statutes, and the applicable requirements and procedures of the Miami-Dade County Home Rule Charter and Code; and

WHEREAS, 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 County's planning, management and financing needs for delivery of capital infrastructure therein without overburdening the County and its taxpayers; and

WHEREAS, the Board of County Commissioners 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 Miami-Dade County Comprehensive Development Master 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 community; and

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

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

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

WHEREAS, the owner of the property that is to be developed and served by the community development services and facilities to be provided by the District has submitted an

executed declaration of restrictive covenants pledging among other things to provide initial purchasers of individual residential parcels with notice of liens and assessments applicable to such parcels, with certain remedial rights vesting in the purchasers of such parcels if such notice is not provided in a timely and accurate manner; and

WHEREAS, having made the foregoing findings, after a public hearing, the Miami-Dade County Board of County Commissioners wishes to exercise the powers bestowed upon it by Section 1.01(A)(21) of the Miami-Dade County Home Rule Charter in the manner provided by Chapter 190, Florida Statutes; and

WHEREAS, the Miami-Dade County Board of County Commissioners finds that the District shall have those general and special powers authorized by Sections 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 Miami-Dade County that the District have such powers,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, 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 Crestview II Community Development District over the real property described in Exhibit A attached hereto, which was filed by Crestview II, LTD., on July 1, 2004, and which Petition is on file at the Office of the Clerk of the Board, is hereby granted. A copy of the Petition is attached and incorporated herein (Exhibit B).

Section 3. The external boundaries of the District shall be as depicted on the location map attached hereto and incorporated herein as Exhibit C.

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

Marcial Solis

Jean Francois Sibrac

Maurice Gutierrez

Wilfredo Acosta

Norma Carrion

Section 5. The name of the District shall be the "Crestview II Community Development District."

Section 6. The Crestview II Community Development District is created for the purposes set forth in Chapter 190, Florida Statutes, pursuant to the authority granted by Section 1.01(A)(21) of the Miami-Dade County Home Rule Charter.

Section 7. Pursuant to Section 190.005 (2) (d), Florida Statutes, the charter for the Crestview II Community Development District shall be Sections 190.006 through 190.041, Florida Statutes.

Section 8. The Miami-Dade County Board of County Commissioners hereby grants to the Crestview II Community Development District all general powers authorized pursuant to Section 190.011, Florida Statutes, and hereby finds that it is in the public interest of all citizens of Miami-Dade County to grant such general powers.

Section 9. The Miami-Dade County Board of County Commissioners hereby grants to the Crestview II Community Development District the special powers authorized pursuant to Section 190.012 (1), Florida Statutes and Sections 190.012 (2) (a) (d) and (f), (except for powers regarding waste disposal), Florida Statutes and Section 190.012 (3), Florida Statutes, and hereby finds that it is in the public interest of all citizens of Miami-Dade County to grant such special

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powers; provided that the District's exercise of power under Section 190.012(1)(b), Florida Statutes, pertaining to water, waste water and reuse water services shall be pursuant to that Declaration of Restrictive Covenants submitted to the Board of County Commissioners in connection with the petition.

Section 10. All bonds issued by the Crestview II Community Development District pursuant to the powers granted by this ordinance shall be validated pursuant to Chapter 75, Florida Statutes.

Section 11. No bond, debt or other obligation of the Crestview II Community Development District, nor any default thereon, shall constitute a debt or obligation of Miami-Dade County, except upon the express approval and agreement of the Miami-Dade Board of County Commissioners.

Section 12. Notwithstanding any power granted to the Crestview II Community Development District pursuant to this Ordinance, neither the District nor any real or personal property or revenue in the district shall, solely by reason of the District's creation and existence, be exempted from any requirement for the payment of any and all rates, fees, charges, permitting fees, impact fees, connection fees, or similar County rates, fees or charges, special taxing districts special assessments which are required by law, ordinance or County rule or regulation to be imposed within or upon any local government within the County.

Section 13. Notwithstanding any power granted to the Crestview II Community Development District pursuant to this Ordinance, the District may exercise the power of eminent domain outside the District's existing boundaries only with the prior specific and express approval of the Board of County Commissioners of Miami-Dade County.

05-94

Section 14. This Board hereby accepts that Declaration of Restrictive Covenants as proffered by the owners of the lands within the jurisdiction of the Crestview II Community Development District, in connection with the petition submitted by Crestview II, LTD. and approved herein.

Section 15. 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 16. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County.

Section 17. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: MAY 17 2005

Approved by County Attorney as
to form and legal sufficiency:

RAG

GTH

Prepared by:

Gerald T. Heffernan



EXHIBIT A
LEGAL DESCRIPTION
CRESTVIEW II COMMUNITY DEVELOPMENT DISTRICT

Tract 9 and 10 of MIAMI EVERGLADES LAND CO., LTD. in Section 29, Township 54 South, Range 39 East, according to the Plat thereof, as recorded in Plat Book 2, Page 3 , of the Public Records of Miami-Dade County, Florida; and

Tract 22 of MIAMI EVERGLADES LAND CO., LTD. in Section 29, Township 54 South, Range 39 East, according to the Plat thereof, as recorded in Plat Book 2, Page 3 of the Public Records of Miami-Dade County, Florida.

EXHIBIT "B"



PETITION BY

CRESTVIEW II, LTD.

FOR THE PASSING OF

AN
ORDINANCE

TO ESTABLISH

**CRESTVIEW II
COMMUNITY DEVELOPMENT DISTRICT**

IN

MIAMI-DADE COUNTY, FLORIDA

JULY 9, 2004



PETITION FOR ORDINANCE

FOR

**CRESTVIEW II
Community Development District**

JULY 9, 2004

Prepared by

Special District Services, Inc.
11000 Prosperity Farms Road, Suite 104
Palm Beach Gardens, Florida 33410

561-630-4922 – Tele
877-737-4922 – Toll Free
561-630-4923 – Fax



IN RE: AN ORDINANCE TO ESTABLISH)
 THE CRESTVIEW II)
 COMMUNITY DEVELOPMENT DISTRICT)

PETITION

Petitioner, Crestview II, Ltd. ("Petitioner"), hereby petitions the Miami-Dade County Commission to establish a Community Development District ("District") with respect to the land described herein and in support of the Petition, Petitioner states:

1. The proposed District is located within the unincorporated area of Miami-Dade County. Exhibit 1 depicts the general location of the project. The proposed District covers approximately 30.0 acres of land. The metes and bounds description of the external boundaries of the District is set forth in Exhibit 2. There is no real property within the external boundaries of the proposed District, which is to be excluded from the District.

2. Attached to this Petition as Exhibit 3 and made a part hereof is the written consent to the establishment of the District by the owners 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:

Marcial Solis	2901 S. Bayshore Dr., # 7G	Miami, FL 33133
Jean Francois Sibrac	16202 SW 67 th Terrace	Miami, FL 33193
Maurice Gutierrez	15701 SW 80 th Lane	Miami, FL 33193
Wilfredo Acosta	16202 SW 67 th Terrace	Miami, FL 33193
Norma Carrion	16202 SW 67 th Terrace	Miami, FL 33193

4. The proposed name of the District to be established is Crestview II Community Development District ("CVIICDD").

5. There are no existing major trunk water mains, sewer interceptors or outfalls currently existing on the site.

6. The proposed timetable for the construction of District services is shown on Exhibit 4A and the estimated cost of constructing the services, based on available data, is shown on Exhibit 4B. These are good faith estimates but are not binding on the Petitioner or the District and are subject to change.

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7. Petitioner is in the process of developing the project as a residential community. The proposed uses for the land within the District are 120 single family dwelling units. The proposed uses for the land included within the proposed District are in compliance with Miami-Dade County Future Land Use Element. The County Master Plan and Future Land Use Element designate the land contained within the proposed District for low density residential. The future general distribution, location and extent of public and private uses of land proposed for the area within the District are shown on Exhibit 5.

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

9. The District is seeking and hereby requests the right to exercise all powers provided for in Section 190.06 through 190.041, Florida Statutes, including the special powers provided by section 190.012(1) and sections 190.012(2)(a) and (d), and section 190.012(3).

10. The Petitioner is Crestview II, Ltd., whose address is 16202 SW 67th Terrace, Miami, FL 33193.

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 Miami-Dade County Comprehensive Development Master Plan, as amended.

b. The area of land within the proposed District is part of a unified plan of development for which a development plan has been approved by Miami-Dade County. The land encompassing the proposed District is of sufficient size and is sufficiently compact and continuous to be developed as one functional inter-related community.

c. The community development facilities the District proposes to finance 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 infrastructure to the area to be served because the District provides a governmental entity for delivering the infrastructure in a manner that does not financially impact persons residing outside the District.

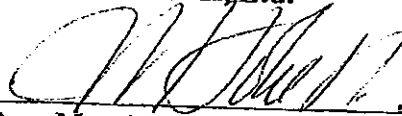
WHEREFORE, Petitioner respectfully requests the Miami-Dade County Commission to:

1. Hold a public hearing as required by Section 190.005(2) (b), Florida Statutes to consider the establishment of the Crestview II Community Development District and;

a) Adopt an ordinance pursuant to Chapter 190, Florida Statutes, granting this Petition and establishing the Crestview II Community Development District.

Respectfully submitted this 20th day of June, 2004.

CRESTVIEW II, Ltd.



By: **Marcial Solis, Manager**
M.S.A Crestview II L.L.C.
General Partner
16202 SW 67th Terrace
Miami, Florida 33193

EXHIBIT 1
GENERAL LOCATION OF THE PROJECT
CRESTVIEW II COMMUNITY DEVELOPMENT DISTRICT

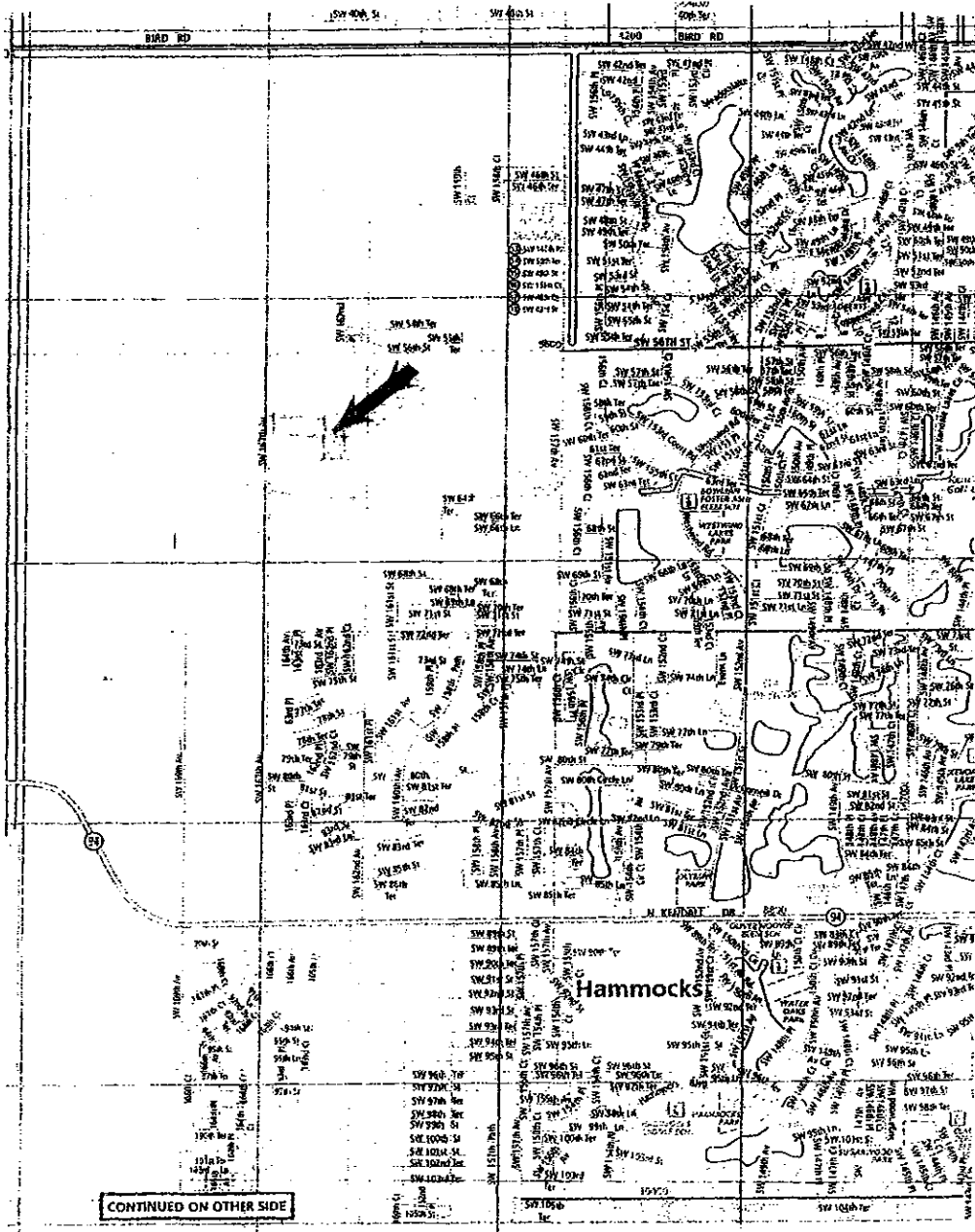




EXHIBIT 2

LEGAL DESCRIPTION

CRESTVIEW II COMMUNITY DEVELOPMENT DISTRICT

Tract 9 and 10 of MIAMI EVERGLADES LAND CO., LTD., in Section 29, Township 54 South, Range 39 East, according to the Plat thereof, as recorded in Plat Book 2, Page 3 , of the Public Records of Miami-Dade County, Florida; and

Tract 22 of MIAMI EVERGLADES LAND CO., LTD., in Section 29, Township 54 South, Range 39 East, according to the Plat thereof, as recorded in Plat Book 2, Page 3 of the Public Records of Miami-Dade County, Florida.

EXHIBIT 3
AFFIDAVIT OF OWNERSHIP AND CONSENT
TO THE CREATION OF THE
CRESTVIEW II COMMUNITY DEVELOPMENT DISTRICT


STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

On this 30th day of June, 2004, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Marcial Solis who, after being duly sworn, deposes and says:

1. ~~Affiant Marcial Solis, an individual is the Manager of M.S.A. Crestview II, LLC, a Florida Limited Liability Company, the General Partner of Crestview II, Ltd.~~
2. The Crestview II, Ltd. is the owner of the following described property, to wit:

See Exhibit "A" attached hereto (the "Property")
3. Affiant, Marcial Solis, hereby represents that he has full authority to execute all documents and instruments on behalf of the Limited Partnership including the Petition before the Board of County Commissioners of Miami-Dade County, Florida, to enact an ordinance to establish the Crestview II Community Development District (the "Proposed CDD").
4. The property represents all of the real property to be included in the Proposed CDD.
5. Affiant, Marcial Solis on behalf of Crestview II, Ltd. 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.



Marcial Solis

Subscribed and sworn to before me this 30th day of June, 2004, by Marcial Solis, who personally appeared before me, and is personally known.

Notary: Norma Carrion
Print Name: Norma Carrion
Notary Public, State of Florida

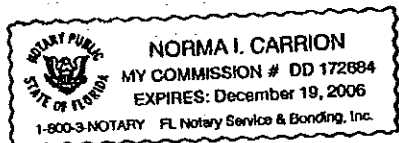




EXHIBIT A
LEGAL DESCRIPTION
CRESTVIEW II COMMUNITY DEVELOPMENT DISTRICT

Tract 9 and 10 of MIAMI EVERGLADES LAND CO., LTD., in Section 29, Township 54 South, Range 39 East, according to the Plat thereof, as recorded in Plat Book 2, Page 3 , of the Public Records of Miami-Dade County, Florida; and

Tract 22 of MIAMI EVERGLADES LAND CO., LTD., in Section 29, Township 54 South, Range 39 East, according to the Plat thereof, as recorded in Plat Book 2, Page 3 of the Public Records of Miami-Dade County, Florida.

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EXHIBIT 4A
ESTIMATED INFRASTRUCTURE CONSTRUCTION TIME TABLE
CRESTVIEW II COMMUNITY DEVELOPMENT DISTRICT

<u>IMPROVEMENT</u>	<u>START DATE</u>	<u>COMPLETE DATE</u>
MITIGATION	JANUARY 2004	MARCH 2005
EARTHWORK	JANUARY 2004	MARCH 2005
WASTEWATER SYSTEM	MARCH 2004	MARCH 2005
WATER SUPPLY SYSTEM	FEBRUARY 2004	MARCH 2005
SURFACE WATER MGMT	MAY 2004	MARCH 2005
ROADS & PAVING	JUNE 2004	MARCH 2005
LANDSCAPING	OCTOBER 2004	MARCH 2005



EXHIBIT 4B
CONSTRUCTION COSTS ESTIMATES
CRESTVIEW II COMMUNITY DEVELOPMENT DISTRICT

LAND ACQUISITION	\$1,780,000
EARTHWORK	\$1,411,800
WASTEWATER SYSTEM	\$ 264,500
WATER SUPPLY SYSTEM	\$ 272,825
SURFACE WATER MANAGEMENT	\$ 325,000
ROADS & PAVING	\$ 340,875
TOTAL ESTIMATED PROJECT COSTS	\$4,395,000
SOFT COSTS (ENGINEERING, ETC.)	\$140,000
CONTINGENCY @ 10%	<u>\$261,500</u>
TOTAL ESTIMATED PROJECT COSTS	\$4,796,500

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CRESTVIEW II COMMUNITY DEVELOPMENT DISTRICT

Statement of Estimated Regulatory Costs

JULY 1, 2004

Prepared by

Special District Services, Inc.
11000 Prosperity Farms Road, Suite 104
Palm Beach Gardens, Florida 33410

(561) 630-4922 - Tele
(877) 737-4922 - Toll Free
(561) 630-4923 - Fax



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 Crestview II Community Development District ("District"). The District comprises approximately 30 acres of land located in the unincorporated area of Miami-Dade County, Florida. The limitations on the scope of this SERC are explicitly set out in Section 190.002(2) (d), F.S. (governing District establishment) 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 (emphasis added)."

1.2 Overview of Crestview II Community Development District

The District is designed to provide district infrastructure, services, and facilities along with their operations and maintenance (if any) to a master planned residential development containing 120 single family residential dwelling units,

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), F.S. (1997), defines the elements a statement of estimated regulatory costs must contain:

- (a) 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.
- (b) 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 and local revenues.
- (c) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the ordinance. As used in this paragraph, "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, and the cost of monitoring and reporting.



(d) 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. Miami-Dade County is not defined as a small County for purposes of this requirement.

(e) Any additional information that the agency determines may be useful.

(f) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1) (a) and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed ordinance.

"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), Florida Statutes."

- 2.0 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 Crestview II Community Development District serves land that comprises a 30 acre residential development to be made up of an estimated 120 single family residential homes. The estimated population of the residential portion of the District is 300.

- 3.0 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 rule, and any anticipated effect on state or local revenues.**

There is no state agency promulgating any rule relating to this project that is anticipated to effect state or local revenues.

- 3.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance**

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

State Governmental Entities

There will be only modest costs to various State governmental entities to implement and enforce the proposed establishment of the District. The District as established on the proposed land, will encompass under 1,000 acres, therefore, Miami-Dade County is the establishing entity under 190.005(2), F.S. The modest 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 very small, 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 189.412, F.S., the District must pay an annual fee to the State of Florida Department of Community Affairs which offsets such costs.

Miami-Dade County

There will be only modest costs to the County 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 much of the information needed for a staff review. Third, the County 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. Finally, the County routinely process similar petitions though for entirely different subjects, for land uses and zoning changes that are far more complex than is the petition to establish a community development district.

The annual costs to Miami-Dade County, 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 County faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the County, or any monitoring expenses the County may incur if it establishes a monitoring program for this District. However, the Petitioner has included a payment of \$15,000 to offset any expenses the County may incur in the processing of this Petition, or in the monitoring of this District.

3.2 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.

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 of Florida or any other of local government. In accordance with State law, debts of the District are strictly its own responsibility.

4.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the ordinance.



Table 1 provides an outline of the various facilities and services the proposed District may provide.

Table 1

CRESTVIEW II COMMUNITY DEVELOPMENT DISTRICT

Proposed Facilities and Services

FACILITY	FUNDED BY	O&M BY	OWNERSHIP BY
Potable Water Supply System	CDD	WASD	WASD
Sanitary Sewer System	CDD	WASD	WASD
Roads and Paving	CDD	County	County
Surface Water Management	CDD	County	County

The petitioner has estimated the costs for providing the capital facilities outlined in Table 1. The cost estimates are shown in Table 2 below. The total costs for those is \$4,796,500. The District 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 properties in the District that may benefit from the District's infrastructure program as outlined in Table 2.

Prospective future landowners in the District may be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through bond issuance. In addition to the levy of non ad valorem special assessments by various names for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

Furthermore, locating in the District by new property owners is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the non ad valorem special assessments by various names and user fees as a tradeoff for the benefits and facilities that the District provides.

A Community Development District ("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 services with related financing powers. District management is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a property association, County provision, or through developer equity and/or bank loans.

In considering these costs it shall be noted that owners of the lands to be included within the District will receive three major classes of benefits.

First, landowners in the District will receive a higher long-term sustained level of public services and amenities sooner than would otherwise be the case.

Second, a CDD is a mechanism for assuring that the community services and amenities will be completed concurrently with development of lands within the District. 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 governance which allows District landowners, through landowner voting, to determine the type, quality and expense of District services they receive, provided they meet the County's overall requirements.

The cost impact on the ultimate landowners in the District is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above what the landowners would have paid to install infrastructure via an alternative management mechanism. Given the low cost of capital for a CDD, the cost impact to landowners is negligible. This incremental cost of the high quality infrastructure provided by the District is likely to be fairly low.



Table 2

CRESTVIEW II COMMUNITY DEVELOPMENT DISTRICT

Cost Estimate for District Facilities

LAND ACQUISITION	\$1,780,000
EARTHWORK	\$1,411,800
WASTEWATER SYSTEM	\$ 264,500
WATER SUPPLY SYSTEM	\$ 272,825
SURFACE WATER MANAGEMENT	\$ 325,000
ROADS & PAVING	\$ 340,875
TOTAL ESTIMATED PROJECT COSTS	\$4,395,000
SOFT COSTS (ENGINEERING, ETC.)	\$140,000
CONTINGENCY @ 10%	<u>\$261,500</u>
TOTAL ESTIMATED PROJECT COSTS	\$4,796,500



Table 3

**ESTIMATED INFRASTRUCTURE CONSTRUCTION TIME TABLE
CRESTVIEW II COMMUNITY DEVELOPMENT DISTRICT**

<u>IMPROVEMENT</u>	<u>START DATE</u>	<u>COMPLETE DATE</u>
MITIGATION	JANUARY 2004	MARCH 2005
EARTHWORK	JANUARY 2004	MARCH 2005
WASTEWATER SYSTEM	MARCH 2004	MARCH 2005
WATER SUPPLY SYSTEM	FEBRUARY 2004	MARCH 2005
SURFACE WATER MGMT	MAY 2004	MARCH 2005
ROADS & PAVING	JUNE 2004	MARCH 2005
LANDSCAPING	OCTOBER 2004	MARCH 2005

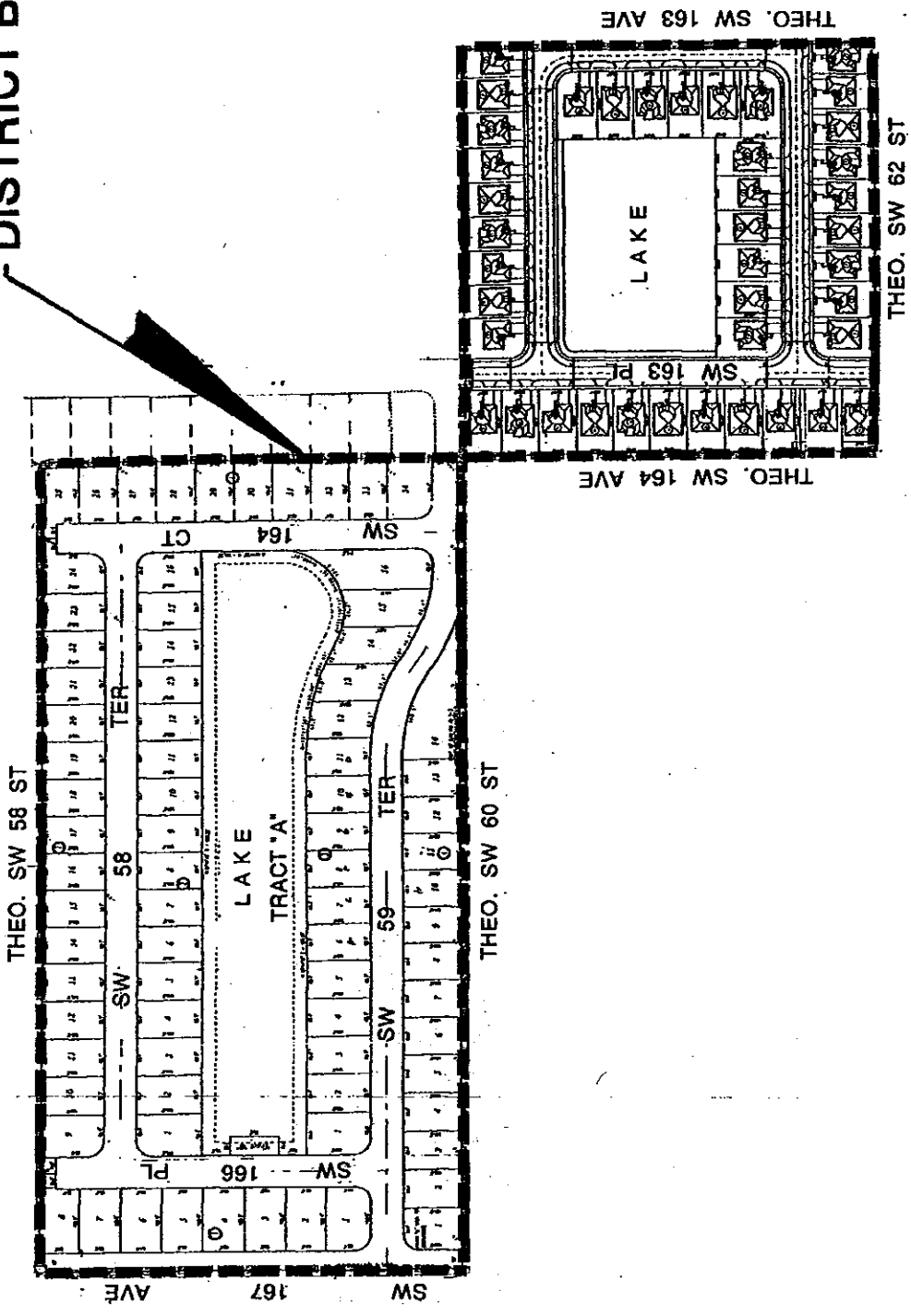
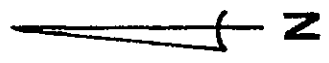
5.0 An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.

There will be no impact on small businesses because of the establishment of the District. The Miami-Dade County has an estimated population in 2003 that is greater than 10,000; therefore the County is not defined as a "small" County according to Section 120.52, F.S, and there will accordingly be no impact on a small County because of the formation of the District.

6.0 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.

DISTRICT BOUNDARIES



CRESTVIEW II
 COMMUNITY DEVELOPMENT DISTRICT

(COMM. 0011)
 SECTION: 29-54-39

EXHIBIT "C"

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

SS:

I, **HARVEY RUVIN**, Clerk of the Circuit Court in and for Miami-Dade County, Florida and Ex-Officio Clerk of the Board of County Commissioners of Said County, **Do Hereby Certify** that the above and foregoing is a true and correct copy of Ordinance No. 05-94, adopted by said board of County Commissioners at its meeting held on May, 17 2005 IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 28th day of June A.D. 2005.

HARVEY RUVIN, Clerk
Board of County Commissioners
Dade County, Florida



By *Deborah Leonard*
Deputy Clerk

Board of County Commissioners
Miami-Dade County, Florida

