

**CITY OF ORLANDO
COUNCIL AGENDA ITEM**

HRG/ORD
2ND RD # 8
(12-8)

Items Types:

Hearings/Ordinances/2nd Read

District: 1

Contract ID:

Exhibits: Yes

Grant Received by City?: No

For Meeting of:

August 15, 2022

From:

Document Number:

On File (City Clerk) : Yes

Draft Only: No

Subject:

Ordinance No. 2022-44 Creating the Riverwalk Community Development District (GMP2022-10026)
(Economic Development)

Summary:

Ordinance No. 2022-44 will create a new district, named the Riverwalk Community Development District (CDD) of about 404.22 acres and designate five (5) people to serve as the initial board of supervisors. The District is generally located east of Narcoossee Road, north of S.R. 528 (Beachline Expressway), west of S.R. 417 (Central Florida Greenway), and south of Lee Vista Boulevard.

The District is a "Community Development District" (CDD). CDDs are special-purpose units of local government that plan, finance, construct, and maintain public infrastructure such as roads, stormwater utilities, landscaping, and other common facilities. CDDs are typically created by the applicable city or county government, but are governed by a board of supervisors elected by property owners in the CDD.

The creation of the Riverwalk Community Development District is requested by Pulte Home Company, LCC (the Petitioner), which owns all of the land within the proposed district. Petitioner filed its request on June 13, 2022.

In making its determination to grant or deny the petition the Orlando City Council must consider the testimony and evidence provided at a public hearing and the following factors found at section 190.005(1)(e), Florida Statutes:

1. Whether all statements contained within the petition have been found to be true and correct.
2. Whether the establishment of the district is inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan.
3. Whether the area of land within the proposed new district boundaries is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.
4. Whether the district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.
5. Whether the community development services and facilities of the district will be compatible with the capacity and uses of existing local and regional community development services and facilities.
6. Whether the area that will be served by the district is amenable to separate special district government.

City staff has reviewed the Petition, along with the written testimony of District Manager George S. Flint, engineer John T. Townsend, and Petitioner's representative Christopher Wrenn, and recommends that Council finds, based on the record evidence, that the Petition meets the statutory standards of review. The Petition and the written testimony provided by the Petitioner are attached to this Council Agenda Item as part of the record. The first reading at City Council for this ordinance was held July 18, 2022.

Fiscal & Efficiency Data:

City Council Meeting: 8-15-2022

Item: 12-8 Documentary: 2708151208

No fiscal impact.

Recommended Action:

Adopting Ordinance No. 2022-44 and authorizing the Mayor and City Clerk to execute the same, after review and approval by the City Attorney's Office.

Agenda Item attachment(s) on file in the City Clerks Office.

Note: All agenda items must be in the City Clerk's office by Noon Friday, six(6) business days prior to the regular Monday City Council meeting.

Contact: Megan Barrow, megan.barrow@orlando.gov, 407-246-3363; Melissa Clarke, melissa.clarke@orlando.gov

Approved By:

Department

Date and Time

ATTACHMENTS:

Name:	Description:	Type:
Riverwalk_CDD_Establishing_Ordinance_2022-44.pdf	Ord 2022-44 Riverwalk CDD	Ordinance
2022-44_Exhib. A. Petition to Establish Riverwalk Community Development District.pdf	Ord 2022-44 Exhibit A - Riverwalk CDD	Exhibit
Affidavit and Pre-Filed Testimony of Developer (Chris Wrenn) - Riverwalk.pdf	Testimony of C. Wrenn	Backup Material
Affidavit and Pre-Filed Testimony of District Engineer (John Townsend) - Riverwalk.pdf	Testimony of J. Townsend	Backup Material
Affidavit and Pre-Filed Testimony of District Manager (George Flint) - Riverwalk CDD.pdf	Testimony of G. Flint	Backup Material

"Enhance the quality of life in the City by delivering public services in a knowledgeable, responsive and financially responsible manner."

1 AN ORDINANCE GRANTING PETITION OF PULTE
2 HOME COMPANY, LLC, ESTABLISHING AND NAMING
3 THE RIVERWALK COMMUNITY DEVELOPMENT
4 DISTRICT PURSUANT TO CHAPTER 190, FLORIDA
5 STATUTES; DESCRIBING THE EXTERNAL
6 BOUNDARIES, THE FUNCTIONS AND THE POWERS OF
7 THE DISTRICT; DESIGNATING FIVE PERSONS TO
8 SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S
9 BOARD OF SUPERVISORS; PROVIDING A
10 SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.
11

12 **WHEREAS**, the Florida Legislature created and amended Chapter 190, Florida
13 Statutes, to provide an alternative method to finance and manage basic services for
14 community development; and
15

16 **WHEREAS**, Pulte Home Company, LLC (the "Petitioner") petitioned the City
17 Council of the City of Orlando, Florida (the "Orlando City Council"), to enact an
18 ordinance establishing the Riverwalk Community Development District (the "District")
19 pursuant to Chapter 190, Florida Statutes, over the real property described in Exhibit 2
20 of the Petition to Establish the Riverwalk Community Development District; and
21

22 **WHEREAS**, Petitioner has provided written consent to the establishment of the
23 District from the owners of 100 percent of the real property to be included in the District;
24 and
25

26 **WHEREAS**, Petitioner is a company authorized to conduct business in the State
27 of Florida, Petitioner's principal place of business is 4901 Vineland Road, Suite 500,
28 Orlando, Florida 32811; and
29

30 **WHEREAS**, a public hearing has been conducted by the Orlando City Council on
31 August 15, 2022, in accordance with the requirements and procedures
32 of section 190.005(2)(b), Florida Statutes, and the applicable requirements and
33 procedures of the City's Charter and Code of Ordinances; all interested persons and
34 affected units of general-purpose local government were afforded an opportunity to
35 present oral and written comments on the Petition at said duly noticed public hearing;
36 and
37

38 **WHEREAS**, upon consideration of the record established at that hearing, the
39 Orlando City Council determined that the statements within the Petition were true and
40 correct, that the establishment of the District is not inconsistent with any applicable
41 element or portion of the state comprehensive plan or the City's comprehensive plan,
42 that the land within the District is of sufficient size, is sufficiently compact, and sufficiently
43 contiguous to be developable as a functionally interrelated community, that the District is
44 the best alternative available for delivering community development services and
45 facilities to the area served by the District, that the community development services and
46 facilities of the District will not be incompatible with the capacity and uses of existing

47 local and regional community development services and facilities, and that the area to
48 be served by the District is amenable to separate special-district governance; and
49

50 **WHEREAS**, establishment of the District will constitute a timely, efficient,
51 effective, responsive, and economic way to deliver community development services in
52 the area described, thereby providing a solution to the City’s planning, management and
53 financing needs for delivery of capital infrastructure therein without overburdening the
54 City and its taxpayers; and
55

56 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
57 **OF ORLANDO, FLORIDA, AS FOLLOWS:**
58

59 **SECTION 1. AUTHORITY.** This ordinance is enacted in compliance with and
60 pursuant to the Uniform Community Development District Act of 1980, Chapter 190,
61 Florida Statutes.
62

63 **SECTION 2. FINDINGS.** The foregoing recitals and findings are true and correct
64 and are incorporated herein, adopted, and made a part hereof.
65

66 **SECTION 3. GRANT OF PETITION.** The Petition, which was filed with the Office
67 of the City Clerk on June 13, 2022, and a copy of which is attached hereto as **Exhibit**
68 **“A”** and incorporated herein, is hereby granted.
69

70 **SECTION 4. DISTRICT NAME.** There is hereby created a community
71 development district situated entirely within the incorporated boundaries of the City of
72 Orlando, Florida, named the “Riverwalk Community Development District.”
73

74 **SECTION 5. EXTERNAL BOUNDARIES OF THE DISTRICT.** The external
75 boundaries of the District are described in Exhibit 2 of the Petition. The District, overall,
76 contains 404.22 acres, more or less.
77

78 **SECTION 6. FUNCTIONS AND POWERS.** The powers and functions of the
79 District are described in section 190.011, subsection 190.012(1), paragraphs
80 190.012(2)(a) & (d), and subsection 190.012(2)(f), Florida Statutes.
81

82 **SECTION 7. BOARD OF SUPERVISORS.** The five persons designated to
83 serve as initial members of the District’s Board of Supervisors are as follows:
84

<u>Name</u>	<u>Address</u>
Eric Baker	4901 Vineland Road, Suite 500 Orlando, FL 32811

90

ORDINANCE NO. 2022-44

91 Chris Wrenn 4901 Vineland Road, Suite 500
92 Orlando, FL 32811
93
94 Kimberly Clayton 4901 Vineland Road, Suite 500,
95 Orlando, FL 32811
96
97 Cliff Torres 4901 Vineland Road, Suite 500,
98 Orlando, FL 32811
99
100 Mary Burns 4901 Vineland Road, Suite 500,
101 Orlando, FL 32811
102

103 All of the above-listed persons are residents of the State of Florida and citizens of
104 the United States of America.
105

106 **SECTION 8. OBLIGATIONS OF DISTRICT.** No bond, debt, or other obligation
107 of the District, nor any default thereon, shall constitute a debt or obligation or burden of
108 the City.
109

110 **SECTION 9. SCRIVENER'S ERROR.** The city attorney may correct scrivener's
111 errors found in this ordinance by filing a corrected copy of this ordinance with the City
112 Clerk.
113

114 **SECTION 10. SEVERABILITY.** If any provision of this ordinance or its
115 application to any person or circumstance is held invalid, the invalidity does not affect
116 other provisions or applications of this ordinance which can be given effect without the
117 invalid provision or application, and to this end the provisions of this ordinance are
118 severable.
119

120 **SECTION 11. EFFECTIVE DATE.** This ordinance is effective upon adoption.
121

122 **DONE, THE FIRST READING,** by the City Council of the City of Orlando,
123 Florida, at a regular meeting, this 18th day of July, 2022.
124

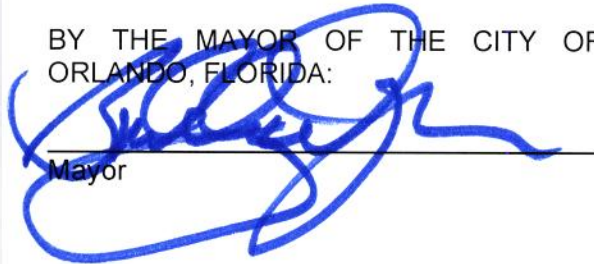
125 **DONE, THE PUBLIC NOTICES,** in a newspaper of general circulation in the City
126 of Orlando, Florida, by the Petitioner, commencing the 17th day of
127 July, 2022, and running once each week for four consecutive
128 weeks ending on the 7th day of August, 2022.
129

130 **DONE, THE SECOND READING, THE PUBLIC HEARING, AND ENACTED ON**
131 **FINAL PASSAGE,** by an affirmative vote of a majority of a quorum present of the City
132 Council of the City of Orlando, Florida, at a regular meeting, this 15th day of
133 August, 2022.
134

ORDINANCE NO. 2022-44

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BY THE MAYOR OF THE CITY OF
ORLANDO, FLORIDA:



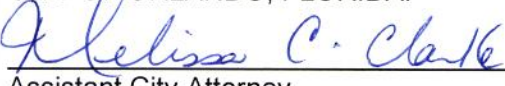
Mayor

ATTEST, BY THE CLERK OF THE
CITY COUNCIL OF THE CITY OF
ORLANDO, FLORIDA:



City Clerk

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND RELIANCE OF THE
CITY OF ORLANDO, FLORIDA:



Assistant City Attorney

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PETITION TO ESTABLISH
RIVERWALK
COMMUNITY
DEVELOPMENT DISTRICT

Submitted by:

Tucker F. Mackie

KUTAKROCK

Florida Bar No. 41023

107 W. College Avenue

Tallahassee, Florida 32301

Tucker.Mackie@kutakrock.com

(850) 692-7306

Counsel for Petitioner

**BEFORE THE CITY COUNCIL
CITY OF ORLANDO, FLORIDA**

**PETITION TO ESTABLISH RIVERWALK
COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Pulte Home Company, LLC (hereafter “*Petitioner*”), hereby petitions the City Council of the City of Orlando pursuant to the “Uniform Community Development District Act of 1980,” Chapter 190, *Florida Statutes*, to establish a Community Development District with respect to the land described herein. In support of this petition, Petitioner states:

1. Location and Size. The proposed Riverwalk Community Development District (the “*District*”) is located entirely within the City of Orlando, Florida. **Exhibit 1** depicts the general location of the proposed District. The proposed District covers approximately 404.22 acres of land, generally located east of Narcoossee Road, north of S.R. 528 (Beachline Expressway), west of S.R. 417 (Central Florida GreeneWay), and south of Lee Vista Boulevard. The metes and bounds description of the external boundaries of the proposed District is set forth in **Exhibit 2**.

2. Excluded Parcels. There is no land within the external boundaries of the proposed District which is to be excluded from the District.

3. Landowner Consent. Petitioner has obtained written consent to establish the District from the owners of one hundred percent (100%) of the real property located within the proposed District in accordance with Section 190.005, *Florida Statutes*. Documentation of this consent is contained in **Exhibit 3**.

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

Name: Eric Baker
Address: 4901 Vineland Road, Suite 500
Orlando, FL 32811

Name: Chris Wrenn
Address: 4901 Vineland Road, Suite 500
Orlando, FL 32811

Name: Kimberly Clayton
Address: 4901 Vineland Road, Suite 500
Orlando, FL 32811

Name: Cliff Torres
Address: 4901 Vineland Road, Suite 500
Orlando, FL 32811

Name: Mary Burns
Address: 4901 Vineland Road, Suite 500
Orlando, FL 32811

All of the above-listed persons are residents of the State of Florida and citizens of the United States of America.

5. Name. The proposed name of the District is Riverwalk Community Development District.

6. Future Land Uses. The future general distribution, location, and extent of the land uses proposed for the District by future land use plan element of the applicable Future Land Use Plan is identified on **Exhibit 4**. The proposed land uses for lands contained within the proposed District are consistent with the City's approved Future Land Use Plan.

7. Major Water and Wastewater Facilities and Outfalls. **Composite Exhibit 5** shows the existing major trunk water mains, reclaim lines, sewer interceptors and outfalls for the lands to be included within the District.

8. District Facilities and Services. **Composite Exhibit 6** identifies the type of facilities Petitioner presently expects the District to finance, construct, acquire or install and

identifies the costs associated with the same. At present, these improvements are estimated to be made, constructed and installed in three (3) phases over the time period from 2022 through 2023. Actual construction timetables and expenditures will likely vary, due in part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions.

9. Statement of Estimated Regulatory Costs. **Exhibit 7** is the statement of estimated regulatory costs (“**SERC**”) prepared in accordance with the requirements of Section 120.541, *Florida Statutes*. The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

10. Authorized Agent. The Petitioner is authorized to do business in the State of Florida. The authorized agent for the Petitioner is Tucker F. Mackie. See **Exhibit 8 - Authorization of Agent**. Copies of all correspondence and official notices should also be sent to:

Tucker F. Mackie, Esq.
KUTAK ROCK LLP
107 West College Avenue
Tallahassee, Florida 32301

11. This petition to establish Riverwalk Community Development District should be granted 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 State Comprehensive Plan or the local Comprehensive Plan.

b. The area of land within the proposed District is part of a planned community. It is of a sufficient size and is sufficiently compact and contiguous to be developed as one functional and interrelated community.

c. The establishment of the District will prevent the general body of taxpayers in the City of Orlando from bearing the burden for installation of the infrastructure and the maintenance of the above-described facilities within the development encompassed by the District. The District is the best alternative for delivering community development services and facilities to the proposed community without imposing an additional burden on the general population of the local general-purpose government. Establishment of the District in conjunction with a comprehensively planned community, as proposed, allows for a more efficient use of resources.

d. The community development services and facilities of the District will not be incompatible with the capacity and use of existing local and regional community development services and facilities. In addition, the establishment of the District will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the District services and facilities.

e. The area to be served by the proposed District is amenable to separate special-district government.

WHEREFORE, Petitioner respectfully requests the City Council of the City of Orlando to:

- a. schedule a public hearing in accordance with the requirements of Section 190.005(2)(b), *Florida Statutes*;
- b. grant the petition and adopt an ordinance establishing the District pursuant to Chapter 190, *Florida Statutes*;
- c. consent to the District's exercise of certain additional powers to finance, fund, plan, establish, acquire, construct, enlarge or extend, equip, operate, and maintain

systems and facilities for: parks and facilities for indoor and outdoor recreation, cultural, and educational uses and for security, including, but not limited to, guardhouses, walls, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies, as authorized and described by Section 190.012(2), *Florida Statutes*.

c. grant such other relief as appropriate.

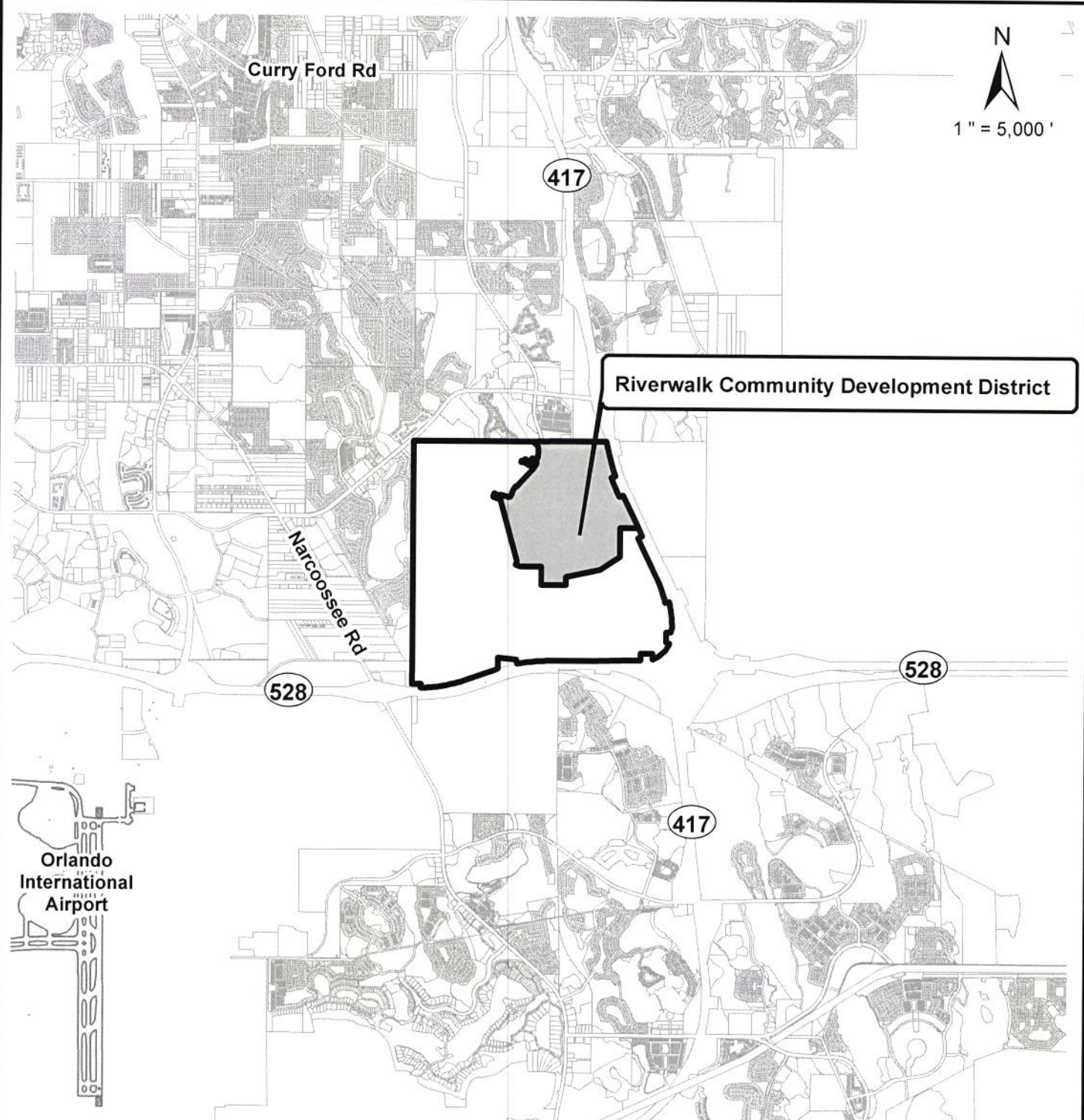
RESPECTFULLY SUBMITTED, this 13th day of June, 2022.

KUTAK ROCK LLP



Tucker F. Mackie
Florida Bar No. 041023
107 West College Avenue
Tallahassee, Florida 32301
Phone (404) 222-4760
Counsel for Petitioner

EXHIBIT 1



N
1" = 5,000'

Riverwalk Community Development District

Orlando
International
Airport

Legend

-  Riverwalk Community Development District
-  Planned Development Boundary



DONALD W. McINTOSH ASSOCIATES, INC.
 CIVIL ENGINEERS · LAND PLANNERS · SURVEYORS
 2200 PARK AVENUE NORTH, WINTER PARK, FL 32789
 PHONE 407.644.4068 FAX 407.644.8318

LOCATION MAP

EXHIBIT 2

RIVERWALK
TAKEDOWN 1, 2 AND 3 OVERALL PARCEL

DESCRIPTION:

That part of Sections 19, 20, 29 and 30, Township 23 South, Range 31 East, Orange County, Florida, described as follows:

BEGIN at the Northeast corner of the Southeast 1/4 of said Section 19; thence S89°51'04"W along the North line of the South 1/2 of said Section 19 for a distance of 917.42 feet; thence departing said North line run S01°59'00"E, 65.70 feet; thence S49°18'20"E, 84.45 feet; thence S30°51'23"E, 84.45 feet; thence S12°22'44"E, 70.05 feet; thence S00°11'45"E, 69.81 feet; thence S00°07'16"E, 59.77 feet; thence S02°28'59"W, 48.45 feet; thence S06°10'45"W, 56.79 feet; thence S09°52'34"W, 52.79 feet; thence S13°34'23"W, 60.78 feet; thence S21°09'07"W, 67.56 feet; thence N66°56'51"W, 172.38 feet to a non-tangent curve concave Northwesterly having a radius of 704.00 feet and a chord bearing of S27°46'30"W; thence Southwesterly along the arc of said curve through a central angle of 17°29'20" for a distance of 214.89 feet to the point of compound curvature of a curve concave Northerly having a radius of 15.00 feet and a chord bearing of S82°30'58"W; thence Westerly along the arc of said curve through a central angle of 91°59'36" for a distance of 24.08 feet to the point of tangency; thence N51°29'14"W, 21.48 feet to the point of curvature of a curve concave Southwesterly having a radius of 351.07 feet and a chord bearing of N60°09'38"W; thence Northwesterly along the arc of said curve through a central angle of 17°20'47" for a distance of 106.29 feet to a non-tangent line; thence N15°12'38"E, 78.40 feet; thence N74°55'27"W, 59.00 feet; thence S15°12'38"W, 77.09 feet to a non-tangent curve concave Southerly having a radius of 351.07 feet and a chord bearing of N84°18'45"W; thence Westerly along the arc of said curve through a central angle of 11°40'22" for a distance of 71.52 feet to the point of tangency; thence S89°51'04"W, 41.02 feet; thence S00°08'56"E, 54.00 feet; thence N89°51'04"E, 41.02 feet to the point of curvature of a curve concave Southerly having a radius of 297.07 feet and a chord bearing of S70°49'05"E; thence Easterly along the arc of said curve through a central angle of 38°39'42" for a distance of 200.45 feet to the point of tangency; thence S51°29'14"E, 89.55 feet to a non-tangent curve concave Northwesterly having a radius of 758.00 feet and a chord bearing of N34°31'21"E; thence Northeasterly along the arc of said curve through a central angle of 14°47'33" for a distance of 195.70 feet to the point of reverse curvature of a curve concave Southerly having a radius of 25.00 feet and a chord bearing of N70°05'22"E; thence Easterly along the arc of said curve through a central angle of 85°55'35" for a distance of 37.49 feet to the point of tangency; thence S66°56'51"E, 114.12 feet to the point of curvature of a curve concave Westerly having a radius of 25.00 feet and a chord bearing of S20°20'59"E; thence Southerly along the arc of said curve through a central angle of 93°11'45" for a distance of 40.66 feet to the point of compound curvature of a curve concave Northwesterly having a radius of 1072.00 feet and a chord bearing of S34°42'57"W; thence Southwesterly along the arc of said curve through a central angle of 16°56'07" for a distance of 316.86 feet to the point of tangency; thence S43°11'01"W, 598.96 feet to the point of curvature of a curve concave Southeasterly having a radius of 1202.00 feet and a chord bearing of S38°08'04"W; thence Southwesterly along the arc of said curve through a central angle of 10°05'52" for a distance of 211.84 feet to a non-tangent line; thence N56°54'52"W, 51.00 feet to a non-tangent curve concave

Southeasterly having a radius of 1253.00 feet and a chord bearing of S24°49'03"W; thence Southwesterly along the arc of said curve through a central angle of 16°32'10" for a distance of 361.63 feet to the point of reverse curvature of a curve concave Northwesterly having a radius of 80.00 feet and a chord bearing of S61°03'25"W; thence Southwesterly along the arc of said curve through a central angle of 89°00'53" for a distance of 124.29 feet to the point of tangency; thence N74°26'09"W, 311.32 feet; thence S15°33'51"W, 40.00 feet to a non-tangent curve concave Northerly having a radius of 1007.00 feet and a chord bearing of N68°25'16"W; thence Westerly along the arc of said curve through a central angle of 12°01'44" for a distance of 211.41 feet to a non-tangent line; thence S27°35'36"W, 126.00 feet to a non-tangent curve concave Northerly having a radius of 1133.00 feet and a chord bearing of S68°25'16"E; thence Easterly along the arc of said curve through a central angle of 12°01'44" for a distance of 237.87 feet to the point of tangency; thence S74°26'09"E, 57.08 feet; thence S15°27'47"E, 2326.49 feet; thence S22°49'34"W, 126.80 feet; thence S67°10'26"E, 186.33 feet; thence N89°51'04"E, 748.16 feet; thence S00°08'56"E, 667.87 feet; thence N89°51'04"E, 905.51 feet; thence N00°08'56"W, 301.30 feet; thence N78°11'59"E, 1255.44 feet; thence N56°36'26"E, 869.34 feet; thence N00°00'00"E, 1044.06 feet; thence N90°00'00"E, 660.58 feet to the Westerly limited access right-of-way line of State Road Number 417, as described in Official Records Book 4307, Page 2300, of the Public Records of Orange County, Florida; thence run the following courses and distances along said Westerly limited access right-of-way line: N25°12'52"W, 1317.80 feet; S64°47'08"W, 150.00 feet; N25°12'52"W, 200.20 feet to the point of curvature of a curve concave Northeasterly having a radius of 6029.58 feet and a chord bearing of N22°35'26"W; thence Northwesterly along the arc of said curve through a central angle of 05°14'53" for a distance of 552.28 feet to a non-tangent line; N70°02'01"E, 150.00 feet to a non-tangent curve concave Easterly having a radius of 5879.58 feet and a chord bearing of N16°13'10"W; thence Northerly along the arc of said curve through a central angle of 07°29'38" for a distance of 769.01 feet to the point of tangency; N12°28'21"W, 521.19 feet to the North line of the South 1/2 of said Section 20; thence departing said Westerly limited access right-of-way line, run S89°46'34"W along said North line, 1682.00 feet to the POINT OF BEGINNING. This description is based on Florida State Plane Coordinate System East Zone, NAD 83 Datum (2011 adjustment), average scale factor of 0.99994823, and all distances are Grid Dimensions.

The above described parcel of land contains 404.22 acres more or less when calculated in ground dimensions.

Being subject to any rights-of-way, restrictions and easements of record.

EXHIBIT 3

**CONSENT AND JOINDER OF LANDOWNER
TO ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT**

The undersigned is the owner of certain lands portions of which are more fully described in **Exhibit A**, attached hereto (the "Property").

The undersigned understands and acknowledges that Petitioner intends to submit a petition to establish a Community Development District in accordance with the provisions of Chapter 190, *Florida Statutes*.

As an owner of lands which are intended to constitute the Community Development District, the undersigned understands and acknowledges that pursuant to the provisions of section 190.005, *Florida Statutes*, the Petitioner is required to include the written consent to the establishment of the Community Development District of one hundred percent (100%) of the owners of the lands to be included within the Community Development District.

The undersigned hereby consents to the establishment of a Community Development District which will include the Property within the lands to be a part of the Community Development District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the Community Development District.

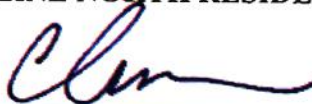
The undersigned acknowledges that the consent will remain in full force and effect until the Community Development District is established or three years from the date hereof, which ever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, consent to establishment of the Community Development District in substantially this form.

The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the officer executing this instrument.

[signatures on following page]

Executed this 9th day of June, 2022.

BEACHLINE NORTH RESIDENTIAL, LLC

By: 
Christopher Wrenn
Its: Vice President

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 9th day of June, 2022, by Christopher Wrenn, as Vice President of Beachline North Residential, LLC, who is personally known to me or produced personally known as identification.


(Official Notary Signature & Seal)

Print Name: Kimberly Clayton
Notary Public, State of Florida



EXHIBIT A

RIVERWALK
TAKEDOWN 1, 2 AND 3 OVERALL PARCEL

DESCRIPTION:

That part of Sections 19, 20, 29 and 30, Township 23 South, Range 31 East, Orange County, Florida, described as follows:

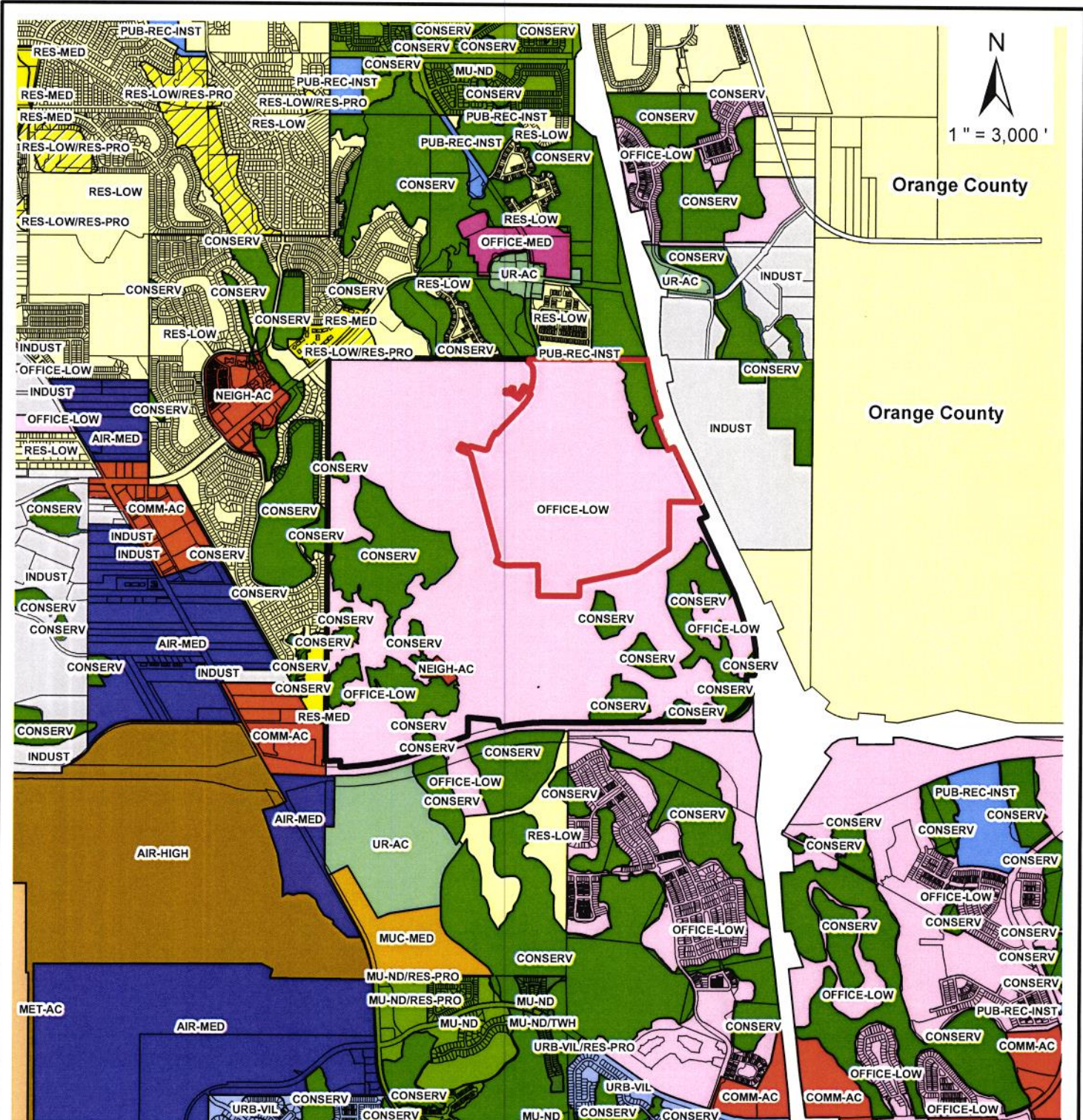
BEGIN at the Northeast corner of the Southeast 1/4 of said Section 19; thence S89°51'04"W along the North line of the South 1/2 of said Section 19 for a distance of 917.42 feet; thence departing said North line run S01°59'00"E, 65.70 feet; thence S49°18'20"E, 84.45 feet; thence S30°51'23"E, 84.45 feet; thence S12°22'44"E, 70.05 feet; thence S00°11'45"E, 69.81 feet; thence S00°07'16"E, 59.77 feet; thence S02°28'59"W, 48.45 feet; thence S06°10'45"W, 56.79 feet; thence S09°52'34"W, 52.79 feet; thence S13°34'23"W, 60.78 feet; thence S21°09'07"W, 67.56 feet; thence N66°56'51"W, 172.38 feet to a non-tangent curve concave Northwesterly having a radius of 704.00 feet and a chord bearing of S27°46'30"W; thence Southwesterly along the arc of said curve through a central angle of 17°29'20" for a distance of 214.89 feet to the point of compound curvature of a curve concave Northerly having a radius of 15.00 feet and a chord bearing of S82°30'58"W; thence Westerly along the arc of said curve through a central angle of 91°59'36" for a distance of 24.08 feet to the point of tangency; thence N51°29'14"W, 21.48 feet to the point of curvature of a curve concave Southwesterly having a radius of 351.07 feet and a chord bearing of N60°09'38"W; thence Northwesterly along the arc of said curve through a central angle of 17°20'47" for a distance of 106.29 feet to a non-tangent line; thence N15°12'38"E, 78.40 feet; thence N74°55'27"W, 59.00 feet; thence S15°12'38"W, 77.09 feet to a non-tangent curve concave Southerly having a radius of 351.07 feet and a chord bearing of N84°18'45"W; thence Westerly along the arc of said curve through a central angle of 11°40'22" for a distance of 71.52 feet to the point of tangency; thence S89°51'04"W, 41.02 feet; thence S00°08'56"E, 54.00 feet; thence N89°51'04"E, 41.02 feet to the point of curvature of a curve concave Southerly having a radius of 297.07 feet and a chord bearing of S70°49'05"E; thence Easterly along the arc of said curve through a central angle of 38°39'42" for a distance of 200.45 feet to the point of tangency; thence S51°29'14"E, 89.55 feet to a non-tangent curve concave Northwesterly having a radius of 758.00 feet and a chord bearing of N34°31'21"E; thence Northeasterly along the arc of said curve through a central angle of 14°47'33" for a distance of 195.70 feet to the point of reverse curvature of a curve concave Southerly having a radius of 25.00 feet and a chord bearing of N70°05'22"E; thence Easterly along the arc of said curve through a central angle of 85°55'35" for a distance of 37.49 feet to the point of tangency; thence S66°56'51"E, 114.12 feet to the point of curvature of a curve concave Westerly having a radius of 25.00 feet and a chord bearing of S20°20'59"E; thence Southerly along the arc of said curve through a central angle of 93°11'45" for a distance of 40.66 feet to the point of compound curvature of a curve concave Northwesterly having a radius of 1072.00 feet and a chord bearing of S34°42'57"W; thence Southwesterly along the arc of said curve through a central angle of 16°56'07" for a distance of 316.86 feet to the point of tangency; thence S43°11'01"W, 598.96 feet to the point of curvature of a curve concave Southeasterly having a radius of 1202.00 feet and a chord bearing of S38°08'04"W; thence Southwesterly along the arc of said curve through a central angle of 10°05'52" for a distance of 211.84 feet to a non-tangent line; thence N56°54'52"W, 51.00 feet to a non-tangent curve concave Southeasterly having a radius of 1253.00 feet and a chord bearing of S24°49'03"W; thence Southwesterly along the arc of said curve through a central angle of 16°32'10" for a distance of 361.63

feet to the point of reverse curvature of a curve concave Northwesterly having a radius of 80.00 feet and a chord bearing of S61°03'25"W; thence Southwesterly along the arc of said curve through a central angle of 89°00'53" for a distance of 124.29 feet to the point of tangency; thence N74°26'09"W, 311.32 feet; thence S15°33'51"W, 40.00 feet to a non-tangent curve concave Northerly having a radius of 1007.00 feet and a chord bearing of N68°25'16"W; thence Westerly along the arc of said curve through a central angle of 12°01'44" for a distance of 211.41 feet to a non-tangent line; thence S27°35'36"W, 126.00 feet to a non-tangent curve concave Northerly having a radius of 1133.00 feet and a chord bearing of S68°25'16"E; thence Easterly along the arc of said curve through a central angle of 12°01'44" for a distance of 237.87 feet to the point of tangency; thence S74°26'09"E, 57.08 feet; thence S15°27'47"E, 2326.49 feet; thence S22°49'34"W, 126.80 feet; thence S67°10'26"E, 186.33 feet; thence N89°51'04"E, 748.16 feet; thence S00°08'56"E, 667.87 feet; thence N89°51'04"E, 905.51 feet; thence N00°08'56"W, 301.30 feet; thence N78°11'59"E, 1255.44 feet; thence N56°36'26"E, 869.34 feet; thence N00°00'00"E, 1044.06 feet; thence N90°00'00"E, 660.58 feet to the Westerly limited access right-of-way line of State Road Number 417, as described in Official Records Book 4307, Page 2300, of the Public Records of Orange County, Florida; thence run the following courses and distances along said Westerly limited access right-of-way line: N25°12'52"W, 1317.80 feet; S64°47'08"W, 150.00 feet; N25°12'52"W, 200.20 feet to the point of curvature of a curve concave Northeasterly having a radius of 6029.58 feet and a chord bearing of N22°35'26"W; thence Northwesterly along the arc of said curve through a central angle of 05°14'53" for a distance of 552.28 feet to a non-tangent line; N70°02'01"E, 150.00 feet to a non-tangent curve concave Easterly having a radius of 5879.58 feet and a chord bearing of N16°13'10"W; thence Northerly along the arc of said curve through a central angle of 07°29'38" for a distance of 769.01 feet to the point of tangency; N12°28'21"W, 521.19 feet to the North line of the South 1/2 of said Section 20; thence departing said Westerly limited access right-of-way line, run S89°46'34"W along said North line, 1682.00 feet to the POINT OF BEGINNING. This description is based on Florida State Plane Coordinate System East Zone, NAD 83 Datum (2011 adjustment), average scale factor of 0.99994823, and all distances are Grid Dimensions.

The above described parcel of land contains 404.22 acres more or less when calculated in ground dimensions.

Being subject to any rights-of-way, restrictions and easements of record.

EXHIBIT 4



N
1" = 3,000'

Orange County

Orange County

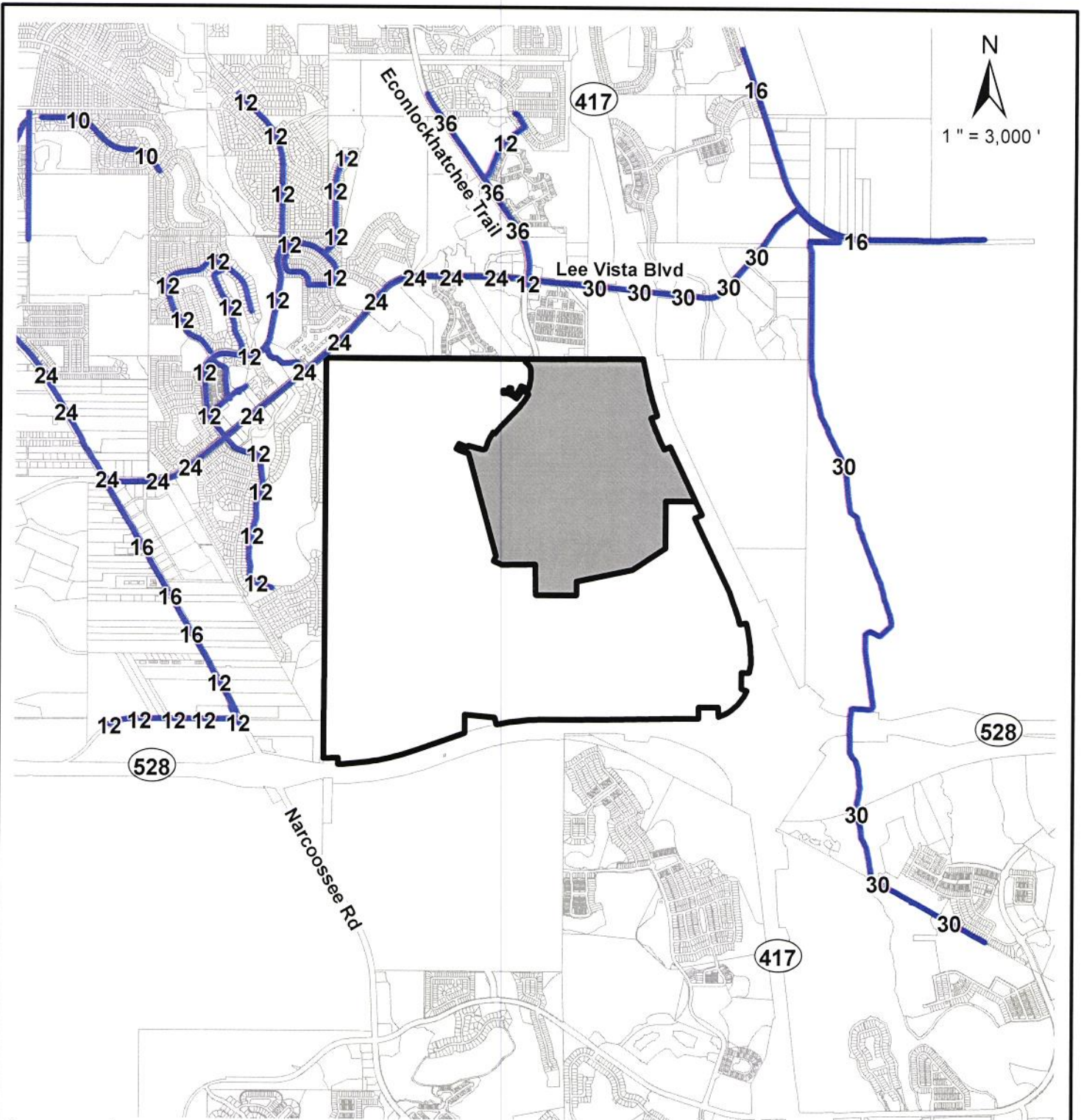
- Legend**
- Riverwalk Community Development District
 - Planned Development Boundary
 - Unincorporated Orange County
- CITY OF ORLANDO FUTURE LAND USE**
- AIR-HIGH - Airport Support District High Intensity
 - AIR-MED - Airport Support District Medium Density
 - COMM-AC - Community Activity Center
 - COMM-AC/RES-PRO - Community Activity Center with Resource Protection Overlay
 - CONSERV - Conservation
 - INDUST - Industrial
 - MET-AC - Metropolitan Activity Center
 - MU-ND - Mixed Use Neighborhood Development
 - MU-ND/RES-PRO - Mixed Use Neighborhood Development with Resource Protection Overlay
 - MU-ND/TWH - Mixed Use Neighborhood Development with Transitional Wildlife Overlay
 - MUC-MED - Mixed Use Corridor High Intensity
 - NEIGH-AC - Neighborhood Activity Center
 - OFFICE-LOW - Office Low Intensity
 - OFFICE-LOW/RES-PRO - Office Low Intensity with Resource Protection Overlay
 - OFFICE-MED - Office Medium Intensity
 - PUB-REC-INST - Public/Recreational & Institutional
 - RES-LOW - Residential Low Intensity
 - RES-LOW/RES-PRO - Residential Low Intensity with Resource Protection Overlay
 - RES-MED - Residential Medium Intensity
 - UR-AC - Urban Activity Center
 - URB-VIL - Urban Village
 - URB-VIL/RES-PRO - Urban Village with Resource Protection Overlay

DONALD W. McINTOSH ASSOCIATES, INC.
 CIVIL ENGINEERS - LAND PLANNERS - SURVEYORS
 2200 PARK AVENUE NORTH, WINTER PARK, FL 32789
 PHONE 407.644.4068 FAX 407.644.8318


FUTURE LAND USE MAP

COMPOSITE

EXHIBIT 5



Legend

 Orange County Utilities Potable Water Main

 Riverwalk Community Development District

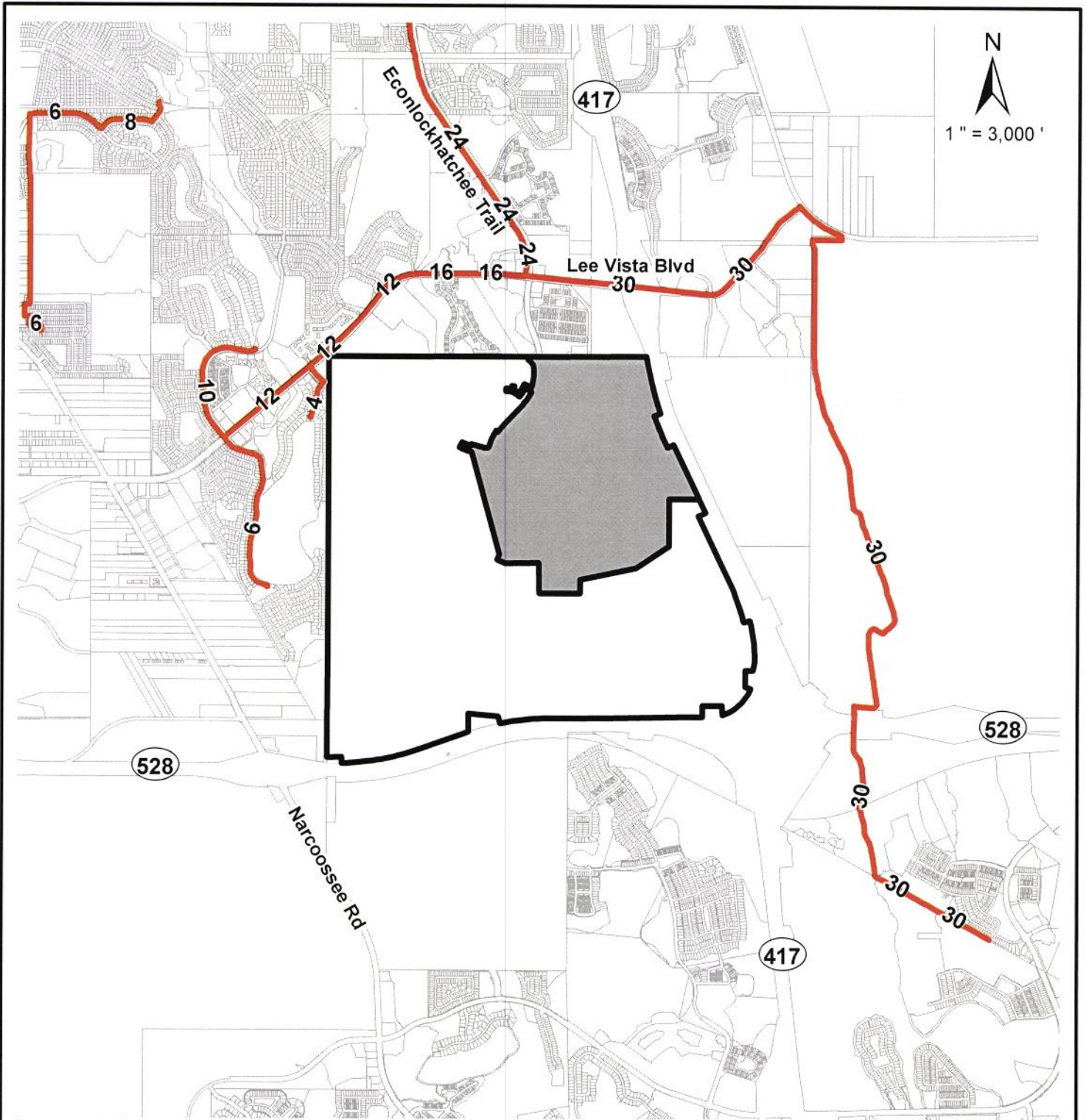
 Planned Development Boundary



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Note: This map shows general information regarding the potable water system serving the Everbe site area and is not an exhaustive map of all potable water facilities within the mapped area.

**ORANGE COUNTY UTILITIES
 POTABLE WATER
 UTILITIES MAP**



Legend

 Orange County Utilities Wastewater Force Main

 Riverwalk Community Development District

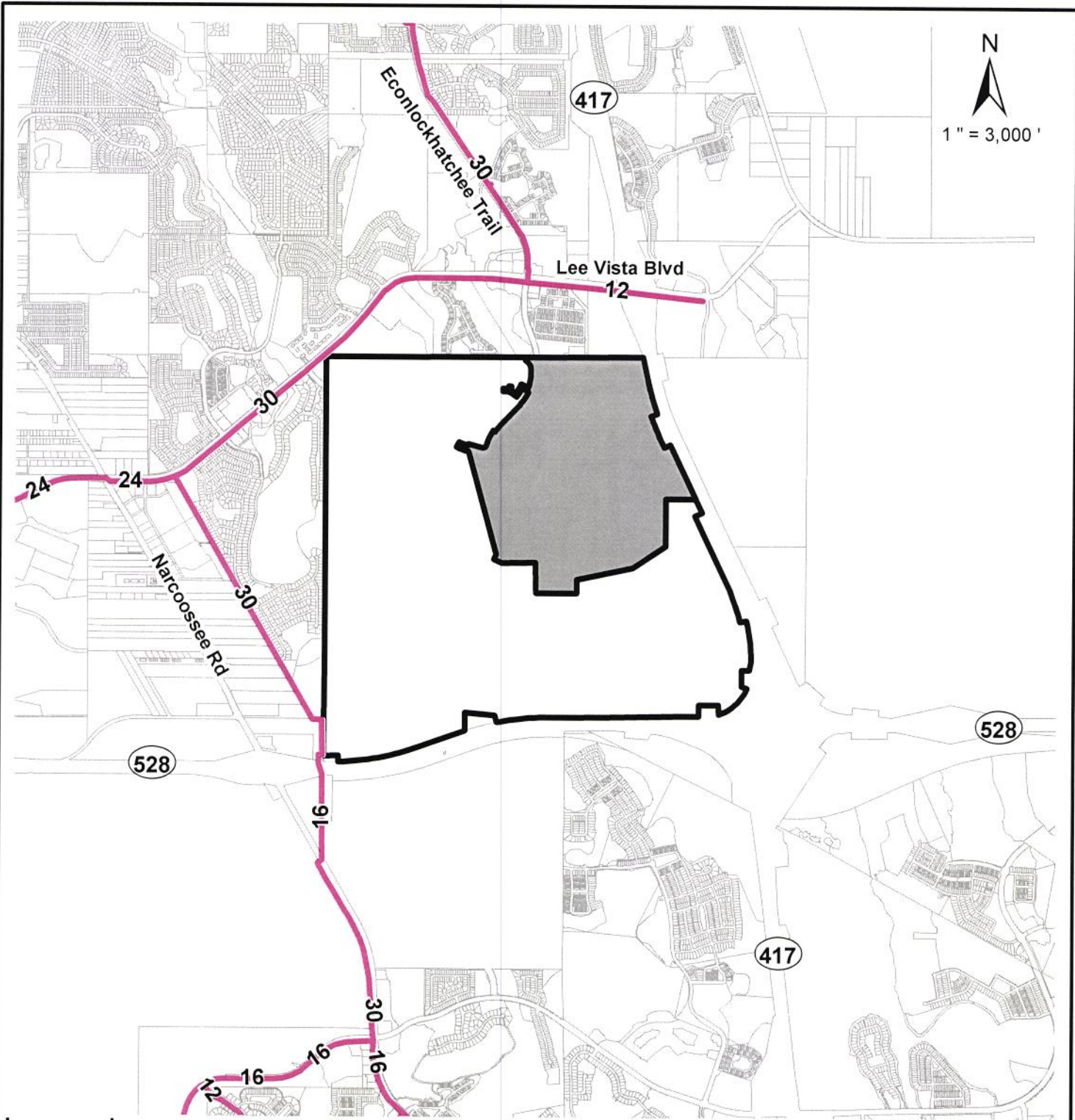
 Planned Development Boundary






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Note: This map shows general information regarding the wastewater system serving the Everbe site area and is not an exhaustive map of all wastewater facilities within the mapped area.

ORANGE COUNTY UTILITIES WASTEWATER UTILITIES MAP



Legend

-  City of Orlando Reclaim Water Main
-  Riverwalk Community Development District
-  Planned Development Boundary

Note: This map shows general information regarding the reclaim water system serving the Everbe site area and is not an exhaustive map of all reclaim water facilities within the mapped area.

**CITY OF ORLANDO
RECLAIM WATER
UTILITIES MAP**

 DONALD W. McINTOSH ASSOCIATES, INC.
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COMPOSITE

EXHIBIT 6

RIVERWALK COMMUNITY DEVELOPMENT DISTRICT
±404 ACRES
COST ESTIMATES

June 1, 2022

Component	Capital Improvements Estimated Cost
Roadway Construction (onsite)	\$29,133,900.00
Roadway Construction (offsite)	\$3,237,100.00
Land Acquisition (right-of-way, ponds, etc.)	\$12,587,000.00
Potable Water	\$8,324,000.00
Sanitary Sewer	\$9,665,300.00
Sanitary Force main (offsite)	\$508,700.00
Reclaimed Water	\$6,474,000.00
Duct Bank Undergrounding/Street Lights	\$10,174,000.00
Stormwater Management	\$9,249,000.00
Landscape and Irrigation	\$15,723,000.00
Wetland Mitigation	\$1,500,000.00
Soft Costs	\$11,561,000.00
	\$118,137,000.00

RIVERWALK CDD

INFRASTRUCTURE OWNERSHIP AND MAINTENANCE

<u>Facility</u>	<u>Funded</u>	<u>Maintained</u>	<u>Ownership</u>
Public Roads (Onsite)	CDD	City	City
Stormwater Management	CDD	CDD	CDD
Roads (Offsite)			
Econlockhatchee Trail	CDD	City	City
Passaic Parkway	CDD	City	City
Utilities Water	CDD	OCU	OCU
Utilities Sewer	CDD	OCU	OCU
Utilities Sewer Off-Site Force Main	CDD	OCU	OCU
Utilities Reclaimed	CDD	OCU	OCU
Landscaping & Entry Features	CDD	CDD	CDD

City = City of Orlando

OCU = Orange County Utilities

EXHIBIT 7

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs (“SERC”) supports the petition to form the **Riverwalk Community Development District** (the “District”). The proposed District comprises approximately 404.22 acres of land located within the City of Orlando, Florida (hereafter “City”). The project is planned for approximately 1,074 residential units. The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), Florida Statutes, 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 Riverwalk Community Development District

The District is designed to provide community infrastructure, services, and facilities along with operation and maintenance of such facilities and services to the lands within the District. The District will encompass approximately 404.22 acres.

The Development plan for the proposed lands within the District includes approximately 1,074 residential units. Such uses are authorized for inclusion within the District. A Community Development District (“CDD”) is an independent unit of special purpose local government authorized by Chapter 190, Florida Statutes, to plan, finance, construct, operate and maintain community-wide infrastructure in planned community developments. CDD’s 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), Florida Statutes.

A CDD is not a substitute for the local, general purpose, government unit, e.g., the City/County in which the CDD lies. A CDD does not have the permitting, zoning or general police powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating, and maintaining community infrastructure for planned developments. The scope of this SERC is limited to evaluating the consequences of approving the petition to establish the District.

1.3 Requirements for Statement of Estimated Regulatory Costs

According to Section 120.541(2), Florida Statutes, a statement of estimated regulatory costs must contain:

(a) An economic analysis showing whether the rule¹ directly or indirectly: 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; 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 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 and local revenues.

(d) 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 rule. 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, 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, Florida Statutes, and an analysis of the impact on small counties and small cities defined by Section 120.52, Florida Statutes. 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 good faith written proposal submitted under Section 120.541(1)(a), Florida Statutes, and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

2.0 Adverse impact on economic growth, business competitiveness or increased regulatory costs, in excess of \$1 million.

The creation of the District will not meet any of the triggers in Section 120.541(2)(a), Florida Statutes. The basis for this determination is provided in the discussions in Section 3.0 through

¹ For the purposes of this SERC, the term “agency” means the City, the term “state” or “State” means State of Florida and the term “rule” means the ordinance(s) which the City would enact in connection with the creation of the District.

Section 6.0 of this SERC.

3.0 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.

As noted above, the District is a community designed for approximately 1,074 residential units. Formation of the District would put all of these units under the jurisdiction of the District. Prior to sale of any units, all of the owners of land within the proposed boundaries will also be under the jurisdiction of the District. Initially, Pulte Home Company, LLC (“Developer”) will be the primary developer and sole landowner of property within the proposed District boundaries.

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

4.1 Costs of Governmental Agencies of Implementing and Enforcing Rule

State Government Entities

There will be only modest costs to various State governmental entities to implement and enforce the proposed formation of the District. The District as proposed will encompass under 2,500 acres, therefore the City is the establishing entity under sections 190.005(2), (2)(e), Florida Statutes. The modest costs to various State entities to implement and enforce the proposed rule relate strictly to the receipt and processing of various reports that the proposed District is required to file with the State and its various entities. 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 such reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.018, Florida Statutes, the proposed District must pay an annual fee to the State of Florida’s Department of Economic Opportunity, which offsets such costs.

City of Orlando

The City and its staff will process and analyze the petition, conduct a public hearing with respect to the petition, and vote upon the petition to establish the District. These activities will absorb some resources. However, the filing fee required by Chapter 190, Florida Statutes, is anticipated to cover the costs for review of the petition for establishment.

These costs to the City are 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 much of the information needed for a staff review. Third, local governments already possess the staff needed to conduct the review without the need for new or additional staff. Fourth, there is no capital required to review the petition. Finally, local governments routinely process similar petitions for land uses and zoning changes that are far more complex than the petition to establish a CDD.

The annual costs to the City because of the establishment of the District are minimal. The proposed 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. Furthermore, the City will not incur any quantifiable on-going costs resulting from the on-going administration of the District. As previously stated, the District operates independently from the City, and all administrative and operating costs incurred by the District relating to the financing and construction of infrastructure are borne entirely by the District and its landowners.

4.2 Impact on State and Local Revenues

Adoption of the proposed rule will have no negative impact on State and 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 infrastructure or facilities, or for any other reason, are not debts of the State or the City. In accordance with State law, debts of the District are strictly the District’s own responsibility.

5.0 A good faith estimate of the transactional costs that are 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. It is anticipated that onsite and offsite roadways; potable water, sanitary sewer and reclaimed water utility systems; the differential cost of undergrounding utilities; master stormwater system; landscape and irrigation; wetland mitigation; land acquisition; and associated professional fees, permitting, contingencies and other soft costs, may be financed by the District.

**Table 1.
Riverwalk CDD Proposed Facilities and Services**

<u>District Infrastructure</u>	<u>Finance</u>	<u>O&M</u>	<u>Ownership</u>
Onsite Roads	CDD	City	City
Offsite Roads	CDD	City	City
Potable Water	CDD	OCU	OCU
Sanitary Sewer	CDD	OCU	OCU
Reclaim Water	CDD	OCU	OCU
Master Stormwater System	CDD	CDD	CDD
Landscape and Irrigation	CDD	CDD	CDD

Key: City = Orlando; OCU = Orange County Utilities; CDD = Riverwalk CDD

The petitioner has estimated the design and development costs for providing the capital facilities. The cost estimates are shown in Table 2 below. Total development costs for these facilities are estimated to be approximately \$118,137,000. The District may issue special assessments or other revenue bonds to fund the development of these facilities. These bonds would be repaid through non-ad valorem assessments levied on all developable properties in the District that may benefit from the District's capital improvement program.

Table 2. Cost Estimate for District Facilities

Infrastructure	Estimated Costs
Onsite Roads	\$29,133,900
Offsite Roads	\$3,237,100
Potable Water	\$8,324,000
Sanitary Sewer	\$10,174,000
Reclaimed Water	\$6,474,000
Differential Cost of Underground Electric	\$10,174,000
Master Stormwater System	\$9,249,000
Landscape and Irrigation	\$15,723,000
Land Acquisition	\$12,587,000
Wetland Mitigation	\$1,500,000
Soft Costs	\$11,561,000
Total	\$118,137,000

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 assessments for debt service, the District may also impose non-ad valorem assessments to fund the operation and maintenance of the District and its facilities and services.

It is important to recognize that buying property in the District is completely voluntary. Ultimately, all owners and users of property within the District choose to accept the non-ad valorem assessments as a tradeoff for the numerous benefits and facilities that the District provides.

A CDD provides property owners with the option of having a higher level of facilities and services financed through self-imposed charges. The District is an alternative means to finance necessary community facilities and services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a neighborhood association, or through developer equity and/or bank loans.

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

First, those property owners and businesses in the District will receive a higher level of public services sooner than would otherwise be the case.

Second, a District 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 and ultimately electoral voting for resident elected boards, to determine the type, quality and expense of the District services they receive, provided they meet the City's overall requirements.

Fourth, the District has the ability to maintain infrastructure better than a Homeowners' Association because it is able to offer a more secure funding source for maintenance and repair costs through assessments collected on the county tax bill pursuant to section 197.3632, Florida Statutes.

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 financing 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.

6.0 An analysis of the impact on small businesses as defined by Section 288.703, Florida Statutes, and an analysis of the impact on small counties and small cities as defined by Section 120.52, Florida Statutes.

There will be no impact on small businesses because of the formation of the District. If anything, the impact may be positive. This is because the District must competitively bid many of its contracts, affording small businesses the opportunity to bid on District work, and may also result in a need for additional retail and commercial services that afford small businesses and opportunity for growth.

The City of Orlando has an estimated un-incarcerated population greater than 10,000 according to the most recent federal U.S. Census (2020). Therefore, the City is not defined as a "small" City according to Section 120.52(18), Florida Statutes.

Orange County has an estimated un-incarcerated population that is greater than 75,000 according to the 2020 U.S. Census. Therefore, the County is not defined as a "small county" according to section 120.52(19), Florida Statutes.

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.

8.0 In the statement or revised statement, whichever applies, a description of any good

faith written proposal submitted under Section 120.541(1)(a), Florida Statutes, and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

There have been no good faith written proposals submitted to the agency as described in section 120.541(1)(a), Florida Statutes.

Prepared by:

Governmental Management Services - Central Florida, LLC

June 6, 2022

EXHIBIT 8

Authorization of Agent

This shall serve as a designation of Tucker F. Mackie of Kutak Rock, LLP, whose address is P.O. Box 10230, Tallahassee, Florida 32302, to act as agent for Pulte Home Company, LLC ("Petitioner"), with regard to any and all matters pertaining to the Petition to the City Council for City of Orlando, Florida, to establish a Community Development District pursuant to Chapter 190, Florida Statutes. This authorization shall remain in effect until revoked in writing.

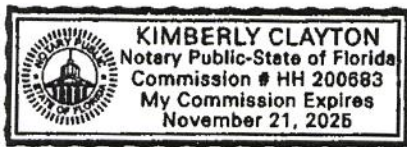
Executed this 14th day of April, 2022.

PULTE HOME COMPANY, LLC

By: [Signature]
Its: Vice president of land development

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 14th day of April, 2022, by Chris Wrenn, as Vice President of Land Dev. of Pulte Home Company, LLC, who is personally known to me or produced personally known as identification.



[Signature]
(Official Notary Signature & Seal)

Print Name: Kimberly Clayton
Notary Public, State of Florida

**BEFORE THE CITY COUNCIL
CITY OF ORLANDO, FLORIDA**

IN RE: Petition to Establish Riverwalk)
 Community Development District)
_____)

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY

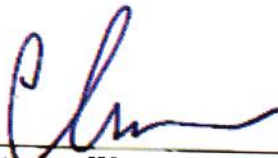
STATE OF FLORIDA
COUNTY OF ORANGE

I, Christopher Wrenn, of Pulte Home Company, LLC, ("Affiant"), being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.
2. My name is Christopher Wrenn and I am the Vice-President for Pulte Home Company, LLC.
3. The prepared written, pre-filed testimony consisting of seven (7) pages, submitted under my name to the City Council of the City of Orlando, Florida relating to the establishment of the Riverwalk Community Development District ("District") and attached hereto, is true and correct.
4. If I were asked the questions contained in the pre-filed testimony orally at the District establishment hearing my oral answers would be the same as the written answers presented in my pre-filed testimony.
5. My credentials, experience and qualifications concerning the Petition, its exhibits and the reasons for establishing the District are accurately set forth in my pre-filed testimony.
6. My pre-filed testimony addresses the various statutory requirements and an overview of the proposed development within the proposed District.
7. No other corrections or amendments to my pre-filed testimony are required.

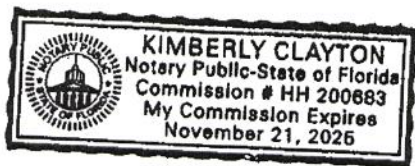
Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 29th day of June, 2022.



Christopher Wrenn

SWORN TO and SUBSCRIBED before me by means of physical presence or online notarization, this 29th day of June, 2022 by the Affiant.



[notary seal]



(Official Notary Signature)

Name: Kimberly Clayton
Personally Known x
OR Produced Identification —
Type of Identification personally known

1 **TESTIMONY OF CHRISTOPHER WRENN FOR ESTABLISHMENT OF THE**
2 **RIVERWALK COMMUNITY DEVELOPMENT DISTRICT**
3

4 **1. Please state your name and business address.**
5

6 My name is Christopher Wrenn. My business address is 4901 Vineland Road, Suite 500,
7 Orlando, Florida 32811.
8

9 **2. By whom are you employed and in what capacity?**
10

11 I am employed by Pulte Home Company, LLC, as Vice-President of Land Development.
12

13 **3. Briefly summarize your duties and responsibilities.**
14

15 My duties and responsibilities include management of entitlements, community planning,
16 and personnel responsible for the same.
17

18 **4. Briefly describe your educational background.**
19

20 I received my master's degree from the University of Florida.
21

22 **5. Who is the Petitioner in this proceeding?**
23

24 The Petitioner is Pulte Home Company, LLC ("Petitioner"), which is the business entity
25 that is developing the area identified in the petition ("Petition").
26

27 **6. Are you familiar with the Petition filed by Petitioner seeking the establishment of a**
28 **community development district ("CDD")?**
29

30 Yes.
31

32 **7. What is the proposed name of the District?**
33

34 The "Riverwalk Community Development District" (the "District").
35

36 **8. Have you reviewed the contents of the Petition and approved its findings?**
37

38 Yes, I have.
39

40 **9. Are there any changes or corrections to the Petition at this time?**
41

42 Not to my knowledge.
43

44 **10. Are there any other changes or corrections to any of the documents attached to the**
45 **Petition at this time?**

1
2 No.

3
4 **11. Please generally describe each of the documents attached to the Petition, as**
5 **supplemented.**
6

7 Exhibit 1 is a map showing the general area in which the proposed District is located.
8

9 Exhibit 2 is a legal description of the boundaries of the proposed District that was prepared
10 at the direction of Petitioner.
11

12 Exhibit 3 are Consents and Joinders of 100% of the landowners within the proposed District.
13

14 Exhibit 4 depicts the general distribution, location and extent of the existing and future
15 public and private land uses for lands within the proposed District. The proposed land uses
16 for lands contained within the proposed District are consistent with the City's approved
17 Future Land Use Plan.
18

19 Composite Exhibit 5 depicts the existing trunk water mains and wastewater interceptors
20 within the currently undeveloped lands within the proposed District.
21

22 Composite Exhibit 6 provides a list of facilities the proposed District anticipates it will
23 provide, identifying the anticipated owner and entity responsible for ultimate maintenance,
24 as well as a summary of the estimated costs and timetable for constructing the proposed
25 District improvements.
26

27 Exhibit 7 is the Statement of Estimated Regulatory Costs prepared by GMS - Governmental
28 Management Services.
29

30 Exhibit 8 is an authorization of agent form that designates Tucker F. Mackie as the
31 authorized agent of the Petitioner.
32

33 **12. Were these Exhibits attached to the Petition, as supplemented, prepared by you or**
34 **under your supervision?**
35

36 Yes.
37

38 **13. Are the contents of the Petition and the Exhibits attached to it, as supplemented, and**
39 **referenced above true and correct to the best of your knowledge?**
40

41 Yes.
42

43 **14. Are you familiar with the area that is proposed to be included within the proposed**
44 **District?**

1
2 Yes, I am familiar with the general area and the site specifically.
3

4 **15. Approximately how large is the proposed District in acres?**
5

6 The proposed District covers approximately 404.22 acres of land.
7

8 **16. What steps were taken with respect to filing the Petition with the City Council of the**
9 **City of Orlando?**
10

11 On or around June 13, 2022, Petitioner formally filed the Petition to Establish the Riverwalk
12 Community Development District with the City Council of the City of Orlando. The
13 Petitioner paid the filing fee of \$15,000 in accordance with Section 190.005, *Florida*
14 *Statutes*.
15

16 **17. Has Notice of the Public Hearing been provided in accordance with Section 190.005,**
17 **Florida Statutes?**
18

19 The Notice of Public Hearing will be published in the Orlando Sentinel on the following
20 anticipated dates: July 17, July 24, July 31, and August 7.
21

22 **18. Is the Orlando Sentinel a newspaper of general circulation in the City of Orlando,**
23 **Florida?**
24

25 Yes, it is.
26

27 **19. And do you have proof of publication of those notices?**
28

29 Not at this time, but as soon as we receive the proof of publication at the conclusion of the
30 notice run, we will provide this documentation to City staff and submit an original proof of
31 publication at the public hearing to establish the proposed District.
32

33 **20. Who are the five persons designated in the Petition to serve as the initial Board of**
34 **Supervisors?**
35

36 The five persons are Eric Baker, Chris Wrenn, Kimberly Clayton, Cliff Torres, and Mary
37 Burns.
38

39 **21. Do you know each of these persons personally?**
40

41 Yes, I do.
42

43 **22. Are each of the persons designated to serve as the initial Board of Supervisors residents**
44 **of the State of Florida and citizens of the United States?**

1
2 Yes, they are.
3

4 **23. Are there residential units planned for development within the proposed District?**
5

6 Yes. There are approximately 1,074 residential units planned for development within the
7 proposed District.
8

9 **24. Are there residents currently living within the areas to be included within the proposed**
10 **District, and, if so, have they been notified about the creation of the District?**
11

12 No. As of this date, there are no residents living in any of the areas proposed to be included
13 within the boundaries of the proposed District.
14

15 **25. Would you please describe the proposed timetable for development of land within the**
16 **proposed District?**
17

18 The proposed timetable for the construction of infrastructure to develop the land is expected
19 to occur during 2022-2023.
20

21 **26. Would you generally describe the services and facilities you currently expect the**
22 **proposed District to provide?**
23

24 Petitioner presently intends for the proposed District to participate in the acquisition and/or
25 construction of onsite and offsite public roads, potable water, sanitary sewer, sanitary force
26 main, reclaimed water, street lights, stormwater management, landscape and irrigation, and
27 wetland mitigation. Capital costs of these improvements, including associated
28 contingencies and professional fees, will be borne by the proposed District. Petitioner's
29 good faith expectation of the costs associated with the acquisition or construction of such
30 improvements is itemized in Composite Exhibit 6 to the Petition.
31

32 **27. Are these costs expected to include the cost of acquiring land from the developer?**
33

34 Yes.
35

36 **28. Do you have an opinion, as someone experienced in development, as to whether the**
37 **area of land to be included within the proposed District is of sufficient size, is**
38 **sufficiently compact, and is sufficiently contiguous to be developable as one functional**
39 **interrelated community?**
40

41 Yes.
42

43 **29. What is your opinion?**
44

1 The proposed District has sufficient land area, and is sufficiently compact and contiguous
2 to be developed, with the roadway, drainage, water and sewer, and other infrastructure
3 systems, facilities and services contemplated. The proposed District will operate as one
4 functionally interrelated community.
5

6 **30. What is the basis for your opinion?**
7

8 The size of the proposed District is approximately 404.22 acres of land. Based on my
9 previous experience, the proposed District is of sufficient size, compactness, and contiguity
10 to be developed as a functional interrelated community.
11

12 The qualities of compactness, contiguity, and size relate directly to whether an area can
13 become one functional interrelated community. From the standpoint of the provision,
14 management and operation of the community infrastructure expected to be provided by the
15 proposed District, the acres contemplated for inclusion within the proposed District is
16 sufficiently compact, contiguous and of sufficient size to maximize the successful delivery
17 of these infrastructure improvements to these lands. The delivery of services and facilities
18 to the lands within the proposed District will not be hampered by insurmountable barriers
19 or spatial problems. The area within the proposed District is suitably configured to
20 maximize the benefits available from the proposed District services and facilities to be
21 provided.
22

23 **31. In addition to meeting the requirements of Florida law, what other steps will be taken**
24 **to ensure that prospective purchasers of the proposed District receive notice of the**
25 **existence of the proposed District and its assessments?**
26

27 There are certain state law disclosure requirements that all community development districts
28 ("CDDs") must meet.
29

30 First, within thirty (30) days of the establishment of the District, a Notice of Establishment
31 is required to be recorded in the property records. The notice contains a legal description
32 of the boundaries of the District and discloses, through inclusion of the bold-faced language
33 set forth in the paragraph immediately below, that the District may levy assessments, as
34 required by Section 190.0485, *Florida Statutes*. The document also provides contact
35 information for someone to obtain more information about the District. This document
36 should appear on a title search typically prepared when someone intends to purchase a home
37 after a District has been established.
38

39 Second, Section 190.048, *Florida Statutes*, requires certain contractual language to appear
40 in bold-faced and conspicuous type immediately prior to the signature line on every initial
41 purchase contract. The following language will be required: **The Riverwalk Community**
42 **Development District may impose and levy taxes or assessments, or both taxes and**
43 **assessments, on this property. These taxes and assessments pay the construction,**
44 **operation, and maintenance costs of certain public facilities and services of the District**

1 and are set annually by the governing board of the District. These taxes and
2 assessments are in addition to city, county, and other local governmental taxes and
3 assessments and all other taxes and assessments provided for by law.
4

5 Third, when assessments are levied for the first time or when previously levied assessments
6 are raised, notice of a public hearing is required to be given by publication in a local
7 newspaper and by mail to all property owners within the District. The assessments are then
8 considered at a public hearing.
9

10 Fourth, the District will be required to adopt and record in the Orange County Public
11 Records a Disclosure of Public Financing and Maintenance of Public Improvements at the
12 time bonds were issued. This Disclosure summarizes the financing plan the District has
13 undertaken, the existence, if any, of capital and operations and maintenance assessments,
14 and the facilities and services that the District provides and maintains. This Disclosure is
15 then provided by the District to the developer to satisfy the requirements of Section 190.009,
16 *Florida Statutes*, and is also available for inspection by residents and prospective residents.
17

18 **32. In general, what financing methods does Petitioner propose that the proposed District**
19 **use to pay for the anticipated facilities and services?**
20

21 Petitioner presently expects that the proposed District will finance certain services and
22 improvements through the issuance of tax-exempt bonds. The debt issued by the proposed
23 District is expected to be retired by funds from landowners in the form of "non-ad valorem"
24 or "special" assessments on benefitted property within the proposed District. Ongoing
25 maintenance and operational activities are expected to be funded by maintenance special
26 assessments. Any facilities not financed with a bond issue will be funded by the developer
27 through conventional bank financing.
28

29 **33. Who will be responsible for paying the proposed District's assessments?**
30

31 Only those property owners, including the developer, within the proposed District will be
32 responsible for paying District assessments.
33

34 **34. Will these debts of the proposed District be an obligation of the City of Orlando,**
35 **Orange County or the State of Florida?**
36

37 No. Florida law provides that community development district debt cannot become the
38 obligation of a city, a county, or the state without the consent of that government.
39

40 **35. Why is the Petitioner seeking to have a CDD established for this area?**
41

42 There are hundreds of CDDs throughout the State of Florida. CDDs are an efficient,
43 effective way to provide infrastructure and have become accepted in the marketplace to

1 homebuyers. CDDs have the ability to assist in the streamlined and efficient maintenance
2 and operation of infrastructure and services to developing communities.
3

4 From our perspective, the establishment of a CDD is logical for this project. It provides a
5 long-term, stable, financially-secure entity. The proposed District is a structured, formal
6 entity with the legal ability to respond to future changes in the circumstances and desires of
7 its residents. Under Florida law, the proposed District has access to the existing tax
8 collection mechanisms applicable to the property within the proposed District, which helps
9 ensure that the facilities will be maintained. In that sense, it is preferable over control by a
10 property owners association.
11

12 Additionally, a CDD has the ability to enter into interlocal agreements with other
13 government entities. These allow a CDD to work with other government entities to
14 complete projects that benefit residents within the CDD boundaries while also assisting
15 local governments in completing infrastructure necessary to serve growth.
16

17 A CDD has the financial capability to assist in the provision of necessary capital
18 improvements sooner than may otherwise be the case. The City, developers, builders and
19 residents will all benefit from these improvements in terms of access, traffic flow, safety
20 and general property enhancement. Additionally, a CDD is the entity preferred by many
21 regulatory agencies, including many water management districts, to operate and maintain
22 the stormwater management and other similar systems. This is because the CDD is a
23 perpetual entity, operating in open meetings, with the financial ability to ensure that the
24 maintenance of these important environmental facilities and amenities is accomplished.
25 Given the nature of this project, in my opinion, a CDD is a logical, prudent, and desirable
26 way to ensure this needed infrastructure is maintained.
27

28 **36. Does this conclude your testimony?**

29 Yes.
30
31

BEFORE THE CITY COUNCIL
CITY OF ORLANDO, FLORIDA

IN RE: PETITION TO ESTABLISH THE)
 RIVERWALK COMMUNITY)
 DEVELOPMENT DISTRICT)

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY

STATE OF FLORIDA
COUNTY OF ORANGE

I, John T. Townsend, P.E., of Donald W. McIntosh Associates, Inc., being first duly sworn, do hereby state for my affidavit as follows:

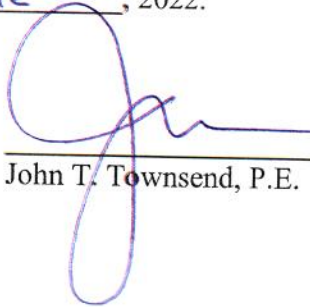
1. I have personal knowledge of the matters set forth in this affidavit.
2. My name is John T. Townsend, and I am employed as Senior Vice President/Engineering Director at Donald W. McIntosh Associates, Inc.
3. The prepared written, pre-filed testimony consisting of nine (9) pages, submitted under my name to the City of Orlando, relating to the establishment of the Riverwalk Community Development District and attached hereto, is true and correct.
4. If I were asked the questions contained in the pre-filed testimony orally at the Riverwalk Community Development District establishment hearing on August 15, 2022, my oral answers would be the same as the written answers presented in my pre-filed testimony.
5. My credentials, experience and qualifications concerning my work with land development projects as a professional engineer are accurately set forth in my pre-filed testimony.

6. My pre-filed testimony generally addresses the nature of the services and facilities anticipated by the proposed Riverwalk Community Development District.

7. No corrections or amendments to my pre-filed testimony are required.

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 29th day of June, 2022.



John T. Townsend, P.E.

SWORN TO and SUBSCRIBED before me by the Affiant, on this 29th day of June, 2022.



Lisa E. Toney
Notary Public State of Florida

LISA E TONEY
Name

Personally Known
Type of identification produced _____

1 **TESTIMONY OF JOHN T. TOWNSEND, P.E., FOR ESTABLISHMENT OF THE**
2 **RIVERWALK COMMUNITY DEVELOPMENT DISTRICT**
3

4 **1. Please state your name and business address.**
5

6 John T. Townsend, 2200 Park Avenue North, Winter Park, Florida 32789.
7

8 **2. By whom are you employed and in what capacity?**
9

10 Donald W. McIntosh Associates, Inc.; Senior Vice President/Engineering Director.
11

12 **3. How long have you held that position?**
13

14 I have been employed with Donald W. McIntosh Associates, Inc. for 29 years and have
15 held the position of Senior Vice-President/Engineering Director for 3 years.
16

17 **4. Please give your educational background, with degrees earned, major areas of study**
18 **and institutions attended.**
19

20 I received bachelor's and master's degrees in civil engineering from the University of
21 Alabama in Tuscaloosa, Alabama. Since graduating, I have continued to develop my
22 engineering talent with the design and permitting of numerous commercial, residential and
23 institutional projects, including the design of roadways, storm water collection and
24 management systems, sewage collection and transmission systems and water distribution
25 systems, as well as cost estimating and construction phase services.
26

27 **5. Do you have any professional licenses, registrations, or certifications?**

28 I am a licensed Professional Engineer in the State of Florida (Registration No. 52127)
29

30 **6. Have you been involved in any developments of the type and nature contemplated**
31 **within the Riverwalk Community Development District ("District")?**
32

33 I have been involved in a number of residential and mixed-use projects that contain similar
34 necessary public infrastructure improvements, several of which involve Community
35 Development Districts.
36

37 **7. Are you familiar with the Petition ("Petition") filed by Pulte Home Company, LLC**
38 **("Petitioner") with the City Council of the City of Orlando, Florida on or around June**
39 **13, 2022, seeking the establishment of the proposed District?**
40

41 Yes. My firm assisted the Petitioner with the preparation of some of the exhibits filed with
42 the Petition.

1
2 **8. Are you familiar with those parcels of land proposed to be included in the District**
3 **that are located within the City of Orlando, Florida (“City”)?**
4

5 Yes, I am.
6

7 **9. Are you generally familiar with the geographical area, type, and scope of development**
8 **and the available services and facilities in the vicinity of the proposed District?**
9

10 Yes, I am.
11

12 **10. Which documents did you prepare or have others prepare under your supervision?**
13

14 Exhibits 1, 2, 4, 5, and 6 to the Petition.
15

16 **11. Do any of those exhibits require any change or correction?**
17

18 Not to my knowledge.
19

20 **12. Are Exhibits 1, 2, 4, 5, and 6 to the Petition true and correct?**
21

22 Yes, to the best of my knowledge.
23

24 **13. In general, what do Exhibits 1, 2, 4, 5, and 6 to the Petition demonstrate?**
25

26 These exhibits demonstrate the general location and character of the property that is
27 proposed to be included within the District boundaries, as well as legal descriptions of the
28 proposed District boundaries. They also describe the types and locations of existing utility
29 facilities and the types, general construction timetable, and estimated costs of construction
30 of proposed facilities.
31

32 **14. What capital facilities are presently expected to be provided by the proposed District?**
33

34 At present, the proposed District is expected to provide roadways and associated surface
35 water management systems, utilities (i.e., potable water, reclaimed water and wastewater
36 systems), street lighting, landscape and irrigation, and wetland mitigation.
37

38 **15. Based upon your training and experience as an engineer, do you have an opinion as**
39 **to whether the proposed District is of sufficient size, sufficient compactness, and**
40 **sufficient contiguity to be developed as a functional interrelated community?**
41

42 Yes. Based on my experience, the proposed District is of sufficient size, compactness and

1 contiguity to be developed as a one functional interrelated community.
2

3 **16. What is the basis for your opinion?**
4

5 For many reasons the proposed District facilities can be provided in an efficient, functional
6 and integrated manner.
7

8 First, there are sufficient, significant infrastructure needs for the area within the proposed
9 District to allow development as a functionally interrelated community.
10

11 Second, the specific design of the community allows infrastructure to be provided in a cost-
12 effective manner. The land included within the proposed District area is contiguous, which
13 facilitates an efficient and effective planned development.
14

15 Third, the provision of services and facilities through the use of one development plan
16 provides a contiguous and homogenous method of providing services to lands throughout
17 the proposed District.
18

19 **17. In your opinion, you said the proposed District is sufficiently compact and contiguous**
20 **to be developable as a functionally interrelated community. Would you please explain**
21 **what you mean when stating that the proposed District is of sufficient compactness?**
22

23 The proposed District will encompass approximately 404.22 acres and is proposed to
24 provide a range of residential, commercial and support land uses that require the necessary
25 elements of infrastructure, including roadways, potable water systems, reclaimed water
26 systems, wastewater systems, surface water management systems, landscaping, irrigation,
27 and other improvements described in the Petition. The proposed District is proposed to
28 have sufficient overall residential and commercial density to require all of the above-
29 mentioned necessary elements of infrastructure to support a comprehensive community.
30 These facilities and services require adequate planning, design, financing, construction,
31 and maintenance to provide the community with appropriate infrastructure. The preferred
32 method of developing land, especially for higher density residential uses, is for the
33 development to be spatially compact. This augments the District's ability to construct and
34 maintain improvements and provide services in a cost-efficient manner.
35

36 The lands within the proposed District will be developed in phases as identified in the
37 Petition but with the common overall design intent to promote connectivity and
38 functionality.
39

40 **18. Can you provide an example of a service or facility and explain why a community**
41 **development district ("CDD") is a preferred alternative for long-term operation and**
42 **maintenance?**

1
2 Yes. One example would be landscaping, entry features and lighting facilities. Quite often,
3 large communities experience not only a lack of continuity in the design of landscaping
4 and lighting improvements but also in the maintenance of such improvements. Through a
5 CDD, the main entries and framework roadways of the community can be constructed,
6 landscaped and maintained in a consistent and cohesive manner.
7

8 Another example would be framework infrastructure that provides regional connectivity,
9 whether through framework roadways or major utility facilities. Such improvements are
10 generally cost prohibitive for a large planned community that develops in multiple phases
11 over a period of years or decades. A CDD allows such framework infrastructure
12 improvements to be constructed concurrently with the demand for such improvements.
13

14 **19. Does the establishment of the proposed District obviate the need for local land**
15 **development regulations, ordinances or plans?**
16

17 No. Section 190.004, *Florida Statutes*, explicitly provides that the establishment of a CDD
18 does not in any way impact or change the applicability of any governmental planning,
19 environmental and land development laws, regulations, and ordinances. A CDD cannot
20 take any action that is inconsistent with the comprehensive plan, code of ordinances or
21 regulations of the city or county within which it is located.
22

23 **20. Based on your experience, do you have an opinion as to whether the services and**
24 **facilities to be provided by the proposed District will be incompatible with the**
25 **capacities and uses of existing local and regional community facilities and services?**
26

27 Yes. It is my opinion that the proposed services and facilities of the proposed District will
28 not be incompatible with the capacity and uses of existing local or regional community
29 development services and facilities.
30

31 **21. What is the basis for your opinion?**
32

33 Currently, none of the planned infrastructure improvements that the proposed District plans
34 to provide exist on the subject property in a manner which is useful to the proposed
35 development. Each of the elements of infrastructure for the necessary services and facilities
36 will connect into the existing, surrounding systems according to criteria, review and
37 approval of the existing operational entity; there will be no incompatibility issues.
38

39 **22. Based on your experience, do you have an opinion as to whether the area to be**
40 **included within the proposed District is amenable to being served by a separate**
41 **special district government?**
42

1 Yes. In my opinion, and to the best of my knowledge, the area identified in the petition is
2 amenable to being served by a separate special district government.
3

4 **23. What is the basis for your opinion?**
5

6 The proposed District is limited in purpose and the infrastructure improvements to be
7 provided by the proposed District are limited in scope. This infrastructure is expected to
8 directly benefit the development and may be adequately served by a special district
9 government. In addition, special district governance provides a mechanism whereby long-
10 term maintenance obligations can be satisfied by the persons primarily using the facilities
11 and services. Finally, the landowners within the proposed District have executed
12 documents consenting to the establishment of a CDD.
13

14 **24. Do you have an opinion, as someone experienced in land planning, as to whether the**
15 **proposed District is a viable alternative for delivering community services and**
16 **facilities to the areas that will be served by the proposed District?**
17

18 Yes. It is my opinion that the proposed District is a viable alternative for providing the
19 proposed services and facilities to the land to be included within the proposed District.
20

21 **25. What are the alternatives contemplated in rendering this opinion?**
22

23 There would be two alternatives to the establishment of the proposed District. First, to
24 facilitate economic development, accommodate new growth, and provide new services, the
25 City could perhaps provide the selected facilities. The second alternative would be for the
26 developer or property owners' association (POA) to provide the infrastructure using private
27 financing.
28

29 **26. How does the proposed District compare to these alternatives?**
30

31 By comparison of the alternatives referenced above, from a planning perspective, the
32 proposed District is the best alternative available to provide the necessary infrastructure
33 improvements. As a special-purpose "local government," the proposed District is a stable,
34 long-term public entity capable of constructing, maintaining and managing the proposed
35 elements of infrastructure of the necessary facilities and services. The limited purpose and
36 scope of the proposed District, combined with the statutory safeguards in place, such as
37 notice of public hearings and access to district records, would ensure that the proposed
38 District is responsive to the infrastructure needs of the proposed District. The proposed
39 District would be able to obtain low-cost financing to provide the necessary improvements
40 and then impose special or non-ad valorem assessments upon the property owners within
41 the proposed District to fund the infrastructure.
42

1 Only a CDD allows for the independent financing, administration, operations and
2 maintenance of the land within the proposed District. Only a CDD allows CDD property
3 owners, and eventually residents, to completely control the CDD board and, therefore, the
4 timing and extent of infrastructure improvements and maintenance. Knowing when, where,
5 and how infrastructure will be needed to service the projected population of an area allows
6 for the smooth delivery of those facilities. The proposed District exceeds other available
7 alternatives at focusing attention to when, where, and how the next system of infrastructure
8 will be required for this specific area and reduces the delivered cost to the citizens being
9 served. All other alternatives do not have these characteristics.

10
11 **27. In the course of your work in Florida, have you had an opportunity to work with the**
12 **State Comprehensive Plan found in Chapter 187, *Florida Statutes*?**
13

14 Yes. In the course of producing planning documents for private development proposals, I
15 have often referred to the State Comprehensive Plan.
16

17 **28. In the course of your work in Florida, have you had an opportunity to review local**
18 **government comprehensive plans?**
19

20 Yes. In fact, I have reviewed the City of Orlando Growth Management Plan in the course
21 of my work.
22

23 **29. Are you familiar with the development approvals that have been obtained or are**
24 **being sought by the Petitioner to govern the lands within the proposed District?**
25

26 Yes, I am.
27

28 **30. Based upon your training and experience as a professional engineer specializing in**
29 **land development, do you have an opinion as to whether the proposed District is**
30 **inconsistent with any portion or element of the State Comprehensive Plan found in**
31 **Chapter 187, *Florida Statutes*?**
32

33 Yes.
34

35 **31. What is that opinion?**
36

37 In my professional opinion, the proposed District is not inconsistent with the applicable
38 provisions of Chapter 187, *Florida Statutes*.
39

40 **32. What is the basis for your opinion?**
41

1 I have reviewed, from a planning perspective, applicable portions of the State
2 Comprehensive Plan which relate to CDDs. The State Comprehensive Plan “provides
3 long-range policy guidance for the orderly social, economic, and physical growth of the
4 state.” The State Comprehensive Plan provides twenty-five (25) subjects, and numerous
5 goals and policies. Three subjects are particularly relevant to the establishment of CDDs:
6 No. 15 - Land Use, No. 17 - Public Facilities, and No. 25 - Plan Implementation. Several
7 of the policies and goals are particularly supportive of the establishment of the proposed
8 District.
9

10 **33. Why is subject No. 15 in the State Comprehensive Plan relevant to the establishment**
11 **of the proposed District?**
12

13 This goal recognizes the importance of enhancing the quality of life in the State of Florida
14 and attempts to do so by ensuring that development is located in areas that have fiscal
15 abilities and service capacity to accommodate growth. CDDs are designed to provide
16 services and facilities in a fiscally responsible manner to areas which can accommodate
17 development. The proposed District is consistent with this goal because it will continue to
18 have the fiscal capability to provide a range of services and facilities to a population in a
19 designated growth area.
20

21 **34. Are any of the policies under subject No. 15 relevant?**
22

23 Yes. Policy 1 promotes efficient development activities in areas which will have the
24 capacity to service new populations and commerce. The proposed District will be a vehicle
25 to provide services in an efficient and cost-effective manner over the long term.
26

27 **35. What is Subject 17 and why is it relevant?**
28

29 Subject 17 addresses public facilities. The goal is to finance new facilities in a timely,
30 orderly and efficient manner. In particular, Policy 3 states that the cost of new public
31 facilities should be allocated to existing and future residents on the basis of the benefits
32 received. Policy 6 also encourages the identification and implementation of innovative but
33 fiscally sound and cost-effective techniques for financing public facilities. Establishment
34 of the proposed District will further this goal and related policies.
35

36 **36. Why is Subject No. 25, the other subject you mentioned, relevant to the establishment**
37 **of the proposed district?**
38

39 Subject No. 25 addresses Plan Implementation. This goal requires that systematic planning
40 capabilities be integrated into all levels of government throughout the state, with particular
41 emphasis on improving inter-governmental coordination and maximizing citizen
42 involvement. The proposed District will operate through a separate and distinct Board of

1 Supervisors who will systematically plan the construction, operation and maintenance of
2 public improvements and community facilities authorized under Chapter 190, *Florida*
3 *Statutes*, subject to and not inconsistent with the local government comprehensive plan and
4 land development regulations. Further, meetings held by the Board of Supervisors are
5 publicly advertised and open to the public.
6

7 **37. Are there any relevant policies in this portion of the State Comprehensive Plan?**
8

9 Yes. Policy 6 encourages public citizen participation at all levels of policy development,
10 planning and operations. Under Chapter 190, *Florida Statutes*, six (6) years after the
11 establishment of a CDD, and after two hundred and fifty (250) electors reside in the CDD,
12 the election of the Board of Supervisors begins to transition from a landowner-elected
13 Board to a resident-elected Board. Regardless of whether the board is elected by the
14 landowners or the residents, the CDD must convene its meetings in accordance with
15 government in the sunshine provisions set forth in Chapter 286, *Florida Statutes*. This
16 encourages citizen participation in the planning and operational activities of the CDD.
17

18 **38. Based upon your training and experience in land planning and development as a**
19 **professional engineer, do you have an opinion as to whether establishment of the**
20 **proposed District is inconsistent with any portion or element of the City of Orlando's**
21 **Growth Management Plan?**
22

23 Yes, I do.
24

25 **39. What is that opinion?**
26

27 In my professional opinion, based on 29 years of experience in land planning and
28 development and on my firm's considerable experience with CDDs, the establishment of
29 the proposed District is not inconsistent with any applicable provisions of the City's
30 Growth Management Plan. In fact, portions of the Growth Management Plan are supportive
31 of the establishment of CDDs. The City's Southeast Sector Plan and the Growth
32 Management Plan identify CDDs as a method of funding public infrastructure
33 improvements. Furthermore, the City has encouraged the creation of other CDDs within
34 the City.
35

36 **40. What is the basis for that opinion?**
37

38 Since Chapter 190, *Florida Statutes*, prohibits any CDD from acting in a way inconsistent
39 with the local government's comprehensive plan, the exercising of any power must be done
40 with the comprehensive plan in mind. The following elements of the City's Growth
41 Management Plan generally relate to the planned activities of the proposed District and are
42 consistent with establishment of the proposed District:

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- Future Land Use Element
- Conservation Element
- Potable Water Element
- Wastewater Element
- Stormwater and Aquifer Recharge Element
- Transportation Element
- Intergovernmental Coordination Element
- Capital Improvements Element

It is my opinion, therefore, that with respect to the establishment of the proposed District, the establishment will not be inconsistent with any applicable element or portion of the City's Growth Management Plan.

41. Does this conclude your testimony?

Yes, it does.

**BEFORE THE CITY COUNCIL
CITY OF ORLANDO, FLORIDA**

IN RE: Petition to Establish Riverwalk)
 Community Development District)
_____)

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY

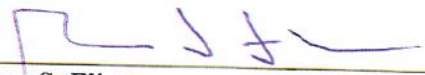
STATE OF FLORIDA
COUNTY OF Orange

I, George S. Flint, of Governmental Management Services – Central Florida, LLC, (“Affiant”), being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.
2. My name is George S. Flint and I am the Vice-President for Governmental Management Services – Central Florida, LLC.
3. The prepared written, pre-filed testimony consisting of twelve (12) pages, submitted under my name to the City Council of the City of Orlando, Florida relating to the establishment of the Riverwalk Community Development District (“District”) and attached hereto, is true and correct.
4. If I were asked the questions contained in the pre-filed testimony orally at the District establishment hearing my oral answers would be the same as the written answers presented in my pre-filed testimony.
5. My credentials, experience and qualifications concerning the Petition, its exhibits and the reasons for establishing the District are accurately set forth in my pre-filed testimony.
6. My pre-filed testimony addresses the various statutory requirements and an overview of the proposed development within the proposed District.
7. No other corrections or amendments to my pre-filed testimony are required.

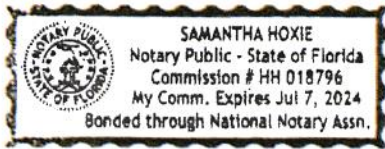
Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 28 day of June, 2022.

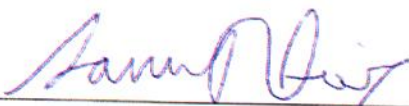


George S. Flint

SWORN TO and SUBSCRIBED before me by means of physical presence or online notarization, this 28th day of June, 2022 by the Affiant.



[notary seal]



(Official Notary Signature)
Name: _____
Personally Known _____
OR Produced Identification _____
Type of Identification _____

**TESTIMONY OF GEORGE FLINT FOR ESTABLISHMENT OF
RIVERWALK COMMUNITY DEVELOPMENT DISTRICT**

1. Please state your name and business address.

My name is George S. Flint. My business address is 219 East Livingston Street, Orlando, Florida 32801.

2. By whom are you employed and in what capacity?

I am a Vice-President with Governmental Management Services – Central Florida, LLC (GMS) and serve as District Manager and assessment administrator for community development districts.

3. Please briefly summarize your duties and responsibilities.

GMS provides management consulting services to community development districts and the real estate industry, including general management, accounting, recording, secretarial services, field services and assessment administration. GMS currently serves as the district manager for over two hundred and twenty (220) community development districts (“CDDs”) in the State of Florida.

4. Do you work with both public and private sector clients?

GMS primarily works for public entities providing district management services. However, we are retained, from time to time, by private entities to consult on the creation of special districts as well as the viability of certain proposed developments.

5. Prior to your current employment, by whom were you employed and what were your responsibilities in those positions?

I have twenty-eight (28) years of experience in the public and private sectors providing general management, budgeting, and consulting services. I served as the Budget Officer and Assistant County Administrator for St. Johns County, Florida, and as the Assistant County Manager/Performance Manager for Alachua County, Florida. In addition, I served as a Senior Management Consultant and Regional Manager for TetraTech, Inc., an environmental engineering firm, and as the Executive Director of the St. Johns County Utility Authority. I have extensive knowledge of special districts, governmental budgeting and finance issues, the development process, and water and wastewater utilities.

6. Will your firm, GMS, represent the Riverwalk Community Development District (“District”)?

Yes. GMS will serve as District Manager and assessment administrator.

1 **7. Please describe your educational background.**

2
3 I have a Bachelor of Arts degree from Princeton University in Politics with a focus in
4 economics and a Master of Public Administration from Florida State University with a
5 specialization in public budgeting and finance.
6

7 **8. Please describe your work with community development districts in Florida.**

8
9 Through GMS, the clients I serve are both resident-elected and landowner-elected CDDs,
10 depending on the stage in the life of the development. I assist the various Boards of
11 Supervisors and residents by managing the accounting, official recordkeeping, and
12 operations and management of the assets acquired or constructed by the CDD. I have
13 provided management and assessment administration services to over fifty (50) active
14 CDDs across Florida.
15

16 **9. Are any of these community development districts that you have worked with about**
17 **the same size as the proposed Riverwalk Community Development District in the City**
18 **of Orlando, Florida (the "City")?**

19
20 Yes.
21

22 **10. What has been your role with respect to the proposed Riverwalk Community**
23 **Development District establishment proceeding?**

24
25 I serve as an assessment, economic, and management consultant relating to the
26 establishment of the proposed District. Specifically, I assisted in preparation of Petition
27 Exhibit 7, the Statement of Estimated Regulatory Costs ("SERC").
28
29

30 **DISTRICT MANAGEMENT**

31
32 **11. At this point, I will ask you to address certain matters that are related to community**
33 **development district management. Please describe the general manner in which a**
34 **community development district actually operates.**

35
36 Community development districts are governed by a five-member board of supervisors.
37 These board members are initially appointed by the establishment entity in its ordinance.
38 Within 90 days of the establishment of the district, a new board is elected by the landowners
39 in the district. The Board is the governing body of the district. The Board employs a district
40 manager, who supervises the district's services, facilities, and administrative functions. The
41 Board annually considers and, after public notice and hearing, adopts a budget. The district
42 submits a copy of the proposed budget to the applicable local general-purpose government
43 for review and for optional comment prior to its adoption each year.
44

45 **12. Are there requirements, such as the open meetings and public records laws, imposed**
46 **upon community development districts in order to safeguard the public that are**

1 similar to those imposed upon other general-purpose local governments?
2

3 Yes, there are.
4

5 **13. Please describe these requirements and safeguards.**
6

7 First, it is important to note that the establishment of a CDD does not change any
8 requirements for local general-purpose governmental approval of construction within the
9 district. Any land development requirements and all state and local development
10 regulations still apply.
11

12 Second, members of the CDD Board of Supervisors must be residents of Florida and citizens
13 of the United States. After the Board shifts to being elected by the resident electors of the
14 district the supervisors must also be residents and electors of the district. Board members
15 must annually file the same financial disclosure forms required by other local officials. All
16 meetings of the CDD Board of Supervisors are open to the public and are subject to the
17 government in the sunshine requirements of Chapter 286, *Florida Statutes*. Furthermore,
18 the District's records must be open for public inspection in accordance with the Florida law
19 governing public records.
20

21 Next, the district must provide financial reports to the state in the same form and manner as
22 is required of all other political subdivisions. The CDD is annually audited by an
23 independent certified public accountant. As I said before, the CDD budget is adopted
24 annually by the board after a public hearing. All rates, fees, and charges imposed by the
25 district must be adopted pursuant to Chapter 120, *Florida Statutes*.
26

27 Finally, to impose special or non-ad valorem assessments under Chapter 170, 190 and 197,
28 a CDD must provide published and mailed notice to those who are assessed providing them
29 opportunity to appear before the Board of Supervisors and have an opportunity to comment
30 on the advisability of the assessments. That assessment process entails preparation of an
31 assessment methodology that fairly and equitably allocates the cost of the district's projects.
32

33 **14. Please describe in general terms how a CDD operates financially, both on a day-to-day
34 and a long-term basis.**
35

36 In the early stages, particularly when a CDD is first formed, the CDD's operating funds may
37 be funded by a "Funding Agreement" between the CDD and the landowner/developer in
38 lieu of assessments that the CDD might have imposed on property within the CDD.
39

40 In order to provide long term financing of capital projects, CDDs often issue bonds. All
41 bonds issued by CDDs must be secured by a trust agreement, and any bond maturing over
42 a period of more than five years must be validated and confirmed by court decree pursuant
43 to Chapter 75, *Florida Statutes*. The district also may borrow funds on a long or short-term
44 basis.
45

1 Debt may be retired by the District through non ad valorem or special assessments imposed
2 on benefited properties, or rates, fees, and charges imposed on users of district facilities and
3 services. By law, debt of the District cannot become debt of any other government (City,
4 County or state), without that government's consent.
5

6 **15. What alternatives, other than community development districts, are you familiar with**
7 **that might be available to provide community infrastructure for the lands within the**
8 **proposed District?**
9

10 In my opinion there are two alternatives that might provide community infrastructure such
11 as the roads, utilities, drainage, recreation and other improvements contemplated for the
12 proposed district. First, the general-purpose local government could finance the
13 improvements utilizing special assessments and/or general funds. Alternatively, the
14 developer could provide infrastructure through private means, including private financing
15 if available. As discussed later in my testimony, neither of these alternatives is preferable
16 to use of the CDD concept.
17

18 **16. What has been your role with respect to the Petition to Establish the Riverwalk**
19 **Community Development District (the "Petition")?**
20

21 I have worked closely with Pulte Home Company, LLC (the "Petitioner") and its consultants
22 in determining if a CDD is appropriate for this project. I also supervised the preparation of
23 Exhibit 7 of the Petition, the SERC.
24

25 **17. Do you have an opinion, as someone experienced in district management and**
26 **operations, as to whether the proposed District is the best available alternative for**
27 **delivering community services and facilities to the areas that will be served by the**
28 **District?**
29

30 Yes. For this project, the proposed District is the best alternative available for delivering
31 the proposed services and facilities to the area that will be served. These improvements
32 include, but are not limited to, sanitary sewer collection, water distribution, reuse water,
33 stormwater management system, conservation and mitigation, and roadway improvements.
34

35 **18. What is the basis for your opinion?**
36

37 Looking at the alternatives, the City could finance and manage the improvements utilizing
38 special assessments or general funds. The developer and/or a property owner's association
39 ("POA") could provide these facilities as well through private financing.
40

41 In evaluating the alternatives, it is important to consider whether the alternative can provide
42 the best focus, can effectively and efficiently manage and maintain the facilities, and
43 whether the alternative can secure low cost, long term public financing. The City clearly
44 provides the long-term perspective and is a stable and relatively low-cost source of
45 financing and provider of services at sustained levels. However, the City has substantial
46 demands over a broad geographical area that places a heavy management delivery load on

1 its staff. In addition, if dependent district financing were used, the City would be
2 responsible for all administrative aspects of the dependent district. The City would have to
3 make time and meetings available for the monthly matters pertaining to the dependent
4 district. By using a dependent district mechanism, the City would be increasing its
5 responsibility and hence liability for the variety of actions that will take place in the
6 Riverwalk development. The City, through the dependent district, would also be the
7 contracting party for all construction contracts, would have to deal with bid issues, enforce
8 performance bonds, and participate in construction arbitration or litigation if necessary.
9 They would deal with delay claims and budget management and all the other challenges
10 that come with being the owner in a public construction project. A district can be created
11 to provide focused attention to a specific area in a cost-effective manner. It also allows the
12 City to focus staff time, finances, and other resources elsewhere and does not burden the
13 general body of taxpayers in the City with the debt associated with this growth.
14

15 The other alternative is the use of private means either through a POA or through the
16 developer, or both in combination. This combination can clearly satisfy the high demand
17 for focused service and facilities and managed delivery. However, only a public entity can
18 assure a long-term perspective, act as a stable provider of services and facilities, qualify as
19 a lower cost source of financing, and pay for services at sustained levels. POAs lack the
20 ability to effectively finance the improvements. Their ability to assure adequate funds for
21 sustained high levels of maintenance is less than with a CDD.
22

23 Furthermore, neither the developer nor a POA would be required to conduct all actions
24 relating to the provision of these improvements in the "sunshine" as a CDD must or abide
25 by other public access requirements that are incumbent upon a CDD and its Board of
26 Supervisors. Also, provision and long-term operation and maintenance of these
27 improvements, particularly the drainage activities, by a CDD ensures that residents have
28 guaranteed access to the body or entity making decisions about these facilities, and in fact
29 will one day sit as the five-member board making the decisions that impact their community
30 directly.
31

32 A CDD is an independent special purpose unit of local government designed to focus its
33 attention on providing the best long-term service to its specifically benefited properties and
34 residents. It has limited power and a limited area of jurisdiction. The CDD will be governed
35 by its own board and managed by those whose sole purpose is to provide the district long
36 term planning, management, and financing of these services and facilities. This long-term
37 management capability extends to the operation and maintenance of the facilities owned by
38 the CDD. Further, the sources for funding and manner of collection of funds will assure
39 that the CDD facilities will be managed at the sustained levels of quality desired by residents
40 well into the future.
41

- 42 **19. Do you have an opinion, as someone experienced in district management and**
43 **operations, as to whether the area of land to be included within the proposed District**
44 **is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be**
45 **developable as one functional interrelated community?**
46

1 Yes.

2
3 **20. What is your opinion?**
4

5 The proposed CDD has sufficient land area, and is sufficiently compact and contiguous to
6 be developed, with the roadway, drainage, water and sewer, and other infrastructure
7 systems, facilities and services contemplated. The District will operate as one functionally
8 interrelated community.
9

10 **21. What is the basis for your opinion?**
11

12 The size of the proposed District is approximately 404.22 acres. Based on my previous
13 experience, the proposed District is of sufficient size, compactness, and contiguity to be
14 developed as a functional interrelated community.
15

16 The qualities of compactness, contiguity, and size relate directly to whether an area can
17 become one functional interrelated community. From the standpoint of the provision,
18 management and operation of the community infrastructure expected to be provided by the
19 District, the acres contemplated for inclusion within the District is sufficiently compact,
20 contiguous and of sufficient size to maximize the successful delivery of these infrastructure
21 improvements to these lands. The delivery of services and facilities to the lands within the
22 District will not be hampered by insurmountable barriers or spatial problems. The area
23 within the District is suitably configured to maximize the benefits available from the District
24 services and facilities to be provided.
25

26 **22. Do you have an opinion, as someone experienced in district management and**
27 **operations, as to whether the area that will be served by the proposed District is**
28 **amenable to separate special district government?**
29

30 Yes.

31
32 **23. What is your opinion?**
33

34 The District is of sufficient size, compactness, and contiguity. Therefore, the area to be
35 served by the proposed District is clearly amenable to separate special district governance.
36 The configuration of the District is not unlike other CDDs with which I have worked over
37 time.
38

39 **24. What is the basis for your opinion?**
40

41 Two criteria are needed to evaluate if a land area is amenable to separate special district
42 government. One, does the land area have need for the facilities and services and will its
43 owners and residents benefit from facilities that the special district could provide? Two, is
44 the land area of sufficient size, sufficient compactness, and sufficiently contiguous to be the
45 basis for a functional interrelated community?
46

1 Under both criteria, the proposed District is a planned community of sufficient size with a
2 need for the facilities and improvements that are presently expected to be provided by the
3 proposed District. As described in the petition, the proposed District will construct and
4 maintain certain identified needed facilities and services. Other facilities and improvements
5 will be constructed by the proposed District and ultimately owned and maintained by the
6 City. Based on my experience, CDDs of this size are large enough to effectively provide
7 and manage services. From a management and operations perspective, the land area is well
8 suited to the provision of the proposed services and facilities. Ultimately, of course, if later
9 circumstances would cause the City to re-evaluate whether these lands should continue as
10 separate special district government, the City has the option under Section 190.046(4),
11 *Florida Statutes*, to effectively take over the functions of any CDD.
12

13 **25. Do you have an opinion, as someone experienced in district management and**
14 **operations, as to whether the community development services and facilities of the**
15 **proposed District will be incompatible with the capacity and use of existing local and**
16 **regional community development services and facilities?**
17

18 Yes.

19
20 **26. What is your opinion?**
21

22 The proposed services and facilities of the proposed District are not incompatible with the
23 capacity and uses of existing local or regional community development services and
24 facilities.
25

26 **27. What is the basis for your opinion?**
27

28 Petitioner presently expects the proposed District to finance and construct certain sanitary
29 sewer collection systems, water distribution systems, reuse water systems, stormwater
30 management systems, conservation and mitigation improvements, and roadway
31 improvements. None of the facilities expected to be provided by the District presently exist.
32 Ultimately, a district may own and maintain certain of those improvements and the City, or
33 other governmental entities, may own and maintain others. There will be no overlap or
34 incompatibility because the facilities and improvements expected to be provided by the
35 proposed District do not exist today.
36
37

38 ECONOMICS AND FINANCING

39
40 **28. You stated earlier that you are you familiar with the Petition, and its Exhibits, filed by**
41 **the Petitioner, to establish the proposed Riverwalk Community Development District.**
42 **Are you particularly familiar with Exhibit 7 to the Petition?**
43

44 Yes, Exhibit 7 is the SERC, a requirement of Chapter 190, *Florida Statutes*.
45

46 **29. What exactly is a "SERC"?**

1
2 The Statement of Estimated Regulatory Costs is actually a requirement under Section
3 120.541(2), *Florida Statutes*, which has been incorporated into the law on establishment of
4 community development districts.
5

6 **30. In general terms, please summarize the economic analyses presented in the SERC.**
7

8 An understanding of the SERC requires the recognition of the scope of review and
9 evaluation for the establishment of a community development district as set out in Chapter
10 190. Section 190.002(2)(d), *Florida Statutes*, states “[t]hat the process of establishing such
11 a district pursuant to uniform general law [must] be fair and based only on factors material
12 to managing and financing the service-delivery function of the district, so that any matter
13 concerning permitting or planning of the development is not material or relevant.” Thus,
14 the scope of the economic analysis included in the SERC addresses only the establishment
15 of the proposed District, and not the planning or development of the property itself.
16

17 The economic analysis sets out the assumptions about the development within the proposed
18 district and the anticipated infrastructure to be provided by it. The analysis addresses each
19 of the potentially affected parties defined in Chapter 120, *Florida Statutes*, and evaluates
20 the impact of the proposed district on each such group.
21

22 The proposed Riverwalk Community Development District is a specialized unit of local
23 government. It is a special purpose unit of local government with a single objective: the
24 provision of infrastructure and services for a planned new community. Its economic
25 benefits exceed its economic cost to the Petitioner, the City, and to all subsequent purchasers
26 and landowners of the community - in short, to all affected parties.
27

28 Once the proposed District is established, there are no direct costs to the City. While the
29 proposed District will provide certain reports and budgets to the City for its discretionary
30 review, there are no requirements that either incur any obligations or expense associated
31 with its review. In addition, to the extent the proposed District utilizes the services of the
32 Property Appraiser or Tax Collector under the provisions of Chapter 197, *Florida Statutes*,
33 to collect its assessments, the proposed District must pay the costs associated with those
34 services.
35

36 It is important to note that under Chapter 190, the debt of the proposed District cannot
37 become the debt of the City or the State of Florida. Since the proposed District will be an
38 independent unit of government and issue its own bonds, the proposed District will not have
39 any effect on the bonding capacity of the City or the State of Florida.
40

41 **31. Please briefly describe the data and methodology used in preparing the SERC and
42 related analyses.**
43

44 The data for the analysis came from the landowner, other experts working on the Petition,
45 and from the Petition itself. The methodology utilized is the standard economic impact
46 assessment.

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32. From an economic and financial perspective, do you have an opinion regarding the financial viability and feasibility of the proposed District?

Yes, I do.

33. What is that opinion?

In my opinion, based on my experience with other districts, the proposed Riverwalk Community Development District is expected to be financially viable and feasible.

34. Are you familiar with the State Comprehensive Plan found in Chapter 187, Florida Statutes?

Yes.

35. From an economic and financial perspective, do you have an opinion as to whether the proposed District is inconsistent with the State Comprehensive Plan from an economic perspective?

Yes.

36. What is that opinion?

It is my opinion the proposed Riverwalk Community Development District is not inconsistent with any applicable element or portion of the state comprehensive plan.

37. What is the basis for your opinion?

I have reviewed, from an economic and financial perspective, the State Comprehensive Plan, particularly those portions that relate to community development districts. The State of Florida Comprehensive Plan (Chapter 187, *Florida Statutes*) “provides long-range policy guidance for the orderly social, economic, and physical growth of the state.” From an economic and financial perspective, four subjects, subjects 15, 17, 20, and 25 of the State Comprehensive Plan are relevant to the establishment of a CDD.

Subject 15, titled Land Use, recognizes the importance of locating development in areas that have the fiscal abilities and service capacity to accommodate growth. It is relevant because CDDs are designed to provide infrastructure services and facilities in a fiscally responsible manner to the areas that can accommodate development. The establishment of the District will not be inconsistent with this goal because the District will have the fiscal capability to provide the specified services and facilities within its boundaries.

Subject 17, titled Public Facilities, relates to (i) protecting investments in existing public facilities; (ii) providing financing for new facilities, (iii) allocating the costs of new public facilities on the basis of the benefits received by future residents; (iv) implementing

1 innovative but fiscally sound techniques for financing public facilities; and (v) identifying
2 and using stable revenue sources for financing public facilities. The establishment of the
3 District will further these State Comprehensive Plan Goals and Policies.
4

5 Subject 20, titled Governmental Efficiency, provides that governments shall economically
6 and efficiently provide the amount and quality of services required by the public. The
7 proposed District will be consistent with this element because the proposed District will
8 continue to:
9

- 10 (i) cooperate with other levels of Florida government;
- 11
- 12 (ii) be established under uniform general law standards as specified in Chapter
13 190, *Florida Statutes*;
- 14
- 15 (iii) be professionally managed, financed, and governed by those whose property
16 directly receives the benefits;
- 17
- 18 (iv) not burden the general taxpayer with costs for services or facilities inside the
19 Riverwalk Community Development District; and
- 20
- 21 (v) plan and implement cost efficient solutions for the required public
22 infrastructure and assure delivery of selected services to residents.
23

24 Subject 25, titled Plan Implementation, calls for systematic planning capabilities to be
25 integrated into all levels of government throughout the state, with particular emphasis on
26 improving intergovernmental coordination and maximizing citizen involvement. The
27 proposed District is consistent with this element of the State Comprehensive Plan.
28

29 **38. Based on your work with districts and from an economic and financial perspective, do**
30 **you have an opinion as to whether the area of land that is proposed to be included**
31 **within the proposed District is of sufficient size, sufficient compactness, and sufficient**
32 **contiguity to be developable as one functional interrelated community?**
33

34 Yes.

35
36 **39. What is your opinion?**
37

38 Based on my previous experience, the proposed District is of sufficient size, compactness,
39 and contiguity to be developed as a functional interrelated community.
40

41 **40. What is the basis for your opinion?**
42

43 The project is compact with land use typical of a planned community. The development of
44 the land has been planned to be a functional interrelated community making the most
45 efficient use of public funds available
46

47 **41. From a financial perspective, do you have an opinion as to whether the proposed**

1 **Riverwalk Community Development District is the best alternative available for**
2 **providing the proposed community development services and facilities to the area to**
3 **be served?**
4

5 Yes.

6
7 **42. What is your opinion?**
8

9 The proposed District is the best alternative to provide community development facilities to
10 the area to be served. This is true for the landowners and the governmental entities for the
11 following reasons.
12

13 From the perspective of current and future property owners within the District, the District
14 is the best alternative for providing community facilities, infrastructure, and services. The
15 land development envisioned for the area within the District boundaries will require
16 substantial provision of infrastructure, facilities and services. The CDD is an alternative
17 method to provide these necessary services. The CDD can access the tax-exempt public
18 capital markets and thereby fund these facilities and services at a lower cost than the
19 alternative of developer funding. Furthermore, unlike a property owners association
20 (“POA”), the CDD has the power to assess property and collect those assessments along
21 with other property taxes. Therefore, a CDD can fund large capital improvement programs
22 that a POA cannot.
23

24 With regard to the operations and maintenance of community facilities and services the
25 CDD is also the best alternative. The CDD is preferable to a POA to future landowners for
26 the following reasons. First, unlike a POA, the CDD collects funds for operations and
27 maintenance directly from assessments collected along with all other property taxes, which
28 is a more assured income stream. Unlike a POA, a CDD is a unit of local government, and
29 it must hold its meetings in the sunshine and bid out its contracts where required by law. A
30 CDD provides control to the landowners much sooner in time than a POA. A CDD is
31 focused on providing the community with services, facilities, and their maintenance in a
32 way the general-purpose government, with its competing interests and broad
33 responsibilities, is not. This level of local control serves the best interests of property
34 owners in the CDD.
35

36 From the perspective of the State of Florida, the City, and the Water Management District,
37 a CDD is the best alternative for providing community facilities and their operations and
38 maintenance for a variety of reasons. First, as noted above, compared to a POA the CDD
39 is a more powerful and more responsive organization for providing and maintaining
40 infrastructure and services. Second, without a CDD the City may have to assume greater
41 responsibility for construction, operations, and maintenance of community facilities and
42 services. Even if the City formed a dependent district to provide community facilities and
43 services to the area to be served by the CDD, and charged appropriately for these services,
44 the City would be enmeshed in the responsibilities and in the management of those facilities.
45 Furthermore, without a CDD the City cannot be assured that only residents of the area to be
46 served by the CDD would bear the full costs of the needed facilities and services.

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43. From an economic and financial perspective, do you have an opinion as to whether the services and facilities to be provided by the proposed Riverwalk Community Development District will be incompatible with the uses and existing local and regional facilities and services?

Yes.

44. What is your opinion?

The proposed Riverwalk Community Development District covers approximately 404.22 acres of land. The configuration of the land is sufficiently compact and contiguous. As such, it will not create any economic disincentives to the provision of the infrastructure facilities contemplated in this case.

Given the scope and expected cost of facilities to be provided, 404.22 acres for a residential development provides a sufficient economic base to absorb the debt costs and annual operating costs for district administration and to efficiently apportion the cost of improvements.

45. From an economic and financial perspective, do you have an opinion as to whether the area that will be served by the proposed Riverwalk Community Development District is amenable to separate special district government?

Yes.

46. What is your opinion and its basis?

It is my opinion that the area within the boundaries of the proposed District is amendable to a separate special district government. The lands within the proposed District's boundaries have the need for basic infrastructure.

The land is of sufficient size, compactness, and contiguity and meets those tests. Therefore, from an economic and financial perspective, the area to be served by the proposed District is clearly amendable to separate special district governance.

47. Does this conclude your testimony?

Yes, it does.

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State Of Florida
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Before the undersigned authority personally appeared
Rose Williams, who on oath says that he or she is a duly authorized representative of the ORLANDO
SENTINEL, a DAILY newspaper published in ORANGE County, Florida; that the attached copy of
advertisement, being a Legal Notice in:

The matter of 11200-Misc. Legal
Was published in said newspaper by print in the issues of, or by publication on the newspaper's website, if
authorized on Jul 17, 24, 31, 2022 and Aug 7, 2022.

Affiant further says that the newspaper complies with all legal requirements for publication in Chapter 50,
Florida Statutes.



Rose Williams

Signature of Affiant

Name of Affiant

Sworn to and subscribed before me
by above Affiant, who is personally



Signature of Notary Public



NOTICE OF PUBLIC HEARING

City Council of the City of Orlando, Florida

Petition to Establish the Riverwalk Community Development District

DATE: August 15, 2022
TIME: 2:00 p.m.
LOCATION: Orlando City Hall
 400 S. Orange Avenue
 Orlando, Florida

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the City Council of the City of Orlando beginning at 2:00 p.m., on August 15, 2022, in Council Chambers, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida, to consider an ordinance granting a petition to establish a community development district which will be known as the "Riverwalk Community Development District" (the "District"). The title of the proposed Ordinance is as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, RELATING TO THE RIVERWALK COMMUNITY DEVELOPMENT DISTRICT; GRANTING PETITION OF PALM HOME COMPANY, LLC, ESTABLISHING AND NAMING THE RIVERWALK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; DESCRIBING THE EXTERNAL BOUNDARIES, THE FUNCTIONS AND THE POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING LEGISLATIVE FINDINGS, FOR SEVERABILITY, AND AN EFFECTIVE DATE.

The proposed District is comprised of approximately 404.22 acres, more or less, generally located east of Narcoossee Road, north of S.R. 528 (Sandstone Expressway), west of S.R. 417 (Central Florida Greenway), and south of Lee Vista Boulevard. The Petitioner has proposed to establish the District to plan, finance, acquire, construct, operate, and maintain infrastructure and community facilities, which may be authorized by such district under Florida law including but not limited to Chapter 190, Florida Statutes.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. All pertinent information about meeting access and participation instructions will be available on the website www.orlando.gov and meeting at least 3 days prior to the meeting. Additionally, interested parties are invited to write the meeting file and may participate by providing public comment during the meeting or submitting written public comment in advance regarding the proposed ordinance. The opportunity to provide public comment is available until the designated public comment portion of the item is closed. All items received are public record. The proposed ordinance may be inspected at the Office of the City Clerk located on the 3rd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida, or online at www.orlando.gov. Anyone who desires to appeal an official decision made at this meeting, if an appeal is permitted by law, may need to obtain a verbatim record of the proceedings that includes the testimony and evidence upon which the appeal is based. The City of Orlando is committed to accurately accommodating the communication needs of persons with disabilities. Persons with disabilities who need reasonable accommodations to participate in the meeting, contact no later than 24 hours in advance of the meeting, the Office of the City Clerk at 407.248.2251 or occlerk@orlando.gov.



PUBLISH July 17, July 24, July 31, August 7, 2022.

Orlando Sentinel

Publication Date: 07/31/2022

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