



# HAINES CITY

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## **CITY MANAGER MEMORANDUM**

**To:** The Honorable Mayor and City Commissioners

**Through:** James R. Elensky, City Manager

**From:** Fred Reilly, City Attorney

**Date:** February 1, 2024

**Subject:** Ordinance No. 24-2065 – Establishing the White Clay Community Development District

### **Executive Summary**

Establish the White Clay Community Development District.

Staff Contact: Fred Reilly, City Attorney

### **Introduction**

The intent of this Agenda Item is to address the Second Amended Petition to Establish White Clay Community Development District.

### **Background**

This matter was continued from January 16, 2024. Section 190.005(2) of the ACT requires that a petition for the establishment of a community development district of less than 2,500 acres be filed by the petitioner with the municipality having jurisdiction over the majority of land in the area in which the district is to be located.

Section 190.005(1)(a) of the ACT requires that such petition contain certain information to be considered at a public hearing before the City Commission of the City of Haines City, Florida (“City”).

CH Dev, LLC, a Florida limited liability company (“Petitioner”), having obtained written consent to the establishment of the White Clay Community Development District (the “District”), by the owners of one-hundred percent (100%) of the real property to be included in the District and having presented documents evidencing the control of the real property to be included in the District, has petitioned the City to adopt an ordinance establishing the District pursuant to Chapter 190, Florida Statutes (2021).

The Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida and whose principal place of business is 346 East Central Avenue, Winter Haven, Florida 33880.



# HAINES CITY

## THE HEART OF FLORIDA

The Second Amended Petition to Establish White Clay Community Development District which was submitted to the City on November 21, 2023 (the “Petition”), has been determined to contain the requisite information as mandated by Section 190.005(1)(a) of the ACT.

All interested persons and affected units of general-purpose local government will be or have been afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the City on February 1, 2024.

On February 1, 2024, the City will consider the record of the public hearing and the factors set forth in Section 190.005(1)(e) of the ACT, and upon such review, will determine whether granting the Petition is in the best interest of the City.

The establishment of the District shall not act to replace or amend any City or County land development approvals governing the land area to be included within the District.

All District roads, including any improvements to existing roads, shall be constructed to equal or exceed the applicable construction specifications of the City or the County.

The City will take ownership of, maintenance and operation responsibilities for the Lift Stations, Water and Sewer infrastructure within the District.

The Petitioner asserts that the establishment of the District will result in a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition.

### **Organizational Goal(s)**

Economic: Foster an environment that attracts economic opportunity and sustains economic viability.

### **Budget Impact**

There will be a budget impact to the City for long-term maintenance of the Lift Stations, Water and Sewer Infrastructure within the Community Development District after these infrastructure components have been constructed (at the developer's expense) and are subsequently dedicated to the City.

### **Recommendation**

Staff recommends the approval of Ordinance No. 24-2065, on second reading, of establishing the White Clay Community Development District.