



# MEMORANDUM

CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

Agenda Item No. 4(K)

(Public Hearing 4-23-02)

**TO:** Honorable Chairperson and Members  
Board of County Commissioners

**DATE:** April 9, 2002

**FROM:** Steve Shiner  
County Manager

**SUBJECT:** Ordinance Creating the  
Venetian Isles  
Community Development  
District

02-60

## RECOMMENDATION

It is recommended that the Board adopt the attached ordinance creating the Venetian Isles Community Development District (CDD) in unincorporated Miami-Dade County, pursuant to the authority granted by the Miami-Dade County Home Rule Charter for the purposes set forth in Chapter 190 of the Florida Statutes.

## BACKGROUND

Quantum Developments, LLC., owner of the Egret Lakes development, has filed an application to create the Venetian Isles CDD in connection with said development. Egret Lakes is a 127.52-acre residential development lying wholly within Unincorporated Miami-Dade County, in the area bounded by theoretical S.W. 150 Avenue on the east, S.W. 157 Avenue on the west, theoretical S.W. 32 Street on the south and S.W. 26 Street on the north. The CDD is designed to provide a financing mechanism for community infrastructure, services and facilities, along with certain ongoing operations and maintenance for the Egret Lakes development. The development plan for the lands within the proposed CDD include construction of approximately 373 single family units and 217 townhouse units, with associated roadway, storm drainage and water and sewer facilities estimated to cost approximately \$9.894 million. A detailed summary of CDD elements, as well as their cost and anticipated lack of fiscal impacts to government agencies, is presented in the attached application submitted by Quantum. In accordance with Florida Statute 190, Quantum Developments, LLC., has paid a filing fee of \$15,000 to the County.

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

## FISCAL IMPACT

The creation of the Venetian Isles Community Development District will have no fiscal impact on Miami-Dade County.



## MEMORANDUM

**TO:** Honorable Chairperson and Members  
Board of County Commissioners

**DATE:** April 23, 2002

**FROM:**   
Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 4(K)

02.60

Please note any items checked.

- ☐ "4-Day Rule" (Applicable if raised)
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of private business sector impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ "Sunset" provision required
- ☐ Legislative findings necessary

Approved \_\_\_\_\_ Mayor

Veto \_\_\_\_\_

Override \_\_\_\_\_

Agenda Item No. 4(K)  
4-23-02

ORDINANCE NO.

**02.64**

ORDINANCE GRANTING PETITION OF QUANTUM DEVELOPMENTS LLC. ("QUANTUM" OR "PETITIONER") FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT; CREATING AND ESTABLISHING VENETIAN ISLES COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT"); PROVIDING FOR NAME, POWERS AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

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

**WHEREAS**, Section 1.01(A)(21) of the Miami-Dade County Home Rule Charter grants the Miami-Dade County Board of County Commissioners the authority to exercise all powers and privileges granted to municipalities and counties by the laws of this State; and

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

**WHEREAS**, Quantum Developments, LLC. ("Quantum" or "Petitioner") has petitioned for the establishment of the Venetian Isles Community Development District (the "District"); and

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

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

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

**WHEREAS**, the Board of County Commissioners finds that the statements contained in the Petition are true and correct; and

**WHEREAS**, the creation of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the Miami-Dade County Comprehensive Development Master Plan; and

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

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

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

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

**WHEREAS**, having made the foregoing findings, after a public hearing, the Miami-Dade County Board of County Commissioners wishes to exercise the powers bestowed upon it by

Section 1.01(A)(21) of the Miami-Dade County Home Rule Charter in the manner provided by Chapter 190, Florida Statutes; and

**WHEREAS**, the Miami-Dade County Board of County Commissioners finds that the District shall have those general and special powers authorized by Sections 190.011 and 190.012, Florida Statutes, and set forth herein, and that it is in the public interest of all of the citizens of Miami-Dade County that the District have such powers,

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

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

Section 2. The Petition to establish the Venetian Isles Community Development District over the real property described in Exhibit A attached hereto, which was filed by Quantum Developments, LLC. on February 6, 2002 and which Petition is on file at the Office of the Clerk of the Board, is hereby granted. A copy of the Petition is attached in its entirety and incorporated herein (Exhibit C).

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

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

Ana Maria Guerra

Emiliano Herran

Jose Luis Machado

Angel Valdes

Juan Wong

Section 5. The name of the District shall be the "Venetian Isles Community Development District."

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

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

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

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

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

Section 11. No bond, debt or other obligation of the Venetian Isles Community Development District, nor any default thereon, shall constitute a debt or obligation of

Miami-Dade County, except upon the express approval and agreement of the Miami-Dade Board of County Commissioners.

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

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

Section 14. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 15. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board. It is provided, however, that this ordinance shall not become effective, in whole or in part, unless on or before 5:00 p.m. on the 10th day after the date of enactment, a proposed Interlocal Agreement has been submitted and received by the County Manager, in a form acceptable to the County Attorney, and executed by each member of the Board of Supervisor designates named in Section 4 hereof, having provisions in substantially the following form:

(a) Except upon the prior written consent of Miami-Dade County, which shall not be unreasonably withheld, the District shall not apply for or use grants or loans of money or other property from the United States, the State of Florida, any other unit of local government in Florida, or any other person or entity (except in connection with any financings of the District, and any loans made to the District by the developer/s, their affiliates and/or lenders in connection with the land development orders for property that is the subject of the Petition approved hereby, as they may be amended from time to time) for any District purpose. Any and all such requests by the District for authorization to apply for or use such grants or loans shall be made to Miami-Dade County, which shall have the sole discretion to decide whether to allow application for any such loans or grants. Should the County apply for any such loans or grants on behalf of the District, the District shall pay all costs to the County in connection with any such application/s;

(b) The Miami-Dade County Water and Sewer Department shall provide all water and wastewater service to the District and all lands within the District boundaries.

(c) The Venetian Isles Community Development District shall, to the best of its ability, fully utilize economic development enhancement resource agencies and programs designed to involve small and minority businesses in the development and expansion of permanent job opportunities within the District. The proposed Interlocal Agreement containing this provisions shall contain examples of such agencies and programs. The Venetian Isles Community Development District will attempt to access the range of job skills available in the region and promote greater labor force enhancement. At a minimum, the Venetian Isles Community Development District shall encourage all landowners in the District to provide potential commercial tenants with information about employment and training agencies that maintain a database of trained/skilled workers to consider in meeting the District's employment



needs.

(d) The Venetian Isles Community Development District shall adopt and utilize specific measures designed to involve small and minority businesses in the development and expansion of permanent job opportunities. Such measures shall be in substantially the forms employed by Miami-Dade County, specifically, the Miami-Dade County Community Small Business Enterprise Program; the Black, Women and Hispanic Enterprise Programs; fair subcontracting measures; nondiscrimination in bidding and contracting measures; and prompt payment measures.

(e) The Venetian Isles Development District shall provide for the election of a member to its Board of Supervisors who is deemed by the Board of County Commissioners to represent the voice of Miami-Dade County.

(f) In addition to notice required under Section 190.048, Florida Statutes, the Venetian Isles Community Development District shall provide a separate notice to each prospective purchaser of residential property in the District, prior to execution of any contract for sale, describing the type and amount of all projected taxes and assessments on the property in the District, including a good-faith estimate of the taxes and assessments on the individual parcel being considered for prospective purchase.

(g) The Venetian Isles Development District shall adopt and utilize measures providing for employment of welfare recipients by entities contracting with the District. Such measures shall be in substantially the form of Miami-Dade County Resolution R-1206-97, as the same shall be amended from time to time.

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**Section 16.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

**Section 17.** This ordinance does not contain a sunset provision.

PASSED AND ADOPTED: APR 23 2002

Approved by County Attorney as  
to form and legal sufficiency:

RAG

Prepared by:

JAC

Joni Armstrong Coffey

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**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A portion of land lying in Section 16, Township 54 South, Range 39 East, in Miami-Dade County, Florida. Being more particularly described as follows:

BEGINNING at the NE corner of NW  $\frac{1}{4}$  of said Section 16; thence S87°43'38" W along the North line of said Section 16 for 864.00 feet to a point; thence S02°14'41" E for 506.84 feet to a point of curvature; thence along a 120.00 foot radius curve to the right through a central angle of 24°04'52" for an arc distance of 50.44 feet to a point of tangency; thence S21°50'11" W for 70.66 feet to a point of curvature; thence along a 25.00 foot radius curve to the right through a central angle of 82°53'17" for an arc distance of 36.17 feet to a point of reverse curvature; thence along a 500.00 foot radius curve to the left through a central angle of 05°35'38" for an arc distance of 48.82 feet to a point of tangency; thence N80°52'10" W for 82.20 feet to a point of curvature; thence along a 260.00 foot radius curve to the left through a central angle of 91°12'30" for an arc distance of 413.89 feet to a point of tangency; thence S07°55'20" W for 46.15 feet to a point of curvature; thence along a 300.00 foot radius curve to the left through a central angle of 76°31'33" for an arc distance of 400.69 feet to a point of tangency; thence S68°36'12" E for 165.67 feet to a point of curvature; thence along a 300.00 foot radius curve to the left through a central angle of 72°24'22" for an arc distance of 379.12 feet to a point of reverse curvature; thence along a 25.00 foot radius curve to the right through a central angle of 80°15'25" for an arc distance of 35.02 feet to a point of tangency; thence S80°45'09" E for 278.03 feet to a point of curvature; thence along a 210.00 foot radius curve to the left through a central angle of 31°29'32" for an arc distance of 115.42 feet to a point of tangency; thence N87°45'19" E for 265.34 feet to a point of curvature; thence along a 25.00 foot radius curve to the right through a central angle of 90°00'00" for an arc distance of 39.27 feet to a point of tangency said point being on a line 35.00 feet west of and parallel with the east line of NW  $\frac{1}{4}$  of said Section 16; thence S02°14'41" E along said 35.00 feet west line for 606.37 feet to the north line of the South  $\frac{1}{2}$  of the South  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of said Section 16; thence N87°43'15" E along said north line for 35.00 feet to the East line of NW  $\frac{1}{4}$  of said Section 16; thence N02°14'41" W along said east line for 1930.52 feet to a line 50.00 feet south of and parallel with the north line of said Section 16; thence N87°43'38" E along said 50.00 feet south line for 659.83 feet to a point; thence N02°14'54" W for 50.00 feet to a point on the north line of said Section 16; thence S87°43'38" W along said north line for 659.83 feet to the Point of Beginning.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

Commence at the NE corner of NW  $\frac{1}{4}$  of said Section 16; thence S87°43'38" W along the north line of said Section 16 for 864.00 feet to a point; thence

S02°14'41" E for 506.84 feet to a point of curvature; thence along a 120.00 foot radius curve to the right through a central angle of 24°04'52" for an arc distance of 50.44 feet to a point of tangency; thence S21°50'11" W for 70.66 feet to a point of curvature; thence along a 25.00 foot radius curve to the right through a central angle of 82°53'17" for an arc distance of 36.17 feet to a point of reverse curvature; thence along a 500.00 foot radius curve to the left through a central angle of 05°35'38" for an arc distance of 48.82 feet to a point of tangency; thence N80°52'10" W for 82.20 feet to a point of curvature; thence along a 260.00 foot radius curve to the left through a central angle of 91°12'30" for an arc distance of 413.89 feet to a point of tangency; thence S07°55'20" W for 46.15 feet to a point of curvature; thence along a 300.00 foot radius curve to the left through a central angle of 76°31'33" for an arc distance of 400.69 feet to a point of tangency; thence S68°36'12" E for 165.67 feet to a point of curvature; thence along a 300.00 foot radius curve to the left through a central angle of 17°28'41" for an arc distance of 91.51 feet to THE POINT OF BEGINNING; thence continue along said 300.00 foot radius curve, through a central angle of 54°55'41" for 287.60 feet to a point of reverse curvature; thence along a 25.00 foot radius curve to the right through a central angle of 80°15'25" for an arc distance of 35.02 feet to a point of tangency; thence S60°45'09" E for 278.03 feet to a point of curvature; thence along a 210.00 foot radius curve to the left through a central angle of 31°29'32" for an arc distance of 115.42 feet to a point of tangency; thence N87°45'19" E for 265.34 feet to a point of curvature; thence along a 25.00 foot radius curve to the right through a central angle of 90°00'00" for an arc distance of 39.27 feet to a point of tangency said point being on a line 35.00 feet west of and parallel with the east line of NW ¼ of said Section 16; thence S02°14'41" E along said 35 feet west line for 606.37 feet to the north line of the South ½ of the South ½ of the NW ¼ of said Section 16; thence S87°43'15" W along said north line for 507.29 feet to a point; thence N02°14'41" W for 192.45 feet to a point on a curve said point bears S28°49'06" E from the center of the following described curve; thence along a 15.00 foot radius curve to the right, through a central angle of 00°30'07" for an arc distance of 0.13 feet to a point of compound curvature; thence along a 10.00 foot radius curve to the right, through a central angle of 107°46'55" for an arc distance of 18.81 feet to the point of tangency; thence N10°32'05" W for 13.24 feet to a point of curvature; thence along a 50.00 foot radius curve to the left through a central angle of 34°42'47" for an arc distance of 30.29 feet to the point of tangency; thence N45°14'52" W for 89.55 feet to a point of curvature; thence along a 75.00 foot radius curve to the left, through a central angle of 47°01'54" for an arc distance of 61.56 feet to a point of tangency; thence S87°43'14" W for 421.24 feet to a point of curvature; thence along a 15.00 foot radius curve to the right, through a central angle of 90°00'01" for an arc distance of 23.56 feet to the point of tangency; thence N02°16'45" W for 265.85 feet to a point of curvature; thence along a 15.00 foot radius curve, through a central angle of 113°40'33" for an arc distance of 29.76 feet to the point of tangency; thence S68°36'12" E for 65.63 feet to a point; thence S83°22'15" E for 25.56 feet

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to a point of curvature; thence along a 25.00 foot radius curve to the left through a central angle of  $81^{\circ}55'55''$  for an arc distance of 35.75 feet to a point of tangency; thence  $N14^{\circ}41'50''$  E for 95.90 feet to THE POINT OF BEGINNING.

Containing 46.38 acres more or less.

A portion of land lying in Section 16, Township 54 South, Range 39 East, in Miami-Dade County, Florida. Being more particularly described as follows:

Commence at the NE corner of NW  $\frac{1}{4}$  of said Section 16, thence  $S87^{\circ}43'38''$ W along the North line of said Section 16 for 864.00 feet to the POINT OF BEGINNING; thence  $S87^{\circ}43'38''$ W, along said North line of Section 16, for 694.54 feet to a point; thence  $S02^{\circ}16'22''$ E for 428.29 feet to a point; thence  $N68^{\circ}30'38''$ E for 22.24 feet to a point of curvature; thence along a 25.00 foot radius curve to the right, through a central angle of  $19^{\circ}13'00''$ , for an arc distance of 8.38 feet to a point of tangency; thence  $N87^{\circ}43'38''$ E for 45.77 feet to a point of curvature; thence along a 25.00 foot radius curve to the right, through a central angle of  $90^{\circ}00'00''$ , for an arc distance of 39.27 feet to a point of tangency; thence  $S02^{\circ}16'22''$ E for 101.85 feet to a point of curvature, thence along a 25.00 foot radius curve to the right, through a central angle of  $27^{\circ}34'16''$ , for an arc distance of 12.03 feet to a point of reverse of curvature; thence along a 50.00 foot radius curve to the left, through a central angle of  $164^{\circ}58'54''$ , for an arc distance of 143.97 feet to a point of reverse curvature; thence along a 363.00 foot radius curve to the right, through a central angle of  $18^{\circ}42'29''$ , for an arc distance of 118.53 feet to a point of compound curvature; thence along a 25.00 foot radius curve to the right, through a central angle of  $84^{\circ}03'23''$ , for an arc distance of 36.68 feet to a point of tangency; thence  $S36^{\circ}55'08''$ E for 53.34 feet to a point of curvature; thence along a 25.00 foot radius curve to the right, through a central angle of  $97^{\circ}03'15''$ , for an arc distance of 42.35 feet to a point of cusp; thence along a 260.00 foot radius curve, through a central angle of  $38^{\circ}59'43''$ , for an arc distance of 176.95 feet to a point of tangency; thence  $S80^{\circ}52'10''$ E for 82.20 feet to a point of curvature; thence along a 500.00 foot radius curve to the right, through a central angle of  $05^{\circ}35'38''$ , for an arc distance of 48.82 feet to a point of reverse curvature; thence along a 25.00 foot radius curve to the left, through a central angle of  $82^{\circ}53'17''$ , for an arc distance of 36.17 feet to a point of tangency; thence  $N21^{\circ}50'11''$ E for 70.66 feet to a point of curvature; thence along a 120.00 foot radius curve to the left, through a central angle of  $24^{\circ}04'52''$ , for an arc distance of 50.44 feet to a point of tangency; thence  $N02^{\circ}14'41''$ W for 506.84 feet to the POINT OF BEGINNING. Containing 9.17 acres more or less

AND

A portion of land lying in Section 16, Township 54 South, Range 39 East in Miami-Dade County, Florida. Being more particularly described as follows:

Commence at the NE corner of NW  $\frac{1}{4}$  of Section 16; thence S87°43'38"W along the North line of said Section 16 for 864.00 feet to a point; thence S02°14'41"E for 506.84 feet to a point of curvature; thence along a 120.00 foot radius curve to the right through a central angle of 24°04'52" for an arc distance of 50.44 feet to point of tangency; thence S21°50'11"W for 70.66 feet to a point of curvature; thence along a 25.00 foot radius curve to the right through a central angle of 82°53'17" for an arc distance of 36.17 feet to a point of reverse curvature; thence along a 500.00 foot radius curve to the left through a central angle of 05°35'38" for an arc distance of 48.82 feet to a point of tangency; thence N80°52'10"W for 82.20 feet to a point of curvature; thence along a 260.00 foot radius curve to the left through a central angle of 91°12'30" for an arc distance of 413.89 feet to a point of tangency; thence S07°55'20"W for 46.15 feet to a point of curvature; thence along a 300.00 foot radius curve to the left through a central angle of 05°54'52" for an arc distance of 30.97 feet to a point of reverse curvature said point being THE POINT OF BEGINNING; thence along a 25.00 foot radius curve to the right, through a central angle of 80°15'25", for an arc distance of 35.02 feet to a point of tangency; thence S82°15'53"W for 503.03 feet to point of curvature; thence along a 150.00 foot radius curve to the right, through a central angle of 05°30'17", for an arc distance of 14.41 feet to a point of tangency; thence S87°46'10"W for 194.38 feet to a point; thence S02°13'50"E for 235.00 feet to a point of curvature; thence along a 25.00 foot radius curve to the left, through a central angle of 90°00'00", for an arc distance of 39.27 feet to a point of tangency; thence N87°46'10"E for 329.00 feet to a point of curvature; thence along a 130.00 foot radius curve to the right, through a central angle of 90°00'00", for an arc distance of 204.20 feet to a point of tangency; thence S02°13'50"E for 144.16 feet to a point; thence N87°43'15"E for 181.88 feet to a point of curvature; thence along a 120.00 foot radius curve to the right, through a central angle of 90°00'00", for an arc distance of 188.50 feet to a point of tangency; thence S02°16'45"E for 364.00 feet to a point on the North line of the South  $\frac{1}{2}$  of the South  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of said Section 16; thence N87°43'15"E along said North line for 784.24 feet to a point; thence N02°14'41"W for 192.45 feet to a point on a curve at which point the radial line bears S28°49'06"E from its center; thence along a 15.00 foot radius curve to the right, through a central angle of 00°30'07" for an arc distance of 0.13 feet to a point of compound curvature; thence along a 10.00 foot radius curve to the right, through a central angle of 107°46'55" for an arc distance of 18.81 feet to the point of tangency; thence N10°32'05"W for 13.24 feet to a point of curvature; thence along a 50.00 foot radius curve to the left, through a central angle of 34°42'47" for an arc distance of 30.29 feet to point of tangency; thence N45°14'52"W for 89.55 feet to a point of curvature; thence along a 75.00 foot radius curve to the left, through a central angle of 47°01'54" for an arc distance of 61.56 feet to a point of tangency; thence S87°43'14"W for 421.24 feet to a point of curvature; thence along a 15.00 foot radius curve to the right, through a central angle of 90°00'01" for an arc

distance of 23.56 feet to the point of tangency; thence  $N02^{\circ}16'45''W$  for 265.85 feet to a point of curvature; thence along a 15.00 foot radius curve, through a central angle of  $113^{\circ}40'33''$  for an arc distance of 29.76 feet to the point of tangency; thence  $S68^{\circ}36'12''E$  for 65.63 feet to a point; thence  $S83^{\circ}22'15''E$  for 25.56 feet to a point of curvature; thence along a 25.00 foot radius curve to the left, through a central angle of  $81^{\circ}55'55''$  for an arc distance of 35.75 feet to a point of tangency; thence  $N14^{\circ}41'50''E$  for 95.90 feet to a point on a curve at which point the radial line bears  $S03^{\circ}55'07''W$  from its center; thence Northwesterly along a 300.00 foot radius curve concave to the North, through a central angle of  $17^{\circ}28'41''$  for an arc distance of 91.51 feet to a point of tangency; thence  $N68^{\circ}36'12''W$  for 165.67 feet to a point of curvature; thence along a 300.00 foot radius curve to the right, through a central angle of  $70^{\circ}36'41''$ , for an arc distance of 369.72 feet to THE POINT OF BEGINNING. Containing 15.39 acres more or less.

AND

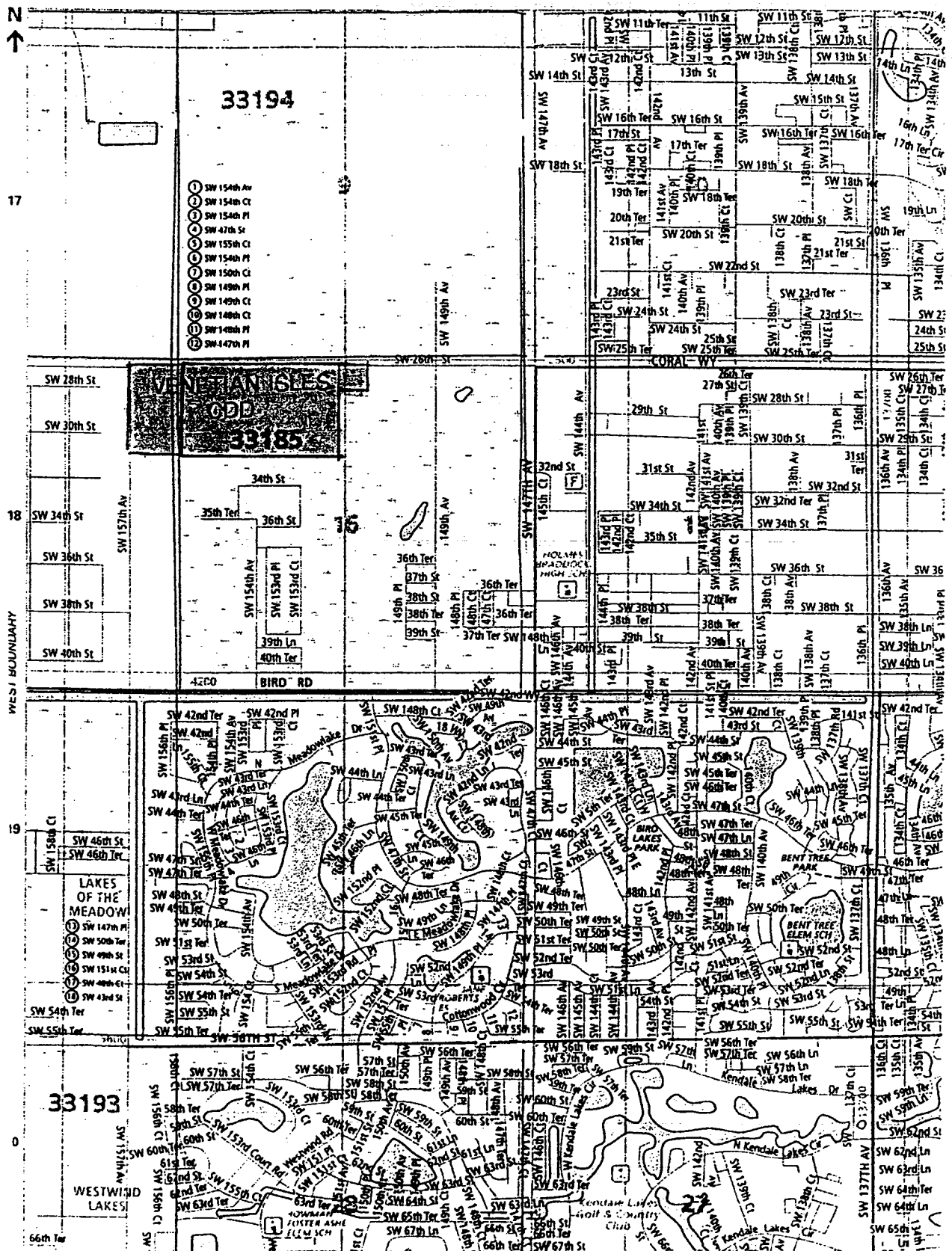
A portion of land lying in Section 16, Township 54 South, Range 39 East in Miami-Dade County, Florida. Being more particularly described as follows:

Commence at the NE corner of the NW  $\frac{1}{4}$  of said Section 16; thence  $S02^{\circ}14'41''E$  for 50.00 feet to THE POINT OF BEGINNING: thence  $N87^{\circ}43'38''E$  along a line 50.00 feet South of and parallel with the North line of said Section 16 for 659.83 feet to a point; thence  $S02^{\circ}14'54''E$  for 445.11 feet to a point: thence  $S87^{\circ}43'32''W$  for 659.86 feet to a point; thence  $N02^{\circ}14'41''W$  for 445.13 feet to THE POINT OF BEGINNING. Containing 6.74 acres more or less.

EXHIBIT B

## LOCATION MAP

# VENETIAN ISLES COMMUNITY DEVELOPMENT DISTRICT





IN RE: AN ORDINANCE TO ESTABLISH )  
THE VENETIAN ISLES )  
COMMUNITY DEVELOPMENT DISTRICT )

### PETITION

Petitioner, Quantum Developments, LLC, a Florida limited liability company, ("Petitioner"), hereby petitions the Miami-Dade County Commission to establish a Community Development District ("District") with respect to the land described herein and in support of the Petition, Petitioner states:

1. The proposed District is located within the unincorporated area of Miami-Dade County. Exhibit 1 depicts the general location of the project. The proposed District covers approximately 127.52 acres of land. The metes and bounds description of the external boundaries of the District is set forth in Exhibit 2. There is no real property within the internal boundaries of the proposed District which is to be excluded from the District.

2. Attached to this Petition as Exhibits 3 and 3a and made a part hereof is the written consent to the establishment of the District by the owners of 100% of the real property to be included in the District.

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

Ana Maria Guerra	8440 S.W. 58 <sup>th</sup> Street	Miami, FL 33143
Emiliano Herran	8500 S.W. 8 <sup>th</sup> Street, Suite 228	Miami, FL 33144
Jose Luis Machado	9760 S. W. 148 <sup>th</sup> Street	Miami, FL 33176
Angel Valdes	12230 S.W. 16 <sup>th</sup> Terrace, Suite 108	Miami, FL 33175
Juan Wong	14101 Lake Saranac Ave	Miami Lakes, FL 33014

4. The proposed name of the District to be established is Venetian Isles Community Development District ("VICDD").

5. There are no existing major trunk water mains, sewer interceptors or outfalls.

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

7. Petitioner is in the process of developing the project as a residential community. The proposed uses for the land within the District are 373 single family dwelling units and 217 townhouse units. The proposed uses for the land included within the proposed District are consistent with the Miami-Dade County Comprehensive Development Master Plan and the Miami-Dade County Future Land Use Element. The County Master Plan and Future Land Use Element designate the land contained within the proposed District for low density residential.

8. Exhibit 5 is a Statement of Estimated Regulatory Costs prepared in accordance with the requirements of Section 120.541, Florida Statutes.

9. The District is seeking and hereby requests the right to exercise all powers provided for in Section 190.06 through 190.041, Florida Statutes (except for powers regarding waste disposal or collection of any waste other than commercial or industrial), Florida Statutes, including the special powers provided by Section 190.012, Florida Statutes.

10. The Petitioner is Quantum Developments, LLC, a Florida limited liability company, whose address is 8500 S.W. 8<sup>th</sup> Street, Suite 228, Miami, Florida, 33143.

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

a. Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the effective Miami-Dade County Comprehensive Development Master Plan, as amended.

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

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

d. The proposed District will be the best alternative available for delivering community development services to the area to be served because the District provides a governmental entity for delivering those services and facilities in a manner that does not financially impact persons residing outside the District and provides a responsible perpetual entity capable of making reasonable provisions for the operation and maintenance of the District services and facilities in the future.

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

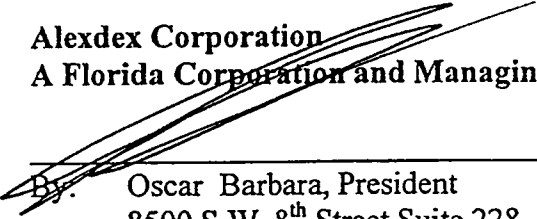
1. Hold a public hearing as required by Section 190.005(2)(b), Florida Statutes to consider the establishment of the Venetian Isles Community Development District and;

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

Respectfully submitted this 25<sup>th</sup> day of January, 2002.

**Quantum Developments, LLC**  
**A Florida Limited Liability Company**

**Alexdex Corporation**  
**A Florida Corporation and Managing Member**

By:   
Oscar Barbara, President  
8500 S.W. 8<sup>th</sup> Street Suite 228  
Miami, Florida 33144

**Victoria Real Estate Management, Inc.**  
**A Florida Corporation and Managing Member**

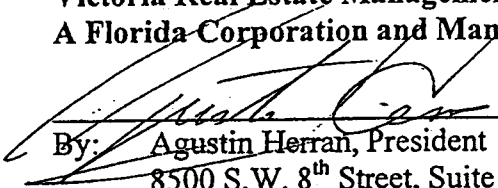
By:   
Agustin Herran, President  
8500 S.W. 8<sup>th</sup> Street, Suite 228  
Miami, Florida 33144



EXHIBIT 2

## LEGAL DESCRIPTION

## VENETIAN ISLES COMMUNITY DEVELOPMENT DISTRICT

The north  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 16, Township 54 South, Range 39 East and the North  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 16, Township 54 South, Range 39 East, all being and lying in Miami-Dade County, Florida.

EXHIBIT 3

**CONSENT AND JOINDER  
TO CREATION OF A COMMUNITY DEVELOPMENT DISTRICT**

THE UNDERSIGNED is the owner of certain lands located in Miami-Dade County, Florida, and more fully described as follows:

See Exhibit "A" attached hereto and incorporated herein.

The above-described land is hereinafter referred to as the "Property."

The undersigned understands and acknowledges that Quantum Developments, LLC, a Florida limited liability company ("Petitioner") intend to submit an application to create a Community Development District in accordance with the provisions of Chapter 190 of the Florida Statutes.

As an owner of lands which are intended to constitute a part of the Community Development District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005(1)(a)(2), 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 creation of a Community Development District which will include the Property within the lands to be 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 creation of the Community Development District.

The undersigned hereby acknowledges and agrees that the foregoing consent and obligation to execute additional documentation is and shall be a covenant running with the land which shall bind the undersigned's heirs, personal representatives, administrators, successors-in-title and assigns and shall remain in full force and effect three (3) years from the date hereof.

Executed this 31<sup>ST</sup> day of JANUARY, 2002.

Quantum Developments, LLC

By: 

Printed Name: OSCAR BARBOSA / AGUSTIN HER

Title: DIRECTOR / DIRECTOR

02.60

EXHIBIT 3ACONSENT AND JOINDER  
TO CREATION OF A COMMUNITY DEVELOPMENT DISTRICT

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Executed this 14<sup>th</sup> day of December, 2001.

By: Benigno ArmasPrinted Name: Benigno ArmasTitle: By Arnaldo Iglesias  
atty in fact

02.601

EXHIBIT 3A

**CONSENT AND JOINDER  
TO CREATION OF A COMMUNITY DEVELOPMENT DISTRICT**

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Executed this 14<sup>th</sup> day of December, 2001.

Carlos Benitez  
By: Arnaldo Iglesias

Printed Name: Carlos Benitez

Title: By Arnaldo Iglesias  
attx in fact

24



02-60

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Executed this 14<sup>th</sup> day of December, 2001

By: Manuel Benitez  
Arnaldo Iglesias

Printed Name: Manuel Benitez

Title: By Arnaldo Iglesias  
atty. in fact

02-601

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Executed this 14<sup>th</sup> day of December, 2001.

By: Arnaldo Iglesias

Printed Name: Arnaldo Iglesias

Title: \_\_\_\_\_

## EXHIBIT "A"

## EGRET LAKES SECTION No 5

## LEGAL DESCRIPTION:

A portion of land lying in Section 16, Township 54 South, Range 39 East in Miami-Dade County, Florida. Being more particularly described as follows:

Commence at the NE corner of NW  $\frac{1}{4}$  of said section 16; thence S87°43'38"W along the north line of said section 16 for 1558.54 feet to the POINT OF BEGINNING; thence S02°16'22"E for 428.29 feet to a point; thence N68°30'38"E for 22.24 feet to a point of curvature; thence along a 25.00 foot radius curve to the right, through a central angle of 198°13'00", for an arc distance of 8.38 feet to a point of tangency; thence N87°43'38"E for 45.77 feet to a point of curvature; thence along a 25.00 foot radius curve to the right, through a central angle of 90°80'00", for an arc distance of 39.27 feet to a point of tangency; thence S02°16'22"E for 101.85 feet to a point of curvature, thence along a 25.00 foot radius curve to the right, through a central angle of 278°34'16";-for an arc distance of 12.03 feet to a point of reverse of curvature; thence along a 50.00 foot radius curve to the left, through a central angle of 164°58'54", for an arc distance of 143.97 feet to a point of reverse curvature; thence along a 363.00 foot radius curve to the right, through a central angle of 188°42'29", for an arc distance of 118.53 feet to a point of compound curvature; thence along a 25.00 foot radius curve to the right, through a central angle of 84°03'23", for an arc distance of 36.68 feet to a point of tangency; thence S36°55'08"E for 53.34 feet to a point of curvature; thence along a 25.00 foot radius curve to the right, through a central angle of 97°03'15", for an arc distance of 42.35 feet to a point of reverse curvature; thence along a 260.00 foot radius curve to the left, through a central angle of 52°12'47", for an arc distance of 236.94 to a point of tangency; thence S07°55'20"W for 46.15 feet to a point of curvature; thence along a 300.00 foot radius curve to the left, through a central angle of 058°54'52", for an arc distance of 30.97 feet to a point of reverse curvature; thence along 25.00 foot radius curve to the left, through a central angle of 80°15'25" for an arc distance of 35.02 feet to a point of tangency, thence S82°15'53"W for 503.03 feet to a point of curvature, thence along a 150.00 foot radius curve to the left, through a central angle of 058°30'17", for an arc distance of 14.41 feet to a point of tangency, thence S87°46'10"W for 194.38 feet to a point, thence N02°13'50"W for 525.18 feet to a point, thence S87°43'38"W for 11.90 feet to a point, thence N02°16'22"W for 284.00 feet to a point, thence N87°43'38"E for 16.15 feet to a point, thence N02°16'22"W for 153.00 to a point on the northerly line of said section 16, thence N87°43'38"E, along said northerly line of section 16, for 549.85 feet to the POINT OF BEGINNING. Containing 14.31 acres more or less.

ROBAYNA AND ASSOC., INC.

Jose A. Roche for the firm  
Professional Surveyor and Mapper  
State of Florida certificate No 3955

## EXHIBIT "A"

## EGRET LAKES SECTION No 6

## LEGAL DESCRIPTION:

A portion of land lying in Section 16, Township 54 south, Range 39 east in Miami-Dade County, Florida. Being more particularly described as follows:

Beginning at the NW corner of NW  $\frac{1}{4}$  of said section 16; thence N87°43'38"E along the north line of said section 16 for 530.94 feet to a point; thence S02°16'22"E for 153.00 feet to a point; thence S87°43'38"W for 16.15 feet; thence S02°16'22"E for 284.00 feet to a point; thence N87°43'38"E for 11.90 feet to a point; thence S02°13'50"E for 525.18 feet to a point; thence S87°46'10"W for 35.18 feet to a point of curvature; thence along a 195.00 radius curve to the right, through a central angle of 138°32'43" for an arc distance of 46.10 feet to a point of compound curvature; thence along a 25.00 foot radius curve to the right, through a central angle of 76°27'17" for an arc distance of 33.36 feet; thence N78°46'18"W for 68.90 feet to point; thence S87°44'54"W for 149.98 feet to a point; thence S75°49'56"W for 68.50 feet to a point on a curve, at which point the radial line bears N87°46'10"E from its center; thence along a 25.00 foot radius curve concave to the northwest, through a central angle of 74°03'25" for an arc distance of 32.31 feet to a point of compound curvature; thence along a 195.00 foot radius curve to the right, through a central angle of 188°04'17" for an arc distance of 61.50 feet to a point of compound curvature; thence along a 25.00 radius curve to the right, through a central angle of 87°52'18" for an arc distance of 38.34 feet to a point; thence S87°46'10"W for 40.00 feet to a point on the west line of said section 16; thence N02°13'50"W, along said west line, for 936.68 feet to THE POINT OF BEGINNING. Containing 11.26 acres more or less.

ROBAYNA AND ASSOC., INC.

Willian Herryman for the firm  
Professional Surveyor and Mapper  
State of Florida certificate No 2804

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## EXHIBIT "A"

## EGRET LAKES SECTION No 7

## LEGAL DESCRIPTION:

A portion of land lying in Section 16, Township 54 south, Range 39 east in Miami-Dade County, Florida. Being more particularly described as follows:

Commence at the NE corner of NW  $\frac{1}{4}$  of said section 16; thence S87°43'38"W along the north line of said section 16 for 864.00 feet to a point; thence S02°14'41"E for 506.84 feet to a point of curvature; thence along a 120.00 foot radius curve to the right through a central angle of 248°04'52" for an arc distance of 50.44 feet to a point of tangency; thence S21°50'11"W for 70.66 feet to a point of curvature; thence along a 25.00 foot radius curve to the right through a central angle of 82°53'17" for an arc distance of 36.17 feet to a point of reverse curvature; thence along a 500.00 foot radius curve to the left through a central angle of 05°35'38" for an arc distance of 48.82 feet to a point of tangency; thence N80°52'10"W for 82.20 feet to a point of curvature; thence along a 260.00 foot radius curve to the left through a central angle of 91°12'30" for an arc distance of 413.89 feet to a point of tangency; thence S07°55'20"W for 46.15 feet to a point of curvature; thence along a 300.00 foot radius curve to the left through a central angle of 05°54'52" for an arc distance of 30.97 feet to a point of reverse curvature; thence along a 25.00 foot radius curve to the right, through a central angle of 80°15'25", for an arc distance of 35.02 to a point of tangency; thence S82°15'53"W for 503.03 feet to a point of curvature; thence along a 150.00 foot radius curve to the right, through a central angle of 05°30'17", for an arc distance of 14.41 feet to a point of tangency; thence S87°46'10"W for 194.38 feet to THE POINT OF BEGINNING; thence S02°13'50"E for 235.00 feet to a point of curvature; thence along a 25.00 foot radius curve to the left, through a central angle of 90°00'00", for an arc distance of 39.27 feet to a point of tangency thence N87°46'10"E for 329.00 feet to a point of curvature; thence along a 130.00 foot radius curve to the right, through a central angle of 90°00'00", for an arc distance of 204.20 feet to a point of tangency; thence S02°13'50"E for 144.16 feet to a point; thence N87°43'15"E for 181.88 feet to a point of curvature; thence along a 120.00 foot radius curve to the right, through a central angle of 90°00'00", for an arc distance of 188.50 feet to a point of tangency; thence S02°16'45"E for 364.00 feet to a point on the north line of the south  $\frac{1}{2}$  of the south  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of said section 16; thence S87°43'15"W along said north line for 778.65 feet to a point; thence N02°16'45"W for 100.00 feet to a point; thence S87°43'15"W for 7.56 feet to a point; thence N02°13'50"W for 516.57 feet to a point; thence S87°46'10"W for 142.00 feet to a point; thence N02°13'50"W for 441.78 feet to a point; thence S78°46'18"E for 43.20 feet to point on a curve, at which point the radial line bears S87°46'10"W from its center;

*thence along a 25.00 foot radius curve concave to the northeast, through a central angle of 76°27'17" for an arc distance of 33.36 feet to a point of compound curvature; thence along a 195.00 foot radius curve to the left, through a central angle of 138°32'43" to a point of tangency; thence N87°46'10"E for 35.18 feet to THE POINT OF BEGINNING. Containing 12.97 acres more or less.*

*ROBAYNA AND ASSOC., INC.*

*William Harryman  
Professional Surveyor and Mapper  
State of Florida certificate No 2804*

*Page 2 of 2*

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**EXHIBIT "A"****EGRET LAKES SECTION No 8****LEGAL DESCRIPTION:**

*A portion of land lying in Section 16, Township 54 south, Range 39 east in Miami-Dade County, Florida. Being more particularly described as follows:*

*Beginning at the NW corner of NW ¼ of said section 16; thence S02813'50"W along the west line of said section 16 for 936.68 feet to THE POINT OF BEGINNING; thence S02813'50"E along said west line for 1044.13 feet to a point on the north line of the south ½ of the south ½ of the NW ¼ of said section 16; thence N87843'15"E along said north line for 534.64 feet to a point; thence N02816'45"W for 100.00 feet to a point; thence S87843'15"W for 7.56 feet to a point; thence N02813'50"W for 516.57 feet to a point; thence S87846'10"W for 142.00 feet to a point; thence N02813'50"W for 441.78 feet to a point; thence N78846'18"W for 25.70 feet to point; thence S87844'54"W for 149.98 feet to a point; thence S75849'56"W for 68.50 feet to a point on a curve, at which point the radial line bears N87846'10"E from its center; thence along a 25.00 foot radius curve concave to the northwest, through a central angle of 74803'25" for an arc distance of 32.31 feet to a point of compound curvature; thence along a 195.00 foot radius curve to the right, through a central angle of 18804'17" to a point of compound curvature; thence along a 25.00 radius curve to the right, through a central angle of 87852'18" for an arc distance of 38.34 feet to a point; thence S87846'10"W for 40.00 feet to THE POINT OF BEGINNING. Containing 11.31 acres more or less.*

ROBAYNA AND ASSOC., INC.

William Harryman  
Professional Surveyor and Mapper  
State of Florida certificate No 2804

TABLE 1

**VENETIAN ISLES COMMUNITY DEVELOPMENT DISTRICT  
ESTIMATED INFRASTRUCTURE CONSTRUCTION TIME TABLE**

<u>IMPROVEMENT</u>	<u>START DATE</u>	<u>COMPLETE DATE</u>
SURFACE WATER MGMT	APRIL 2001	JUNE 2002
SECTION ONE	JUNE 2001	JUNE 2002
SECTION TWO	SEPTEMBER 2001	JUNE 2002
SECTION THREE	JUNE 2002	OCTOBER 2002
SECTION FOUR	JUNE 2002	FEBRUARY 2003
SECTION FIVE	JANUARY 2002	OCTOBER 2002
SECTION SIX	JUNE 2002	FEBRUARY 2003
SECTION SEVEN	AUGUST 2002	APRIL 2003
SECTION EIGHT	AUGUST 2002	APRIL 2003
SECTION NINE	DECEMBER 2001	SEPTEMBER 2002



TABLE 2

## VENETIAN ISLES COMMUNITY DEVELOPMENT DISTRICT

CONSTRUCTION COST ESTIMATES

WATER SUPPLY SYSTEM		\$	1,205,674
WASTEWATER SYSTEM		\$	1,118,111
LIFT STATION/GENERATOR HOUSE		\$	429,400
SURFACE WATER MANAGEMENT		\$	724,621
PAVING		\$	1,117,048
EARTHWORK		\$	2,872,726
LANDSCAPING		\$	332,499
SOFT COSTS		\$	410,530
SUBTOTAL		\$	8,210,609
CONTINGENCIES	7.50%	\$	615,796
FEES & PERMITS	4.50%	\$	369,477
PERFORMANCE BONDS	2.00%		164,212
ENGINEERING AND TESTING	6.50%		533,690
TOTAL CONSTRUCTION COST		\$	9,893,784

EXHIBIT 4

VENETIAN ISLES COMMUNITY DEVELOPMENT DISTRICT  
ESTIMATED INFRASTRUCTURE CONSTRUCTION TIME TABLE

<u>IMPROVEMENT</u>	<u>START DATE</u>	<u>COMPLETE DATE</u>
SURFACE WATER MGMT	APRIL 2001	JUNE 2002
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SECTION THREE	JUNE 2002	OCTOBER 2002
SECTION FOUR	JUNE 2002	FEBRUARY 2003
SECTION FIVE	JANUARY 2002	OCTOBER 2002
SECTION SIX	JUNE 2002	FEBRUARY 2003
SECTION SEVEN	AUGUST 2002	APRIL 2003
SECTION EIGHT	AUGUST 2002	APRIL 2003
SECTION NINE	DECEMBER 2001	SEPTEMBER 2002

EXHIBIT 5

Venetian Isles  
Community Development District

**Statement of Estimated Regulatory Costs**

January 11, 2002

Prepared by

*Special District Services, Inc.*  
4600 East Park Drive, Suite 201  
Palm Beach Gardens, Florida 33410  
Tele: 561-630-4922  
Toll Free: 877-737-4922

## 1.0 INTRODUCTION

### 1.1 Purpose and Scope

This statement of estimated regulatory costs supports the Quantum Developments, LLC, a Florida limited liability company, ("Petitioner") petition to establish a community development district to be known as Venetian Isles Community Development District (the "CDD"). The CDD will own, operate and maintain a portion of the community infrastructure for a development to be known as Venetian Isles, located in the unincorporated area of Miami-Dade County, Florida.

A community development district is an independent special taxing district authorized by Chapter 190, F.S. (the "Act") to plan, finance, construct, operate and maintain community infrastructure in planned community developments. As stated in the Act, a CDD provides:

"...a solution to the state's planning, management, and financing needs for delivery of capital infrastructure in order to service projected growth without overburdening other governments and their taxpayers". Section 190.002 (1) (a), F.S.

Venetian Isles CDD is not a substitute for Miami-Dade County, which is the local general purpose governmental unit having jurisdiction over the CDD. The reason is the CDD does not have the planning, zoning and regulatory powers granted to Miami-Dade County. As a result, all development undertaken within the CDD must be consistent with all requirements of Miami-Dade County.

A CDD's powers are strictly limited to planning, financing, constructing, operating and maintaining community infrastructure.

The scope of this statement of estimated regulatory costs is statutorily limited to evaluating the consequences of creating the Venetian Isles CDD. The policy of the State regarding the scope of the CDD establishment process is explicitly set out in Section 190.002 (2) (d), F.S. as follows:

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

Therefore, the only relevant concern is whether Venetian Isles CDD will be a financially visible entity.

### 1.2 Venetian Isles Development

The proposed Venetian Isles Development is located within Miami-Dade County,

Florida. The developer ("Developer") is Quantum Developments, LLC, Florida limited liability company. The proposed Development is designed as a master planned residential development, serving south Florida markets. The single family segment, offering 373 dwelling units, and the town home segment, offering 217 units, are designed to service a wide variety of buyers.

Venetian Isles Development is located in the unincorporated area of Miami-Dade County, Florida, on the south side of SW 26th Street, east and west of 152<sup>nd</sup> Avenue. Venetian Isles is planned as a self-sustaining mixed residential community. Projected build-out of the project is 3 to 5 years.

### 1.3 Venetian Isles Community Development District (CDD)

The Petitioner proposes to establish the Venetian Isles Community Development District to acquire, construct, operate and/or maintain some of the infrastructure and community facilities in the Venetian Isles development. Table 1 outlines the proposed development plan timetable and the schedule for completion of the various projects.

Table 2 shows the infrastructure that is proposed to be constructed by the CDD and the estimated costs.

The financial design of Venetian Isles CDD was carefully formulated to help assure that the CDD will be strong, stable, and able to stand alone throughout its lifetime. A detailed cash-flow analysis has been developed for the proposed range of potential future economic conditions in which the proposed district might have to operate. In all cases, the proposed financial structure allowed the CDD to remain financially strong and capable of carrying out its obligations. The important features of the financial design for proposed CDD are discussed below.

As outlined in Table 2, Venetian Isles CDD is projected to finance the construction of the surface water management system. The bonds used to finance the surface water management system will be retired through the use of non-ad valorem assessments levied on all property owners in the district.

The CDD will own, operate and maintain the surface water management system in the CDD. To defray the costs of operating and maintaining the infrastructure, the CDD will make use of non-ad valorem maintenance assessments levied on all assessable property in the district.

The CDD is projected to finance the construction of the water distribution system and the wastewater collection and transmission facilities. The bonds used to finance such infrastructure will be retired through the use of non-ad valorem assessments levied on all property owners in the district.

The water distribution system and the wastewater collection and transmission facilities will be conveyed to Miami-Dade County Utilities Department. Thus, the

operation and maintenance of these facilities will be the responsibility of the Utilities' Department.

The CDD is projected to finance the construction of the internal roadway system. The bonds used to finance such infrastructure will be retired through the use of non-ad valorem assessments levied on all property owners in the district.

The CDD will own, operate and maintain the internal roadway system in the CDD. To defray the costs of operating and maintaining the infrastructure, the CDD will make use of non-ad valorem maintenance assessments levied on all assessable property in the district.

Finally, the Petitioner has no plans for the CDD to issue general obligation debt or to levy ad valorem taxes. The financial structure of the District is such that there is no need to use ad valorem taxation.

## **2.0 COSTS AND BENEFITS OF ESTABLISHING THE VENETIAN ISLES COMMUNITY DEVELOPMENT DISTRICT**

### **2.1 Costs to Miami-Dade County to Implement the Proposed Community Development District**

Chapter 190.005 (2), F.S. mandates that the exclusive and uniform method for the establishment of a community development district of less than 1000 acres in size shall be by an ordinance adopted by the county commission of the county having jurisdiction over the majority of land in the area in which the district is to be located.

The one-time cost of reviewing the CDD petition is minimal. The County has its own in-house staff to process petitions filed for other reasons. Therefore, the marginal addition of one more petition to review results in little, if any, additional cost. Review of the proposed development will not be necessary since the project was previously approved through the PUD process. Considerable fees were paid by the Petitioner for that review.

Beyond the minimal administrative costs outlined above, there will be only inconsequential costs to Miami-Dade County and the general citizenry because of the establishment of the Venetian Isles CDD. The CDD is designed to serve the needs of its property owners by financing, constructing, operating and maintaining the infrastructure and other services needed by district residents. The CDD will not require subsidies from Miami-Dade County.

Finally, the CDD will pay its own election costs and will pay substantial fees for other urban services, such as tax assessment and collection. Thus, the net costs to Miami-Dade County and its citizens due to establishment of the Venetian Isles CDD are negligible.

Concern that district obligations, particularly debt payments, could become state or county obligations is without foundation. This point was made explicitly clear by the Legislature when it adopted Section 190.002 (3) F. S.

"...It is further the purpose and intent of the Legislature that no debt or obligations of a district constitute a burden on any local general purpose government without its consent." Section 190.002 (3) F. S.

## 2.2 Benefits to Miami-Dade County and Its Citizens

There are several types of benefits (both indirect and direct) which will flow to Miami-Dade County and its citizens if the CDD is established. First, with regard to the indirect benefits, approval of the CDD satisfies the intent of the Act by providing a solution to the planning, management and financing of capital infrastructure to service projected growth without overburdening Miami-Dade County and its taxpayers. Section 190.002 of the Act is quoted as follows:

"(1) The Legislature finds that: (a) there is a need for uniform, focused and fair procedures in state law to provide a reasonable alternative for the establishment, power, operation and duration of independent districts to manage and finance basic community development services; and that, based upon a proper and fair determination of applicable facts, an efficient, effective, responsive, and economic way to deliver these basic services, thereby providing 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, F. S.

A second indirect benefit which Miami-Dade County and its citizens receive is the improved level of planning and coordination which the CDD will provide. This benefit will minimize any potential negative impacts to other citizens and jurisdictions.

"It is in the public interest that long range planning, management, and financing and long-term maintenance, upkeep, and operation of basic services for community development districts be under one coordinated entity." Section 190.002-(1) (c), F. S.

By enacting the Act, the Legislature recognized that substantial public benefits accrue from well-planned community developments in Florida. Venetian Isles CDD is just the type of planned development envisioned in Chapter 190, F. S.

It is most difficult to place a dollar value on these indirect benefits; however, they are certainly substantial. Furthermore, given the minimal costs incurred by Miami-Dade County if the CDD is approved, the benefits clearly overwhelm any such costs, yielding significant net benefits to Miami-Dade County and its citizens.

Venetian Isles CDD will provide a number of direct economic benefits to Miami-Dade County and its citizens. First, the CDD is the best means of assuring that CDD residents receive the services they need, while at the same time restricting the cost to only those who receive the services. This financial structure binds those who receive the CDD services to the obligation to pay for those services. At the same time, this structure also allows future CDD residents to control the entity which provides the services and levies the assessments to pay for those services. Miami-Dade County and its citizens are not involved in any way in the financial obligations, operation or maintenance of the district.

A second economic benefit which accrues to Miami-Dade County and its citizens is that establishment of the CDD frees the County of responsibilities and costs of the management and administrative burden of the CDD. Thus, it will be possible for the County Commission to continue to focus on those areas of the county that require more immediate attention.

Conversely, residents of the CDD will be able to address their concerns about infrastructure to the Board of Supervisors of the CDD. This focus will lighten the burden on the County Commission compared with what would likely occur without the CDD.

The CDD is an independent governmental unit, it has its own independent board and budget, and it must see to its own administration. This arrangement for governing and administering the district means a considerable cost saving to the County over other types of arrangements. Any other form of government or financial structure would result in the County being at least partially responsible for the community's services.

Third, approval of the proposed CDD would minimize some increases in the cost of County funded services. As new development occurs in any community, residents of the new area demand increased levels of services over and above those provided before development. The costs of providing these services are spread to the remaining taxpayers in the jurisdiction of the local government(s) providing the services. If this were to happen, taxing and spending levels would increase, and costs would be passed on, at least in part, to surrounding residents. The result would further strain the County budget. Without the CDD, development of Venetian Isles could possibly increase the demands on Miami-Dade County to extend and improve services to the community.

Fourth, the CDD proposes to construct the water distribution system and the wastewater collection and transmission facilities and to deed same to Miami-Dade County at no cost. The estimated cost to the CDD to construct these facilities is expected to exceed \$ 2,898,000. In addition to this donation, Miami-Dade County Utilities Department's customer base will increase by approximately 590 households.

The proposed CDD will serve the needs of its residents. The board of supervisors of the CDD will determine the level and quality of the community services the residents want and are willing to pay for. The CDD will provide the residents of Venetian Isles CDD with a mechanism for satisfying these needs without recourse to the County Commission.



All of these benefits have substantial value. The financial benefits to the County and its citizens include the avoided costs of administering public services for the community. In addition, there are significant, if only intangible, benefits which result from having a district to ensure that CDD residents get the services they need. The CDD also ensures that its property owners, and only its property owners, pay for the services they receive.

### **2.3 Costs to the Petitioner**

The petitioner will incur substantial costs if the CDD is approved. These costs can be grouped into four categories: (1) planning and applying for the CDD; (2) contributions for management and technical assistance; (3) payment of CDD taxes; and (4) donation of capital facilities.

It is costly and time consuming to plan and apply for a CDD of the size and complexity proposed for Venetian Isles CDD. First, the Petitioner has secured a team of professionals including attorneys, engineers, planners, and special district experts to insure that the CDD will perform as provided by the Act.

Second, the CDD will need financial support from the Petitioner to secure managerial and technical assistance, especially in the early years of its operation.

Third, the Petitioner will pay substantial CDD assessments and fees over the life of the project. During the first several years of the project, the Petitioner will be the CDD's largest taxpayer.

Fourth, the Petitioner assumes considerable risk in establishing the CDD and allowing the advance funding of the infrastructure. As the developer in the initial stages of development, the Petitioner assumes the sole liability for all the debt incurred by the CDD until the land is developed and sold to individual homeowners.

### **2.4 Benefits to the Petitioner**

The CDD will also provide the Petitioner with several benefits. First, the CDD will provide access to financing for a portion of the community's infrastructure. While this particular benefit to the petitioner is obvious, it is not the most significant one. In fact, the importance of this benefit, while significant, would not be enough by itself to entice the Petitioner to establish the CDD.

The value to the Petitioner of financing a portion of the infrastructure through the CDD amounts to an annual financing cost difference in today's market which results in a cost saving. As a result, the potential gross savings will accrue to the future homeowners in the CDD and does not represent a net cost saving to the Petitioner. As noted above, with the establishment of the CDD, the Petitioner will be obligated to pay substantial assessments and fees to the CDD.

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Other benefits for the Petitioner in establishing the CDD exist beyond the financing of a portion of the community's infrastructure. Most important among these is that the proposed CDD is a mechanism for providing long term, on-going maintenance and operation of CDD facilities. Ultimately, the CDD will be controlled and operated by the CDD homeowners for their own benefit. This helps assure that the high standard which the Petitioner has set for the CDD will be preserved throughout the life of the project.

## 2.5 Costs to the Consumers

Consumers are people who will purchase land and residences in the Venetian Isles CDD. Should the CDD be established, district homeowners will be required to pay CDD assessments over and above their County taxes. CDD assessments do not affect or offset County taxes. It is this increment of expenses which is the cost of the CDD to the consumers.

As noted above, the CDD plans to finance, construct, operate and maintain a variety of infrastructure and community services for the benefit of its homeowners. Currently, homeowners in unincorporated Miami-Dade County are subject to a number of different ad valorem and non-ad valorem taxes. All of these taxes will continue to exist regardless of whether the CDD is approved. Homeowners of the CDD will continue to pay County taxes notwithstanding the existence of the CDD. Thus, these costs cannot properly be viewed as taxes that arise from the CDD itself, even though district homeowners would pay such taxes. The point is that homeowners will pay these costs in any event. If the CDD is not created, the cost of the infrastructure will be included in the price of the property sold to future homeowners rather than paid over time as a special assessment on the tax bill.

All prospective purchasers will be informed of the existence of the CDD. Chapter 190.048, F. S. requires each contract for the sale of real estate within a CDD include a specific disclosure statement in boldfaced type immediately prior to the space reserved in the contract for the signature of the purchases.

## 2.6 Benefits to the Consumers

CDD residents will receive three major classes of benefits. First, CDD residents will receive a higher level of public services and amenities than would otherwise be the case. Venetian Isles is designed as a mixed residential project with high service demands. To be successful, the Petitioner feels that a mechanism is needed to help ensure a high level of public services consistent with the project goals. The CDD is the best vehicle for this purpose.

Second, the CDD is a mechanism for assuring that the community services and amenities are maintained at a high level throughout the life of the project. This

mechanism protects the substantial investment purchasers will make in their homes at Venetian Isles.

Finally, the CDD is the sole form of governance that allows district property owners to totally control the type, quality and expense of services provided by the CDD.

It is clear that the formation and operation of the Venetian Isles CDD will benefit its homeowners. The CDD will be controlled by CDD property owners, and will be operated for their benefit. Finally, the CDD will help ensure that the high standards the Petitioner has set for the development will be maintained for the benefit of CDD property owners.

### **3.0 COMPETITIVE EFFECTS**

Approval of the Venetian Isles CDD will have an effect on competition in the market for housing in Miami-Dade County and in those areas where there are projects similar to the Venetian Isles. To understand the nature of these competitive effects, it is important to recognize the type of project envisioned at Venetian Isles. The development is designed as a mixed residential community currently consisting of 590 residential units. As such, it competes with other developments serving this same market niche. In addition, the granting of a community development district for Venetian Isles does not provide a competitive advantage which others could not obtain.

### **4.0 IMPACT OF SMALL BUSINESS**

Approval of the Venetian Isles CDD will have a positive impact on small business as defined in Chapter 288.703 (1), F. S. Many types of neighborhood services will be required by the residents of the CDD. These services can be provided by the small businesses that currently serve the general area. Additional opportunities will also be created for new businesses to be formed or relocate to the area. No negative impacts have been identified for small businesses as defined.

### **5.0 DATA AND METHODOLOGY**

The data used in this analysis, in particular the build-out schedule and average home values, were developed and submitted with the initial application for the Venetian Isles and updated for the petition for the CDD. Table 2 outlines the capital infrastructure proposed to be constructed by or for the CDD and reflects the best estimates of costs and timing at this juncture.

### **6.0 PROBABILITY OF A GOOD FAITH WRITTEN PROPOSAL CHAPTER 120.541 (1) (A), F. S.**

Since the Petitioner represents the landowners of the property encompassing the proposed CDD, Petitioner is the only substantially affected party who could have standing to submit a good faith written proposal for a lower regulatory cost alternative to

the creation of the CDD as provided for in Chapter 120.541 (1) (a), F. S. Petitioner has already explored all feasible alternatives to lower costs, including the alternative of not forming the CDD, and has concluded that creation of the CDD is the best alternative.

## 7.0 CONCLUSION

The question is whether having a CDD provide the community services is more financially viable, efficient and responsive to the needs of the homeowners than any other form of service provider. After careful review and analysis, the process of elimination suggests that the CDD is, in fact, the most financially viable, efficient and responsive way to provide the community services required for this project.

The estimated budget for the CDD indicates that the various charges to prospective home buyers will be moderate, and well within the ranges typical for Florida communities with strong tax bases. As noted in Table 2, the estimated cost to provide the CDD infrastructure is \$ 9,893,784.

Finally, it is emphasized that the CDD is the only governmental agency responsible for the financial obligations of the district. Florida State law (Section 190.002 (3), F. S.) protects the State of Florida, Miami-Dade County and all other governmental agencies from all obligations of the CDD, whether they are financial, administrative or operational.

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EXHIBIT C

## DISCLOSURE STATEMENT

All of the residential dwelling units in Venetian Isles are also located within the boundaries of the Venetian Isles Community Development District (hereinafter called the CDD). The CDD is a local unit of special-purpose government organized and existing under the laws of the State of Florida and the Home Rule Charter of Miami-Dade County, Florida. The primary purpose of the CDD is to finance, construct and maintain some or all of the public infrastructure (i.e. water system, sewer system, drainage system and roadway system) within Venetian Isles. The water system and the sewer system will be deeded to the Miami-Dade County Water and Sewer Department. The drainage system and the roadway system will be owned, operated and maintained by the CDD.

The current plan is for the CDD to issue tax-exempt bonds to construct approximately \_\_\_\_% of the public infrastructure identified above. Currently, it is estimated that each home in Venetian Isles will be assessed approximately \$\_\_\_\_\_ per year to retire the debt. In addition to the assessment to retire the debt, each home in Venetian Isles will be assessed a pro rata share of the cost to maintain the drainage system and the roadway system. These special assessments will appear on the County real estate tax bill and will be paid at the same time as the County taxes are paid.

The Board of Supervisors of the CDD is elected by the landowners in the CDD. The Board is required to advertise its meetings in advance and all Board meetings are required to be open to the public. The Board is required to prepare a budget each fiscal year and adopt same in an open, public meeting. All landowners are invited to attend Board meetings and participate in the public process.

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