

ORDINANCE 2024-006

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, ADOPTING ORDINANCE NO. 2024-006 TO GRANT THE PETITION FOR THE CREATION OF THE LAKE HILLS COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, CONCERNING THAT CERTAIN APPROXIMATELY 220.21 +/- ACRES OF LAND; DESCRIBING THE BOUNDARIES OF THE LAKE HILLS COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR SEVERABILITY 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, Reader & Partners, LLC, a Florida limited liability company, has petitioned for the establishment of the Lake Hills Community Development District (the “District”) and has paid all required costs and fees associated with the petition to the Town of Howey-in-the-Hills, Florida; and

WHEREAS, a public hearing has been conducted by the Town Council (the “Council”) of Town of Howey-in-the-Hills, Florida (the “Town”), in accordance with the requirements and procedures of § 190.005(2)(d), Florida Statutes, and the applicable requirements and procedures of the Town’s Charter and Code of Ordinances; and

WHEREAS, the Town Council has determined that 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 Town’s management and financing needs for a delivery of capital infrastructure therein without overburdening the Town and its taxpayers, based on the information provided in the Petition, including the following representations:

(a) That the District's stormwater system will tie into the Town's stormwater system, consistent with applicable laws, regulations, and Town design standards, and the District will pay required stormwater fees imposed by Town ordinance; and

(b) That the Town will provide water, stormwater, and solid waste utility services to properties within the District and the District will provide an efficient means of securing sanitary sewer utilities in conjunction with the town or other independent special districts in the vicinity; and

(c) That the Town will retain planning, zoning, construction permitting and inspection responsibilities regarding District improvements; and

WHEREAS, the Council 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 Town's Comprehensive 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 development; and

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

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

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

WHEREAS, the Council finds that the District shall have those general and special powers authorized by §§ 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 the Town that the District have such powers.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE TOWN OF LAKE WALES, 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 Lake Hills Community Development District over the real property described in Exhibit 2 of the Petition, a copy of which is attached hereto, which was filed by the Petitioner on June 16, 2022, and which Petition is on file at the Office of the Clerk of the Council, is hereby granted: A copy of the Petition is attached and incorporated herein as Exhibit A.

SECTION 3. The external boundaries of the District are 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:

1. Name: Kimberly Locher
Address: 5850 T.G. Lee Boulevard, Suite 200
Orlando, FL 32822
Relationship to Petitioner: Affiliate of Petitioner
2. Name: Jeffrey Reader
Address: 5850 T.G. Lee Boulevard, Suite 200
Orlando, FL 32822
Relationship to Petitioner: Affiliate of Petitioner
3. Name: Marlene DeMarco
Address: 5850 T.G. Lee Boulevard, Suite 200
Orlando, FL 32822
Relationship to Petitioner: Affiliate of Petitioner
4. Name: Ryan Lefkowitz
Address: 923 N. Pennsylvania Ave
Winter Park, FL 32789
Relationship to Petitioner: Affiliate of Petitioner
5. Name: Jay Diceglie
Address: 923 N. Pennsylvania Ave
Winter Park, FL 32789

Relationship to Petitioner: Affiliate of Petitioner

SECTION 5. The name of the District shall be the “Lake Hills Community Development District”.

SECTION 6. The Lake Hills Community Development District is created for the purposes set forth in Chapter 190, Florida Statutes.

SECTION 7. Pursuant to § 190.005 (2)(d), Florida Statutes, the charter for the Lake Hills Community Development District shall be §§ 190.006 through 190.041, Florida Statutes, as amended.

SECTION 8. Based on the findings referenced above, the Council hereby grants to the Lake Hills Community Development District all powers authorized pursuant to §§ 190.011 and 190.012(1)(a)-(h), (2)(a), and (3), Florida Statutes, and hereby finds that it is in the public interest of all citizens of the Town to grant such general powers.

SECTION 9. All bonds issued by the Lake Hills Community Development District pursuant to the powers granted by this ordinance shall be validated pursuant to Chapter 75, Florida Statutes.

SECTION 10. No bond, debt or other obligation of the Lake Hills Community Development District, nor any default thereon, shall constitute a debt or obligation of the Town.

SECTION 11. 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 12. It is the intention of the Council, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Town’s Code of Ordinances.

SECTION 13. This ordinance shall become effective ten (10) days after the date of enactment.

Martha MacFarlane
Mayor

ATTEST:

John Brock
Town Clerk

Passed: _____, 2024

Adopted: _____, 2024