

City
BOC

FILED WITH THE DEPARTMENT OF STATE February 27, 2024

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
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Rec. Fee: RECORDING \$418.00

ORDINANCE

NUMBER 2024-001

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
CHARLOTTE COUNTY, FLORIDA, PURSUANT TO CHAPTER 190,
FLORIDA STATUTES, AMENDING PART IV, MUNICIPAL SERVICE
BENEFIT AND TAXING UNITS, CHAPTER 4-3.5 MUNICIPAL SERVICE
DISTRICTS, BY CREATING NEW ARTICLE XIX: FIRELIGHT EAST
COMMUNITY DEVELOPMENT DISTRICT (CDD); PROVIDING FOR
NEW SECTION 4-3.5-240, AUTHORITY; PROVIDING FOR NEW
SECTION 4-3.5-241, DISTRICT NAME; PROVIDING FOR NEW
SECTION 4-3.5-242, DISTRICT EXTERNAL BOUNDARIES;
PROVIDING FOR NEW SECTION 4-3.5-243, DISTRICT POWERS AND
FUNCTIONS; PROVIDING FOR NEW SECTION 4-3.5-244, BOARD OF
SUPERVISORS; PROVIDING FOR ADDITIONAL REQUIREMENTS;
AND PROVIDING FOR SEVERABILITY; PROVIDING FOR AN
EFFECTIVE DATE.

RECITALS

WHEREAS, Zemel Land Partners, LLC (the "Petitioner"), having obtained written
consent to the establishment of the Firelight East Community Development District (the
"District") by the owners of one-hundred percent (100%) of the real property to be
included in the District, petitioned the Board of County Commissioners (the "Board") of
Charlotte County, Florida (the "County"), to adopt an ordinance establishing the District
pursuant to Chapter 190, Florida Statutes; and,

WHEREAS, the Petitioner is a limited liability company authorized to conduct
business in the State of Florida, and whose address is 5800 Lakewood Ranch
Boulevard, Sarasota, Florida 34240; and,

WHEREAS, all interested persons and affected units of general-purpose local
government were afforded an opportunity to present oral and written comments on the
petition at a duly noticed public hearing conducted by the Board on February 27, 2024;
and,

min

35 WHEREAS, upon consideration of the record established at that hearing, the
36 Board determined that the statements within the Petition are true and correct, that the
37 establishment of the District is not inconsistent with any applicable element or portion of
38 the State comprehensive plan or the County's comprehensive plan, that the land within
39 the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to
40 be developable as a functionally interrelated community, that the District is the best
41 alternative available for delivering community development services and facilities to the
42 area that will be served by the District, that the community development services and
43 facilities of the District will not be incompatible with the capacity and uses of existing
44 local and regional community development services and facilities, and that the area that
45 will be served by the District is amenable to separate special-district governance; and,

46 WHEREAS, the establishment of the District shall not act to amend any land
47 development approvals governing the land area to be included within the District; and

48 WHEREAS, the establishment of the District will constitute a timely, efficient,
49 effective, responsive and economic way to deliver community development services in
50 the area described in the Petition; and

51 WHEREAS, the Board has determined that the initial members of the District's
52 Board of Supervisors set forth in Section 5 of this ordinance are residents of the State of
53 Florida and citizens of the United States of America.

54 NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners
55 of Charlotte County, Florida:

56 **Section 1.** Charlotte County Code Chapter 4-3.5, Article XIX titled
57 "FIRELIGHT EAST COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-240 is hereby

created by adding the underlined language to provide as follows:

Sec. 4-3.5-240. Authority.

This ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980 codified in Chapter 190, Florida Statutes. Nothing contained herein shall constitute an amendment to any land development approvals for the land area included within the District.

Section 2. Charlotte County Code Chapter 4-3.5, Article XIX titled "FIRELIGHT EAST COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-241 is hereby created by adding the underlined language to provide as follows:

Sec. 4-3.5.-231. – District Name.

There is hereby created a community development district situated entirely within a portion of the unincorporated area of Charlotte County, Florida, which shall be known as the "Firelight East Community Development District," and which shall be referred to in this ordinance as the "District".

Section 3. Charlotte County Code Chapter 4-3.5, Article XIX titled "FIRELIGHT EAST COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-242 is hereby created by adding the underlined language to provide as follows:

Sec. 4-3.5-242. – District External Boundaries.

The external boundaries of the District are described in **Appendix A** attached hereto, said boundaries encompassing 338.02 acres, more or less.

Section 4. Charlotte County Code Chapter 4-3.5, Article XIX titled "FIRELIGHT EAST COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-243 is hereby created by adding the underlined language to provide as follows:

Sec. 4-3.5-243. District Powers and Functions.

The powers and functions of the District are described in Chapter 190, Florida Statutes. Consent is hereby given to the District's Board of Supervisors to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, and for security, all as authorized and described by Sections 190.012(2)(a) and (2)(d), Florida Statutes.

Section 5. Charlotte County Code Chapter 4-3.5, Article XIX titled "FIRELIGHT EAST DEVELOPMENT DISTRICT," § 4-3.5-244 is hereby created by adding the underlined language to provide as follows:

Sec. 4-3.5-244. Board of Supervisors.

The five persons designated to serve as initial members of the District's Board of Supervisors are as follows:

Name: John Lienaweaver
Address: 5800 Lakewood Ranch Boulevard
Sarasota, Florida 34240

Name: Priscilla Heim
Address: 5800 Lakewood Ranch Boulevard
Sarasota, Florida 34240

Name: Kris Watts
Address: 5800 Lakewood Ranch Boulevard
Sarasota, Florida 34240

Name: Jennings DePriest
Address: 5800 Lakewood Ranch Boulevard
Sarasota, Florida 34240

Name: Sandy Foster
Address: 5800 Lakewood Ranch Boulevard
Sarasota, Florida 34240

Section 6. Bond Validation. All bonds issued by the District pursuant to the powers granted by this ordinance shall be validated pursuant to Chapter 75, Florida Statutes.

Section 7. Bond Default. No bond debt or other obligation of the District, nor any default thereon, shall constitute a debt or obligation of Charlotte County, except upon the express approval and agreement of the Board.

Section 8. County Rates, Fees and Charges. Notwithstanding any power granted to the District pursuant to this Ordinance, neither the District nor any real or personal property or revenue in the District shall 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 charges or fees, or similar County rates, fees or charges, and special taxing district assessments existing at the time of adoption of this Ordinance or by subsequent action of the Board.

Section 9. Eminent Domain Power Limited. Notwithstanding any power granted to the 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.

Section 10. Notwithstanding any provision to the contrary contained in the Petition, no Proposed Facilities and Services may be funded, transferred to, owned or maintained by the County without prior written approval from the Board.

Section 11. Codification. It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Charlotte County, Florida ("Code"), and the sections of this Ordinance may be renumbered to accomplish such intention. In the event this Ordinance conflicts with any provisions of the Code, the provisions of this Ordinance shall control to the extent of any such conflict.

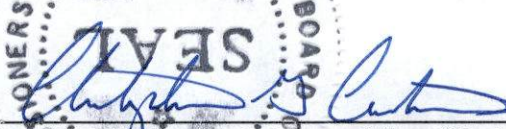
Section 12. Severability. If any subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remainder of this Ordinance.

Section 13. Effective Date. This ordinance shall take effect upon adoption by the Board.

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PASSED AND DULY ADOPTED this 27th day of February, 2024.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: 
Christopher G. Constance, Vice Chair

ATTEST:
Roger D. Eaton, Clerk of the Circuit
Court and Ex-Officio Clerk of the
Board of County Commissioners

By: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: 
Janette S. Knowlton, County Attorney
LR23-1174

Appendix A [Petition]

PETITION TO ESTABLISH THE FIRELIGHT EAST COMMUNITY DEVELOPMENT DISTRICT

Submitted By:

Jonathan T. Johnson
Florida Bar No. 986460
Jonahan.Johnson@Kutakrock.com
Kyle M. Magee
Florida Bar No. 120117
Kyle.Magee@Kutakrock.com
Kutak Rock LLP
107 West College Avenue
Tallahassee, Florida 32301
(850) 692-7300 (telephone)
(850) 692-7319 (facsimile)
Attorneys for Petitioner

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
CHARLOTTE COUNTY, FLORIDA**

**PETITION TO ESTABLISH FIRELIGHT EAST
COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Zemel Land Partners, LLC (hereafter "Petitioner"), hereby petitions the Board of County Commissioners of Charlotte County, Florida, 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 District is located entirely within the Charlotte County, Florida. **Exhibit 1** depicts the general location of the proposed District. The proposed District covers approximately 338.02 acres of land, generally located east of Burnt Store Road and south of Zemel Road. 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 proposed 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 ownership and consent to the establishment of a community development district 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: John Leinaweaver
Address: 5800 Lakewood Ranch Blvd.,

Sarasota, FL 34240

Name: Priscilla Heim
Address: 5800 Lakewood Ranch Blvd.,
Sarasota, FL 34240

Name: Kris Watts
Address: 5800 Lakewood Ranch Blvd.,
Sarasota, FL 34240

Name: Jennings DePriest
Address: 5800 Lakewood Ranch Blvd.,
Sarasota, FL 34240

Name: Sandy Foster
Address: 5800 Lakewood Ranch Blvd.
Sarasota, FL 34240

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 the Firelight East Community Development District.

6. Existing and Future Land Uses. The existing zoning for lands within the proposed District and 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 are identified on **Exhibit 4**. The proposed land uses for lands contained within the proposed District are consistent with the County's approved Future Land Use Plan.

7. Major Water and Wastewater Facilities and Outfalls. There are no existing major trunk water mains and wastewater interceptors within the currently undeveloped lands to be included within the proposed District. **Exhibit 5** shows the existing, major trunk water mains, sewer connections, and reclaimed water mains serving the lands around the proposed District.

8. District Facilities and Services. **Exhibit 6** describes the type of facilities Petitioner presently expects the proposed District to finance, fund, construct, acquire and/or install, as well as the anticipated entity responsible for ownership and maintenance. The estimated costs of constructing the infrastructure serving land within the proposed District are identified in **Exhibit 7**. At present, these improvements are estimated to be made, constructed and installed in two phases over the time period from 2024 through 2029. 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 8** 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 Jonathan T. Johnson. **See Exhibit 9.** Copies of all correspondence and official notices should also be sent to:

Jonathan T. Johnson
Jonathan.johnson@kutakrock.com
Kutak Rock LLP
107 West Collage Avenue
Tallahassee, Florida 32301

11. This petition to establish the Firelight East 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 Charlotte County 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 Charlotte County 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.

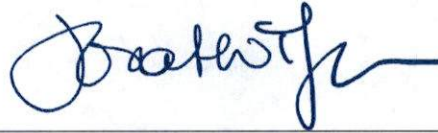
WHEREFORE, Petitioner respectfully requests the Board of County Commissioners of Charlotte County, Florida to:

- 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, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, and for security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, each as authorized and described by Sections 190.012(2)(a) and (d), *Florida Statutes*, and
- d. grant such other relief as appropriate.

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RESPECTFULLY SUBMITTED, this 13th day of December, 2023.

KUTAK ROCK LLP

A handwritten signature in blue ink, appearing to read "Jonathan T. Johnson", written over a horizontal line.

Jonathan T. Johnson
Jonathan.johnson@kutakrock.com
Florida Bar No. 986460
Kyle M. Magee
Kyle.magee@kutakrock.com
Florida Bar No. 120117
107 West College Avenue
Tallahassee, Florida 32301
(850) 692-7300 (telephone)
(850) 692-7319 (facsimile)
Attorney for Petitioner

EXHIBIT 1

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

LOCATION MAP
FIRELIGHT EAST CDD
Charlotte County, Florida
August 2023

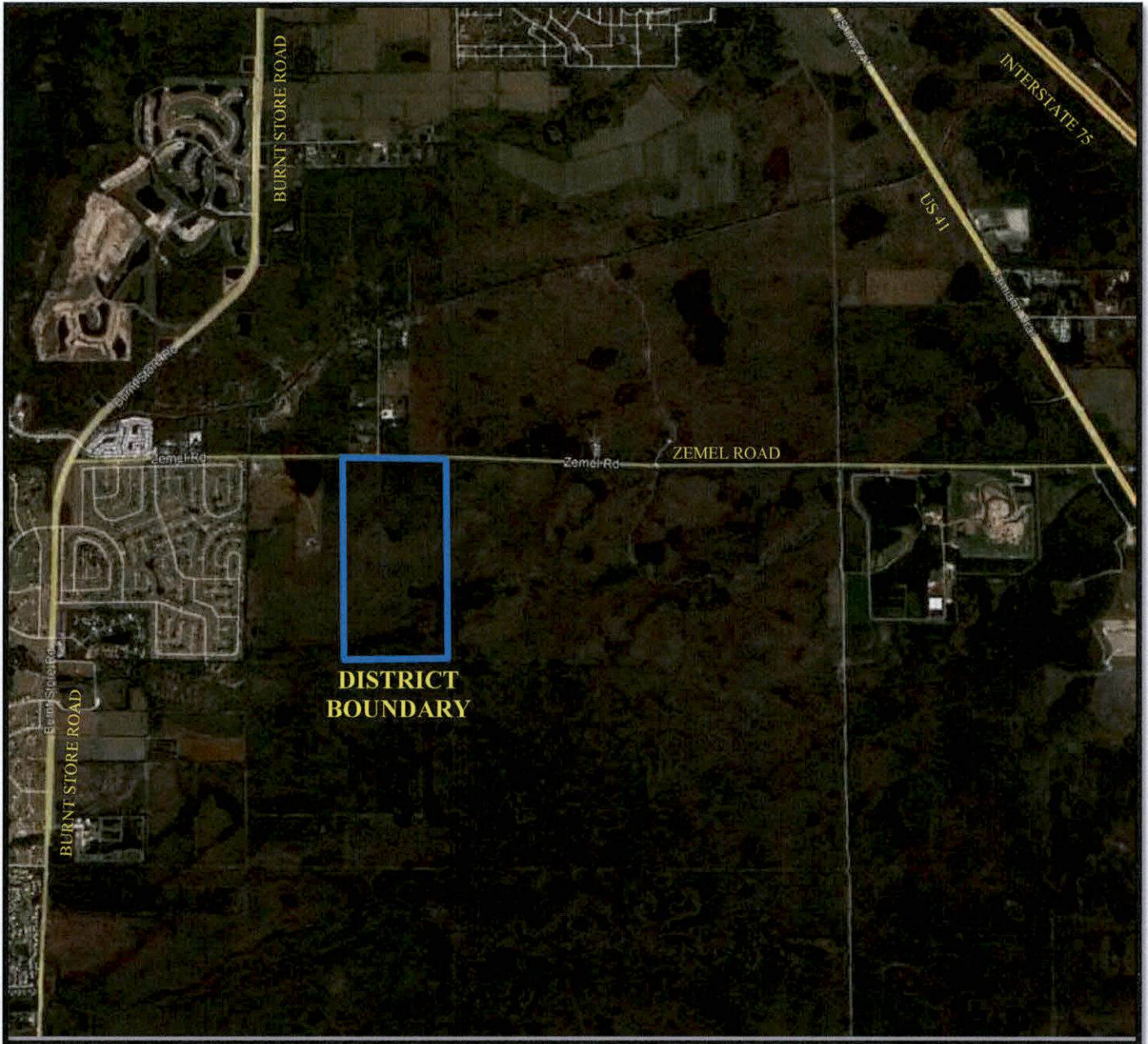


EXHIBIT 2



Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTION 28, T-42-S, R-23-E,
CHARLOTTE COUNTY, FLORIDA.

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH EAST CORNER OF SAID SECTION 28 AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT 66744; THENCE S.00°02'07"W. ALONG THE EAST LINE OF SAID SECTION 28 FOR 2743.70 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 28 AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT 66746; THENCE S.00°01'46"W. ALONG SAID EAST LINE FOR 2744.06 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 28 AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT 66932; THENCE S.89°35'50"W. ALONG THE SOUTH LINE OF SAID SECTION 28 FOR 2694.39 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 28 AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT 66748; THENCE N.00°22'17"E. ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 28 FOR 5509.18 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 28 AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT 66743; THENCE S.89°56'57"E. ALONG THE NORTH LINE OF SAID SECTION 28 FOR 2661.71 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT - EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK, SITE CODE "PNTA"; WHEREIN THE NORTH LINE OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST BEARS S.89°56'57"E.

CONTAINS 338.02 ACRES, MORE OR LESS.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

October 11, 2023

DIGITALLY SIGNED BY:
C. DREW BRANCH



Date:
2023.10.11
15:03:35
-04'00'

C. DREW BRANCH, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 5542

SHEET 1 OF 2

SERVING THE STATE OF FLORIDA



NORTH QUARTER CORNER
SECTION 28-42-23
CCR DOC. #66743

PARCEL ID.
422328126001

N. 00°22'17" E. 5509.18'

NORTH QUARTER SECTION LINE SECTION 28-42-23

PARCEL ID.
422328326002

PARCEL ID.
422328326007

PARCEL ID.
422328326009

PARCEL ID.
422328326012

PARCEL ID.
422328326014

PARCEL ID.
422328376005

PARCEL ID.
422328376008

PARCEL ID.
422328376010

PARCEL ID.
422328376012

PARCEL ID.
422328376021

SOUTH QUARTER CORNER
SECTION 28-42-23
CCR DOC. #66748

PARCEL ID.
422333200001

PARCEL ID.
422333200002

PARCEL ID.
422333200003

SOUTHEAST CORNER
SECTION 28-42-23
CCR DOC. #66932

SOUTH LINE OF SECTION
28-42-23

S. 89°56'57" E. 2661.71'

NORTH LINE OF SECTION
28-42-23

POINT OF BEGINNING
NORTHEAST CORNER
SECTION 28-42-23
CCR DOC. #66744

EAST LINE OF SECTION
28-42-23

PARCEL ID.
422327100001

S. 00°02'07" W. 2743.70'

EAST QUARTER CORNER
SECTION 28-42-23
CCR DOC. #66746

S. 00°01'46" W. 2744.06'

S. 89°35'50" W. 2694.39'

LEGEND

PGS.	PAGES
P.B.	PLAT BOOK
R/W	RIGHT OF WAY
O.R.	OFFICIAL RECORD
S.R.	STATE ROAD
SQ. FT.	SQUARE FEET
C1	LINE 1 OF CURVE TABLE
CCR	CERTIFIED CORNER RECORD
DOC.	DOCUMENT

BANKS
ENGINEERING

Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida

4101 TAMPAH TRAIL - SUITE 8 UNIT 501
PORT CHARLOTTE, FLORIDA 33652
PHONE: (813) 625-1105 FAX: (813) 625-1142
ENGINEERING LICENSE # EB 9409
SURVEY LICENSE # LS 6680
WWW.BANKSENG.COM

THIS IS NOT A BOUNDARY SURVEY

SKETCH TO ACCOMPANY DESCRIPTION
RESIDENTS AT BURNT STORE EAST
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
10/11/23	3215N	3215N	SW	CDB	1"=600'	20F2	28-42-23

EXHIBIT 3

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

The undersigned is the owner of certain lands more fully described in **Exhibit A** attached hereto and made a part hereof ("Property").

The undersigned understands and acknowledges that Zemel Land Partners, LLC ("Petitioner") intends to submit an application to establish a community development district in accordance with the provisions of Chapter 190 of the Florida Statutes.

As the owner of lands which are intended to constitute a portion of 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 the 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 a written revocation is issued, 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, a 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 person executing this instrument.

[signatures on following page]

Executed this 8th day of NOVEMBER, 2023.

WITNESSES:

ZEMEL LAND PARTNERS, LLC

a Florida limited liability company

Name: _____

Name: _____

By: _____

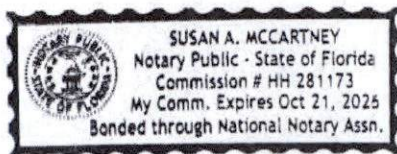
Its: _____

STATE OF FLORIDA

COUNTY OF Sarasota

I hereby certify that on this day, before me, by means of ☒ physical presence or ☐ online notarization, an officer duly authorized to take acknowledgments, personally appeared MICHAEL NEAL as MANAGER of Zemel Land Partners, LLC, who executed the foregoing instrument, acknowledged before me that s/he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal this 8 day of NOVEMBER, 2023.



Notary Public

Personally known: ☒

Produced Identification: _____

Type of Identification: _____

Exhibit A: Property Description



Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTION 28, T-42-S, R-23-E,
CHARLOTTE COUNTY, FLORIDA.

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH EAST CORNER OF SAID SECTION 28 AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT 66744; THENCE S.00°02'07"W. ALONG THE EAST LINE OF SAID SECTION 28 FOR 2743.70 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 28 AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT 66746; THENCE S.00°01'46"W. ALONG SAID EAST LINE FOR 2744.06 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 28 AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT 66932; THENCE S.89°35'50"W. ALONG THE SOUTH LINE OF SAID SECTION 28 FOR 2694.39 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 28 AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT 66748; THENCE N.00°22'17"E. ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 28 FOR 5509.18 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 28 AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT 66743; THENCE S.89°56'57"E. ALONG THE NORTH LINE OF SAID SECTION 28 FOR 2661.71 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT - EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK, SITE CODE "PNTA"; WHEREIN THE NORTH LINE OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST BEARS S.89°56'57"E.

CONTAINS 338.02 ACRES, MORE OR LESS.

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FLORIDA LICENSED BUSINESS NO. LB6690

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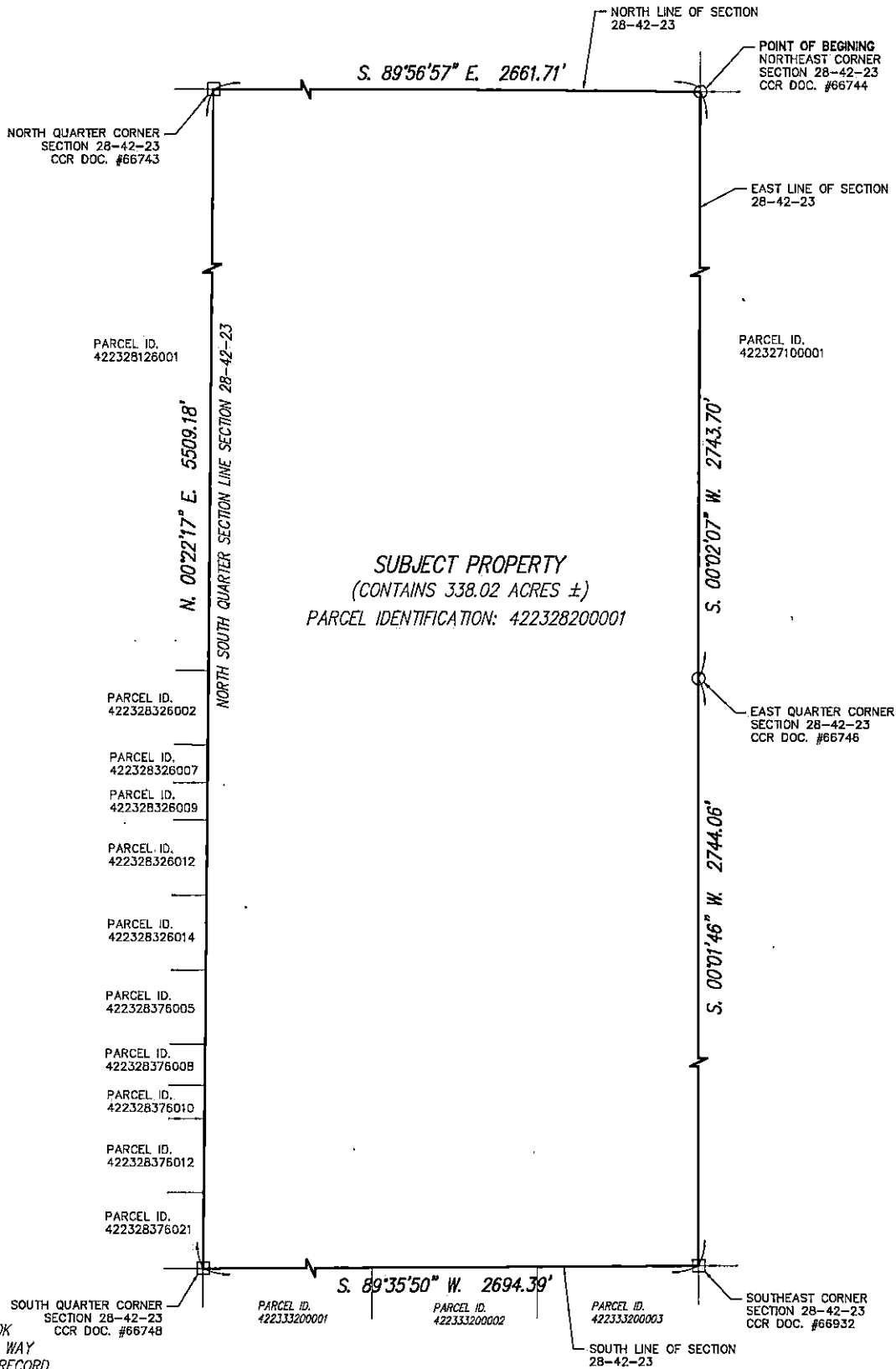


Date:
2023.10.11
15:03:35
-04'00'

C. DREW BRANCH, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 5542

SHEET 1 OF 2

SERVING THE STATE OF FLORIDA



LEGEND
PGS.
P.B.
R/W
O.R.
S.R.
SQ. FT.
C1
CCR
DOC.

PAGES
PLAT BOOK
RIGHT OF WAY
OFFICIAL RECORD
STATE ROAD
SQUARE FEET
LINE 1 OF CURVE TABLE
CERTIFIED CORNER RECORD
DOCUMENT

BANKS
ENGINEERING

Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida

4101 TANKER TRAIL - BLDG 8 UNIT 501
PORT CHARLOTTE, FLORIDA 33652
PHONE: (813) 625-1165 FAX: (813) 625-1149
ENGINEERING LICENSE # 121 0400
SURVEY LICENSE # 121 0400
WWW.BANKSENG.COM

THIS IS NOT A BOUNDARY SURVEY

SKETCH TO ACCOMPANY DESCRIPTION
RESIDENTS AT BURNT STORE EAST
CHARLOTTE COUNTY, FLORIDA

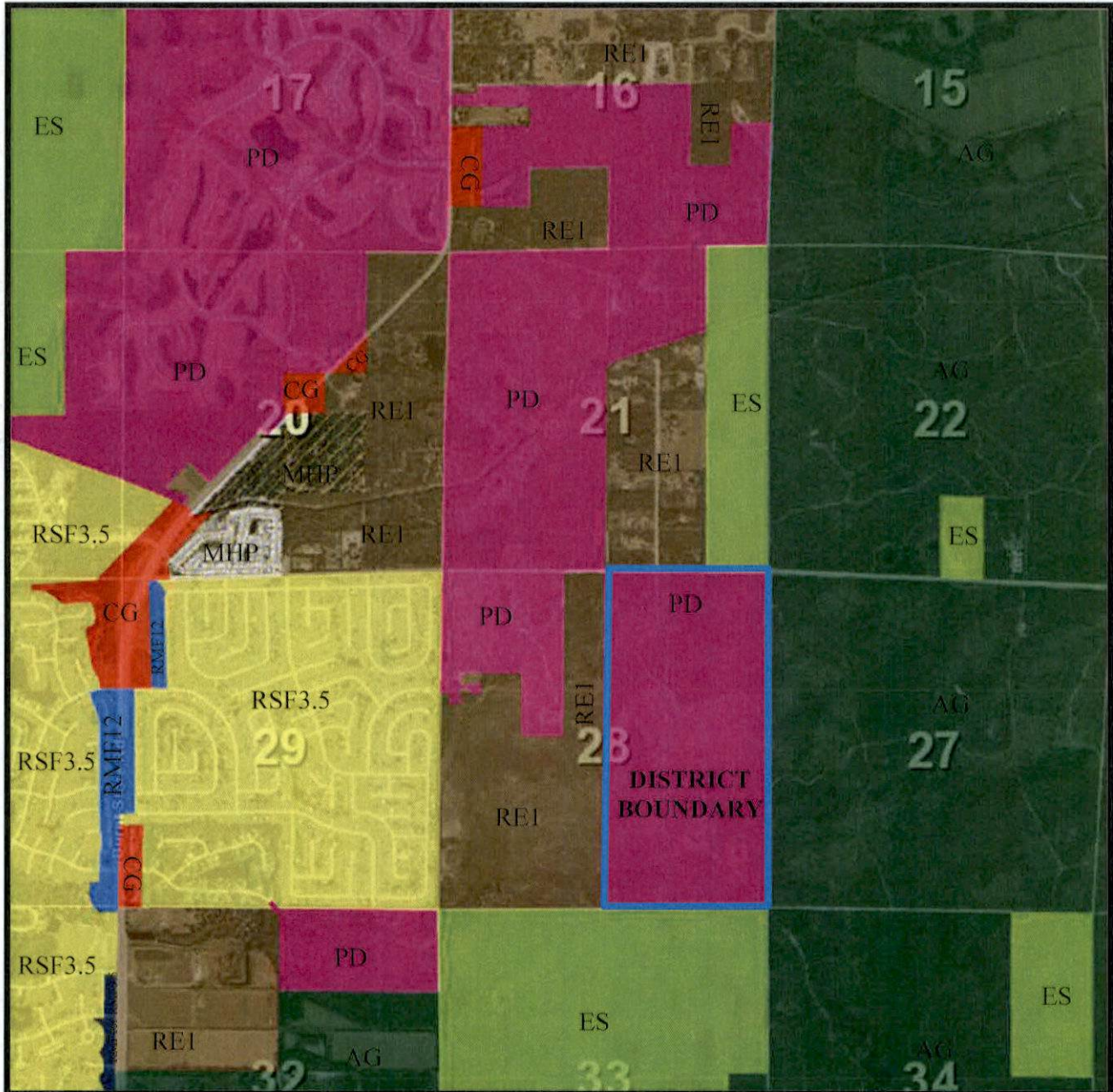
DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
10/11/23	3215N	3215N	SW	CDB	1"=500'	20F2	28-42-23

EXHIBIT 4

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

ZONING MAP FIRELIGHT EAST CDD Charlotte County, Florida August 2023



Legend: AG=Agricultural, ES=Environment Sensitive, PD=Planned Development, CG=Commercial General, RE1=Residential Estates-1 unit/acre, MHP= Manufactured Home Park, RSF3.5= Residential-Single Family 3.5 units/ acre, RMF12=Multifamily-12 units/acre,

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

FUTURE LAND USE MAP FIRELIGHT EAST CDD Charlotte County, Florida August 2023



Legend: BSLD= Burnt Store Limited Development, COM= Commercial, PRES= Preservation, RC= Resource Conservation

EXHIBIT 5

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

EXISTING UTILITIES MAP FIRELIGHT EAST CDD Charlotte County, Florida October 2023

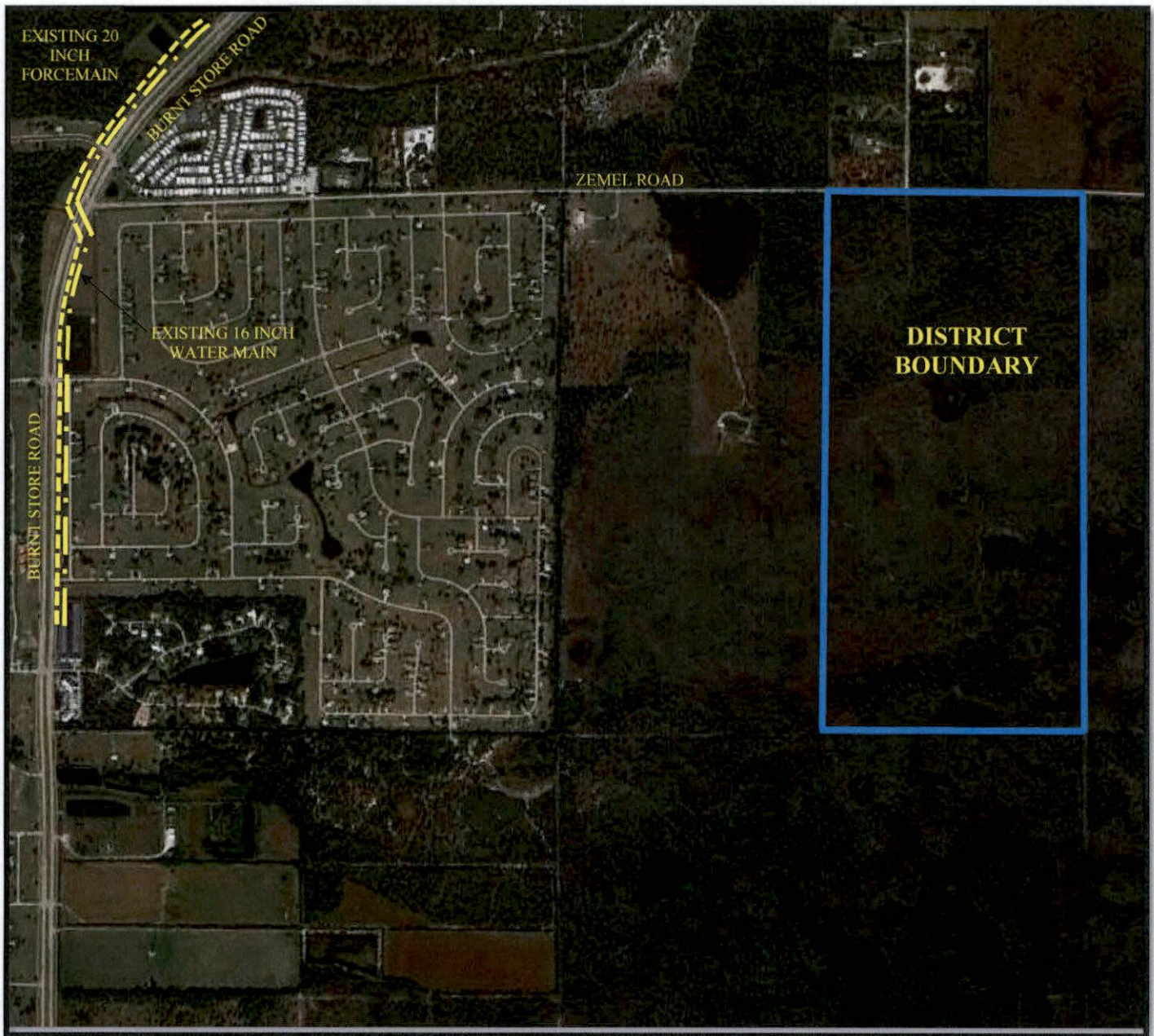


EXHIBIT 6

**FIRELIGHT EAST
COMMUNITY DEVELOPMENT DISTRICT
Proposed Facilities and Services**

FACILITY	FUNDED BY	OWNED BY	MAINTAINED BY
Stormwater Management System	CDD	CDD	CDD
Onsite Wetland Conservation/Migration	CDD	CDD	CDD
Public Roadways (Onsite)	CDD	CDD	CDD
Public Roadways (Offsite)	CDD	County	County
Water, Wastewater & Reclaim Utilities (Onsite & Offsite)	CDD	County	County
Hardscape, Landscape & Irrigation	CDD	CDD	CDD
Streetlights/Undergrounding of Electrical Lines	CDD	CDD	CDD
Recreational Amenities (Active & Passive)	CDD	CDD	CDD
Professional Services	CDD	N/A	N/A
Contingency	CDD	N/A	N/A

EXHIBIT 7

FIRELIGHT EAST
COMMUNITY DEVELOPMENT DISTRICT
Estimated Costs of Construction

CATEGORY	COST
Stormwater Management System	\$13,000,000
Onsite Wetland Conservation/Migration	\$1,750,000
Public Roadways (Onsite)	\$6,250,000
Public Roadways (Offsite)	\$1,300,000
Water, Wastewater & Reclaim Utilities (Onsite & Offsite)	\$13,600,00
Hardscape, Landscape & Irrigation	\$4,000,000
Streetlights/Undergrounding of Electrical Lines	\$2,000,000
Recreational Amenities (Active & Passive)	\$3,500,000
Professional Services	\$1,500,000
Contingency	\$6,810,000
Total	\$53,710,000

EXHIBIT 8

FIRELIGHT EAST COMMUNITY DEVELOPMENT DISTRICT

Statement of Estimated Regulatory Costs

November 9, 2023



Provided by

Wrathell, Hunt and Associates, LLC

2300 Glades Road, Suite 410W

Boca Raton, FL 33431

Phone: 561-571-0010

Fax: 561-571-0013

Website: www.whhassociates.com

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to establish the Firelight East Community Development District ("District") in accordance with the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes (the "Act"). The proposed District will comprise approximately 338.02 +/- acres of land located within Charlotte County, Florida (the "County") and is projected to contain approximately 529 residential dwelling units, which will make up the Firelight East development ("Project"). The limitations on the scope of this SERC are explicitly set forth in Section 190.002(2)(d), Florida Statutes ("F.S.") (governing the District establishment) 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 is not material or relevant (emphasis added)."

1.2 Overview of the Firelight East Community Development District

The District is designed to provide public infrastructure, services, and facilities, along with operation and maintenance of the same, to a master planned residential development currently anticipated to contain a total of approximately 529 residential dwelling units. Tables 1 and 2 under Section 5.0 detail the improvements and ownership/maintenance responsibilities the proposed District is anticipated to construct, operate and maintain.

A community development district ("CDD") is an independent unit of special purpose local government authorized by the Act to plan, finance, construct, operate and maintain community-wide infrastructure in planned community developments. CDDs 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), F.S.

A CDD is not a substitute for the local, general purpose government unit, i.e., the city or county in which the CDD lies. A CDD does not have the permitting, zoning or policing powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating and maintaining public infrastructure for developments, such as Firelight East.

1.3 Requirements for Statement of Estimated Regulatory Costs

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

(a) An economic analysis showing whether the rule directly or indirectly:

1. 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;

2. 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

3. 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 or local revenues.

(d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "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, 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 s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. 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. (Charlotte County, according to Census 2020, has a population of 186,847; therefore, it is not defined as a small county for the purposes of this requirement.)

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

(g) In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

Note: the references to "rule" in the statutory requirements for the Statement of Estimated Regulatory Costs also apply to an "ordinance" under section 190.005(2)(a), F.S.

- 2.0 An economic analysis showing whether the ordinance directly or indirectly:**
- 1. 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 ordinance;**
 - 2. 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 ordinance; or**
 - 3. 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 ordinance.**

The ordinance establishing the District is not anticipated to have any direct or indirect adverse impact on economic growth, private sector job creation or employment, private sector investment, business competitiveness, ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation. Any increases in regulatory costs, principally the anticipated increases in transactional costs as a result of imposition of special assessments by the District will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is voluntary and all additional costs will be disclosed to prospective buyers prior to sale, such increases should be considered voluntary, self-imposed and offset by benefits received from the infrastructure and services provided by the District.

2.1 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 ordinance.

The purpose for establishment of the District is to provide public facilities and services to support the development of a new, master planned residential development. The development of the approximately 338.02 +/- acres anticipated to be within the District will promote local economic activity, create local value, lead to local private sector investment and is likely to result in local private sector employment and/or local job creation.

Establishment of the District will allow a systematic method to plan, fund, implement, operate and maintain, for the benefit of the landowners within the District, various public facilities and services. Such facilities and services, as further described in Section 5, will allow for the development of the land within the District. The provision of District's infrastructure and the subsequent development of land will generate private economic activity, economic growth, investment and employment, and job creation. The District intends to use proceeds of indebtedness to fund construction of public infrastructure, which will be constructed by private firms, and once constructed, is likely to use private firms to operate and maintain such infrastructure and provide services to the landowners and residents of the District. The private developer of the land in the District will use its private funds to conduct the private land development and construction of an anticipated approximately 529 residential dwelling units, the construction, sale, and continued use/maintenance of which will involve private firms. While similar economic growth, private sector job creation or employment, or private sector investment could be achieved in absence of the District by the private sector alone, the fact that the establishment of the District is initiated by the private developer means that the private developer considers the establishment and continued operation of the District as beneficial to the process of land development and the future economic activity taking place within the District, which in turn will lead directly or indirectly to economic growth, likely private sector job growth and/or support private

sector employment, and private sector investments.

2.2 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 ordinance.

When assessing the question of whether the establishment of the District is likely to directly or indirectly 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, one has to compare these factors in the presence and in the absence of the District in the development. When the question is phrased in this manner, it can be surmised that the establishment of the District is likely to not have a direct or indirect adverse impact on business competitiveness, productivity, or innovation versus that same development without the District. Similar to a purely private solution, District contracts will be bid competitively as to achieve the lowest cost/best value for the particular infrastructure or services desired by the landowners, which will ensure that contractors wishing to bid for such contracts will have to demonstrate to the District the most optimal mix of cost, productivity and innovation. Additionally, the establishment of the District for the development is not likely to cause the award of the contracts to favor non-local providers any more than if there was no District. The District, in its purchasing decisions, will not vary from the same principles of cost, productivity and innovation that guide private enterprise.

2.3 Likelihood of an increase in regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

The establishment of the District will not increase any regulatory costs of the State by virtue that the District will be one of many already existing similar districts within the State. As described in more detail in Section 4, the proposed District will pay a one-time filing fee to the County to offset any expenses that the County may incur in holding a local public hearing on the petition. Similarly, the proposed District will pay annually the required Special District Filing Fee, which fee is meant to offset any State costs related to its oversight of all special districts in the State.

The establishment of the District will, however, directly increase regulatory costs to the landowners within the District. Such increases in regulatory costs, principally the anticipated increases in transactional costs as a result of likely imposition of special assessments and use fees by the District, will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is completely voluntary, all current property owners must consent to the establishment of the District and all initial prospective buyers will have such additional transaction costs disclosed to them prior to sale, as required by State law. Such costs, however, should be considered voluntary, self-imposed, and as a tradeoff for the enhanced service and facilities provided by the District.

The District will incur overall operational costs related to services for infrastructure maintenance, landscaping, amenity operation and similar items. In the initial stages of development, the costs will likely be minimized. These operating costs will be funded by the landowners through direct funding agreements or special assessments levied by the District. Similarly, the District may incur costs associated with the issuance and repayment of special assessment revenue bonds. While these costs in the aggregate may approach the stated threshold over a five-year period, this would not be unusual for a Project of this nature and the infrastructure and services proposed to be provided by the District will

be needed to serve the Project regardless of the existence of the District. Thus, the District-related costs are not additional development costs. Due to the relatively low cost of financing available to CDDs, due to the tax-exempt nature of CDD debt, certain improvements can be provided more efficiently by the District than by alternative entities. Furthermore, it is important to remember that such costs would be funded through special assessments paid by landowners within the District, and would not be a burden on the taxpayers outside the District nor can the District debt be a debt of the County or the State.

3.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the ordinance, together with a general description of the types of individuals likely to be affected by the ordinance.

The individuals and entities likely to be required to comply with the ordinance or affected by the proposed action (i.e., adoption of the ordinance) can be categorized, as follows: 1) The State of Florida and its residents, 2) Charlotte County and its residents, 3) current property owners, and 4) future property owners.

a. The State of Florida

The State of Florida and its residents and general population will not incur any compliance costs related to the establishment and on-going administration of the District, and will only be affected to the extent that the State incurs those nominal administrative costs outlined herein. The cost of any additional administrative services provided by the State as a result of this project will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

b. Charlotte County, Florida

The County and its residents not residing within the boundaries of the District will not incur any compliance costs related to the establishment and on-going administration of the District other than any one-time administrative costs outlined herein, which will be offset by the filing fee submitted to the County. Once the District is established, these residents will not be affected by adoption of the ordinance. The cost of any additional administrative services provided by the County as a result of this development will be incurred whether the infrastructure is financed through the District or any alternative financing method.

c. Current Property Owners

The current property owners of the lands within the proposed District boundaries will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

d. Future Property Owners

The future property owners are those who will own property in the proposed District. These future property owners will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

The proposed District will serve land that comprises an approximately 338.02 +/- acre master planned residential development currently anticipated to contain a total of approximately 529 residential

dwelling units, although the development plan can change. Assuming an average density of 3.5 persons per residential dwelling unit, the estimated residential population of the proposed District at build out would be approximately 1,852 +/- and all of these residents as well as the landowners within the District will be affected by the ordinance. The County, the proposed District and certain state agencies will also be affected by or required to comply with the ordinance as more fully discussed hereafter.

4.0 A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed ordinance, and any anticipated effect on state or local revenues.

The County is establishing the District by ordinance in accordance with the Act and, therefore, there is no anticipated effect on state or local revenues.

4.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance

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

State Governmental Entities

The cost to state entities to review or enforce the proposed ordinance will be very modest. The District comprises less than 2,500 acres and is located within the boundaries of Charlotte County. Therefore, the County (and not the Florida Land and Water Adjudicatory Commission) will review and act upon the Petition to establish the District, in accordance with Section 190.005(2), F.S. There are minimal additional ongoing costs to various state entities to implement and enforce the proposed ordinance. The costs to various state entities to implement and enforce the proposed ordinance relate strictly to the receipt and processing of various reports that the District is required to file with the State and its various entities. Appendix A lists the reporting requirements. The costs to those state agencies that will receive and process the District's reports are minimal because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.064, F.S., the District must pay an annual fee to the State of Florida Department of Economic Opportunity which offsets such costs.

Charlotte County, Florida

The proposed land for the District is located within Charlotte County, Florida and consists of less than 2,500 acres. The County and its staff may process, analyze, conduct a public hearing, and vote upon the petition to establish the District. These activities will absorb some resources; however, these costs incurred by the County will be 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 most, if not all, of the information needed for a staff review. Third, the County already possesses the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, the potential costs are offset by a filing fee included with the petition to offset any expenses the County may incur in the processing of this petition. Finally, the County already processes similar petitions, though for entirely different subjects, for land uses and zoning changes that are far more complex than the petition to establish a community development district.

The annual costs to the County, because of the establishment of the District, are also very small. The District is an independent unit of local government. The only annual costs the County faces are the minimal costs of receiving and reviewing the reports that the District is required to provide to the County, or any monitoring expenses the County may incur if it establishes a monitoring program for governmental entities.

4.2 Impact on State and Local Revenues

Adoption of the proposed ordinance will have no negative impact on state or local revenues. A CDD is an independent unit of local government. It is designed to provide infrastructure facilities and services to serve the development project and it has its own sources of revenue. No state or local subsidies are required or expected.

Any non-ad valorem assessments levied by the District will not count against any millage caps imposed on other taxing authorities providing services to the lands within the District. It is also important to note that any debt obligations the District may incur are not debts of the State of Florida or any other unit of local government, including the County. By Florida law, debts of the District are strictly its own responsibility.

5.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government 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. Financing for these facilities is projected to be provided by the District.

Table 2 illustrates the estimated costs of construction of the capital facilities, outlined in Table 1. Total costs of construction for those facilities that may be provided are estimated to be approximately \$53,710,000.00. The District may levy non-ad valorem special assessments (by a variety of names) and may issue special assessment bonds to fund the costs of these facilities. These bonds would be repaid through non-ad valorem special assessments levied on all developable properties in the District that may benefit from the District's infrastructure program as outlined in Table 2.

Prospective future landowners in the proposed District may be required to pay non-ad valorem special assessments levied by the District to provide for facilities and secure any debt incurred through bond issuance. In addition to the levy of non-ad valorem special assessments which may be used for debt service, the District may also levy a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services. However, purchasing a property within the District or locating in the District by new residents is completely voluntary, so, ultimately, all landowners and residents of the affected property choose to accept the non-ad valorem assessments as a tradeoff for the services and facilities that the District will provide. In addition, state law requires all assessments levied by the District to be disclosed by the initial seller to all prospective purchasers of property within the District.

Table 1
FIRELIGHT EAST
COMMUNITY DEVELOPMENT DISTRICT
Proposed Facilities and Services

FACILITY	FUNDED BY	OWNED BY	MAINTAINED BY
Stormwater Management System	CDD	CDD	CDD
Onsite Wetland Conservation/Migration	CDD	CDD	CDD
Public Roadways (Onsite)	CDD	CDD	CDD
Public Roadways (Offsite)	CDD	County	County
Water, Wastewater & Reclaim Utilities (Onsite & Offsite)	CDD	County	County
Hardscape, Landscape & Irrigation	CDD	CDD	CDD
Streetlights/Undergrounding of Electrical Lines	CDD	CDD	CDD
Recreational Amenities (Active & Passive)	CDD	CDD	CDD
Professional Services	CDD	N/A	N/A
Contingency	CDD	N/A	N/A

A CDD provides the property owners with an alternative mechanism of providing public services; however, special assessments and other impositions levied by the District and collected by law represent the transactional costs incurred by landowners as a result of the establishment of the District. Such transactional costs should be considered in terms of costs likely to be incurred under alternative public and private mechanisms of service provision, such as other independent special districts, County or its dependent districts, or County management but financing with municipal service benefit units and municipal service taxing units, or private entities, all of which can be grouped into three major categories: public district, public other, and private.

Table 2
FIRELIGHT EAST
COMMUNITY DEVELOPMENT DISTRICT
Estimated Costs of Construction

CATEGORY	COST
Stormwater Management System	\$13,000,000
Onsite Wetland Conservation/Migration	\$1,750,000
Public Roadways (Onsite)	\$6,250,000
Public Roadways (Offsite)	\$1,300,000
Water, Wastewater & Reclaim Utilities (Onsite & Offsite)	\$13,600,00
Hardscape, Landscape & Irrigation	\$4,000,000
Streetlights/Undergrounding of Electrical Lines	\$2,000,000
Recreational Amenities (Active & Passive)	\$3,500,000
Professional Services	\$1,500,000
Contingency	\$6,810,000
Total	\$53,710,000

With regard to the public services delivery, dependent and other independent special districts can be used to manage the provision of infrastructure and services, however, they are limited in the types of services they can provide, and likely it would be necessary to employ more than one district to provide all services needed by the development.

Other public entities, such as counties, are also capable of providing services, however, their costs in connection with the new services and infrastructure required by the new development and, transaction costs, would be borne by all taxpayers, unduly burdening existing taxpayers. Additionally, other public entities providing services would also be inconsistent with the State's policy of "growth paying for growth".

Lastly, services and improvements could be provided by private entities. However, their interests are primarily to earn short-term profits and there is no public accountability. The marginal benefits of tax-exempt financing utilizing CDDs would cause the CDD to utilize its lower transactional costs to enhance the quality of infrastructure and services.

In considering transactional costs of CDDs, it shall be noted that occupants of the lands to be included within the District will receive three major classes of benefits.

First, those residents in the District will receive a higher level of public services which in most instances will be sustained over longer periods of time than would otherwise be the case.

Second, a CDD is a mechanism for assuring that the public services will be completed concurrently with development of lands within the development. 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 local governance which is specifically established to provide CDD landowners with planning, construction, implementation and short and long-term maintenance of public infrastructure at sustained levels of service.

The cost impact on the ultimate landowners in the development is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above, if applicable, what the landowners would have paid to install infrastructure via an alternative financing mechanism.

Consequently, a CDD provides property owners with the option of having higher levels of facilities and services financed through self-imposed revenue. The District is an alternative means to manage necessary development of infrastructure and services with related financing powers. District management is no more expensive, and often less expensive, than the alternatives of various public and private sources.

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

There will be little impact on small businesses because of the establishment of the District. If anything, the impact may be positive because the District must competitively bid all of its contracts and competitively negotiate all of its contracts with consultants over statutory thresholds. This affords small businesses the opportunity to bid on District work.

Charlotte County has a population of 186,847 according to the Census 2020 conducted by the United States Census Bureau and is therefore not defined as a "small" county according to Section 120.52, F.S. It can be reasonably expected that the establishment of community development district for the Firelight East development will not produce any marginal effects that would be different from those that would have occurred if the Firelight East development was developed without a community development district established by the County.

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 Petitioner's Engineer and other professionals associated with the Petitioner.

In relation to the question of whether the proposed Firelight East Community Development District is the best possible alternative to provide public facilities and services to the project, there are several additional factors which bear importance. As an alternative to an independent district, the County could establish a dependent district for the area or establish an MSBU or MSTU. Either of these alternatives could finance the improvements contemplated in Tables 1 and 2 in a fashion similar to the proposed District.

There are a number of reasons why a dependent district is not the best alternative for providing public facilities and services to the Firelight East development. First, unlike a CDD, this alternative would require the County to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be directly and wholly attributed to the land directly benefiting from them, as the case would be with a CDD. Administering a project of the size and complexity of the development program anticipated for the Firelight East development is a significant and expensive

undertaking.

Second, a CDD is preferable from a government accountability perspective. With a CDD, residents and landowners in the District would have a focused unit of government ultimately under their direct control. The CDD can then be more responsive to resident needs without disrupting other County responsibilities. By contrast, if the County were to establish and administer a dependent special district, then the residents and landowners of the Firelight East development would take their grievances and desires to the County Commission meetings.

Third, any debt of an independent CDD is strictly that CDD's responsibility. While it may be technically true that the debt of a County-established, dependent special district is not strictly the County's responsibility, any financial problems that a dependent special district may have may reflect on the County. This will not be the case if a CDD is established.

Another alternative to a CDD would be for a Property Owners' Association (POA) to provide the infrastructure as well as operations and maintenance of public facilities and services. A CDD is superior to a POA for a variety of reasons. First, unlike a POA, a CDD can obtain low-cost financing from the municipal capital market. Second, as a government entity a CDD can impose and collect its assessments along with other property taxes on the County's real estate tax bill. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Third, the proposed District is a unit of local government. This provides a higher level of transparency, oversight and accountability and the CDD has the ability to enter into interlocal agreements with other units of government.

8.0 A description of any regulatory alternatives submitted under section 120.541(1)(a), F.S., and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed ordinance.

No written proposal, statement adopting an alternative or statement of the reasons for rejecting an alternative have been submitted.

Based upon the information provided herein, this Statement of Estimated Regulatory Costs supports the petition to establish the Firelight East Community Development District.

APPENDIX A
LIST OF REPORTING REQUIREMENTS

REPORT	FL. STATUTE CITATION	DATE
Annual Financial Audit	190.008/218.39	9 months after end of Fiscal Year
Annual Financial Report	190.008/218.32	45 days after the completion of the Annual Financial Audit but no more than 9 months after end of Fiscal Year
TRIM Compliance Report	200.068	no later than 30 days following the adoption of the property tax levy ordinance/resolution (if levying property taxes)
Form 1 - Statement of Financial Interest	112.3145	within 30 days of accepting the appointment, then every year thereafter by 7/1 (by "local officers" appointed to special district's board); during the qualifying period, then every year thereafter by 7/1 (by "local officers" elected to special district's board)
Public Facilities Report	189.08	within one year of special district's creation; then annual notice of any changes; and updated report every 7 years, 12 months prior to submission of local government's evaluation and appraisal report
Public Meetings Schedule	189.015	quarterly, semiannually, or annually
Bond Report	218.38	when issued; within 120 days after delivery of bonds
Registered Agent	189.014	within 30 days after first meeting of governing board
Proposed Budget	190.008	annually by June 15
Adopted Budget	190.008	annually by October 1
Public Depositor Report	280.17	annually by November 30
Notice of Establishment	190.0485	within 30 days after the effective date of an ordinance establishing the District
Notice of Public Financing	190.009	file disclosure documents in the property records of the county after financing

EXHIBIT 9

AUTHORIZATION OF AGENT

This letter shall serve as a designation of Jonathan T. Johnson of Kutak Rock LLP, whose address is 107 West College Avenue Tallahassee, Florida 32301, to act as agent with regard to any and all matters pertaining to the Petition to the Board of County Commissioners of Charlotte County, Florida, to establish a Community Development District pursuant to Chapter 190, Florida Statutes. The petition is true and correct. This authorization shall remain in effect until revoked in writing.

Witnessed:

Zemel Land Partners, LLC
a Florida limited liability company

John McKay
Print Name: John McKay

Michael Neal
By: Michael Neal
Its: Manager

Richard Beato
Print Name: RICHARD BEATO

STATE OF FLORIDA
COUNTY OF Sarasota

I hereby certify that on this day, before me, by means of ☒ physical presence or ☐ online notarization, an officer duly authorized to take acknowledgments, personally appeared MICHAEL NEAL as MANAGER of Zemel Land Partners, LLC, who executed the foregoing instrument, acknowledged before me that s/he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal this 8 day of NOVEMBER, 2023.

Susan A. McCartney
Notary Public



Personally known: ☒
Produced Identification: _____
Type of Identification: _____



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

February 27, 2024

Roger D. Eaton
Clerk of the Circuit Court
County Comptroller
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2024-001, which was filed in this office on February 27, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh

Allies fear US is becoming less reliable, with growing concern over a possible Trump return

JILL LAWLESS
Associated Press

LONDON — As chances rise of a Joe Biden-Donald Trump rematch in the U.S. presidential election, America's allies are bracing for a bumpy ride.

Many worry that a second term for Trump would be an earthquake, but tremors already abound — and concerns are rising that the U.S. could grow less dependable regardless of who wins. With a divided electorate and gridlocked Congress, the next American president could easily become consumed by manifold challenges at home — before even beginning to address flash points around the world, from Ukraine to the Middle East.

French President Emmanuel Macron's recent verdict was blunt: America's "first priority is itself."

The first Trump administration stress-tested the bonds between the U.S. and its allies, particularly in Europe. Trump decided the leaders of some friendly nations, including Germany's Angela Merkel and Britain's Theresa May, while praising authoritarianism such as Turkish President Recep Tayyip Erdogan and Russian leader Vladimir Putin. He has called China's Xi Jinping "brilliant" and Hungary's Viktor Orbán "a great leader."

In campaign speeches, Trump remains skeptical of organizations such as NATO, often lamenting the billions the U.S. spends on the military alliance whose support has been critical to Ukraine's fight against Russia's invasion.

He said at a rally on Saturday that, as president, he'd want NATO allies to "do whatever the hell they want" to countries that didn't pay their way in the alliance. Trump also wrote on his social media network that in the future the U.S. should end all foreign aid donations and replace them with loans.

NATO Secretary-General Jens Stoltenberg warned that Trump risked endangering U.S. troops and their allies. "Any suggestion that allies will not defend each other undermines all of our security, including that of the U.S. and puts American and European soldiers at increased risk," he said in a statement Sunday.

Biden, meanwhile, has made support for Ukraine a key priority and moral imperative. But Biden's re-election after his election in 2020 that "America is back" on the global stage has not been entirely borne out. Congressional Republicans have stalled more military aid for Ukraine, while American influence has been unable to contain conflict in the Middle East.

Thomas Giff, director of the Center on U.S. Politics at University College London, said that whoever wins the presidential race, the direction of travel will be the same — toward a multipolar planet in which the United States is no longer "the indispensable superpower."

Massive leaders refrain from commenting directly on the U.S. election, sticking to the line that it's for Americans to pick their leader. They are conscious that they will have to work with the eventual winner, whoever it is — and behind the scenes, governments will be doing the "backroom work" of quietly establishing links

with the contenders' political camps, said Richard Dalton, a former senior British diplomat.

But many of America's European NATO allies are worried that with or without Trump, the U.S. is becoming less reliable. Some have started to talk openly about the need for members to ramp up military spending, and to plan for an alliance without the United States.

German Chancellor Olaf Scholz said he was "currently on the phone a lot with my colleagues and asking them to do more" to support Ukraine. Germany is the second-largest donor of military aid to Kyiv, behind the U.S., but Scholz recently told German weekly Die Zeit that the country couldn't fill any gap on its own if "the U.S. ceased to be a supporter."

Trump's comments on Saturday about NATO rang alarm bells in Poland, which shares a border with Ukraine. "We have a hot war on our border," Polish Prime

Minister Donald Tusk said Sunday.

He warned: "We must realize that the EU cannot be an economic and civilizational giant and a dwarf when it comes to defense, because the world has changed."

Russia, meanwhile, is busy bolstering ties with China, Iran and North Korea and trying to chip away at Ukraine's international support.

Macron also suggested American attention was focused far from Europe. If Washington's top priority is the U.S., he said its second is China.

"This is also why I want a stronger Europe, that knows how to protect itself and isn't dependent on others," Macron told at a January news conference.

Trump does have supporters in Europe, notably pro-Russia populists such as Hungary's Orbán. But former British Prime Minister Boris Johnson raised some eyebrows when he argued recently that "a Trump



Then-U.S. President Donald Trump, right, meets with Russian President Vladimir Putin at the G20 Summit in Hamburg, Germany, July 7, 2017. While in power, Trump decided the leaders of some friendly nations while praising authoritarianism such as Putin. As chances rise of a Joe Biden-Trump rematch in the U.S. presidential election race, America's allies are bracing for a bumpy ride.

presidency could be just what the world needs." Johnson is a strong supporter of Ukraine in its struggle against Russian invasion, whereas Trump has frequently praised Putin and said he'd end the war within 24 hours.

However, Johnson said in a Daily Mail column that he didn't believe Trump would "itch the Ukrainians," but instead would help Ukraine win the war, leaving the West stronger "and the world more stable."



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NOTICE OF PUBLIC MEETING AND HEARING FOR ONE OR MORE OF THE FOLLOWING MATTERS: PROPOSED CHANGES TO THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN ELEMENTS, DEVELOPMENTS OF REGIONAL IMPACT OR CHANGES THERETO, REZONINGS, TRANSFER OF DENSITY UNITS (TDU), PRELIMINARY AND FINAL PLATS, DEVELOPER AGREEMENTS, STREET AND PLAT VACATIONS, DRC FINAL DETAIL PLANS OR CHANGES THERETO, TEXT AMENDMENTS AND STREET NAMING

A PUBLIC MEETING AND HEARING ON PETITIONS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, FEBRUARY 27, 2024, AT 9:00 A.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF FACTUM. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 118, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 1500 HURLOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS MUCH AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: <http://www.charlottecountyfl.gov/development/planning/county%20agenda%20public%20info.html>

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK. TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-761-4603 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

PETITIONS
LAND USE CONSENT AGENDA
DRC-23-0000
Silt Engineering Group is requesting PD Final Detail Site Plan approval for Old Landfill Road Overhaul Storage facility. The project consists of a 600,511 sq ft office and warehouse storage with canopy. This project site is 10.574 acres and is located at 25505 Old Landfill Road, Port Charlotte, FL 33980 in Section 19, Township 40, Range 23.

FP-23-12-27
Lennar Homes, LLC is requesting Final Plat approval for a residential subdivision to be named, Tuckers Cove, consisting of 659 single-family lots and 44 tracts for future development of multi-family homes, lakes, preservation areas, roads, common areas, and an amenity site. The proposed subdivision is a residential development that received Preliminary Plat approval from the Board of County Commissioners on September 12, 2023. The plat also seeks approval of a Developer's Agreement and warranty to cover the construction of the plat infrastructure. This site contains 723.414 acres and is generally located south of Burroughs Road, north of Babcock Trail and east of SR 31, inside the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 2, in the East County area, and in Commission District I.

FP-23-03-01
Lennar Homes, LLC is requesting Final Plat approval for a residential subdivision to be named, Webb Reserve, consisting of 171 single-family lots and 37 tracts for lakes, preserve areas, roads, common areas, a future amenity site and golf course. The proposed subdivision is a residential development that received Preliminary Plat approval from the Board of County Commissioners on September 12, 2023. The plat also seeks approval of a Developer's Agreement and warranty to cover the construction of the plat infrastructure. This site contains 648.514 acres and is generally located south of Burroughs Road, north of Babcock Trail and east of SR 31, inside the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 2, within the East County area, and in Commission District I.

LAND USE REGULAR AGENDA
CUD-23-02
An Ordinance of the Board of County Commissioners of Charlotte County, Florida, pursuant to Chapter 190, Florida Statutes, amending Part IV, Municipal Service Benefit and Testing Units, Chapter 4-15 Municipal Service Districts, by creating new Article XIX, Firelight East Community Development District (CDD); providing for new Section 4-1.3-240, Authority; providing for new Section 4-1.3-241, District Name; providing for new Section 4-1.3-242, District External Boundaries; providing for new Section 4-1.3-243, District Powers and Functions; providing for new Section 4-1.3-244, Board of Supervisors; providing for additional requirements and providing for repealing: Section No. CUD-23-02, Applicant: Zoned Land Partners, LLC; providing for an effective date. The proposed CUD is located at 26001 or 27001 Zoned Road, in the Punta Gorda area, within the town bay of the Burnt Hole Area 19th area, and in Commission District II. The site contains 338.021 acres.

PAL-23-0002
Pursuant to Section 163.31(4)(D), Florida Statutes, adopt a Large Scale Plan Amendment, the amendment request is to change Charlotte County PALM Series Map 21, 2000 Future Land Use, from Agriculture (AU) to Mineral Resource Extraction (MRE); for property located at 3721 SR 31, in the Punta Gorda area and within the East County area, containing 516.221 acres, Commission District I; Petition No. PAL-23-0002; Applicant: JD Farms Inc.; providing an effective date.

Z-23-54-13
An Ordinance pursuant to Section 135.64, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Recreation and Mining (RM), for property located at 3721 SR 31, in the Punta Gorda area and within the East County area, containing 516.221 acres, Commission District I; Petition No. Z-23-54-13; Applicant: JD Farms Inc.; providing an effective date.

Z-23-54-14
An Ordinance pursuant to Section 135.64, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Single Family-1.5 to Industrial General (IG) in order to correct an inconsistency between the Future Land Use Map designations and Zoning District; for a portion of Charlotte County Right-of-Way, located at 19445 Kentworth Boulevard, in the Port Charlotte area, containing 0.3134 acres, Commission District V; Petition No. Z-23-54-14; Applicant: Eco-South Services; providing an effective date.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. For more information, contact the County's Disability Services Unit, located at 1500 Hurlock Circle, Building A of the Charlotte County Administration Center, for the hearing impaired are available at the First Service Desk, Building A of the Charlotte County Administration Center. Any meeting held at a location not accessible to persons with disabilities and services phone contact our office at 941-761-4191, TDD/VOICEMAIL 941-761-4191, or by email to: David.Lyden@charlottecountyfl.gov.

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5 x 13
Submitted by: Heather Bennett
Publish: 02/12/2024
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**PUBLISHER'S AFFIDAVIT OF
PUBLICATION STATE OF FLORIDA COUNTY
OF CHARLOTTE:**

Before the undersigned authority personally appeared Melinda Prescott, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

02/12/24

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

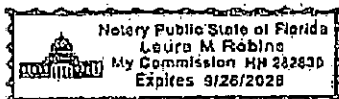
Melinda Prescott

(Signature of Affiant)

Sworn and subscribed before me this 12th day of
February, 2024

Laura M Robins

(Signature of Notary Public)



Personally known X OR Produced Identification