

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

Agenda Item #: **4C-1**

AGENDA ITEM SUMMARY



Meeting Date: August 16, 2016 Consent Regular W/ADDITIONAL
 Workshop Public Hearing BACKUP

Department: Planning, Zoning and Building

Submitted By: Planning, Zoning and Building

Submitted For: Planning Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends a motion to continue to September 27, 2016 at 9:30 a.m.: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA ESTABLISHING A COMMUNITY DEVELOPMENT DISTRICT OVER THE REAL PROPERTY LEGALLY DESCRIBED ON EXHIBIT "B" TO THIS ORDINANCE COMPRISING OF APPROXIMATELY 203.54 ACRES: NAMING OF THE INITIAL MEMBERS OF THE BOARD; ESTABLISHING THE NAMING OF THE DISTRICT AS GULFSTREAM POLO COMMUNITY DEVELOPMENT DISTRICT; DESIGNATING THE PURPOSE OF THE DISTRICT; DESIGNATING THE POWERS OF THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.


Summary: The Board of County Commissioners (BCC) has been petitioned by Pulte Home Corporation to grant the establishment of the Gulfstream Polo Community Development District (CDD). The attached staff report provides a review of the petition for consistency with the 6 statutory factors identified in Chapter 190, F.S. and previous BCC direction regarding CDDs. Future homeowners will be required to pay annual CDD assessments (\$900 - \$1,400) in addition to HOA fees and both ad valorem and non ad valorem taxes. The petitioner has agreed to enhanced disclosure requirements for these assessments and to not include any off-site improvements in the obligations of future residents, as previously directed by the BCC. Both the disclosure requirements and the limitation on off-site improvement funding are included within the proposed ordinance. As the petition is consistent with the Florida Statutes and previous BCC direction regarding CDDs, staff is recommending approval of the proposed ordinance. District 6 (RPB)

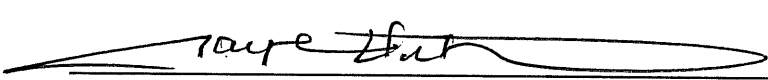
Background and Policy Issues: A CDD is an independent special district authorized by Chapter 190, F.S. A CDD has general powers to enter into contracts, own property, impose assessments, levy taxes and bond for infrastructure improvements on property within the district, including improvements previously built by the petitioner. In the early 2000s, the BCC expressed concern over the establishment of CDDs, citing the use of CDD funds for offsite improvements and the limited disclosure requirements for assessments set forth in Ch. 190, F.S.

In 2003, the BCC directed staff to review CDD petitions on a case-by-case basis and deny CDD petitions with off-site improvements. Since 2003, staff has reviewed each CDD petition for compliance with the Florida Statutes, the exclusion of off-site improvements in the obligations of future residents and the inclusion of the enhanced disclosure conditions. A history of previous CDD petitions in unincorporated County, including staff recommendations and Board actions, is provided in the staff report. The Gulfstream Polo CDD petitioner has agreed to the enhanced disclosure requirements and is not including any off-site improvements in the obligations of future residents. A full analysis of these additional review criteria and the 6 statutory factors set forth in Chapter 190, F.S. is included in the attached staff report's Section V. Data and Analysis.

Attachments:

1. Postponement Letter
2. Map,
3. Staff Report
4. Petition
5. Proposed Ordinance

Recommended by:  7/20/16
 Department Director Date

Approved By:  8/11/16
 Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Year | <u>2016</u> | <u>2017</u> | <u>2018</u> | <u>2019</u> | <u>2020</u> |
|--|-------------------|------------------|------------------|------------------|------------------|
| Capital Expenditures | _____ | _____ | _____ | _____ | _____ |
| Operating Costs | _____ | _____ | _____ | _____ | _____ |
| External Revenues | _____ | _____ | _____ | _____ | _____ |
| Program Income (County) | _____ | _____ | _____ | _____ | _____ |
| In-Kind Match (County) | _____ | _____ | _____ | _____ | _____ |
| NET FISCAL IMPACT | <u>_____*</u> | <u>_____</u> | <u>_____</u> | <u>_____</u> | <u>_____</u> |
| No. ADDITIONAL FTE POSITIONS (Cumulative) | _____ | _____ | _____ | _____ | _____ |
| Is Item Included In Current Budget? Yes _____ No _____ | | | | | |
| Budget Account No.: Fund _____ Department _____ Unit _____ | | | | | |
| Object _____ Reporting Category _____ | | | | | |

B. Recommended Sources of Funds/Summary of Fiscal Impact:

* No fiscal impact associated with this item.

C. Departmental Fiscal Review: *Paul D'Agostino*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Lisa P... 7/25/16
OFMB 7/22

Dr. J. ... 7/29/16
Contract Dev. and Control
7/28/16

B. Legal Sufficiency:

[Signature]
Assistant County Attorney

C. Other Department Review:

Department Director



August 12, 2016

Erin Fitzhugh Sita, Senior Planner
Board of County Commissioners
Palm Beach County
301 North Olive Avenue-Suite 1201
West Palm Beach, FL 33401

Re: Gulfstream Polo Community Development District

Dear Erin:

On behalf of Pulte Homes Corporation, we respectfully request that the petition to establish the Gulfstream Polo Community Development District be postponed until September 27, 2016. Please feel free to contact me if you have any questions regarding this request.

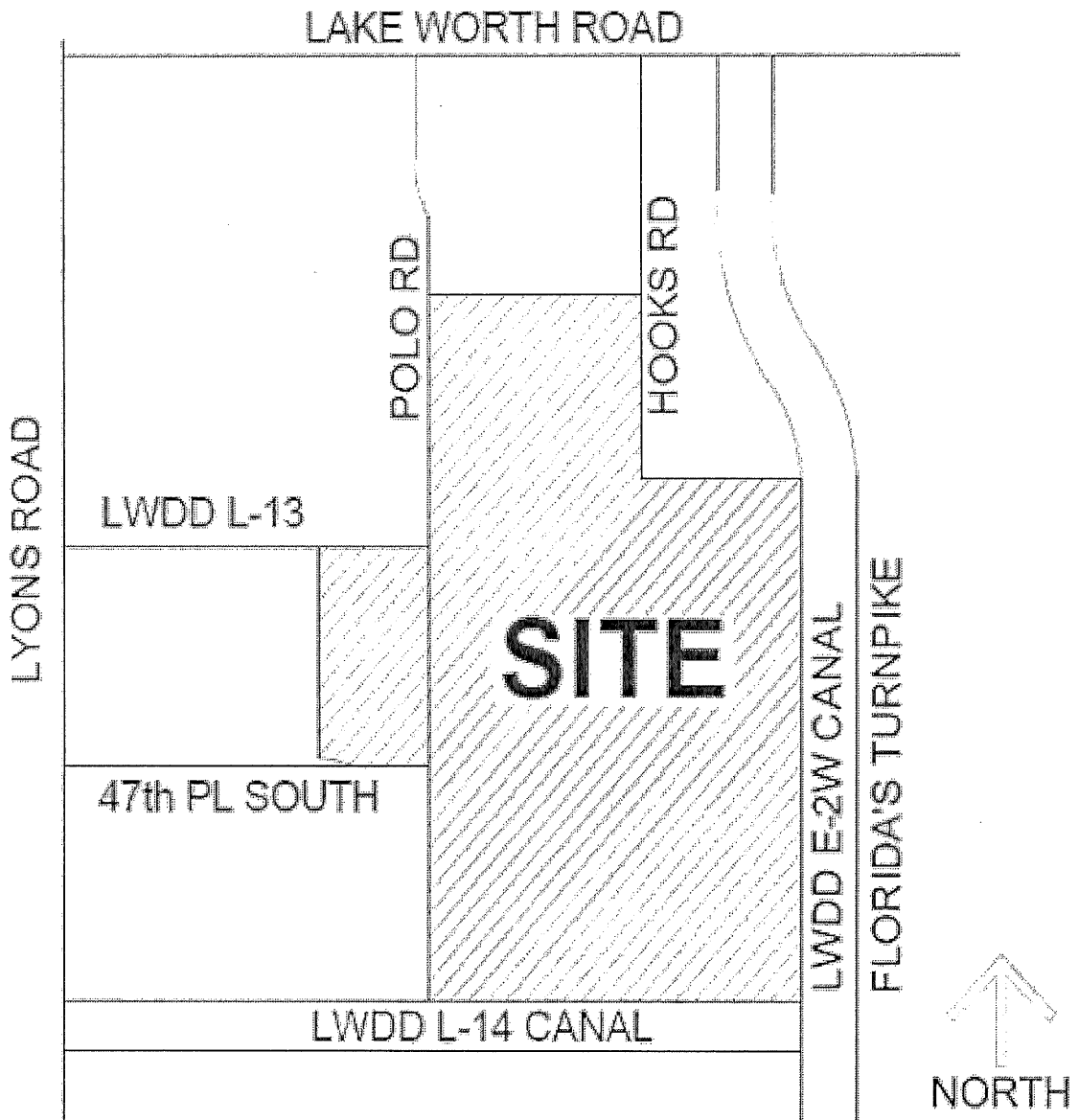
Thanking you in advance for your assistance in this very important matter.

Respectfully yours,
Special District Services, Inc.

Todd R. Wodraska
President

TRW/fw

ATTACHMENT 1 : GULFSTREAM POLO COMMUNITY DEVELOPMENT DISTRICT MAP





**COMMUNITY DEVELOPMENT DISTRICT (CDD)
GULFSTREAM POLO CDD
PETITION REVIEW**

BCC PUBLIC HEARING, AUGUST 16, 2016

I. General Data

| | |
|------------------------------|---|
| Project Name: | Gulfstream Polo Community Development District (CDD) |
| Location: | South of Lake Worth Road, east of Lyons Road and west of the Florida Turnpike. |
| Acres | 203.54 acres |
| Project Manager: | Erin Fitzhugh Sita, Senior Planner |
| Staff Recommendation: | Staff recommends a motion to ADOPT an Ordinance establishing the proposed CDD, which excludes off-site improvements in the obligations of future residents and establishes additional disclosure requirements as previously directed by the BCC. |

II. Item Summary

Summary: The Board of County Commissioners (BCC) has been petitioned by Pulte Home Corporation to grant the establishment of a CDD. A CDD is an independent special district, which may act as an alternative to a local government or utility for the management and financing of infrastructure and services required for the development of a community. The Gulfstream Polo CDD petitioner has requested the general powers typical of a CDD as well as some of the special powers set forth in Chapter 190.012, F.S. The requested special powers would allow the petitioner to bond for improvements related to water, wastewater, fire safety infrastructure, security and parks as required by the development order for The Fields at Gulfstream Polo PUD. CDD assessments are required to be paid in addition to HOA fees and all other applicable property taxes, including both ad valorem and non ad valorem taxes. This staff report provides a review of the petition for consistency with the 6 statutory factors identified in Chapter 190, F.S. as well as previous BCC direction regarding CDDs.

Assessment: Based upon the review and analysis in this report, the Planning Division has found this petition to be consistent with the 6 statutory factors set forth in Chapter 190, F.S. In addition, consistent with previous BCC direction, the petitioner has not included off-site improvements and has agreed to the enhanced disclosure requirements for the annual per lot assessments (\$900-\$1,400). Therefore, staff recommends approval of the proposed petition.

T:\Planning\Comprehensive\UTILITY\SpecialDistricts\Districts - CDDs\CDD Gulfstream Polo - 2016\Final Documents - Agenda Item\Gulfstream Polo CDD_Staff Report_Final 7-20-16.docx

III. Background

A CDD is an independent special district authorized by Chapter 190, F.S., also known as the "Uniform Community Development District Act of 1980" (The Act), for the purposes of managing and financing infrastructure and services required to support the development of a community. A CDD has general powers which, like a local government, allow it to enter into contracts, own property, adopt by-laws, bond for developer built infrastructure improvements, impose assessments, and levy taxes on property within the district. CDD assessments/taxes are required to be paid in addition to HOA fees and all other applicable property taxes, including both ad valorem and non ad valorem taxes. A CDD may also act more broadly depending on the special powers granted to the district by the authorizing local government. Section 190.012, F.S. identifies these special powers, including water management, water and wastewater provision and road building and maintenance. (See Exhibit 3) These special powers, related to public improvements and the provision of services, must be specifically requested by the petitioner and authorized by the BCC in the adopting ordinance.

Chapter 190, F.S. also contains criteria for establishing these independent special districts. This Chapter requires that proposed CDDs of less than 2,500 acres be created by County ordinance based upon a determination of 6 statutory factors. These factors are analyzed in Section V. Data and Analysis of this staff report.

In the early 2000s, the BCC expressed concern over the establishment of CDDs citing the use of CDD funds for offsite improvements and the limited disclosure requirements in the Florida Statutes for the additional taxes future residents would incur. At a September 24, 2002 CDD workshop, the BCC directed staff to deny residential CDDs and to include additional and detailed disclosure requirements in the adopting ordinance of any non-residential CDDs.

At an October 21, 2003 public hearing, the BCC stated the additional disclosure requirements for CDDs were satisfactory. The BCC also modified its previous direction to deny all residential CDD petitions and requested that staff instead review CDD petitions on a case-by-case basis, but continue to deny CDD petitions with off-site improvements. Since 2003, staff has reviewed each CDD petition for compliance with the Florida Statutes, the exclusion of off-site improvements in the obligations of future residents, and the inclusion of the enhanced disclosure conditions. A full analysis of these additional BCC directed review criteria is included in the Section V. Data and Analysis. In addition, for informational purposes, a history of previous CDD petitions in unincorporated County, including staff recommendations and Board actions, is provided in Exhibit 2.

IV. Request

The BCC has been petitioned by Pulte Home Corporation to grant the establishment of a 203.54 acre CDD, as authorized by Chapter 190, F.S. The petitioner has stated that the CDD is designed to provide district infrastructure, services, and facilities along with their operations and maintenance to a master planned residential development. This development was previously approved and known as the Gulfstream Polo Properties PUD (DOA 2015-02167, Control # 2005-00594) and is now known as The Fields at Gulfstream Polo PUD (Control # 2005-00594). The CDD includes Pods B – E (203.54 acres) of the 224.9 acre PUD, as the petitioner is intending to sell the portion of the PUD known as Pod A. The Fields at Gulfstream Polo PUD is currently approved for a total of 973 residential dwelling units, with 883 within Pods B – E. The PUD is obligated to build 36 workforce housing units, which the petitioner has stated will be fulfilled outside the boundaries of the CDD.

The petitioner for the proposed Gulfstream Polo CDD has requested the standard general powers identified in Section 190.011 and the special powers identified in 190.012(1) and 190.012(2)(a)(b)&(d); see Exhibit 3. The requested special powers relate to water, wastewater, parks, security and fire safety infrastructure improvements. The petitioner has stated that these requested powers are necessary in order to use CDDs funds to build the infrastructure improvements that were required by the PUD approval. The requested powers allow a CDD to bond for infrastructure improvements related to these powers and assess property owners for the repayment of the bond. However, property owners within the CDD are not exempt from any ad valorem or non ad valorem taxes, including those properties located within Municipal Service Taxing Units (MSTU). All CDD assessments are in addition to all required property taxes.

V. Data and Analysis

Chapter 190.005(2)(c) states that the County Commission shall consider the record of the public hearing and 6 statutory factors in making its determination to grant or deny a petition for the establishment of a community development district. This section of the staff report provides a review of the petition for consistency with these statutory factors and previous BCC direction regarding CDDs.

A. Statutory Review Required to Grant or Deny a CDD

Chapter 190.005(1)(e), F.S. indicates that the County Commission shall consider “the entire record of the local hearing, the transcript of the hearing, resolutions adopted by local general-purpose governments...and the following factors and make a determination to grant or deny a petition for the establishment of a community development district”. The following is a review of those factors and the findings made by staff:

1. Whether all statements contained within the petition have been found to be true and correct.

Staff has reviewed the statements contained in the Petition for Ordinance, the Statement of Estimated Regulatory Costs and the Disclosure Undertaking. These statements appear to be true and correct.

2. Whether the establishment of the district is inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan.

There are no policies within the Comprehensive Plan which address Special Districts that do not act as a utility provider; therefore, this CDD is not inconsistent with the Comprehensive Plan.

3. Whether the area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.

The 203.54 acres within the proposed CDD are sufficiently compact, contiguous and of a sufficient size to be developed as one functional interrelated community (See Exhibit 1). CDDs previously approved in PBC have ranged in size from approximately 50 – 1,000 acres. Further, 8 of the 9 CDDs previously approved within PBC were residential (See Exhibit 2).

4. Whether the district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.

In addition to the proposed District, the only other alternative available to provide facilities to the area is direct developer funding. As the site of this CDD is not isolated away from existing service lines, and is within the Urban Service Area, either alternative is able to provide the required services and facilities for the residential development. The CDD alternative would not change the quality of services and facilities, only their funding mechanism. Therefore, the CDD is the best alternative available for delivering community development services and facilities.

Additionally, the petitioner has stated that a CDD is the sole form of governance which allows District landowners, through voting, to determine the type, quality and expense of District services that they receive. This may benefit future homeowners as it will allow them to bond through the CDD for improvements to their development beyond what was initially required by the PBC development order and/or installed by the developer.

5. Whether the community development services and facilities of the district will be incompatible with the capacity and uses of existing local and regional community development services and facilities.

The infrastructure services and facilities for the County approved residential planned unit development, known as The Fields at Gulfstream Polo PUD (Control # 2005-00594), are compatible with the capacity and uses of existing County and regional infrastructure facilities and utilities. The ability of the County's infrastructure facilities, utilities, and capacity to accommodate the development of the PUD was assessed and approved through the Zoning review process.

6. Whether the area that will be served by the district is amenable to separate special-district government.

There are no current residents within the boundaries of the CDD and the property owner is the petitioner. The subject property was previously utilized for equestrian uses and the approved PUD is unbuilt.

B. Additional Review Criteria

In 2003, the BCC directed that CDD petitions should not only be in compliance with the Florida Statutes, but should also:

1. Not include off-site improvements in the obligations of future CDD residents; and
2. Provide additional disclosures to home buyers to ensure that home buyers within CDDs are aware that they will have to pay CDD fees in addition to property taxes and HOA fees.

Disclosures: In the proposed CDD, a homeowner would be responsible for all property taxes, HOA fees, and the annual CDD assessments (\$900 - \$1,400 for 30 years, based on lot size). A developer may be able to offer lower home prices within a CDD as some of the infrastructure cost burden is directly transferred to the home owner through annual assessments. However, a developer is not obligated to do so. This petitioner has agreed to comply with all of the enhanced disclosure requirements for this CDD, previously directed by the BCC, whose purpose was to ensure that consumers could make an informed decision in purchasing homes within this type of special district. These heightened disclosures have been included in the draft adopting ordinance:

1. The Petitioner shall disclose the fact that the development is located in a special taxing district and that a special assessment will be assessed on the tax roll against all property owners within the District.
2. This information shall be in **BOLD** type in any sales brochures, in any sales information, on the front page of the Declaration of Restrictive Covenants creating the Property Owner Association or Homeowner Association.
3. This information shall also be posted on signs with a minimum size of 24" by 36." The required signs shall be posted at all times at the entrance of any sales office of the development and identify by lot size the Annual Debt Service, Annual Operations & Maintenance and Total Assessment that will be incurred by a homeowner.

Off-site Improvements: The petitioner has not proposed to include any off-site improvements in the proposed obligation of future CDD residents. This is consistent with previous BCC direction regarding off-site improvements. The proposed adopting ordinance prohibits off-site improvements in the obligations of future residents.

VI. Staff Assessments and Conclusions

The proposed Gulfstream Polo CDD is consistent with the factors set forth in Chapter 190.005, F.S. It is also consistent with the additional BCC review criteria for CDDs, as it does not include off-site improvements. The petitioner has also agreed to comply with the enhanced disclosure requirements based on previous direction by the BCC. While the annual CDD assessments (\$900 - \$1,400) are an additional cost to future homeowners, the petition is technically consistent with the Florida Statutes and previous BCC direction. As such, staff recommends **approval** of the proposed adopting ordinance, which reflects the following BCC directed limitations:

- The petitioner shall NOT include any general off-site improvements in the obligation of future CDD residents.
- The petitioner shall comply with all of the following enhanced disclosure requirements:
 1. The Petitioner shall disclose the fact that the development is located in a special taxing district and that a special assessment will be assessed on the tax roll against all property owners within the District.
 2. This information shall be in **BOLD** type in any sales brochures, in any sales information, on the front page of the Declaration of Restrictive Covenants creating the Property Owner Association or Homeowner Association.
 3. This information shall also be posted on signs with a minimum size of 24" by 36." The required signs shall be posted at all times at the entrance of any sales office of the development and identify by lot size the Annual Debt Service, Annual Operations & Maintenance and Total Assessment that will be incurred by a homeowner.

Attachments

| | |
|---|-----|
| Exhibit 1 – District Boundary Map | E-1 |
| Exhibit 2 – CDD History Approval History in PBC | E-2 |
| Exhibit 3 – Florida Statutes, Chapter 109.012 Special Powers; public improvements and community facilities. | E-3 |

Exhibit 1 – District Boundary Map

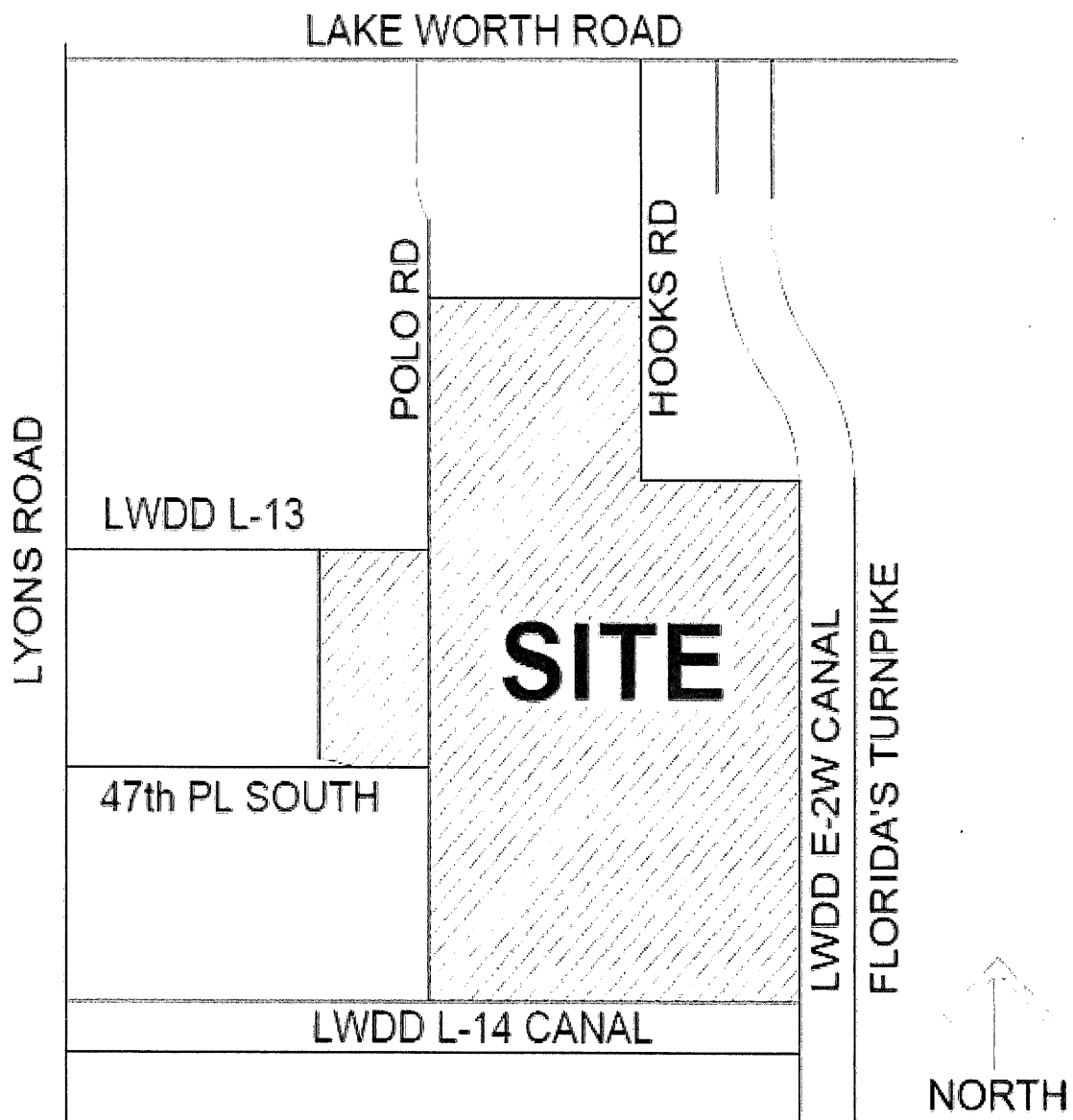


Exhibit 2

| Date of Application | Project Name | Approx Acres | Public Hearing Date | Staff Recommendation & Reason | BCC Action | County Ordinance |
|---------------------|---|---------------------------------------|---------------------|---|----------------------|------------------|
| 07/20/2007 | Osprey Oaks - Residential | 86 acres | 01/15/2008 | Denial Reason: Financial burden to owners/renters of the 37 workforce housing units (\$500 per year) units and for the 171 single family market units (\$3,168-\$4,879 per year). | Approved, 01/15/2008 | Ord. # 2008-001 |
| 06/2006 | Vista CDD Modification - Residential | Addition of 1.6 acres to existing CDD | 9/12/2006 | Approval Reason: Sufficient and consistent with Florida Statutes and Comprehensive Plan | Approved, 09/12/2006 | Ord. # 2006-039 |
| 06/21/2005 | Vista CDD - Residential | 46 acres | 12/20/2005 | Denial Reason: Inconsistent with 3 Statutory Factors in Section 109.005, including that the area was not sufficiently compact and interrelated. | Approved 12/20/2005 | Ord. # 2005-63 |
| 01/13/2004 | Terracina CDD - Residential | 175.8 | 03/16/2004 | Approval Reason: Sufficient and consistent with Florida Statutes and found to comply with the enhanced disclosure required and no off-site improvement as directed by the BCC in 2003 | Approved 03/16/2004 | Ord. # 2004-006 |
| 08/19/2002 | Wyndam Park CDD - Residential | 75.28 acres | 04/15/2003 | Denial Reason: As this was a residential CDD, staff recommended denial as consistent with recent BCC policy direction to limit approval recommendations to non-residential and mixed-use districts. | Approved 04/15/2003 | Ord.# 2003-017 |
| 08/28/2003 | Palm Beach Plantation CDD - Residential | 261.18 acres | 11/18/2003 | Denial Reason: Insufficient and a Residential CDD. As this was a residential district, staff recommended denial as consistent with recent BCC policy direction to limit approval recommendations to non-residential and mixed-use districts. | Approved 11/18/2003 | Ord. # 2003-054 |

| Date of Application | Project Name | Approx Acres | Public Hearing Date | Staff Recommendation & Reason | BCC Action | County Ordinance |
|---------------------|--------------------------------------|--------------|---------------------|---|---------------------|------------------|
| 08/28/2003 | Cypress Lakes CDD - Residential | 52.34 acres | 11/18/2003 | Denial Reason: As this was a residential CDD, staff recommended denial as consistent with recent BCC policy direction to limit approval recommendations to non-residential and mixed-use districts. | Approved 11/18/2003 | Ord. # 2003-053 |
| 05/07/2002 | Beeline CDD - Industrial | 999 acres | 07/31/2002 | Approval Reason: Sufficient and Consistent with the Florida Statutes and Comprehensive Plan. | Approved 07/31/2002 | Ord. # 2002-030 |
| 09/13/2001 | Hypoluxo/Haverhill CDD - Residential | 68 acres | 11/16/2001 | Approval Reason: Sufficient and Consistent with the Florida Statutes and Comprehensive Plan. | Approved 11/16/2001 | Ord. # 2001-066 |
| 07/12/1999 | Journey's End - Residential | 213 acres | 09/28/1999 | Approval Reason: Sufficient and Consistent with the Florida Statutes and Comprehensive Plan. | Approved 9/28/1999 | Ord. # 1999-041 |
| 05/27/1998 | Winston Trails - Residential | 177 acres | 08/18/1998 | Denial Reason: A CDD transfers site development costs from the builder to future homeowners in the form of a bond. These CDD fees are in addition to the sales price and appear as additional taxes. | Approved 8/18/1998 | Ord. # 1998-031 |

Exhibit 3 – Florida Statutes (2016), Chapter 109.012, Special Powers; public improvements and community facilities

190.012 Special powers; public improvements and community facilities.—The district shall have, and the board may exercise, subject to the regulatory jurisdiction and permitting authority of all applicable governmental bodies, agencies, and special districts having authority with respect to any area included therein, any or all of the following special powers relating to public improvements and community facilities authorized by this act:

- (1) To finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems, facilities, and basic infrastructures for the following:
 - (a) Water management and control for the lands within the district and to connect some or any of such facilities with roads and bridges.
 - (b) Water supply, sewer, and wastewater management, reclamation, and reuse or any combination thereof, and to construct and operate connecting intercepting or outlet sewers and sewer mains and pipes and water mains, conduits, or pipelines in, along, and under any street, alley, highway, or other public place or ways, and to dispose of any effluent, residue, or other byproducts of such system or sewer system.
 - (c) Bridges or culverts that may be needed across any drain, ditch, canal, floodway, holding basin, excavation, public highway, tract, grade, fill, or cut and roadways over levees and embankments, and to construct any and all of such works and improvements across, through, or over any public right-of-way, highway, grade, fill, or cut.
 - (d)
 1. District roads equal to or exceeding the applicable specifications of the county in which such district roads are located; roads and improvements to existing public roads that are owned by or conveyed to the local general-purpose government, the state, or the Federal Government; street lights; alleys; landscaping; hardscaping; and the undergrounding of electric utility lines. Districts may request the underground placement of utility lines by the local retail electric utility provider in accordance with the utility's tariff on file with the Public Service Commission and may finance the required contribution.
 2. Buses, trolleys, transit shelters, ridesharing facilities and services, parking improvements, and related signage.
 - (e) Investigation and remediation costs associated with the cleanup of actual or perceived environmental contamination within the district under the supervision or direction of a competent governmental authority unless the covered costs benefit any person who is a landowner within the district and who caused or contributed to the contamination.
 - (f) Conservation areas, mitigation areas, and wildlife habitat, including the maintenance of any plant or animal species, and any related interest in real or personal property.
 - (g) Any other project within or without the boundaries of a district when a local government issued a development order pursuant to s. 380.06 or s. 380.061 approving or expressly requiring the construction or funding of the project by the district, or when the project is the subject of an agreement between the district and a governmental entity and is consistent with the local government comprehensive plan of the local government within which the project is to be located.
 - (h) Any other project, facility, or service required by a development approval, interlocal agreement, zoning condition, or permit issued by a governmental authority with jurisdiction in the district.

- (2) After the local general-purpose government within the jurisdiction of which a power specified in this subsection is to be exercised consents to the exercise of such power by the district, the district shall have the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for:
- (a) **Parks and facilities for indoor and outdoor recreational, cultural, and educational uses.**
 - (b) **Fire prevention and control, including fire stations, water mains and plugs, fire trucks, and other vehicles and equipment.**
 - (c) School buildings and related structures and site improvements, which may be leased, sold, or donated to the school district, for use in the educational system when authorized by the district school board.
 - (d) **Security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; except that the district may not exercise any police power, but may contract with the appropriate local general-purpose government agencies for an increased level of such services within the district boundaries. However, this paragraph does not prohibit a district from contracting with a towing operator to remove a vehicle or vessel from a district-owned facility or property if the district follows the authorization and notice and procedural requirements in s. 715.07 for an owner or lessee of private property. The district's selection of a towing operator is not subject to public bidding if the towing operator is included in an approved list of towing operators maintained by the local government that has jurisdiction over the district's facility or property.**
 - (e) Control and elimination of mosquitoes and other arthropods of public health importance.
 - (f) Waste collection and disposal.

Sections 190.012 (3) & (4) were removed for brevity as they address the adoption and enforcement of rules for the provision of the services associated with the special powers.



PETITION BY PULTE HOME
CORPORATION

For the Passing of an Ordinance to Establish the

GULFSTREAM POLO
COMMUNITY DEVELOPMENT DISTRICT

May 6, 2016
(Revised July 11, 2016)

SPECIAL DISTRICT SERVICES, INC.
2501A Burns Road
Palm Beach Gardens, Florida 33410
561-630-4922

**GULFSTREAM POLO
COMMUNITY DEVELOPMENT DISTRICT**

INDEX

| | |
|--|---------|
| Petition for Ordinance..... | Page 1 |
| Exhibit 1: Location Map..... | Page 4 |
| Exhibit 2: Legal Description..... | Page 5 |
| Exhibit 3: Affidavit of Ownership..... | Page 7 |
| Exhibit 3A: Affidavit of Contractor Purchaser..... | Page 10 |
| Exhibit 4: Estimated Construction Time Table..... | Page 12 |
| Exhibit 5: Construction Costs Estimates..... | Page 13 |
| Exhibit 6: Public and Private Use Map..... | Page 14 |
| Exhibit 7: Major Water Mains, Sewer Interceptors and Outfalls..... | Page 15 |
| Exhibit 8: Statement of Regulatory Costs..... | Page 16 |
| Exhibit 9: Disclosure Undertaking..... | Page 24 |

IN RE: AN ORDINANCE TO ESTABLISH)
THE GULFSTREAM POLO COMMUNITY)
DEVELOPMENT DISTRICT)

PETITION

Petitioners, Pulte Home Corporation ("Petitioner"), hereby petitions the Palm Beach 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 the Palm Beach County, Florida. Exhibit 1 depicts the general location of the project. The proposed District covers approximately 203.5434 acres of land. The metes and bounds description of the external boundaries of the District is set forth in Exhibit 2.
2. Attached to this Petition as Exhibit 3 is the Affidavit of Ownership of a portion of the lands within the proposed District and Exhibit 3A which is an Affidavit of the Contract Purchaser of the remainder of the lands within the proposed District as described in Exhibit 2 which represents 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:
 - 1) Greg Pettibon
 - 2) Andrew Maxey
 - 3) David Kanarek
 - 4) Brad Hartman
 - 5) Matthew Nelson
4. The proposed name of the District to be established is Gulfstream Polo Community Development District (GSCDD").
5. The major trunk water mains, sewer interceptors or outfalls currently existing on the site are shown in Exhibit 7.
6. The proposed timetable for the construction of District services is shown on Exhibit 4 and the estimated cost of constructing the services, based on available data, is shown on Exhibit 5. These are good faith estimates but are not binding on the Petitioner or the District and are subject to change.
7. Petitioner is in the process of developing the project as a Planned Unit Development. The proposed uses for the land within the District are estimated to be Residential (mix of single family, Zero Lot Line Homes, and Townhomes). The proposed uses for the land included within the proposed District are in compliance with the Palm Beach County Future Land Use Element. The County Future Land Use Element designates the land contained within the proposed District as LR-2, LR-3, MR-5. The future general

distribution, location and extent of public and private uses of land proposed for the area within the District are shown on Exhibit 5.

8. Exhibit 6 is a Statement of Estimated Regulatory Costs prepared in accordance with the requirements of Section 120.541, Florida Statutes.
9. Exhibit 7 shows the major water mains, sewer interceptors and outfalls currently servicing the proposed CDD.
10. Petitioner hereby requests that the proposed District be granted the right to exercise all powers provided for in Sections 190.011 and 190.012(1), 2(a), 2(b) and 2(d), Florida Statutes.
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 Palm Beach County Comprehensive Development Master Plan, as amended.
 - b. The area of land within the proposed District is part of a planned unit development and is of sufficient size and is sufficiently compact and contiguous to be developed as one functional interrelated community.
 - c. The community development facilities the District proposes to finance will be compatible with the capacity and use of existing local and regional community development services and facilities.
 - d. (d) The proposed District will be the best alternative available for delivering community development services to the area to be served because (i) 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, (ii) Chapter 190, F.S. authorizes a community development district to acquire infrastructure improvements previously constructed by the Petitioner or allows for a community development district to, in the first instance, construct such infrastructure improvements, (iii) the timing for the creation of the proposed District and the issuance of special assessment bonds is compatible with the timing for the construction and acquisition of such infrastructure improvements which will result in direct benefit to the landowners and their assigns within the District, (iv) establishment of a community development district in conjunction with a comprehensive planned community as proposed, allows for a more efficient use of resources as well as providing the opportunity for new growth to pay for itself, and (v) 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 that will be served by the District is amenable to separate special-district government.

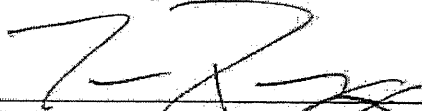
12. The Petitioner undertakes on behalf of the District that the District will provide full disclosure of information relating to the public financing and maintenance of improvements to real property to be undertaken by the District, as required by Section 190.009, Florida Statutes and the policies of the County. Attached hereto as Exhibit 8 is the undertaking of the Petitioner with respect to additional disclosure which will be provided in connection with any special assessment bonds to be issued by the District.

WHEREFORE, Petitioner respectfully requests the Palm Beach County Commission to:

1. Hold a public hearing as required by Section 190.005(2) (b), Florida Statutes to consider the establishment of the Gulfstream Polo Community Development District and;
2. Adopt an ordinance pursuant to Chapter 190, Florida Statutes, granting this Petition and establishing the Gulfstream Polo Community Development District.

Respectfully submitted this 8TH day of JULY, 2016.

Pulte Home Corporation



By: Anthony J. Palumbo, III - Director
Land Development and Acquisition
Southeast Florida

EXHIBIT 1

LOCATION MAP
GULFSTREAM POLO COMMUNITY DEVELOPMENT DISTRICT

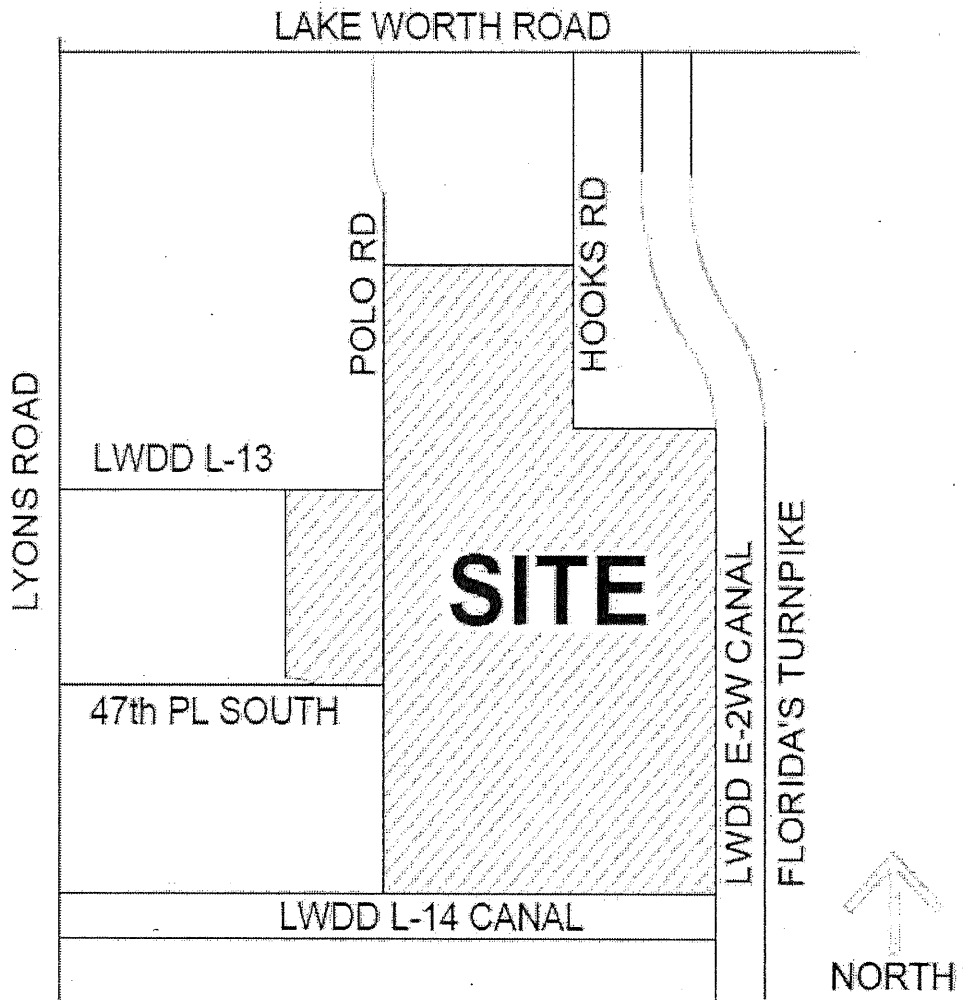


EXHIBIT 2

LEGAL DESCRIPTION GULFSTREAM POLO COMMUNITY DEVELOPMENT DISTRICT

DESCRIPTION: CDD

PARCEL 1:

A PORTION OF TRACTS 37 AND 44, BLOCK 28, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT 37; THENCE S.00°56'30"E. ALONG THE EAST LINE OF SAID TRACT 37, A DISTANCE OF 35.64 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-13 CANAL, AS RECORDED IN OFFICIAL RECORD BOOK 6495, PAGE 761 OF SAID PUBLIC RECORDS, SAID RIGHT-OF-WAY LINE BEING 35.64 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE NORTH LINE OF SAID TRACT 37; THENCE S.89°03'30"W. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING; THENCE S.00°56'30"E. ALONG A LINE 25.00 FEET WEST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE EAST LINE OF SAID TRACTS 37 AND 44, A DISTANCE OF 1,215.97 FEET; THENCE S.44°03'32"W., A DISTANCE OF 56.57 FEET; THENCE S.89°03'30"W. ALONG A LINE 28.42 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE SOUTH LINE OF SAID TRACT 44, A DISTANCE OF 449.71 FEET; THENCE N.75°48'35"W., A DISTANCE OF 10.94 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 540.00 FEET AND A CENTRAL ANGLE OF 14°27'05"; THENCE WESTERLY ALONG THE ARC, A DISTANCE OF 136.20 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID TRACT 44; THENCE N.00°56'30"W. ALONG THE WEST LINE OF SAID TRACTS 37 AND 44, A DISTANCE OF 1,234.43 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-13 CANAL, AS RECORDED IN OFFICIAL RECORD BOOK 6495, PAGE 761 OF SAID PUBLIC RECORDS, SAID RIGHT-OF-WAY LINE BEING 35.64 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE NORTH LINE OF SAID TRACT 37; THENCE N.89°03'30"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 634.82 FEET TO THE POINT OF BEGINNING.

CONTAINING 794,472 SQUARE FEET/18.2386 ACRES MORE OR LESS.

TOGETHER WITH:

PARCEL 2:

ALL OF TRACTS 19 AND 30, TOGETHER WITH A PORTION OF TRACTS 13, 14, 20, 29, 31 AND 32, TOGETHER WITH A PORTION OF THE 30 FOOT WIDE RIGHT-OF-WAY LYING BETWEEN SAID TRACTS 13, 14 AND 19, 20, ALL IN BLOCK 28, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT 29; THENCE N.89°03'30"E. ALONG THE SOUTH LINE OF THEREOF, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING; THENCE N.00°56'30"W. ALONG A LINE 25.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE WEST LINE OF SAID TRACT 29, A DISTANCE OF 270.17 FEET TO A POINT OF CURVATURE TO THE RIGHT, HAVING A RADIUS OF 6,460.00 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 03°44'18", A DISTANCE OF 421.48 FEET; THENCE N.02°47'48"E, A DISTANCE OF 143.19 FEET; THENCE N.04°40'47"W., A DISTANCE OF 512.83 FEET; THENCE N.85°19'13"E, A DISTANCE OF 35.00 FEET; THENCE N.04°40'47"W., A DISTANCE OF 37.08 FEET; THENCE N.89°03'30"E, A DISTANCE OF 1,035.03 FEET TO A POINT OF CURVATURE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 51°45'12", A DISTANCE OF 22.58 FEET TO A POINT OF REVERSE CURVATURE TO THE LEFT, HAVING A RADIUS OF 80.00 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 103°30'24", A DISTANCE OF 144.52 FEET TO A POINT OF REVERSE CURVATURE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 51°45'12", A DISTANCE OF 22.58 FEET; THENCE N.89°03'30"E., A DISTANCE OF 72.53 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID TRACT 14; THENCE S.00°56'30"E. ALONG THE EAST LINE OF SAID TRACTS 14, 19 AND 30, A DISTANCE OF 1,055.26 FEET; THENCE N.89°03'30"E. ALONG THE NORTH LINE OF THE SOUTH ONE-HALF OF SAID TRACTS 31 AND 32, A DISTANCE OF 952.25 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT E-2W CANAL, AS RECORDED IN OFFICIAL RECORD BOOK 24358, PAGE 1059 OF SAID PUBLIC RECORDS, AND THE POINT OF CURVATURE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.88°51'16"E., A RADIAL DISTANCE OF 11,602.25 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 01°37'48", A DISTANCE OF 330.05 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID TRACT 32; THENCE S.89°03'30"W. ALONG THE SOUTH LINE OF SAID TRACTS 29, 30, 31 AND 32, A DISTANCE OF 2,252.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,095,678 SQUARE FEET/48.1101 ACRES MORE OR LESS.

TOGETHER WITH:

PARCEL 3:

ALL OF TRACTS 46 AND 47, TOGETHER WITH A PORTION OF TRACTS 33, 34, 35, 36, 45 AND 48, ALL IN BLOCK 28, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT 36; THENCE S.00°56'30"E. ALONG THE WEST LINE THEREOF, A DISTANCE OF 43.56 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-13 CANAL, AS RECORDED IN OFFICIAL RECORD BOOK 6495, PAGE 761 OF SAID PUBLIC RECORDS, SAID RIGHT-OF-WAY LINE BEING 43.56 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE NORTH LINE OF SAID TRACT 36; THENCE N.89°03'30"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 25.00 TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°03'30"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 634.82 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID TRACT 36; THENCE S.00°56'30"E. ALONG THE EAST LINE OF SAID TRACT 36, AND THE SOUTH RIGHT-OF-WAY LINE OF SAID L-13 CANAL, A DISTANCE OF 2.64 FEET; THENCE N.89°03'30"E. ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID L-13 CANAL, SAID RIGHT-OF-WAY LINE BEING 46.20 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE NORTH LINE OF SAID TRACTS 33, 34 AND 35, A DISTANCE OF 1,620.63 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT E-2W CANAL, AS RECORDED IN OFFICIAL RECORD BOOK 24358, PAGE 1059 OF SAID PUBLIC RECORDS, AND THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.86°50'53"E., A RADIAL DISTANCE OF 11,602.25 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 00°40'12", A DISTANCE OF 135.66 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 7,495.75 FEET AND A CENTRAL ANGLE OF 02°48'44"; THENCE SOUTHERLY ALONG THE ARC OF SAID RIGHT-OF-WAY LINE, A DISTANCE OF 367.91 FEET; THENCE S.08°57'50"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 111.68 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF FLORIDA'S TURNPIKE, AS RECORDED IN ROAD PLAT BOOK 11, PAGES 54 THROUGH 59 OF SAID PUBLIC RECORDS; THENCE S.00°58'26"E., A DISTANCE OF 659.97 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID TRACT 48; THENCE S.89°03'30"W. ALONG THE SOUTH LINE OF SAID TRACTS 48, 47, 46 AND 45, A DISTANCE OF 2,246.90; THENCE N.00°56'30"W., A DISTANCE OF 28.41 FEET; THENCE N.45°56'29"W., A DISTANCE OF 56.57 FEET; THENCE N.00°56'30"W. ALONG A LINE 25.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE WEST LINE OF SAID TRACTS 36 AND 45, A DISTANCE OF 1,208.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,900,908 SQUARE FEET/66.5957 ACRES MORE OR LESS.

TOGETHER WITH:

PARCEL 4:

A PORTION OF TRACTS 49, 50, 51 AND 52, 61, 62, 63 AND 64, TOGETHER WITH ALL THAT PORTION OF THE 30 FOOT WIDE RIGHT-OF-WAY LYING NORTH OF TRACTS 49 THROUGH 52, TOGETHER WITH THE EAST ONE-HALF OF THE 30 FOOT RIGHT-OF-WAY LYING WEST OF AND ADJACENT TO SAID TRACTS 52 AND 61, ALL IN BLOCK 28, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 45, BLOCK 28 OF SAID PALM BEACH FARMS CO. PLAT NO. 3; THENCE N.89°03'30"E. ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°03'30"E. ALONG THE SOUTH LINE OF TRACTS 45 THROUGH 48 OF SAID BLOCK 28, AS DISTANCE OF 2,246.90 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF FLORIDA'S TURNPIKE, AS RECORDED IN ROAD PLAT BOOK 11, PAGES 54 THROUGH 59 OF SAID PUBLIC RECORDS; THENCE S.00°58'26"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 1,314.99 FEET TO A POINT OF INTERSECTION WITH NORTH RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-14 CANAL, AS RECORDED IN OFFICIAL RECORD BOOK 6495, PAGE 761 OF SAID PUBLIC RECORDS, SAID RIGHT-OF-WAY LINE BEING 34.98 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE SOUTH LINE OF SAID TRACTS 61 THROUGH 64; THENCE S.89°03'30"W. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 2,327.64 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF THAT CERTAIN 30 FOOT WIDE RIGHT-OF-WAY LYING WEST OF AND ADJACENT TO SAID TRACTS 52 AND 61; THENCE N.00°56'30"W. ALONG SAID CENTERLINE, A DISTANCE OF 1,223.39 FEET; THENCE N.89°03'30"E., A DISTANCE OF 39.99 FEET; THENCE N.44°03'31"E., A DISTANCE OF 56.58 FEET; THENCE N.00°56'30"W., A DISTANCE OF 51.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,053,813 SQUARE FEET/70.1059 ACRES MORE OR LESS.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.

CONTAINING A TOTAL OF 8,844,871 SQUARE FEET/203.5434 ACRES MORE OR LESS.

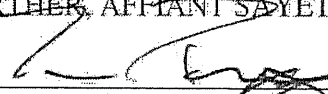
EXHIBIT 3

**AFFIDAVIT OF OWNERSHIP AND CONSENT
TO THE CREATION OF THE
GULFSTREAM POLO COMMUNITY DEVELOPMENT DISTRICT**

On this 8TH day of JULY 2016, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Anthony J. Palumbo, III who, after being duly sworn, deposes and says:


1. Affiant, Anthony J. Palumbo, III, an individual, is the Director of Land Development and Acquisition - Southeast Florida of the Pulte Home Corporation;
2. Pulte Home Corporation is of the owner of the following described property, to wit:
 - See Exhibit "A" attached hereto (the "Property")
3. Affiant, Anthony J. Palumbo, III hereby represents that he has full authority to execute all documents and instruments on behalf of the Pulte Home Corporation to enact an ordinance to establish the Gulfstream Polo Community Development District (the "Proposed CDD").
4. The property represents a portion of the real property to be included in the Proposed CDD.
5. Affiant, Anthony J. Palumbo, III, on behalf of the Pulte Home Corporation, the owners of the property in the capacity described above, hereby consents to the establishment of the proposed Gulfstream Polo Community Development District.

FURTHER, AFFIANT SAYETH NOT.

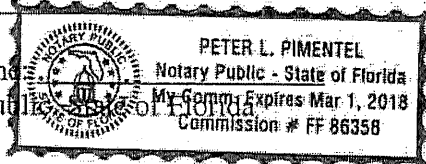


Anthony J. Palumbo, III - Director
Pulte Home Corporation
Land Development and Acquisition
Southeast Florida

Subscribed and sworn to before me this 8TH day of JULY, 2016, Anthony J. Palumbo, III, who personally appeared before me, and is personally known.

Notary: 

Print Name: _____
Notary Public - State of Florida
My Comm. Expires Mar 1, 2018
Commission # FF 86358



PARCEL 1:

A PORTION OF TRACTS 37 AND 44, BLOCK 28, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT 37; THENCE S.00°56'30"E. ALONG THE EAST LINE OF SAID TRACT 37, A DISTANCE OF 35.64 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-13 CANAL, AS RECORDED IN OFFICIAL RECORD BOOK 6495, PAGE 761 OF SAID PUBLIC RECORDS, SAID RIGHT-OF-WAY LINE BEING 35.64 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE NORTH LINE OF SAID TRACT 37; THENCE S.89°03'30"W. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING; THENCE S.00°56'30"E. ALONG A LINE 25.00 FEET WEST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE EAST LINE OF SAID TRACTS 37 AND 44, A DISTANCE OF 1,215.97 FEET; THENCE S.44°03'32"W., A DISTANCE OF 56.57 FEET; THENCE S.89°03'30"W. ALONG A LINE 28.42 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE SOUTH LINE OF SAID TRACT 44, A DISTANCE OF 449.71 FEET; THENCE N.75°48'35"W., A DISTANCE OF 10.94 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 540.00 FEET AND A CENTRAL ANGLE OF 14°27'05"; THENCE WESTERLY ALONG THE ARC, A DISTANCE OF 136.20 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID TRACT 44; THENCE N.00°56'30"W. ALONG THE WEST LINE OF SAID TRACTS 37 AND 44, A DISTANCE OF 1,234.43 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-13 CANAL, AS RECORDED IN OFFICIAL RECORD BOOK 6495, PAGE 761 OF SAID PUBLIC RECORDS, SAID RIGHT-OF-WAY LINE BEING 35.64 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE NORTH LINE OF SAID TRACT 37; THENCE N.89°03'30"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 634.82 FEET TO THE POINT OF BEGINNING.

CONTAINING 794,472 SQUARE FEET/18.2386 ACRES MORE OR LESS.

TOGETHER WITH:

PARCEL 2:

ALL OF TRACTS 19 AND 30, TOGETHER WITH A PORTION OF TRACTS 13, 14, 20, 29, 31 AND 32, TOGETHER WITH A PORTION OF THE 30 FOOT WIDE RIGHT-OF-WAY LYING BETWEEN SAID TRACTS 13, 14 AND 19, 20, ALL IN BLOCK 28, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT 29; THENCE N.89°03'30"E. ALONG THE SOUTH LINE OF THEREOF, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING; THENCE N.00°56'30"W. ALONG A LINE 25.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE WEST LINE OF SAID TRACT 29, A DISTANCE OF 270.17 FEET TO A POINT OF CURVATURE TO THE RIGHT, HAVING A RADIUS OF 6,460.00 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 03°44'18", A DISTANCE OF 421.48 FEET; THENCE N.02°47'48"E, A DISTANCE OF 143.19 FEET; THENCE N.04°40'47"W., A DISTANCE OF 512.83 FEET; THENCE N.85°19'13"E, A DISTANCE OF 35.00 FEET; THENCE N.04°40'47"W., A DISTANCE OF 37.08 FEET; THENCE N.89°03'30"E, A DISTANCE OF 1,035.03 FEET TO A POINT OF CURVATURE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 51°45'12", A DISTANCE OF 22.58 FEET TO A POINT OF REVERSE CURVATURE TO THE LEFT, HAVING A RADIUS OF 80.00 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 103°30'24", A DISTANCE OF 144.52 FEET TO A POINT OF REVERSE CURVATURE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 51°45'12", A DISTANCE OF 22.58 FEET; THENCE N.89°03'30"E., A DISTANCE OF 72.53 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID TRACT 14; THENCE S.00°56'30"E. ALONG THE EAST LINE OF SAID TRACTS 14, 19 AND 30, A DISTANCE OF 1,055.26 FEET; THENCE N.89°03'30"E. ALONG THE NORTH LINE OF THE SOUTH ONE-HALF OF SAID TRACTS 31 AND 32, A DISTANCE OF 952.25 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT E-2W CANAL, AS RECORDED IN OFFICIAL RECORD BOOK 24358, PAGE 1059 OF SAID PUBLIC RECORDS, AND THE POINT OF CURVATURE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.88°51'16"E., A RADIAL DISTANCE OF 11,602.25 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 01°37'48", A DISTANCE OF 330.05 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID TRACT 32; THENCE S.89°03'30"W. ALONG THE SOUTH LINE OF SAID TRACTS 29, 30, 31 AND 32, A DISTANCE OF 2,252.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,095,678 SQUARE FEET/48.1101 ACRES MORE OR LESS.

TOGETHER WITH:

PARCEL 3:

ALL OF TRACTS 46 AND 47, TOGETHER WITH A PORTION OF TRACTS 33, 34, 35, 36, 45 AND 48, ALL IN BLOCK 28, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT 36; THENCE S.00°56'30"E. ALONG THE WEST LINE THEREOF, A DISTANCE OF 43.56 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-13 CANAL, AS RECORDED IN OFFICIAL RECORD BOOK 6495, PAGE 761 OF SAID PUBLIC RECORDS, SAID RIGHT-OF-WAY LINE BEING 43.56 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES TO) AND

PARALLEL WITH THE NORTH LINE OF SAID TRACT 36; THENCE N.89°03'30"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 25.00 TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°03'30"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 634.82 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID TRACT 36; THENCE S.00°56'30"E. ALONG THE EAST LINE OF SAID TRACT 36, AND THE SOUTH RIGHT-OF-WAY LINE OF SAID L-13 CANAL, A DISTANCE OF 2.64 FEET; THENCE N.89°03'30"E. ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID L-13 CANAL, SAID RIGHT-OF-WAY LINE BEING 46.20 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE NORTH LINE OF SAID TRACTS 33, 34 AND 35, A DISTANCE OF 1,620.63 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT E-2W CANAL, AS RECORDED IN OFFICIAL RECORD BOOK 24358, PAGE 1059 OF SAID PUBLIC RECORDS, AND THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.86°50'53"E., A RADIAL DISTANCE OF 11,602.25 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 00°40'12", A DISTANCE OF 135.66 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 7,495.75 FEET AND A CENTRAL ANGLE OF 02°48'44"; THENCE SOUTHERLY ALONG THE ARC OF SAID RIGHT-OF-WAY LINE, A DISTANCE OF 367.91 FEET; THENCE S.08°57'50"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 111.68 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF FLORIDA'S TURNPIKE, AS RECORDED IN ROAD PLAT BOOK 11, PAGES 54 THROUGH 59 OF SAID PUBLIC RECORDS; THENCE S.00°58'26"E., A DISTANCE OF 659.97 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID TRACT 48; THENCE S.89°03'30"W. ALONG THE SOUTH LINE OF SAID TRACTS 48, 47, 46 AND 45, A DISTANCE OF 2,246.90; THENCE N.00°56'30"W., A DISTANCE OF 28.41 FEET; THENCE N.45°56'29"W., A DISTANCE OF 56.57 FEET; THENCE N.00°56'30"W. ALONG A LINE 25.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE WEST LINE OF SAID TRACTS 36 AND 45, A DISTANCE OF 1,208.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,900,908 SQUARE FEET/66.5957 ACRES MORE OR LESS.

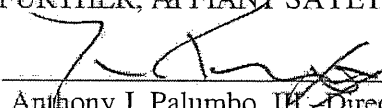
EXHIBIT 3A

**AFFIDAVIT OF CONTRACT PURCHASER AND CONSENT
TO THE CREATION OF THE
GULFSTREAM POLO COMMUNITY DEVELOPMENT DISTRICT**

On this 8TH day of JULY 2016, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Anthony J. Palumbo, III who, after being duly sworn, deposes and says:

1. Affiant, Anthony J. Palumbo, III, an individual, is the Director of Land Development and Acquisition - Southeast Florida of the Pulte Home Corporation;
2. Pulte Home Corporation is the contract purchaser of the following described property, to wit:
 - See Exhibit "A" attached hereto (the "Property")
3. Affiant, Anthony J. Palumbo, III hereby represents that he has full authority to execute all documents and instruments on behalf of the Pulte Home Corporation to enact an ordinance to establish the Gulfstream Polo Community Development District (the "Proposed CDD").
4. The property represents a portion of the real property to be included in the proposed Community Development District.
5. Affiant, Anthony J. Palumbo, III, on behalf of the Pulte Home Corporation, the contract purchasers of the Property in the capacity described above, hereby consents to the establishment of the proposed Gulfstream Polo Community Development District.

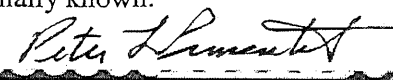
FURTHER, AFFIANT SAYETH NOT.

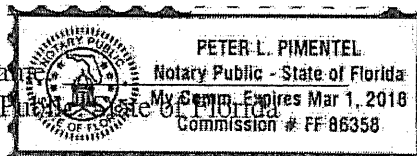


Anthony J. Palumbo, III, Director
Pulte Home Corporation
Land Development and Acquisition
Southeast Florida

Subscribed and sworn to before me this 8TH day of JULY, 2016, Anthony J. Palumbo, III, who personally appeared before me, and is personally known.

Notary:


Print Name: PETER L. PIMENTEL
Notary Public - State of Florida
My Comm. Expires Mar 1, 2018
Notary Public - State of Florida
Commission # FF 86358



PARCEL 4:

A PORTION OF TRACTS 49, 50, 51 AND 52, 61, 62, 63 AND 64, TOGETHER WITH ALL THAT PORTION OF THE 30 FOOT WIDE RIGHT-OF-WAY LYING NORTH OF TRACTS 49 THROUGH 52, TOGETHER WITH THE EAST ONE-HALF OF THE 30 FOOT RIGHT-OF-WAY LYING WEST OF AND ADJACENT TO SAID TRACTS 52 AND 61, ALL IN BLOCK 28, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 45, BLOCK 28 OF SAID PALM BEACH FARMS CO. PLAT NO. 3; THENCE N.89°03'30"E. ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°03'30"E. ALONG THE SOUTH LINE OF TRACTS 45 THROUGH 48 OF SAID BLOCK 28, AS DISTANCE OF 2,246.90 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF FLORIDA'S TURNPIKE, AS RECORDED IN ROAD PLAT BOOK 11, PAGES 54 THROUGH 59 OF SAID PUBLIC RECORDS; THENCE S.00°58'26"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 1,314.99 FEET TO A POINT OF INTERSECTION WITH NORTH RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-14 CANAL, AS RECORDED IN OFFICIAL RECORD BOOK 6495, PAGE 761 OF SAID PUBLIC RECORDS, SAID RIGHT-OF-WAY LINE BEING 34.98 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE SOUTH LINE OF SAID TRACTS 61 THROUGH 64; THENCE S.89°03'30"W. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 2,327.64 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF THAT CERTAIN 30 FOOT WIDE RIGHT-OF-WAY LYING WEST OF AND ADJACENT TO SAID TRACTS 52 AND 61; THENCE N.00°56'30"W. ALONG SAID CENTERLINE, A DISTANCE OF 1,223.39 FEET; THENCE N.89°03'30"E., A DISTANCE OF .39.99 FEET; THENCE N.44°03'31"E., A DISTANCE OF 56.58 FEET; THENCE N.00°56'30"W., A DISTANCE OF 51.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,053,813 SQUARE FEET/70.1059 ACRES MORE OR LESS.

EXHIBIT 4

**ESTIMATED INFRASTRUCTURE CONSTRUCTION TIME TABLE
GULFSTREAM POLO COMMUNITY DEVELOPMENT DISTRICT**

| IMPROVEMENT | START DATE | COMPLETION DATE |
|--------------------------|-------------------|------------------------|
| EARTHWORK | 05-01-16 | 09-15-16 |
| WASTEWATER SYSTEM | 09-01-16 | 01-01-17 |
| WATER SUPPLY SYSTEM | 10-01-16 | 11-15-16 |
| SURFACE WATER MGMT | 09-01-16 | 11-15-16 |
| ROADS AND PAVING | 11-15-16 | 01-15-17 |
| LANDSCAPING & IRRIGATION | 12-01-16 | 01-15-17 |
| ENTRANCE FEATURES | 01-15-17 | 03-15-17 |
| FENCES & GATES | 02-15-17 | 03-15-17 |
| OTHER (SIDEWALKS) | 11-15-16 | 01-15-17 |

EXHIBIT 5

**CONSTRUCTION COSTS ESTIMATES
GULFSTREAM POLO COMMUNITY DEVELOPMENT DISTRICT**

| | |
|--------------------------------------|---------------------|
| EARTHWORK | \$7,302,075 |
| WASTEWATER SYSTEM | \$4,269,369 |
| WATER SUPPLY SYSTEM | \$2,214,665 |
| SURFACE WATER MANAGEMENT | \$2,719,905 |
| ROADS AND PAVING | \$3,303,870 |
| LANDSCAPING & IRRIGATION | \$4,429,400 |
| FENCES AND GATES | \$781,305 |
| SOFT COSTS (ENGINEERING, ETC.) | \$1,628,980 |
| TOTAL ESTIMATED PROJECT COSTS | \$26,649,569 |

EXHIBIT 6

**PUBLIC AND PRIVATE USE MAP
GULFSTREAM POLO COMMUNITY DEVELOPMENT DISTRICT**

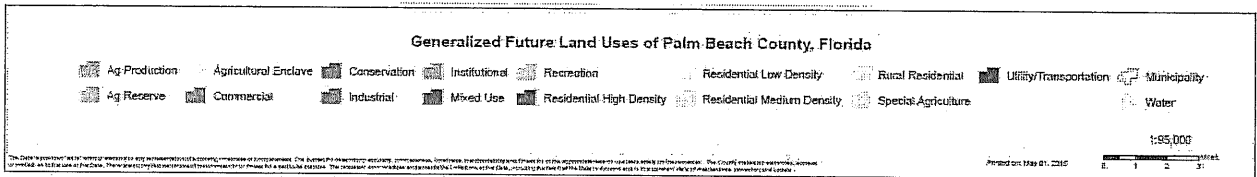
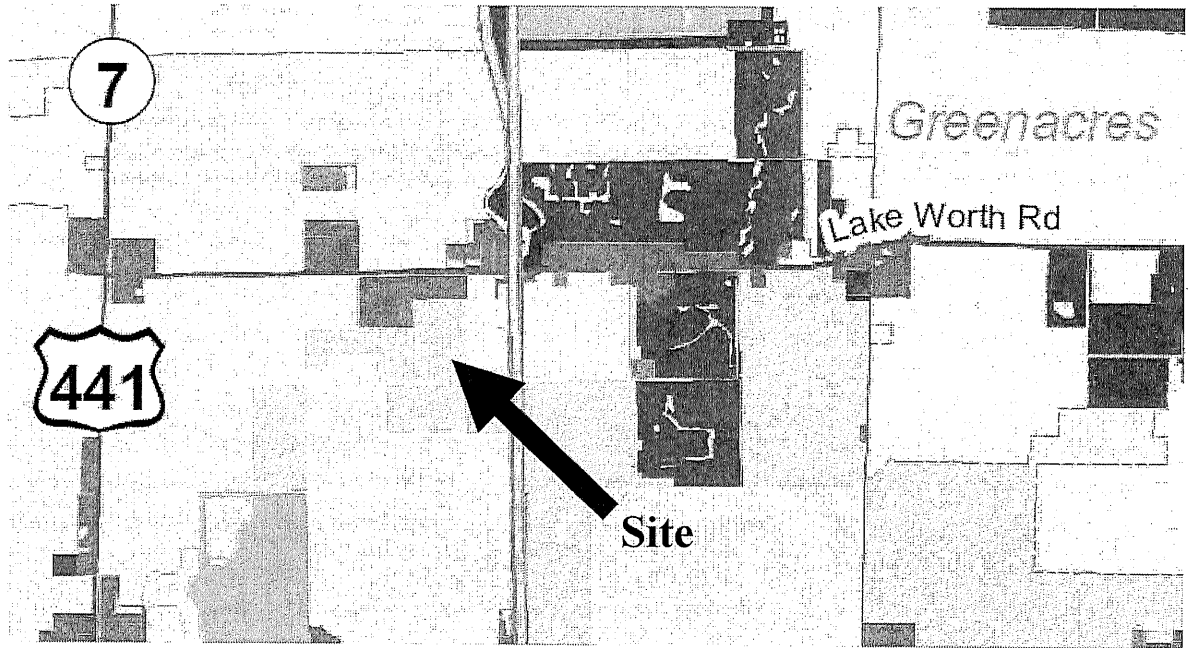
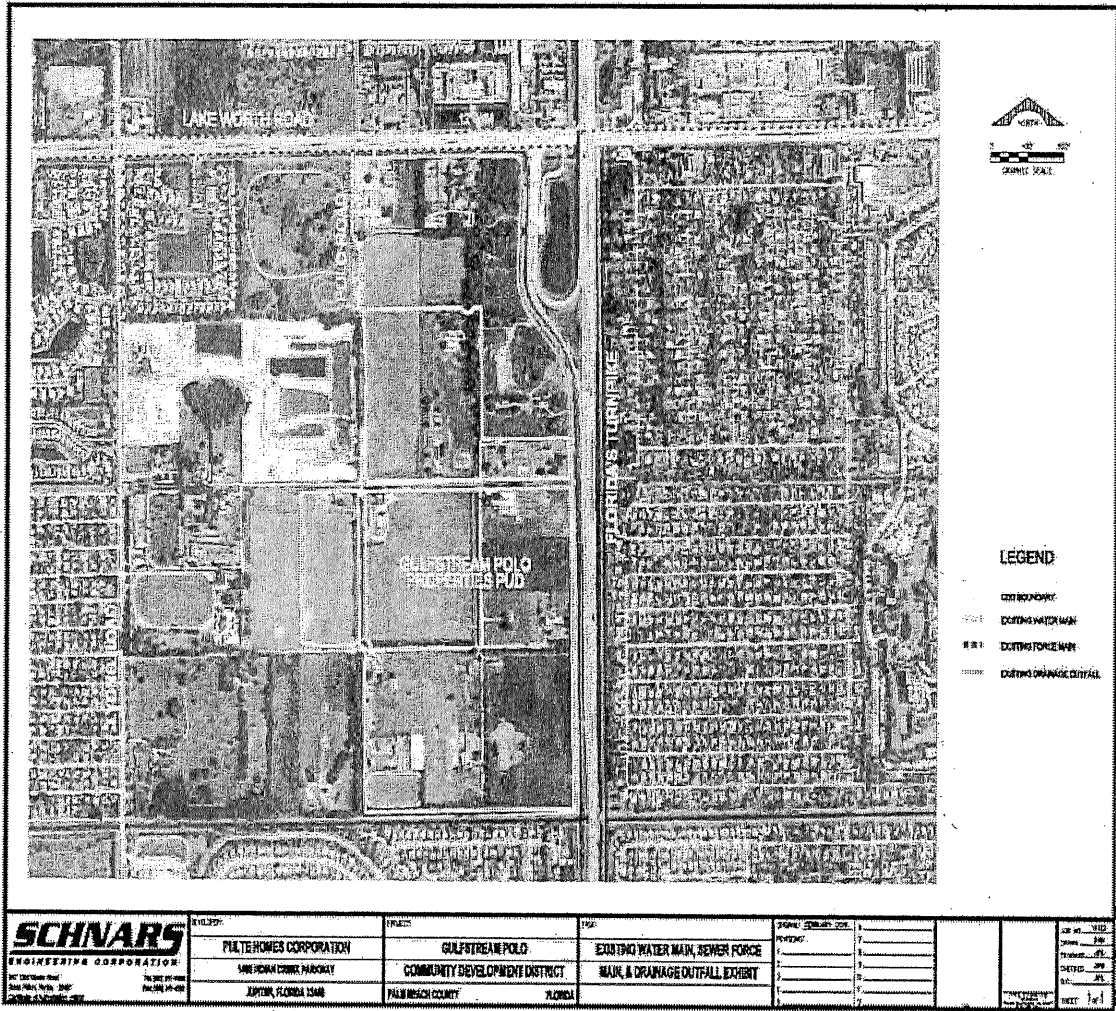


EXHIBIT 7

**MAJOR TRUNK WATER MAINS, SEWER INTERCEPTORS AND OUTFALLS
GULFSTREAM POLO COMMUNITY DEVELOPMENT DISTRICT**



| | | | | | |
|---|---|--|---|--|--------------|
| SCHNARS ENGINEERING CORPORATION 10000 W. BOYD AVE. SUITE 1000 BOYDTON, FLORIDA 32117 (407) 392-1100 FAX (407) 392-1101 | CLIENT: FLORIAN CORPORATION SANITARY ENGINEERING JUPITER, FLORIDA 33408 | PROJECT: GULFSTREAM POLO COMMUNITY DEVELOPMENT DISTRICT PALM BEACH COUNTY FLORIDA | TITLE: EXISTING WATER MAIN, SEWER FORCE MAIN & DRAINAGE OUTFALL EXHIBIT | SHEET NO.: TOTAL SHEETS: DATE: DRAWN BY: CHECKED BY: SCALE: | SHEET 1 of 1 |
| | APPROVED: _____ DATE: _____ | | | | |

EXHIBIT 8

**GULFSTREAM POLO
COMMUNITY DEVELOPMENT DISTRICT**

Statement of Estimated Regulatory Costs

July 11, 2016

Prepared by

Special District Services, Inc.
2501A Burns Road
Palm Beach Gardens, Florida 33410

(561) 630-4922

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 Gulfstream Polo Community Development District (“District”). The District comprises approximately 203.5434 acres of land located in the unincorporated area of Palm Beach County, Florida. The limitations on the scope of this SERC are explicitly set out in Section 190.002(2) (d), F.S. (governing District establishment) as follows:

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

1.2 Overview of Gulfstream Polo Community Development District

The District is designed to provide district infrastructure, services, and facilities along with their operations and maintenance to a master planned residential development containing 883 residential dwelling units within the boundaries of the District.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), F.S. (2014), 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 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 cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.

(c) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the

requirements of the ordinance. As used in this paragraph, “transactional costs” are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, and the cost of monitoring and reporting.

(d) 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.

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

(f) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1) (a) and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed ordinance.

“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), Florida Statutes.”

2.0 An economic analysis of potential impacts on growth, business competitiveness or increased regulatory costs, in excess of \$1 million within the next 5 years.

It is unlikely the establishment of the District will meet any of the adverse triggers referenced in Section 120.541(2)(a). The basis for this determination is that this Petition to establish the District is for the sole purpose of providing public infrastructure for the development of the Gulfstream Polo Project, which has already been vetted by the County during the review process. Additional support of this determination is provided in the discussions in Section 3.0 through Section 6.0 herein.

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 Gulfstream Polo Community Development District serves land that comprises a 203.5434 acre residential development to be made up of an estimated 883 residential dwelling units. The estimated population of the District is 2,649 (3 per household). The property owners in the District will be individuals that may operate industrial, manufacturing and other retail and non-retail related businesses outside the boundaries of the District.

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 rule, and any anticipated effect on state or local revenues.

There is no state agency promulgating any rule relating to this project that is anticipated to affect state or local revenues.

4.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance

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

State Governmental Entities

There will be only modest costs to various State governmental entities to implement and enforce the proposed establishment of the District. The District as established on the proposed land, will encompass under 2,500 acres, therefore, Palm Beach County is the establishing entity under 190.005(2), F.S. The modest 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 very small, 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 189.412, F.S., the District must pay an annual fee to the State of Florida Department of Economic Development, which offsets such costs.

Palm Beach County

There will be only modest costs to the County for a number of reasons. First, review of the petition to establish the District does not include analysis of the project itself. Second, the petition itself provides much of the information needed for a staff review. Third, 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. Finally, the County routinely process similar petitions though for entirely different subjects, for land uses and zoning changes that are far more complex than is the petition to establish a community development district.

The annual costs to Palm Beach 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 various 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 this District. However, the Petitioner has included a payment of \$15,000 to offset any expenses the County may incur in the processing of this Petition, or in the monitoring of this District.

4.2 Impact on State and Local Revenues

Adoption of the proposed ordinance will have no negative impact on state or local revenues. The District 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.

In this regard it is important to note that any debt obligations incurred by the District to construct its infrastructure, or for any other reason, are not debts of the State of Florida or any other units of local government. In accordance with State 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 required to comply with the requirements of the ordinance.

The petitioner has estimated the costs for providing the capital facilities to be approximately \$26,649,569. The District may issue special assessment bonds to fund all or a portion of the costs of these facilities. These bonds would be repaid through non ad valorem special assessments levied on all properties in the District that may benefit from the District's infrastructure program.

Prospective future landowners in the District may be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through bond issuance. In addition to the levy of non-ad valorem special assessments for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

Currently, the residential unit composition and tentative annual debt assessment per unit is shown on the table below. Both the unit mix and the proposed assessment are subject to review and adjustment dependent on market conditions as the project moves forward. There are no Workforce Housing units within the boundaries of the proposed District.

| Unit Type | # of Units | Annual Assessment |
|---------------|------------|-------------------|
| Single Family | 57 | \$ 1,400 |
| 50 x 120 ZLL | 152 | \$ 1,300 |
| 45 x 110 ZLL | 248 | \$ 1,200 |
| 28 x 70 TH | 84 | \$ 1,100 |
| 28 x 55 TH | 64 | \$ 1,000 |
| 24 x 55 TH | 278 | \$ 900 |
| | 883 | |

Furthermore, locating in the District by new property owners is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the non-ad valorem special assessments by various names and user fees as a tradeoff for the benefits and facilities that the District provides.

A Community Development District (“CDD”) provides property owners with the option of having higher levels of facilities and services financed through self-imposed assessments. The District is an alternative means to manage necessary development services with related financing powers. District management is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a property association, County provision, or through developer equity and/or bank loans.

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

First, landowners in the District will receive a higher long-term sustained level of public services and amenities sooner than would otherwise be the case.

Second, a CDD is a mechanism for assuring that the community services and amenities will be completed concurrently with development of lands within the District. This satisfies the revised growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Establishment of the District will ensure that these landowners pay for the provision of facilities, services and improvements to these lands.

Third, a CDD is the sole form of governance which allows District landowners, through landowner voting, to determine the type, quality and expense of District services they receive, provided they meet the County’s overall requirements.

The cost impact on the ultimate landowners in the District is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above what the landowners would have paid to install infrastructure via an alternative management mechanism. Given the low cost of capital for a CDD, the cost impact to landowners is negligible. This incremental cost of the high quality infrastructure provided by the District is likely to be fairly low.

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

Approval of the Gulfstream Polo CDD will have positive impacts on small business as defined in Chapter 288.703 (1), F. S. These positive impacts will result because the additional population in the District will require goods and services from small businesses. 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.

The County has an estimated population in 2010 that is greater than 10,000; therefore the County is not defined as a “*small*” County according to Section 120.52, F.S, and there will accordingly be no impact on a small County because of the formation of the District.

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.

**APPENDIX A
LIST OF REPORTING REQUIREMENTS**

| REPORT | FL. STATUE CITATION | DUE DATE |
|--------------------------------|--------------------------------|--|
| Annual Financial Audit | 11.45 | within 45 days of audit completion, but no later than 12 months after end of fiscal year |
| Annual Financial Report | 218.32 | within 45 days of financial audit completion, but no later than 12 months after end of fiscal year; if no audit required, by 4/30 |
| 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 | 112.3145 | within 30 days of accepting interest 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 | 189.415 | within one year of special district's creation; then annual notice of any changes; and updated report every 5 years, 12 months prior to submission of local government's evaluation and appraisal report |
| Public Meetings Schedule | 189.417 | quarterly, semiannually, or annually |
| Bond Report | 218.38 | when issued |
| Registered Agent | 189.416 | within 30 days after first meeting of governing board |
| Proposed Budget | 189.418 | prior to end of current fiscal year |
| Public Depositor Report | 280.17 | annually by 11/30 |

EXHIBIT 9

**DISCLOSURE UNDERTAKING
GULFSTREAM POLO COMMUNITY DEVELOPMENT DISTRICT**

1. 24-inch by 36-inch sign posted at all times at the entrance of the sales office.
2. Separate addendum to purchase contract in addition to disclosure required under Section 190.048.
3. Disclosure as part of sales literature on price points page.
4. Disclosure on front page of declaration of restrictive covenants.
5. On every secondary sale a deed restriction will require that the transferee execute a special assessment acknowledgment prior to the recording of the new deed.
6. Record a notice of assessment after Bonds are sold.

ORDINANCE 2016-___

1
2
3 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
4 PALM BEACH COUNTY, FLORIDA ESTABLISHING A COMMUNITY
5 DEVELOPMENT DISTRICT OVER THE REAL PROPERTY LEGALLY
6 DESCRIBED ON EXHIBIT "B" TO THIS ORDINANCE COMPRISING
7 OF APPROXIMATELY 203.54 ACRES: NAMING OF THE INITIAL
8 MEMBERS OF THE BOARD; ESTABLISHING THE NAMING OF THE
9 DISTRICT AS GULFSTREAM POLO COMMUNITY DEVELOPMENT
10 DISTRICT; DESIGNATING THE PURPOSE OF THE DISTRICT;
11 DESIGNATING THE POWERS OF THE DISTRICT; PROVIDING FOR
12 SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICTS;
13 AND PROVIDING FOR AN EFFECTIVE DATE.

14 WHEREAS, Chapter 190, Florida Statutes, (2016), the Uniform Community Development
15 District Act of 1990 provides an alternative method to finance and manage basic services for
16 community development; and

17 WHEREAS, Pulte Home Corporation, a public corporation ("Petitioner"), has petitioned
18 Palm Beach County, Florida (the "County"), to grant the establishment of the Gulfstream Polo
19 Community Development District (the "District"); and

20 WHEREAS, a public hearing has been conducted by the Board of County Commissioners
21 of Palm Beach County, Florida (the "Board"), in accordance with the requirements and
22 procedures of Section 190.005(1)(d), Florida Statutes; and

23 WHEREAS, all statements contained within the petition have been found to be true and
24 correct; and

25 WHEREAS, the creation of the District is not inconsistent with any applicable element or
26 portion of the effective Palm Beach County Comprehensive Land Use Plan, as amended; and

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

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

31 WHEREAS, the District will constitute a timely, efficient, effective, responsive and
32 economic way to deliver community development services in the area; and

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

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

38 WHEREAS, the District desires to levy special assessments on purchasers of benefited
39 land within the District to pay for infrastructure constructed and/or acquired by the District; and

40 WHEREAS, the District shall acquire or construct potable water and wastewater facilities
41 in accordance with the County's Water Utilities Department's standards and procedures to

1 enable the County to provide potable water and wastewater services to the District; and

2 **WHEREAS**, the District does not have any zoning or development permitting power and
3 the establishment of the District is not a development order; and

4 **WHEREAS**, all applicable planning and permitting laws, rules, regulations and policies
5 control the development of the land to be serviced by the District; and

6 **WHEREAS**, the Board has considered the record of the public hearing and has decided
7 that the establishment of the District is the best alternative means to provide certain basic
8 services to the community; and

9 **WHEREAS**, the Board finds that the District shall have the general powers described in
10 Section 190.011, Florida Statutes; and

11 **WHEREAS**, the Petitioner and the County agree that the District shall not construct
12 improvements or levy assessments to residential property for improvements to be constructed
13 outside the district boundaries.

14 **WHEREAS**, the exercise by the District of any powers other than the powers set forth in
15 Sections 190.011, 190.012(1) and 190.12(2)(a),(b) and (d), Florida Statutes, shall require
16 consent by the Board of County Commissioners of Palm Beach County by ordinance or
17 resolution.

18 **WHEREAS**, it is the intent of the County that the District shall not construct improvements
19 or levy assessments for improvements to be constructed outside the boundaries of the District.

20 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
21 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA:**

22 **Section 1. ESTABLISHING A COMMUNITY DEVELOPMENT DISTRICT:** The Petition
23 to establish the Gulfstream Polo Community Development District over the real property
24 described in Exhibit "B" attached hereto, which was filed by Pulte Home Corporation on May 6,
25 2016 and amended on July 12, 2016, and which Petition is on file at the Palm Beach County
26 Planning Division is hereby granted.

27 **Section 2.** The external boundaries of the District shall be as depicted on the location
28 map attached hereto and incorporated herein as Exhibit "A."

29 **Section 3. NAMING OF THE INITIAL MEMBERS OF THE BOARD:** The initial
30 members of the Board of Supervisors shall be as follows:

- 31 Greg Pettibon
- 32 Andrew Maxey
- 33 David Kanarek
- 34 Brad Hartman
- 35 Matthew Nelson
- 36

1 **Section 4. ESTABLISHING THE NAMING OF THE DISTRICT:** The name of the
2 District shall be "Gulfstream Polo Community Development District."

3 **Section 5. DESIGNATING THE PURPOSE OF THE DISTRICT:** The District is created
4 for the purposes set forth in and prescribed in the petition.

5 **Section 6. DESIGNATING THE POWERS OF THE DISTRICT:** The Board hereby
6 grants to the District all general powers authorized pursuant to Section 190.011 and the special
7 powers in Section 190.012(1), and Section 190.012 (2)(a),(b) and (d), Florida Statutes, and
8 hereby finds that it is in the public interest of citizens of the County to grant such general
9 powers.

10 **Section 7.** Notwithstanding Section 6 as set forth hereinabove, the Petitioner or the
11 District, shall enter into a Standard Potable Water and Wastewater Development Agreement
12 with the County for the provision of water and wastewater facilities. Petitioner shall pay all fees
13 and charges as set forth in said Agreement and shall abide by all terms and conditions therein
14 including, but not limited to, constructing or acquiring the water and wastewater facilities in
15 accordance with the Palm Beach County Water Utilities Department's Uniform Policies and
16 Procedures; providing the County with appropriate easements for said facilities; and providing
17 the County with a deed to said water and wastewater facilities at no cost to the County. Palm
18 Beach County Water Utilities Department shall operate and maintain said water and wastewater
19 facilities and provide water and wastewater service upon receipt of all fees and charges, upon
20 completion of construction and upon receipt of said deed.

21 **Section 8.** Pursuant to Section 190.004(4), Florida Statutes, the charter for the District
22 shall be Sections 190.006 through 190.041, Florida Statutes, including the special powers
23 provided by Section 190.012(1), and Section 190.012 (2)(a),(b) and (d), Florida Statutes. The
24 exercise by the District of powers set forth in Section 190.012(2)(c),(e) and (f) shall require
25 consent by the Board of County Commissioners. Such consent for additional powers not
26 currently stated in Section 8 of this ordinance shall only be provided by resolution or ordinance
27 after specific petition to the Board. The consent to special powers by the District does not
28 include the power to construct improvements or levy assessments for improvements to be
29 constructed outside the boundaries of the District.

30 **Section 9.** The District is solely responsible for the implementation of special
31 assessments upon benefited property within the District's internal boundaries. Said special
32 assessments for improvements outside of the District's boundaries are prohibited. The
33 Petitioner, its successors and assignees shall provide notice of said special assessments to all
34 prospective purchasers of said property.

1 **Section 10.** The Petitioner, its successors and assignees shall provide full disclosure of
2 the public financing and maintenance of improvements undertaken by the District. This
3 disclosure shall include a statement in bold print that special assessments imposed by the
4 District will appear in the tax bill. This disclosure shall meet the requirements of Section
5 190.048, F.S., as amended from time to time, and shall be included in every contract for sale
6 and in every recorded deed from the Petitioner. The District shall record a notice of
7 assessments in the Public Records both before and after any Bond sale.

8 **Section 11.** The Petitioner, its successors and assignees shall disclose the fact that the
9 development is located in a special taxing district and that a special assessment will be
10 assessed on the tax roll against all property owners within the District. This information shall be
11 in **BOLD** type in any sales brochures, in any sales information, on the front page of the
12 Declaration of Restrictive Covenants creating the Property Owner Association or Homeowner
13 Association, and on signs with a minimum size of 24" by 36" which shall be posted at all times at
14 the entrance of any sales office of the development. The signs shall provide the following
15 disclosure:

16 "If you purchase a unit in this development you will be subject to additional costs. A
17 special assessment will be added to your tax bill. This non-ad valorem tax assessment will be in
18 addition to all other property taxes, HOA fees and assessments. This cost is estimated at \$900-
19 \$1,400 per year depending on size of the lot and will be levied to pay debt service on the bonds
20 issued by the District and administrative costs." This statement shall be followed by a table
21 clearly listing the Annual Debt Service, Annual Operations & Maintenance and Total
22 Assessment for each lot size.

23 **Section 12.** The Petitioner, its successors and assignees shall provide all the
24 disclosure statements required in Sections 10 and 11 above in a separate page as part of the
25 contract for purchase and sale of property within the District. The potential purchaser must sign
26 this page.

27 **Section 13.** An affidavit of compliance shall be submitted annually to Palm Beach
28 County Monitoring Section beginning on January 1, 2017 until all units have been sold, outlining
29 the number of units sold, providing samples of the documents used in the closing process and
30 certifying compliance with the disclosure requirements contained in this ordinance. The County
31 shall have the right to audit the records of the Petitioner, its successors and assignees upon 10
32 days written notice to verify the compliance with the disclosure requirements of this ordinance.
33 Failure to comply with the disclosure requirements in this ordinance shall be a violation of a

1 county ordinance and shall be punishable as provided by law, including but not limited to
2 enforcement procedures established in Article 14 of the Unified Land Development Code.

3 **Section 14. PROVIDING FOR SEVERABILITY:**

4 If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any
5 reason held by any court of competent jurisdiction to be unconstitutional, inoperative or void,
6 such holding shall not affect the remainder of this Ordinance.

7 **Section 15. REPEAL OF LAWS IN CONFLICT:**

8 All local laws and ordinances applying to Palm Beach County in conflict with any
9 provision of this Ordinance are hereby repealed to the extent of the conflict.

10 **Section 16. PROVIDING FOR AN EFFECTIVE DATE:**

11 This ordinance shall take effect upon filing with the Department of State.

12 APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach
13 County, Florida, on this ____ day of _____, 2016.

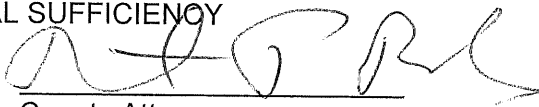
14 ATTEST:

15
16 By: _____
17 Deputy Clerk

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

Mary L. Berger, Mayor

18
19
20 APPROVED AS TO FORM AND
21 LEGAL SUFFICIENCY

22
23 By: 
24 County Attorney

25
26
27
28
29 EFFECTIVE DATE: Filed with the Department of State, State of Florida, on the ____ day of
30 _____, 2016 at _____ m.