

ORDINANCE NO. 2025-008

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, ESTABLISHING THE MAINSTREET AT COCONUT CREEK COMMUNITY DEVELOPMENT DISTRICT; MAKING CERTAIN FINDINGS OF FACT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; NAMING FIVE PERSONS DESIGNATED TO BE THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING FOR CONSENT FOR THE EXERCISE OF CERTAIN POWERS; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, GSR RE PARTNERS, LLC, a Florida limited liability company ("Petitioner"), petitioned the City Commission of the City of Coconut Creek, Florida, to enact an ordinance establishing the MainStreet at Coconut Creek Community Development District (the "District"), pursuant to Chapter 190, Florida Statutes; and

WHEREAS, pursuant to Section 190.005(1)(d), Florida Statutes, notice of the public hearing on the Petition to establish the proposed District was published in the Sun-Sentinel newspaper once a week for four (4) consecutive weeks prior to the public hearing; and

WHEREAS, the City Commission of the City of Coconut Creek, having considered the Petition and all information presented at the public hearing, and being fully advised and informed of the premises, has determined that it is in the best interests of the residents of the City to approve the Petition to establish the District and approve this ordinance.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:

Section 1: Ratification. That the City of Coconut Creek, Florida (the "City"), is authorized to adopt this ordinance under the authority granted by the provisions of Chapters 166 and 190, Florida Statutes, as amended, and other applicable provisions of law.

Section 2: Findings. That the Petitioner has submitted written consent to the establishment of the District by Elster/Rocatica, LLC, a Florida limited liability company, and Johns Family Partners, LLLP, a Florida limited liability partnership, both the landowners of the real property to be included in the District.

- A. On February 14, 2025, Petitioner submitted to the City a petition (the "Petition"), seeking the establishment of a community development district for the Property, more particularly described in Composite Exhibit "A," attached hereto (the "Property"), within the meaning of the Uniform Community Development Act of 1980, Chapter 190, Florida Statutes (the "Act"), as a reasonable and appropriate method of providing the infrastructure to serve residents of the Property. The District would be known as "MainStreet at Coconut Creek Community Development District," and the boundaries of the District would be coterminous with the boundaries of the Property.
- B. The City has conducted a public hearing on the Petition in accordance with the requirements of Section 190.005(1)(d) of the Florida Statutes and has considered the record of the public hearing and the factors set forth in Section 190.005(1)(e) of the Florida Statutes, among other factors, and hereby finds that:
 1. All statements in the Petition have been found to be true and correct;
 2. The creation of the District is not inconsistent with any applicable elements or portion of the State of Florida's comprehensive plan or of the effective City Comprehensive Plan;
 3. 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;
 4. The establishment and operation of the proposed District is the best alternative available for delivering community development services and facilities to the area that will be served by the District;
 5. The community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and
 6. The Property to comprise the District is amenable to separate special-district government.
- C. The City now desires to grant the Petition and to establish the District, as more fully set forth herein.

Section 3: Establishment of District Name. That the City hereby grants the Petition and establishes the District as a community development district within the meaning of the Act and as an independent special district within the meaning of Chapter 189, Florida Statutes. The name of the District shall be "MainStreet at Coconut Creek Community Development District."

Section 4: External Boundaries. That the external boundaries of the District shall be as set forth in Exhibit "A," which is attached hereto and incorporated herein.

Section 5: Initial Members of Board of Supervisors. That the five (5) persons to be the initial members of the Board of Supervisors of the District, each of whom is designated in the Petition, are Stephanie Mogull, Lauren Edward, Cory Ring, Landon Massel, and Rick Stephano.

Section 6: Consent to Exercise of Special Powers. That the City hereby consents to the exercise by the District of the general and special powers set forth in sections 190.011 and 190.012(1), (2) (a) and (d) and (3), Florida Statutes.

Section 7: Conditions of Approval. That this ordinance is subject to the following conditions of approval:

1. The Petitioner shall provide a copy of the marketing materials to be provided to the prospective buyers, putting them on notice of the costs associated with the District.
2. The Petitioner shall provide to the City the estimated annual cost to be assessed to each prospective buyer prior to issuance of the first building permit within the boundaries of the District.

Section 8: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 9: Severability. That should any section or provision of this ordinance, or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 10: Effective Date. That this ordinance shall become effective immediately upon its passage and adoption on second and final reading.

PASSED FIRST READING THIS 13TH DAY OF MARCH, 2025.

PASSED SECOND READING THIS _____ DAY OF _____, 2025.

Jacqueline Railey, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

	<u>1st</u>	<u>2nd</u>
Railey	<u>Aye</u>	_____
Wasserman	<u>Aye</u>	_____
Welch	<u>Aye</u>	_____
Rydell	<u>Aye</u>	_____
Brodie	<u>Aye</u>	_____

Exhibit "A"

MainStreet at Coconut Creek Community Development District Petition