



Legislation Details (With Text)

File #: 9437-21 **Version:** 1 **Name:**

Type: Ordinance **Status:** Public Hearing

File created: 2/8/2021 **In control:** Legal

On agenda: 6/17/2021 **Final action:**

Title: Approve the contraction of the Clearwater Cay Community Development District and pass Ordinance 9437-21 on first reading.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 9437-21 Clearwater Cay Contraction 264589.pdf, 2. Clearwater Cay Club Exhibit H.pdf, 3. [261273] Petition for Contraction (final).pdf, 4. Exhibit_5.pdf, 5. Record for Hearing on 3.4.21 (Ord. #9437-21) (1)

Date	Ver.	Action By	Action	Result
6/17/2021	1	City Council		
6/14/2021	1	Council Work Session		
5/6/2021	1	City Council		
5/3/2021	1	Council Work Session		
3/4/2021	1	City Council		
3/1/2021	1	Council Work Session		

SUBJECT/RECOMMENDATION:

Approve the contraction of the Clearwater Cay Community Development District and pass Ordinance 9437-21 on first reading.

SUMMARY:

CL Clearwater LP, a Delaware limited partnership; CL Clearwater LLC, a Delaware limited liability company, doing business in Florida as CL Tampa Clearwater LLC; CL Clearwater Owner 3 LLC, a Delaware limited liability company; CL Clearwater Owner 4 LLC, a Delaware limited liability company; CL Clearwater Owner 5 LLC, a Delaware limited liability company; and CL Clearwater Owner 6 LLC, a Delaware limited liability company, owners in Clearwater Cay Community Development District (Petitioners), a community development district established by Ordinance No. 7515-05, adopted on September 15, 2005 as amended by Ordinance 7564-05, adopted on January 19, 2006 of the City Council of Clearwater, Florida, and effective on that date (City Ordinance), have petitioned the City Council of the City of Clearwater, Florida (Council), through its Petition to Amend Clearwater Cay Community Development District (Petition), to contract by non-emergency ordinance, the boundaries of the Clearwater Cay Community Development District (District).

The Petition is complete in that it meets the requirements of Section 190.046(1), *Florida Statutes* (2020). Appropriate city staff reviewed the application and determined it to be complete and

sufficient.

The costs to the City of Clearwater and government agencies from contraction of the District are nominal. There is no adverse impact on competition or employment from District contraction. The persons affected by contraction are the future landowners, present landowners, the City of Clearwater and its taxpayers, and the State of Florida. Methodology is as set forth in the Statement of Estimated Regulatory Costs (SERC) on file with the City. The SERC of the Petitioner pertaining to District contraction is complete and adequate, in that it meets the requirements of Section 120.541, *Florida Statutes*.

Contraction of the District by this Ordinance, whose uniform general law charter is Sections 190.006 - 190.049, *Florida Statutes*, is subject to and not inconsistent with the local Comprehensive Plan of the City of Clearwater and with the State Comprehensive Plan.

The area of land within the District as contracted is sufficient size, is sufficiently compact, and is sufficiently contiguous and has been developed as one functional, interrelated community.

The area that is proposed to be served by the District after the contraction is amenable to separate special district government.

Upon the effective date of this Ordinance, the Clearwater Cay Community Development District will cease to be duly and legally authorized to exist on the proposed Contraction Property and, as to the Contraction Property shall cease to exercise any of its general and special powers in accordance with, and as granted by, its uniform community development district charter as provided in Sections 190.006- 190.049, *Florida Statutes*.

All notice requirements of law were met and complete notice was timely given.

APPROPRIATION CODE AND AMOUNT: N/A