



## Lake Powell Residential Golf Community Development District

The Lake Powell CDD is a local, special purpose government entity authorized by Chapter 190 of the Florida Statutes as amended, and created as an alternative method of planning, acquiring, operating and maintaining community-wide improvements in planned communities.

The Lake Powell CDD is organized similar to other local governments in Florida, in that the legislative body is composed of a five-member board known as the Board of Supervisors. The Board establishes the policy of the District in accordance with Florida law. The Board, by law, must hire a District Administrator and District Counsel. District Administration staff and the District Attorney administer the operations of the District and implement the Board's policies and contracts.

As special-purpose local governments, CDDs possess certain legal powers similar to those held by cities and counties. CDD powers include the right to enter into contracts, to acquire and dispose of real and personal property, to adopt rules and regulations, and to obtain funds. These

funds are obtained either by borrowing, issuing bonds, or levying assessments. CDDs also have certain special powers relating to the provision of basic public improvements and community facilities, such as roads, bridges, potable water and sanitary sewer management services.

All District powers are exercised subject to the regulatory jurisdiction and permitting authority of all applicable governmental bodies, agencies, and special districts that have jurisdiction over the CDD. Similarly, the creation of a CDD does not alter the requirement of obtaining the necessary government approval for any activities or construction within the District. By law, CDDs do not have zoning, permitting, or comprehensive planning power.



# LAKE POWELL COMMUNITY

## **How do the Lake Powell Community Development District's responsibilities differ from the Homeowners' Association?**

The POA (Property Owners Association) is responsible for maintaining and enforcing all of the covenants, conditions, and restrictions related to the use of a homeowner's property within the Wild Heron community and has other duties that are outside the CDD's scope of responsibility, such as maintaining certain recreational amenities and common areas. For more information regarding POA responsibilities please contact the Wild Heron POA at 850-249-1516.

## **What is the Community Development District in our community specifically responsible for?**

The Lake Powell CDD will plan, construct, acquire, operate, and maintain infrastructure systems for facilities such as: Roadways, Domestic Water Distribution, Sanitary Collection, Stormwater Management and Wetland Protection & Mitigation. The CDD integrated stormwater management system consists of multiple lakes, grassed swales, Vegetated Natural Buffers (VNBs), golf course waste bunkers, etc. The wetland preservation and mitigation components include monitoring and maintenance of Recorded Conservation Easements (RCEs), water quality testing of Lake Powell, eradication of invasive exotic vegetation, and prescribed burns.

## **Who Governs the CDD?**

The District residents elect a five-member Board of Supervisors who will determine the type, quality and expense of District facilities and services. Eventually, the Board will be elected by majority vote of the resident electors in the community. A professional manager implements the policies of the Board. The District meets regularly in a public setting, allowing for input from its residents and landowners. The District is required to publicly advertise and competitively bid many contracts for various goods and services.

## **What is the benefit to residents?**

Residents within a community with a CDD may expect to receive three major classes of benefits. First, the CDD provides landowners consistently high levels of public facilities and services managed and financed through self-imposed fees and assessments. Second, the CDD ensures that these community development facilities and services will be completed concurrently with other parts of the development. Third, CDD landowners and electors choose the Board of Supervisors, which is able to determine the type, quality and expense of CDD facilities and services. Residents and property owners in a CDD set the standards of quality, which are then managed by the CDD.

Other savings are realized because a CDD is subject to the same laws and regulations that apply to other government entities. The District has access to low interest, tax exempt, financing to fund the construction and/or acquisition of public infrastructure.

The CDD provides perpetual maintenance of the environmental conservation areas. This consistent and quality-controlled method of management helps protect the long term property values in a community.

# DEVELOPMENT DISTRICT Q&A

## **The cost of a CDD?**

The cost to operate a CDD is borne by those who benefit from its services. Property owners in the CDD are subject to a non-ad valorem assessment, which appears on their annual property tax bill from the county tax collector and may consist of two parts—an annual assessment for operations and maintenance, which can fluctuate up and down from year to year based on the budget adopted for that fiscal year—and an annual capital assessment to repay bonds sold by the CDD to finance community infrastructure and facilities, which annual assessments are generally fixed for the term of the bonds. Specific assessment information is available on the Lake Powell CCD website at <http://www.lakepowellcdd.net>.

## **Can you explain the assessments?**

The Lake Powell CDD, must recover the expense of installing the improvements undertaken during initial construction, while ensuring that each property pays its fair share of the project cost. The purpose of this Assessment Methodology is to establish a fair and equitable manner of recovering and distributing the cost of the improvements. The procedures used by the District for levying and collecting special assessments are those specified by Florida Statutes, Chapter 170, Chapter 190 and Chapter 197, which provide that all or a part of the cost of improvements may be assessed against benefiting properties. Benefiting properties can be described as those contained within the District that receives specific advantages from the improvements funded by the Lake Powell CDD.

## **How is the CDD Assessment for a property determined?**

The amount each home pays is a result of the combination of the cost of two assessments levied by the District against property owners. The first, known as the Debt Service, is paying of the property's share of the bonds issued to construct Wild Heron. The second, is the share of the Operation and Maintenance budget, which is set by the Board each year to keep the utilities, roads, etc running smoothly.

The total cost of the services that will be funded by the assessments is allocated to each property based on the estimated special benefit received. The method of benefit allocation is based on the relative special benefit in relation to the property's use. According to Florida Statute 170.02, the methodology by which valid special assessments are allocated to specifically benefited property may be determined and prorated according to foot frontage of said property, or by such other method as the governing body of the District may prescribe.

## **Who can attend a CDD Meeting?**

The Florida Constitution and Sunshine Act give "the public" the right to attend the meetings of the Community Development District (the District). Florida law does not limit access to meetings. Anyone may attend. All meetings and workshops dates and times of the Lake Powell CDD are advertised noticed in advance of each meeting and are usually held on the third Monday of each month.



# What we have been working on...

Since the Lake Powell Board of supervisors made the transition from developer to residents of the community, the CDD has been working on a variety of projects and issues. Among them are the following:

**Cash reserves:** Several years ago, the reserves for the CDD were low and as a result the new resident CDD supervisors were concerned that we would not have the financial resources to deal with an unplanned emergency. As a result, the Board of Supervisors immediately began taking a long view to strategically increase our cash reserves. One of those steps was to institute a small charge on those properties that were not yet developed. Over time, we increased the cash reserves to the point where we had the cash to pay for the water supply project.

**Bond refinancing:** The Board of Supervisors worked with an experienced team of underwriters, including Gardnyr Michael Capital, Inc., and FMS Bonds, Inc., to refinance the Series 2000 long-term special assessment revenue bonds. The refinancing resulted in a significant interest rate reduction on the bonds, from 7.45% to 5.25%, saving the District and property owners nearly \$1,000,000 over the life of the bonds. The Series 2000 bonds were originally issued by the District to provide for an assortment of public infrastructure improvements such as on-site roads, lighting, landscaping, wetland mitigation and conservation, water distribution and collection systems and recreational facilities.

**Prescribed burns:** Carefully planned prescribed burns are the most effective tool for removing flammable plant material and reducing dead vegetation that could fuel a wild fire. When these fuels and vegetation are maintained at low levels using prescribed fires, it reduces the material that could potentially be ignited during a lightning strike or wild fire. The prescribed burn component of the CDD Environmental Mitigation & Enhancement Plan typically occurs during the period of December- March. The environmentally protected areas within Wild Heron that are eligible for prescribed burns are identified on the CDD website. The environmental benefit of prescribed burns is to restore or improve natural forest conditions. Prescribed burns promote seed germination, flowering, or re-sprouting of fire-adaptive native plants and generally improved wildlife habitat.

**Water supply project:** The District successfully undertook improvements to upgrade the water supply system within Wild Heron. Based upon the measured domestic and landscaping demands, a new parallel water main was installed along Wild Heron Way, from the on-site bridge to the rotary. This improvement is a planned component of the ongoing efforts to maintain and improve the District's infrastructure system (roads, drainage and utilities) as the community grows.

## How do I find out more about the Lake Powell Community Development District?

For copies of District meeting minutes, contracts, financial statements, annual operating budgets and other District records, contact District Manager Craig Wrathell, Wrathell, Hunt and Associates, at 877-276-0889. Or visit the the Lake Powell CDD website at [www.lakepowellcdd.net](http://www.lakepowellcdd.net).