

# Memorandum



(Public Hearing 9-1-22)

**Date:**

July 7, 2022

**To:**

Honorable Chairman Jose “Pepe” Diaz  
and Members, Board of County Commissioners

**From:**

Daniella Levine Cava  
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

**Subject:**

Ordinance Amending the Stellar North Community Development District

Agenda Item No. 5(O)

## **Executive Summary**

The purpose of this item is to gain authorization from the Board of County Commissioners (Board) to amend a Community Development District (CDD) in the City of Florida City, Florida (City). CDDs are a local unit of special-purpose government created according to Chapter 190 of the Florida Statutes.

## **Recommendation**

It is recommended that the Board adopt the attached Ordinance amending the boundaries of the Stellar North Community Development District (District). This District lies wholly within the City and will be contracting by approximately 4 acres, decreasing the total acreage of the District from approximately 29 acres to 25 acres pursuant to the authority granted by the Miami-Dade County Home Rule Charter for the purposes set forth in Chapter 190 of the Florida Statutes.

## **Scope**

The District is located within Commission District 9, which is represented by County Commissioner Kionne L. McGhee, and will provide funding for capital improvements, as well as multipurpose maintenance functions, within the District. The area of contraction will not be a part of the residential development.

## **Fiscal Impact/Funding Source**

Amending the boundaries of the District will have no fiscal impact to Miami-Dade County (County). CDD funding is derived from assessments levied against the properties within the CDD, which are secured by a lien against the properties and collected directly by the CDD or through the annual Combined Real Property tax bill pursuant to an interlocal agreement with the County. Adoption of this Ordinance will not affect the District assessments of the individual owners within the original District boundaries.

## **Social Equity Statement**

The proposed Ordinance grants a petition for the amendment of the District, pursuant to the procedures and factors set forth in section 190.046, Florida statutes.

If approved, pursuant to Chapter 190, Florida Statutes, the District will have the power to levy taxes and special assessments and charge, collect, and enforce fees and other user charges affecting property owners within the District, regardless of their demographics. The CDD is a timely, efficient, effective, responsive, and economic way to deliver and finance basic community development services.

## **Track Record/Monitor**

A multipurpose maintenance special taxing district (Special Taxing District) may be created to maintain this development’s infrastructure and common areas should the Homeowners Association or District be

Honorable Chairman Jose “Pepe” Diaz  
and Members, Board of County Commissioners  
Page 2

dissolved or fails to fulfill its maintenance obligations. This Special Taxing District will remain dormant until such time as the County determines to implement the Special Taxing District.

**Delegation of Authority**

This Ordinance does not delegate any authority to the County Mayor or designee.

**Background**

The District was created by the Board on June 15, 2021, pursuant to Ordinance No. 21-53. The original District boundaries encompass 29 acres with approximately \$8.540 million in infrastructure costs servicing 11,000 square feet of commercial space and 359 townhome units. Upon adoption of the attached Ordinance, the District will be decreased by a net acreage of approximately 4 acres. In accordance with Chapter 190, Florida Statutes, the Petitioner has paid a filing fee of \$1,500.00 and \$15,000.00 for future advertising costs to the County.

A Declaration of Restrictive Covenants to vacate the contraction of the District will be recorded by the petitioner.

This Board is authorized by the Florida Constitution and the County Home Rule Charter to establish governmental units, such as this CDD, within the County and to prescribe such government’s jurisdiction and powers.



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Jimmy Morales  
Chief Operations Officer




## MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** September 1, 2022

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 5(O)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☒ 6 weeks required between first reading and public hearing
- ☒ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 5(O)  
9-1-22

ORDINANCE NO. \_\_\_\_\_

ORDINANCE GRANTING PETITION OF STELLAR NORTH COMMUNITY DEVELOPMENT DISTRICT, GENERALLY BOUNDED ON THE NORTH BY SW 328 STREET (E. LUCY STREET), ON THE EAST BY SE 6 AVENUE, ON THE SOUTH BY THEORETICAL NE 12 STREET AND ON THE WEST BY THEORETICAL NE 3 AVENUE; AMENDING THE BOUNDARIES OF THE DISTRICT TO CONTRACT ITS TOTAL ACREAGE BY APPROXIMATELY FOUR ACRES; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

**WHEREAS**, article VIII, section 6(e) of the Florida Constitution provides for exclusive County Charter authority to establish all governmental units within Miami-Dade County and to provide for their government and prescribe their jurisdiction and powers; and

**WHEREAS**, section 1.01(A)(21) of the Miami-Dade County Home Rule Charter grants the Board of County Commissioners (“Board”) the authority to exercise all powers and privileges granted to municipalities and counties by the laws of this State; and

**WHEREAS**, the Florida Legislature created and expanded chapter 190, Florida Statutes, to provide an alternative method to finance and manage basic services for community development; and

**WHEREAS**, at its meeting of June 15, 2021, the Board adopted Ordinance No. 21-53 establishing the Stellar North Community Development District (“District” or “Petitioner”) and providing for specific boundaries of the District; and

**WHEREAS**, pursuant to section 190.046, Florida Statutes, the District may petition and the Board has the authority to contract the boundaries of a community development district within its jurisdiction; and

**WHEREAS**, the Petitioner has submitted a petition to contract the District's boundaries by approximately four acres, resulting in a total decrease in acreage of the District from 29 acres to 25 acres; and

**WHEREAS**, a public hearing has been conducted by the Board in accordance with the requirements and procedures of sections 190.005(2)(b) and 190.046(1), Florida Statutes, and the applicable requirements and procedures of the Miami-Dade County Home Rule Charter and Code; and

**WHEREAS**, the Board finds that the statements contained in the petition to contract the District's boundaries are true and correct; and

**WHEREAS**, the contraction of the District's boundaries is not inconsistent with any applicable element or portion of the state comprehensive plan or the Miami-Dade County Comprehensive Development Master Plan; and

**WHEREAS**, the area of land within the District as contracted is sufficiently compact and sufficiently contiguous to be developable as one functional interrelated community and the area of land being removed does not impact such functionality; and

**WHEREAS**, the District, as contracted, is the best alternative available for delivering the community development services and facilities that will be provided by the District, and the area of land being removed will not impact such delivery; and

**WHEREAS**, the community development facilities and services of the District as contracted will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

**WHEREAS**, the area that will be served by the District as contracted is amenable to separate special district government; and

**WHEREAS**, having made the foregoing findings, after a public hearing, the Board wishes to exercise the powers bestowed upon it by section 1.01(A)(21) of the Miami-Dade County Home Rule Charter in the manner provided by chapter 190, Florida Statutes,

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

**Section 1.** The foregoing findings, which are expressly set forth herein, are hereby adopted and made a part hereof.

**Section 2.** The petition to contract the District to exclude the real properties described therein, which was filed by the District on May 17, 2022, and which petition is on file at the Office of the Clerk of the Board, is hereby granted. A copy of the petition is attached and incorporated herein as Exhibit A to the Ordinance.

**Section 3.** The external boundaries of the District, as contracted, are sufficiently contiguous and shall be as depicted in the certified metes and bounds legal description attached hereto and incorporated herein as Exhibit B to the Ordinance. Furthermore, the external boundaries shall be as depicted on the location map attached hereto and incorporated herein as Exhibit C to the Ordinance.

**Section 4.** Except to contract the boundaries of the District as provided herein, this Ordinance does not affect, expand or modify Ordinance No. 21-53.

**Section 5.** If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

**Section 6.** It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall be excluded from the Code of Miami-Dade County.

**Section 7.** This Ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:

Handwritten signature in blue ink, appearing to be "GBL".

Prepared by:

Handwritten signature in black ink, appearing to be "MSM".

Michael J. Mastrucci

# "EXHIBIT A to the Ordinance"


PETITION TO CONTRACT STELLAR NORTH  
COMMUNITY DEVELOPMENT DISTRICT

Dated: May 17, 2022



**Date:** May 17, 2022

**To:** Basia Pruna, Deputy Clerk  
Office of the Clerk of the Board  
Attn: Shania Momplaisir

**From:** Lorena Guerra-Macias, Chief   
Special Assessment Districts Division  
Parks, Recreation and Open Spaces Department

**Subject:** Stellar North Community Development District –  
Amendment

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The attached petition was submitted by Stellar North Community Development District and has been finalized, reviewed, and deemed complete by the Miami-Dade County Parks, Recreation and Open Spaces Department pursuant to Chapter 190, Florida Statutes, and Miami-Dade County Policy.

The filing date of record is May 17, 2022.

Attachment

c: Michael Mastrucci  
Assistant County Attorney

**BOARD OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA**

**IN RE: PETITION PURSUANT TO  
SECTION 190.046(1), FLORIDA STATUTES,  
TO CONTRACT THE BOUNDARIES  
OF STELLAR NORTH COMMUNITY  
DEVELOPMENT DISTRICT**

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**PETITION TO CONTRACT THE BOUNDARIES OF STELLAR NORTH  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors (the “Board”) of the Stellar North Community Development District, an independent special district established pursuant to Chapter 190, Florida Statutes (the “District”), and the Miami-Dade County Home Rule Charter by Ordinance No. 21-53 of Miami-Dade County, Florida (the “County”), adopted on June 15, 2021 (the “Ordinance”), hereby petitions the **BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA** (the “Commission”), in accordance with Section 190.046(1) of the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (the “Act”), to contract the current boundaries of the District and in support thereof, hereby attests as follows:

1. That approximately 29+/- acres are currently located within the external boundaries of the District.

2. That the Board desires to contract the boundaries of the District and remove approximately 4+/- acres of property from the District’s boundaries (the “Contraction Parcel”). The metes and bounds description of the Contraction Parcel is attached hereto as Exhibit 1. Following such amendment of the District’s boundaries, all other lands in the District will

continue to be located wholly within the jurisdictional boundaries of the City of Florida City, Florida. The metes and bounds description of the proposed amended District's boundaries is attached hereto and made a part hereof as Exhibit 2.

3. That the real property to be removed from the current boundaries of the District will not be a part of the community being developed within the District's boundaries, will receive no special benefit from infrastructure improvements that may be funded by the District, and will not be assessed by the District. There are currently no services that are being provided by the District in the area to be removed from the boundaries of the District. No special assessments have been levied against the real property being removed from the boundaries of the District.

4. That Stellar Florida City 29, LLC, a Florida limited liability company, is the owner of the lands comprising the Contraction Parcel (collectively the "Landowner"). Attached hereto as Exhibit 3 and made a part hereof is the written consent of the Landowner to the removal of the Contraction Parcel from the District. The favorable action of the Board authorizing the filing of this Petition, as is evidenced by the copy of District Resolution No. 2021-19 attached hereto as Exhibit 4, constitutes consent for all the landowners within the District pursuant to Section 190.046(1)(g), Florida Statutes.

5. That attached hereto as Exhibit 5 and made a part hereof is a designation of the future general distribution, location, and extent of public and private uses of land proposed for the area to be excluded from the District by the future land use plan element of the effective local government comprehensive plan. Contraction of the District in the manner proposed in this Petition is not inconsistent with the adopted local government comprehensive plan.

6. That attached hereto as Exhibit 6 and made a part hereof is a statement of

estimated regulatory costs in accordance with the requirements of Section 120.541, Florida Statutes.

7. That attached hereto as Exhibit 7 is a copy of a Resolution of the City Commission of the City of Florida City, Florida, expressing its support for the contraction of the boundaries of the District.

8. That following the proposed contraction of the District's boundaries (i) the contraction of the District's boundaries will not be inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan; (ii) the area of land comprising the District will be of sufficient size, compactness, and contiguity to be developable as one functional interrelated community; (iii) the District will continue to present the best alternative available for delivering the community development facilities and services to the area that will be served by the District; (iv) the community development facilities and services of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and (v) the area comprising the District will be amenable to separate special-purpose government.

9. That all statements contained within this Petition are true and correct.

**WHEREFORE**, Petitioner, the Board of Supervisors of the Stellar North Community Development District, hereby respectfully requests the Commission to:

A. Direct its staff to notice, as soon as practicable, a local public non-emergency hearing pursuant to the requirements of Section 190.046(1)(b) of the Act to consider whether to grant the Petition for the contraction of the District's boundaries and to amend the Ordinance establishing the District to reflect the new boundaries of the District.

B. Grant this Petition and enact an ordinance pursuant to applicable law amending the Ordinance establishing the District to reflect the new boundaries of the District.

RESPECTFULLY SUBMITTED this 26 day of October, 2021.

STELLAR NORTH COMMUNITY  
DEVELOPMENT DISTRICT

By: [Signature]  
Name: Michael Caputo  
Title: Chairperson

STATE OF FLORIDA                     )  
COUNTY OF MIAMI-DADE         )

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 26 day of October, 2021, by Michael Caputo, the Chairperson of the Board of Supervisors of the Stellar North Community Development District, who is personally known to me ☐ or produced \_\_\_\_\_ as identification and who being duly sworn, deposes and says that the aforementioned is true and correct to the best of his knowledge.



[Signature]  
Notary Public  
Denise Yanes  
Typed, printed or stamped name of Notary Public

**EXHIBIT 1**

**METES AND BOUNDS DESCRIPTION OF CONTRACTION PARCEL**

SURVEYED DESCRIPTION COMMERCIAL TRACT (PROPOSED)

BEING PART OF TRACT 1 OF BLOCK 2, MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION, LYING IN SECTION 19, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO A PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 10, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 19;

THENCE S 89°56'17" E ALONG THE NORTH LINE OF SAID SECTION 19 FOR 1,705.68 FEET TO A POINT;

THENCE S 00°36'57" E, 40.02 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY SW 328TH STREET ACCORDING TO A DEED THEREOF, AS RECORDED IN OFFICIAL RECORD BOOK 27925, PAGE 4566, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY;

THENCE S 89°56'17" E, ALONG SAID RIGHT OF WAY AND PARALLEL WITH SAID NORTHLINE OF SECTION 19, A DISTANCE OF 445.31 FEET TO THE POINT OF BEGINNING;

THENCE S 00°03'42" W, A DISTANCE OF 314.45 FEET TO A POINT;

THENCE S 89°57'27" E, A DISTANCE OF 397.66 FEET TO A POINT;

THENCE S 00°02'04" W, A DISTANCE OF 10.00 FEET TO A POINT;

THENCE S 89°57'42" E, A DISTANCE OF 154.14 FEET TO A POINT TO THE WEST RIGHT OF WAY LINE OF NE 6TH AVENUE ACCORDING TO A DEED THEREOF, AS RECORDED IN OFFICIAL RECORD BOOK 1683, PAGE 307, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY;

THENCE N 00°37'05" W, ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 299.20 FEET TO A POINT OF CURVATURE;

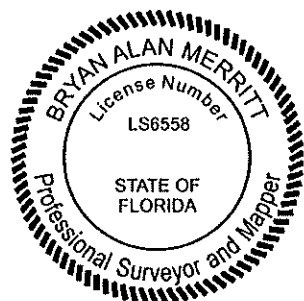
THENCE NORTHWESTERLY ALONG THE CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 39.44 FEET, A RADIUS OF 25.30 FEET AND A CENTRAL ANGLE OF 89°19'12" TO THE POINT OF TANGENCY AND SAID SOUTHERLY RIGHT OF WAY OF SW 328TH STREET;

THENCE N 89°56'17" W, SAID SOUTHERLY RIGHT OF WAY OF SW 328TH STREET AND PARALLEL WITH SAID NORTHLINE OF SECTION 19, A DISTANCE OF 522.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.000 ACRES (174,237 SQUARE FEET) OF LAND MORE OR LESS.

SUBJECT TO EASEMENTS RECORDED IN THE PUBLIC RECORDS AND SUBJECT FLORIDA CITY CODE OF ORDINANCES SECTION 62-341 REGARDING THE RIGHT OF WAY WIDTH OF NE 6TH AVENUE.

BRYAN A. MERRITT  
LICENSE NUMBER LS6558  
LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES, INC  
LICENSE BUSINESS NUMBER LB8172  
STATE OF FLORIDA



**EXHIBIT 2**

**METES AND BOUNDS OF NEW DISTRICT BOUNDARIES**



SURVEYED DESCRIPTION RESIDENTIAL TRACT (PROPOSED)

ALL OF TRACTS 2 AND 16 AND A PORTION OF TRACT 1 OF BLOCK 2, MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION, LYING IN SECTION 19, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO A PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 10, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 19;

THENCE S 89°56'17" E ALONG THE NORTH LINE OF SAID SECTION 19 FOR 1,705.68 FEET TO A POINT;

THENCE S 00°36'57" E, 40.02 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY SW 328TH STREET ACCORDING TO A DEED THEREOF, AS RECORDED IN OFFICIAL RECORD BOOK 27925, PAGE 4566, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY;

THENCE S 89°56'17" E, ALONG SAID RIGHT OF WAY AND PARALLEL WITH SAID NORTHLINE OF SECTION 19, A DISTANCE OF 445.31 FEET TO A POINT;

THENCE S 00°03'42" W, A DISTANCE OF 314.45 FEET TO A POINT;

THENCE S 89°57'27" E, A DISTANCE OF 397.66 FEET TO A POINT;

THENCE S 00°02'04" W, A DISTANCE OF 10.00 FEET TO A POINT;

THENCE S 89°57'42" E, A DISTANCE OF 154.14 FEET TO A POINT TO THE WEST RIGHT OF WAY LINE OF NE 6TH AVENUE ACCORDING TO A DEED THEREOF, AS RECORDED IN OFFICIAL RECORD BOOK 1683, PAGE 307, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY;

THENCE S 00°37'05" E, ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 944.78 FEET TO A POINT;

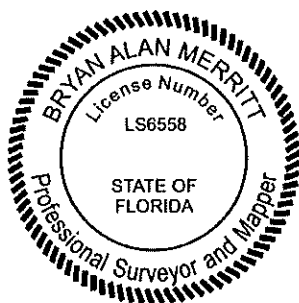
THENCE S 89°38'04" W, A DISTANCE OF 993.25 FEET TO A POINT;

THENCE N 00°36'57" W, A DISTANCE OF 1,276.39 FEET TO THE POINT OF BEGINNING CONTAINING 25.016 ACRES (1,089,697 SQUARE FEET) OF LAND MORE OR LESS.

SUBJECT TO EASEMENTS RECORDED IN THE PUBLIC RECORDS AND SUBJECT FLORIDA CITY CODE OF ORDINANCES SECTION 62-341 REGARDING THE RIGHT OF WAY WIDTH OF NE 6TH AVENUE.

NOTE: TRACTS 1, 2 AND 16 ARE CONTIGUOUS ALONG THEIR COMMON BOUNDARY LINES AND CONTAIN NO GAPS, GORES OR HIATUS.

BRYAN A. MERRITT  
LICENSE NUMBER LS6558  
LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES, INC  
LICENSE BUSINESS NUMBER LB8172  
STATE OF FLORIDA



**EXHIBIT 3**

**AFFIDAVIT OF OWNER'S CONSENT**

### AFFIDAVIT

On this 21 day of October, 2021, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, Larry Baum, who, after being duly sworn, deposes and says:

1. Affiant, Larry Baum, is the Manager of Bauco Holdings LLC, a Florida limited liability company, as Manager of Stellar Florida City 29, LLC, a Florida limited liability company (the "Company").

2. The Company is the fee title owner of the following described property, to wit:

See Exhibit "A" attached hereto (the "Property").

3. Affiant hereby represents that he has full authority to execute all documents and instruments on behalf of the Company, including the Petition To Contract the Boundaries of the Stellar North Community Development District before the County Commission of Miami-Dade County, Florida, pursuant to Section 190.046(1), Florida Statutes.


4. The Property consists of approximately 4 acres of real property located in the City of Florida City, Florida.

5. Affiant, on behalf of the Company, as the fee simple owner of the Property, in the capacity described above, hereby gives its full consent to the contraction of the external boundaries of the Stellar North Community Development District to exclude the Property therein.

IN WITNESS WHEREOF, I have hereunto set my hand this 21 day of October, 2021.

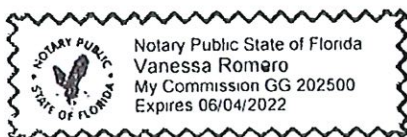
**Stellar Florida City 29, LLC, a Florida limited liability company**

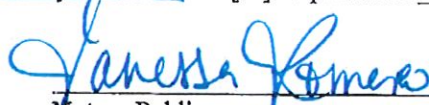
By: Bauco Holdings LLC, a Florida limited liability company, its Manager

By:   
Larry Baum  
Manager

STATE OF FLORIDA )  
COUNTY OF Broward )

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 21 day of October, 2021, by Larry Baum, the Manager of Bauco Holdings LLC, a Florida limited liability company, the Manager of Stellar Florida City 29, LLC, a Florida limited liability company, who is personally known to me ☐ or produced \_\_\_\_\_ as identification.



  
Notary Public  
Vanessa Romero  
Typed, printed or stamped name of Notary Public

**Exhibit "A"**

**Description of Parcel A**

SURVEYED DESCRIPTION COMMERCIAL TRACT (PROPOSED)

BEING PART OF TRACT 1 OF BLOCK 2, MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION, LYING IN SECTION 19, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO A PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 10, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE S 89°56'17" E, ALONG SAID RIGHT OF WAY AND PARALLEL WITH SAID NORTHLINE OF SECTION 19, A DISTANCE OF 445.31 FEET TO THE POINT OF BEGINNING;

THENCE S 00°03'42" W, A DISTANCE OF 314.45 FEET TO A POINT;

THENCE S 89°57'27" E, A DISTANCE OF 397.66 FEET TO A POINT;

THENCE S 00°02'04" W, A DISTANCE OF 10.00 FEET TO A POINT;

THENCE S 89°57'42" E, A DISTANCE OF 154.14 FEET TO A POINT TO THE WEST RIGHT OF WAY LINE OF NE 6TH AVENUE ACCORDING TO A DEED THEREOF, AS RECORDED IN OFFICIAL RECORD BOOK 1683, PAGE 307, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY;

THENCE N 00°37'05" W, ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 299.20 FEET TO A POINT OF CURVATURE;

THENCE NORTHWESTERLY ALONG THE CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 39.44 FEET, A RADIUS OF 25.30 FEET AND A CENTRAL ANGLE OF 89°19'12" TO THE POINT OF TANGENCY AND SAID SOUTHERLY RIGHT OF WAY OF SW 328TH STREET;

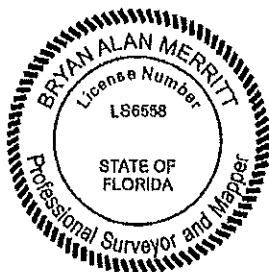
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Bryan A Merritt

BRYAN A. MERRITT  
LICENSE NUMBER LS6558  
LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES, INC  
LICENSE BUSINESS NUMBER LB8172  
STATE OF FLORIDA



**EXHIBIT 4**

**RESOLUTION OF THE STELLAR NORTH COMMUNITY DEVELOPMENT  
DISTRICT BOARD OF SUPERVISORS**

**RESOLUTION NO. 2021-19**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF  
THE STELLAR NORTH COMMUNITY DEVELOPMENT  
DISTRICT AUTHORIZING DISTRICT COUNSEL TO FILE A  
PETITION WITH MIAMI-DADE COUNTY, FLORIDA TO  
CONTRACT THE BOUNDARIES OF THE DISTRICT,  
PURSUANT TO SECTION 190.046, FLORIDA STATUTES;  
AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Stellar North Community Development District (the "District") currently encompasses a total of approximately 29 acres located entirely within the boundaries of Miami-Dade County, Florida (the "County")

**WHEREAS**, the District Board of Supervisors ("Board") has determined that it is in the best interests of the District and its residents to contract the boundaries of the District to remove approximately 4 acres described in **Exhibit "A"** attached hereto (the "Contraction Parcel"); and

**WHEREAS**, the District has not in the past, and does not currently provide any services or facilities to the Contraction Parcel, and the Contraction Parcel is not subject to any special assessments levied by the District; and

**WHEREAS**, after the contraction of the boundaries of the District, the District will continue to exercise its powers and functions subject to, not inconsistent with and in compliance with all comprehensive planning, land development regulations, laws and policies of the County and any applicable licenses, permits and development orders pursuant to Section 190.003 (3) and (4), Florida Statutes; and

**WHEREAS**, the community development services and facilities of the District will continue to be compatible with the capacity and use of existing local and regional community development services and facilities after the contraction; and

**WHEREAS**, the land uses and services within the District will continue to not be inconsistent with applicable elements and portions of the applicable comprehensive plans after the contraction.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF  
THE STELLAR NORTH COMMUNITY DEVELOPMENT DISTRICT, THAT:**

**SECTION 1.** The foregoing recitals clauses are true and correct and are hereby incorporated into this Resolution by reference.

**SECTION 2.** The District hereby authorizes, ratifies and confirms the filing with Miami-Dade County, Florida, of a petition to contract the boundaries of the District to exclude the Contraction Parcel in accordance with Section 190.046, Florida Statutes.

**SECTION 3.** The proper District officials are hereby authorized and directed to take all steps necessary to effectuate the intent of this Resolution.

**SECTION 4.** All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

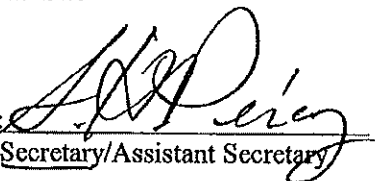
**SECTION 5.** If any clause, section or other part or application of this Resolution is held by court of competent jurisdiction to be unconstitutional or invalid, in part or as applied, it shall not affect the validity of the remaining portions or applications of this Resolution.

**SECTION 6.** This Resolution shall take effect upon adoption.

**THIS RESOLUTION WAS PASSED AND ADOPTED THIS 16<sup>th</sup> DAY OF JULY, 2021.**

**ATTEST:**

**STELLAR NORTH COMMUNITY  
DEVELOPMENT DISTRICT**

By:   
Secretary/Assistant Secretary

By:   
Chairperson/Vice Chairperson



Exhibit "A"

PROPOSED TRACT B – COMMERCIAL TRACT

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 19;

THENCE S 89°56'17" E ALONG THE NORTH LINE OF SAID SECTION 19 FOR 1,705.68 FEET TO A POINT;

THENCE S 00°36'57" E, 40.02 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY SW 328<sup>TH</sup> STREET ACCORDING TO A DEED THEREOF, AS RECORDED IN OFFICIAL RECORD BOOK 27925, PAGE 4566, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY;

THENCE S 89°56'17" E, ALONG SAID RIGHT OF WAY AND PARALLEL WITH SAID NORTHLINE OF SECTION 19, A DISTANCE OF 445.31 FEET TO THE POINT OF BEGINNING;

THENCE S 00°03'42" W, A DISTANCE OF 314.45 FEET TO A POINT;

THENCE S 89°57'27" E, A DISTANCE OF 397.66 FEET TO A POINT;

THENCE S 00°02'04" W, A DISTANCE OF 10.00 FEET TO A POINT;

THENCE S 89°57'42" E, A DISTANCE OF 154.14 FEET TO A POINT TO THE WEST RIGHT OF WAY LINE OF SE 6<sup>TH</sup> AVENUE ACCORDING TO A DEED THEREOF, AS RECORDED IN OFFICIAL RECORD BOOK 1683, PAGE 307, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY;

THENCE N 00°37'05" W, ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 299.20 FEET TO A POINT OF CURVATURE;

THENCE NORTHWESTERLY ALONG THE CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 39.44 FEET, A RADIUS OF 25.30 FEET AND A CENTRAL ANGLE OF 89°19'12" TO THE POINT OF TANGENCY AND SAID SOUTHERLY RIGHT OF WAY OF SW 328<sup>TH</sup> STREET;

THENCE N 89°56'17" W, SAID SOUTHERLY RIGHT OF WAY OF SW 328<sup>TH</sup> STREET AND PARALLEL WITH SAID NORTHLINE OF SECTION 19, A DISTANCE OF 522.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.000 ACRES (174,237 SQUARE FEET) OF LAND MORE OR LESS.

**EXHIBIT 5**

**FUTURE LAND USE**



## **EXHIBIT 6**

### **STATEMENT OF ESTIMATED REGULATORY COSTS Stellar North Community Development District**

#### **1.0 Introduction**

##### **1.1 Purpose and Scope**

This statement of estimated regulatory costs ("SERC") supports the Petition to contract the boundaries of the Stellar North Community Development District ("District" or "CDD"). The District currently comprises approximately a 29+/- acres of land located in the City of Florida City ("City"), Miami-Dade County ("County") Florida. This SERC is specific for one (1) area to be removed consisting of approximately 4+/- acres.

The limitations on the scope of this SERC are explicitly set out in Section 190.002(2) (d), *Fla.Stat.* (governing District formation or alteration) 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 Stellar North Community Development District**

The District is designed to provide district infrastructure, services, and facilities along with their operations and maintenance to a planned residential development. The proposed area of removal will not be a part of the residential community within the District.

##### **1.3 Requirements for Statement of Estimated Regulatory Costs.**

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

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

1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;

2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after implementation of the rule; or

3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

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

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

(d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

(e) An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined in Section 120.52, *Fla.Stat.* The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses.

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

(g) In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1) (a)[of Section 120.541, *Fla. Stat.*] and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

- 2.0 (a) An economic analysis showing whether the rule directly or indirectly is likely to (1) 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) 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) increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

It is unlikely the boundary amendment of the District will meet any of the triggers in Section 120.541(2)(a), *Fla. Stat.* The basis for 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 rule, together with a general description of the types of individuals likely to be affected by the rule.**

The District currently serves land that comprises approximately 29+/- acres of land. Upon approval of the Petition to contract the boundaries of the District, the District's boundaries will comprise approximately 25+/- acres. This boundary amendment will remove one (1) area of land from the District's boundary (commercial parcel) and will not be a part of the residential community in the District

**4.0 A good faith estimate of the cost to 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.**

**4.1 Costs to Governmental Agencies of Implementing and Enforcing Rule**

State Governmental Entities

Since the District already exists, there will be no additional ongoing costs to various State governmental entities to implement and enforce the proposed boundary amendment. Further, the District comprises less than 1,000 acres, and therefore, the County will review and act upon the Petition to contract the boundaries of the District.

There are minimal additional ongoing costs to various State entities to implement and enforce the proposed rule. The District is a special purpose unit of local government, and it is required to file various reports to the State of Florida, the Department of Economic Opportunity and other agencies of the State. However, the additional costs to the State and its various departments to process the additional filings from the District are very low, since the State routinely processes filings from over 500 similar districts. Finally, the filing fees paid by the District are designed to offset any additional costs to the State.

Miami-Dade County and City of Florida City

There will be only modest costs to the City and County for a number of reasons. First, a review of the Petition to contract the boundaries of 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 possess 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 processes similar petitions though for entirely different subjects, for land uses and zoning changes that are far more complex than is the petition to contract an existing community development district. Finally, Petitioner will pay all statutorily prescribed filing fees.

The County will incur only a small additional annual cost if this Petition to contract is approved. The District is an independent unit of local government, so the District is responsible for its own budget, reporting, and the full conduct of its powers within its

boundaries. The District will provide the County with its budget each year, but no County action is required.

**4.2 Impact on State or Local Revenues**

Adoption of the proposed rule will have no negative impact on State or local revenues. The District is an independent unit of local government. It is designed to provide community facilities and services to serve the development. 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 unit of local government except the District. By 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 rule**

Transactional costs associated with CDDs are typically related to the financing and maintenance of infrastructure. When the Petition to form the District was originally submitted and approved by the City, the Petitioner estimated the design and development costs for providing capital facilities. In this case, the area being removed from the District has no assessment for debt imposed thereon.

**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 in Section 120.52, F.S.**

There will be no impact on small businesses because of the contraction of the District. If anything, the impact may be positive. This is because the District must competitively bid certain of its contracts. This affords small businesses the opportunity to bid on District work.

The development is located in the City of Florida City, Miami-Dade County. As of the Census date, the 2020 Census, the County has a population in excess of 75,000 people and the City has a population in excess of 10,000 people. Therefore, the District is not located in a County defined as a "small county" or a City defined as a "small city", according to Section 120.52, Fla. Stat.

**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.

**EXHIBIT 7**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLORIDA CITY,  
FLORIDA**



**RESOLUTION NO. 22-15**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FLORIDA CITY, FLORIDA, EXPRESSING SUPPORT FOR THE CONTRACTION OF THE STELLAR AT FLORIDA CITY COMMUNITY DEVELOPMENT DISTRICT, CONTRACTING THE AREA AS DEPICTED AND LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR CONFLICTS; PROVIDING FOR TRANSMITTAL; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Petitioner, Stellar Florida City 29, LLC, has filed a request to contract the boundaries of the Stellar North Community Development District ("CDD") within the geographical boundaries of the City, and to remove the property as described in Exhibit "A" as Proposed Tract B from the boundaries of the CDD; and

**WHEREAS**, the City Commission finds that the contraction of the CDD is reasonable to remove the commercial parcel from the boundaries of the CDD while allowing the residential units to remain within the CDD; and

**WHEREAS**, the City Commission finds that the contraction of the CDD is consistent with the City's Code and Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF FLORIDA CITY, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The foregoing recitals clauses are hereby ratified and incorporated as the legislative intent of this Resolution.

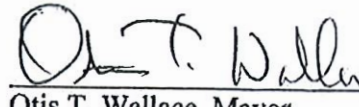
**Section 2. Approval.** The City Commission hereby expresses its support for the contraction of the Stellar North Community Development District and for the removal of the parcel described in Exhibit "A" as Proposed Tract B from the boundaries of the CDD.

**Section 3.** The Mayor, City Attorney, and City Clerk are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of the Resolution.

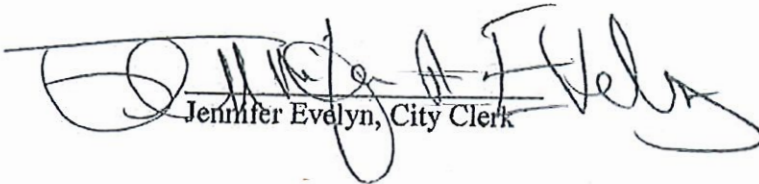
**Section 4.** This Resolution shall become effective upon its passage and adoption by the City Commission and is binding on all successors and assigns.

**RESOLUTION NO: 22-15**

**PASSED AND ADOPTED** by the Mayor and City Commission of the City of Florida  
City, Florida this 22<sup>nd</sup> day of March, 2022.

  
Otis T. Wallace, Mayor

ATTEST:

  
Jennifer Evelyn, City Clerk

Approved as to form and legal sufficiency:

  
Regine Monestime, City Attorney

Offered by: Mayor

Motion to adopt by Comm. Butler seconded by Comm. Gold.

**FINAL VOTE AT ADOPTION**

Mayor Otis T. Wallace

Y

Vice Mayor Walter P. Thompson

Y

Commissioner Sharon Butler

Y

Commissioner James Gold

Y

Commissioner Eugene D. Berry

Y

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

  
Jennifer A. Evelyn

City Clerk

I, Jennifer A. Evelyn  
City Clerk  
Of the City of Florida City, Florida do hereby certify  
that the above and foregoing is a true and correct  
copy of the original thereof on file in this office.  
WITNESS my hand and the seal of said City

this 24th day of March 2022

By: 







# "EXHIBIT B to the Ordinance"

## Legal Description

SURVEYED DESCRIPTION RESIDENTIAL TRACT (PROPOSED)

ALL OF TRACTS 2 AND 16 AND A PORTION OF TRACT 1 OF BLOCK 2, MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION, LYING IN SECTION 19, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO A PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 10, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 19;

THENCE S 89°56'17" E ALONG THE NORTH LINE OF SAID SECTION 19 FOR 1,705.68 FEET TO A POINT;

THENCE S 00°36'57" E, 40.02 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY SW 328TH STREET ACCORDING TO A DEED THEREOF, AS RECORDED IN OFFICIAL RECORD BOOK 27925, PAGE 4566, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY;

THENCE S 89°56'17" E, ALONG SAID RIGHT OF WAY AND PARALLEL WITH SAID NORTHLINE OF SECTION 19, A DISTANCE OF 445.31 FEET TO A POINT;

THENCE S 00°03'42" W, A DISTANCE OF 314.45 FEET TO A POINT;

THENCE S 89°57'27" E, A DISTANCE OF 397.66 FEET TO A POINT;

THENCE S 00°02'04" W, A DISTANCE OF 10.00 FEET TO A POINT;

THENCE S 89°57'42" E, A DISTANCE OF 154.14 FEET TO A POINT TO THE WEST RIGHT OF WAY LINE OF NE 6TH AVENUE ACCORDING TO A DEED THEREOF, AS RECORDED IN OFFICIAL RECORD BOOK 1683, PAGE 307, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY;

THENCE S 00°37'05" E, ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 944.78 FEET TO A POINT;

THENCE S 89°38'04" W, A DISTANCE OF 993.25 FEET TO A POINT;

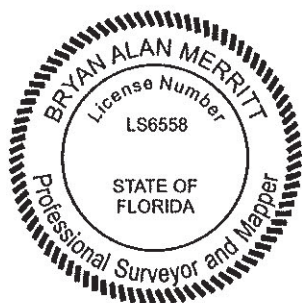
THENCE N 00°36'57" W, A DISTANCE OF 1,276.39 FEET TO THE POINT OF BEGINNING CONTAINING 25.016 ACRES (1,089,697 SQUARE FEET) OF LAND MORE OR LESS.

SUBJECT TO EASEMENTS RECORDED IN THE PUBLIC RECORDS AND SUBJECT FLORIDA CITY CODE OF ORDINANCES SECTION 62-341 REGARDING THE RIGHT OF WAY WIDTH OF NE 6TH AVENUE.

NOTE: TRACTS 1, 2 AND 16 ARE CONTIGUOUS ALONG THEIR COMMON BOUNDARY LINES AND CONTAIN NO GAPS, GORES OR HIATUS.

---

BRYAN A. MERRITT  
LICENSE NUMBER LS6558  
LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES, INC  
LICENSE BUSINESS NUMBER LB8172  
STATE OF FLORIDA

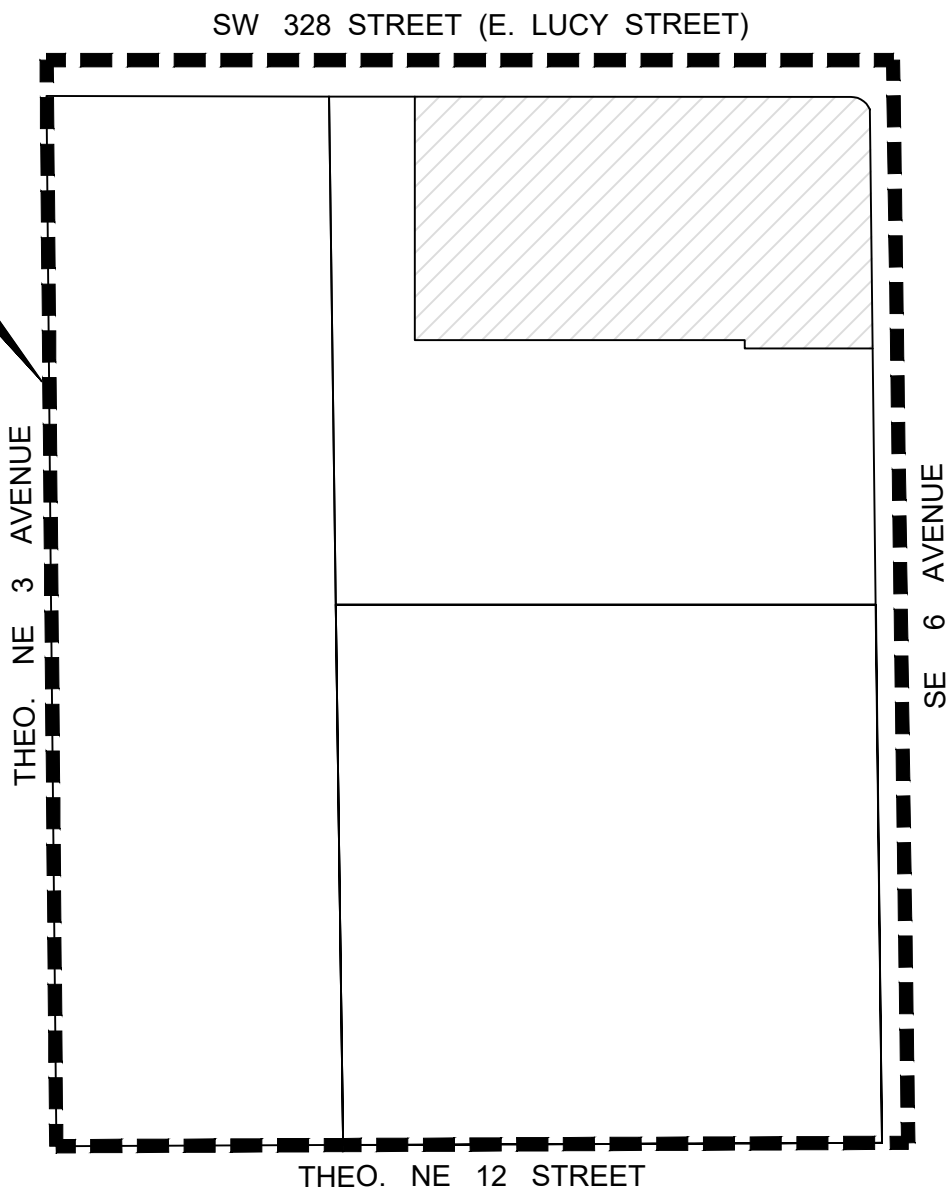


## "EXHIBIT C to the Ordinance"

### District Boundaries and Geographical Location Sketch



**DISTRICT  
BOUNDARIES**



**STELLAR NORTH**  
**COMMUNITY DEVELOPMENT DISTRICT**  
**(AMENDMENT)**



SHADING DENOTES AREA TO BE REMOVED.

(COMM. 0009)  
SECTION: 19 - 57 - 39

**EXHIBIT "C" TO THE ORDINANCE**  
**(Boundaries and Geographical Location Sketch)**