

Memorandum



Date: January 20, 2021

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".

Substitute No. 2
Agenda Item No. 5(E)

Ordinance No. 21-2

Subject: Ordinance Creating the Sawyer’s Landing Community Development District

Substitute no. 2 differs from substitute no. 1 in that it replaces Michael Swerdlow with Sherie Swerdlow as an initial member of the Board of Supervisors. Substitute no. 1 differed from the original item in that it removed all references to a declaration of restrictive covenants because this development will not have any residential units for sale. The double strike-through and double underline shown in substitute no. 2 pursuant to rule 5.06(i) identifies changes from both substitute nos. 1 and 2.

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached Ordinance creating the Sawyer’s Landing Community Development District (CDD) in the City of Miami, Florida, 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

This Sawyer’s Landing CDD is located within Commission District 3, represented by Commissioner Keon Hardemon and will provide funding for capital improvements, as well as multipurpose maintenance functions, within the CDD.

Fiscal Impact/Funding Source

The creation of the Sawyer’s Landing CDD will have no fiscal impact to the 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.

Social Equity Statement

The proposed Ordinance grants a petition for the creation of the Sawyer’s Landing CDD, pursuant to the procedures and factors set forth in Section 190.046, Florida Statutes.

If approved, pursuant to Chapter 190, Florida Statutes, the CDD 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 proposed district, regardless of their demographics or income levels. The CDD is a timely, efficient, effective, responsive, and economic way to deliver and finance basic community development services.

Track Record/Monitor

This development has public roads that are to be maintained by a Property Owner’s Association (POA) or the Sawyer’s Landing CDD. A Multipurpose Maintenance Special Taxing District will be created to

maintain the development’s infrastructure, such as roadway improvements, storm drainage and landscaping, should the CDD be dissolved or fail to fulfill its maintenance obligations. The Special Taxing District will remain dormant until such time as the County determines to implement the district. Oversight of CDDs is the responsibility of the State.

Background

Downtown Retail Associates, LLC., (“Petitioner”), the petitioner of the Sawyer’s Landing Development, has filed an application to create the Sawyer’s Landing CDD in connection with said development. Sawyer’s Landing is a proposed 3.42 acres residential development lying wholly within the City of Miami, in an area bounded by NW 2 Avenue on the east, NW 6 Street on the south, NW 3 Avenue on the west, and NW 7 Street on the north. The Sawyer’s Landing CDD is designed to provide a financing mechanism for community infrastructure, facilities, and services along with certain ongoing operations and maintenance for the Sawyer’s Landing CDD. The development plan for the lands within the proposed Sawyer’s Landing CDD includes construction of retail space and approximately 556 apartment units with associated roadway improvements, stormwater management system, wastewater collection system, landscaping, open space, lighting and signage, parking facilities, and water distribution system, which are estimated to cost approximately \$72.387 million. This development has public and private roads that are to be maintained by a POA or the Sawyer’s Landing CDD. A detailed summary of CDD elements, as well as the cost and anticipated lack of fiscal impacts to government agencies, are presented in the attached application submitted by the Petitioner. In accordance with Chapter 190, Florida Statutes, the Petitioner has paid a filing fee of \$15,000.00 to the County and an additional \$15,000.00 for future advertising costs according to State Statute.

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.



MEMORANDUM (Revised)

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

DATE: January 20, 2021

FROM: 
Gen Bonzon-Keenan
Successor County Attorney

SUBJECT: Substitute No. 2
Agenda Item No. 5(E)

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 _____

Substitute No. 2
Agenda Item No. 5(E)
1-20-21

ORDINANCE NO. 21-2

ORDINANCE GRANTING PETITION OF DOWNTOWN RETAIL ASSOCIATES, LLC., FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT GENERALLY BOUNDED ON THE NORTH BY NW 7 STREET, ON THE EAST BY NW 2 AVENUE, ON THE SOUTH BY NW 6 STREET, AND ON THE WEST BY NW 3 AVENUE; CREATING AND ESTABLISHING SAWYER’S LANDING COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR NAME, POWERS AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

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

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

WHEREAS, article VIII, section 6(e) of the Florida Constitution provides the authority for Miami-Dade County, through its charter, to provide a method for establishing new governmental units in Miami-Dade County and to provide for their government and prescribe their jurisdiction and powers; and

WHEREAS, Downtown Retail Associates, LLC., a Florida Limited Liability Company (“Petitioner”) has petitioned for the establishment of the Sawyer’s Landing Community Development District (“District”); and

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

WHEREAS, the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area, thereby providing a solution to the County's planning, management and financing needs for delivery of capital infrastructure therein without overburdening the County and its taxpayers; and

WHEREAS, the Board of County Commissioners finds that the statements contained in the Petition are true and correct; and

WHEREAS, the creation of the District 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 is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community; and

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

WHEREAS, the proposed services and facilities to be provided by the District will be compatible 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 is amenable to separate special district government; and

~~[[WHEREAS, the owner of the properties that are to be developed and served by the community development services and facilities to be provided by the District has submitted an executed declaration of restrictive covenants pledging among other things to provide initial purchasers of individual residential lots or units with notice of liens and assessments applicable to such parcels, with certain remedial rights vesting in the purchasers of such parcels if such notice is not provided in a timely and accurate manner; and]]¹~~

WHEREAS, having made the foregoing findings, after a public hearing, the Board of County Commissioners 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; and

WHEREAS, the Board of County Commissioners finds that the District shall have those general and special powers authorized by sections 190.011 and 190.012, Florida Statutes, and set forth herein, and that it is in the public interest of all of the citizens of Miami-Dade County that the District have such powers,

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.

¹ The differences between the substitute and the original item are indicated as follows: Words double stricken through and/or [[double bracketed]] are deleted, words double underlined and/or >>double arrowed<< are added.

Section 2. The Petition to establish the District over the real property described in the Petition attached hereto, which was filed by the Petitioner on April 23, 2020, 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.

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

Section 4. The initial members of the Board of Supervisors shall be as follows:

Sidney Atzmon

[[~~Michael Swerdlow~~]]

>>Sherie Swerdlow<<

Nicholas Swerdlow

Stephen Garchik

Alben Duffie

Section 5. The name of the District shall be the “Sawyer’s Landing Community Development District.”

Section 6. The District is created for the purposes set forth in chapter 190, Florida Statutes, pursuant to the authority granted by section 1.01(A)(21) of the Miami-Dade County Home Rule Charter.

Section 7. Pursuant to section 190.005 (2)(d), Florida Statutes, the charter for the Sawyer’s Landing Community Development District shall be sections 190.006 through 190.041, Florida Statutes.

Section 8. The Board of County Commissioners hereby grants to the District all general powers authorized pursuant to section 190.011, Florida Statutes, and hereby finds that it is in the public interest of all citizens of Miami-Dade County to grant such general powers.

Section 9. The Board of County Commissioners hereby grants to the District the special powers authorized pursuant to section 190.012(1), Florida Statutes, and sections 190.012(2)(a)(d) and (f), (except for powers regarding waste disposal), Florida Statutes and section 190.012(3), Florida Statutes, and hereby finds that it is in the public interest of all citizens of Miami-Dade County to grant such special powers; provided that the District's exercise of power under section 190.012(1)(b), Florida Statutes, pertaining to water, waste water and reuse water services shall be pursuant to ~~[[that Declaration of Restrictive Covenants submitted to the Board of County Commissioners]]~~ >>the agreement with the City of Miami Community Redevelopment Agency<< in connection with the petition.

Section 10. All bonds issued by the District pursuant to the powers granted by this ordinance shall be validated pursuant to chapter 75, Florida Statutes.

Section 11. No bond, debt or other obligation of the District, nor any default thereon, shall constitute a debt or obligation of Miami-Dade County, except upon the express approval and agreement of the Board of County Commissioners.

Section 12. Notwithstanding any power granted to the District pursuant to this Ordinance, neither the District nor any real or personal property or revenue in the district shall, solely by reason of the District's creation and existence, be exempted from any requirement for the payment of any and all rates, fees, charges, permitting fees, impact fees, connection fees, or

similar County rates, fees or charges, special taxing districts special assessments which are required by law, ordinance or County rule or regulation to be imposed within or upon any local government within the County.

Section 13. Notwithstanding any power granted to the District pursuant to this Ordinance, the District may exercise the power of eminent domain outside the District's existing boundaries only with the prior specific and express approval of the Board of County Commissioners of Miami-Dade County.

~~[[**Section 14.** This Board hereby accepts that Declaration of Restrictive Covenants proffered by the owner of the lands within the jurisdiction of the District, in connection with the petition submitted by the Petitioner and approved herein.]]~~

Section ~~[[15.]]~~>>14.<< 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 ~~[[16.]]~~>>15.<< It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County.

Section ~~[[17.]]~~>>16.<< 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:

January 20, 2021

Approved by County Attorney as
to form and legal sufficiency:

GBK
MJM

Prepared by:

Michael J. Mastrucci

Date: August 21, 2020

To: Melissa Adames, 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: Sawyer's Landing Community Development District –
Creation

The attached petition was re-submitted by Sawyer's Landing Community Development District and has been finalized, reviewed, and deemed complete by the Miami-Dade County Parks, Recreation and Open Spaces Department pursuant to Florida State Statute Chapter 190 and Miami-Dade County Policy.

The re-filing date of record is August 21, 2020.

Attachment

c: Michael Mastrucci
Assistant County Attorney

"EXHIBIT A to the Ordinance"

PETITION TO CREATE SAWYER'S LANDING
COMMUNITY DEVELOPMENT DISTRICT

Dated: August 21, 2020

**PETITION TO ESTABLISH
SAWYER'S LANDING
COMMUNITY DEVELOPMENT DISTRICT**

November, 2019

**PETITION TO ESTABLISH SAWYER'S LANDING
COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, DOWNTOWN RETAIL ASSOCIATES, LLC, a Florida limited liability company, petitions Miami-Dade County, Florida ("County"), pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes and the Miami-Dade Home Rule Charter, to adopt an ordinance to establish a Uniform Community Development District (the "District") and to designate the land area for which the District would manage and finance basic service delivery and states as follows:

1. **Petitioner and Authorized Agent:** Petitioner is a limited liability company with principal office at 2901 Florida Avenue, Coconut Grove, Florida 33133. Copies of all correspondence and official notices should also be sent to the authorized agent for Petitioners:

Dennis E. Lyles, Esq.
Billing, Cochran, Lyles, Mauro & Ramsey, P.A.
515 E. Las Olas Boulevard, Sixth Floor
Fort Lauderdale, Florida 33301
Phone: 954-764-7150 / Fax: 954-764-7279
Email: dlyles@bclmr.com

2. **District Location and Description:** The land area to be included in the District comprises approximately 3.42 gross acres more or less. A map showing the location of the land area to be included in the District is attached hereto as **Exhibit 1**. All of the land within the proposed District is located in the City of Miami, Florida. A metes and bounds legal description of the external boundaries of the District is attached hereto as **Exhibit 2**.

3. **District Impact:** There is no property within the external boundaries of the District which will not be part of the District. The impact of creating the District on the parcels adjacent to the District should be positive, in that the facilities provided by the District and maintenance of same should result in an aesthetically pleasing surrounding area with beneficial infrastructure while not detrimentally affecting anyone outside the District. In addition, any

potential establishment costs to the City of Miami or Miami-Dade County, the establishing entity, will be nominal.

4. **Property Owners Consent:** Attached hereto as **Exhibit 3** is documentation constituting written consent to the establishment of the District by the owner of the real property to be included in and serviced by the District.

5. **Initial Governing Board:** The five (5) persons designated to serve as the initial members of the board of supervisors of the District, who shall serve in that office until replaced by elected members, as provided in Section 190.006, Florida Statutes Amended, are named in **Exhibit 4** attached hereto.

6. **District Name:** The proposed name of the District is Sawyer's Landing Community Development District.

7. **Water and Sewer Lines:** The major trunk water mains, sewer interceptors and outfalls currently in existence to serve the District are identified on **Exhibit 5** attached hereto.

8. **Timetables and Construction Costs:** The proposed timetables and related estimates of cost to construct the District services and facilities, based upon available data, are attached hereto as **Exhibits 6** and **7**, respectively.

Petitioners intend that the District will finance (i) stormwater management system, (ii) water distribution system, (ii) wastewater collection system, (iii) roadway improvements, (iv) landscaping, open space, lighting, and signage, and (v) parking facilities and land allocation. The stormwater management system will be owned and maintained by the City of Miami or Miami-Dade County. The water distribution system and the wastewater collection will be owned and maintained by Miami-Dade County. The roadway improvements will be owned and maintained by the City of Miami. The landscaping, open space, lighting and signage will be owned and maintained by the District or City of Miami. The parking facilities will be owned and maintained by the District.

9. **Zoning Designation; Future Land Use:** The land within the District is zoned T6-12-O, Urban Core Zone and was subject to a development agreement between the Petitioner and the property owner, Southeast Overtown/Park West Community Redevelopment Agency (“CRA”) to which the Project is a mixed use development consisting of no less than 500 residential units, at least 250,000 square feet of retail, restaurant, office and entertainment uses and at least a 1,000 parking spaces. The zoning designation of the property is consistent with the Project. The future general distribution, location and extent of the public and private land uses proposed within the District are shown on **Exhibit 8**. These proposed land uses are consistent with the state comprehensive plan and the City of Miami Comprehensive Plan.

10. **Statement of Estimated Regulatory Costs:** The statement of estimated regulatory costs of the granting of this Petition and the establishment of the District pursuant thereto is attached hereto as **Exhibit 9**.

11. **Rights to be Granted the District:** Petitioners hereby request that the District be granted the right to exercise all powers provided for in Sections 190.012(1) and (2)(a) and (d), Florida Statutes.

12. **Disclosure Requirements:** Petitioner undertakes on behalf of the District that Petitioner and 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, as amended and as required as a condition of the creation of the District by the Board of County Commissioners of Miami-Dade County.

13. **Reasons for the Establishment of the District:** The property within the 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 consistent with applicable elements or portions of the effective Miami-Dade County Comprehensive Master Plan.

b) The area of land within the District is part of a unified plan of development. The land encompassing the District is of sufficient size and is sufficiently compact and contiguous to be developed as one functional interrelated community.

c) The community development services of the District will be compatible with the capacity and use of the existing local and regional community development services and facilities.

d) The District will be the best alternative available for delivering community development services to the area to be served because the District provides a governmental entity for delivering those services and facilities in a manner that does not financially impact persons residing outside of the District.

14. **Resolution of Support from the City of Miami:** A Resolution of the City of Miami City Commission supporting the establishment of the District is attached hereto as **Exhibit 10.**

15. **Responsibility for Landscape Maintenance in the Public-Rights-of-Way:** The maintenance of improved swales and medians in the public rights-of-way excluding swale maintenance by owners of property as defined by Chapter 19 of the Code of Miami-Dade County shall be provided by District, including but not limited to, irrigation, landscape lighting, payment of related utility bills, turf, trees, shrubs and any other landscaping improvements provided or caused by this development, covenants associated with landscaping permitting in the public rights-of-way notwithstanding. In the event the District is dissolved or becomes defunct and fails to provide maintenance services within the public rights-of-way as specified herein, the

required dormant multipurpose maintenance special taxing district shall be activated to provide any such maintenance services.

WHEREFORE, Petitioners respectfully request Miami-Dade County to:

A. Schedule a public hearing to consider this Petition pursuant to the uniform procedures set forth in Section 190.005(2)(b) and (1)(d), Florida Statutes.

B. Grant the Petition and adopt an ordinance to establish the District and designate the land area to be serviced by the District, pursuant to Sections 190.005(2), Florida Statutes.

Respectfully submitted this 19th day of November, 2019.

DOWNTOWN RETAIL ASSOCIAT , LLC,
a Florida limited liability company

By: _____

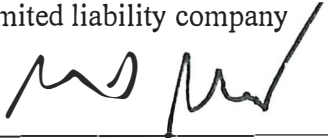

Michael Swerdlow
Manager

EXHIBIT 1
LOCATION SKETCH

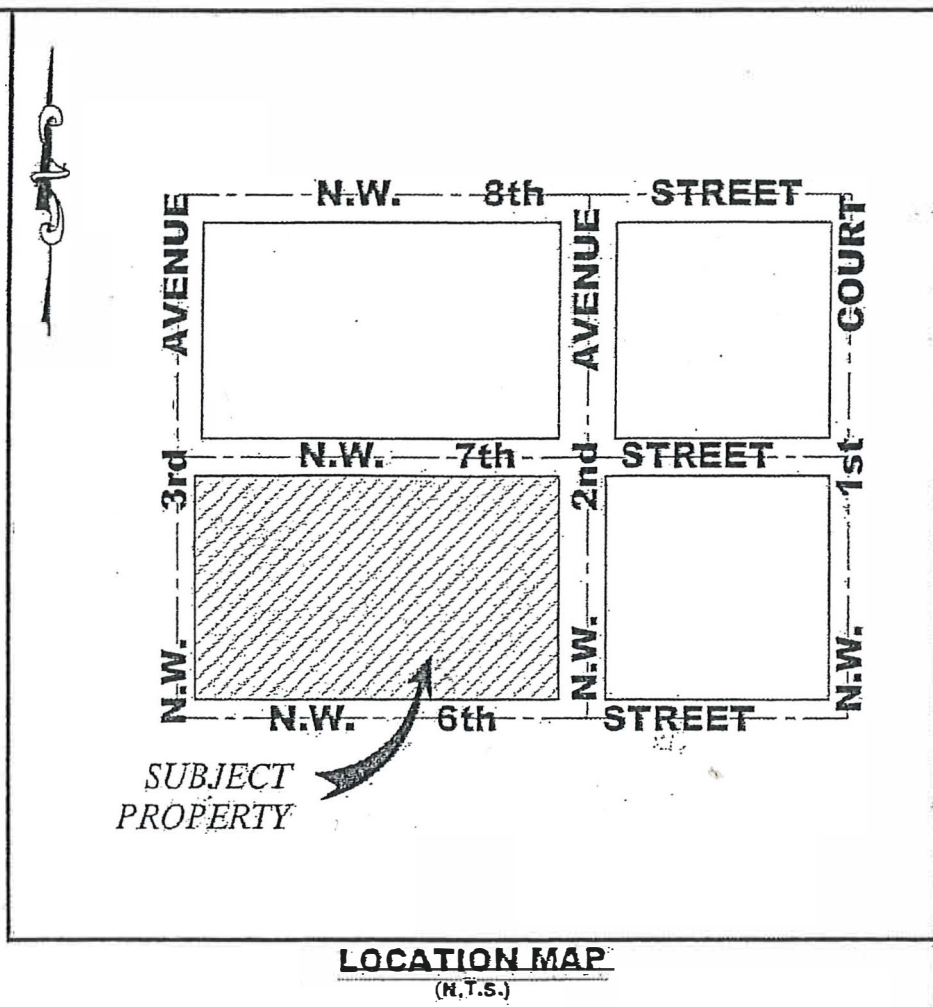


EXHIBIT 2
METES AND BOUNDS DESCRIPTION

All the following documents listed under SCHEDULE B, of File No. 18110292, Revision E prepared by Old Republic National Title Insurance Company, effective date November 8, 2011 at 2:00pm, furnished to the undersigned to show any matter affecting the subject property.

All the following documents listed under SCHEDULE B, of File No. 18110292, Revision E prepared by Old Republic National Title Insurance Company, effective date November 8, 2011 at 2:00pm, furnished to the undersigned to show any matter affecting the subject property.

7. Preliminary Development Agreement for Southeast Overton Park West Community Redevelopment Project recorded in Official Records Book 12715, Page 126, of the Public Records of Miami-Dade County, Florida. DOES AFFECT ENTIRE SITE, NOT PLATTABLE.

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[illegible][illegible]

“Fugate is a reference to our official record books of our country, unless indicated to the contrary.”

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A PORTION OF SECTION 37, TOWNSHIP 63 SOUTH, RANGE 41 EAST
CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA
(NOT TO SCALE)

Zoning Restrictions for TB-12-0 under Miami 21 Zoning code
Below is a general summary, verification of specific requirements under the code shall be the responsibility of the owner based on proposed design of the building for this site.

Zoning Restrictions for TB-12-0 under Miami 21 Zoning code
Below is a general summary, verification of specific requirements under the code shall be the responsibility of the owner based on proposed design of the building for this site.

SEMPACK FOR USAID CODE - 0000 (70-12-0).	
Principal front	Two (0) feet
Secondary front	Two (0) feet
Side	Zero (0) feet
Rear	Zero (0) feet
Building height	Two (2) Stories Min. - Seven (7) Stories Max.
PARKING REQUIREMENTS FOR 70-12-0 - OFFICE UNDER ARTICLE 4, VALUE 4	
Minimum parking spaces required for every 1,000 sq. ft. of office use. Minimum parking spaces required for every 1,000 sq. ft. of office use, based on the following parking standards: Arizona 4, Texas 5.	

SEMPACK FOR USAID CODE - 0000 (70-12-0).	
Principal front	Two (0) feet
Secondary front	Two (0) feet
Side	Zero (0) feet
Rear	Zero (0) feet
Building height	Two (2) Stories Min. - Seven (7) Stories Max.
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The Land is described as follows:

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Began on the West line of sold Lot 10 at a point 14.51 feet South 02761616 East from the Northwest corner thereof, said point being the beginning of a curve concave Southwesterly having a radius of 14.53 feet, said curve having a central angle of 22.79 feet, along said curve through a central angle of 80.02527 to the North line of sold Lot 10, thence Westerly 14.51 feet along the North line to the Northwest corner of sold Lot 10, thence South 02761616 East 14.51 feet along the West line of sold Lot 10 to the Point of Beginning.

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AFFECTING SAID PREMISES (JEWELRIES, PARKS, ETC.)

AFFECTING SAID PREMISES (JEWELRIES, PARKS, ETC.)

2) There may be additional restrictions not shown on this survey that may be found in the Public Records of the City County Commission of TULSA POLICE was made to determine recordation requirements, if any affecting this property.

2) There may be additional restrictions not shown on this survey that may be found in the Public Records of the City County Commission of TULSA POLICE was made to determine recordation requirements, if any affecting this property.

- 4) Foundation and/or Holdings that may cross beyond the boundary lines of the parcel hereby described.
- 5) Not withstanding the stipulation and the agreed intent of a Third-Party Licensed Surveyor and/or Licensed Professional Engineer, the Surveyor and/or Engineer shall not be responsible for any misinterpretation or misapplication of the Surveyor's and/or Engineer's report or findings by other than the applying party or parties. The Surveyor and/or Engineer shall not be responsible for any misinterpretation or misapplication of the Surveyor's and/or Engineer's report or findings by other than the applying party or parties. The Surveyor and/or Engineer shall not be responsible for any misinterpretation or misapplication of the Surveyor's and/or Engineer's report or findings by other than the applying party or parties.
- 6) Contact the appropriate authority prior to any design work on the herein described parcel for Building and Zoning Administration.
- 7) Underground utilities are not depicted herein; contact the appropriate authority prior to any design work or construction on the property herein described. Surveyor shall be notified on its website for utility status herein.

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- 5) Not withstanding the stipulation and the agreed intent of a Third-Party Licensed Surveyor and/or Licensed Professional Engineer, the Surveyor and/or Engineer shall not be responsible for any misinterpretation or misapplication of the Surveyor's and/or Engineer's report or findings by other than the applying party or parties. The Surveyor and/or Engineer shall not be responsible for any misinterpretation or misapplication of the Surveyor's and/or Engineer's report or findings by other than the applying party or parties. The Surveyor and/or Engineer shall not be responsible for any misinterpretation or misapplication of the Surveyor's and/or Engineer's report or findings by other than the applying party or parties.
- 6) Contact the appropriate authority prior to any design work on the herein described parcel for Building and Zoning Administration.
- 7) Underground utilities are not depicted herein; contact the appropriate authority prior to any design work or construction on the property herein described. Surveyor shall be notified on its website for utility status herein.

- 11) Directional signs: haven't are based on City of Miami Ordinance 12-00000
- 12) City of Miami Beach: West Direction= 7730
90 7th STREET
2ND AVE
BOTH HAVE A 5' WIDE AND 3' HIGH SIGN ON SIDEWALK ON EAST SIDE OF NW 2ND AVE.
- 13) North arrow and bearings: haven't are based on an assumed value of N020deg00min00sec, along the Centerline of NW 2ND AVE/NE 2ND AVE/NE 3RD AVE/NE 4TH AVE/NE 5TH AVE/NE 6TH AVE/NE 7TH AVE/NE 8TH AVE/NE 9TH AVE/NE 10TH AVE/NE 11TH AVE/NE 12TH AVE/NE 13TH AVE/NE 14TH AVE/NE 15TH AVE/NE 16TH AVE/NE 17TH AVE/NE 18TH AVE/NE 19TH AVE/NE 20TH AVE/NE 21ST AVE/NE 22ND AVE/NE 23RD AVE/NE 24TH AVE/NE 25TH AVE/NE 26TH AVE/NE 27TH AVE/NE 28TH AVE/NE 29TH AVE/NE 30TH AVE/NE 31ST AVE/NE 32ND AVE/NE 33RD AVE/NE 34TH AVE/NE 35TH AVE/NE 36TH AVE/NE 37TH AVE/NE 38TH AVE/NE 39TH AVE/NE 40TH AVE/NE 41ST AVE/NE 42ND AVE/NE 43RD AVE/NE 44TH AVE/NE 45TH AVE/NE 46TH AVE/NE 47TH AVE/NE 48TH AVE/NE 49TH AVE/NE 50TH AVE/NE 51ST AVE/NE 52ND AVE/NE 53RD AVE/NE 54TH AVE/NE 55TH AVE/NE 56TH AVE/NE 57TH AVE/NE 58TH AVE/NE 59TH AVE/NE 60TH AVE/NE 61ST AVE/NE 62ND AVE/NE 63RD AVE/NE 64TH AVE/NE 65TH AVE/NE 66TH AVE/NE 67TH AVE/NE 68TH AVE/NE 69TH AVE/NE 70TH AVE/NE 71ST AVE/NE 72ND AVE/NE 73RD AVE/NE 74TH AVE/NE 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- 11) Directional signs: haven't are based on City of Miami Ordinance 12-00000
- 12) City of Miami Beach: West Direction= 7730
90 7th STREET
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SURETORS CERTIFICATE:

1) Davidson Retail Associates, LLC, a Florida limited liability company
2) Davidson Retail Associates, LLC, a Florida limited liability company
3) Southern Oceanfront Properties, Inc., a Florida limited liability company
4) Southcoast Outlets/Park West Community Development Agency
5) United States Marine, LLC, a Florida limited liability company
6) American Home Mortgage Investment Corp.
7) Advanced Business Services, LLC
8) Advanced Business Services, LLC
9) Advanced Business Services, LLC
10) The May of Sonny is intended to be deployed at a week of One hour equates 20 feet or under.

SURETORS CERTIFICATE:

1) Davidson Retail Associates, LLC, a Florida limited liability company
2) Davidson Retail Associates, LLC, a Florida limited liability company
3) Southern Oceanfront Properties, Inc., a Florida limited liability company
4) Southcoast Oceanfront Properties, Inc., a Florida limited liability company
5) Atlantic Beach Properties, LLC, a Florida limited liability company
6) Atlantic Beach Properties, LLC, a Florida limited liability company
7) Atlantic Beach Properties, LLC, a Florida limited liability company
8) Atlantic Beach Properties, LLC, a Florida limited liability company
9) Atlantic Beach Properties, LLC, a Florida limited liability company
10) The May of Snow is licensed to be deployed at a beach of One Inch equals 20 feet or smaller.

PODOLAR, ARBENTOS & FERNANDEZ, INC.
10000 Wilshire Blvd., Suite 2750, Los Angeles, CA 90024
Telephone 310.206.1100
Revision 2

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10000 Wilshire Blvd., Suite 2750, Los Angeles, CA 90024
Telephone 310.206.1100
Revision 2

No.	DATE	
1	12/03/18	AD

No.	DATE	
1	12/03/18	AD

FILE #	ALTA / NSPS LAN
SECTION	SURVEYOR'S NOTES, TITLE
DATE	DOWNTOWN RE
CLIENT	11225 SW 135TH TERRACE

FILE #	ALTA / NSPS LAN
SECTION	SURVEYOR'S NOTES, TITLE
DATE	DOWNTOWN RE
CLIENT	11225 SW 135TH TERRACE

EXHIBIT 3

**AFFIDAVIT OF OWNERSHIP AND CONSENT
SAWYER'S LANDING COMMUNITY DEVELOPMENT DISTRICT**

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

On this 27 day of November, 2019, personally appeared before me,
Cornelius Shiver, an officer duly authorized to administer oaths and take
acknowledgements, who, after being duly sworn, deposes and says:

1. Affiant is the Executive Director of Southeast Overtown/Park West Community
Redevelopment Agency (the "CRA").
2. The CRA is the owner of the following described property, to wit:
See Exhibit "A" attached hereto (the "Property")
3. The Property constitutes a portion of the real property to be included in the
Proposed CDD.
4. Affiant, on behalf of the CRA, hereby consents to the establishment of the
Proposed CDD.

SOUTHEAST OVERTOWN/PARK WEST COMMUNITY
REDEVELOPMENT AGENCY, a public agency and body
corporate created pursuant to section 163.356, Florida Statutes

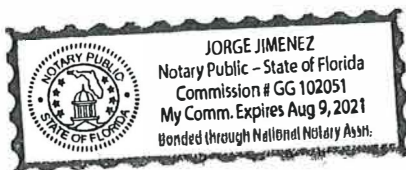
By: _____

Name: Cornelius Shiver

Title: Executive Director, CRA

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 27 day of November,
2019, by Cornelius Shiver, as Executive Dir. of SOUTHEAST OVERTOWN/PARK WEST
COMMUNITY REDEVELOPMENT AGENCY. He/she is personally known to me [] or
produced D. L. as identification.



Notary Public

Jorge Jimenez
Typed, printed or stamped name of Notary Public

Exhibit "A" to Affidavit

Legal Description of Property

Lots 1 through 20, inclusive, of Block 55 North, Map of Miami, Dade Co. Fla, according to the plat thereof, as recorded in Plat Book B, Page 41, of the Public Records of Miami-Dade County, Florida; less and except the East 7.5 feet of Lot 20; and further less and except that portion of Lot 10 taken by the State Of Florida Department Of Transportation by Order Of Taking recorded in Official Records Book 5349, Page 129, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Begin on the West line of said Lot 10 at a point 14.51 feet South $02^{\circ}16'16''$ East from the Northwest corner thereof, said point being the beginning of a curve concave Southeasterly having a radius of 14.5 feet, thence from a tangent bearing of North $02^{\circ}16'16''$ West run Northwesterly, Northerly and Northeasterly 22.79 feet along said curve through a central angle of $90^{\circ}02'57''$ to the North line of said Lot 10, thence Westerly 14.51 feet along said North line to the Northwest corner of said Lot 10, thence South $02^{\circ}16'16''$ East 14.51 feet along the West line of said Lot 10 to the Point Of Beginning.

EXHIBIT 4

INITIAL MEMBERS OF THE DISTRICT BOARD OF SUPERVISORS

Name: Sidney Atzman

Address: 2522 NW 63rd Lane
Boca Raton, FL 33496

Name: Sherie Swerdlow

Address: 2901 Florida Avenue, Suite 806
Miami, Florida 33133

Name: Nicholas Swerdlow

Address: 2901 Florida Avenue, Suite 806
Miami, Florida 33133

Name: Stephen Garchik

Address: 101 SE 4th Avenue
Delray Beach, Florida 33483

Name: Alben Duffie

Address: 19430 Ambassador Court
Miami, Florida 33179

All of the initial members of the Board of Supervisors are residents of the State of Florida and citizens of the United States.

Sidney Atzmon
2522 NW 63rd Lane
Boca Raton, Florida 33496
(954) 232-1633

Employment History

2006 to Present	Self Employed/Investor Acquisition, leasing and management of privately held portfolio of commercial properties.
2002 to 2005	Swordlow Boca Developers Group, LLC President Responsible for all development activities for a mixed use project known as Biscayne Landing in North Miami, Florida.
1984 to 2005	Swordlow Group Executive Vice President Responsible for all aspects of real estate development including over 7.5 million square feet of commercial buildings and 1,100 acres of vacant land containing over 4,000 residential units.
1982 to 1984	Jones Lang Wootton Project Manager Responsible for the renovation and development of several office buildings in New York City.
1979 to 1982	Tishman Realty & Construction Project Engineer Worked on the construction of the Golden Nugget Hotel and Casino in Atlantic City, NJ and a conference center for the Girl Scouts of America in Pleasantville, NY.
1978 to 1979	Petro Marine Engineering Structural Engineer

Education

1977	BS, Civil Engineering, Columbia University School of Engineering & Applied Science
1978	MS, Structures & Engineering Mechanics, Columbia University School of Engineering & Applied Science

**Sherie Swerdlow
360 Isla Dorada Blvd
Coral Gables, FL 33143**

Employment History:

1988 to 1990	Prudential Bache
1984 to 1988	Smith Barney Harris Upham & Co.
1980 to 1984	Trammel Crow & Co.

Eduction:

North East Louisiana University

LaSalle High School

Nicholas Swerdlow
2901 Florida Ave, Suite 806
Miami, FL 33133
(305) 753-9521

Employment History:

2018 to Present	Vice President Swerdlow Group
2016 to 2018	Director Swerdlow Art Group, LLC
2015 to 2016	Sales Associate Gagosian Gallery

Education:

2015	BA, Art History, Vanderbilt University
------	--

Stephen J. Garchik
101 SE 4th Avenue
Delray Beach, FL 33483
703.517.7004
sgarchik@sjmpartners.com

1976 to 1980 Arthur Andersen LLP

Provided consulting, accounting and professional tax services to clients locally and abroad.

1981 to 1997 The Evans Company

Mr. Garchik began his real estate career at The Evans Company (TECO). TECO was incorporated in the District of Columbia in 1972 and operated as a full service commercial real estate development and asset management company since 1973. As President and 50% owner of TECO he has overseen the development of approximately 10,000,000 sq. ft. of commercial improvements and the master planning of several major office parks. This includes headquarter buildings for the National Science Foundation, US Army Corps of Engineers, Sylvan Learning Centers, Booz Allan Hamilton and ICF. He has also developed regional campuses for Mobil Oil, United States Postal Service, SAIC and Sprint.

1997 to Present SJM Partners, Inc.

Stephen Garchik formed SJM Partners in 1997 to succeed TECO. Mr. Garchik set up new ventures, aligning himself with strong operating partners and, where necessary, substantial equity partners. One such business was self storage. To date, the storage company has developed and acquired over 50 projects representing in excess of 5,000,000 sq ft in five states on the east coast. Another company he started assembled and sold 27 golf courses over a decade of ownership. Today a third separate company owns 11 apartment buildings in the New York City boroughs.

Mr. Garchik has also has continued to be involved in large scale urban developments. To date he has participated in the zoning of the Maxwell House Coffee facility in Hoboken, New Jersey, a 1,200,000 square foot mixed use development; the 605 unit residential towers known as 1060 Brickell Avenue in Miami, Florida and in 2005 completed a 1,000 bed student-housing tower above a four-story parking deck in College Park, Maryland. Phase II totaling an additional 500 beds opened in 2010.

Since the mid 1990's, Mr. Garchik has also been active in consolidating operating business, some of which have gone public. These businesses include travel agencies, vacation rental management companies, allied health vocational schools, cell tower development firms and cellular phone companies in Africa

Mr. Garchik serves on the Boards of several non-profit institutions. He holds both a B.S. and M.B.A. from the Wharton School of the University of Pennsylvania.

Alben Duffie
19430 Ambassador Court
Miami, FL 33179
(305) 799-3719

Employment History:

1995 to Present	President, public-private partnerships Teja and Associates
1985 to 1995	Oversaw participation of construction contracts for minority participation Miami Dade County Office of Minority Business Development
1975 to 1985	Vice President Loan Department Capital Bank
1973 to 1975	Membership Department Greater Miami Chamber of Commerce

Education:

Miami Dade Community College North
North Miami Senior High

EXHIBIT 5

MAJOR TRUNK WATER MAINS, SEWER INTERCEPTORS AND OUTFALLS

5" WATER MAIN
16" WATER MAIN

36" WATER MAIN

8" SANITARY SEWER

NW. 7TH STREET (PEDESTRIAN PROMENADE)

6" WATER MAIN

8" SANITARY SEWER

30" WATER MAIN

18" SANITARY SEWER

36" WATER MAIN

8" SANITARY SEWER

16" WATER MAIN

6" WATER MAIN

Major Water and Sewer Mains

WATER AND SEWER PLAN
SCALE: 1" = 30'

NW. 6TH STREET (ONE-WAY WESTBOUND)

NW. 3RD AVENUE (ONE-WAY NORTHBOUND)

EXHIBIT 6

PROPOSED TIMETABLE FOR CONSTRUCTION OF DISTRICT IMPROVEMENTS

	<u>Start Date</u>	<u>Completion Date</u>
Stormwater Management System	November, 2020	April, 2021
Water Distribution System	November, 2020	April, 2021
Wastewater Collection System	November, 2020	April, 2021
Roadway Improvements	June, 2021	March, 2022
Landscaping/Open Space/Lighting/Signage	June, 2021	March, 2022
Parking Facilities	March, 2020	March, 2022

EXHIBIT 7

ESTIMATED COSTS OF DISTRICT IMPROVEMENTS

	<u>Costs:</u>
Stormwater Management System	\$ 185,000
Water Distribution System	\$ 835,000
Wastewater Collection System	\$ 835,000
Roadway Improvements	\$ 962,000
Landscaping/Open Space/Lighting/Signage	\$ 701,000
Parking Facilities	\$53,855,000
Land Allocation – Parking Facilities	\$15,014,000
Total Estimated Costs:	\$72,387,000

EXHIBIT 8

FUTURE LAND USE

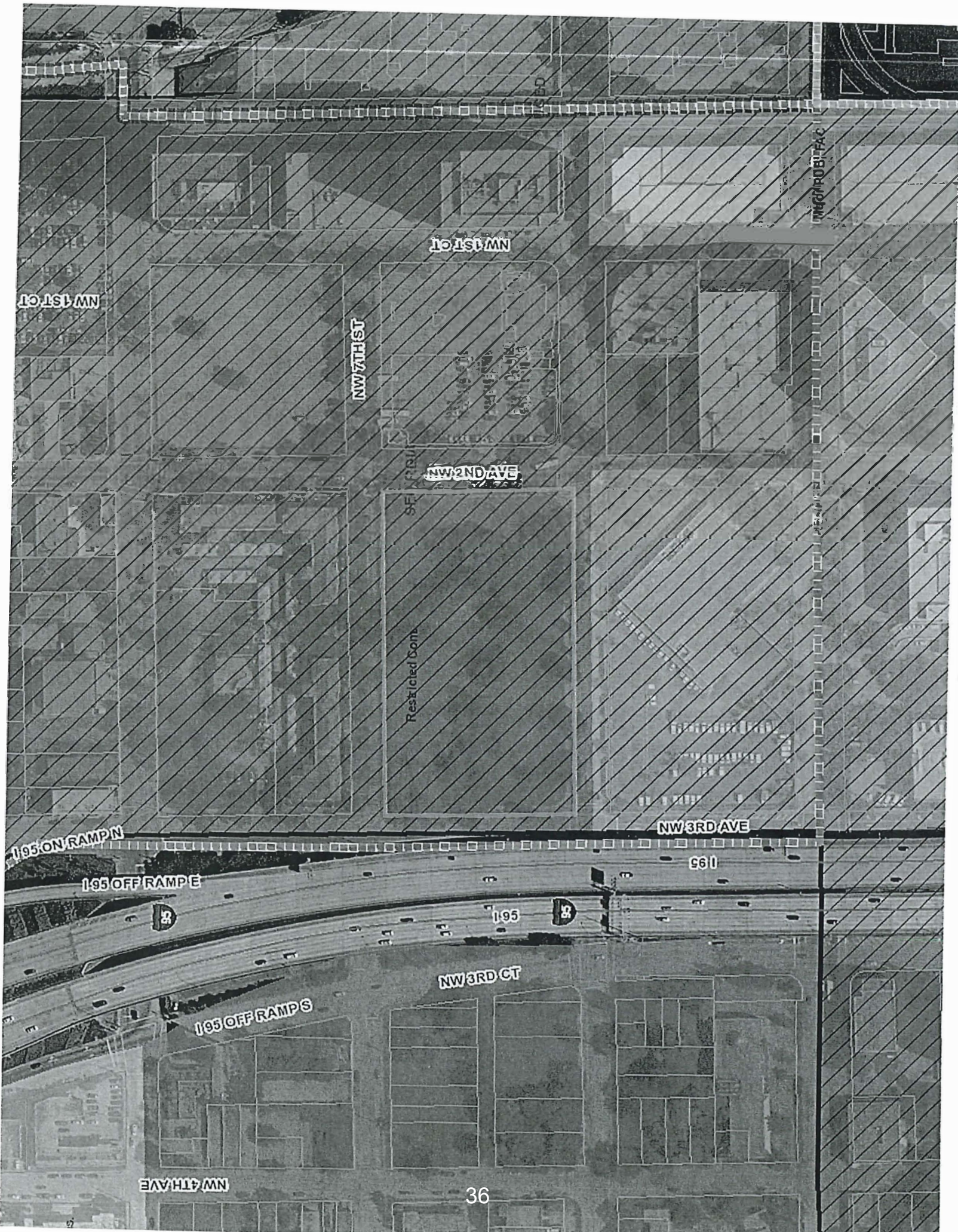


EXHIBIT 9

STATEMENT OF ESTIMATED REGULATORY COSTS

STATEMENT OF ESTIMATED REGULATORY COSTS

Sawyer's Landing Community Development District

1.0 Introduction

1.1 Purpose

This statement of estimated regulatory costs ("SERC") supports the petition to form the Sawyer's Landing Community Development District ("District" or "CDD"). Downtown Retail Associates, LLC ("Petitioner") is master planning a +/- 3.42 acre mixed-use community, Sawyer's Landing ("Project"), located between NW 2 Avenue on the east, NW 3 Avenue on the west, NW 6 Street on the south and NW 7 Street on the north in the City of Miami ("City"), Miami-Dade County ("County"), Florida.

The District will provide community Infrastructure that will serve all the land in the proposed District. The District plans to provide community infrastructure including, but not necessarily limited to, water distribution improvements, wastewater collection improvements, roadway improvements, stormwater management improvements, landscape, open space, lighting and signage improvements, parking facilities and other community improvements to support the development of the Project. The District plans to finance community Infrastructure by issuing bonds ("Bonds") secured by, among other things, proceeds of non-ad valorem special assessments (the "Assessments") levied on land within the District that will specially benefit from the community infrastructure all as discussed more fully below.

1.2 Scope of the Analysis

The limitations on the scope of this SERC are explicitly set out in Section 190.002(2) (d), F.S. (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)."

As noted above, the proposed District intends to provide community infrastructure and services along with their operations and maintenance, to the approximately 3.42 acres comprising the Project. The current development program for the land contained in the District is shown in Table 1 below. These plans are subject to change as market conditions may dictate in the future.

**Table 1. Sawyer's Landing Community Development District
Development Program**

Retail space	+/- 353,470 square feet
Apartment units	+/- 556 units

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 and 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 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.

(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

by Section 120.52, F.S. The City is not defined as a small city for purposes of this requirement.

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

(g) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1) (a)[of Section 120.541, F.S.] and either 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 establishment/creation of the District will meet any of the triggers in Section 120.541(2)(a), F.S. 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 ordinance, together with a general description of the types of individuals likely to be affected by the ordinance**

As noted above, the proposed District will provide infrastructure and community services to the +/-3.42 acres of land planned for the Project as outlined in Table 1. All of the ultimate property owners in the District will be required to comply with District rules and their properties will be encumbered with District obligations to pay for infrastructure and operations and maintenance expenses incurred by the District. Based on the current development program the following entities and individuals would be affected by the formation of the District: the owners and occupants of (a) +/- 556 apartment unit and +/- 353,470 square feet of retail space. Prior to the development and sale of the real estate, all of the undeveloped land owned by Petitioner and any other landowner within the District boundaries will also be under the jurisdiction of the District.

- 4.0 Good faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed ordinance, and any anticipated effect on state and local revenues**

- 4.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance**

State Governmental Entities

The cost to State entities to review or enforce the proposed ordinance will be very modest. The District comprises less than 2,500 acres. Therefore, the County will review and act upon the petition to establish the District.

There are minimal additional ongoing costs to various State entities to implement and enforce the proposed ordinance. 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. The filing requirements are outlined in Appendix A. 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 the City of Miami

This petition to establish the District will require the County to review the petition and its supporting exhibits. In addition, the County will hold public hearings to discuss the petition and to take public input. These activities will absorb staff time and time of the County Commission.

However, these costs are very modest at most for the following reasons. First, the review of this petition to form the District does not include an analysis of the Project itself. In fact, such a review of the Project is prohibited by statute. Second, the petition contains all of the information necessary for its review. Third, the County already has all of the staff necessary to review the petition. Fourth, no capital costs are involved in the review. Fifth, the County routinely processes similar petitions for land use and zoning changes that are far more complicated than this petition to form the District. Finally, Petitioners will pay a statutorily prescribed filing fee to the County designed to offset these costs.

The County will incur only a small additional annual cost if this petition is approved. The proposed 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 City and the County with its budget each year, but no City or County action is required.

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 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 ordinance

The District plans to provide various community facilities and services to the land in the District, as outlined in Table 2 below. The District plans to fund, own, operate and maintain the landscape, hardscape, lighting and signage, and part of the stormwater management improvements. The District plans to fund the public roadways, utilities, additional stormwater management improvements, and parking facilities, all of which will be owned by the District or dedicated to the County or City, and the County or City will operate and maintain these dedicated public infrastructure facilities.

Table 2. Proposed Facilities and Services

<i>Facility</i>	<i>Funded By</i>	<i>O&M By</i>	<i>Ownership</i>
Roadway Improvements	CDD	City/County	City/County
Wastewater Collection System	CDD	County	County
Water Distribution System	CDD	County	County
Stormwater Management ¹	CDD	City/County	City/County
Parking Facilities	CDD	CDD	CDD
Landscaping/ Open Space/Lighting/Signage	CDD	City/CDD	City/CDD

Petitioners have estimated the costs for providing the capital facilities as outlined in Table 2, and these are shown in Table 3. Total costs for these facilities and land allocation are estimated to be approximately \$72,387,000. To fund this construction program, in whole or in part, the District may issue special assessment or other revenue bonds. The Bonds would be repaid through non-ad valorem assessments levied on all lands in the District that may benefit from the District's proposed facilities and services as outlined in Table 2 and any other available revenue source.

**Table 3. Summary of Estimated Capital Costs for Proposed
Sawyer's Landing Community Development District**

<i>Facility</i>	<i>Total</i>
Roadway Improvements	\$962,000
Wastewater Collection System	\$835,000
Water Distribution System	\$835,000
Stormwater Management	\$185,000
Landscaping/ Open Space/Lighting/Signage	\$701,000
Parking Facilities	\$53,855,000
Land Allocation – Parking Facilities	\$15,014,000
	=====
Total	\$72,387,000

Source:

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 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.

It is important to note that the various costs outlined in Table 3 are typical for developments of the type contemplated here. In other words, there is nothing peculiar about the District's financing that requires additional infrastructure over and above what would normally be needed. Therefore, these costs are not in addition to normal development costs. Instead, the facilities and services provided by the District are substituting in part for developer-provided infrastructure and facilities. Along these same lines, District-imposed assessments for operations and maintenance costs are similar to what would be charged in any event by a property owners' association common to most master planned developments.

Real estate markets are quite efficient, because buyers and renters evaluate all of the costs and benefits associated with various alternative locations. Therefore, market forces preclude developers from marking up the prices of their products beyond what the competition allows. To remain competitive the operations and maintenance charges must also be in line with the competition.

Furthermore, locating in the District by new landowners is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the District's costs in tradeoff for the benefits that the District provides.

The District is an alternative means to finance necessary community services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a neighborhood

association, City provision (directly or via a dependent special district), or through developer bank loans.

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.

There will be no impact on small businesses because of the formation of the proposed 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 Miami. As of the Census date, the 2010 Census, the City has a population of in excess of 10,000 people. Therefore, the proposed District is not located in a City defined as a “small city” (10,000) according to Section 120.52, F.S.

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 Petitioners’ Engineer and other professionals associated with Petitioners.

Finally, it is useful to reflect upon the question of whether the proposed formation of the District is the best alternative to provide community facilities and services to the Project. As an alternative to the District, the City or County could approve a dependent special district for the area, such as a Municipal Service Benefit Unit (“MSBU”) or a special taxing district under Chapter 170, F.S. Either of these alternatives could finance the improvements contemplated in Table 2 in a fashion similar to the proposed District.

However, each of these alternatives is inferior to the District. Unlike the District, the alternatives would require the City or County to continue to administer the Project and its facilities and services. As a result, the costs for these services and facilities would not be sequestered to the land directly benefiting from them, as the case would be with the District.

A District also is preferable from a government accountability perspective. With a District as proposed, landowners and renters in the District would have a focused unit of government under their direct control. The District can then be more responsive to landowner needs without disrupting other City or County responsibilities.

Another alternative to the District would be for the developer to provide the infrastructure and to use a property owners association (“POA”) for operations and maintenance of community facilities and services. A District is superior to a

POA for a variety of reasons. First, unlike a POA, a District can impose and collect its assessments along with other property taxes. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Second, the proposed District is a unit of local government. Therefore, unlike the POA the District must abide by all governmental rules and regulations.

APPENDIX A **LIST OF REPORTING REQUIREMENTS**

REPORT	FLORIDA STATUTE CITE	DATE
Annual Financial Audit	11.45	12 months after end of fiscal year
Annual Financial Report (AFR)	218.32	by March 31
TRIM Compliance Report	200.068	30 days after adoption of assessment resolution
Form 1 - Limited Financial Disclosure	112.3144	by July 1
Public Depositor	215	by November 15
Proposed Budget	190.008	sixty (60) days prior to adoption of final budget
Public Meetings Schedule	189.417	beginning of fiscal year
Bond Report	218.38	When issued

EXHIBIT 10

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MIAMI
SUPPORTING THE ESTABLISHMENT OF THE DISTRICT**



City of Miami

Legislation

Resolution: R-20-0086

City Hall
3500 Pan American Drive
Miami, FL 33133
www.miamigov.com

File Number: 7314

Final Action Date: 3/12/2020

A RESOLUTION OF THE MIAMI CITY COMMISSION SUPPORTING THE CREATION OF THE SAWYER'S LANDING COMMUNITY DEVELOPMENT DISTRICT ("CDD") BY DOWNTOWN RETAIL ASSOCIATES, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND ITS AFFILIATES AND SUBSIDIARIES (COLLECTIVELY, "DEVELOPER") FOR THE 3.42 +/- ACRE SITE GENERALLY BOUNDED ON THE NORTH BY NORTHWEST 7 STREET, ON THE SOUTH BY NORTHWEST 6 STREET, ON THE WEST BY NORTHWEST 3 AVENUE, AND ON THE EAST BY NORTHWEST 2 AVENUE, MIAMI, FLORIDA, WHICH IS LOCATED AT APPROXIMATELY 249 NORTHWEST 6 STREET MIAMI, FLORIDA; ENCOURAGING THE MIAMI-DADE BOARD OF COUNTY COMMISSIONERS ("COUNTY COMMISSION") TO APPROVE A PETITION SUBMITTED BY THE DEVELOPER TO CREATE THE CDD CONSISTENT WITH THE DEVELOPMENT AGREEMENT BETWEEN THE DEVELOPER AND THE SOUTHEAST OVERTOWN/PARK WEST COMMUNITY REDEVELOPMENT AGENCY.

WHEREAS, pursuant to Resolution No. CRA-R-18-0041 adopted on September 24, 2018 by the Southeast Overtown/Park West Community Redevelopment Agency ("CRA"), the CRA Board of Commissioners authorized the negotiations for the development of Block 55 ("Project") located at approximately 249 Northwest 6 Street, Miami, Florida, Folio No. 01-0105-050-1120, generally bounded on the east by Northwest 2 Avenue, on the west by Northwest 3 Avenue, on the south by Northwest 6 Street, and on the north by Northwest 7 Street, Miami, Florida ("Site"), with Downtown Retail Associates, LLC, a Florida limited liability company ("Developer"); and

WHEREAS, the CRA and the Developer entered into a development agreement for the Project on October 1, 2018; and

WHEREAS, the Site is a 3.42 +/- acre of undeveloped real estate located in District 5; and

WHEREAS, once constructed, the Project will consist of not less than 500 residential units, not less than 250,000 rentable square feet of retail/restaurant/office/entertainment space, and a minimum of 1,000 parking spaces; and

WHEREAS, pursuant to Section 2-33(f) of the Code of the City of Miami, Florida, as amended, the City Commission unanimously deems this Resolution to be of an emergency nature in order to address the matters during the current legislative session; and

WHEREAS, the City of Miami ("City") supports the creation of the Sawyer's Landing Community Development District ("CDD") for the Site to assist in the funding and construction of various onsite and offsite infrastructure and related public improvements for the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

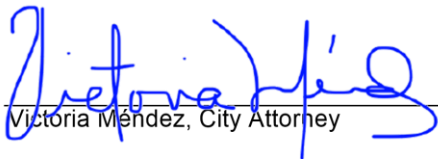
Section 1. The recitals and findings contained in the Preamble to this Resolution are adopted and incorporated as if fully set forth in this section.

Section 2. The City Commission supports the creation of the CDD by the Developer, its affiliates, and subsidiaries for the Site.

Section 3. The City Commission encourages the County Commission to approve a petition submitted by the Developer to create the CDD consistent with the development agreement between the Developer and the CRA.

Section 4. This Resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CORRECTNESS:

A handwritten signature in blue ink, appearing to read "Victoria Méndez", is written over a horizontal line.

Victoria Méndez, City Attorney

3/20/2020



City of Miami

Master Report

City Hall
3500 Pan American Drive
Miami, FL 33133
www.miamigov.com

Enactment Number: R-20-0086

File Number: 7314

File Type: Resolution

Status: ADOPTED

Revision:

Controlling Body: City Commission

File Name: Creation of Sawyer's Landing Community Development District (CDD)

Introduced: 3/12/2020

Requesting Dept: City Commission

Final Action Date: 3/12/2020

Title: A RESOLUTION OF THE MIAMI CITY COMMISSION SUPPORTING THE CREATION OF THE SAWYER'S LANDING COMMUNITY DEVELOPMENT DISTRICT ("CDD") BY DOWNTOWN RETAIL ASSOCIATES, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND ITS AFFILIATES AND SUBSIDIARIES (COLLECTIVELY, "DEVELOPER") FOR THE 3.42 +/- ACRE SITE GENERALLY BOUNDED ON THE NORTH BY NORTHWEST 7 STREET, ON THE SOUTH BY NORTHWEST 6 STREET, ON THE WEST BY NORTHWEST 3 AVENUE, AND ON THE EAST BY NORTHWEST 2 AVENUE, MIAMI, FLORIDA, WHICH IS LOCATED AT APPROXIMATELY 249 NORTHWEST 6 STREET MIAMI, FLORIDA; ENCOURAGING THE MIAMI-DADE BOARD OF COUNTY COMMISSIONERS ("COUNTY COMMISSION") TO APPROVE A PETITION SUBMITTED BY THE DEVELOPER TO CREATE THE CDD CONSISTENT WITH THE DEVELOPMENT AGREEMENT BETWEEN THE DEVELOPER AND THE SOUTHEAST OVERTOWN/PARK WEST COMMUNITY REDEVELOPMENT AGENCY.

Notes: Pursuant to the resolution, this item became effective immediately upon adoption by the Commission.

Links:

Attachments:

History of Legislative File:

Revision:	Acting Body:	Date:	Action:	Result:
	City Commission	3/12/2020	Meeting	Completed
	City Commission	3/12/2020	ADOPTED	Passed
	Victoria Méndez	3/20/2020	Approved Form and Correctness	Completed
	City Clerk's Office	3/20/2020	Rendered	Completed

"EXHIBIT B to the Ordinance"

Legal Description

Legal Description:

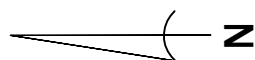
Lots 1 through 20, inclusive, of Block 55 North, Map of Miami, Dade Co. Fla, according to the plat thereof, as recorded in Plat Book B, Page 41, of the Public Records of Miami-Dade County, Florida; less and except the East 7.5 feet of Lot 20; and further less and except that portion of Lot 10 taken by the State Of Florida Department Of Transportation by Order Of Taking recorded in Official Records Book 5349, Page 129, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Begin on the West line of said Lot 10 at a point 14.51 feet South $02^{\circ}16'16''$ East from the Northwest corner thereof, said point being the beginning of a curve concave Southeasterly having a radius of 14.5 feet, thence from a tangent bearing of North $02^{\circ}16'16''$ West run Northwesterly, Northerly and Northeasterly 22.79 feet along said curve through a central angle of $90^{\circ}02'57''$ to the North line of said Lot 10, thence Westerly 14.51 feet along said North line to the Northwest corner of said Lot 10, thence South $02^{\circ}16'16''$ East 14.51 feet along the West line of said Lot 10 to the Point Of Beginning.

"EXHIBIT C to the Ordinance"

District Boundaries and Geographical Location Sketch

DISTRICT
BOUNDARIES



NW 7 STREET

NW 2 AVENUE

TRACT "A"

NW 3 AVENUE

NW 6 STREET

SAWYER'S LANDING

COMMUNITY DEVELOPMENT DISTRICT

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

(COMM. 0003)
SECTION: 37 - 53 - 41