

## ORDINANCE NO. 24-12

AN ORDINANCE ESTABLISHING IBIS LANDING COMMUNITY DEVELOPMENT DISTRICT; PROVIDING A DISTRICT NAME; SETTING FORTH THE AUTHORITY FOR ADOPTING THE ORDINANCE; ESTABLISHING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESIGNATING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; ESTABLISHING THE GOVERNING DISTRICT CHARTER AS FLORIDA STATUTES CHAPTER 190; PROVIDING FOR NOTICE TO SUBSEQUENT PURCHASERS; PERTAINING TO MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; PROVIDING FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Aquabella Development Group, LLC, has petitioned the Board of County Commissioners to establish IBIS LANDING COMMUNITY DEVELOPMENT DISTRICT; and

WHEREAS, the Board of County Commissioners, after proper published notice, conducted a local public information-gathering ordinance hearing as required by law and finds as follows:

1. The petition is complete in that it meets the requirements of Section 190.005(2), Florida Statutes; and all statements contained within the petition are true and correct.
2. The costs to the County and government agencies from establishment of the district are nominal. There is no adverse impact on competition or employment from district establishment. The persons affected by establishment are the future landowners, present landowners, Lee County and its taxpayers, and the State of Florida. There is a net economic benefit flowing to these persons from district establishment as the entity to manage and finance the statutory services identified. The impact of district establishment and function on competition and the employment market is marginal and generally positive, as is the impact on small business. None of the reasonable public or private alternatives, including an assessment of less costly and less intrusive methods and of probable costs and benefits of not adopting the ordinance, are as economically viable as establishing the district. Methodology is set forth in the economic impact statement on file. The statement of estimated regulatory costs of this petition on district establishment is adequate.
3. Establishment of the proposed district, whose charter must be in accordance with the general law as set forth in Sections 190.006 -190.041, Florida Statutes, is not inconsistent with the local Comprehensive Plan of Lee County or the State Comprehensive Plan.
4. The area of land within the proposed district is of sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional interrelated community.
5. The district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.

6. The community development services and facilities of the district will be compatible with the capacity and uses of existing local and regional community development services and facilities.

7. The area that will be served by the district is amenable to separate special district government.

8. Upon the effective date of this Ordinance, the proposed Ibis Landing Community Development District will be duly and legally authorized to exist and exercise all of its general and special powers as limited by law, including the powers and functions to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, as authorized and described by Section 190.012(2)(a), F.S.; and the powers and functions to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; except that the district may not exercise any police power, but may contract with the appropriate local general-purpose government agencies for an increased level of such services within the district boundaries, as authorized and described by Section 190.012(2)(d), F.S.

9. The proposed district, once established, may petition the Board of County Commissioners for consent to exercise one or more of the additional powers granted by charter in Section 190.012(2), Florida Statutes.

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

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA:

**SECTION ONE: DISTRICT NAME**

The community development district herein established will be known as Ibis Landing Community Development District.

**SECTION TWO: AUTHORITY FOR ORDINANCE**

This Ordinance is adopted pursuant to Section 190.005(2), Florida Statutes, and other applicable provisions of law governing county ordinances.

**SECTION THREE: ESTABLISHMENT OF COMMUNITY DEVELOPMENT DISTRICT**

Ibis Landing Community Development District is hereby established within the boundaries of the real property described in Exhibit "A" attached hereto and incorporated by reference.

**SECTION FOUR: DESIGNATION OF INITIAL BOARD MEMBERS**

The following five persons are designated to be the initial members of the Board of Supervisors:

1. Scott Edwards  
10481 Six Mile Cypress Parkway  
Fort Myers, FL 33966
2. Dalton Drake  
10481 Six Mile Cypress Parkway  
Fort Myers, FL 33966
3. Alex Hinebaugh  
10481 Six Mile Cypress Parkway  
Fort Myers, FL 33966
4. Zane Zeidan  
10481 Six Mile Cypress Parkway  
Fort Myers, FL 33966
5. Ashley Kingston  
10481 Six Mile Cypress Parkway  
Fort Myers, FL 33966

**SECTION FIVE: POWERS OF THE DISTRICT**

The powers and functions of the Ibis Landing Community Development District are described in Chapter 190, *Florida Statutes*. Consent is hereby given to the District's Board of Supervisors to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, as authorized and described by Section 190.012(2)(a), *Florida Statutes*. Consent is also hereby given to the District's Board of Supervisors to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; except that the district may not exercise any police power, but may contract with the appropriate local general-purpose government agencies for an increased level of such services within the district boundaries, as authorized and described by Section 190.012(2)(d), *Florida Statutes*.

**SECTION SIX: STATUTORY PROVISIONS GOVERNING DISTRICT**

Ibis Landing Community Development District will be governed by the provisions of Chapter 190, *Florida Statutes*.

**SECTION SEVEN: NOTICE TO SUBSEQUENT PURCHASERS**

Any and all agreements for the sale of property within the boundaries of the Ibis Landing Community Development District must include the disclosure statement required in Florida Statutes §190.048 for the initial sale of the property. This requirement applies to the initial seller of a parcel as well as all subsequent sellers, successors and assigns, for the life of the Ibis Landing Community Development District.

**SECTION EIGHT:    MODIFICATION**

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

**SECTION NINE:    CONFLICT OF SEVERABILITY**

In the event this Ordinance conflicts with any other Lee County ordinance or other applicable law, the more restrictive will apply. If any phase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion will be deemed a separate, distinct and independent provision and such holding will not affect the validity of the remaining portion.

**SECTION TEN:    EFFECTIVE DATE**

This Ordinance becomes effective upon filing with the Florida Secretary of State.

Commissioner Pendergrass made a motion to adopt the foregoing ordinance, seconded by Commissioner Hamman. The vote was as follows:

Kevin Ruane	Aye
Cecil L Pendergrass	Aye
Raymond Sandelli	Absent
Brian Hamman	Aye
Mike Greenwell	Aye

DULY PASSED AND ADOPTED THIS 18th day of June 2024.

ATTEST:  
KEVIN C. KARNES  
CLERK OF CIRCUIT COURT

By:   
Deputy Clerk



BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By:   
Mike Greenwell, Chair

APPROVED AS TO FORM FOR THE  
RELIANCE OF LEE COUNTY ONLY:

By:   
Office of County Attorney



Professional Engineers, Planners & Land Surveyors

DESCRIPTION  
OF  
A PARCEL OF LAND LYING IN  
SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST  
LEE COUNTY, FLORIDA

**(IBIS LANDING CDD BOUNDARY)**

A PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST BEING THAT PART OF PARKWOOD V, A SUBDIVISION RECORDED IN PLAT BOOK 28 AT PAGES 104-105, INCLUSIVE LYING SOUTH OF 23RD STREET S.W. AS SHOWN IN OFFICIAL RECORDS BOOK 2837 AT PAGE 2738, ALL OF PARKWOOD VI, A SUBDIVISION RECORDED IN PLAT BOOK 28 AT PAGES 106-110, INCLUSIVE, ALL OF PARKWOOD VII, A SUBDIVISION RECORDED IN PLAT BOOK 28 AT PAGES 111-115, INCLUSIVE, AND A PORTION OF SECTION 6 AS DESCRIBED IN OFFICIAL RECORD BOOK 3016 AT PAGE 981, PUBLIC RECORDS OF LEE COUNTY AND FURTHER DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHWEST CORNER OF SAID SECTION 6: THENCE N89°11'42"E ALONG THE SOUTH LINE OF SAID SECTION 6 FOR 4041.72 FEET TO THE WESTERLY LINE OF "ADDITION TWO TO LEHIGH ACRES" AS RECORDED IN PLAT BOOK 18 AT PAGE 148, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N01°53'54"W ALONG THE WESTERLY LINE OF SAID "ADDITION TWO TO LEHIGH ACRES" AND THE WESTERLY LINE OF "ADDITION ONE TO LEHIGH ACRES" AS RECORDED IN PLAT BOOK 12 AT PAGE 137, PUBLIC RECORDS OF LEE COUNTY, FLORIDA FOR 3292.04 FEET TO THE SOUTH LINE OF THE NORTH ONE HALF (N ½) OF THE SOUTH ONE HALF (S ½) OF THE NORTHEAST ONE QUARTER (NE ¼) OF SAID SECTION 6; THENCE S89°19'10"W ALONG THE SOUTH LINE OF SAID FRACTION AND WESTERLY EXTENSION THEREOF FOR 1550.76 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF BETH STACEY BOULEVARD (106.00 FEET WIDE); THENCE CONTINUE S89°19'10"W FOR 106.01 FEET TO THE WESTERLY LINE OF SAID BETH STACEY BOULEVARD; THENCE N01°36'51"W ALONG THE WESTERLY LINE OF SAID BETH STACEY BOULEVARD FOR 61.80 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE EXTENSION OF 23RD STREET S.W. (80.00 FEET WIDE) AS RECORDED IN OFFICIAL RECORD BOOK 2837 AT PAGE 2738, PUBLIC RECORDS; THENCE S88°23'09"W ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 600.00 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 2060.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 23°53'56" FOR 859.26 FEET TO A POINT OF REVERSE CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 2140.00 FEET; THENCE ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 22°31'11" FOR 841.11 FEET TO A POINT OF TANGENCY; THENCE S87°00'24"W ALONG SAID SOUTHERLY LINE FOR 88.88 FEET TO THE WEST LINE OF SAID SECTION 6; THENCE S01°02'32"E ALONG SAID WEST LINE FOR 2962.25 FEET TO THE **POINT OF BEGINNING.**

**LESS AND EXCEPT:**

LOT 3 AND 13, BLOCK 1, LOT 1 AND 11, BLOCK 2, LOT 5 AND 6, LOT 28 THROUGH 33, BLOCK 5, LOT 5 THROUGH 8, LOT 19 AND 20, LOT 25 THROUGH 29, BLOCK 6, COPPERHEAD PHASE 1, PLAT BOOK 77, PAGES 1-11, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

**SHEET 1 OF 5**

S:\Jobs\31xx\3142L\Surveying\Descriptions\3142L\_CDD LEGAL.doc

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Phone: (239) 939-5490

Engineering License CA 6469 | Surveying License LB 6690

Exhibit A

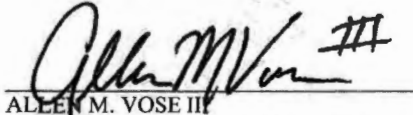
**LESS AND EXCEPT:**

LOT 1 THROUGH 4, BLOCK 5 AND LOT 30, BLOCK 6, COPPERHEAD PHASE 1A, RECORDED AS INSTRUMENT NUMBER 2005000189144, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

CDD BOUNDARY CONTAINS 294.36 ACRES, MORE OR LESS.

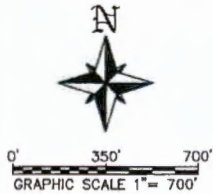
BEARINGS ARE BASED ON STATE PLANE COORDINATE – FLORIDA WEST ZONE NOTRTH AMERICAN DATUM (N.A.D.) 1983-1990 ADJUSTMENT WITH THE WEST LINE OF SECTION 6 AS BEARING S 01°02'32" E.

DESCRIPTION PREPARED: 2-15-2024

A handwritten signature in black ink, appearing to read "Allen M. Vose III", is written over a horizontal line.

ALLEN M. VOSE III  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATION NO. 7191  
DATE SIGNED: 2-15-2024



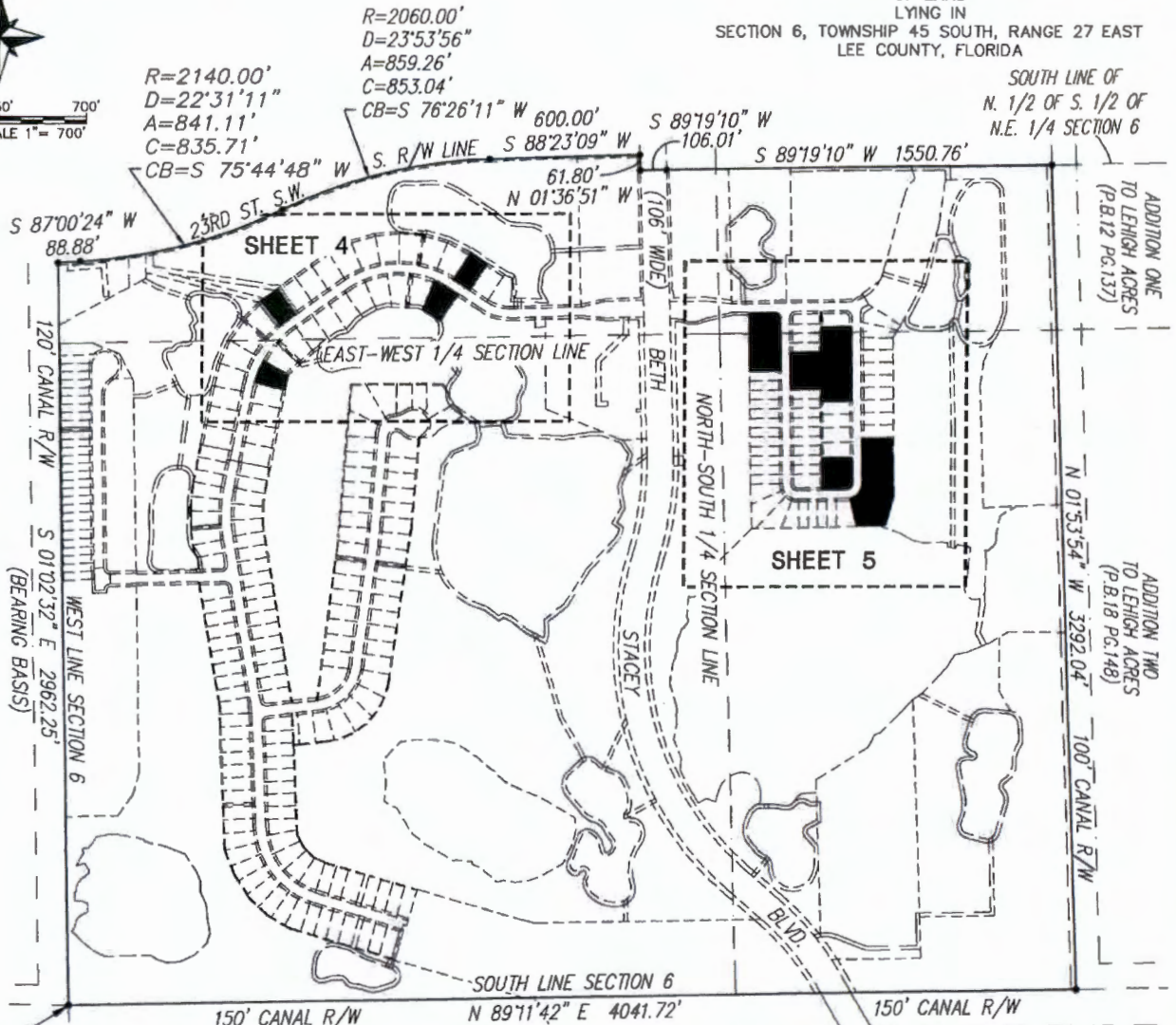


# SKETCH TO ACCOMPANY DESCRIPTION

OF A PARCEL  
OF LAND  
LYING IN

SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST  
LEE COUNTY, FLORIDA

SOUTH LINE OF  
N. 1/2 OF S. 1/2 OF  
N.E. 1/4 SECTION 6



**POINT OF  
BEGINNING**  
SOUTHWEST CORNER  
SECTION 6-45S-27E

**NOTE:**  
SEE SHEET 4 OF 5 FOR LEGEND.  
HATCHED AREAS INDICATE LESS AND  
EXCEPT PARCELS.

**NOTES:**  
SEE SHEET 1 AND 2 OF 5 FOR COMPLETE METES AND  
BOUNDS DESCRIPTION.

BEARINGS ARE BASED ON STATE PLANE COORDINATE-FLORIDA  
WEST ZONE NORTH AMERICAN DATUM (N.A.D.) 1983-1990  
ADJUSTMENT WITH THE WEST LINE OF SECTION 6 AS BEARING  
S 01°02'32" E.

PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY,  
RESTRICTIONS AND RESERVATIONS OF RECORD.

CDD BOUNDARY CONTAINS: 294.36 ACRES, MORE OR LESS.

**KEY  
SHEET**

**\*\*\*THIS IS NOT A SURVEY\*\*\***

*Allen M. Vose III*  
ALLEN M. VOSE III, P.S.M.  
FLORIDA CERTIFICATION NO. 7191  
PREPARED FEBRUARY 15, 2024

-THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE  
ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED  
SURVEYOR AND MAPPER.

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SURVEY LICENSE # LB 6990  
WWW.BANKSENG.COM

SKETCH TO ACCOMPANY DESCRIPTION  
**IBIS LANDING CDD BOUNDARY**  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
02-15-24	3142L	CDD-BNDY-SK		DRB	AMV	1"=700'	3	5	6-45-27

# SKETCH TO ACCOMPANY DESCRIPTION

OF A PARCEL  
OF LAND  
LYING IN

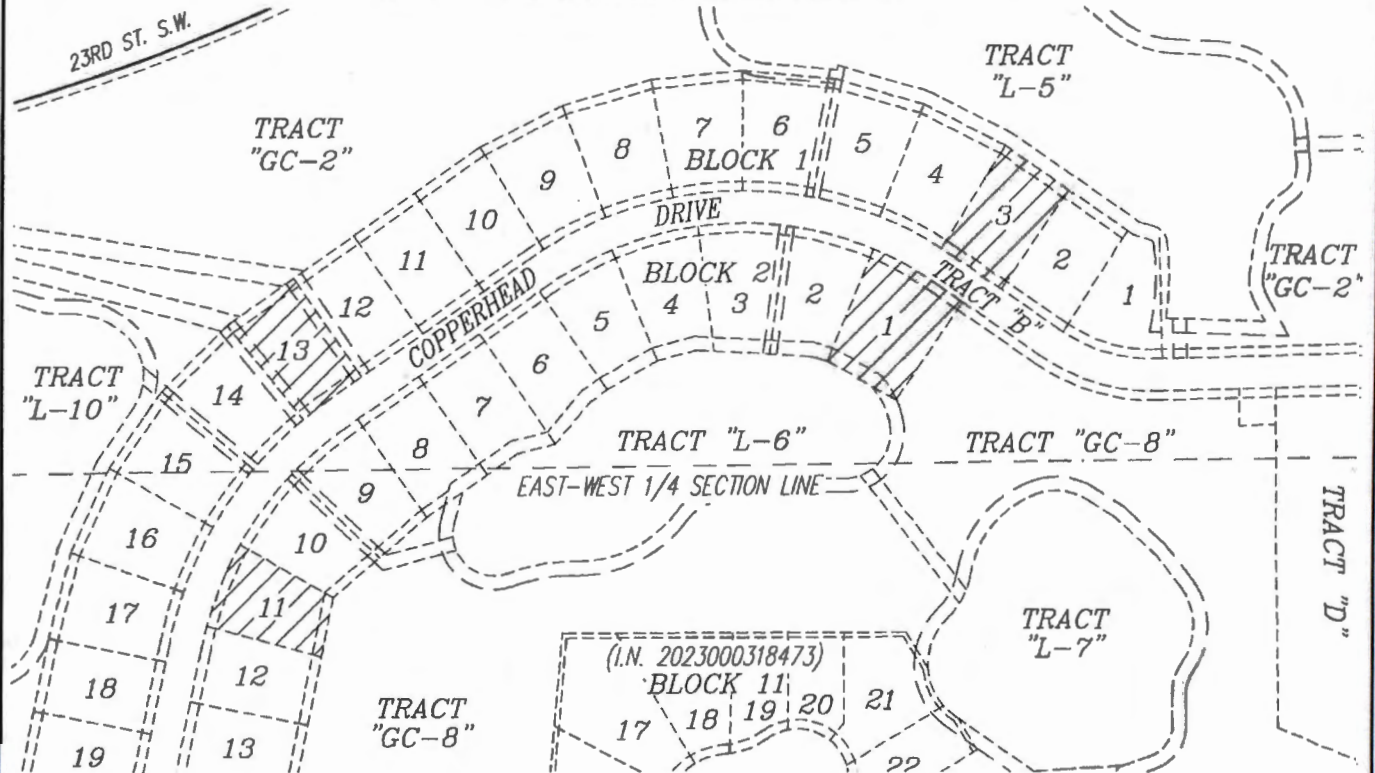
SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST  
LEE COUNTY, FLORIDA



0' 100' 200'  
GRAPHIC SCALE 1"=200'

## NOTE:

HATCHED AREAS INDICATE LESS AND EXCEPT LOT 3 AND 13, BLOCK 1,  
LOT 1 AND 11, BLOCK 2, COPPERHEAD PHASE 1, PLAT BOOK 77,  
PAGES 1-11, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.



## LEGEND:

PG. INDICATES PAGE  
D INDICATES DELTA  
R INDICATES RADIUS  
P.B. INDICATES PLAT BOOK  
A INDICATES ARC LENGTH  
R/W INDICATES RIGHT-OF-WAY  
CB INDICATES CHORD BEARING  
C INDICATES CHORD DISTANCE  
LB INDICATES LICENSED BUSINESS  
I.N. INDICATES INSTRUMENT NUMBER  
P.S.M. INDICATES PROFESSIONAL SURVEYOR AND MAPPER

NOTE: ALL LOTS, TRACTS, AND EASEMENTS SHOWN  
HEREON, ARE A PART OF COPPERHEAD PHASE 1,  
RECORDED IN PLAT BOOK 77, PAGE 1 THROUGH 1,  
PUBLIC RECORDS OF LEE COUNTY, FLORIDA,  
UNLESS NOTED OTHERWISE.

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SURVEY LICENSE # LB 6690

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SKETCH TO ACCOMPANY DESCRIPTION

**IBIS LANDING CDD BOUNDARY**  
**LEE COUNTY, FLORIDA**

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
02-15-24	3142L	CDD-BNDY-SK		DRB	AMV	1"=200'	4	5	6-45-27





0' 100' 200'  
GRAPHIC SCALE 1" = 200'

NOTE: ALL LOTS, TRACTS, AND EASEMENTS SHOWN HEREON, ARE A PART OF COPPERHEAD PHASE 1, RECORDED IN PLAT BOOK 77, PAGE 1 THROUGH 11, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, UNLESS NOTED OTHERWISE.

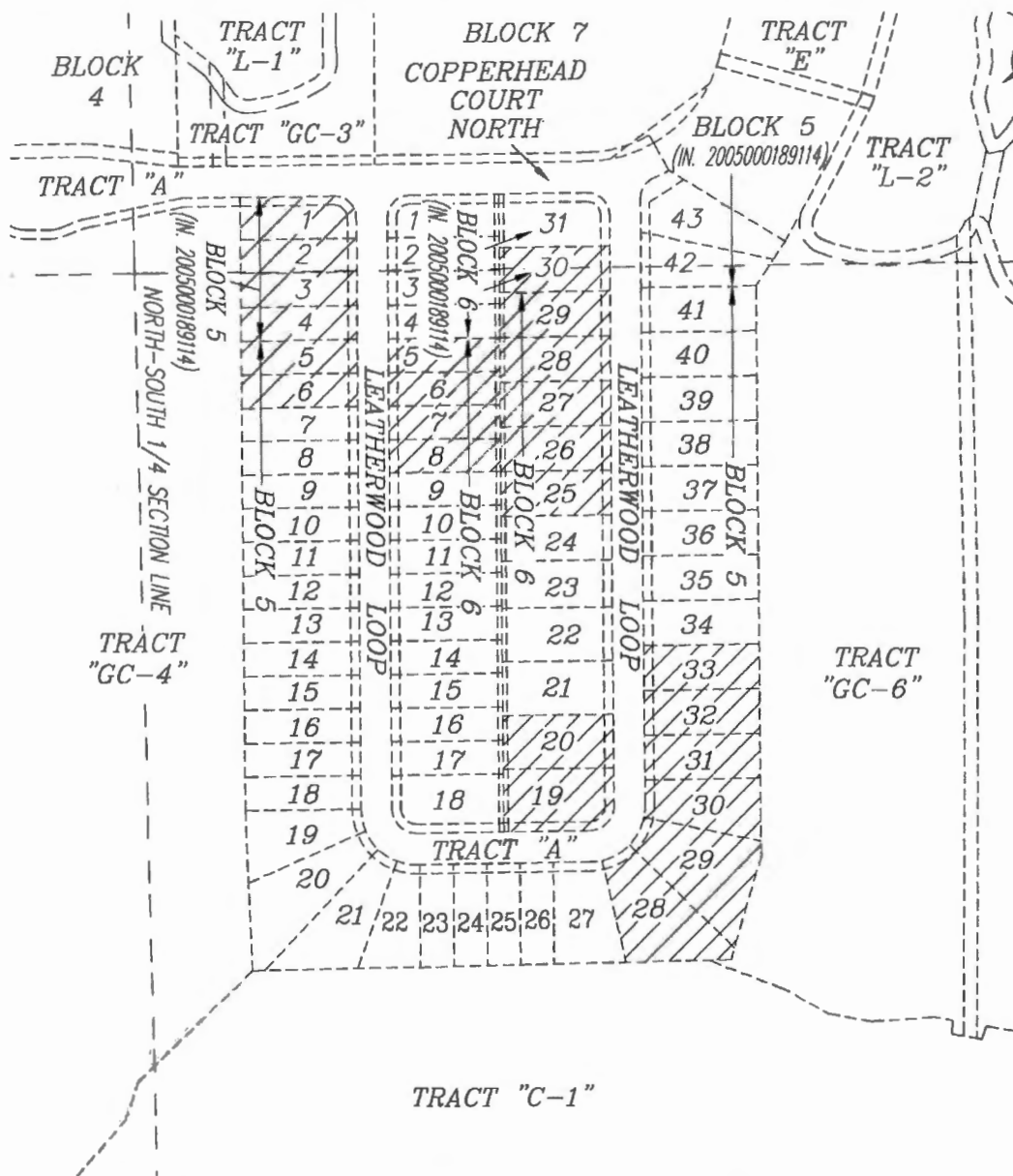
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OF A PARCEL  
OF LAND  
LYING IN

SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST  
LEE COUNTY, FLORIDA

NOTE:

SEE SHEET 4 OF 5 FOR LEGEND.



NOTE:

HATCHED AREAS INDICATE LESS AND EXCEPT LOT 5 AND 6, LOT 28 THROUGH 33, BLOCK 5, LOT 5 THROUGH 8, LOT 19 AND 20, LOT 25 THROUGH 29, BLOCK 6, COPPERHEAD PHASE 1, PLAT BOOK 77, PAGES 1-11, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

LOT 1 THROUGH 4, BLOCK 5 AND LOT 30, BLOCK 6, COPPERHEAD PHASE 1A, RECORDED AS INSTRUMENT NUMBER 2005000189114, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

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SKETCH TO ACCOMPANY DESCRIPTION

**IBIS LANDING CDD BOUNDARY**

**LEE COUNTY, FLORIDA**

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
02-15-24	3142L	CDD-BNDY-SK		DRB	AMV	1"=200'	5	5	6-45-27



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

June 19, 2024

Honorable Kevin Karnes  
Clerk of the Circuit Courts  
Lee County  
Post Office Box 2469  
Fort Myers, Florida 33902-2469

Dear Kevin Karnes:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Lee County Ordinance No. 24-12, which was filed in this office on June 19, 2024.

Sincerely,

Matthew Hargreaves  
Administrative Code and Register Director

MJH/wlh

**RECEIVED**

*By Melissa Butler at 1:35 pm, Jun 19, 2024*

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM  
CODRS CODING FORM

COUNTY: Lee

COUNTY ORDINANCE #: 24-12  
(e.g., 93-001)

PRIMARY KEYFIELD

DESCRIPTOR: Special Districts

SECONDARY KEYFIELD

DESCRIPTOR: Local Government

OTHER KEYFIELD

DESCRIPTOR: Government Agencies

ORDINANCE DESCRIPTION: Ibis Landing CDD Ord  
(25 Characters Maximum Including Spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT #1: \_\_\_\_\_ AMENDMENT #2: \_\_\_\_\_

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL #1: \_\_\_\_\_ ; REPEAL #3: \_\_\_\_\_

REPEAL #2: \_\_\_\_\_ ; REPEAL #4: \_\_\_\_\_

(Others Repealed: List All That Apply): \_\_\_\_\_

-----  
-----  
(FOR OFFICE USE ONLY):

COUNTY CODE NUMBER: \_\_\_\_\_

KEYFIELD 1 CODE: \_\_\_\_\_

KEYFIELD 2 CODE: \_\_\_\_\_

KEYFIELD 3 CODE: \_\_\_\_\_

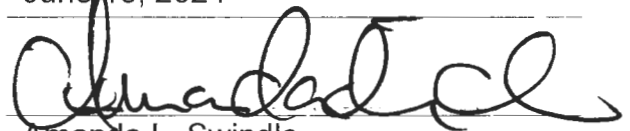
**MEMORANDUM  
FROM THE  
OFFICE OF COUNTY ATTORNEY**

VIA HAND DELIVERY

DATE: June 18, 2024

TO: Commissioner Mike Greenwell  
Chair, Board of County  
Commissioners

FROM:

  
Amanda L. Swindle  
Assistant County Attorney, Senior

RE: **Ordinance No. 24-12**  
**Adopt Ordinance Creating the Ibis Landing CDD**  
**Agenda Item PH#3, June 18, 2024**

---

Attached, approved as to form, please find the original of the above-referenced ordinance adopted by the Board of County Commissioners on June 18, 2024.

The original ordinance is attached to the memorandum for execution. Kindly execute the ordinance at your earliest convenience and then forward to the Minutes Department for filing and transmittal to Tallahassee.

By copy of this memorandum to Eileen Gabrick, I request that a clerk attest to the Chair's signature on the attached ordinance and return the fully executed copy with all exhibits to my attention via email.

Insofar as State Statute mandates that the ordinance reach Tallahassee within ten (10) days of the adoption, please expedite the above request so that the ordinance arrives in Tallahassee no later than June 28, 2024. Also attached please find the Data Retrieval form to accompany the ordinance when transmitted to the State.

Thank you for your prompt attention to this matter.

Attachment

VIA EMAIL ONLY:

Laurel Chick, Manager, Internal Services  
Samantha Westen, Executive Assistant  
Rose Bahena, Administrative Specialist, Senior  
Eileen Gabrick, Office Manager, Minutes Department  
[leeclerkminutes@leeclerk.org](mailto:leeclerkminutes@leeclerk.org)  
Erica Temerario, Legal Administrative Specialist (for ordinance history)

2024 JUN 18 PM 3:52  
RECEIVED  
MINUTES OFFICE



**AGENDA ITEM REPORT**

**DATE:** June 18, 2024  
**DEPARTMENT:** County Attorney  
**REQUESTER:** Amanda Swindle  
**TITLE:** Public Hearing to Adopt an Ordinance Creating the Ibis Landing CDD

**I. MOTION REQUESTED**

Conduct the Ordinance to Public Hearing for the Establishment of Ibis Landing CDD on June 18, 2024, at 9:30 a.m.

**II. ITEM SUMMARY**

Authorizes county staff to advertise a public hearing on June 18, 2024, at 9:30 am to adopt an ordinance creating the Ibis Landing Community Development District pursuant to Chapter 190, F.S. If approved, the ordinance will create an Independent Special District capable of financing and servicing basic public services within the District boundary.

**III. BACKGROUND AND IMPLICATIONS OF ACTION****A) Board Action and Other History**

Aquabella Development Group, LLC has petitioned the Lee County Board of County Commissioners to adopt an ordinance establishing a Uniform Community Development District (UCDD) in accordance with the Uniform Community Development District Act of Florida, Chapter 190, Florida Statutes ("Act"). Section 190.005(2) sets forth the "exclusive and uniform method for the establishment of a Community Development District of less than 2,500 acres in size." This establishment "shall be pursuant to an ordinance adopted by the County Commission having jurisdiction over the majority of the land in the area in which the district is to be located . . ."

A community development district is a local unit of special purpose government created in accordance with the Act and limited to the performance of those specialized functions authorized by the Act for the delivery of urban community development services. The Act provides an alternative streamlined method for financing the construction, maintenance and operation of major infrastructures necessary for community development. Once a community development district has been established, it serves as an infrastructure management tool that ultimately relieves existing county taxpayers of the financial burden of providing urban services to the landowners in the district.

The proposed Ibis Landing CDD is located on approximately 294.35 acres of land generally located in northeast Lee County, north of State Road 82 and south of the intersection of 23rd Street Southwest and Beth Stacey Boulevard. If adopted, the Ordinance will:

1. Establish the external boundaries of the district.
2. Name the five persons designated to be the initial members of the Board of Supervisors. Those individuals are Scott Edwards, Dalton Drake, Alex Hinebaugh, Zane Zeidan, and Ashley Kingston.
3. Name the district. (Ibis Landing Community Development District).
4. Provide authorization to exist and exercise all of its general and special powers as limited by law, including the powers and functions to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for (1) parks and facilities for indoor and outdoor recreational, cultural, and educational uses, as authorized and described by Section 190.012(2)(a), F.S.; and (2) security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; except that the district may not exercise any police power, but may contract with the appropriate local general-purpose government agencies for an increased level of such services within the district boundaries, as authorized and described by Section 190.012(2)(d), F.S..

A copy of the Petition is available for review at the Department of Community Development.

**B) Policy Issues****C) Public Costs**

C) BCCC Goals

D) Analysis

E) Options

**IV. FINANCIAL INFORMATION**

A)	Current year dollar amount of item:	
B)	Is this item approved in the current budget?	N/A
C)	Is this a revenue or expense item?	N/A
D)	Is this Discretionary or Mandatory?	N/A
E)	Will this item impact future budgets? If yes, please include reasons in III(D) above.	No
F)	Fund: Program: Project: Account Strings:	
G)	Fund Type?	N/A
H)	Comments:	

**V. RECOMMENDATION**

Approve

**VI. TIMING/IMPLEMENTATION**

**VII. FOLLOW UP**

**ATTACHMENTS:**

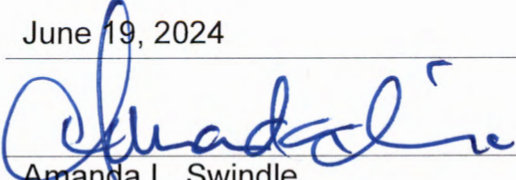
Description	Upload Date	Type
Proposed Ordinance	5/29/2024	Ordinance
FAIS Form	5/29/2024	Backup Material
Staff Report	5/29/2024	Backup Material
Petition for Establishment of CDD	6/3/2024	Backup Material

**MEMORANDUM  
FROM THE  
OFFICE OF COUNTY ATTORNEY**

VIA EMAIL ONLY

DATE: June 19, 2024

TO: Eileen Gabrick  
Minutes Office Manager

FROM:   
Amanda L. Swindle  
Assistant County Attorney, Senior

RE: **Ordinance 24-12, Adopted 6/18/2024**  
**Scrivener's Error – Establishing Ibis Landing CDD**

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Lee County Ordinance 24-12, establishing Ibis Landing CDD contains scrivener's error by attaching the incorrect Exhibit.

Consequently, we respectfully request that you replace the current Exhibit with the corrected Exhibit, which is attached.

We also request that you transmit the attached replacement pages to the State to correct the scrivener's errors as well. Please copy my office on the transmittal to the State.

Should you have any questions concerning the above, please do not hesitate to contact me.

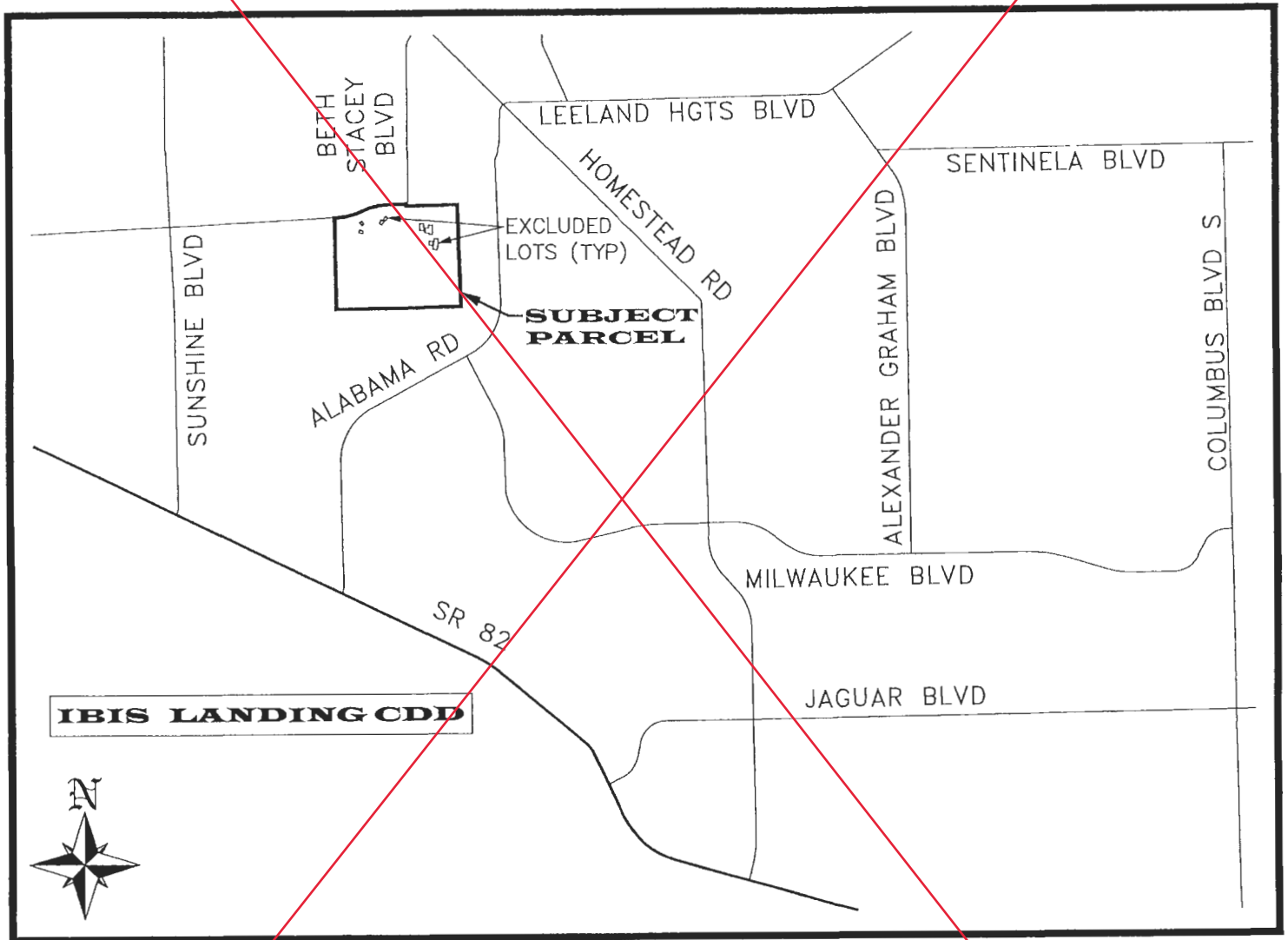
ALS:slk  
Attachments

cc via email only: Laurel Chick, Manager, Internal Services  
Samantha Westen, Executive Assistant  
Rose Bahena, Administrative Specialist, Senior  
Erica Temerario, Legal Administrative Specialist (for ordinance history)  
[leeclerkminutes@leeclerk.org](mailto:leeclerkminutes@leeclerk.org)

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MINUTES OFFICE

2024 JUN 19 PM 4:06

PLEASE SEE ATTACHED MEMO FROM THE COUNTY ATTORNEY







## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

June 21, 2024

Honorable Kevin Karnes  
Clerk of the Circuit Courts  
Lee County  
Post Office Box 2469  
Fort Myers, Florida 33902-2469

Dear Kevin Karnes:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of corrected Lee County Ordinance No. 24-12, which was filed in this office on June 21, 2024.

Sincerely,

Matthew Hargreaves  
Administrative Code and Register Director

MJH/wlh

**RECEIVED**

*By Chris Jagodzinski at 4:52 pm, Jun 21, 2024*