

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION AGENDA

June 13, 2006

1. **Approval of the minutes of the meeting held May 31, 2006.**
2. **Consideration of an Amended Petition to Amend the Boundary of the River Hall Community Development District in Lee County, Florida. Petitioner: River Hall Community Development District. (FLWAC Case No. CDD-05-017).**

On October 31, 2005, the Board of Supervisors of the River Hall Community Development District (District) submitted a petition to amend the boundary of the District within unincorporated Lee County, Florida. (An amended exhibit was submitted to the Commission on December 1, 2005.) The amended petition proposes to amend the land area presently serviced by the District by adding approximately 30 acres. The District currently covers approximately 1,928 acres of land and after expansion the District will encompass approximately 1,958 acres. Petitioner has written consent to expand the District from the owners of the real property to be added to the District. Pursuant to section 190.046(1)(e), F. S., the filing of the Petition, as amended, for expansion by the District Board of Supervisors constitutes consent of the landowners.

Upon request of the Secretary, the Department of Community Affairs (DCA) reviewed the petition from the standpoint of their programs and responsibilities, and the requirements of section 190.005(1)(e), F.S. The DCA submitted a comment letter on November 30, 2005, finding no potential inconsistency with Chapter 163, F.S.

On December 13, 2005, the Lee County Board of County Commissioners adopted Resolution No. 05-12-22 supporting the amendment of the River Hall CDD.

Pursuant to Chapter 190, F.S., a local public hearing was conducted by the Board of Supervisors of the District on January 6, 2006, in Fort Myers, Florida. The Board filed a Report with the Commission on January 23, 2006, making affirmative conclusions on all six factors, pursuant to section 190.005(1)(e), F.S.

Pursuant to Chapter 120, F.S., notices of proposed rulemaking were published in the *Florida Administrative Weekly*. No public hearings were requested and no written comments were received as a result of the notices.

Recommendation:

Approve the amended petition to amend the River Hall Community Development District and authorize the Secretary to file for final rule adoption.

Back-Up:

District's petition received October 31, 2005.

DCA's comment letter received November 30, 2005.

District Board of Supervisors' report received January 23, 2006.

Final rulemaking package.