

JANUARY 2, 2026

AMENDED EXHIBIT 6 AND AMENDED EXHIBIT 7 TO  
PETITION TO ESTABLISH THE GARDNER TRAILS  
COMMUNITY DEVELOPMENT DISTRICT

Submitted by:

Jennifer Kilinski, Esq.  
Florida Bar No. 69367  
[jennifer@cddlattorneys.com](mailto:jennifer@cddlattorneys.com)  
Christopher N. Loy, Jr., Esq.  
Florida Bar No.: 1054660  
[chrisl@cddlattorneys.com](mailto:chrisl@cddlattorneys.com)  
Kilinski | Van Wyk PLLC  
517 E. College Avenue  
Tallahassee, Florida 32301  
(877) 350-0372 (telephone)

| Facility   | Construction Entity | Ownership Entity | Estimated CDD Cost      | Estimated Completion Date |
|--|---------------------|------------------|-------------------------|---------------------------|
| PROFESSIONAL FEES, PERMITTING FEES, ETC.         | CDD                 | N/A              | \$ 1,818,955.43         | Jun-27                    |
| STORMWATER MANAGEMENT SYSTEM                     | CDD                 | CDD              | \$ 6,797,003.36         | Jun-27                    |
| ONSITE ROADWAY IMPROVEMENTS                      | CDD                 | SEE NOTE 1       | \$ 3,182,407.43         | Jun-27                    |
| WATER DISTRIBUTION SYSTEM                        | CDD                 | TOHO             | \$ 3,211,911.86         | Jun-27                    |
| SANITARY COLLECTION AND CONVEYANCE SYSTEM        | CDD                 | TOHO             | \$ 2,763,104.68         | Jun-27                    |
| LANDSCAPE AND HARDSCAPE AND RECREATION           | CDD                 | CDD              | \$ 2,000,000.00         | Jan-28                    |
| CONSTRUCTION CONTINGENCY (15%)                   | CDD                 | N/A              | \$ 2,772,594.59         | Jan-28                    |
| UNDERGROUNDING DIFFERENCE FOR ELECTRIC UTILITIES | CDD                 | Duke             | \$ 649,247.41           | Jan-28                    |
| WATER/WASTEWATER IMPACT FEES                     | N/A                 | N/A              | \$ 3,026,770.00         | N/A                       |
| <b>TOTAL ESTIMATED COST</b>                      |                     |                  | <b>\$ 26,221,994.76</b> |                           |

\* CDD = The Gardner Trails Community Development District

\*TOHO = Tohopekaliga Water Authority

\* Polk County = Polk County Public Works

NOTE 1 = POLK COUNTY SHALL BE THE OWNERSHIP ENTITY FOR THE COLLECTOR ROADWAY.  
THE CDD SHALL BE THE OWNERSHIP ENTITY OF OTHER ONSITE LOCAL ROADWAYS.



## The Gardner Trails Community Development District

*Estimated Cost  
and Timetable*

COMPOSITE EXHIBIT 6

# STATEMENT OF ESTIMATED REGULATORY COSTS

## 1.0 Introduction

### 1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs (“SERC”) supports the petition to form **The Gardner Trails Community Development District** (the “District”). The proposed District comprises approximately 160 acres of land located within unincorporated Polk County, Florida (hereafter “The County”). The project is planned for approximately 430 residential units. The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), Florida Statutes, 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.”

### 1.2 Overview of The Gardner Trails Community Development District

The District is designed to provide community infrastructure, services, and facilities along with operation and maintenance of such facilities and services to the lands within the District. The District will encompass approximately 160 acres.

The Development plan for the proposed lands within the District includes approximately 430 residential units. Such uses are authorized for inclusion within the District. A Community Development District (“CDD”) is an independent unit of special purpose local government authorized by Chapter 190, Florida Statutes, to plan, finance, construct, operate and maintain community-wide infrastructure in planned community developments. CDD’s provide a “solution to the state’s planning, management and financing needs for delivery of capital infrastructure to service projected growth without overburdening other governments and their taxpayers.” Section 190.002(1)(a), Florida Statutes.

A CDD is not a substitute for the local, general purpose, government unit, e.g., the City/County in which the CDD lies. A CDD does not have the permitting, zoning or general police powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating, and maintaining community infrastructure for planned developments, such as The Gardner Trails. The scope of this SERC is limited to evaluating the consequences of approving the petition to establish the District.

### 1.3 Requirements for Statement of Estimated Regulatory Costs

According to Section 120.541(2), Florida Statutes, a statement of estimated regulatory costs must contain:

(a) An economic analysis showing whether the rule directly or indirectly: 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; 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 the implementation of the rule; or 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<sup>1</sup>, 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, and any other costs necessary to comply with the rule.

(e) An analysis of the impact on small businesses as defined by Section 288.703, Florida Statutes, and an analysis of the impact on small cities defined by Section 120.52, Florida Statutes. The impact analysis for small businesses must include the basis for the agency’s decision not to implement alternatives that would reduce adverse impacts on small businesses.

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

(g) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under Section 120.541(1)(a), Florida Statutes, 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 Adverse impact on economic growth, business competitiveness or increased regulatory costs, in excess of \$1 million.**

The creation of the District will not meet any of the triggers in Section 120.541(2)(a), Florida Statutes. The basis for this determination is provided in the discussions in Section 3.0 through

---

<sup>1</sup> For the purposes of this SERC, the term “agency” means Polk County and the term “rule” means the ordinance(s) which Polk County will enact in connection with the creation of the District.

Section 6.0 of this SERC.

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

As noted above, The Gardner Trails Community Development District is a community designed for approximately 430 residential units. Formation of the District would put all of these units under the jurisdiction of the District. Prior to sale of any units, all of the land owned by the Developer and any other landowner 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 rule, and any anticipated effect on state and local revenues.**

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

**State Government Entities**

There will be only modest costs to various State governmental entities to implement and enforce the proposed formation of the District. The District as proposed will encompass under 2,500 acres, therefore the County is the establishing entity under sections 190.005(2), (2)(e), Florida Statutes. The modest costs to various State entities to implement and enforce the proposed rule relate strictly to the receipt and processing of various reports that the proposed District is required to file with the State and its various entities. The costs to those State agencies that will receive and process the District's reports are very small, because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.018, Florida Statutes, the proposed District must pay an annual fee to the State of Florida Department of Economic Opportunity, which offsets such costs.

**Polk County**

The County and its staff will process and analyze the petition, conduct a public hearing with respect to the petition, and vote upon the petition to establish the District. These activities will absorb some resources. However, the filing fee required by Chapter 190, Florida Statutes, is anticipated to cover the costs for review of the petition for establishment.

These costs to the County are modest for a number of reasons. First, review of the petition to establish the District does not include analysis of the project itself. Second, the petition itself provides much of the information needed for a staff review. Third, local governments already possess the staff needed to conduct the review without the need for new or additional staff. Fourth, there is no capital required to review the petition. Finally, local governments routinely process similar petitions for land uses and zoning charges that are far more complex than is the petition to establish a community development district.

The annual costs to the County because of the establishment of the District are minimal. The proposed District is an independent unit of local government. The only annual costs the County faces are the minimal costs of receiving and reviewing the various reports that the District is

required to provide to the County. Furthermore, the County will not incur any quantifiable on-going costs resulting from the on-going administration of the District. As previously stated, the District operates independently from the County, and all administrative and operating costs incurred by the District relating to the financing and construction of infrastructure are borne entirely by the District and its landowners.

## 4.2 Impact on State and Local Revenues

Adoption of the proposed rule will have no negative impact on State and 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 infrastructure or facilities, or for any other reason, are not debts of the State of Florida or the County. In accordance with Florida law, debts of the District are strictly the District's own responsibility.

## 5.0 A good faith estimate of the transactional costs that are likely to be incurred by individuals and entities required to comply with the requirements of the ordinance.

Table 1 provides an outline of the various facilities and services the proposed District may provide. It is anticipated that the professional fees, permitting fees, etc., stormwater management system, onsite roadway improvements, water distribution system, sanitary collection and conveyance system, landscape and hardscape and recreation, construction contingency, undergrounding difference for electric utilities and water/wastewater impact fees may be financed by the District.

**Table 1.  
The Gardner Trails CDD Proposed Facilities and Services**

| <b>District Infrastructure</b>            | <b>Construction</b> | <b>Ownership</b>                             | <b>Capital Financing</b> | <b>Operations &amp; Maintenance</b>          |
|---|---------------------|--|--------------------------|--|
| Professional Fees, Permitting Fee, Etc.   | CDD                 | N/A  | CDD Bonds                | N/A  |
| Stormwater Management System              | CDD                 | CDD  | CDD Bonds                | CDD  |
| Onsite Roadways Improvements              | CDD                 | Collector Road-Polk County Local Roads - CDD | CDD Bonds                | Collector Road-Polk County Local Roads - CDD |
| Water Distribution System                 | CDD                 | TOHO   | CDD Bonds                | TOHO   |
| Sanitary Collection and Conveyance System | CDD                 | TOHO   | CDD Bonds                | TOHO   |

|  |     |      |           |      |
|--|-----|------|-----------|------|
| Landscape and Hardscape and Recreation             | CDD | CDD  | CDD Bonds | CDD  |
| Construction Contingency                           | CDD | N/A  | CDD Bonds | N/A  |
| Undergrounding Difference for Electrical Utilities | CDD | Duke | CDD Bonds | Duke |
| Water/Wastewater Impact Fees                       | N/A | N/A  | CDD Bonds | N/A  |

Key: Polk County = Polk County Public Works; PCU = Polk County Utilities; CDD = The Gardner Trails CDD

The petitioner has estimated the design and development costs for providing the capital facilities. The cost estimates are shown in Table 2 below. Total development costs for these facilities are estimated to be approximately \$26,221,995. The District may issue special assessments or other revenue bonds to fund the development of these facilities. These bonds would be repaid through non-ad valorem assessments levied on all developable properties in the District that may benefit from the District's capital improvement program.

**Table 2. Cost Estimate for District Facilities**

| <b>Infrastructure</b>                            | <b>Total Budget Estimate</b> |
|--|------------------------------|
| Professional Fees, Permitting Fees, Etc.         | \$1,818,955.43               |
| Stormwater Management System                     | \$6,797,003.36               |
| Onsite Roadway Improvements                      | \$3,182,407.43               |
| Water Distribution System                        | \$3,211,911.86               |
| Sanitary Collection and Conveyance System        | \$2,763,104.68               |
| Landscape and Hardscape and Recreation           | \$2,000,000.00               |
| Construction Contingency (15%)                   | \$2,772,594.59               |
| Undergrounding Difference for Electric Utilities | \$649,247.41                 |
| Water/Wastewater Impact Fees                     | \$3,026,770.00               |
| <b>TOTAL</b>                                     | <b>\$26,221,994.76</b>       |

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 non-ad valorem assessments to fund the operation and maintenance of the District and its facilities and services.

It is important to recognize that buying property in the District is completely voluntary. Ultimately, all owners and users of property within the District choose to accept the non-ad valorem assessments as a tradeoff for the numerous benefits and facilities that the District provides.

A CDD provides property owners with the option of having a higher level of facilities and services financed through self-imposed charges. The District is an alternative means to finance necessary community facilities and services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a neighborhood association, or through developer equity and/or bank loans.

In considering these costs it shall be noted that occupants of the lands to be included within the District will receive four major classes of benefits.

First, those property owners and businesses in the District will receive a higher level of public services sooner than would otherwise be the case.

Second, a District is a mechanism for assuring that the community services and amenities will be completed concurrently with development of lands within the District. This satisfies the revised growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Establishment of the District will ensure that these landowners pay for the provision of facilities, services and improvements to these lands.

Third, a District is the sole form of governance which allows District landowners, through landowner voting and ultimately electoral voting for resident elected boards, to determine the type, quality and expense of the District services they receive, provided they meet the County's overall requirements.

Fourth, the CDD has the ability to maintain infrastructure better than a Homeowners' Association ("HOA") because it is able to offer a more secure funding source for maintenance and repair costs through assessments collected on the county tax bill pursuant to section 197.3632, Florida Statutes.

The transactional cost impact on the ultimate landowners in the District is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above what the landowners would have paid to install infrastructure via an alternative financing mechanism. Given the low cost of capital for a CDD (through tax exempt bond financing), the cost impact to landowners is negligible.

#### **6.0 An analysis of the impact on small businesses as defined by Section 288.703, Florida Statutes, and an analysis of the impact on small counties and small cities as defined by Section 120.52, Florida Statutes.**

There will be no impact on small businesses because of the formation of the District. If anything, the impact may be positive. This is because the District must competitively bid many of its contracts, affording small businesses the opportunity to bid on District work, and may also result in a need for additional retail and commercial services that afford small businesses and opportunity for growth.

Polk County has an estimated un-incarcerated population greater than 75,000 according to the most recent federal U.S. Census (2020). Therefore, the County is not defined as a "small county"



according to Section 120.52(19), Florida Statutes.

**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 the Developer's Engineer and other professionals associated with the Developer.

**8.0 In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under Section 120.541(1)(a), Florida Statutes, and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.**

There have been no good faith written proposals submitted to the agency as described in section 120.541(1)(a), Florida Statutes.

*Prepared by:  
Governmental Management Services - Tampa, LLC  
December 31, 2025*