

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2021-292-E**

5 AN INITIAL ASSESSMENT ORDINANCE PURSUANT TO
6 CHAPTER 170, *FLORIDA STATUTES*, AND CHAPTER 715,
7 *ORDINANCE CODE*, AUTHORIZING SPECIAL ASSESSMENTS
8 IN DOWNTOWN JACKSONVILLE, AS DESCRIBED HEREIN;
9 STATING AUTHORITY AND FINDINGS FOR SUCH SPECIAL
10 ASSESSMENTS; STATING THE NATURE OF IMPROVEMENTS
11 AND GENERAL DESCRIPTION OF SERVICES; PROVIDING
12 FOR THE METHOD OF APPORTIONMENT, SERVICE COST,
13 PROPERTIES TO BE ASSESSED AND EXEMPTIONS;
14 IDENTIFYING THE SERVICE AREA; ESTABLISHING THE
15 ASSESSMENT RATE AND TERM; SETTING A PUBLIC
16 HEARING FOR THE FINAL ASSESSMENT ORDINANCE;
17 DIRECTING PREPARATION OF THE INITIAL ASSESSMENT
18 ROLL, PUBLICATION OF NOTICE, AND MAILING OF
19 NOTICES; IDENTIFYING THE METHOD OF COLLECTION
20 FOR THE 2021 TAX YEAR; IDENTIFYING THE METHOD OF
21 COLLECTION FOR THE 2022 THROUGH 2031 TAX YEARS
22 AND STATING THE INTENT TO USE THE UNIFORM METHOD
23 FOR THE LEVY, COLLECTION, AND ENFORCEMENT OF A
24 NON-AD VALOREM ASSESSMENT FOR THE 2022 THROUGH
25 2031 TAX YEARS; RETAINING ALL RIGHTS GRANTED BY
26 CHAPTER 170, *FLORIDA STATUTES*; APPROVING AND
27 AUTHORIZING THE MAYOR, OR HIS DESIGNEE, AND
28 CORPORATION SECRETARY TO EXECUTE AND DELIVER THE
29 ENHANCED MUNICIPAL SERVICES AGREEMENT BETWEEN
30 AND AMONG THE CITY OF JACKSONVILLE AND DOWNTOWN
31 VISION, INC.; PROVIDING FOR OVERSIGHT BY THE

1 DOWNTOWN INVESTMENT AUTHORITY; PROVIDING AN
2 EFFECTIVE DATE.
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4 **WHEREAS**, by Resolution 2021-03-03, the Downtown Investment
5 Authority approved the expansion of the Downtown Business Improvement
6 District, originally created by the City Council in 1999, and approved
7 expansion of the classes of properties subject to a special assessment
8 within the Downtown Business Improvement District; and

9 **WHEREAS**, for over 20 years, Downtown Vision, Inc., has provided
10 enhanced municipal services in Downtown Jacksonville, which advance
11 the City's redevelopment goals and benefit the assessed properties
12 in Downtown; now, therefore

13 **BE IT ORDAINED** by the Council of the City of Jacksonville:

14 **Section 1. Authority and Findings.** This Initial Assessment
15 Ordinance is adopted pursuant to the authority granted in Chapter
16 170, *Florida Statutes*, Chapter 715, *Ordinance Code*, and home rule
17 powers conferred upon municipalities and chartered counties by
18 Article VIII of the Florida Constitution and Chapters 125 and 166,
19 *Florida Statutes*. Pursuant to Section 170.01(2), *Florida Statutes*,
20 and Section 715.201, *Ordinance Code*, the City Council finds that
21 providing enhanced municipal services at the rate of assessment
22 established herein to the real property within the service area
23 described herein provides a special benefit to such property, which
24 is different in type or degree from benefits provided to the community
25 as a whole. This Ordinance shall serve as the resolution required
26 to declare special assessments pursuant to Section 170.03, *Florida*
27 *Statutes*, and shall serve as the Initial Assessment Ordinance required
28 by Section 715.202, *Ordinance Code*.

29 **Section 2. Nature of Improvements and General Description**
30 **of Services.** Pursuant to Sections 170.01(3) and 170.03, *Florida*
31 *Statutes*, and Section 715.202(a), *Ordinance Code*, the nature of the

1 proposed improvement to be funded by special assessments against
2 property benefitted is stabilizing and improving the service area
3 described in Section 4 through promotion, management, marketing and
4 similar services (Enhanced Municipal Services). These Enhanced
5 Municipal Services are further described in the Enhanced Municipal
6 Services Agreement between and among the City of Jacksonville and
7 Downtown Vision, Inc., a Florida non-profit corporation, **attached**
8 **hereto** as **Exhibit 1** and incorporated herein by reference (Enhanced
9 Municipal Services Agreement).

10 **Section 3. Method of Apportionment, Service Cost to be**
11 **Assessed; Properties and Exemptions.** Pursuant to Sections 170.02 and
12 170.03, *Florida Statutes*, and Sections 715.202(b) and 715.202(c),
13 *Ordinance Code*, the method for assessing property shall be by a
14 millage rate applied to each property. The service cost, or total
15 estimated cost, to be assessed is listed in Exhibit D to the Enhanced
16 Municipal Services Agreement, **attached hereto** as **Exhibit 1**. The
17 properties to be assessed and exemptions from such assessment are
18 described in Exhibit A to the Enhanced Municipal Services Agreement,
19 **attached hereto** as **Exhibit 1**.

20 **Section 4. Service Area.** Pursuant to Section 170.03,
21 *Florida Statutes*, and Section 715.202(e), *Ordinance Code*, the service
22 area where properties shall be assessed is described, and visually
23 depicted, in Exhibit A to the Enhanced Municipal Services Agreement,
24 **attached hereto** as **Exhibit 1**. This service area is hereby adopted
25 as the Downtown Business Improvement District and may also be referred
26 to as the Downtown Improvement Area, or Downtown Service Area.

27 **Section 5. Assessment Rate and Term.** Pursuant to Section
28 170.03, *Florida Statutes*, and Section 715.202(f), *Ordinance Code*, the
29 special assessment rate shall be equal to the value of 1.1 mills on
30 each property. The term of of this special assessment shall be from
31 the 2021 Tax Year through the 2031 Tax Year.

1 **Section 6. Public Hearing for Final Assessment Ordinance.**

2 Pursuant to Section 170.07, *Florida Statutes*, and Sections 715.202(h)
3 and 715.302, *Ordinance Code*, the City Council hereby sets the date,
4 time and place of a public hearing to consider the adoption of the
5 Final Assessment Ordinance as August 10, 2021, 5:00 p.m., in Council
6 Chambers, 117 West Duval Street, Jacksonville, Florida 32202. The
7 Office of General Counsel is directed to prepare the Final Assessment
8 Ordinance for introduction at City Council on June 22, 2021.

9 **Section 7. Directing Preparation of the Initial Assessment**
10 **Roll, Publication of Notice and Mailing of Notices.** The City Council
11 hereby directs Downtown Vision, Inc., on behalf of the City of
12 Jacksonville, to:

13 (a) Prepare the Initial Assessment Roll as required by Section
14 170.06, *Florida Statutes*, and Section 715.203, *Ordinance Code*.

15 (b) Publish notice as required by Section 170.05, *Florida*
16 *Statutes*, and Section 715.204, *Ordinance Code*.

17 (c) Mail notices as required by Section 170.07, *Florida*
18 *Statutes*, and Section 715.205, *Ordinance Code*.

19 **Section 8. Method of Collection for 2021 Tax Year.**

20 Pursuant to Sections 170.03 and 170.21, *Florida Statutes*, and Section
21 715.302, *Ordinance Code*, the alternative method of collection shall
22 be used for the 2021 Tax Year. Downtown Vision, Inc., is directed
23 to mail bills for the special assessments for the 2021 Tax Year. The
24 Tax Collector is authorized to collect the special assessments on
25 behalf of Downtown Vision, Inc., and pursuant to Section 197.3631,
26 *Florida Statutes*, the Tax Collector may contract with Downtown Vision,
27 Inc., to supply information and services necessary for this
28 alternative method of collection. The Tax Collector may remit the
29 collected special assessments to Downtown Vision, Inc., on a schedule
30 to be determined by the Tax Collector. Pursuant to Sections 170.03
31 and 170.09, *Florida Statutes*, the special assessments for the 2021

1 Tax Year shall be due by March 31, 2022, and shall be subject to the
2 discount rate provided in Section 197.162, *Florida Statutes*.

3 **Section 9. Method of Collection for 2022 through 2031 Tax**
4 **Years.** Pursuant to Section 197.3632(3)(a), *Florida Statutes*, the
5 City of Jacksonville hereby states its intent to use the uniform
6 method for the levy, collection, and enforcement of a non-ad valorem
7 assessment for Enhanced Municipal Services, as described in the
8 Enhanced Municipal Services Agreement **attached hereto** as **Exhibit 1**.
9 The legal description of the area subject to such non-ad valorem
10 assessment is described, and visually depicted, in Exhibit A to the
11 Enhanced Municipal Services Agreement, **attached hereto** as **Exhibit 1**.
12 The City of Jacksonville hereby states the need for a non-ad valorem
13 assessment for Enhanced Municipal Services, and the uniform method
14 for the levy, collection, and enforcement of such a non-ad valorem
15 assessment is the most efficient and cost effective method of
16 collection of all the collection options that may be available to the
17 City of Jacksonville. Pursuant to Section 197.3632(3)(a), *Florida*
18 *Statutes*, Legislative Services is hereby directed to mail a copy of
19 this Ordinance, as enacted, to the Property Appraiser, the Tax
20 Collector, and the State of Florida Department of Revenue, Property
21 Tax Oversight Division.

22 **Section 10. Retaining All Rights Granted by Chapter 170,**
23 ***Florida Statutes*.** The City of Jacksonville hereby retains all rights
24 granted to municipalities by Chapter 170, *Florida Statutes*, for the
25 special assessments authorized herein, including priority of lien,
26 interest and foreclosure; provided, however, that any legal
27 proceeding to enforce payment of such special assessments shall
28 require City Council approval.

29 **Section 11. Enhanced Municipal Services Agreement Approved**
30 **and Execution Authorized.** There is hereby approved, and the Mayor,
31 or his designee, and Corporation Secretary are hereby authorized to

1 execute and deliver, the Enhanced Municipal Services Agreement
2 between and among the City of Jacksonville and Downtown Vision, Inc.,
3 in substantially the same form as **attached hereto** as **Exhibit 1**. The
4 City is authorized to perform pursuant to the Enhanced Municipal
5 Services Agreement as so executed.

6 **Section 12. Oversight.** The Downtown Investment
7 Authority shall oversee the Enhanced Municipal Services Agreement
8 described herein.

9 **Section 13. Effective Date.** This Ordinance shall become
10 effective upon signature by the Mayor or upon becoming effective
11 without the Mayor's signature.

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13 Form Approved:

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15 /s/ Paige H. Johnston

16 Office of General Counsel

17 Legislation Prepared By: Shannon K. Eller

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