

1 Introduced by Council Member Arias and amended by the Neighborhoods,
2 Community Services, Public Health and Safety Committee:

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4
5 **ORDINANCE 2026-397-E**

6 AN ORDINANCE REGARDING THE CHARTER OF THE
7 "BAYMEADOWS COMMUNITY IMPROVEMENT DISTRICT"
8 ("BCID") A DEPENDENT SPECIAL DISTRICT
9 ESTABLISHED BY ORDINANCE 2021-838-E AND AMENDED
10 BY ORDINANCE 2024-69-E, PURSUANT TO SECTION
11 189.02, *FLORIDA STATUTES*; AMENDING SECTION 2 OF
12 ORDINANCE 2021-838-E AS AMENDED BY ORDINANCE
13 2024-69-E TO AMEND THE CHARTER OF THE BCID TO
14 REQUIRE CITY COUNCIL APPROVAL FOR PROPERTY
15 ACQUISITIONS OVER \$100, AND SUBSEQUENT TO THE
16 TERMS OF THE INITIAL BOARD OF SUPERVISORS TO
17 REQUIRE AT LEAST ONE MEMBER OF THE BOARD OF
18 SUPERVISORS BE A COMMERCIAL PROPERTY OWNER OR
19 THEIR DESIGNATED REPRESENTATIVE, TO REQUIRE CITY
20 COUNCIL DISTRICT MEMBER APPOINTMENT AND CITY
21 COUNCIL CONFIRMATION FOR ALL BOARD SUPERVISORS,
22 TO REDUCE THE NUMBER OF AT-LARGE SUPERVISORS
23 FROM 3 TO 1, TO FILL VACANCIES ON AN INTERIM
24 BASIS BY A VOTE OF TWO-THIRDS OF THE BOARD, AND
25 CORRECTING VARIOUS SCRIVENER'S ERRORS;
26 REQUESTING ONE CYCLE EMERGENCY PASSAGE;
27 PROVIDING AN EFFECTIVE DATE.

28
29 **WHEREAS**, Section 189.02, *Florida Statutes*, provides that the
30 City Council may create dependent special districts for the purpose
31 of delivering essential services to specific areas within the City;

1 and

2 **WHEREAS**, pursuant to Section 189.02, *Florida Statutes*, the City
3 of Jacksonville established the Dependent Special District known as
4 the Baymeadows Community Improvement District (the "BCID") and
5 adopted the Charter of the Baymeadows Community Improvement District,
6 a Dependent Special District (the "Charter") through Ordinance 2021-
7 838-E, on February 8, 2022, that became effective on February 14,
8 2022; and

9 **WHEREAS**, the City Council subsequently, significantly amended
10 the Charter through Ordinance 2024-69-E, on March 26, 2024, that
11 became effective on April 9, 2024 (the "Revised Charter"), including
12 the requirement that the purchase of any real property in excess of
13 one hundred dollars (\$100.00) must be approved through a ballot
14 process conducted by the Supervisor of Elections, and a requirement
15 that the BCID Board of Supervisors be elected through a process
16 conducted by the Supervisor of Elections, however the Supervisor of
17 Elections cannot conduct either such process, requiring corrections
18 to be made to the Revised Charter;

19 **WHEREAS**, the City Council also desires to amend the Revised
20 Charter to reduce the number of "At-Large" Supervisors, after the
21 initial body of Supervisors, from 3 to 1, to mandate that at least
22 one Supervisor be an owner or the designated representative of an
23 owner of a Commercial Property within the BCID, and to update the
24 Initial Board of Supervisors listing to reflect current membership;
25 and

26 **WHEREAS**, a complete copy of the Second Revised Charter of the
27 Baymeadows Community Improvement District, to include all Exhibits
28 referenced within the charter is **Revised On File** with Legislative
29 Services; and

30 **WHEREAS**, the charter of a dependent special district requires
31 approval by ordinance of the governing municipal body with

1 jurisdiction over the district; now therefore

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

3 **Section 1. Amending Section 2 of Ordinance 2021-838-E as**
4 **amended by 2024-69-E.** Section 2 of Ordinance 2021-838-E as amended
5 by Ordinance 2024-69-E is hereby amended to read as follows:

6 **SECOND REVISED CHARTER**

7 **OF THE BAYMEADOWS COMMUNITY IMPROVEMENT DISTRICT,**

8 **A DEPENDENT SPECIAL DISTRICT**

9 **Section See.—1. Dependent Special District - On February**
10 **8, 2022, the City of Jacksonville City Council enacted Ordinance**
11 **2021-838-E, which became effective on February 14, 2022, and**~~There is~~
12 ~~hereby~~ created a Dependent Special District named the Baymeadows
13 Community Improvement District ("BCID" or "District"), to which will
14 serve the community based on the boundaries set forth herein ~~and~~
15 ~~shall be named the Baymeadows Community Improvement District ("BCID"~~
16 ~~or "District").~~ The BCID shall be dependent on the governing body
17 with jurisdiction over the BCID for purposes of establishing its
18 budget but is otherwise amenable to separate special district
19 government.

20 **Section See.—2. Purpose, Powers, Functions and Duties -**
21 **Pursuant to As set forth in Florida Statute, Section**~~section~~
22 **189.02(4)(a), Florida Statutes, the purpose, powers, functions, and**
23 **duties of the BCID are:**

24 (A) *Purpose* - The purpose of the BCID shall be the
25 implementation of the Baymeadows Community Plan ("Plan") dated March
26 2011, attached hereto and incorporated herein by reference as Exhibit
27 Eleven to this charter, and the planning and coordination of the
28 long-term maintenance of neighborhood publicly used infrastructure,
29 including private roads, stormwater (not including bulkheads on
30 private property), drainage, and common properties (including
31 landscaping).

1 (B) Powers - The BCID is authorized and empowered:

2 (i) To sue and be sued;

3 (ii) To contract;

4 (iii) To purchase, hold, lease, sell, or otherwise acquire
5 and convey such real and personal property and
6 interest therein as may be necessary or proper to
7 carry out the purpose of this Charter;

8 (a) Where the purchase of any real property,
9 including roadways, equals or exceeds one hundred
10 dollars (\$100.00) the BCID must obtain approval
11 of the City Council to proceed with the
12 transaction. by sixty percent (60%) of the
13 ~~ballots cast by the electors of the District. Any~~
14 ~~election not held during a statutory or local~~
15 ~~election conducted by the Supervisor of Elections~~
16 ~~may be held by special vote-by-mail only election~~
17 ~~as contemplated in F.S. s. 101.6102(1)(a)2, as~~
18 ~~approved by the Supervisor of Elections. The~~
19 ~~District shall bear all the costs of any special~~
20 ~~vote-by-mail only election in accordance with~~
21 ~~Section 101.6102(4), Florida Statutes.~~

22 (iv) To employ engineers, attorneys, accountants,
23 financial or other consultants, and such other agents
24 and employees as the Board of Supervisors may require
25 or deem necessary to accomplish the purpose of this
26 Charter, or to contract for any such services;

27 (v) To acquire, construct, maintain, equip, improve,
28 extend, and enlarge capital projects for the purposes
29 of enabling the BCID to perform public functions or
30 services as herein provided related to private roads,
31 stormwater, drainage, and common properties;

1 (vi) To borrow money (including through the issuance of
2 bonds, notes, or other evidences of indebtedness) and
3 accept gifts; to apply for and use grants or loans of
4 money or other property from the United States, the
5 state, a unit of local government, or any person for
6 any District purposes and enter into agreements
7 required in connection therewith; and to hold, use,
8 and dispose of such ~~monies-moneys~~ or property for any
9 District purposes in accordance with the terms of the
10 gift, grant, loan or agreement relating thereto for
11 the purposes of enabling the District to perform
12 public functions or services as herein provided;

13 (vii) To assess and collect for each year of its operation
14 against each residential and commercial parcel in the
15 BCID, a special assessment, should it be deemed
16 necessary and appropriate by the Board of
17 Supervisors, based upon the category assigned to each
18 BCID Member parcel listed in the attached hereto as
19 "BCID Membership" Revised On File, attached hereto
20 and incorporated herein by reference as Exhibit Twelve
21 to this charter, and in accordance with the Equivalent
22 Assessment Unit ("EAU") for each category as set forth
23 in ~~Exhibit 2 to Ordinance 2024-69-E, entitled the~~
24 ~~"Baymeadows Community Improvement District Proposed~~
25 ~~Special Assessment Allocation Report", completed by~~
26 ~~Rizzetta & Company and dated September 20, 2023, and~~
27 attached hereto and incorporated herein by reference
28 as Exhibit Ten to this charter; ~~which shall be~~
29 ~~incorporated in the revised charter as "Exhibit 10",~~
30 ~~completed by Rizzetta & Company and dated September~~
31 ~~20, 2023 (the "Assessment Allocation Report").~~

- 1 (a) Assessments may be increased or decreased
2 annually as deemed appropriate by the Board of
3 Supervisors.
- 4 (b) The maximum assessments permitted for each Use
5 Category are set forth in ~~Exhibit 1 to Ordinance~~
6 ~~2024-69-E, which is incorporated into the BCID~~
7 ~~Charter as **Second Revised Exhibit 2**, the~~
8 "Assessments & Definitions" dated December 4,
9 2023, attached hereto and incorporated herein by
10 reference as Exhibit Two to this charter. These
11 assessments are subject to a three (3%) percent
12 escalation beginning in the year 2025 and
13 increasing three (3%) percent every year
14 thereafter.
- 15 (i) An updated schedule of maximum assessments
16 shall be provided annually to City Council
17 as an attachment to the proposed BCID
18 budget.
- 19 (c) In no event shall the special assessment
20 exceed the annual maximum assessment for that
21 year without prior approval of the City Council.
- 22 (d) Any increase in assessments above the prior year
23 shall require a 2/3 ~~rd~~ vote ~~or 66.67 percent~~ of
24 the Board.
- 25 (e) Assessments approved under this charter are to
26 be billed and collected pursuant to Chapter 197,
27 ~~Florida Statutes~~ Florida Statutes, or any other
28 means authorized by law, and to be a lien on the
29 assessed property, coequal with the liens of all
30 state, county, district and municipal taxes, and
31 superior in dignity to all other liens, titles,

1 and claims, until paid in full.

2 (viii) To assess any new parcels (by sale, lot-split
3 or subdivision), ~~if deemed necessary or appropriate~~
4 ~~by the Board of Supervisors,~~ that come into existence
5 within the geographic boundaries, as defined in
6 "District Boundary Map" ~~Exhibit 1,~~ attached hereto
7 and incorporated herein by reference as Exhibit One
8 to this charter. If an assessment for a new parcel is
9 deemed necessary and appropriate by the Board of
10 Supervisors, ~~the~~ The assessment for the new parcel
11 shall be assigned an assessment category by the Board
12 based on the use and sub-category of use as described
13 in "Assessments & Definitions", attached hereto and
14 incorporated herein by reference as Exhibit Two to
15 this charter, and the Board shall set the assessment
16 in compliance with subparagraph (vii), above; ~~Exhibit~~
17 ~~1 to Ordinance 2024-69-E, incorporated into the BCID~~
18 ~~charter as Second Revised Exhibit 2;~~

19 (ix) To fix and collect rates, fees, and other charges for
20 the specialized public functions or services
21 authorized by this Charter;

22 (x) To restrain, enjoin, or otherwise prevent the
23 violation of this Charter or any resolution or rule
24 adopted pursuant to the powers granted by this
25 Charter;

26 (xi) To join with any other district, municipality, county
27 or political subdivision, public agency or authority
28 in the exercise of common powers;

29 (xii) To enter into contracts with the government of the
30 United States or any agency or instrumentality
31 thereof, or with any state, county, municipality,

1 district, authority, or political subdivision,
2 private corporation, partnership, association, or
3 individual, to affect the purpose of this Charter,
4 and to receive and accept, from any federal agency,
5 grants or loans for or in aid of the specialized
6 public functions or services authorized herein;:-

7 (xiii) To hold, control, and acquire by donation,
8 purchase, or condemnation, or dispose of, any public
9 easements, dedications to public use, platted
10 reservations for public purposes, or any reservations
11 for those purposes authorized by this act and to make
12 use of such easements, dedications, or reservations
13 for the purposes authorized by this act.

14 (C) *Duties* - The BCID shall have the responsibility of
15 maintaining common infrastructure within the boundaries, including
16 the following:

17 (i) Roadways:

18 (a) BCID will maintain the following Roadways:

- 19 1. Baymeadows Circle East
- 20 2. Baymeadows Circle West
- 21 3. Meadow Walk Lane
- 22 4. Legacy Trail
- 23 5. Baylin Court
- 24 6. Star Drive
- 25 7. Echo Springs Road
- 26 8. Mira Loma Drive
- 27 9. Cypress Green Drive
- 28 10. Baymeadows Park Drive (formerly Golfside
29 Drive)

30 (b) The BCID may also accept by transfer as
31 described herein, the responsibility of

1 maintaining additional roadway segments along
2 with those set forth above, at the Board's
3 discretion as allowed in accordance with ~~Florida~~
4 ~~Statutes~~ Section 189.02, Florida Statutes, of
5 the Dependent Special Taxing District's public
6 asset requirements.

7 1. ~~Regarding~~ ~~Upon any~~ acceptance by the BCID
8 of additional roadways, the current
9 property owner shall be required, either
10 to bring the ~~current~~ roadway up to approved
11 BCID standards or pay a pro-rata share of
12 the then current dollar value of the
13 defined improvement minus any remaining
14 useful-life, (as defined by an BCID
15 approved industry professional at the
16 expense of the property owner of that
17 roadway). This agreed upon contribution is
18 ~~would be payable~~ into the BCID reserves
19 and upon ~~that~~ payment, the BCID shall
20 accept the roadway for future maintenance
21 and improvement responsibility.

22 2. Accepted roadways shall not include any
23 along-side or off-street parking spaces,
24 lots, or parking areas. Such along-side or
25 off-street parking spaces, lots, or
26 parking areas ~~which~~ will be the
27 responsibility of the property owner, not
28 the BCID.

29 3. The BCID may accept donated privately owned
30 roadways.

31 (ii) Common properties:

1 (a) Park property referred to as Parcel #4, located
2 between Los Lagos and Los Prados, to be donated
3 by D.R. Horton Company.

4 (b) Park property referred to within Parcel #9,
5 located South of Meadow Walk on Baymeadows
6 Circle West, previously referred to as the
7 Island Green, to be donated by D.R. Horton
8 Company.

9 (c) Park Property in Meadow Walk, 8411 Meadow Walk
10 Lane.

11 (d) Baymeadows Circle West Entrance greenspace (from
12 Baymeadows Road to Baymeadows Park Drive
13 (formerly Golfside Drive).

14 (iii) Stormwater System:

15 (a) The drainage system utilized by BCID properties,
16 including the water clarity, as depicted ~~in the~~
17 ~~Revised On File,~~ within the "Engineering Study"
18 by Dewberry Engineers, Inc., dated July 30,
19 2021, attached hereto and incorporated herein by
20 reference as Exhibit Fourteen to this charter.

21 (iv) Other infrastructure components as approved by the
22 Board of Supervisors. Recognizing that there are
23 common elements that are beneficial to all members of
24 the BCID but may not be included in the items listed
25 above, the Board of Supervisors may approve
26 assumption of duties for maintenance or improvement
27 of other common elements as deemed necessary or
28 appropriate.

29 (D) *Functions* - Upon formation, the BCID will function as a
30 dependent special district. The BCID will undertake all essential
31 functions required of dependent special districts, including:

1 (i) create, submit and have approved by City Council, its
2 initial annual budget, establishing and identifying
3 priorities for completion in the first two years or
4 as soon as practical and possible at the BCID expense.

5 In establishing the priority list, the Board
6 of Supervisors will be provided with a copy of the
7 "Engineering Study" by Dewberry Engineers, Inc.,
8 dated July 30, 2021, July 30, 2021 Engineering Study
9 completed by Dewberry Engineers Inc. (~~Revised On~~
10 ~~File; "Engineering Study",~~ attached hereto and
11 incorporated herein by reference as Exhibit Fourteen
12 to this charter), the "Feasibility Study" July 15,
13 2021 BCID Feasibility Study completed by Rizzetta &
14 Company, dated July 15, 2021, (~~Revised On File,~~
15 "Feasibility Study", attached hereto and incorporated
16 herein by reference as Exhibit Thirteen to this
17 charter), and Exhibit 2 to Ordinance 2024-69-E, the
18 "Baymeadows Community Improvement District Proposed
19 Special Assessment Allocation Report", attached
20 hereto and incorporated herein by reference as Exhibit
21 Ten to this charter. which shall be incorporated into
22 the BCID Charter as Exhibit 10. The three above-named
23 documents studies can serve as guides to begin the
24 process for implementation of the Plan. The initial
25 priorities have been identified to be:

26 (a) improvement of Cypress Green Drive (Segment J;
27 Engineering Study);τ

28 (b) the drainage connection described within
29 Engineering Study as "Village Green I" of 300ft
30 depicted on Figure 2.2c of Engineering Study
31 from Lake 13 to Pottsburg Creek;τ

1 (c) the inspection of the drainage piping, system
2 wide;~~;~~ and

3 (d) the resurfacing and improvements of Baymeadows
4 Circle West from Linkside through Putters Cove
5 (Segment D; Engineering Study).

6 (ii) Pursuant to ~~Section~~section 189.016, ~~Florida Statutes~~
7 Florida Statutes, within 30 days of its creation the
8 BCID will notify the State of Florida Special District
9 Accountability Program of its existence and will file
10 all required documentation and information with the
11 program including but not limited to:

- 12 (a) the BCID creation document;~~;~~
- 13 (b) a written status statement;~~;~~
- 14 (c) a map of the boundaries of the BCID;~~;~~
- 15 (d) the name, address, phone, fax, and e-mail address
16 for the BCID's registered agent.

17 (iii) The BCID shall be responsible for payment of any fees
18 and the completion of all financial reporting
19 required by law.

- 20 (a) The BCID shall be initially funded by any
21 remaining fund balance within the Baymeadows
22 Community Council ("BCC") operating fund.
- 23 (b) The BCC will be dissolved and all assets will be
24 transferred to the BCID, upon its approval and
25 creation.

26 (iv) The BCID shall be required to keep and maintain an
27 official website that meets all legal obligations for
28 access and minimum content as set forth under Florida
29 law.

30 **Section ~~See.~~ 3. Geographic Boundary** ~~---~~ Pursuant to
31 ~~Section~~section 189.02 (4) (b), ~~Florida Statutes~~ Florida Statutes, the

1 BCID, is hereby created based on the following designations.

2 (A) The boundaries of the BCID are areas that include those
3 parcels of property identified by address and graphically depicted
4 in the "District Boundary Map", ~~Exhibit 1~~ attached hereto and
5 incorporated herein by reference as Exhibit One to this charter.

6 (B) The boundaries of the BCID are areas that include those
7 parcels as described by the definitions herein:

8 (i) The Boundary of the District as described in the
9 "Legal Description (District Over All)", ~~Exhibit 4~~
10 attached hereto and incorporated herein by reference
11 as Exhibit Four to this charter;

12 (ii) The Boundary of the Group 1 as described in the "Legal
13 Description (District Group 1)", ~~Exhibit 5~~ attached
14 hereto and incorporated herein by reference as Exhibit
15 Five to this charter;

16 (iii) The Boundary of the Group 2 as described in the
17 "Legal Description (District Group 2)", ~~Exhibit 6~~
18 attached hereto and incorporated herein by reference
19 as Exhibit Six to this charter;

20 (iv) The Boundary of the Group 3 as described in the "Legal
21 Description (District Group 3)", ~~Exhibit 7~~ attached
22 hereto and incorporated herein by reference as Exhibit
23 Seven to this charter; and

24 (v) The Boundary of the Group 4 as described in the
25 "Legal Description (District Group 4)", ~~Exhibit 8~~
26 attached hereto and incorporated herein by reference
27 as Exhibit Eight to this charter.

28 (C) The property addresses of each parcel included within the
29 BCID are listed in the "BCID Membership", ~~Revised On File~~ attached
30 hereto and incorporated herein by reference as Exhibit Twelve to this
31 charter. Parcels that are (i) vacant, (ii) owned by Homeowners,

1 Condominium Owners, or Property Owners Association ("HOA", "COA", or
2 "POA"); or (iii) parcels with a structure with less than one (1)
3 square foot of heated space may be in the District but will not be
4 assessed until developed with heated square footage greater than one
5 (1) square foot.

6 (D) Property that is within the existing boundary that is
7 further developed, subdivided, or platted shall be included in
8 membership and assigned its respective assessment category by the
9 Board of Supervisors within thirty (30) days of assignment of an
10 individual Real Estate Parcel number by the City of Jacksonville.

11 (i) Property owners must disclose to the purchaser of any
12 parcel, including any parcel subdivided, separated
13 or re-platted land, in writing that the property is
14 a part of the BCID and may be subject to annual
15 special assessments.

16 (ii) The Board of Supervisors shall be responsible for
17 obtaining new parcel information for the assessment
18 process and shall obtain the most accurate
19 information available in order to timely submit the
20 assessments to the Tax Collector's office if
21 utilizing the uniform method of collection with the
22 property tax bills.

23 (E) Properties shall be assigned within the group seats as
24 follows:

25 (i) Group 1 - Los Prados, Village Green I, Village Green
26 II, Village Green III, Putters Cove, and Baypointe -
27 North; ~~---~~

28 (ii) Group 2 - Los Lagos, Linkside, Meadow Walk, D.R.
29 Horton Parcel Hole #09 Undeveloped (Future Terrace
30 Pines), D.R. Horton Parcel Hole #18 Undeveloped
31 (Future Mallard Creek); ~~---~~

1 (iii) Group 3 - Lakeside (8118 Baymeadows Circle East),
2 Los Casas, Bay Point South, The Avenues Apartments
3 (7915 Baymeadows Circle East), The Avenues Del Mar
4 Owners Association (8000 Baymeadows Circle East),
5 Baymeadows Place Office Park (9471 Baymeadows Rd);
6 and-

7 (iv) Group 4 - The Lofts Apartments (8050 Cypress Green
8 Drive), Cypress Green Properties (9050, 9066, 9076,
9 9086, 9104, 9116, 9124, 9132, 9141, 9210, 9218,
10 9220, 9000, 9250 Cypress Green Drive), Cypress Point
11 Executive Center (8130 Baymeadows Circle West), Bahri
12 Building Owner Association (8131 Baymeadows Circle
13 West), Bank of America (9225 Baymeadows Rd), Sagamore
14 Baymeadows LLC (7981 Baymeadows Road), Baymeadows
15 Park Owners Association (7981 Baymeadows Rd), D.R.
16 Horton Future Parcel Hole #11 Undeveloped on
17 Golfside, and Baymeadows Park Drive (formerly known
18 as Golfside Drive) Properties (9080, 9088, 9220, 9000
19 Baymeadows Park Drive), Saffire Management LLC Owners
20 Association (9140 Baymeadows Park Drive), Starkey
21 Edward Undeveloped (Re:148521 0020).

22 (G) Each year, the Board of Supervisors will have the
23 responsibility of assigning new parcels, created within the BCID,
24 with a group seat affiliation based upon the Group Boundaries as
25 depicted defined in the "District Groups" - Exhibit 3, attached hereto
26 and incorporated herein by reference as Exhibit Three to this charter.

27 **Section Sec. 4. Authority** - In accordance with
28 Sectionsection 189.02(4) (c), *Florida Statutes*, the City of
29 Jacksonville, a consolidated municipal corporation and political
30 subdivision existing under the laws of the State of Florida, has the
31 authority, pursuant to Sectionsection 189.02, ~~Florida Statutes~~

1 Florida Statutes, to create special districts. Accordingly, the City
2 uses this authority to create the BCID and through this charter
3 authorizes the BCID to operate as a Dependent Special District.

4 **Section See. 5. Best Alternative** -- In accordance with
5 ~~Section~~ 189.02(4)(d), ~~Florida Statutes~~ Florida Statutes, the
6 creation of the BCID provides the best alternative for private/shared
7 infrastructure improvements; the BCID will allow the locally impacted
8 community receiving the benefit from the improvements to directly
9 fund the costs involved.

10 **Section See. 6. Board of Supervisors, Qualifications,**
11 **Organization, Appointment and Terms, and Compensation - Governing**
12 **Body: Organization, Leadership, Compensation, Elections**. Pursuant
13 to ~~Section~~ 189.02(4)(e), Florida Statutes, the organization
14 ~~and~~ operation, ~~and duties~~ of the BCID's governing body are set forth
15 herein.

16 (A) Board of Supervisors Qualifications. ~~Organization~~ -- The
17 governing body of the BCID shall consist of a Board of seven
18 ~~(7)~~ Supervisors to include representation by "Area Group" and "At-
19 Large".

20 (i) Qualifications - To serve as a Supervisor, a person
21 must either: ~~Candidates for Supervisor must be~~
22 ~~qualified electors in the State of Florida and either~~

23 (a) personally own property within the BCID, or

24 ~~(b)~~ in the event of a commercial property located in
25 the BCID, be the property owner or their
26 designated representative. "Commercial
27 Property" as used herein means all
28 nonresidential property located within the BCID;

29 (b) Each "Area Group" Supervisor must have primary
30 residence in the designated Area Group as
31 depicted in "District Groups", attached hereto

1 and incorporated herein by reference as Exhibit
2 Three to this charter. As to each "Area Group"
3 Supervisor serving as a designated
4 representative of a commercial property owner,
5 the commercial property must be located within
6 the designated Area Group;

7 (c) The "At-Large" Supervisor must have primary
8 residence in the BCID, and cannot be a
9 commercial property owner nor representative of
10 a commercial property owner;

11 (d) Supervisors may only represent one seat at a
12 time; and

13 (e) Supervisors may not reside with any other
14 Supervisor or represent the same commercial
15 property as another Supervisor.

16 (ii) Loss of Qualification - If during the term on the
17 Board a Supervisor becomes no longer qualified to
18 hold the seat on the Board, the Supervisor shall
19 vacate the seat within thirty (30) days of the event
20 that caused the Supervisor to no longer qualify for
21 the seat. ~~Qualifying - Candidates shall qualify for~~
22 the Board of Supervisors pursuant to the requirements
23 of section 99.061, Florida Statutes or under any other
24 law or rule for qualifying as a candidate.

25 (B) ~~Organization. Leadership~~ - At least one (1) Supervisor shall
26 be a Commercial Property owner or their designated representative.
27 Each "Area Group" Supervisor shall represent their specific
28 designated Area Group as depicted in "District Groups", attached
29 hereto and incorporated herein by reference as Exhibit Three to this
30 charter. An "At-large" Supervisor represents the entire BCID.
31 Annually, the Board of Supervisors shall elect a Board Chair, Vice-

1 Chair, Secretary, and Treasurer. ~~The seven Supervisors shall be~~
 2 ~~elected based on four "Area Group" seats for which residency in the~~
 3 ~~Area is based as depicted within the enumerated areas in **Exhibit 3,**~~
 4 ~~attached hereto and incorporated herein by reference, and three "At-~~
 5 ~~Large" seats which shall represent the entire BCID and shall be~~
 6 ~~elected by all residents. Each of the four "Area Group" Supervisors~~
 7 ~~(Seats 1, 2, 3, and 4) shall serve for a term of two years. Each of~~
 8 ~~the three "At-Large" Supervisors (Seats 5, 6 and 7) shall serve for~~
 9 ~~terms of four years. Only members of the designated Area Group may~~
 10 ~~vote for candidates for Area Group seats, however, all members are~~
 11 ~~entitled to vote for At Large candidates.~~

12 (i) Initial ~~Board~~Leadership - The initial Board of
 13 Supervisors shall be appointed by the City Council of
 14 the City of Jacksonville and consist of the seven (7)
 15 Supervisors identified in "(Initial) Board of
 16 Supervisors—EXHIBIT—9", attached hereto and
 17 incorporated herein by reference as Exhibit Nine to
 18 this charter, based on four "Area Group" seats and
 19 three "At-Large" seats. The terms for the Initial
 20 Board shall expire on June 30, 2030. The Initial Board
 21 ~~of Supervisors are hereby appointed by the City~~
 22 ~~Council as described in **Revised Exhibit 9** labeled as~~
 23 ~~"Revised Exhibit 9, Rev Board, February 8, 2022 —~~
 24 ~~Floor" attached hereto and incorporated herein by~~
 25 ~~reference. The initial election for the Board of~~
 26 ~~Supervisors shall be held during the next available~~
 27 ~~regular or special election following the City~~
 28 ~~Council's approval of the initial BCID budget as~~
 29 ~~authorized by the Supervisor of Elections.~~

30 ~~(a) Any Supervisor, appointed under this paragraph~~
 31 ~~(i) above that is not able to accept the~~

1 appointment, shall provide ~~written~~formal notice
2 thereof to the Board of Supervisors and the vacant
3 seat shall be filled by a ~~majority~~ vote of the
4 remaining ~~active~~ Board members consistent with
5 subsection (iii) below.

6 (ii) ~~Subsequent~~ Boards Leadership - After the expiration of
7 the term of the Initial Board, the Board of
8 Supervisors shall consist of five (5) Supervisors:
9 one Supervisor for each of the four "Area Groups"
10 (Seats 1, 2, 3 and 4) and one "At-Large" Supervisor
11 (Seat 5), each appointed by the District Council
12 Member and confirmed by City Council. At the initial
13 election, the qualified electors of the BCID shall
14 elect both the four "Area Group" Supervisors (Seats
15 1, 2, 3, and 4) and the three "At-Large" Supervisors
16 (Seats 5, 6 and 7).

17 ~~(a) Any supervisor elected following the initial~~
18 ~~appointed leadership shall take office the~~
19 ~~sooner of January 1 or July 1 immediately~~
20 ~~following the certification of the applicable~~
21 ~~election.~~

22 (iii) Vacancies - If, during a term of office, a vacancy
23 occurs, the remaining members of the Board by a 2/3
24 vote shall nominate a person to fill the vacancy.~~7~~
25 ~~by an appointment through a 2/3rd or 66.67~~
26 ~~percent vote~~ The name of the Nominee shall be
27 communicated in writing to the District Council
28 Member. The Nominee shall serve in the seat as a
29 Nominee-Supervisor~~7~~ for the remainder of the
30 unexpired term or until the seat is filled through
31 appointment by the District Council Member and

1 ~~confirmation by City Council. the next occurring~~
2 ~~election is held to fill the term.~~

3 ~~(a) Any supervisor elected to fill a vacant seat shall~~
4 ~~take office immediately upon certification of the~~
5 ~~applicable election.~~

6 ~~(iv) *Subsequent Elections* - Subsequent elections shall be~~
7 ~~held on the second Tuesday in November every 2 years~~
8 ~~to fill seats of expiring terms.~~

9 ~~(a) *Non-Partisan* - All Supervisors shall be elected~~
10 ~~on a nonpartisan basis by the qualified electors~~
11 ~~of the BCID and shall hold office until their~~
12 ~~successors are elected and the election is~~
13 ~~certified.~~

14 ~~(v) Any Supervisor may be removed from office by the City~~
15 ~~Council for misfeasance, malfeasance, or willful~~
16 ~~neglect of duty.~~

17 ~~(vi) No Supervisor shall receive compensation for his or~~
18 ~~her service.~~

19 ~~(vii) Supervisors may only represent one seat at a time.~~
20 ~~Supervisors may not reside with any other Supervisor~~
21 ~~or represent the same commercial entity as another~~
22 ~~Supervisor.~~

23 ~~(viii) Any Supervisor who has three unexcused absences~~
24 ~~for regular, consecutive noticed meetings may be~~
25 ~~deemed as having vacated their seat with the~~
26 ~~affirmative vote of 2/3 vote or 66.67 percent of the~~
27 ~~remaining Supervisors.~~

28 ~~(ix) In the event that a Supervisor is elected as a~~
29 ~~designated group representative and said Supervisor~~
30 ~~sells their only property, whether residential or~~
31 ~~commercial, qualifying them as an elector of the BCID~~

1 ~~and representative of a particular group or an at large~~
2 ~~group, the Supervisor shall vacate the seat within~~
3 ~~thirty (30) days of the completion of the real estate~~
4 ~~transaction.~~

5 ~~(x) Annually, the Board of Supervisors shall elect a Board~~
6 ~~Chair, Vice-Chair, Secretary, and Treasurer.~~

7 (C) Appointment and Terms. After the term of the Initial Board,
8 all Supervisors are subject to appointment and reappointment by the
9 District Council Member and confirmation by City Council. "Area Group"
10 Supervisors shall serve terms of two years and the "At-Large"
11 Supervisor shall serve terms of four years. Terms end on June 30.
12 There are no term limits on Supervisors serving on the Board.

13 (i) Any supervisor appointed to a seat shall take office
14 immediately and shall hold office until their
15 successor is appointed.

16 (ii) Any Supervisor who has three unexcused absences for
17 regular, consecutive noticed meetings may be deemed
18 as having vacated their seat with the affirmative
19 vote of 2/3 vote of the remaining Supervisors.

20 (iii) Any Supervisor may be removed from office by the City
21 Council for misfeasance, malfeasance, or willful
22 neglect of duty.

23 ~~Elector Membership~~

24 ~~(i) Electors shall be determined based on a per parcel~~
25 ~~basis.~~

26 ~~(ii) Each parcel with more than 1 square foot of heated~~
27 ~~area shall be entitled to one (1) vote.~~

28 ~~i. Parcels owned by associations, parcels only~~
29 ~~dedicated to garages or carports, parcels that~~
30 ~~contain only roadways, undeveloped or under~~
31 ~~development parcels shall have no voting~~

1 authority.

2 ~~(iii) In the event that a parcel is owned by more than one~~
3 ~~person/entity, only the first vote cast by a listed~~
4 ~~property owner for the parcel will count.~~

5 ~~(iv) Parcel numbers and owners of record shall be~~
6 ~~determined by the Duval County Property Appraiser's~~
7 ~~records.~~

8 ~~(v) To be eligible to vote, a parcel owner must be a~~
9 ~~registered Duval County voter.~~

10 ~~i. For commercial property owners, a registered~~
11 ~~Duval County voter may be selected as a delegate~~
12 ~~on behalf of the entity. The entity shall submit~~
13 ~~said notice of selection of a delegate, in~~
14 ~~writing signed by all officers/directors and~~
15 ~~notarized as to each and tendered to the BCID at~~
16 ~~least one (1) year in advance of the next~~
17 ~~election.~~

18 (D) Compensation. No Supervisor shall receive compensation for
19 his or her service.

20 **Section Sec. 7. Additional Requirements -**

21 (A) *Financial Disclosures: Fiscal Year and Budget.* The fiscal
22 year for the BCID shall be from July 1 to June 30. The BCID shall
23 annually submit a proposed district budget to the City Council of the
24 City of Jacksonville by April 1 for approval or rejection. The failure
25 of the City Council to take action on the budget within 70 days after
26 submission shall constitute approval of the budget, unless extended
27 by agreement of the City Council and the BCID. The BCID shall also
28 submit any amendments to its budget to the City Council for approval
29 or rejection, which amendments shall also be deemed approved if the
30 City Council fails to take action on them within 70 days after
31 submission. All submissions to the City Council shall be made to its

1 Director/Council Secretary with a copy to the Council Auditor.

2 (B) *Audit*. The BCID shall be audited annually pursuant to the
3 provisions of Section 218.39, ~~Florida Statutes~~ Florida Statutes, at
4 its expense by such persons and in such manner as the City Council,
5 and any relevant federal or state law, shall direct.

6 (C) *Noticing and Reporting Requirements*. The BCID shall comply
7 with the requirements of Florida's Government-in-the-Sunshine Law as
8 set forth in Chapter 286 of the ~~Florida Statutes~~ Florida Statutes
9 with regard to the noticing of its meetings, the conduct of its
10 officials, the reporting of its activities through the keeping of
11 minutes, and any other requirements of public bodies, and shall comply
12 with the requirements of Florida's Public Records Act as set forth
13 in Chapter 119 of the ~~Florida Statutes~~ Florida Statutes. The BCID
14 shall notice its meetings consistent with the requirements of Section
15 189.015 of the ~~Florida Statutes~~ Florida Statutes. The BCID shall
16 forward a copy of its meeting minutes to the Council President and
17 District Council Member on an annual basis.

18 **Section See.—8. Methods of Financing —**

19 Pursuant to Section~~Florida Statute~~ 189.02(4)(g), Florida
20 Statutes, the BCID shall have the ability to finance itself through
21 annual non-ad valorem special assessments upon each designated parcel
22 as permitted by the powers vested in the BCID Board of Supervisors
23 and authorized through this ordinance. BCID may collect these non-ad
24 valorem special assessments in any manner permitted under Florida law
25 including those set forth in ~~Florida Statutes~~ Chapters 170 and 197,
26 Florida Statutes.

27 Pursuant to Section 197.3632, Florida Statutes, the BCID may
28 enter into interlocal agreements or memoranda of understanding with
29 the Property Appraiser and Tax Collector should the BCID choose to
30 collect assessments with property taxes. The agreements will set
31 forth any procedural and financial obligations that are required

1 for use of the services of either the Tax Collector or the Property
2 Appraiser.

3 **Section ~~See.~~ 9. Comprehensive Plan ~~--~~** The formation of the
4 BCID and its purposes are consistent with the approved Comprehensive
5 Plan of the City of Jacksonville as required under ~~Section~~section
6 189.02(4)(h), ~~Florida Statutes~~ Florida Statutes.

7 **Section ~~See.~~ 10. Removal from Membership ~~--~~**

8 A property shall be removed from membership in the BCID, if the
9 following conditions are satisfied:

10 (A) ~~(a)~~ The access to the property is permanently modified such
11 that neither Baymeadows Circle East nor Baymeadows Circle
12 West are used by the property or its clientele, and

13 (B) ~~(b)~~ The property does not utilize the stormwater or drainage
14 system of the BCID.

15 **Section ~~See.~~ 11. Removal Procedure ~~-~~**

16 In order to be removed from membership in the BCID, a property
17 owner shall submit a written notice to the BCID Board of Supervisors,
18 by registered mail or trackable alternative, informing the Board of
19 Supervisors of the property owner's intent to seek for removal. The
20 notice shall provide the Board of Supervisors with:

21 (A) ~~(a)~~ The property address;

22 (B) ~~(b)~~ The property parcel number;

23 (C) ~~(c)~~ The name, address, and contact phone number for the
24 property owner;

25 (D) ~~(d)~~ A detailed description regarding how the property will
26 be permanently modified to remove access to Baymeadows
27 Circle West or Baymeadows Circle East, including
28 authorization from applicable City and other public safety
29 authorities (i.e. Jacksonville Sheriff's Office and
30 Jacksonville Fire and Rescue Department) which may be
31 impacted by the access removal/closure;

1 (E) ~~(e)~~ The anticipated date of closure; and

2 (F) ~~(f)~~ Written proof from the City or a certified engineer,
3 who has examined the private stormwater system, certifying
4 that the property does not utilize the BCID stormwater
5 system or any of its retention ponds.

6 Upon completion of the permanent modification to the roadway,
7 the property owner shall submit a written notice of completion to
8 the Board of Supervisors with documentation of the same. Upon receipt
9 of adequate proof that the permanent modification has been completed,
10 the property will be removed from membership in the BCID if, for at
11 least 45 days prior to January 1 of the applicable year, the property
12 modifications have been completed.

13 In the event access is re-opened, regardless of the cause or
14 reason, the BCID may assess the property at a pro-rated calculation
15 based on the time period during which access to the BCID assessed
16 roadways was utilized, as long as such time period does not exceed
17 180 days. If the duration of access exceeds 180 days, the BCID will
18 reevaluate the property, its use of the roadways and may assess the
19 property at the full rate. In the event that the use of the BCID
20 extends to 366 days or more, the property will be assessed the full
21 annual assessment rate for both calendar years and will be included
22 in the annual assessment as a member of the BCID and the property
23 owner would need to reapply for removal in accordance with this
24 section.

25 **Section Sec.—12.— Termination of the District** ~~--~~ The District

26 shall automatically terminate upon the filing of:

27 (A) a Master Homeowners/Property Owners Association, or similar
28 entity, that assumes the responsibilities of the District in
29 maintaining the District's entire shared roadway system, shared
30 stormwater system, and in supervising each individual association's
31 maintenance of reserves to assume any responsibilities related to the

1 same. The Master Association created shall provide proof of the
2 formation to the applicable council member and request formal
3 dissolution of the BCID. Upon the approval of the dissolution, the
4 BCID Board shall provide notice of the dissolution to the State.

5 **Section 2. Requesting One Cycle Emergency Passage Pursuant**
6 **to Council Rule 4.901 Emergency.** One cycle emergency passage of this
7 legislation is requested. The nature of the emergency is to remove
8 the provisions involving the Supervisor of Elections prior to the
9 qualification period in June.

10 **Section 3. Effective Date.** This Ordinance shall become
11 effective upon signature by the Mayor or upon becoming effective
12 without the Mayor's signature.

13
14 Form Approved:

15
16 /s/ Mary E. Staffopoulos

17 Office of General Counsel

18 Legislation Prepared By: Shannon M^acGillis

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