

Introduced by Council Member Peluso and amended on the Floor of
Council:

ORDINANCE 2025-539-E

AN ORDINANCE REGARDING THE ESTABLISHMENT OF THE
FIVE POINTS DEPENDENT SPECIAL DISTRICT IN
ACCORDANCE WITH SECTION 189.02, FLORIDA
STATUTES; INCORPORATING RECITALS; ADOPTING A
CHARTER FOR THE "FIVE POINTS DEPENDENT SPECIAL
DISTRICT" FOR THE PURPOSE OF IMPROVING THE FIVE
POINTS AREA WITH SERVICES, INCLUDING BUT NOT
LIMITED TO SECURITY, LANDSCAPING AND PROMOTION;
ESTABLISHING THE DEPENDENT NATURE OF THE
DISTRICT; ESTABLISHING THE PURPOSE, POWERS,
FUNCTIONS AND DUTIES; ESTABLISHING A GEOGRAPHIC
BOUNDARY FOR THE DISTRICT; ACKNOWLEDGING THE
AUTHORITY TO CREATE THE DEPENDENT SPECIAL
DISTRICT; RECOGNIZING THE BEST ALTERNATIVE;
ESTABLISHING A FIVE MEMBER BOARD OF SUPERVISORS
WITH ALTERNATES APPOINTED BY THE CITY COUNCIL;
PROVIDING ADDITIONAL REQUIREMENTS; IDENTIFYING
THE METHOD OF FINANCING; RECOGNIZING THE
CONSISTENCY WITH THE COMPREHENSIVE PLAN; AND
PROVIDING AN EFFECTIVE DATE.

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

1 **WHEREAS**, Five Points, located in Council District 7, requires
2 continuous elevated levels of security, landscaping and promotion,
3 all of which supports the businesses and improves property values in
4 the Five Points area; and

5 **WHEREAS**, there have been numerous neighborhood meetings, 5
6 Points Merchants Association, Inc. meetings and other meetings with
7 business and property owners, listed in **Exhibit 1**, concerning the
8 establishment of a special district to provide these types of services
9 in Five Points; and

10 **WHEREAS**, the City of Jacksonville is unable to provide these
11 services; and

12 **WHEREAS**, a dependent special district financed by the commercial
13 property owners in the Five Points area is an appropriate, efficient
14 and effective vehicle to ensure that these services are continuously
15 provided; and,

16 **WHEREAS**, the City Council finds that it is necessary to create
17 the Five Points Dependent Special District to ensure that these
18 services are continuously provided; and,

19 **WHEREAS**, the City Council finds that the creation of the Five
20 Points Dependent Special District is the best alternative to ensure
21 that these services are continuously provided because the creation
22 of such a district provides a legally enforceable mechanism to collect
23 monies from the commercial property owners that benefit from these
24 services, and it ensures that the monies, when collected, are spent
25 by a governmental entity that is accountable to the people that it
26 serves; now therefore,

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

28 **Section 1. Incorporating Recitals.** The foregoing "WHEREAS"
29 clauses are hereby ratified and confirmed as being true and correct
30 and are hereby made a specific part of this Ordinance upon adoption
31 thereof.

1 **Section 2. Establishment of Charter for Five Points**
2 **Dependent Special District.** In accordance with Section 189.02,
3 *Florida Statutes*, the Charter of the Five Points Dependent Special
4 District is hereby established to read as follows:

5 CHARTER OF THE FIVE POINTS DEPENDENT SPECIAL DISTRICT

6 **Sec. 1. Dependent Special District** - There is hereby
7 created a Dependent Special District which will serve the community
8 based on the boundaries set forth herein and shall be named the Five
9 Points Dependent Special District ("District"). The District shall
10 be dependent on the City for purposes of establishing its budget but
11 is otherwise amenable to separate special district government.

12 **Sec. 2. Purpose, Powers, Functions, and Duties.**

13 (a) *Purpose.* The purpose of the District shall be the
14 continuing services such as, but not limited to elevated
15 levels of security, landscaping and promotion.

16 (b) *Powers.* The District is authorized and empowered:

17 (1) To sue and be sued;

18 (2) To contract;

19 (3) To purchase, hold, lease, sell, or otherwise acquire
20 and convey such real and personal property and
21 interest therein as may be necessary or proper to
22 carry out the purpose of this Charter;

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

28 (5) To borrow money for the purposes of enabling the
29 District to perform public functions or services as
30 herein provided;

31 (6) To assess and collect for each year of its operation

1 against each commercial parcel, which does not
2 include retirement/nursing homes, residential
3 properties or properties owned by or used as churches,
4 in the District, a special assessment.

5 (a) No special assessment shall exceed the maximum
6 of \$0.55 per square foot of building based on
7 heated area on each commercial property and
8 \$0.50 per square foot for parking lot area based
9 on GIS square footage on a commercial property
10 for the first year.

11 (b) The assessment can be increased annually by no
12 more than \$1.00 per square foot of building
13 based on heated area on each commercial
14 property, and the increase to the annual
15 assessment cannot exceed \$0.50 per square foot
16 for parking lot area based on GIS square footage
17 on each commercial property annually without
18 amendment of this Charter.

19 (c) The assessments approved under this Charter are
20 to be billed and collected pursuant to Chapter
21 197, Florida Statutes, or any other means
22 authorized by law, and to be a lien on the
23 assessed property, coequal with the lien of all
24 state, county, district and municipal taxes, and
25 superior in dignity to all other liens, titles,
26 and claims, until paid in full.

27 (7) To assess any new parcels (by sale, lot-split or
28 subdivision), that come into existence within the
29 geographic boundaries, as defined in **Revised Exhibit**
30 **2**, labeled as "Revised Exhibit 2, Rev Map, October
31 21, 2025 - Finance" attached hereto and incorporated

herein by reference;

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

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

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

(11) To enter into contracts with the government of the United States or any agency or instrumentality thereof, or with any state, county, municipality, district, authority, or political subdivision, private corporation, partnership, association, or individual to affect the purpose of this Charter, and to receive and accept, from any federal agency, grants or loans for or in aid of the specialized public functions or services authorized herein.

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

(c) *Functions.* Upon formation, the District will function as a dependent special district. The District will undertake all essential functions required of dependent special districts, including:

- (1) Create, submit and have approved by City Council, its initial annual budget, establishing and identifying priorities for completion in the first two years or as soon as practical and possible at the District's expense.
- (2) Pursuant to Section 189.016, *Florida Statutes*, within 30 days of its creation the District will notify the State of Florida Special District Accountability Program of its existence and will file all required documentation and information with the program including but not limited to:
 - (a) the District creation document,
 - (b) a written status statement,
 - (c) a map of the boundaries of the District, and
 - (d) the name, address, phone, fax and e-mail address for the District's registered agent.
- (3) The District shall be responsible for payment of any fees and the completion of all financial reporting required by law.
- (4) The District shall be required to keep and maintain an official website that meets all legal obligations for access and minimum content as set forth under Florida law.
- (d) *Duties*. The District shall have the responsibility of providing continuing services such as, but not limited to elevated levels of security, landscaping and promotion, in the Five Points area.

Sec. 3. Geographic Boundary. The boundaries of the District are areas that include those parcels of property identified by address and graphically depicted in **Revised Exhibit 2**, attached hereto and incorporated herein by reference. The District area is generally

1 bounded by Copeland Street, Post Street and Riverside Avenue, and
2 also includes 904 and 920 Margaret Street, 2025, 2033, 2039, 2045,
3 2049, 2057 and 2063 Post Street, 2024, 2030, 2038, 2044, 2050, 2056
4 and 2060 College Street, 1715 Memorial Park Drive, 554 Lancaster
5 Street, and 1035, 1045, 1061, 1515, 1541 and 1551 Riverside Avenue.
6 The parcel numbers and legal descriptions for each property are listed
7 in **Revised Exhibit 3**, labeled as "Revised Exhibit 3, Rev Parcel List,
8 October 21, 2025 - Finance" attached hereto and incorporated herein
9 by reference.

10 **Sec. 4. Authority.** In accordance with Section 189.02(4)(c),
11 *Florida Statutes*, the City of Jacksonville, a consolidated municipal
12 corporation and political subdivision existing under the laws of the
13 State of Florida, has the authority, pursuant to Section 189.02,
14 *Florida Statutes*, to create special districts. Accordingly, the City
15 uses this authority to create the District and through this charter
16 authorizes the District to operate as a Dependent Special District.

17 **Sec. 5. Best Alternative.** In accordance with Section
18 189.02(4)(d), *Florida Statutes*, the creation of the District provides
19 the best alternative for providing continuing services such as, but
20 not limited to, elevated levels of security, landscaping and
21 promotion; the District will allow the locally impacted community
22 receiving the benefit from the services to directly fund the costs
23 involved.

24 **Sec. 6. Governing Body and Appointments.** Pursuant
25 to Section 189.02(4)(e), *Florida Statutes*, the membership,
26 organization, and compensation of the District's governing body are
27 set forth herein.

28 (a) *Organization.* The governing body of the District shall
29 consist of five Supervisors, and three alternates.

30 (b) *Membership.*

1 (i) *Appointees.* Three Supervisors and two alternates
2 shall be appointed by the Council President and
3 confirmed by the City Council and two Supervisors and
4 one alternate shall be appointed by the Mayor and
5 confirmed by the City Council. The Supervisors and
6 alternates must be commercial property owners or
7 business owners in the District. There shall be at
8 least one Supervisor who is also a member of the 5
9 Points Merchants Association, Inc. or its successor
10 organization, if it is terminated.

11 (ii) *Terms.* The Supervisors and alternates shall serve
12 two year terms. There are no term limits on either
13 Supervisors or alternates.

14 (iii) *Vacancies.* If, during a term of office, a vacancy
15 occurs, the remaining Supervisors of the Board shall
16 fill the vacancy by an appointment of one of the
17 alternates to serve for the remainder of the unexpired
18 term.

19 (iv) *Removal.* Any Supervisor or alternate may be removed
20 from office by the City Council for misfeasance,
21 malfeasance, or willful neglect of duty.

22 (c) *No Compensation.* No Supervisor or alternate shall
23 receive compensation for his or her service.

24 **Sec. 7. Additional Requirements**

25 (a) *Financial Disclosures, Fiscal Year and Budget.* The fiscal
26 year for the District shall be from July 1 to June 30. The
27 District shall annually submit a proposed district budget
28 to the City Council of the City of Jacksonville by April 1
29 for approval or rejection. The failure of the City Council
30 to take action on the budget within 70 days after
31 submission shall constitute approval of the budget, unless

1 extended by agreement of the City Council and the District.
2 The District shall also submit any amendments to its budget
3 to the City Council for approval or rejection, which
4 amendments shall also be deemed approved if the City
5 Council fails to take action on them within 70 days after
6 submission. All submissions to the City Council shall be
7 made to its Director/Council Secretary with a copy to the
8 Council Auditor.

9 (b) *Audit.* The District shall be audited pursuant to the
10 provisions of Section 218.39, *Florida Statutes*, at its
11 expense by such persons and in such manner as the City
12 Council, and any relevant federal or state law, shall
13 direct.

14 (c) *Noticing and Reporting Requirements.* The District shall
15 comply with the requirements of Florida's Government-in-
16 the-Sunshine Law as set forth in Chapter 286, *Florida*
17 *Statutes*, with regard to the noticing of its meetings, the
18 conduct of its officials, the reporting of its activities
19 through the keeping of minutes, and any other requirements
20 of public bodies, and shall comply with the requirements of
21 Florida's Public Records Act as set forth in Chapter 119 of
22 the *Florida Statutes*. The District shall notice its
23 meetings consistent with the requirements of Section
24 189.015, *Florida Statutes*. The District shall forward a
25 copy of its minutes to the Council President and District
26 Council Member on an annual basis.

27 **Sec. 8. Methods of Financing.** Pursuant to Section
28 189.02(4)(g), *Florida Statutes*, the District shall have the ability
29 to finance itself through annual non-ad valorem special assessments
30 upon each designated parcel as permitted by the powers vested in the
31 District Board of Supervisors and authorized through this ordinance.

The District may collect these non-ad valorem special assessments in any manner permitted under Florida law including those set forth in Chapters 170 and 197, *Florida Statutes*.

Pursuant to Section 197.3632, *Florida Statutes*, the District may enter into interlocal agreements or memoranda of understanding with the Property Appraiser and Tax Collector should the District choose to collect assessments with property taxes. The agreements will set forth any procedural and financial obligations that are required for use of the services of either the Tax Collector or the Property Appraiser.

Sec. 9. Comprehensive Plan. The formation of the District and its purposes are consistent with the approved Comprehensive Plan of the City of Jacksonville.

Section 3. Effective Date. This ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

Form Approved:

/s/Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Dylan Reingold

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