

1 Introduced by the Transportation, Energy & Utilities Committee:  
2

3 **RESOLUTION 2020-652**

4 A RESOLUTION CONSIDERING A PETITION TO AMEND THE  
5 VILLAGES OF WESTPORT COMMUNITY DEVELOPMENT  
6 DISTRICT'S BOUNDARY, PURSUANT TO SECTION  
7 190.046, FLORIDA STATUTES, AND CHAPTER 92,  
8 ORDINANCE CODE, TO REMOVE APPROXIMATELY  
9 1,058.56 ACRES FROM, AND ADD APPROXIMATELY 3.63  
10 ACRES TO, THE VILLAGES OF WESTPORT COMMUNITY  
11 DEVELOPMENT DISTRICT; REQUESTING EMERGENCY  
12 PASSAGE UPON INTRODUCTION; DIRECTIVE TO  
13 LEGISLATIVE SERVICES DIVISION TO FORWARD THE  
14 RECOMMENDATION, IF ANY, TO THE FLORIDA LAND AND  
15 WATER ADJUDICATORY COMMISSION; PROVIDING AN  
16 EFFECTIVE DATE.  
17

18 **WHEREAS**, the Villages of Westport Community Development District  
19 ("District") was established pursuant to Florida Land and Water  
20 Adjudicatory Commission ("FLWAC") Rule No. 42QQ-1, Florida  
21 Administrative Code; and

22 **WHEREAS**, pursuant to Chapter 92, *Ordinance Code*, and Sec.  
23 190.046, F.S., the Board of Supervisors of the District, has by  
24 District Board Resolutions 2020-06 and 2020-11, petitioned FLWAC to  
25 amend the District's boundaries to add approximately 3.63 acres to  
26 the District and contract the District's boundaries by approximately  
27 1,058.56 acres, and has paid the required fee to defray the City's  
28 cost of review and consideration related to the Petition to Amend the  
29 Boundary of the District (the "Petition"), a copy of which Petition  
30 together with its attendant attachments is **On File** with Legislative  
31 Services; and

1           **WHEREAS**, as required by Sec. 92.14, *Ordinance Code*, the matter  
2 was placed on the miscellaneous communications portion of the City  
3 Council Agenda on October 13, 2020 ("Communications from the Mayor  
4 and Other Entities") for a voice vote as to whether the City Council  
5 would like to hold a public hearing regarding its advisory opinion to  
6 FLWAC regarding the Petition; and

7           **WHEREAS**, the Planning and Development Department provided its  
8 report and recommendation regarding the Petition to the full City  
9 Council prior to the voice vote on October 13, 2020; and

10           **WHEREAS**, the Council determined that it did want to provide the  
11 public with a public hearing opportunity and requested that the public  
12 hearing be held on October 27, 2020; and

13           **WHEREAS**, all notice requirements of Ch. 190, F.S., Sec. 92.11,  
14 *Ordinance Code*, and other applicable law were complied with, complete  
15 notice was timely given, and a public hearing held on the date and  
16 time noticed and conducted thereafter in compliance with F.S. Ch. 190,  
17 Sec. 92.11, *Ordinance Code*, and all applicable law; and

18           **WHEREAS**, based upon the materials submitted by the District, the  
19 Council finds there is good reason to recommend approval of the  
20 Petition to FLWAC; now therefore

21           **BE IT RESOLVED** by the Council of the City of Jacksonville:

22           **Section 1.           Boundary.** In accordance with Sec. 190.046, F.S.,  
23 the City recommends approval of the Petition to Amend the Boundary of  
24 the Villages of Westport Community Development District (the  
25 "Petition") to add approximately 3.63 acres, and contract the  
26 boundaries by approximately 1,058.56 acres to the Villages of Westport  
27 Community Development (the "District") as set forth in the legal  
28 description incorporated in the Petition **On File** with Legislative  
29 Services Division.

30           **Section 2.           Requesting emergency passage upon introduction**  
31 **pursuant to Council Rule 4.901 Emergency.** Emergency passage upon

1 introduction of this legislation is requested. The nature of the  
2 emergency is that Sec. 190.005, Florida Statutes, requires a public  
3 hearing, if one is requested, to be held within 45 days of the filing  
4 of the Petition. The Office of General Counsel received the Petition  
5 and provided to the Council Secretary a Notice of Receipt of the  
6 Petition on September 21, 2020 in accordance with Sec. 92.14,  
7 *Ordinance Code*. In order to be within the statutory 45 days  
8 requirement, the public hearing before the full Council must be held  
9 before November 5, 2020.

10 **Section 3. Directive to the Office of Legislative Services.**

11 Should the Council make a recommendation to FLWAC, the Office of  
12 Legislative Services is directed to send a copy of the Resolution to  
13 the Clerk of the Florida Land and Water Adjudicatory Commission at e-  
14 mail address: [FLWAC.Clerk@LASPBS.STATE.FL.US](mailto:FLWAC.Clerk@LASPBS.STATE.FL.US).

15 **Section 4. Effective Date.** This Resolution shall become  
16 effective upon signature by the Mayor or upon becoming law without  
17 the Mayor's signature.

18  
19 Form Approved:

20  
21           /s/ Susan Grandin          

22 Office of General Counsel

23 Legislation Prepared By: Susan C. Grandin

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