

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

3 **RESOLUTION 2020-652-A**

4 A RESOLUTION CONSIDERING A PETITION TO AMEND
5 THE 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
10 3.63 ACRES TO, THE VILLAGES OF WESTPORT
11 COMMUNITY DEVELOPMENT DISTRICT; REQUESTING
12 EMERGENCY PASSAGE UPON INTRODUCTION; DIRECTIVE
13 TO LEGISLATIVE SERVICES DIVISION TO FORWARD
14 THE RECOMMENDATION, IF ANY, TO THE FLORIDA
15 LAND AND WATER ADJUDICATORY COMMISSION;
16 PROVIDING AN EFFECTIVE DATE.
17

18 **WHEREAS**, the Villages of Westport Community Development
19 District ("District") was established pursuant to Florida Land and
20 Water 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
29 the Boundary of the District (the "Petition"), a copy of which
30 Petition together with its attendant attachments is **On File** with
31 Legislative 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
5 Council would like to hold a public hearing regarding its advisory
6 opinion to 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
12 public 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,
15 complete notice was timely given, and a public hearing held on the
16 date and time noticed and conducted thereafter in compliance with
17 F.S. Ch. 190, Sec. 92.11, *Ordinance Code*, and all applicable law;
18 and

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

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

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

31 **Section 2. Requesting emergency passage upon introduction**

1 **pursuant to Council Rule 4.901 Emergency.** Emergency passage upon
2 introduction of this legislation is requested. The nature of the
3 emergency is that Sec. 190.005, Florida Statutes, requires a public
4 hearing, if one is requested, to be held within 45 days of the
5 filing of the Petition. The Office of General Counsel received the
6 Petition and provided to the Council Secretary a Notice of Receipt
7 of the Petition on September 21, 2020 in accordance with Sec. 92.14,
8 *Ordinance Code*. In order to be within the statutory 45 days
9 requirement, the public hearing before the full Council must be held
10 before November 5, 2020.

11 **Section 3. Directive to the Office of Legislative**
12 **Services.** Should the Council make a recommendation to FLWAC, the
13 Office of Legislative Services is directed to send a copy of the
14 Resolution to the Clerk of the Florida Land and Water Adjudicatory
15 Commission at e-mail address: FLWAC.Clerk@LASPBS.STATE.FL.US.

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

19
20 Form Approved:

21
22 /s/ Susan Grandin

23 Office of General Counsel

24 Legislation Prepared By: Susan C. Grandin

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