

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

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6 **ORDINANCE 2020-267-E**

7 AN ORDINANCE AMENDING ORDINANCE 2010-725-E, AS
8 AMENDED BY ORDINANCE 2015-233-E, BY AMENDING
9 THE BOUNDARY AND THE STATED PURPOSE OF THE
10 DISTRICT; PROVIDING RETROACTIVE APPLICABILITY;
11 PROVIDING THAT ALL OTHER ASPECTS OF ORDINANCE
12 2010-725-E REMAIN UNCHANGED; PROVIDING AN
13 EFFECTIVE DATE.

14
15 **WHEREAS**, Ordinance 2010-725-E, as amended by Ordinance
16 2015-233-E, created and empowered the Harbour Waterway Special
17 District (the "District") in accordance with Section 189.02,
18 Florida Statutes; and

19 **WHEREAS**, Section 1 of Ordinance 2010-725-E, establishes the
20 boundaries of the District; and

21 **WHEREAS**, exercising authority granted to it in Section 4(C)
22 of Ordinance 2010-725-E, the District has acquired lands outside
23 of the current boundaries of the District, consisting of one
24 parcel purchased from JaxPort and a second parcel purchased from
25 the City of Jacksonville ("City"), for use as a dredge spoil
26 disposal; and

27 **WHEREAS**, the District, has engaged in construction
28 activities to improve and maintain the parcels purchased from
29 the City and JaxPort to optimize its capacity and to otherwise
30 make it suitable for deposit of dredge spoil materials, and will

1 continue to maintain the lands surrounding the dredge spoil
2 disposal site that were included in the conveyances from JaxPort
3 and the City; and

4 **WHEREAS**, the District will also continue to perform those
5 improvement and maintenance activities on the park owned by the
6 City that is located adjacent to the parcels purchased from the
7 City and JaxPort as directed by City Ordinance 201-136-E, which
8 authorized the sale of the parcel obtain by the District from
9 the City for use as a dredge spoil disposal site; and

10 **WHEREAS**, maintenance and improvement of the upland and
11 marsh areas included within the boundaries of the lands conveyed
12 by JaxPort and the City to the District are and will in the
13 future be a responsibility of the District; and

14 **WHEREAS**, Duval County Real Estate Parcel ("R.E.") Numbers
15 160265-0000, 160265-0025, 160266-1040 and 160266-0900 constitute
16 real property adjacent or contiguous with the Spoil Disposal
17 Site and would benefit from the authorized activities of the
18 District; and

19 **WHEREAS**, Duval County R.E. Parcel Numbers 160266-0000,
20 160266-2026, 160266-2029, 160266-2027, 160266-2023, 160671-0080,
21 160663-1220, 160663-0000, 160663-1210, and 160264-0000, are
22 parcels in proximity to the existing District canal system and
23 would benefit from the authorized activities of the District;
24 and

25 **WHEREAS**, R.E. Parcel Numbers 160258-0002 and 1160259-0000
26 are the properties obtained by the District from JaxPort and the
27 City, respectively and should be included within the boundaries
28 of the District based on the District's ownership thereof and
29 the proximity of the parcels to the District; now therefore

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

31 **Section 1. Amending the Charter for Harbour Waterway**

1 **Special District, established in Ordinance 2010-725-E, as amended**
2 **by Ordinance 2015-233-E.** The Charter for the Harbour Waterway
3 Special District, established in Ordinance 2010-725-E, as amended
4 by Ordinance 2015-233-E, is hereby amended in part to read as
5 follows:

6 CHARTER OF THE HARBOUR WATERWAY SPECIAL DISTRICT

7 Section 1. Boundaries. The Harbour Waterway Special
8 District (hereinafter referred to as the "District") is hereby
9 created. The boundaries of the District are as follows:

10 * * *

11 And

12 Parts of Section 50, Township 1 South, Range 28 East, Duval County
13 Florida, Recorded in Official Records Book 5654 Page 1473, Book
14 5378 Page 1110, Book 7891 Page 1345, Book 10745 Page 63, of the
15 current public records of Duval County, Florida.

16 And

17 R.E. Parcel Numbers 160258-0002, 160265-0025, 160266-1040,
18 160266-0900, 160266-0000, 160266-2026, 160266-2029, 160266-
19 2027, 160266-2023, 160671-0080, 160663-1220, 160663-1210,
20 160663-0000, 160264-0000, 160259-0000 and 160265-0000.

21 Section 2. Purpose. The purpose of the District shall be
22 the continuing maintenance of the system of canals located in The
23 Harbour neighborhood, Harbour North neighborhood, Harbour Cay
24 neighborhood, and Harbour Island neighborhood, construction and
25 maintenance of a dredge disposal site, and maintenance and
26 improvement of the upland and marsh areas surrounding the spoil
27 disposal site together with access roads to the spoil disposal
28 site. The District shall fulfill its purpose by dredging the
29 canals, dredging the channel that provides the canals with access
30 to the St. Johns River, maintaining a jetty, and maintaining
31 navigational aids and enhancing and restoring uplands and

1 wetlands on the lands owned by the District. To facilitate
2 dredging the canals, the District may also enforce standards for
3 docks and other structures located in the canals, and activities in
4 the canals when dredging is ongoing.

5 * * *

6 Section 4. Powers. The District is authorized and
7 empowered:

8 * * *

9 (G) To assess for each year of its operation against
10 each residential lot, each non-residential parcel, and each parcel
11 with a canal access easement in the District a special assessment
12 not to exceed \$2,000, and each parcel used for a marina a special
13 assessment not to exceed \$4,000, to be billed and collected as
14 provided by state and local law, and to be a lien on the assessed
15 property, coequal with the lien of all state, county, district and
16 municipal taxes, and superior in dignity to all other liens,
17 titles, and claims, until paid in full;

18 * * *

19 **Section 2. Retroactive applicability.** This ordinance
20 shall be retroactive in application so that the amendment adopted
21 herein shall be effective as if it were contained in the original
22 enabling Ordinance 2010-725-E.

23 **Section 3. All other aspects of Ordinance 2010-725-E**
24 **unchanged.** With the exception of Section 1 of this ordinance, in
25 all other respects Ordinance 2010-725-E shall remain unchanged and
26 in full force and effect.

27 **Section 4. Effective Date.** This ordinance shall become
28 effective upon signature by the Mayor or upon becoming effective
29 without the Mayor's signature.

30 Form Approved:

31

1 /s/ Margaret M. Sidman

2 Office of General Counsel

3 Legislation Prepared By: Paige H. Johnston

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