

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

4  
5  
6 **ORDINANCE 2024-69-E**

7 AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE  
8 2021-838-E WHICH ESTABLISHED A DEPENDENT SPECIAL  
9 DISTRICT KNOWN AS THE "BAYMEADOWS COMMUNITY  
10 IMPROVEMENT DISTRICT" ("BCID"); AMENDING BCID  
11 CHARTER SECTION 2 TO REVISE THE ELECTOR APPROVAL  
12 THRESHOLD REQUIRED FOR PROPERTY PURCHASES  
13 EXCEEDING \$100.00; AUTHORIZING SPECIAL VOTE-BY-  
14 MAIL ELECTIONS; AUTHORIZE ISSUANCE OF BONDS;  
15 DELETING THE LIMIT ON ANNUAL ADJUSTMENTS TO  
16 ASSESSMENTS; REVISING THE ANNUAL MAXIMUMS FOR  
17 ASSESSMENTS; REQUIRING LIST OF ANNUAL  
18 ASSESSMENTS TO BE PROVIDED TO CITY COUNCIL WITH  
19 ANNUAL BUDGET; ADDING AND INCORPORATING BY  
20 REFERENCE THE SPECIAL ASSESSMENT ALLOCATION  
21 REPORT; REMOVING THE EX OFFICIO REQUIREMENT;  
22 AMENDING THE INITIAL ELECTION DATE; CLARIFYING  
23 DATES WHEN BOARD MEMBERS TAKE OFFICE; ADDING A  
24 CONDITIONAL SUNSET PROVISION; PROVIDING A  
25 "REVISED ON FILE"; PROVIDING AN EFFECTIVE DATE.

26  
27 **WHEREAS**, the pursuant to Section 189.02, Florida Statutes, the  
28 Council established the BCID and adopted the Charter of the BCID, a  
29 dependent special district, by Ordinance 2021-838-E; and

30 **WHEREAS**, the Council and the BCID Board of Supervisors desire  
31 to amend Section 2 of Ordinance 2021-838-E, which sets forth the

1 Charter of the BCID, in order to substitute and replace the Charter  
2 to: (i) revise the approval threshold required for property purchases  
3 exceeding \$100 and authorize vote-by-mail elections, (ii)  
4 specifically authorize the BCID to issue bonds; (iii) delete the cap  
5 on the maximum annual adjustment on individual assessments; (iv)  
6 substitute and replace Revised Exhibit 2 to Ordinance 2021-838-E with  
7 a revised maximum assessment listing, attached hereto as **Exhibit 1**,  
8 providing for revised annual maximums for assessments and authorize  
9 a three percent (3%) escalation to the maximum beginning in 2025; (v)  
10 require the list of annual assessments to be provided to the City  
11 Council with the submittal of the annual BCID budget; (vi) add and  
12 incorporate by reference a new exhibit 10, attached hereto as **Exhibit**  
13 **2**, the BCID Proposed Special Assessment Allocation Report dated  
14 September 20, 2023, prepared by Rizzetta & Company to the BCID  
15 Charter; (vii) remove the requirement of an *Ex Officio* member; (viii)  
16 set the initial election for the Board of Supervisors to align with  
17 the next regular or special election following City Council approval  
18 of the initial BCID budget, as authorized by the Supervisor of  
19 Elections; (ix) clarify when elected supervisors take office; and (x)  
20 provide for a conditional sunset of the District; and

21 **WHEREAS**, an amendment to the charter of a dependent special  
22 district requires approval of an amending ordinance by the governing  
23 body with jurisdiction over the district; now therefore

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

25 **Section 1. Amending Section 2 (Establishment of Charter for**  
26 **Baymeadows Community Improvement District, a dependent special**  
27 **district) of Ordinance 2021-838-E.** Section 2 of Ordinance 2021-838-E  
28 establishing the Charter of the Baymeadows Community Improvement  
29 District, a Dependent Special District, is amended to read as follows:

30 **Section 2. Establishment of Charter for Baymeadows**  
31 **Community Improvement District, a dependent special district.** In

1 accordance with Section 189.02, *Florida Statutes*, the Charter of the  
2 Baymeadows Community Improvement District ("BCID"), a dependent  
3 special district, is hereby established to read as follows:

4 **REVISED CHARTER OF THE BAYMEADOWS COMMUNITY IMPROVEMENT DISTRICT,**  
5 **A DEPENDENT SPECIAL DISTRICT**

6 **Sec. 1. Dependent Special District** - There is hereby created a  
7 Dependent Special District which will serve the community based on  
8 the boundaries set forth herein and shall be named the Baymeadows  
9 Community Improvement District ("BCID" or "District"). The BCID shall  
10 be dependent on the governing body with jurisdiction over the BCID  
11 ~~county~~ for purposes of establishing its budget but is otherwise  
12 amenable to separate special district government.

13 **Sec. 2. Purpose, Powers, Functions and Duties** As set forth in  
14 *Florida Statute*, section 189.02(4) (a):

15 \* \* \*

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

17 \* \* \*

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

22 (a) Where the purchase of any real property, including  
23 roadways, equals or ~~exceeds~~exceed one hundred  
24 dollars (\$100.00) the BCID must obtain approval by  
25 sixty percent (60%) of the ballots cast by the  
26 electors of the District. Any election not held  
27 during a statutory or local election conducted by  
28 the Supervisor of Elections may be held by special  
29 vote-by-mail only election as contemplated in F.S.  
30 s. 101.6102(1)(a)2, as approved by the Supervisor  
31 of Elections. The District shall bear all the

1 costs of any special vote-by-mail only election in  
2 accordance with Section 101.6102(4), Florida  
3 Statutes~~an eighty percent (80%) affirmative vote~~  
4 ~~of the membership is required to proceed with the~~  
5 ~~transaction.~~

6 \* \* \*

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

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

1 completed by Rizzetta & Company and dated September 20,  
2 2023 (the "Assessment Allocation Report").

3 (a) Assessments may be increased or decreased annually  
4 as deemed appropriate by the Board of Supervisors.  
5 ~~No special assessment shall exceed the maximum for~~  
6 ~~the specified category as shown in Revised **Exhibit**~~  
7 ~~**2**, labeled as "Revised Exhibit 2, Rev Assmt List,~~  
8 ~~January 18, 2022 — NCSPHS" attached hereto and~~  
9 ~~incorporated herein by reference, when the parcel~~  
10 ~~is subject to an annual increase.~~

11 (b) The maximum assessments permitted for each Use  
12 Category are set forth in Exhibit 1 to Ordinance  
13 2024-69-E, which is incorporated into the BCID  
14 Charter as Second Revised Exhibit 2, "Assessments  
15 & Definitions" dated December 4, 2023, attached  
16 hereto and incorporated herein by reference. These  
17 assessments are subject to a three (3%) percent  
18 escalation beginning in the year 2025 and  
19 increasing three (3%) percent every year  
20 thereafter. Annually, each individual assessment  
21 may be adjusted by up to three (3) percent or the  
22 percent change in the Consumer Price Index (CPI)  
23 whichever is less.

24 (i) An updated schedule of maximum  
25 assessments shall be provided annually  
26 to the City Council as an attachment to  
27 the proposed BCID budget.

28 (c) In no event shall the special assessment exceed the  
29 annual maximum assessment for that year without  
30 prior approval of the City Council. Rates,  
31 including any increase as set forth above, shall

1                   ~~require a 2/3rd vote or 66.67 percent of the Board.~~

2           (d) Any increase in assessments above the prior year  
3           shall require a 2/3rd vote or 66.67 percent of the  
4           Board. Assessments approved under this charter are  
5           ~~to be billed and collected pursuant to Chapter 197,~~  
6           ~~Florida Statutes, or any other means authorized by~~  
7           ~~law, and to be a lien on the assessed property,~~  
8           ~~coequal with the lien of all state, county,~~  
9           ~~district and municipal taxes, and superior in~~  
10           ~~dignity to all other liens, titles, and claims,~~  
11           ~~until paid in full;~~

12           (e) Assessments approved under this charter are to be  
13           billed and collected pursuant to Chapter 197,  
14           Florida Statutes, or any other means authorized by  
15           law, and to be a lien on the assessed property,  
16           coequal with the liens of all state, county,  
17           district, and municipal taxes, and superior in  
18           dignity to all other liens, titles, and claims,  
19           until paid in full.

20           (viii) To assess any new parcels (by sale, lot-split or  
21           subdivision), if deemed necessary or appropriate by the  
22           Board of Supervisors, that come into existence within  
23           the geographic boundaries, as defined in Exhibit 1,  
24           attached hereto and incorporated herein by reference.  
25           The assessment for the new parcel shall be assigned an  
26           assessment category by the Board based on the use and  
27           sub-category of use as described in Exhibit 1 to  
28           Ordinance 2024-69-E, incorporated into the BCID charter  
29           as Second Revised Exhibit 2; ~~Revised Exhibit 2,~~ labeled  
30           ~~as "Revised Exhibit 2, Rev Assmt List, January 18, 2022~~  
31           ~~— NCSPHS" attached hereto and incorporated herein by~~

reference;

\* \* \*

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

(i) Roadways

(a) BCID will maintain the following Roadways:

\* \* \*

5. Baylin Court ~~Ct.~~

\* \* \*

7. Echo Springs Road ~~Rd~~

\* \* \*

(b) The BCID may also accept by transfer as described here, the responsibility of maintaining additional roadway segments along with those set forth above, at the Board's discretion as allowed in accordance with Florida Statutes Section 189.02 of the Dependent Special Taxing District's public asset requirements.

1. Upon any acceptance by the BCID of additional roadways, the current property owner shall be required, either to bring the current roadway up to approved BCID standards or pay a pro-rata share of the then current dollar value of the defined ~~define~~ improvement minus any remaining useful-life, (as defined by an BCID approved industry professional at the expense of the property owner of that roadway). This agreed upon contribution would be payable into the BCID Reserves and upon that payment, the BCID shall accept the roadway for future maintenance and improvement responsibility.

\* \* \*

(ii) Common Properties:

\* \* \*

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

\* \* \*

(iii) Stormwater System

(a) The drainage system utilized by BCID properties, including the water clarity, as depicted in the **Revised On File**, within the "Engineering Study", attached hereto and incorporated herein by reference.

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

(i) 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 BCID Expense.

In establishing the priority list, the Board of Supervisors will be provided with a copy of the July 30, 2021 Engineering Study completed by Dewberry Engineers Inc. (**Revised On File**; "Engineering Study", attached hereto and incorporated herein by reference), ~~and~~ the July 15, 2021 BCID Feasibility Study completed by Rizzetta & Company (**Revised On File**, "Feasibility Study", attached hereto and incorporated herein by reference), and Exhibit 2 to



1 Ordinance 2024-69-E, the Assessment Allocation  
2 Report, which shall be incorporated into the BCID  
3 Charter as Exhibit 10. The three~~The two~~ studies can  
4 serve as guides to begin the process for  
5 implementation of the Plan. The initial priorities  
6 have been identified to be:

7 \* \* \*

8 (c)the inspection of the drainage piping, system  
9 wide, and

10 \* \* \*

11 (ii) Pursuant to section 189.016, Florida Statutes, within  
12 30 days of its creation the BCID will notify the State  
13 of Florida Special District Accountability Program of  
14 its existence and will file all required  
15 documentation and information with the program  
16 including but not limited to:

17 \* \* \*

18 (d)the name, address, phone, fax, and e-mail address  
19 for the BCID's registered agent.

20 \* \* \*

21 **Sec. 3 Geographic Boundary.** Pursuant to section  
22 189.02(4)(b), Florida Statutes, the BCID, is hereby created based on  
23 the following designations.

24 \* \* \*

25 (C) The property addresses of each parcel included within  
26 the BCID are listed ~~in the~~ **Revised On File** attached  
27 hereto and incorporated herein by reference. Parcels  
28 that are (i) vacant, (ii) owned by Homeowners, an Home  
29 Owners Condominium Owners, or Property Owners  
30 Association ("HOA", ~~or~~ "COA", or "POA"); or (iii)  
31 parcels with a structure with less than one (1) square

1 foot of heated space may be in the District but will not  
2 be assessed until developed with heated square footage  
3 greater than one (1) square foot ~~and/or property is by~~  
4 ~~a private entity, that is not an HOA/COA, or a~~  
5 ~~person/persons.~~

6 \* \* \*

7 **Sec. 6 Governing Body: Organization, Leadership,**  
8 **Compensation, Elections.** Pursuant to section 189.02(4)(e), the  
9 organization, operation, and duties of the BCID's governing body are  
10 set forth herein.

11 \* \* \*

12 (B) *Leadership* - The seven Supervisors shall be elected  
13 based on four "Area Group" seats for which residency in  
14 the Area is based as depicted within the enumerated  
15 areas in Exhibit 3, for Ordinance 2021-838-E attached  
16 hereto and incorporated herein by reference, and three  
17 "At-Large" seats which shall represent the entire BCID  
18 and shall be elected by all residents. Each of the four  
19 "Area Group" Supervisors (Seats 1, 2, 3, and 4) shall  
20 serve for a term of two years. Each of the three "At-  
21 Large" Supervisors (Seats 5, 6 and 7) shall serve for  
22 terms of four years. Only members of the designated Area  
23 Group may vote for candidates for Area Group seats,  
24 however, all members are entitled to vote for At Large  
25 candidates.

26 (i) *Initial Leadership* - The initial Board of Supervisors  
27 shall be appointed by the City Council of the City of  
28 Jacksonville. The Initial Board of Supervisors are  
29 hereby appointed by the City Council as described in  
30 Revised Exhibit 9 labeled as "Revised Exhibit 9, Rev  
31 Board, February 8, 2022 - Floor" attached hereto and

1 incorporated herein by reference. The initial  
2 election for the Board of Supervisors shall be held  
3 during the next available regular or special election  
4 ~~following as soon as practicable, but no sooner than~~  
5 the City Council's approval of the initial BCID budget  
6 as authorized by the Supervisor of Elections ~~and no~~  
7 ~~later than the second Tuesday of November 2025. The~~  
8 ~~initial election shall be held within 90 days of the~~  
9 ~~City Council's approval of the budget.~~

10 (a) Any Supervisor, appointed under paragraph (i)  
11 above that is not able to accept the  
12 appointment, shall provide a formal notice  
13 thereof to ~~appoint~~ the Board of Supervisors and  
14 the vacant seat shall be filled by a majority  
15 vote of the remaining active Board members  
16 consistent with subsection (iii) below.

17 (ii) *Subsequent Leadership* - At the initial election, the  
18 qualified electors of the BCID shall elect both the  
19 four "Area Group" Supervisors (Seats 1, 2, 3, and 4)  
20 and the three "At-Large" Supervisors (Seats 5, 6 and  
21 7).

22 (a) Any supervisor elected following the initial  
23 appointed leadership shall take office the  
24 sooner of January 1 or July 1 immediately  
25 following the certification of the applicable  
26 election.

27 (iii) Vacancies - If, during a term of office, a vacancy  
28 occurs, the remaining members of the Board shall fill  
29 the vacancy, by an appointment through a 2/3rd or  
30 66.67 percent vote, for the remainder of the unexpired  
31 term or until the next occurring election is held to

1 fill the term.

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

5 \* \* \*

6 ~~(v) *Ex Officio Leadership* In addition to the seven~~  
7 ~~Supervisors, there shall be one Ex Officio member,~~  
8 ~~the City Council Representative for the District~~  
9 ~~where the BCID is located (currently known as District~~  
10 ~~11). The term of the Ex Officio member shall run~~  
11 ~~concurrently with the Ex Officio member's Council~~  
12 ~~District term of office and any vacancy by the Council~~  
13 ~~District member shall be filled by the City Council~~  
14 ~~President upon the election or appointment of a new~~  
15 ~~District Council member.~~

16 ~~(a) The Ex Officio member shall be a non-voting~~  
17 ~~member.~~

18 (v)~~(vi)~~ Any Supervisor may be removed from office by the  
19 City Council for misfeasance, malfeasance, or willful  
20 neglect of duty.

21 (vi)~~(vii)~~ No Supervisor shall receive compensation for his  
22 or her service.

23 (vii)~~(viii)~~ Supervisors may only represent one seat at a  
24 time. Supervisors may not reside with any other  
25 Supervisor or represent the same commercial entity as  
26 another Supervisor.

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



\* \* \*

**Sec. 11. Removal Procedure**

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

\* \* \*

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

\* \* \*

**Sec. 12 - Termination of the District.**

The District shall automatically terminate upon the filing of:

(A) A Master Homeowners/Property Owners Association, or similar entity, that assumes the responsibilities of the District in maintaining the District's entire shared roadway system, shared stormwater system, and in supervising each individual association's maintenance of reserves to assume any responsibilities related to the same. The Master Association created shall provide proof of the formation to the applicable council member and request formal dissolution of the BCID. Upon the approval of the dissolution, the BCID Board shall provide notice of the dissolution to the State.

**Section 2. Complete Copy of Revised Charter.** The complete revised Charter of the BCID, including a red-lined copy is contained in the **Revised On File.**

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

1 Form Approved:

2

3           /s/ Mary E. Staffopoulos          

4 Office of General Counsel

5 Legislation Prepared By: Trisha Bowles

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