

1 Introduced by the Council President at the request of the Mayor:

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4 **ORDINANCE 2021-292**

5 AN INITIAL ASSESSMENT ORDINANCE PURSUANT TO
6 CHAPTER 170, *FLORIDA STATUTES*, AND CHAPTER
7 715, *ORDINANCE CODE*, AUTHORIZING SPECIAL
8 ASSESSMENTS IN DOWNTOWN JACKSONVILLE, AS
9 DESCRIBED HEREIN; STATING AUTHORITY AND
10 FINDINGS FOR SUCH SPECIAL ASSESSMENTS; STATING
11 THE NATURE OF IMPROVEMENTS AND GENERAL
12 DESCRIPTION OF SERVICES; PROVIDING FOR THE
13 METHOD OF APPORTIONMENT, SERVICE COST,
14 PROPERTIES TO BE ASSESSED AND EXEMPTIONS;
15 IDENTIFYING THE SERVICE AREA; ESTABLISHING THE
16 ASSESSMENT RATE AND TERM; SETTING A PUBLIC
17 HEARING FOR THE FINAL ASSESSMENT ORDINANCE;
18 DIRECTING PREPARATION OF THE INITIAL
19 ASSESSMENT ROLL, PUBLICATION OF NOTICE, AND
20 MAILING OF NOTICES; IDENTIFYING THE METHOD OF
21 COLLECTION FOR THE 2021 TAX YEAR; IDENTIFYING
22 THE METHOD OF COLLECTION FOR THE 2022 THROUGH
23 2031 TAX YEARS AND STATING THE INTENT TO USE
24 THE UNIFORM METHOD FOR THE LEVY, COLLECTION,
25 AND ENFORCEMENT OF A NON-AD VALOREM ASSESSMENT
26 FOR THE 2022 THROUGH 2031 TAX YEARS; RETAINING
27 ALL RIGHTS GRANTED BY CHAPTER 170, *FLORIDA*
28 *STATUTES*; APPROVING AND AUTHORIZING THE MAYOR,
29 OR HIS DESIGNEE, AND CORPORATION SECRETARY TO
30 EXECUTE AND DELIVER THE ENHANCED MUNICIPAL
31 SERVICES AGREEMENT BETWEEN AND AMONG THE CITY

1 OF JACKSONVILLE AND DOWNTOWN VISION, INC. ;
2 PROVIDING FOR OVERSIGHT BY THE DOWNTOWN
3 INVESTMENT AUTHORITY; PROVIDING AN EFFECTIVE
4 DATE.

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6 **WHEREAS**, by Resolution 2021-03-03, the Downtown Investment
7 Authority approved the expansion of the Downtown Business
8 Improvement District, originally created by the City Council in
9 1999, and approved expansion of the classes of properties subject
10 to a special assessment within the Downtown Business Improvement
11 District; and

12 **WHEREAS**, for over 20 years, Downtown Vision, Inc., has
13 provided enhanced municipal services in Downtown Jacksonville,
14 which advance the City's redevelopment goals and benefit the
15 assessed properties in Downtown; now, therefore

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

17 **Section 1. Authority and Findings.** This Initial
18 Assessment Ordinance is adopted pursuant to the authority granted
19 in Chapter 170, *Florida Statutes*, Chapter 715, *Ordinance Code*, and
20 home rule powers conferred upon municipalities and chartered
21 counties by Article VIII of the Florida Constitution and Chapters
22 125 and 166, *Florida Statutes*. Pursuant to Section 170.01(2),
23 *Florida Statutes*, and Section 715.201, *Ordinance Code*, the City
24 Council finds that providing enhanced municipal services at the
25 rate of assessment established herein to the real property within
26 the service area described herein provides a special benefit to
27 such property, which is different in type or degree from benefits
28 provided to the community as a whole. This Ordinance shall serve
29 as the resolution required to declare special assessments pursuant
30 to Section 170.03, *Florida Statutes*, and shall serve as the Initial
31 Assessment Ordinance required by Section 715.202, *Ordinance Code*.

1 **Section 2. Nature of Improvements and General Description**
2 **of Services.** Pursuant to Sections 170.01(3) and 170.03, *Florida*
3 *Statutes*, and Section 715.202(a), *Ordinance Code*, the nature of the
4 proposed improvement to be funded by special assessments against
5 property benefitted is stabilizing and improving the service area
6 described in Section 4 through promotion, management, marketing and
7 similar services (Enhanced Municipal Services). These Enhanced
8 Municipal Services are further described in the Enhanced Municipal
9 Services Agreement between and among the City of Jacksonville and
10 Downtown Vision, Inc., a Florida non-profit corporation, **attached**
11 **hereto** as **Exhibit 1** and incorporated herein by reference (Enhanced
12 Municipal Services Agreement).

13 **Section 3. Method of Apportionment, Service Cost to be**
14 **Assessed; Properties and Exemptions.** Pursuant to Sections 170.02
15 and 170.03, *Florida Statutes*, and Sections 715.202(b) and
16 715.202(c), *Ordinance Code*, the method for assessing property shall
17 be by a millage rate applied to each property. The service cost,
18 or total estimated cost, to be assessed is listed in Exhibit D to
19 the Enhanced Municipal Services Agreement, **attached hereto** as
20 **Exhibit 1**. The properties to be assessed and exemptions from such
21 assessment are described in Exhibit A to the Enhanced Municipal
22 Services Agreement, **attached hereto** as **Exhibit 1**.

23 **Section 4. Service Area.** Pursuant to Section 170.03,
24 *Florida Statutes*, and Section 715.202(e), *Ordinance Code*, the
25 service area where properties shall be assessed is described, and
26 visually depicted, in Exhibit A to the Enhanced Municipal Services
27 Agreement, **attached hereto** as **Exhibit 1**. This service area is
28 hereby adopted as the Downtown Business Improvement District and
29 may also be referred to as the Downtown Improvement Area, or
30 Downtown Service Area.

31 **Section 5. Assessment Rate and Term.** Pursuant to Section

1 170.03, *Florida Statutes*, and Section 715.202(f), *Ordinance Code*,
2 the special assessment rate shall be equal to the value of 1.1
3 mills on each property. The term of of this special assessment
4 shall be from the 2021 Tax Year through the 2031 Tax Year.

5 **Section 6. Public Hearing for Final Assessment Ordinance.**

6 Pursuant to Section 170.07, *Florida Statutes*, and Sections
7 715.202(h) and 715.302, *Ordinance Code*, the City Council hereby
8 sets the date, time and place of a public hearing to consider the
9 adoption of the Final Assessment Ordinance as August 10, 2021, 5:00
10 p.m., in Council Chambers, 117 West Duval Street, Jacksonville,
11 Florida 32202. The Office of General Counsel is directed to
12 prepare the Final Assessment Ordinance for introduction at City
13 Council on June 22, 2021.

14 **Section 7. Directing Preparation of the Initial**
15 **Assessment Roll, Publication of Notice and Mailing of Notices.** The
16 City Council hereby directs Downtown Vision, Inc., on behalf of the
17 City of Jacksonville, to:

18 (a) Prepare the Initial Assessment Roll as required by
19 Section 170.06, *Florida Statutes*, and Section 715.203, *Ordinance*
20 *Code*.

21 (b) Publish notice as required by Section 170.05, *Florida*
22 *Statutes*, and Section 715.204, *Ordinance Code*.

23 (c) Mail notices as required by Section 170.07, *Florida*
24 *Statutes*, and Section 715.205, *Ordinance Code*.

25 **Section 8. Method of Collection for 2021 Tax Year.**

26 Pursuant to Sections 170.03 and 170.21, *Florida Statutes*, and
27 Section 715.302, *Ordinance Code*, the alternative method of
28 collection shall be used for the 2021 Tax Year. Downtown Vision,
29 Inc., is directed to mail bills for the special assessments for the
30 2021 Tax Year. The Tax Collector is authorized to collect the
31 special assessments on behalf of Downtown Vision, Inc., and

1 pursuant to Section 197.3631, *Florida Statutes*, the Tax Collector
2 may contract with Downtown Vision, Inc., to supply information and
3 services necessary for this alternative method of collection. The
4 Tax Collector may remit the collected special assessments to
5 Downtown Vision, Inc., on a schedule to be determined by the Tax
6 Collector. Pursuant to Sections 170.03 and 170.09, *Florida*
7 *Statutes*, the special assessments for the 2021 Tax Year shall be
8 due by April 1, 2022, and shall be subject to the discount rate
9 provided in Section 197.162, *Florida Statutes*.

10 **Section 9. Method of Collection for 2022 through 2031 Tax**
11 **Years.** Pursuant to Section 197.3632(3)(a), *Florida Statutes*, the
12 City of Jacksonville hereby states its intent to use the uniform
13 method for the levy, collection, and enforcement of a non-ad
14 valorem assessment for Enhanced Municipal Services, as described in
15 the Enhanced Municipal Services Agreement **attached hereto** as
16 **Exhibit 1.** The legal description of the area subject to such non-
17 ad valorem assessment is described, and visually depicted, in
18 Exhibit A to the Enhanced Municipal Services Agreement, **attached**
19 **hereto** as **Exhibit 1.** The City of Jacksonville hereby states the
20 need for a non-ad valorem assessment for Enhanced Municipal
21 Services, and the uniform method for the levy, collection, and
22 enforcement of such a non-ad valorem assessment is the most
23 efficient and cost effective method of collection of all the
24 collection options that may be available to the City of
25 Jacksonville. Pursuant to Section 197.3632(3)(a), *Florida Statutes*,
26 Legislative Services is hereby directed to mail a copy of this
27 Ordinance, as enacted, to the Property Appraiser, the Tax
28 Collector, and the State of Florida Department of Revenue, Property
29 Tax Oversight Division.

30 **Section 10. Retaining All Rights Granted by Chapter 170,**
31 **Florida Statutes.** The City of Jacksonville hereby retains all

