

1 Introduced by Council Member Arias:
2
3

4 **ORDINANCE 2026-397**

5 AN ORDINANCE REGARDING THE CHARTER OF THE
6 "BAYMEADOWS COMMUNITY IMPROVEMENT DISTRICT"
7 ("BCID") A DEPENDENT SPECIAL DISTRICT
8 ESTABLISHED BY ORDINANCE 2021-838-E AND AMENDED
9 BY ORDINANCE 2024-69-E, PURSUANT TO SECTION
10 189.02, *FLORIDA STATUTES*; AMENDING SECTION 2 OF
11 ORDINANCE 2021-838-E AS AMENDED BY ORDINANCE
12 2024-69-E TO AMEND THE CHARTER OF THE BCID TO
13 REQUIRE CITY COUNCIL APPROVAL FOR PROPERTY
14 ACQUISITIONS OVER \$100, AND SUBSEQUENT TO THE
15 TERMS OF THE INITIAL BOARD OF SUPERVISORS TO
16 REQUIRE AT LEAST ONE MEMBER OF THE BOARD OF
17 SUPERVISORS BE A COMMERCIAL PROPERTY OWNER OR
18 THEIR DESIGNATED REPRESENTATIVE, TO REQUIRE CITY
19 COUNCIL DISTRICT MEMBER APPOINTMENT AND CITY
20 COUNCIL CONFIRMATION FOR ALL BOARD SUPERVISORS,
21 TO REDUCE THE NUMBER OF AT-LARGE SUPERVISORS
22 FROM 3 TO 1, AND TO FILL VACANCIES ON INTERIM
23 BASIS BY SUPER-MAJORITY OF BOARD, AND CORRECTING
24 VARIOUS SCRIVENOR'S ERRORS; REQUESTING ONE CYCLE
25 EMERGENCY PASSAGE; PROVIDING AN EFFECTIVE DATE.

26
27 **WHEREAS**, Section 189.02, *Florida Statutes*, provides that the
28 City Council may create dependent special districts for the purpose
29 of delivering essential services to specific areas within the City;
30 and

31 **WHEREAS**, pursuant to Section 189.02, *Florida Statutes*, the City

1 of Jacksonville established the Dependent Special District known as
2 the Baymeadows Community Improvement District (the "BCID") and
3 adopted the Charter of the Baymeadows Community Improvement District,
4 a Dependent Special District (the "Charter") through Ordinance 2021-
5 38-E, on February 8, 2022, that became effective on February 14,
6 2022; and

7 **WHEREAS**, the City Council subsequently, significantly amended
8 the Charter through Ordinance 2024-69-E, on March 26, 2024, that
9 became effective on April 9, 2024, including the requirement that
10 the purchase of any real property in excess of one hundred dollars
11 (\$100.00) must be approved through a ballot process conducted by the
12 Supervisor of Elections, and a requirement that the BCID Board of
13 Supervisors be elected through a process conducted by the Supervisor
14 of Elections, however the Supervisor of Elections cannot conduct
15 either such process, requiring corrections to be made to the Revised
16 Charter;

17 **WHEREAS**, the City Council also desires to amend the Revised
18 Charter to reduce the number of "At-Large" Supervisors, after the
19 initial body of Supervisors, from 3 to 1, and to mandate that at
20 least one Supervisor be an owner or the designated representative of
21 an owner of a Commercial Property within the BCID; and

22 **WHEREAS**, a complete copy of the Second Revised Charter of the
23 Baymeadows Community Improvement District, to include all Exhibits
24 referenced within the charter, is **On File** with Legislative Services;
25 and

26 **WHEREAS**, the charter of a dependent special district requires
27 approval by ordinance of the governing municipal body with
28 jurisdiction over the district; now therefore

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

30 **Section 1. Amending Section 2 of Ordinance 2021-838-E as**
31 **amended by 2024-69-E.** Section 2 of Ordinance 2021-838-E as amended

1 by 2024-69-E is hereby amended to read as follows:

2 **SECOND REVISED CHARTER**

3 **OF THE BAYMEADOWS COMMUNITY IMPROVEMENT DISTRICT,**

4 **A DEPENDENT SPECIAL DISTRICT**

5 **Section ~~Sec.~~ 1. **Dependent Special District** - On February**
6 **8, 2022, the City of Jacksonville City Council enacted Ordinance**
7 **2021-838-E, which became effective on February 14, 2022, and**~~There is~~
8 ~~hereby~~ **created a Dependent Special District named the Baymeadows**
9 **Community Improvement District ("BCID" or "District"), to which will**
10 **serve the community based on the boundaries set forth herein and**
11 ~~shall be named the Baymeadows Community Improvement District ("BCID"~~
12 ~~or "District").~~ The BCID shall be dependent on the governing body
13 with jurisdiction over the BCID for purposes of establishing its
14 budget but is otherwise amenable to separate special district
15 government.

16 **Section ~~Sec.~~ 2. **Purpose, Powers, Functions and Duties** -**
17 **Pursuant to As set forth in Florida Statute, Section**
18 **189.02(4)(a), Florida Statutes, the purpose, powers, functions, and**
19 **duties of the BCID are:**

20 (A) *Purpose* - The purpose of the BCID shall be the
21 implementation of the Baymeadows Community Plan ("Plan") dated March
22 2011, attached hereto and incorporated herein by reference as Exhibit
23 Eleven to this charter, and the planning and coordination of the
24 long-term maintenance of neighborhood publicly used infrastructure,
25 including private roads, stormwater (not including bulkheads on
26 private property), drainage, and common properties (including
27 landscaping).

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

29 (i) To sue and be sued;

30 (ii) To contract;

31 (iii) To purchase, hold, lease, sell, or otherwise acquire

1 and convey such real and personal property and
2 interest therein as may be necessary or proper to
3 carry out the purpose of this Charter;

4 (a) Where the purchase of any real property,
5 including roadways, equals or exceeds one hundred
6 dollars (\$100.00) the BCID must obtain approval
7 of the City Council to proceed with the
8 transaction. ~~by sixty percent (60%) of the~~
9 ~~ballots cast by the electors of the District. Any~~
10 ~~election not held during a statutory or local~~
11 ~~election conducted by the Supervisor of Elections~~
12 ~~may be held by special vote by mail only election~~
13 ~~as contemplated in F.S. s. 101.6102(1)(a)2, as~~
14 ~~approved by the Supervisor of Elections. The~~
15 ~~District shall bear all the costs of any special~~
16 ~~vote by mail only election in accordance with~~
17 ~~Section 101.6102(4), Florida Statutes.~~

18 (iv) To employ engineers, attorneys, accountants,
19 financial or other consultants, and such other agents
20 and employees as the Board of Supervisors may require
21 or deem necessary to accomplish the purpose of this
22 Charter, or to contract for any such services;

23 (v) To acquire, construct, maintain, equip, improve,
24 extend, and enlarge capital projects for the purposes
25 of enabling the BCID to perform public functions or
26 services as herein provided related to private roads,
27 stormwater, drainage, and common properties;

28 (vi) To borrow money (including through the issuance of
29 bonds, notes, or other evidences of indebtedness) and
30 accept gifts; to apply for and use grants or loans of
31 money or other property from the United States, the

1 state, a unit of local government, or any person for
2 any District purposes and enter into agreements
3 required in connection therewith; and to hold, use,
4 and dispose of such ~~monies-moneys~~ or property for any
5 District purposes in accordance with the terms of the
6 gift, grant, loan or agreement relating thereto for
7 the purposes of enabling the District to perform
8 public functions or services as herein provided;

9 (vii) To assess and collect for each year of its operation
10 against each residential and commercial parcel in the
11 BCID, a special assessment, should it be deemed
12 necessary and appropriate by the Board of
13 Supervisors, based upon the category assigned to each
14 BCID Member parcel listed in the attached hereto as
15 "BCID Membership" ~~Revised On File~~, attached hereto
16 and incorporated herein by reference as Exhibit Twelve
17 the this charter, and in accordance with the
18 Equivalent Assessment Unit ("EAU") for each category
19 as set forth in ~~Exhibit 2 to Ordinance 2024-69-E,~~
20 entitled the "Baymeadows Community Improvement
21 District Proposed Special Assessment Allocation
22 Report", completed by Rizzetta & Company and dated
23 September 20, 2023, and attached hereto and
24 incorporated herein by reference as Exhibit Ten to
25 this charter; ~~which shall be incorporated in the~~
26 ~~revised charter as "Exhibit 10", completed by~~
27 ~~Rizzetta & Company and dated September 20, 2023 (the~~
28 ~~"Assessment Allocation Report").~~

29 (a) Assessments may be increased or decreased
30 annually as deemed appropriate by the Board of
31 Supervisors.

1 (b) The maximum assessments permitted for each Use
2 Category are set forth in ~~Exhibit 1 to Ordinance~~
3 ~~2024-69-E, which is incorporated into the BCID~~
4 ~~Charter as **Second Revised Exhibit 2**, the~~
5 "Assessments & Definitions" dated December 4,
6 2023, attached hereto and incorporated herein by
7 reference as Exhibit Two to this charter. These
8 assessments are subject to a three (3%) percent
9 escalation beginning in the year 2025 and
10 increasing three (3%) percent every year
11 thereafter.

12 (i) An updated schedule of maximum assessments
13 shall be provided annually to City Council
14 as an attachment to the proposed BCID
15 budget.

16 (c) In no event shall the special assessment
17 exceed the annual maximum assessment for that
18 year without prior approval of the City Council.

19 (d) Any increase in assessments above the prior year
20 shall require a 2/3 ~~rd~~-vote ~~or percent~~ of the
21 Board.

22 (e) Assessments approved under this charter are to
23 be billed and collected pursuant to Chapter 197,
24 ~~Florida Statutes~~ Florida Statutes, or any other
25 means authorized by law, and to be a lien on the
26 assessed property, coequal with the liens of all
27 state, county, district and municipal taxes, and
28 superior in dignity to all other liens, titles,
29 and claims, until paid in full.

30 (viii) To assess any new parcels (by sale, lot-split
31 or subdivision), ~~if deemed necessary or appropriate~~

1 ~~by the Board of Supervisors,~~ that come into existence
2 within the geographic boundaries, as defined in
3 "District Boundary Map" ~~Exhibit 1,~~ attached hereto
4 and incorporated herein by reference as Exhibit One
5 to this charter. If an assessment for a new parcel is
6 deemed necessary and appropriate by the Board of
7 Supervisors, the ~~The assessment for the~~ new parcel
8 shall be assigned an assessment category by the Board
9 based on the use and sub-category of use as described
10 in "Assessments & Definitions", attached hereto and
11 incorporated herein by reference as Exhibit Two to
12 this charter, and the Board shall set the assessment
13 in compliance with subparagraph (vii), above; ~~Exhibit~~
14 ~~1 to Ordinance 2024-69-E, incorporated into the BCID~~
15 ~~charter as Second Revised Exhibit 2;~~

- 16 (ix) To fix and collect rates, fees, and other charges for
17 the specialized public functions or services
18 authorized by this Charter;
- 19 (x) To restrain, enjoin, or otherwise prevent the
20 violation of this Charter or any resolution or rule
21 adopted pursuant to the powers granted by this
22 Charter;
- 23 (xi) To join with any other district, municipality, county
24 or political subdivision, public agency or authority
25 in the exercise of common powers;
- 26 (xii) To enter into contracts with the government of the
27 United States or any agency or instrumentality
28 thereof, or with any state, county, municipality,
29 district, authority, or political subdivision,
30 private corporation, partnership, association, or
31 individual, to affect the purpose of this Charter,

1 and to receive and accept, from any federal agency,
2 grants or loans for or in aid of the specialized
3 public functions or services authorized herein;

4 (xiii) To hold, control, and acquire by donation,
5 purchase, or condemnation, or dispose of, any public
6 easements, dedications to public use, platted
7 reservations for public purposes, or any reservations
8 for those purposes authorized by this act and to make
9 use of such easements, dedications, or reservations
10 for the purposes authorized by this act.

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

14 (i) Roadways:

15 (a) BCID will maintain the following Roadways:

- 16 1. Baymeadows Circle East
- 17 2. Baymeadows Circle West
- 18 3. Meadow Walk Lane
- 19 4. Legacy Trail
- 20 5. Baylin Court
- 21 6. Star Drive
- 22 7. Echo Springs Road
- 23 8. Mira Loma Drive
- 24 9. Cypress Green Drive
- 25 10. Baymeadows Park Drive (formerly Golfside
26 Drive)

27 (b) The BCID may also accept by transfer as
28 described herein, the responsibility of
29 maintaining additional roadway segments along
30 with those set forth above, at the Board's
31 discretion as allowed in accordance with ~~Florida~~

1 Statutes Section 189.02, Florida Statutes, of
2 the Dependent Special Taxing District's public
3 asset requirements.

4 1. ~~Regarding~~ ~~Upon any~~ acceptance by the BCID
5 of additional roadways, the current
6 property owner shall be required, either
7 to bring the ~~current~~ roadway up to approved
8 BCID standards or pay a pro-rata share of
9 the then current dollar value of the
10 defined improvement minus any remaining
11 useful-life, (as defined by an BCID
12 approved industry professional at the
13 expense of the property owner of that
14 roadway). This agreed upon contribution is
15 ~~would be~~ payable into the BCID reserves
16 and upon ~~that~~ payment, the BCID shall
17 accept the roadway for future maintenance
18 and improvement responsibility.

19 2. Accepted roadways shall not include any
20 along-side or off-street parking spaces,
21 lots, or parking areas. Such along-side or
22 off-street parking spaces, lots, or
23 parking areas ~~which~~ will be the
24 responsibility of the property owner, not
25 the BCID.

26 3. The BCID may accept donated privately owned
27 roadways.

28 (ii) Common properties:

29 (a) Park property referred to as Parcel #4, located
30 between Los Lagos and Los Prados, to be donated
31 by D.R. Horton Company.

1 (b) Park property referred to within Parcel #9,
2 located South of Meadow Walk on Baymeadows
3 Circle West, previously referred to as the
4 Island Green, to be donated by D.R. Horton
5 Company.

6 (c) Park Property in Meadow Walk, 8411 Meadow Walk
7 Lane.

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

11 (iii) Stormwater System:

12 (a) The drainage system utilized by BCID properties,
13 including the water clarity, as depicted ~~in the~~
14 ~~Revised On File,~~ within the "Engineering Study"
15 by Dewberry Engineers, Inc., dated July 30,
16 2021, attached hereto and incorporated herein by
17 reference as Exhibit Fourteen to this charter.

18 (iv) Other infrastructure components as approved by the
19 Board of Supervisors. Recognizing that there are
20 common elements that are beneficial to all members of
21 the BCID but may not be included in the items listed
22 above, the Board of Supervisors may approve
23 assumption of duties for maintenance or improvement
24 of other common elements as deemed necessary or
25 appropriate.

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

29 (i) create, submit and have approved by City Council, its
30 initial annual budget, establishing and identifying
31 priorities for completion in the first two years or

1 as soon as practical and possible at the BCID expense.

2 In establishing the priority list, the Board
3 of Supervisors will be provided with a copy of the
4 "Engineering Study" by Dewberry Engineers, Inc.,
5 dated July 30, 2021, July 30, 2021 Engineering Study
6 completed by Dewberry Engineers Inc. (~~Revised On~~
7 ~~File;~~ "Engineering Study", attached hereto and
8 incorporated herein by reference as Exhibit Fourteen
9 to this charter), the "Feasibility Study" July 15,
10 2021 BCID Feasibility Study completed by Rizzetta &
11 Company, dated July 15, 2021, (~~Revised On File,~~
12 ~~"Feasibility Study",~~ attached hereto and incorporated
13 herein by reference as Exhibit Thirteen to this
14 charter), and Exhibit 2 to Ordinance 2024 69 E, the
15 "Baymeadows Community Improvement District Proposed
16 Special Assessment Allocation Report", attached
17 hereto and incorporated herein by reference as Exhibit
18 Ten to this charter. ~~which shall be incorporated into~~
19 ~~the BCID Charter as Exhibit 10.~~ The three above-named
20 documents ~~studies~~ can serve as guides ~~to begin the~~
21 ~~process~~ for implementation of the Plan. The initial
22 priorities have been identified to be:

- 23 (a) improvement of Cypress Green Drive (Segment J;
24 Engineering Study);τ
- 25 (b) the drainage connection described within
26 Engineering Study as "Village Green I" of 300ft
27 depicted on Figure 2.2c of Engineering Study
28 from Lake 13 to Pottsburg Creek;τ
- 29 (c) the inspection of the drainage piping, system
30 wide;τ and
- 31 (d) the resurfacing and improvements of Baymeadows

1 Circle West from Linkside through Putters Cove
2 (Segment D; Engineering Study).

3 (ii) Pursuant to ~~Section~~section 189.016, ~~Florida Statutes~~
4 Florida Statutes, within 30 days of its creation the
5 BCID will notify the State of Florida Special District
6 Accountability Program of its existence and will file
7 all required documentation and information with the
8 program including but not limited to:

9 (a) the BCID creation document;~~;~~

10 (b) a written status statement;~~;~~

11 (c) a map of the boundaries of the BCID, and the
12 name, address, phone, fax, and e-mail address
13 for the BCID's registered agent;~~;~~

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

16 (iii) The BCID shall be responsible for payment of any fees
17 and the completion of all financial reporting
18 required by law.

19 (a) The BCID shall be initially funded by any
20 remaining fund balance within the Baymeadows
21 Community Council ("BCC") operating fund.

22 (b) The BCC will be dissolved and all assets will be
23 transferred to the BCID, upon its approval and
24 creation.

25 (iv) The BCID shall be required to keep and maintain an
26 official website that meets all legal obligations for
27 access and minimum content as set forth under Florida
28 law.

29 **Section See. 3. Geographic Boundary** ~~---~~ Pursuant to
30 ~~Section~~section 189.02 (4) (b), ~~Florida Statutes~~ Florida Statutes, the
31 BCID, is hereby created based on the following designations.

1 (A) The boundaries of the BCID are areas that include those
2 parcels of property identified by address and graphically depicted
3 in the "District Boundary Map", ~~Exhibit 1~~ attached hereto and
4 incorporated herein by reference as Exhibit One to this charter.

5 (B) The boundaries of the BCID are areas that include those
6 parcels as described by the definitions herein:

7 (i) The Boundary of the District as described in the
8 "LEGAL DESCRIPTION (DISTRICT OVER ALL)", ~~Exhibit 4~~
9 attached hereto and incorporated herein by reference
10 as Exhibit Four to this charter;

11 (ii) The Boundary of the Group 1 as described in the "LEGAL
12 DESCRIPTION (DISTRICT GROUP 1)", ~~Exhibit 5~~ attached
13 hereto and incorporated herein by reference as Exhibit
14 Five to this charter;

15 (iii) The Boundary of the Group 2 as described in the
16 "LEGAL DESCRIPTION (DISTRICT GROUP 2)", ~~Exhibit 6~~
17 attached hereto and incorporated herein by reference
18 as Exhibit Six to this charter;

19 (iv) The Boundary of the Group 3 as described in the "LEGAL
20 DESCRIPTION (DISTRICT GROUP 3)", ~~Exhibit 7~~ attached
21 hereto and incorporated herein by reference as Exhibit
22 Seven to this charter; and

23 (v) The Boundary of the Group 4 as described in the
24 "LEGAL DESCRIPTION (DISTRICT GROUP 4)", ~~Exhibit 8~~
25 attached hereto and incorporated herein by reference
26 as Exhibit Eight to this charter.

27 (C) The property addresses of each parcel included within the
28 BCID are listed in the "BCID Membership", ~~Revised On File~~ attached
29 hereto and incorporated herein by reference as Exhibit Twelve to this
30 charter. Parcels that are (i) vacant, (ii) owned by Homeowners,
31 Condominium Owners, or Property Owners Association ("HOA", "COA", or

1 "POA"); or (iii) parcels with a structure with less than one (1)
2 square foot of heated space may be in the District but will not be
3 assessed until developed with heated square footage greater than one
4 (1) square foot.

5 (D) Property that is within the existing boundary that is
6 further developed, subdivided, or platted shall be included in
7 membership and assigned its respective assessment category by the
8 Board of Supervisors within thirty (30) days of assignment of an
9 individual Real Estate Parcel number by the City of Jacksonville.

10 (i) Property owners must disclose to the purchaser of any
11 parcel, including any parcel subdivided, separated
12 or re-platted land, in writing that the property is
13 a part of the BCID and may be subject to annual
14 special assessments.

15 (ii) The Board of Supervisors shall be responsible for
16 obtaining new parcel information for the assessment
17 process and shall obtain the most accurate
18 information available in order to timely submit the
19 assessments to the Tax Collector's office if
20 utilizing the uniform method of collection with the
21 property tax bills.

22 (E) Properties shall be assigned within the group seats as
23 follows:

24 (i) Group 1 - Los Prados, Village Green I, Village Green
25 II, Village Green III, Putters Cove, and Baypointe -
26 North;—

27 (ii) Group 2 - Los Lagos, Linkside, Meadow Walk, D.R.
28 Horton Parcel Hole #09 Undeveloped (Future Terrace
29 Pines), D.R. Horton Parcel Hole #18 Undeveloped
30 (Future Mallard Creek);—

31 (iii) Group 3 - Lakeside (8118 Baymeadows Circle East),

1 Los Casas, Bay Point South, The Avenues Apartments
2 (7915 Baymeadows Circle East), The Avenues Del Mar
3 Owners Association (8000 Baymeadows Circle East),
4 Baymeadows Place Office Park (9471 Baymeadows Rd);
5 and-

6 (iv) Group 4 - The Lofts Apartments (8050 Cypress Green
7 Drive), Cypress Green Properties (9050, 9066, 9076,
8 9086, 9104, 9116, 9124, 9132, 9141, 9210,
9 9218, 9220, 9000, 9250 Cypress Green Drive), Cypress
10 Point Executive Center (8130 Baymeadows Circle West),
11 Bahri Building Owner Association (8131 Baymeadows
12 Circle West), Bank of America (9225 Baymeadows Rd),
13 Sagamore Baymeadows LLC (7981 Baymeadows Road),
14 Baymeadows Park Owners Association (7981 Baymeadows
15 Rd), D.R. Horton Future Parcel Hole #11 Undeveloped
16 on Golfside, and Baymeadows Park Drive (formerly
17 known as Golfside Drive) Properties (9080, 9088,
18 9220, 9000 Baymeadows Park Drive), Saffire Management
19 LLC Owners Association (9140 Baymeadows Park Drive),
20 Starkey Edward Undeveloped (Re:148521 0020).

21 (G) Each year, the Board of Supervisors will have the
22 responsibility of assigning new parcels, created within the BCID,
23 with a group seat affiliation based upon the Group Boundaries as
24 depicted defined in the "District Groups" - Exhibit 3, attached hereto
25 and incorporated herein by reference as Exhibit Three to this charter.

26 **Section Sec. 4. Authority** - In accordance with
27 Sectionsection 189.02(4)(c), *Florida Statutes*, the City of
28 Jacksonville, a consolidated municipal corporation and political
29 subdivision existing under the laws of the State of Florida, has the
30 authority, pursuant to Sectionsection 189.02, ~~Florida Statutes~~
31 Florida Statutes, to create special districts. Accordingly, the City

1 uses this authority to create the BCID and through this charter
2 authorizes the BCID to operate as a Dependent Special District.

3 Section See. 5. Best Alternative -- In accordance with
4 ~~Section~~ 189.02(4)(d), ~~Florida Statutes~~ Florida Statutes, the
5 creation of the BCID provides the best alternative for private/shared
6 infrastructure improvements; the BCID will allow the locally impacted
7 community receiving the benefit from the improvements to directly
8 fund the costs involved.

9 Section See. 6. Board of Supervisors, Qualifications,
10 Organization, Appointment and Terms, Compensation - Governing Body:
11 ~~Organization, Leadership, Compensation, Elections~~. Pursuant to
12 ~~Section~~ 189.02(4)(e), Florida Statutes, the organization and,
13 operation, ~~and~~ duties of the BCID's governing body are set forth
14 herein.

15 (A) Board of Supervisors Qualifications. ~~Organization~~ -- The
16 governing body of the BCID shall consist of a Board of seven
17 ~~(7)~~ Supervisors to include representation by "Area Group" and "At-
18 Large".

19 (i) Qualifications - To serve as a Supervisor, a person
20 must either: ~~Candidates for Supervisor must be~~
21 ~~qualified electors in the State of Florida and either~~

22 (a) personally own property within the BCID, or

23 ~~(b)~~ in the event of a commercial property located in
24 the BCID, be the property owner or their
25 designated representative. "Commercial

26 Property" as used herein means all
27 nonresidential property located within the BCID;

28 (b) Each "Area Group" Supervisor must have primary
29 residence in the designated Area Group as
30 depicted in "District Groups", attached hereto
31 and incorporated herein by reference as Exhibit

1 Three to this charter. As to each "Area Group"
2 Supervisor serving as a designated
3 representative of a commercial entity, the
4 commercial entity must be located within the
5 designated Area Group;

6 (c) The "At-Large" Supervisor must have primary
7 residence in the BCID, and cannot be a
8 commercial entity nor representative of a
9 commercial entity;

10 (d) Supervisors may only represent one seat at a
11 time; and

12 (e) Supervisors may not reside with any other
13 Supervisor or represent the same commercial
14 entity as another Supervisor.

15 (ii) Loss of Qualification - If during the term on the
16 Board a Supervisor becomes no longer qualified to
17 hold the seat on the Board, the Supervisor shall
18 vacate the seat within thirty (30) days of the event
19 that caused the Supervisor to no longer qualify for
20 the seat. ~~Qualifying Candidates shall qualify for~~
21 the Board of Supervisors pursuant to the requirements
22 of section 99.061, Florida Statutes or under any other
23 law or rule for qualifying as a candidate.

24 (B) ~~Organization. Leadership~~ At least one (1) Supervisor shall
25 be a Commercial Property owner or their designated representative.
26 Each "Area Group" Supervisor shall represent their specific
27 designated Area Group as depicted in "District Groups", attached
28 hereto and incorporated herein by reference as Exhibit Three to this
29 charter. An "At-large" Supervisor represents the entire BCID.
30 Annually, the Board of Supervisors shall elect a Board Chair, Vice-
31 Chair, Secretary, and Treasurer. ~~The seven Supervisors shall be~~

1 ~~elect~~ based on four "Area Group" seats for which residency in the
2 Area is based as depicted within the enumerated areas in **Exhibit 3**,
3 attached hereto and incorporated herein by reference, and three "At-
4 Large" seats which shall represent the entire BCID and shall be
5 elected by all residents. Each of the four "Area Group" Supervisors
6 (Seats 1, 2, 3, and 4) shall serve for a term of two years. Each of
7 the three "At-Large" Supervisors (Seats 5, 6 and 7) shall serve for
8 terms of four years. Only members of the designated Area Group may
9 vote for candidates for Area Group seats, however, all members are
10 entitled to vote for At Large candidates.

11 (i) Initial Board Leadership - The initial Board of
12 Supervisors shall be appointed by the City Council of
13 the City of Jacksonville and consist of the seven (7)
14 Supervisors identified in "(Initial) Board of
15 Supervisors—EXHIBIT—9", attached hereto and
16 incorporated herein by reference as Exhibit Nine to
17 this charter, based on four "Area Group" seats and
18 three "At-Large" seats. The terms for the Initial
19 Board shall expire on June 30, 2030. The Initial Board
20 of Supervisors are hereby appointed by the City
21 Council as described in **Revised Exhibit 9** labeled as
22 "Revised Exhibit 9, Rev Board, February 8, 2022 —
23 Floor" attached hereto and incorporated herein by
24 reference. The initial election for the Board of
25 Supervisors shall be held during the next available
26 regular or special election following the City
27 Council's approval of the initial BCID budget as
28 authorized by the Supervisor of Elections.

29 ~~(a)~~ Any Supervisor, appointed under this paragraph
30 ~~(i)~~ above that is not able to accept the
31 appointment, shall provide written formal notice

1 thereof to the Board of Supervisors and the vacant
2 seat shall be filled by a ~~majority~~ vote of the
3 remaining ~~active~~ Board members consistent with
4 subsection (iii) below.

5 (ii) Subsequent ~~Boards~~Leadership - After the expiration of
6 the term of the Initial Board, the Board of
7 Supervisors shall consist of five (5) Supervisors:
8 one Supervisor for each of the four "Area Groups"
9 (Seats 1, 2, 3 and 4) and one "At-Large" Supervisor
10 (Seat 5), each appointed by the District Council
11 Member and confirmed by City Council. ~~At the initial~~
12 ~~election, the qualified electors of the BCID shall~~
13 ~~elect both the four "Area Group" Supervisors (Seats~~
14 ~~1, 2, 3, and 4) and the three "At Large" Supervisors~~
15 ~~(Seats 5, 6 and 7).~~

16 ~~(a) Any supervisor elected following the initial~~
17 ~~appointed leadership shall take office the~~
18 ~~sooner of January 1 or July 1 immediately~~
19 ~~following the certification of the applicable~~
20 ~~election.~~

21 (iii) Vacancies - If, during a term of office, a vacancy
22 occurs, the remaining members of the Board by a 2/3
23 vote shall nominate a person to fill the vacancy.~~7~~
24 ~~by an appointment through a 2/3rd or 66.67~~
25 ~~percent vote~~ The name of the Nominee shall be
26 communicated in writing to the District Council
27 Member. The Nominee shall serve in the seat as a
28 Nominee-Supervisor,~~7~~ for the remainder of the
29 unexpired term or until the seat is filled through
30 appointment by the District Council Member and
31 confirmation by City Council. ~~the next occurring~~

1 ~~election is held to fill the term.~~

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

5 ~~(iv) *Subsequent Elections* — Subsequent elections shall be~~
6 ~~held on the second Tuesday in November every 2 years~~
7 ~~to fill seats of expiring terms.~~

8 ~~(a) *Non Partisan* — All Supervisors shall be elected~~
9 ~~on a nonpartisan basis by the qualified electors~~
10 ~~of the BCID and shall hold office until their~~
11 ~~successors are elected and the election is~~
12 ~~certified.~~

13 ~~(v) Any Supervisor may be removed from office by the City~~
14 ~~Council for misfeasance, malfeasance, or willful~~
15 ~~neglect of duty.~~

16 ~~(vi) No Supervisor shall receive compensation for his or~~
17 ~~her service.~~

18 ~~(vii) Supervisors may only represent one seat at a time.~~
19 ~~Supervisors may not reside with any other Supervisor~~
20 ~~or represent the same commercial entity as another~~
21 ~~Supervisor.~~

22 ~~(viii) — Any Supervisor who has three unexcused absences~~
23 ~~for regular, consecutive noticed meetings may be~~
24 ~~deemed as having vacated their seat with the~~
25 ~~affirmative vote of 2/3 vote or 66.67 percent of the~~
26 ~~remaining Supervisors.~~

27 ~~(ix) In the event that a Supervisor is elected as a~~
28 ~~designated group representative and said Supervisor~~
29 ~~sells their only property, whether residential or~~
30 ~~commercial, qualifying them as an elector of the BCID~~
31 ~~and representative of a particular group or an at large~~

1 ~~group, the Supervisor shall vacate the seat within~~
2 ~~thirty (30) days of the completion of the real estate~~
3 ~~transaction.~~

4 ~~(x) Annually, the Board of Supervisors shall elect a Board~~
5 ~~Chair, Vice-Chair, Secretary, and Treasurer.~~

6 (C) Appointment and Terms. After the term of the Initial Board,
7 all Supervisors are subject to appointment and reappointment by the
8 District Council Member and confirmation by City Council. "Area Group"
9 Supervisors shall serve terms of two years and the "At-Large"
10 Supervisor shall serve terms of four years. Terms end on June 30.
11 There are no term limits on Supervisors serving on the Board.

12 (i) Any supervisor appointed to a seat shall take office
13 immediately and shall hold office until their
14 successor is appointed.

15 (ii) Any Supervisor who has three unexcused absences for
16 regular, consecutive noticed meetings may be deemed
17 as having vacated their seat with the affirmative
18 vote of 2/3 vote of the remaining Supervisors.

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

22 ~~Elector Membership~~

23 ~~(i) Electors shall be determined based on a per parcel~~
24 ~~basis.~~

25 ~~(ii) Each parcel with more than 1 square foot of heated~~
26 ~~area shall be entitled to one (1) vote.~~

27 ~~i. Parcels owned by associations, parcels only~~
28 ~~dedicated to garages or carports, parcels that~~
29 ~~contain only roadways, undeveloped or under~~
30 ~~development parcels shall have no voting~~
31 ~~authority.~~

1 ~~(iii) In the event that a parcel is owned by more than one~~
2 ~~person/entity, only the first vote cast by a listed~~
3 ~~property owner for the parcel will count.~~

4 ~~(iv) Parcel numbers and owners of record shall be~~
5 ~~determined by the Duval County Property Appraiser's~~
6 ~~records.~~

7 ~~(v) To be eligible to vote, a parcel owner must be a~~
8 ~~registered Duval County voter.~~

9 ~~i. For commercial property owners, a registered~~
10 ~~Duval County voter may be selected as a delegate~~
11 ~~on behalf of the entity. The entity shall submit~~
12 ~~said notice of selection of a delegate, in~~
13 ~~writing signed by all officers/directors and~~
14 ~~notarized as to each and tendered to the BCID at~~
15 ~~least one (1) year in advance of the next~~
16 ~~election.~~

17 (D) Compensation. No Supervisor shall receive compensation for
18 his or her service.

19 **Section ~~See.~~ 7. Additional Requirements _**

20 (A) *Financial Disclosures: Fiscal Year and Budget.* The fiscal
21 year for the BCID shall be from July 1 to June 30. The BCID shall
22 annually submit a proposed district budget to the City Council of the
23 City of Jacksonville by April 1 for approval or rejection. The failure
24 of the City Council to take action on the budget within 70 days after
25 submission shall constitute approval of the budget, unless extended
26 by agreement of the City Council and the BCID. The BCID shall also
27 submit any amendments to its budget to the City Council for approval
28 or rejection, which amendments shall also be deemed approved if the
29 City Council fails to take action on them within 70 days after
30 submission. All submissions to the City Council shall be made to its
31 Director/Council Secretary with a copy to the Council Auditor.

1 (B) *Audit*. The BCID shall be audited annually pursuant to the
2 provisions of Section 218.39, ~~Florida Statutes~~ Florida Statutes, at
3 its expense by such persons and in such manner as the City Council,
4 and any relevant federal or state law, shall direct.

5 (C) *Noticing and Reporting Requirements*. The BCID shall comply
6 with the requirements of Florida's Government-in-the-Sunshine Law as
7 set forth in Chapter 286 of the ~~Florida Statutes~~ Florida Statutes
8 with regard to the noticing of its meetings, the conduct of its
9 officials, the reporting of its activities through the keeping of
10 minutes, and any other requirements of public bodies, and shall comply
11 with the requirements of Florida's Public Records Act as set forth
12 in Chapter 119 of the ~~Florida Statutes~~ Florida Statutes. The BCID
13 shall notice its meetings consistent with the requirements of Section
14 189.015 of the ~~Florida Statutes~~ Florida Statutes. The BCID shall
15 forward a copy of its meeting minutes to the Council President and
16 District Council Member on an annual basis.

17 **Section See. 8. Methods of Financing -**

18 Pursuant to Section~~Florida Statute~~ 189.02(4)(g), Florida
19 Statutes, the BCID shall have the ability to finance itself through
20 annual non-ad valorem special assessments upon each designated parcel
21 as permitted by the powers vested in the BCID Board of Supervisors
22 and authorized through this ordinance. BCID may collect these non-ad
23 valorem special assessments in any manner permitted under Florida law
24 including those set forth in ~~Florida Statutes~~ Chapters 170 and 197,
25 Florida Statutes.

26 Pursuant to Section 197.3632, Florida Statutes, the BCID may
27 enter into interlocal agreements or memoranda of understanding with
28 the Property Appraiser and Tax Collector should the BCID choose to
29 collect assessments with property taxes. The agreements will set
30 forth any procedural and financial obligations that are required
31 for use of the services of either the Tax Collector or the Property

1 Appraiser.

2 **Section ~~Sec.~~ 9. Comprehensive Plan ~~--~~** The formation of the
3 BCID and its purposes are consistent with the approved Comprehensive
4 Plan of the City of Jacksonville as required under ~~Section~~section
5 189.02(4)(h), ~~Florida Statutes~~ Florida Statutes.

6 **Section ~~Sec.~~ 10. Removal from Membership ~~--~~**

7 A property shall be removed from membership in the BCID, if the
8 following conditions are satisfied:

9 (A) ~~(a)~~ The access to the property is permanently modified such
10 that neither Baymeadows Circle East nor Baymeadows Circle
11 West are used by the property or its clientele, and

12 (B) ~~(b)~~ The property does not utilize the stormwater or drainage
13 system of the BCID.

14 **Section ~~Sec.~~ 11. Removal Procedure ~~-~~**

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

20 (A) ~~(a)~~ The property address;

21 (B) ~~(b)~~ The property parcel number;

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

24 (D) ~~(d)~~ A detailed description regarding how the property will
25 be permanently modified to remove access to Baymeadows
26 Circle West or Baymeadows Circle East, including
27 authorization from applicable City and other public safety
28 authorities (i.e. Jacksonville Sheriff's Office and
29 Jacksonville Fire and Rescue Department) which may be
30 impacted by the access removal/closure;

31 (E) ~~(e)~~ The anticipated date of closure; and

1 (F) ~~(f)~~ Written proof from the City or a certified engineer,
2 who has examined the private stormwater system, certifying
3 that the property does not utilize the BCID stormwater
4 system or any of its retention ponds.

5 Upon completion of the permanent modification to the roadway,
6 the property owner shall submit a written notice of completion to
7 the Board of Supervisors with documentation of the same. Upon receipt
8 of adequate proof that the permanent modification has been completed,
9 the property will be removed from membership in the BCID if, for at
10 least 45 days prior to January 1 of the applicable year, the property
11 modifications have been completed.

12 In the event access is re-opened, regardless of the cause or
13 reason, the BCID may assess the property at a pro-rated calculation
14 based on the time period during which access to the BCID assessed
15 roadways was utilized, as long as such time period does not exceed
16 180 days. If the duration of access exceeds 180 days, the BCID will
17 reevaluate the property, its use of the roadways and may assess the
18 property at the full rate. In the event that the use of the BCID
19 extends to 366 days or more, the property will be assessed the full
20 annual assessment rate for both calendar years and will be included
21 in the annual assessment as a member of the BCID and the property
22 owner would need to reapply for removal in accordance with this
23 section.

24 **Section Sec. 12.- Termination of the District** ~~--~~ The District
25 shall automatically terminate upon the filing of:

26 (A) a Master Homeowners/Property Owners Association, or
27 similar entity, that assumes the responsibilities of the District in
28 maintaining the District's entire shared roadway system, shared
29 stormwater system, and in supervising each individual association's
30 maintenance of reserves to assume any responsibilities related to the
31 same. The Master Association created shall provide proof of the

1 formation to the applicable council member and request formal
2 dissolution of the BCID. Upon the approval of the dissolution, the
3 BCID Board shall provide notice of the dissolution to the State.
4

5 **Section 3. Requesting One Cycle Emergency Passage Pursuant**
6 **to Council Rule 4.901 Emergency.** One cycle emergency passage of this
7 legislation is requested. The nature of the emergency is to remove
8 the provisions involving the Supervisor of Elections prior to the
9 qualification period in June.

10 **Section 4. Effective Date.** This ordinance shall become
11 effective upon signature by the Mayor or upon becoming effective
12 without the Mayor's signature.
13

14 Form Approved:

15
16 /s/ Shannon MacGillis _____

17 Office of General Counsel

18 Legislation Prepared By: Shannon MacGillis

19 GC-#1749292-v9A-BCID_ORD_Amendment_2d_Revised_Charter.docx