

1 Introduced by Council Member Becton:  
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4 **ORDINANCE 2021-838**

5 AN ORDINANCE REGARDING THE ESTABLISHMENT OF A  
6 DEPENDENT SPECIAL DISTRICT TO BE KNOWN AS THE  
7 "BAYMEADOWS COMMUNITY IMPROVEMENT DISTRICT"  
8 ("BCID"); INCORPORATING THE RECITALS; PROVIDING  
9 THAT THE DISTRICT SHALL BE A DEPENDENT SPECIAL  
10 DISTRICT ESTABLISHING THE CHARTER FOR THE  
11 "BAYMEADOWS COMMUNITY IMPROVEMENT DISTRICT"  
12 ("BCID"), IN ACCORDANCE WITH SECTION 189.02,  
13 *FLORIDA STATUTES*; ESTABLISHING THE BCID'S  
14 PURPOSE, POWERS, FUNCTIONS AND DUTIES;  
15 ESTABLISHING THE BCID'S GEOGRAPHIC BOUNDARIES;  
16 RECOGNIZING THE AUTHORITY TO CREATE SPECIAL  
17 DISTRICTS AND AUTHORIZING THE CREATION OF THE  
18 BCID; RECOGNIZING CREATION OF THE BCID SPECIAL  
19 DISTRICT AS THE BEST ALTERNATIVE; ESTABLISHING  
20 A GOVERNING BODY, IDENTIFYING THE LEADERSHIP AND  
21 ELECTION PROCESS; IDENTIFYING ADDITIONAL  
22 REQUIREMENTS REGARDING FINANCIAL DISCLOSURE  
23 OBLIGATIONS, AUDIT OBLIGATIONS, NOTICE AND  
24 REPORTING OBLIGATIONS; PROVIDING AVAILABLE  
25 FINANCING METHODS; RECOGNIZING THAT THE CREATION  
26 OF THE BCID SPECIAL DISTRICT IS CONSISTENT WITH  
27 THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE  
28 DATE.

29  
30 **WHEREAS**, Section 189.02, *Florida Statutes*, provides that the  
31 City Council may create dependent special districts for the purpose

1 of delivering essential services to specific areas within the City;  
2 and

3 **WHEREAS**, the attributes of special districts include the fact  
4 that (i) they operate to provide specific, essential public services  
5 that address community needs by focusing costs only on those  
6 benefitting from their services without overburdening other taxpayers  
7 and governments; and (ii) the governing members have the expertise  
8 to focus on specific community needs and issues that the special  
9 district was created to address; and

10 **WHEREAS**, special districts also have the ability to manage, own,  
11 operate, construct, and finance basic capital infrastructure,  
12 facilities, and services, which provides assurance to property owners  
13 and the applicable community that infrastructure maintenance and  
14 improvements along with other services will continue, helping to  
15 protect property values and quality of life; and

16 **WHEREAS**, special districts help protect property values, improve  
17 quality of life, prevent crime and reduce neighborhood decline due  
18 to age by assuring that private roads, stormwater, drainage, and  
19 common properties, as well as other essential facilities and services,  
20 are functioning properly and are maintained. Additionally,  
21 establishing a dependent special district will ensure accountability  
22 of public resources, since special districts and their governing  
23 boards are held to the same high standards as municipalities and  
24 counties; and

25 **WHEREAS**, over the past twenty years, the Baymeadows Golf Course  
26 Community (Community), a once distinctive golf-oriented neighborhood,  
27 lost its golf course, has seen its private stormwater and roadway  
28 network infrastructure suffer from lack of maintenance and has seen  
29 numerous parcels become fractured with new commercial infill as others  
30 have been targeted for additional single family and multifamily  
31 housing development; and

1           **WHEREAS**, the Community's existing private stormwater ponds are  
2 heavily silted, inadequately maintained and likely undersized based  
3 upon today's standards and pose a potentially hazardous condition due  
4 to soils saturated from decades of fertilization and chemical  
5 treatments from golf course maintenance; and

6           **WHEREAS**, the private roads in the Community are currently owned  
7 by multiple, separate, and distinct private and community  
8 associations making the efficiency and economy of scale difficult for  
9 these groups to coordinate meaningful maintenance efforts for the  
10 whole Community, which has resulted in many of these roads being left  
11 in a state of deterioration; and

12           **WHEREAS**, outdated planning designs, including a lack of  
13 sidewalks, bike lanes and community parks, has resulted in safety  
14 concerns for the neighborhood; and

15           **WHEREAS**, utilizing the Southeast Vision Plan approved by the  
16 City in 2010, the FLAGG Studio documents facilitating the planning  
17 effort, and numerous community working group sessions, a Community  
18 Development Plan, known as the Baymeadows Community Plan (BCP), was  
19 established and adopted by the City Council through Ordinance 2012-  
20 192-E in April 2012, setting priorities for development in  
21 anticipation of establishing a dependent special district; and

22           **WHEREAS**, the Community is an ideal candidate for management  
23 under a special district based on the unique nature of the Community  
24 where all the neighborhoods and commercial properties in the community  
25 have mutual interest and use of Baymeadows Circle East or West and  
26 all are managed separately without any one single entity having  
27 authority or responsibility for the main thoroughfares; and

28           **WHEREAS**, each neighborhood's and each commercial property  
29 owner's mutual access to their properties through Baymeadows Circle  
30 inextricably intertwines the communities with a common goal for  
31 maintenance and safety of their overall infrastructure; and

1           **WHEREAS**, a dependent special district financed by the property  
2 owners in the Community is an appropriate, efficient and effective  
3 vehicle to ensure that the BCP including the needed improvements to  
4 infrastructure can be implemented and further deterioration can be  
5 prevented; and,

6           **WHEREAS**, the establishment of the BCID will provide the  
7 Community with the authority to facilitate the maintenance and  
8 improvements of the community infrastructure and implementation of  
9 the BCP, and

10           **WHEREAS**, establishment of the BCID is the best alternative for  
11 delivering community development services and facilities to the  
12 proposed Community without imposing an additional burden on the  
13 general population of the local general-purpose government; and

14           **WHEREAS**, the establishment of the BCID allows for a more  
15 efficient use of resources since many of the existing associations  
16 will be relieved of the responsibility for maintenance of private  
17 roads, common property, stormwater, and drainage infrastructure, thus  
18 ideally resulting in lower association dues based on the duplicity  
19 of services which would no longer be required and the increased  
20 participation based on the needs of the Community; and

21           **WHEREAS**, the establishment of the BCID will provide the  
22 Community with an entity authorized to establish a perpetual source  
23 of funding for the entity which will be empowered to make reasonable  
24 provisions for the implementation of the BCP and for the maintenance  
25 and operation of BCID services and facilities; and

26           **WHEREAS**, the establishment of the special district serves to  
27 create an entity for management and does not mandate assessments but  
28 further protects the citizens by establishing maximum assessments in  
29 the event the governing body determines that non-ad valorem special  
30 assessments are necessary and appropriate, and

31           **WHEREAS**, the City Council finds that the creation of the BCID

1 is the best alternative to ensure that the private roads, common  
2 property, stormwater, and drainage infrastructure are properly  
3 maintained because the creation of such a district provides a legally  
4 enforceable mechanism to collect monies from all property owners that  
5 benefit from those public services and it ensures that the monies,  
6 when collected, are spent by a governmental entity that is accountable  
7 to the people that it serves; now therefore

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

9 **Section 1. Incorporation of Recitals.** The foregoing  
10 "WHEREAS" clauses are hereby ratified and confirmed as being true and  
11 correct and are hereby made a specific part of this Ordinance upon  
12 adoption hereof.

13 **Section 2. Establishment of Charter for Baymeadows**  
14 **Community Improvement District, a dependent special district.**  
15 In accordance with Section 189.02, *Florida Statutes*, the Charter of  
16 the Baymeadows Community Improvement District ("BCID"), a dependent  
17 special district, is hereby established to read as follows:

18 **CHARTER OF THE BAYMEADOWS COMMUNITY IMPROVEMENT DISTRICT,**  
19 **A DEPENDENT SPECIAL DISTRICT**

20 **Sec. 1. Dependent Special District** - There is hereby created  
21 a Dependent Special District which will serve the community based on  
22 the boundaries set forth herein and shall be named the Baymeadows  
23 Community Improvement District ("BCID"). The BCID shall be dependent  
24 on the county for purposes of establishing its budget but is otherwise  
25 amenable to separate special district government.

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

28 (A) *Purpose* - The purpose of the BCID shall be the  
29 implementation of the Baymeadows Community Plan ("Plan")  
30 and the planning and coordination of the long-term  
31 maintenance of neighborhood publicly used infrastructure,

1 including private roads, stormwater (not including  
2 bulkheads on private property), drainage, and common  
3 properties (including landscaping).

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

5 (i) To sue and be sued;

6 (ii) To contract;

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

11 (a) Where the purchase of any real property,  
12 including roadways, equals or exceed one hundred  
13 dollars (\$100.00) an eighty percent (80%)  
14 affirmative vote of the membership is required  
15 to proceed with the transaction.

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

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

26 (vi) To borrow money for the purposes of enabling the  
27 District to perform public functions or services as  
28 herein provided;

29 (vii) To assess and collect for each year of its operation  
30 against each residential and commercial parcel in the  
31 BCID, a special assessment, should it be deemed

1 necessary and appropriate by the Board of  
2 Supervisors, based upon the category assigned to each  
3 parcel attached hereto as **On File**, attached hereto  
4 and incorporated herein by reference.

5 (a) No special assessment shall exceed the maximum  
6 for the specified category as shown in **Exhibit**  
7 **2**, attached hereto and incorporated herein by  
8 reference, when the parcel is subject to an  
9 annual increase.

10 (b) Annually, each individual assessment may be  
11 adjusted by up to three (3) percent or the  
12 percent change in the Consumer Price Index (CPI)  
13 whichever is less.

14 (c) Rates, included any increase as set forth above,  
15 shall require a 2/3rd vote or 66.67 percent of  
16 the Board.

17 (d) Assessments approved under this charter are to  
18 be billed and collected pursuant to Chapter 197,  
19 Florida Statutes, or any other means authorized  
20 by law, and to be a lien on the assessed  
21 property, coequal with the lien of all state,  
22 county, district and municipal taxes, and  
23 superior in dignity to all other liens, titles,  
24 and claims, until paid in full;

25 (viii) To assess any new parcels (by sale, lot-split or  
26 subdivision), if deemed necessary or appropriate by  
27 the Board of Supervisors, that come into existence  
28 within the geographic boundaries, as defined in  
29 **Exhibit 1**, attached hereto and incorporated herein by  
30 reference. The assessment for the new parcel shall be  
31 assigned an assessment category by the Board based on

1 the use and sub-category of use as described in  
2 **Exhibit 2**, attached hereto and incorporated herein by  
3 reference;

4 (ix) To fix and collect rates, fees, and other charges for  
5 the specialized public functions or services  
6 authorized by this Charter;

7 (x) To restrain, enjoin, or otherwise prevent the  
8 violation of this Charter or any resolution or rule  
9 adopted pursuant to the powers granted by this  
10 Charter;

11 (xi) To join with any other district, municipality, county  
12 or political subdivision, public agency or authority  
13 in the exercise of common powers;

14 (xii) To enter into contracts with the government of the  
15 United States or any agency or instrumentality  
16 thereof, or with any state, county, municipality,  
17 district, authority, or political subdivision,  
18 private corporation, partnership, association, or  
19 individual to affect the purpose of this Charter, and  
20 to receive and accept, from any federal agency, grants  
21 or loans for or in aid of the specialized public  
22 functions or services authorized herein.

23 (xiii) To hold, control, and acquire by donation, purchase,  
24 or condemnation, or dispose of, any public easements,  
25 dedications to public use, platted reservations for  
26 public purposes, or any reservations for those  
27 purposes authorized by this act and to make use of  
28 such easements, dedications, or reservations for the  
29 purposes authorized by this act.

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



1 the following:

2 (i) Roadways

3 (a) BCID will maintain the following Roadways:

- 4 1. Baymeadows Circle East
- 5 2. Baymeadows Circle West
- 6 3. Meadow Walk Lane
- 7 4. Legacy Trail
- 8 5. Baylin Ct.
- 9 6. Star Drive
- 10 7. Echo Springs Rd
- 11 8. Mira Loma Drive
- 12 9. Cypress Green Drive
- 13 10. Baymeadows Park Drive (formerly Golfside
- 14 Drive)

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

- 22 1. Upon any acceptance by the BCID of  
23 additional roadways, the current property  
24 owner shall be required, either to bring  
25 the current roadway up to approved BCID  
26 standards or pay a pro-rata share of the  
27 then current dollar value of the defined  
28 improvement minus any remaining useful-  
29 life, (as defined by an BCID approved  
30 industry professional at the expense of the  
31 property owner of that roadway). This

1                   agreed upon contribution would be payable  
2                   into the BCID Reserves and upon that  
3                   payment, the BCID shall accept the roadway  
4                   for future maintenance and improvement  
5                   responsibility.

6                   2. Accepted roadways shall not include any  
7                   along-side or off-street parking spaces,  
8                   lots or areas which will be the  
9                   responsibility of the property owner, not  
10                  the BCID.

11                  3. The BCID may accept donated privately owned  
12                  roadways.

13                  (ii) Common properties:

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

17                   (b) Park property referred to within Parcel #9,  
18                   located South of Meadow Walk on Baymeadows  
19                   Circle West, previously referred to as the  
20                   Island Green, to be donated by D.R. Horton  
21                   Company.

22                   (c) Park Property in Meadow Walk, 8411 Meadow Walk  
23                   Lane.

24                   (d) Baymeadows Circle West Entrance greenspace (from  
25                   Baymeadows Road to Baymeadows Park Drive  
26                   (formerly Golfside Drive)

27                  (iii) Stormwater System

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

1 reference.

2 (iv) Other infrastructure components as approved by the  
3 Board of Supervisors. Recognizing that there are  
4 common elements that are beneficial to all members of  
5 the BCID but may not be included in the items listed  
6 above, the Board of Supervisors may approve  
7 assumption of duties for maintenance or improvement  
8 of other common elements as deemed necessary or  
9 appropriate.

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

13 (i) create, submit and have approved by City Council, its  
14 initial annual budget, establishing and identifying  
15 priorities for completion in the first two years or as  
16 soon as practical and possible at the BCID Expense.

17 In establishing the priority list, the Board of  
18 Supervisors will be provided with a copy of the July  
19 30, 2021 Engineering Study completed by Dewberry  
20 Engineers Inc. (**On File**; "Engineering Study", attached  
21 hereto and incorporated herein by reference), and the  
22 July 15, 2021 BCID Feasibility Study completed by  
23 Rizzetta & Company (**On File**, "Feasibility Study",  
24 attached hereto and incorporated herein by reference).  
25 The two studies can serve as guides to begin the  
26 process for implementation of the Plan. The initial  
27 priorities have been identified to be:

28 (a) improvement of Cypress Green Drive  
29 (Segment J; Engineering Study),

30 (b) the drainage connection described within  
31 Engineering Study as "Village Green I" of

1 300ft depicted on Figure 2.2c of  
2 Engineering Study from Lake 13 to Pottsburg  
3 Creek,

4 (c) the inspection of the drainage piping,  
5 system wide and

6 (d) the resurfacing and improvements of  
7 Baymeadows Circle West from Linkside thru  
8 Putters Cove (Segment D; Engineering  
9 Study).

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

16 (a) the BCID creation document,

17 (b) a written status statement,

18 (c) a map of the boundaries of the BCID, and

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

21 (iii) The BCID shall be responsible for payment of any fees  
22 and the completion of all financial reporting  
23 required by law.

24 (a) The BCID shall be initially funded by any  
25 remaining fund balance within the  
26 Baymeadows Community Council ("BCC")  
27 operating fund.

28 (b) The BCC will be dissolved and all assets  
29 will be transferred to the BCID, upon its  
30 approval and creation.

31 (iv) The BCID shall be required to keep and maintain an

1 official website that meets all legal obligations for  
2 access and minimum content as set forth under Florida  
3 law.

4 **Sec. 2 Geographic Boundary.** Pursuant to section  
5 189.02(4)(b), Florida Statutes, the BCID, is hereby created based on  
6 the following designations.

7 (A) The boundaries of the BCID are areas that include those  
8 parcels of property identified by address and graphically depicted  
9 in **Exhibit 1** attached hereto and incorporated herein by reference.

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

12 (i) The Boundary of the Overall as described in **Exhibit**  
13 **4** attached hereto and incorporated herein by  
14 reference.

15 (ii) The Boundary of the Group 1 as described in **Exhibit**  
16 **5** attached hereto and incorporated herein by  
17 reference.

18 (iii) The Boundary of the Group 2 as described in **Exhibit**  
19 **6** attached hereto and incorporated herein by  
20 reference.

21 (iv) The Boundary of the Group 3 as described in **Exhibit**  
22 **7** attached hereto and incorporated herein by  
23 reference.

24 (v) The Boundary of the Group 4 as described in **Exhibit**  
25 **8** attached hereto and incorporated herein by  
26 reference.

27 (C) The property addresses of each parcel included within the  
28 BCID are listed on **On File** attached hereto and incorporated herein  
29 by reference. Parcels that are vacant, owned by an Home Owners or  
30 Condominium Owners Association ("HOA" or "COA"), or parcels with a  
31 structure with less than one (1) square foot of heated space may be

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

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

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

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

20 (E) Properties shall be assigned within the Group Seats as  
21 follows:

22 (i) Group 1 - Los Prados, Village Green I, Village Green  
23 II, Village Green III, Putters Cove, and Baypointe -  
24 North.

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

29 (iii) Group 3 - Lakeside (8118 Baymeadows Circle East), Los  
30 Casas, Bay Point South, The Avenues Apartments (7915  
31 Baymeadows Circle East), The Avenues Del Mar Owners

1 Association (8000 Baymeadows Circle East), Baymeadows  
2 Place Office Park (9471 Baymeadows Rd).

3 (iv) Group 4 - The Lofts Apartments (8050 Cypress Green  
4 Drive), Cypress Green Properties (9050, 9066, 9076,  
5 9086, 9104, 9116, 9124, 9132, 9141, 9210, 9218, 9220,  
6 9000, 9250 Cypress Green Drive), Cypress Point  
7 Executive Center (8130 Baymeadows Circle West), Bahri  
8 Building Owner Association (8131 Baymeadows Circle  
9 West), Bank of America (9225 Baymeadows Rd), Sagamore  
10 Baymeadows LLC (7981 Baymeadows Road), Baymeadows  
11 Park Owners Association (7981 Baymeadows Rd), D.R.  
12 Horton Future Parcel Hole #11 Undeveloped on  
13 Golfside, and Baymeadows Park Drive (formerly known  
14 as Golfside Drive) Properties (9080, 9088, 9220, 9000  
15 Baymeadows Park Drive), Saffire Management LLC Owners  
16 Association (9140 Baymeadows Park Drive), Starkey  
17 Edward Undeveloped (Re:148521 0020).

18 (G) Each year, the Board will have the responsibility of  
19 assigning new parcels, created within the BCID, with a Group Seat  
20 affiliation based upon the Group Boundaries as defined in **Exhibit 3**,  
21 attached hereto and incorporated herein by reference.

22 **Sec. 3 Authority** - In accordance with section 189.02(4)(c),  
23 the City of Jacksonville, a consolidated municipal corporation and  
24 political subdivision existing under the laws of the State of Florida,  
25 has the authority, pursuant to section 189.02, Florida Statutes to  
26 create special districts. Accordingly, the City uses this authority  
27 to create the BCID and through this charter authorizes the BCID to  
28 operate as a Dependent Special District.

29 **Sec. 4 Best Alternative** -- In accordance with section  
30 189.02(4)(b), Florida Statutes, the creation of the BCID provides the  
31 best alternative for private/shared infrastructure improvements; the

1 BCID will allow the locally impacted community receiving the benefit  
2 from the improvements to directly fund the costs involved.

3 **Sec. 5 Governing Body: Organization, Leadership,**  
4 **Compensation, Elections.** Pursuant to section 189.02(4)(e), the  
5 organization, operation, and duties of the BCID's governing body are  
6 set forth herein

7 (A) *Organization* - The governing body of the BCID shall consist  
8 of seven (7) Supervisors.

9 (i) *Qualifications* - Candidates for Supervisor must be  
10 qualified electors in the State of Florida and either

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

12 (b) in the event of a commercial property located in  
13 the BCID, be the property owner or their  
14 designated representative.

15 (ii) *Qualifying* - Candidates shall qualify for the Board  
16 of Supervisors pursuant to the requirements of  
17 section 99.061, *Florida Statutes* or under any other  
18 law or rule for qualifying as a candidate.

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

30 (i) *Initial Leadership* - The initial Board of Supervisors  
31 shall be appointed by the City Council of the City of



1 Jacksonville. All initial City Council appointed  
2 seats shall have an initial term that expires on  
3 December 31, 2025. The Initial Board of Supervisors  
4 are hereby appointed by the City Council as described  
5 in **Exhibit 9** attached hereto and incorporated herein  
6 by reference.

7 (a) Any Supervisor, appointed under paragraph

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

15 (ii) *Subsequent Leadership* - At the 2025 election, the  
16 qualified electors of the BCID shall elect both the  
17 four "Area Group" Supervisors (Seats 1, 2, 3, and 4)  
18 and the three "At-Large" Supervisors (Seats 5, 6 and  
19 7).

20 (iii) *Vacancies* - If, during a term of office, a vacancy  
21 occurs, the remaining members of the Board shall fill  
22 the vacancy, by an appointment through a 2/3rd or 67  
23 percent vote, for the remainder of the unexpired term  
24 or until the next occurring election is held to fill  
25 the term.

26 (iv) *Subsequent Elections* - Subsequent elections shall be  
27 held on the second Tuesday in November every 2 years  
28 to fill seats of expiring terms.

29 (a) *Non-Partisan* - All Supervisors shall be elected  
30 on a nonpartisan basis by the qualified electors  
31 of the BCID and shall hold office until their

1 successors are elected and the election is  
2 certified.

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

13 (a) The Ex Officio member shall be a non-voting  
14 member.

15 (vi) Any Supervisor may be removed from office by the City  
16 Council for misfeasance, malfeasance, or willful  
17 neglect of duty.

18 (vii) No Supervisor shall receive compensation for his or  
19 her service.

20 (viii) Supervisors may only represent one seat at a time.  
21 Supervisors may not reside with any other Supervisor  
22 or represent the same commercial entity as another  
23 Supervisor.

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

29 (x) In the event that a Supervisor is elected as a  
30 designated group representative and said Supervisor  
31 sells their only property, whether residential or

1 commercial, qualifying them as an elector of the BCID  
2 and representative of a particular group or an at  
3 large group, the Supervisor shall vacate the seat  
4 within thirty (30) days of the completion of the real  
5 estate transaction.

6 (xi) Annually, the Board of Supervisors shall elect a Board  
7 Chair, Vice-Chair, Secretary and Treasurer.

8 (C) *Elector Membership* -

9 (i) Electors shall be determined based on a per parcel  
10 basis.

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

13 i. Parcels owned by associations, parcels only  
14 dedicated to garages or carports; parcels that  
15 contain only roadways, undeveloped or under  
16 development parcels shall have no voting  
17 authority.

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

21 (iv) Parcel numbers and owners of record shall be  
22 determined by the Duval County Property Appraiser's  
23 records.

24 (v) To be eligible to vote, a parcel owner must be a voter  
25 registered with the Duval County Supervisor of  
26 Elections.

27 i. For commercial property owners, a Duval County  
28 registered voter may be selected as a delegate  
29 on behalf of the entity. The entity shall submit  
30 said notice of selection of a delegate, in  
31 writing signed by all officers/directors and

1                   notarized as to each and tendered to the BCID at  
2                   least one (1) year in advance of the next  
3                   election.

4       **Sec. 6.     Additional Requirements**

5       (A) *Financial Disclosures: Fiscal Year and Budget.* The fiscal  
6       year for the BCID shall be from July 1 to June 30. The BCID  
7       shall annually submit a proposed district budget to the  
8       City Council of the City of Jacksonville by April 1 for  
9       approval or rejection. The failure of the City Council to  
10      take action on the budget within 70 days after submission  
11      shall constitute approval of the budget, unless extended  
12      by agreement of the City Council and the BCID. The BCID  
13      shall also submit any amendments to its budget to the City  
14      Council for approval or rejection, which amendments shall  
15      also be deemed approved if the City Council fails to take  
16      action on them within 70 days after submission. All  
17      submissions to the City Council shall be made to its  
18      Director/Council Secretary with a copy to the Council  
19      Auditor.

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

25      (C) *Noticing and Reporting Requirements.* The BCID shall comply  
26      with the requirements of Florida's Government-in-the-  
27      Sunshine Law as set forth in Chapter 286 of the Florida  
28      Statutes with regard to the noticing of its meetings, the  
29      conduct of its officials, the reporting of its activities  
30      through the keeping of minutes, and any other requirements  
31      of public bodies, and shall comply with the requirements

1 of Florida's Public Records Act as set forth in Chapter  
2 119 of the Florida Statutes. The BCID shall notice its  
3 meetings consistent with the requirements of Section  
4 189.015 of the Florida Statutes. The BCID shall forward a  
5 copy of its meeting minutes to the Council President and  
6 District Council Member on an annual basis.

7 **Sec. 7. Methods of Financing**

8 Pursuant to Florida Statute 189.02(4)(g), the BCID shall have  
9 the ability to finance itself through annual non-ad valorem special  
10 assessments upon each designated parcel as permitted by the powers  
11 vested in the BCID Board of Supervisors and authorized through this  
12 ordinance. BCID may collect these non-ad valorem special assessments  
13 in any manner permitted under Florida law including those set forth  
14 in Florida Statutes Chapters 170 and 197.

15 Pursuant to 197.3632, the BCID may enter into interlocal  
16 agreements or memoranda of understanding with the Property Appraiser  
17 and Tax Collector should the BCID choose to collect assessments with  
18 property taxes. The agreements will set forth any procedural and  
19 financial obligations that are required for use of the services of  
20 either the Tax Collector or the Property Appraiser.

21 **Sec. 8. Comprehensive Plan.** The formation of the BCID and its  
22 purposes are consistent with the approved Comprehensive Plan of the  
23 City of Jacksonville as required under section 189.02(4)(h), Florida  
24 Statutes.

25 **Section 3. Effective Date.**

26 This ordinance shall become effective upon signature by the Mayor or  
27 upon becoming effective without the Mayor's signature.

1 Form Approved:

2

3 /s/ Trisha Bowles

4 Office of General Counsel

5 Legislation Prepared By: Paige H. Johnston

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