

1 Introduced by the Transportation, Energy & Utilities Committee:
2

3 **ORDINANCE 2019-599-E**

4 AN ORDINANCE AMENDING THE CYPRESS BLUFF
5 COMMUNITY DEVELOPMENT DISTRICT'S BOUNDARY,
6 PURSUANT TO SECTION 190.046, FLORIDA STATUTES,
7 AND CHAPTER 92, ORDINANCE CODE, TO ADD
8 APPROXIMATELY 24.19 ACRES TO THE CYPRESS BLUFF
9 COMMUNITY DEVELOPMENT DISTRICT; AMENDING
10 CHAPTER 92, SECTION 92.22 TO MEMORIALIZE THE
11 INCREASE IN ACREAGE; PROVIDING FOR
12 SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
13

14 **WHEREAS**, the Cypress Bluff Community Development District
15 ("District") was established by Ordinance 2018-335-
16 E and amended by Ordinance 2019-434-E to add special powers; and

17 **WHEREAS**, pursuant to Chapter 92, *Ordinance Code*, and Sec.
18 190.046, F.S., the Board of Supervisors of the District, has by
19 District Board Resolution 2019-07, petitioned the City of
20 Jacksonville to amend the District's boundaries to add approximately
21 24.19 acres to the District and has paid the required fee to defray
22 the City's cost of review and consideration related to the Petition
23 to Amend the Boundary of the Cypress Bluff Community Development
24 District (the "Petition"), a copy of which Petition together with
25 its attendant attachments is **On File** with Legislative Services; and

26 **WHEREAS**, as required by Sec. 92.07(b), *Ordinance Code*, the
27 Office of General Counsel prepared the Final Report of Counsel,
28 attached hereto as **Exhibit 1**, which memorializes that in the opinion
29 of Counsel the Petition is sufficient and complete to permit the
30 fair and informed consideration of the matter by the City Council,

1 and that all the statements contained in the Petition not intended
2 to be disposed of by the Planning and Development Department's
3 report and recommendation, were true and correct; and

4 **WHEREAS**, the Planning and Development Department has provided
5 its report and recommendation regarding the Petition to the
6 Transportation, Energy and Utilities Committee; and

7 **WHEREAS**, the Council has determined the Petition adequately
8 meets the requirements of Sec. 190.046, F.S. and is therefore
9 complete and sufficient to permit fair and informed review thereof;

10 **WHEREAS**, all notice requirements of Ch. 190, F.S., Sec. 92.11,
11 *Ordinance Code*, and other applicable law were complied with,
12 complete notice was timely given, and a public hearing held on the
13 date and time noticed and conducted thereafter in compliance with
14 F.S. Ch. 190, Sec. 92.11, *Ordinance Code*, and all applicable law;
15 and

16 **WHEREAS**, in making its fair and informed determination whether
17 to grant or deny the Petition, the Council has considered the
18 Petition in light of the record developed at the public hearing and
19 in relation to the requirements of Sec. 190.046, F.S.; and

20 **WHEREAS**, no action taken by the District shall be inconsistent
21 with applicable comprehensive plans, ordinances or regulations of
22 the City, and whereas all governmental planning, environmental, and
23 land development laws, regulations and ordinances apply to all
24 development of land within, or as otherwise may be undertaken by,
25 the District; and

26 **WHEREAS**, based upon the materials submitted by the District,
27 the Council finds there is good reason to grant the request as
28 petitioned therein;

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

30 **Section 1. Boundary.** In accordance with Sec. 190.046,
31 F.S., the City hereby grants the Petition to Amend the Boundary of

1 Cypress Bluff Community Development District (the "Petition") to add
2 approximately 24.19 acres to the Cypress Bluff Community Development
3 ("District") as set forth in the legal description incorporated in
4 the Petition **On File** with Legislative Services Division. **Exhibit 2**
5 contains the metes and bounds description of the District boundary,
6 as amended, as well as a general location map of the District, as
7 amended.

8 **Section 2. Amending Chapter 92 (Uniform Community**
9 **Development Districts), Section 92.22 (Existing Community**
10 **Development Districts), Ordinance Code.** Section 92.22, Ordinance
11 Code, is hereby amended to read as follows:

12 **Sec. 92.22. - Existing Community Development Districts.**

13 The following CDDs have been established in the City:

14 * * *

15 (16) *Cypress Bluff Community Development District.* The Cypress
16 Bluff Community Development District was established in
17 Ordinance 2018-335. The City granted consent to the
18 Cypress Bluff Community Development District in Ordinance
19 2019-434-E to exercise the following special powers to
20 plan, establish, acquire, construct or reconstruct,
21 enlarge or extend, equip, operate and maintain additional
22 systems and facilities for:

- 23 a. parks and facilities for indoor and outdoor
24 recreational, cultural and educational uses; and
25 b. security, including but not limited to, guardhouses,
26 fences and gates, electronic intrusion detection
27 systems, and patrol cars.

28 The boundary was amended to add 24.19 acres pursuant to
29 Ordinance 2019-599-E.

30 * * *

31 **Section 3. Severability.** The provisions of this

1 Ordinance are intended to be severable and if any provision is
2 declared invalid or unenforceable by a court of competent
3 jurisdiction, such provision shall be severed and the remainder
4 shall continue in full force and effect with the Ordinance being
5 deemed amended to the least degree legally permissible.

6 **Section 4. Effective Date.** This ordinance shall become
7 effective upon signature by the Mayor or upon becoming law without
8 the Mayor's signature.

9
10 Form Approved:

11
12 /s/ Susan C. Grandin

13 Office of General Counsel

14 Legislation Prepared By: Susan C. Grandin

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