

1 Introduced by Council Member Ferraro:  
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3

4 **ORDINANCE 2020-267**

5 AN ORDINANCE AMENDING ORDINANCE 2010-725-E, AS  
6 AMENDED BY ORDINANCE 2015-233-E, BY AMENDING  
7 THE BOUNDARY AND THE STATED PURPOSE OF THE  
8 DISTRICT; PROVIDING RETROACTIVE APPLICABILITY;  
9 PROVIDING THAT ALL OTHER ASPECTS OF ORDINANCE  
10 2010-725-E REMAIN UNCHANGED; PROVIDING AN  
11 EFFECTIVE DATE.  
12

13 **WHEREAS**, Ordinance 2010-725-E, as amended by Ordinance  
14 2015-233-E, created and empowered the Harbour Waterway Special  
15 District (the "District") in accordance with Section 189.02,  
16 Florida Statutes; and

17 **WHEREAS**, Section 1 of Ordinance 2010-725-E, establishes the  
18 boundaries of the District; and

19 **WHEREAS**, exercising authority granted to it in Section 4(C)  
20 of Ordinance 2010-725-E, the District has acquired lands outside  
21 of the current boundaries of the District, consisting of one  
22 parcel purchased from JaxPort and a second parcel purchased from  
23 the City of Jacksonville ("City"), for use as a dredge spoil  
24 disposal; and

25 **WHEREAS**, the District, has engaged in construction  
26 activities to improve and maintain the parcels purchased from  
27 the City and JaxPort to optimize its capacity and to otherwise  
28 make it suitable for deposit of dredge spoil materials, and will  
29 continue to maintain the lands surrounding the dredge spoil  
30 disposal site that were included in the conveyances from JaxPort  
31 and the City; and

1           **WHEREAS**, the District will also continue to perform those  
2 improvement and maintenance activities on the park owned by the  
3 City that is located adjacent to the parcels purchased from the  
4 City and JaxPort as directed by City Ordinance No. 19-2019-136,  
5 which authorized the sale of the parcel obtain by the District  
6 from the City for use as a dredge spoil disposal site; and

7           **WHEREAS**, maintenance and improvement of the upland and  
8 marsh areas included within the boundaries of the lands conveyed  
9 by JaxPort and the City to the District are and will in the  
10 future be a responsibility of the District; and

11           **WHEREAS**, Duval County Real Estate Parcel ("R.E.") Numbers  
12 160265-0000, 160265-0025, 160266-1040 and 160266-0900 constitute  
13 real property adjacent or contiguous with the Spoil Disposal  
14 Site and would benefit from the authorized activities of the  
15 District; and

16           **WHEREAS**, Duval County R.E. Parcel Numbers 160266-0000,  
17 160266-2026, 160266-2029, 160266-2027, 160266-2023, 160671-0080,  
18 160663-1220, 160663-0000, 160663-1210, and 160264-0000, are  
19 parcels in proximity to the existing District canal system and  
20 would benefit from the authorized activities of the District;  
21 and

22           **WHEREAS**, R.E. Parcel Numbers 160258-0002 and 160258-0000  
23 are the properties obtained by the District from JaxPort and the  
24 City, respectively and should be included within the boundaries  
25 of the District based on the District's ownership thereof and  
26 the proximity of the parcels to the District; now therefore

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

28           **Section 1. Amending the Charter for Harbour Waterway**  
29 **Special District, established in Ordinance 2010-725-E, as amended**  
30 **by Ordinance 2015-233-E.** The Charter for the Harbour Waterway  
31 Special District, established in Ordinance 2010-725-E, as amended

1 by Ordinance 2015-233-E, is hereby amended in part to read as  
2 follows:

3 CHARTER OF THE HARBOUR WATERWAY SPECIAL DISTRICT

4 Section 1. Boundaries. The Harbour Waterway Special  
5 District (hereinafter referred to as the "District") is hereby  
6 created. The boundaries of the District are as follows:

7 \* \* \*

8 And

9 Parts of Section 50, Township 1 South, Range 28 East, Duval County  
10 Florida, Recorded in Official Records Book 5654 Page 1473, Book  
11 5378 Page 1110, Book 7891 Page 1345, Book 10745 Page 63, of the  
12 current public records of Duval County, Florida.

13 And

14 R.E. Parcel Numbers 160258-0002, 160265-0025, 160266-1040,  
15 160266-0900, 160266-0000, 160266-2026, 160266-2029, 160266-  
16 2027, 160266-2023, 160671-0080, 160663-1220, 160663-1210,  
17 160663-0000, 160264-0000, 160259-0000 and 160258-0002.

18 Section 2. Purpose. The purpose of the District shall be  
19 the continuing maintenance of the system of canals located in The  
20 Harbour neighborhood, Harbour North neighborhood, Harbour Cay  
21 neighborhood, and Harbour Island neighborhood, construction and  
22 maintenance of a dredge disposal site, and maintenance and  
23 improvement of the upland and marsh areas surrounding the spoil  
24 disposal site together with access roads to the spoil disposal  
25 site.. The District shall fulfill its purpose by dredging the  
26 canals, dredging the channel that provides the canals with access  
27 to the St. Johns River, maintaining a jetty, and maintaining  
28 navigational aids and enhancing and restoring uplands and  
29 wetlands on the lands owned by the District. To facilitate  
30 dredging the canals, the District may also enforce standards for  
31 docks and other structures located in the canals, and activities in

1 the canals when dredging is ongoing.

2 \* \* \*

3 Section 4. Powers. The District is authorized and  
4 empowered:

5 \* \* \*

6 (G) To assess for each year of its operation against  
7 each residential lot, each non-residential parcel, and each parcel  
8 with a canal access easement in the District a special assessment  
9 not to exceed \$2,000, and each parcel used for a marina a special  
10 assessment not to exceed \$4,000, to be billed and collected as  
11 provided by state and local law, and to be a lien on the assessed  
12 property, coequal with the lien of all state, county, district and  
13 municipal taxes, and superior in dignity to all other liens,  
14 titles, and claims, until paid in full;

15 \* \* \*

16 **Section 2. Retroactive applicability.** This ordinance  
17 shall be retroactive in application so that the amendment adopted  
18 herein shall be effective as if it were contained in the original  
19 enabling Ordinance 2010-725-E.

20 **Section 3. All other aspects of Ordinance 2010-725-E**  
21 **unchanged.** With the exception of Section 1 of this ordinance, in  
22 all other respects Ordinance 2010-725-E shall remain unchanged and  
23 in full force and effect.

24 **Section 4. Effective Date.** This ordinance shall become  
25 effective upon signature by the Mayor or upon becoming effective  
26 without the Mayor's signature.

27 Form Approved:

28 /s/ Paige H. Johnston

29 Office of General Counsel

30 Legislation Prepared By: Paige H. Johnston

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