

1 Introduced and amended by the Transportation, Energy and Utilities
2 Committee:

3
4
5 **ORDINANCE 2018-660-E**

6 AN ORDINANCE ESTABLISHING ALTA LAKES COMMUNITY
7 DEVELOPMENT DISTRICT ("ALTA LAKES CDD"),
8 INCLUDING THE GRANT OF SPECIAL POWERS;
9 DESCRIBING THE EXTERNAL BOUNDARIES OF ALTA
10 LAKES CDD; NAMING ALTA LAKES CDD; NAMING THE
11 INITIAL ALTA LAKES CDD BOARD OF SUPERVISORS;
12 AMENDING CHAPTER 92 (UNIFORM DEVELOPMENT
13 DISTRICTS), *ORDINANCE CODE*, SECTION 92.22
14 (EXISTING COMMUNITY DEVELOPMENT DISTRICTS), TO
15 INCLUDE ALTA LAKES CDD; PROVIDING FOR CONFLICT
16 AND SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

17
18 **WHEREAS**, D. R. Horton, Inc. - Jacksonville, a Florida
19 corporation, petitioned the City Council to establish a community
20 development district named Alta Lakes Community Development
21 District (the "Alta Lakes CDD") on approximately 278.95 acres lying
22 wholly within the boundaries of the City pursuant to F.S. Chapter
23 190.005(2) and Chapter 92, *Ordinance Code*, a copy of the Amended
24 and Restated Petition to Establish Alta Lakes CDD ("Amended
25 Petition") is **Revised On File** with the Legislative Services
26 Division; and

27 **WHEREAS**, if established as proposed in the Amended Petition,
28 Alta Lakes CDD would thereafter exist and operate as an independent
29 special district as set forth in F.S. Ch. 190; and

30 **WHEREAS**, as required by Section 92.07, *Ordinance Code*, the
31 Office of General Counsel has reviewed the Amended Petition and

1 finding that it was sufficient and complete to permit the fair and
2 informed consideration of the matter by the Council has prepared
3 and submitted its Final Report of Counsel, **attached hereto** as
4 **Exhibit 1**; and

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

8 **WHEREAS**, Petitioner acknowledges that nothing about the
9 adoption of this ordinance shall in any way waive any of the
10 City's, or any other governing or regulatory entities' rights to
11 grant or not grant entitlements for the development to be serviced
12 by Alta Lakes (the "Development"), or otherwise prejudice the
13 City's, or any other governing or regulatory entities', ability to
14 govern or regulate the planning or permitting of the Development;
15 and

16 **WHEREAS**, the Council has determined the Amended Petition
17 adequately meets the requirements of F.S. Ch. 190.005 and Section
18 92.04, *Ordinance Code* and is therefore complete and sufficient to
19 permit fair and informed review thereof; and

20 **WHEREAS**, all notice requirements of F.S. Ch. 190, Section
21 92.11, *Ordinance Code* and other applicable laws were complied with,
22 and complete notice was timely given, and a public hearing held on
23 the date and time noticed and conducted thereafter in compliance
24 with F.S. Ch. 190 and all applicable laws; and

25 **WHEREAS**, in making its fair and informed determination whether
26 to grant or deny the Amended Petition, the Council has considered
27 the petition in light of the record developed at the public hearing
28 and in relation to the six factors set forth at F.S. §
29 190.005(1)(e); now, therefore

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

31 **Section 1.** **Name.** A community development district is

1 hereby established within the City to be known hereafter as Alta
2 Lakes Community Development District.

3 **Section 2. Boundaries.** The boundaries of Alta Lakes
4 Community Development District established by this ordinance are as
5 set forth in the legal description contained in the Amended
6 Petition to Establish Alta Lakes Community Development District
7 ("Petition") which is **Revised On File** with the Legislative Services
8 Division.

9 **Section 3. Board of Supervisors.** The following five
10 persons, as set forth in the Amended Petition, are designated to be
11 the initial members of the governing Board of Supervisors ("Board")
12 of Alta Lakes Community Development District:

- 13 a. Robert S. Porter
- 14 b. Mark C. Dearing
- 15 c. Anthony Sharp
- 16 d. Brett Infante
- 17 e. John Gislason

18 **Section 4. Grant of Special Powers.** The following
19 special powers, pursuant to Sec. 190.012(2), Florida Statutes, are
20 hereby granted to Alta Lakes CDD to plan, establish, acquire,
21 construct or reconstruct, enlarge or extend, equip, operate and
22 maintain additional systems and facilities for:

23 (1) Parks and facilities for indoor and outdoor recreational,
24 cultural, and educational uses in accordance with Section
25 190.012(2) (a), Florida Statutes; and

26 (2) Security, in accordance with Section 190.012(d), Florida
27 Statutes.

28 **Section 5. Amending Chapter 92 (Uniform Community**
29 **Development Districts), Section 92.22 (Existing Community**
30 **Development Districts), Ordinance Code.** Section 92.22, *Ordinance*
31 *Code*, is hereby amended to read as follows:

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

2 The following CDDs have been established in the City:

3 (1) *Bainebridge Community Development District.* The
4 Bainebridge Community Development District was
5 established in Ordinance 2005-1417-E. The City granted
6 consent to the Bainebridge Community Development District
7 to exercise special powers related to parks and
8 facilities for indoor and outdoor recreational, cultural
9 and educational uses in Ordinance 2006-592-E.

10 * * *

11 (18) Alta Lakes Community Development District. Alta Lakes
12 Community Development District was established in
13 Ordinance 2018-660-E, and was granted consent to exercise
14 the following special powers to plan, establish, acquire,
15 construct or reconstruct, enlarge or extend, equip,
16 operate and maintain additional systems and facilities
17 for: (1) Parks and facilities for indoor and outdoor
18 recreational, cultural, and educational uses; and (2)
19 Security.

20 **Section 6. Conflict and Severability.** Any portion of this
21 ordinance determined finally by a court of competent jurisdiction
22 to be in conflict with prevailing law shall not be effective to the
23 extent of such conflict, and shall be deemed severable and the
24 remainder shall continue in full force and effect to the extent
25 legally possible.

26 **Section 7. Effective Date.** This ordinance shall become
27 effective upon signature by the Mayor or upon becoming law without
28 the Mayor's signature.

1 Form Approved:

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3 _____

4 Office of General Counsel

5 Legislation Prepared By: Susan C. Grandin

6 GC-#1248128-v1-Enrolled_2018-660-E

Enrolled 11-13-18

2018 NOV 13 PM 9:45

OFFICE OF GENERAL COUNSEL
CITY OF JACKSONVILLE

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*BOARD CERTIFIED CITY, COUNTY
AND LOCAL GOVERNMENT LAW

September 26, 2018

Katie S. Buchanan, Esq.
Hopping Green & Sams, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301

RE: Office of General Counsel Final Report
On the Petition to Establish the Alta Lakes Community Development District

Dear Ms. Buchanan:

The Office of General Counsel ("Counsel"), pursuant to Section 92.07, *Ordinance Code*, has completed its review of the Petition to Establish the Alta Lakes Community Development District (the "Petition"), submitted September 7, 2018.

Counsel has determined that the Petition is sufficient and complete to permit the fair and informed consideration of the matter by the City Council. This Final Report will be forwarded to the Planning and Development Department for their use in drafting a Department report and recommendation. All the statements contained in the Petition not intended to be disposed of by the Department report and recommendation are true and correct, and the Petition is not contrary to any provision of applicable general or special law or the City Charter.

We note that you have requested consent for the Alta Lakes Community Development District to exercise special powers regarding recreational facilities and for security. This request will be included in the legislation regarding the Petition.

We anticipate that the legislation to move this Petition forward will be introduced at the City Council meeting on October 9, 2018. The dates for the Council Committee public meeting(s) required by the Ordinance Code and Rules of Council, and the date for the public hearing required by Chapter 190, Florida Statutes will be determined after introduction to Council.

In your notice regarding the Petition, along with the public hearing required before the full Council, please provide in the notice the date(s) of the Council Committee public meeting(s).

Sincerely,



Susan C. Grandin
Assistant General Counsel

cc: William Killingsworth, Director, Planning and Development Department
Kristen Reed, Planning and Development Department
Shannon K. Eller, Chief, Land Use Division
Jason Teal, Deputy General Counsel

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ORDINANCE 2018-660-E

CERTIFICATE OF AUTHENTICATION

ENACTED BY THE COUNCIL

November 13, 2018

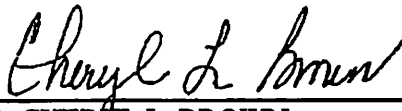


AARON BOWMAN
COUNCIL PRESIDENT

NOV 20 2018

ATTEST:

APPROVED: _____



DR. CHERYL L. BROWN
COUNCIL SECRETARY



LENNY CURRY, MAYOR

