



OFFICE OF THE MAYOR
John Peyton, Mayor



FACSIMILE COVER SHEET

TO: Tarik Batch @ Rogers Towers

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FROM: Symette Ivy

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DATE: 9/15/06

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COMMENTS: per my email



Amended 9/12/06

1 Introduced by the Council President pursuant to Chapter 92
2 Ordinance Code and amended by the Finance Committee:
3
4

5 **ORDINANCE 2006-861-E**

6 AN ORDINANCE ESTABLISHING THE TRAILS COMMUNITY
7 DEVELOPMENT DISTRICT ("DISTRICT"); DESCRIBING
8 THE EXTERNAL BOUNDARIES OF THE DISTRICT;
9 NAMING THE DISTRICT; NAMING THE INITIAL
10 DISTRICT BOARD OF SUPERVISORS; PROVIDING
11 INFORMATION RELATED TO DISTRICT BOARD REQUESTS
12 FOR CONSENT TO EXERCISE SPECIAL POWERS;
13 PROVIDING FOR CONFLICT AND SEVERABILITY;
14 PROVIDING AN EFFECTIVE DATE.
15

16 **WHEREAS**, D.R. Horton, Inc. - Jacksonville, a Delaware
17 corporation, petitioned the City Council to establish a community
18 development district ("CDD") named the Trails Community Development
19 District on approximately 341.81± acres lying wholly within the
20 boundaries of the City pursuant to F.S. Chapter 190.005(2) and
21 Chapter 92, *Ordinance Code*, a copy of the Petition to Establish the
22 Trails Community Development District ("Petition") is on file with
23 the Legislative Services Division as **Exhibit 1**; and

24 **WHEREAS**, if established as proposed in the Petition, the
25 Trails Community Development District would thereafter exist and
26 operate as an independent special district as set forth in F.S. Ch.
27 190; and

28 **WHEREAS**, the Office of General Counsel and the Planning and
29 Development Department have each reviewed the Petition and have
30 submitted reports thereon to the Council, which are on file with
31 the Legislative Services Division as **Exhibit 2** and **Exhibit 3**,

Amended 9/12/06

1 respectively; and

2 **WHEREAS**, the Council has determined the Petition adequately
3 meets the requirements of F.S. Ch. 190.005 and Section 92.04,
4 *Ordinance Code* and is therefore complete and sufficient to permit
5 fair and informed review thereof; and

6 **WHEREAS**, all notice requirements of F.S. Ch. 190, Section
7 92.11, *Ordinance Code* and other applicable laws were complied with,
8 and complete notice was timely given, and a public hearing held on
9 the date and time noticed and conducted thereafter in compliance
10 with F.S. Ch. 190 and all applicable laws; and

11 **WHEREAS**, in making its fair and informed determination whether
12 to grant or deny the Petition, the Council has considered the
13 petition in light of the record developed at the public hearing and
14 in relation to the six factors set forth at F.S. § 190.005(1)(e),
15 now, therefore

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

17 **Section 1. Name.** A CDD is hereby established within the
18 City to be known hereafter as the Trails Community Development
19 District.

20 **Section 2. Boundaries.** The boundaries of the Trails
21 Community Development District established by this ordinance are as
22 set forth in the legal description incorporated herein as part of
23 **Revised Exhibit 1** which is on file with the Legislative Services
24 Division.

25 **Section 3. Board of Supervisors.** The following five
26 persons, as set forth in the Petition, are designated to be the
27 initial members of the governing Board of Supervisors ("Board") of
28 the Trails Community Development District:

- 29 a. Mark Dearing
30 b. Jan Doan
31 c. Linnette Knox

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d. John Cunningham

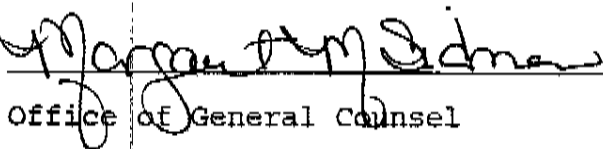
e. Robert Porter

Section 4. Consent Requests. After the initial meeting and swearing in of the Trails Community Development District Board, the Board may request that the City consent to the Trails Community Development District's exercise of one or more special powers set forth in F.S. § 190.012(2), by adopting a proper resolution and submitting same thereafter to the City to be taken up and considered pursuant to Section 92.15, *Ordinance Code*.

Section 5. Conflict and Severability. Any portion of this ordinance determined finally by a court of competent jurisdiction to be in conflict with prevailing law shall not be effective to the extent of such conflict, and shall be deemed severable and the remainder shall continue in full force and effect to the extent legally possible.

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

Form Approved:


Office of General Counsel

Legislation Prepared By: Dylan Reingold

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ORDINANCE 2006-861-E

CERTIFICATE OF AUTHENTICATION

ENACTED BY THE COUNCIL

September 12, 2006

Michael L. Corrigan, Jr.
MICHAEL L. CORRIGAN, JR.
COUNCIL PRESIDENT

ATTEST:

Cheryl L. Brown

CHERYL L. BROWN
COUNCIL SECRETARY

APPROVED: *John Peyton*

SEP 15 2006

JOHN PEYTON, MAYOR

