

**ORDINANCE NO. O-15-2024**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, GRANTING CONSENT TO ESTABLISH THE ROOKERY COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Section 190.012(2), Florida Statutes (2023), the Board of Supervisors, consisting of 100% of the property owners have requested that the City of Green Cove Springs (“City”) grant its consent for the District to exercise the power establish to plan, finance, acquire, construct, operate and maintain infrastructure and community facilities which may be authorized by such district under Florida law, including but not limited to: roadways, water and wastewater systems, stormwater management, landscaping and entranceway improvements, recreation, electric service, street lighting and other infrastructure all as authorized and described by Section 190.012(2)(a) and (d) Florida Statutes; and

**WHEREAS**, based upon the materials submitted by the CDD, include but not limited to:

- Petition to Establish CDD
- Map
- Legal Description
- Consent to Establish CDD
- Project Layout
- Future Land Use Map
- Master Water Plan
- Proposed Infrastructure Plan
- Cost Estimate
- Statement of Estimated Regulatory Costs
- Authorization of Agent

which are hereby incorporated by reference, the City Council finds the District’s request for Special Powers is consistent with the criteria set forth in Florida Statute 190.005(2)(e).

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA:**

**SECTION 1. INCORPORATION OF RECITALS.** The above RECITALS are adopted as Findings of Fact in support of this Ordinance.

**SECTION 2. GRANT OF CONSENT.** In accordance with Section 190.012(2), Florida Statutes (2023), the City’s consent is hereby granted to establish the Rookery Community Development District and to consent to the District’s exercise of

certain additional powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge, or extend, equip, operate, and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural and educational uses and security, all as authorized and described by Section 190.012(2)(a) and (d), Florida Statutes, all the foregoing to be exercised only in compliance and consistent with all applicable laws including the City's Comprehensive Plan and City's land development regulations.

**SECTION 3. CODIFICATION.** It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of the City of Green Cove Springs as amended; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

**SECTION 4. SEVERABILITY.** The various parts, sections and clauses of this Ordinance are hereby declared severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon adoption.

**INTRODUCED AND APPROVED AS TO FORM ONLY ON THE FIRST READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, ON THIS 16<sup>th</sup> DAY OF APRIL, 2024.**

CITY OF GREEN COVE SPRINGS, FLORIDA

\_\_\_\_\_  
Constance W. Butler, Mayor

ATTEST:

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Erin West, City Clerk

**PASSED ON SECOND AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, THIS 7TH DAY OF MAY, 2024.**

CITY OF GREEN COVE SPRINGS, FLORIDA

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Constance W. Butler, Mayor

ATTEST:

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Erin West, City Clerk

APPROVED AS TO FORM:

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L.J. Arnold, III, City Attorney