

ORDINANCE NO. 22-47

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING PUBLIC SERVICES; ESTABLISHING THE SALTMEADOWS COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATING SECTION 2-8-81 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED "SALTMEADOWS COMMUNITY DEVELOPMENT DISTRICT," ESTABLISHING THE SALTMEADOWS COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, DESCRIBING THE BOUNDARIES OF THE DISTRICT, NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT, AND CONSENTING TO CERTAIN SPECIAL POWERS BY THE DISTRICT'S BOARD OF SUPERVISORS PURSUANT TO SECTION 190.012(2), FLORIDA STATUTES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature has enacted and amended Chapter 190, Florida Statutes, to provide an alternative method to finance and manage basic services for community development; and

WHEREAS, a community development district serves a governmental and public purpose by financing, providing, and managing certain basic infrastructure systems, facilities, and services as allowed by Florida law, specifically Chapter 190, Florida Statutes, for the use and enjoyment of the general public, and only property owners within the district are assessed through the district for these improvements within the district boundaries; and

WHEREAS, section 190.005(2), Florida Statutes, authorizes the Board of County Commissioners to adopt an ordinance granting a petition for the establishment of a community development district of less than 2,500 acres in size; and

WHEREAS, Danielson Development, LLC (Petitioner), has filed a petition with the Manatee County Board of County Commissioners (Board) to adopt an ordinance establishing the Saltmeadows Community Development District (District) pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Petitioner is the owner of approximately 237.88 acres of real property proposed for inclusion within the District and has consented in writing to the establishment of the District; and

WHEREAS, the Board has conducted a public hearing on the petition in accordance with the requirements and procedures of sections 190.005(2)(b) and 190.005(1)(d), Florida Statutes, as amended; and

WHEREAS, the Board has considered the record of the public hearing and the factors set forth in sections 190.005(2)(c) and 190.005(1)(e), Florida Statutes, as amended, in making its determination to grant or deny the petition for the establishment of the community development district; and

WHEREAS, the District established under this Ordinance, as an independent special district and a local unit of special-purpose government, shall be governed by Chapter 190, Florida Statutes, and all other applicable federal, state, and local laws; and

WHEREAS, the establishment of the District will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District; and

WHEREAS, section 190.012, Florida Statutes, as amended, authorizes the District to exercise numerous special powers listed in section 190.012(1), Florida Statutes; and

WHEREAS, section 190.012, Florida Statutes, as amended, provides that the local general-purpose government must consent to the exercise by the District board of supervisors of those additional special powers listed in section 190.012(2), Florida Statutes; and

WHEREAS, section 190.005(2)(d), Florida Statutes, as amended, provides that in an ordinance establishing a community development district, the Board may consent to any of the optional special powers under section 190.012(2), Florida Statutes, as amended, and, at the request of the Petitioner; and

WHEREAS, the petition submitted by the Petitioner requests that the Board consent to the exercise by the District board of supervisors of the additional special powers listed in sections 190.012(2)(a) & (d), Florida Statutes, as amended; and

WHEREAS, the exercise of such additional special powers by the District board of supervisors shall be governed by Chapter 190, Florida Statutes, as amended, and all other applicable federal, state, and local laws; and

WHEREAS, the Board desires to consent to the exercise by the District board of supervisors of such additional special powers; and

WHEREAS, the Board's consent to the exercise by the District board of supervisors of such additional special powers will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Manatee County, Florida:

Section 1. Legislative findings. The Board of County Commissioners of

Manatee County, Florida, hereby adopts the "WHEREAS" clauses stated above as legislative findings in support of this Ordinance.

Section 2. Authority. This Ordinance is adopted pursuant to section 190.005(2), Florida Statutes, as amended, and other applicable provisions of law governing county ordinances.

Section 3. Intent and Purpose. It is the intent and purpose of this Ordinance to establish the Saltmeadows Community Development District pursuant to Chapter 190, Florida Statutes, as amended, with all the rights and obligations appertaining thereto, including all obligations accruing pursuant to applicable federal, state, and local laws. It is further the intent and purpose of this Ordinance to grant the consent of the Board to the exercise by the District board of supervisors of certain additional special powers pursuant to section 190.012(2), Florida Statutes, as amended, with all the rights and obligations appertaining thereto, including all obligations accruing pursuant to applicable federal, state, and local laws.

Section 4. Creation of Section 2-8-81 of Manatee County Code of Ordinances. Section 2-8-81 of the Manatee County Code of Ordinances ("Code") is hereby created to read as follows:

Sec. 2-8-81. Saltmeadows Community Development District.

- (a) Establishment. The Saltmeadow Community Development District is hereby established pursuant to Chapter 190, Florida Statutes.
- (b) Boundaries. The boundaries of the District are described in the metes and bounds Description attached hereon as Exhibit "A-1".
- (c) Initial board of supervisors. The names of five (5) persons designated as the initial members of the board of supervisors for the District are as follows:

- (1) Garth Noble
- (2) Chris Torres
- (3) Martha Schiffer
- (4) Jerry Tomberlin
- (5) John Kakridas

- (d) Special powers. Pursuant to sections 190.005(2)(d) and 190.012(2), Florida Statutes, as amended, the Board of County Commissioners hereby consents to the exercise by the District board of supervisors of the following special powers listed in sections 190.012(2)(a) and (d) Florida Statutes. Specifically, the District shall have the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for:

- (1) Parks and facilities for indoor and outdoor recreational, cultural, and

educational uses; and,

(2) Security, including, but not limited to, guardhouses, fences and gates, electronic intrusion systems, and patrol cars, when authorized by the Manatee County Sheriffs Department or other proper governmental agencies; except that the District may not exercise any police power, but may contract with appropriate local general-purpose government agencies for an increased level of such services within the District boundaries.

Section 5. Codification. The publisher of the County's Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 4 of this Ordinance into the Code.

Section 6. Administrative Correction of Scrivener's Errors. The administrative correction of typographical and/or scrivener's errors in this Ordinance which do not affect the intent may be authorized by the County Manager or designee, without need of public hearing, by filing a corrected or recodified copy of same with the County Clerk.

Section 7. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 8. Effective date. This Ordinance shall take effect immediately upon the filing of a certified copy of this Ordinance with the Secretary of State pursuant to Section 125 .66, Florida Statutes.

DULY ADOPTED with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this 2nd day of June 2022.



**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: 
Kevin Van Ostenbridge, Chairman

**ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

By: 
Deputy Clerk

EXHIBIT "A-1"

LAND PARCEL LEGAL DESCRIPTION

Parcel 1:

The Northwest 1/4 of the Southwest 1/4 of Section 27, Township 33 South, Range 19 East, Manatee County, Florida.

ALSO

Parcel 2:

From the Southeast corner of Section 28, Township 33 South, Range 19 East, Manatee County, Florida, go Westerly along the South line of said Section 28, a distance of 666.4 feet to the Southwest corner of the SE 1/4 of the SE 1/4 of said Section 28; thence go Northerly along the West line of said SE 1/4 of the SE 1/4 and said line extended, a distance of 1988.14 feet to an East-West fence line for a Point of Beginning; thence continue Northerly along the last described line extended further Northerly a distance of 552.4 feet to the intersection of said line with an existing fence line; thence go Southwesterly along said intersecting fence a distance of 556.5 feet to a fence corner; thence go Easterly along the first described East-West fence a distance of 69.5 feet to the Point of Beginning.

ALSO

Parcel 3:

The Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 28, Township 33 South, Range 19 East, Manatee County, Florida, LESS AND EXCEPT those lands described in Deed Book 249, Page 397 of the Public Records of Manatee County, Florida.

ALSO

Parcel 4:

Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 28, Township 33 South, Range 19 East, Manatee County, Florida.

ALSO

Parcel 5:

The West 1/2 of the Northwest 1/4 of Section 27, Township 33 South, Range 19 East, Manatee County, Florida.

ALSO

Parcel 6:

The East 1/2 of the Northeast 1/4 of Section 28, Township 33 South, Range 19 East, Manatee County, Florida, lying South of the Parrish-Wauchula Road (State Road No. 62).

ALSO

Parcel 7:

The Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4, LESS 16 feet off the South side thereof, and the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 28, Township 33 South, Range 19 East, Manatee County, Florida.

PARCELS 1-7 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest corner of Section 27, Township 33 South, Range 19 East, Manatee County, Florida; thence South $00^{\circ}25'33''$ East along the West line of said Section 27, a distance of 60.00 feet to the Southerly right-of-way line of State Road 62 per F.D.O.T. Right-of-Way Map Section 13060-2501; thence along said Southerly right-of-way line the following (2) two courses: (1) South $89^{\circ}02'56''$ East, a distance of 1002.96 feet to the beginning of a curve to the left, whose radius point lies North $00^{\circ}56'36''$ East, a distance of 1492.40 feet; (2) thence Easterly along the arc of said curve to the left, a distance of 335.61 feet, through a central angle of $12^{\circ}53'05''$ to the end of said curve and the end of said South right-of-way line; thence South $00^{\circ}38'58''$ East, along the East line of the West 1/2 of the Northwest 1/4 of said Section 27 and the East line of the Northwest 1/4 of the Southwest 1/4 of said Section 27, a distance of 3893.44 feet, to the intersection with the Northerly right-of-way line of State Road 675 as shown on F.D.O.T Right-of-Way Map Section (1311-201)1351-201; thence Westerly along said Northerly right of way line the following (6) six courses: (1) thence North $89^{\circ}51'03''$ West, a distance of 931.21 feet; (2) thence South $00^{\circ}52'24''$ West, a distance of 24.54 feet; (3) thence North $89^{\circ}45'57''$ West, a distance of 306.49 feet to the beginning of a curve to the left whose radius point lies South $00^{\circ}05'25''$ West, a distance of 85993.70 feet; (4) thence Westerly along the arc of said curve to the left, a distance of 565.68 feet through a central angle of $00^{\circ}22'37''$ to the end of said curve; (5) thence South $89^{\circ}43'12''$ West, a distance of 365.56 feet to the beginning of a curve to the left, whose radius point lies South $00^{\circ}16'48''$ East, a distance of 28697.80 feet; (6) thence Westerly along the arc of said curve to the left, a distance of 505.85 feet, through a central angle of $01^{\circ}00'36''$ to the end of said curve also being the end of said Northerly right-of-way line; thence North $00^{\circ}21'48''$ West, along the West line of the Northeast 1/4 of the Southeast 1/4 of Section 28, Township 33 South, Range 19 East, a distance of 1267.14 feet; thence North $00^{\circ}15'41''$ West, along the West line of the East 1/2 of the Northeast 1/4 of said Section 28, a distance of 2662.50 feet; thence South $89^{\circ}05'32''$ East, along the Southerly right-of-way line of the aforementioned State Road 62, a distance of 1315.13 feet to the Point of Beginning.

LESS AND EXCEPT:

The Southerly 16 feet of the South side of the Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 28, Township 33 South, Range 19 East, Manatee County, Florida, being more particularly described as follows:

Commence at the Southeast corner of Section 28, Township 33 South, Range 19 East, thence n $00^{\circ}24'31''$ West, along the Easterly line of said Section 28, a distance of 2008.74 feet to the Point of Beginning; thence South $89^{\circ}24'52''$ West, along the Southerly line of said Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4, a distance of 661.47; thence n $00^{\circ}23'10''$ West, along the Westerly line of said Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4, a distance of 16.00 feet; thence North $89^{\circ}24'52''$ East, a distance of 661.46 feet; thence South $00^{\circ}24'31''$ East, along aforementioned East line of said Section 28, a distance of 16.00 feet to the Point of Beginning.

Lying and being in Section 27 and 28, Township 33 South, Range 19 East, Manatee County, Florida.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

June 7, 2022

Honorable Angelina Colonnese
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Vicki Tessmer

Dear Honorable Angelina Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. 22-47, which was filed in this office on June 2, 2022.

Sincerely,

Anya Owens
Program Administrator

ACO/mas