

PROPOSED ORDINANCE NO. 2003-16

ORDINANCE NO. 1448

1 AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA
2 ESTABLISHING THE MEADOW PINES COMMUNITY
3 DEVELOPMENT DISTRICT; MAKING CERTAIN FINDINGS
4 REGARDING THE DISTRICT; DESCRIBING THE EXTERNAL
5 BOUNDARIES OF THE DISTRICT; NAMING FIVE (5) PERSONS
6 DESIGNATED TO BE THE INITIAL MEMBERS OF THE BOARD
7 OF SUPERVISORS; PROVIDING FOR CERTAIN SPECIAL
8 POWERS; PROVIDING FOR SEVERABILITY; AND PROVIDING
9 AN EFFECTIVE DATE

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11 BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF
12 PEMBROKE PINES, FLORIDA THAT:

13 SECTION 1. AUTHORITY FOR THIS ORDINANCE. The City of Pembroke
14 Pines, Florida (the "City") is authorized to adopt this ordinance under the authority granted
15 by the provisions of Chapter 166, Florida Statutes, as amended, and other applicable
16 provisions of law.

17 SECTION 2. FINDINGS. It is hereby found and determined that:

18 A. Westbrooke Homes, a Florida general partnership ("Petitioner") with the
19 consent of Arthur D. Weiss, as Trustee, the owner of 100% of certain real property (the
20 "Property") within the proposed District (hereinafter defined) which Petitioner has the
21 contractual right to purchase, has petitioned the City to form a community development
22 district for the Property within the meaning of the Uniform Community Development Act of
23 1980, Chapter 190, Florida Statutes (the "Act") as a reasonable and appropriate method of
24 providing the infrastructure to serve residents of the Property. The District would be

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1 known as the "Meadow Pines Community Development District" (the "District") and the
2 boundaries of the District would be coterminous with the boundaries of the Property.

3 B. The City has conducted a public hearing on the Petition in accordance with
4 the requirements of section 190.005(1)(d) and has considered the record of the public
5 hearing and the factors set forth in section 190.005(1)(e) of the Act, among other factors,
6 and hereby finds that:

- 7 1. All statements in the Petition have been found to be true and correct;
- 8 2. The creation of the District is not inconsistent with any applicable
9 elements or portion of the State of Florida's comprehensive plan or of the effective
10 City comprehensive plan;
- 11 3. The area of land within the proposed District is of sufficient size, is
12 sufficiently compact, and is sufficiently contiguous to be developable as one
13 functional interrelated community;
- 14 4. The District is the best alternative available for delivering community
15 development services and facilities to the area that will be served by the District;
- 16 5. The community development services and facilities of the District
17 will not be incompatible with the capacity and uses of existing local and regional
18 community development services and facilities; and

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1 6. The area that will be served by the District is amenable to separate
2 special-district government.

3 C. The City now desires to grant the Petition and to establish the
4 District, as more fully set forth herein.

5 **SECTION 3. ESTABLISHMENT OF DISTRICT; NAME.** The City hereby
6 grants the Petition and establishes the District as a community development district within
7 the meaning of the Act and as an independent special district within the meaning of Chapter
8 189, Florida Statutes. The name of the District shall be the "Meadow Pines Community
9 Development District."

10 **SECTION 4. EXTERNAL BOUNDARIES.** The external boundaries of the
11 District shall be as set forth on **Exhibit "A"**, attached hereto and made a part hereof.

12 **SECTION 5. INITIAL MEMBERS OF BOARD OF SUPERVISORS.** The
13 five (5) persons to be the initial members of the Board of Supervisors of the District, each
14 of whom is designated in the Petition, are as follows:

15 James Carr
16 9350 Sunset Drive, Suite 100
17 Miami, Florida, 33173

18 Harold Eisenacher
19 9350 Sunset Drive, Suite 100
20 Miami, Florida, 33173

21 Russell Barnes
22 9350 Sunset Drive, Suite 100
23
24

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Miami, Florida, 33173
David Webber
9350 Sunset Drive, Suite 100
Miami, Florida, 33173

Arthur D. Weiss
19687 Oakbrook Circle
Boca Raton, Florida 33434

SECTION 6. CONSENT TO EXERCISE OF SPECIAL POWERS. Pursuant to section 190.012(2) of the Florida Statutes, the City hereby consents to the exercise by the District of the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural and educational uses. The foregoing powers are in addition, and supplemental, to the powers which the proposed District is entitled to exercise pursuant to §§190.011 and 190.012(1) and (3) of the Act.

Section 7. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 8. If any clause, section or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and so not effecting the validity of the remaining portions or applications remaining in full force and effect.

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Section 9. This Ordinance shall become effective immediately upon passage adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA ON THE FIRST READING THIS 4 DAY OF June, 2003.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA ON THE SECOND READING THIS 18 DAY OF June, 2003.

CITY OF PEMBROKE PINES, FLORIDA

By: Alex G. Fekete
MAYOR ALEX G. FEKETE

ATTEST:

Eileen M. Tesh
EILEEN M. TESH, CITY CLERK

FEKETE Aye

ARMSTRONG Aye

FIORENDINO Aye

KATZ Nay

ORTIS Aye

APPROVED AS TO FORM:

Sammy Jones 6/18/02
OFFICE OF THE CITY ATTORNEY

STATE OF FLORIDA
COUNTY OF BROWARD

I HEREBY CERTIFY that the above foregoing is a true and correct copy of **Permanent Ordinance No. 1448 dtd June 18, 2003**

as recorded in the Office of the City Clerk.

Witness my hand and official seal this 2nd day of July A.D., 2003.

CITY OF PEMBROKE PINES

By: Eileen M. Tesh
Eileen M. Tesh, City Clerk

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EXHIBIT "A"

EXTERNAL BOUNDARIES OF THE DISTRICT

JFK: 5-27-2003

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