



1           2.       That the creation of the District is not inconsistent with any applicable  
2 element or portion of the State Comprehensive Plan or of the effective local government  
3 comprehensive plan.

4           3.       That the land within the proposed District is of sufficient size, sufficiently  
5 compact and sufficiently contiguous to be developable as one functional interrelated  
6 community.

7           4.       That the creation of the District is the best alternative available for  
8 delivering the community development services and facilities to the lands within the  
9 District boundaries.

10          5.       That the proposed services and facilities to be provided by the District are  
11 not incompatible with the capacity and uses of existing local and regional community  
12 services and facilities.

13          6.       That the area identified in the Petition is amenable to be included in the  
14 proposed District; and

15               **WHEREAS**, the City Commission has determined that the creation of the  
16 Monterey/Congress Community Development District would be consistent with the  
17 criteria for community development districts as set forth in the Uniform Community  
18 Development District Act of 1980, Chapter 190, Florida Statutes;

19               **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION**  
20 **OF THE CITY OF BOYNTON BEACH, FLORIDA, THAT:**

21               Section 1.     Each Whereas clause set forth above is true and correct and herein  
22 incorporated by this reference.

1           **Section 2.**     In accordance with the provisions of Chapter 190, Florida Statutes,  
2 the City Commission of the City of Boynton Beach, Florida hereby establishes a  
3 community development district as follows:

4           **CREATION AND NAME:**   There is hereby created a Community Development  
5 District to be known as MONTEREY/CONGRESS COMMUNITY DEVELOPMENT  
6 DISTRICT.

7           **LEGAL DESCRIPTION:** The legal description for the Community Development  
8 District is attached hereto and incorporated herein by reference in attachment 2 to the  
9 Petition which is attached as Exhibit "A" to this Ordinance. In addition, a map depicting  
10 the land area to be serviced by the District is attached to this Ordinance as Exhibit "B"  
11 and incorporated herein by reference.

12           **BOARD OF SUPERVISORS:** The initial Board of Supervisors are as follows.  
13 Their terms, powers and duties are as described in Chapter 190, Florida Statutes:

- 14           (a)     Harold Eisneacher  
15           (b)     David Webber  
16           (c)     Russell Barnes  
17           (d)     Michael DeBock  
18           (e)     Claudia Feldman

19           **Section 3.**     The Board of Supervisors shall have only such powers as set forth  
20 in Florida Statutes 190.011 and 190.012.

21           **Section 4.**     That any individuals who purchase property in the District should  
22 be advised of the existence of the District, as well as the costs associated with owning  
23 property within the District.

1            Section 5.     That all ordinances or parts of ordinances in conflict herewith be  
2 and the same are hereby repealed.

3            Section 6.     Should any section or provision of this ordinance or portion hereof,  
4 any paragraph, sentence, or word be declared by a court of competent jurisdiction to be  
5 invalid, such decision shall not affect the remainder of this ordinance.

6            Section 7.     Authority is hereby granted to codify said ordinance.

7            Section 8.     This ordinance shall become effective immediately upon passage.

8            FIRST READING this 4 day of January, 2005.

9            SECOND READING and FINAL PASSAGE this 18 day of  
10 January, 2005.

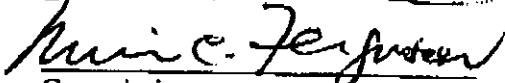
CITY OF BOYNTON BEACH, FLORIDA

  
Mayor

  
Vice Mayor

  
Commissioner

  
Commissioner

  
Commissioner

ATTEST:

  
City Clerk

