

AN EMERGENCY ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, DECLARING THAT AN EMERGENCY EXISTS; MAKING FINDINGS OF FACT; AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS TO EXPEND COUNTY FUNDS TO EDUCATE THE PUBLIC AS TO THE REASONS WHY IT IS NECESSARY AND IN THE BEST INTERESTS OF THE COUNTY FOR THE COUNTY ELECTORATE TO APPROVE THE ISSUANCE OF GENERAL OBLIGATION BONDS TO FINANCE THE CONSTRUCTION OF ADDITIONAL COUNTY JAIL AND CRIMINAL JUSTICE FACILITIES AT THE BOND REFERENDUM ELECTION SCHEDULED FOR NOVEMBER 8, 1988; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

Section 1. The Board of County Commissioners of St. Johns County, Florida hereby finds and determines that:

A. The population of St. Johns County (the "County") and Northeast Florida has increased dramatically since the design and construction of the existing County jail resulting in a dramatic increase in the number of persons committing crimes within the County.

B. After the design and construction of the existing County jail the Florida Legislature passed new laws and required and implemented new sentencing guidelines that now require more persons to be incarcerated in County jails for longer periods of time; an example being the increased mandatory jail terms required for drunk drivers.

C. America's War On Crime requires that criminals and persons that habitually engage in conduct harmful to innocent citizens be incarcerated as rapidly as possible.

D. The citizens of St. Johns County, Florida are in dire need of additional jail and criminal justice facilities (the "Jail Project") to enable law enforcement personnel to prosecute and incarcerate persons who have committed crimes within the County;

E. The issuance of general obligation bonds of the County in an aggregate principal amount of not exceeding \$8,500,000 (the "Bonds") to finance the cost of acquiring, designing,

constructing, equipping and providing utilities for such additional jail and criminal justice facilities in the County is necessary and is in the best interest of the citizens of the County;

F. In order to timely construct the Jail Project it is necessary that the electorate of the County approve the issuance of the Bonds at the bond referendum election scheduled for November 8, 1988.

G. The harmful consequences that will flow to the citizens of the County if funding and construction of the Jail Project are delayed include:

- i) Costly lawsuits against the County by Federal Authorities and the Florida Department of Corrections to require the County to either reduce the jail population or immediately provide additional jail capacity for County prisoners;
- ii) The release from the County jail to the streets and neighborhoods of persons charged with crimes of violence, crimes against homes and property, and the distribution and sale of illegal drugs;
- iii) Increased costs to the citizens and the County occasioned by the damage to persons and property that will inevitably occur if the County is unable to incarcerate the increasing number of persons that commit crimes within the County.
- iv) Payment of higher jail construction costs at a later date to comply with state and federal jail population caps if and when County citizens later decide that it is no longer acceptable to release law breakers and persons with dangerous habits to the streets and neighborhoods.

H. For the reasons set forth above, it is in the best interests of the citizens of the County that the electorate of the County approve the issuance of the Bonds to provide the funds necessary to immediately proceed with the steps necessary to construct the Jail Project.

I. For the same reasons it is necessary and appropriate that County funds be expended to educate the citizens of the County as to the reasons why it is necessary and in the best interests of the County electorate to approve the issuance of the Bonds at the November 8, 1988 bond referendum election.

J. The expenditures of County funds for such purpose will benefit the County by better enabling its citizens to cast an informed vote in support of issuance of the Bonds.

K. There will not be sufficient time to publish this ordinance for hearing in the normal manner and then still have time to adequately educate the County electorate on the necessity of approving issuance of the Bonds at the November 8, 1988 bond referendum election.

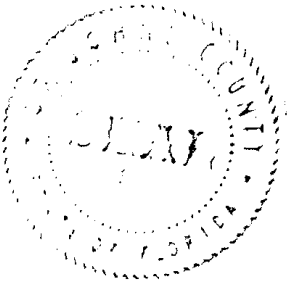
Section 2. For the reasons stated in section 1, the Board of County Commissioners of St. Johns County, Florida waives notice requirements for this emergency ordinance and declares that an emergency exists and that the immediate enactment of this ordinance is necessary.

Section 3. The Board of County Commissioners of St. Johns County, Florida is hereby authorized to expend County funds to educate the citizens of the County as to the reasons why it is necessary and in the best interests of the County electorate to approve the issuance of the Bonds at the November 8, 1988 bond referendum election. This authorization shall be deemed to incorporate all implied powers and authorizations necessary or incident to carrying out such authorization, including specifically authority to employ personnel, enter into contractual obligations, purchase radio, television, and newspaper advertisement, and to otherwise promote and explain the necessity of the Jail Project and the public need for the County electorate to approve the issuance of the Bonds at the November 8, 1988 referendum election.

Section 4. The provisions of this ordinance shall be liberally construed in order to effectively carry out the purpose of this ordinance.

Section 5. This ordinance is passed pursuant to Florida Statute 125.66(3) and shall take effect when a certified copy has been accepted by the postal authorities of the United States for special delivery by registered mail to the Department of State.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA AT ITS REGULARLY SCHEDULED MEETINGS THIS 11TH. DAY OF OCTOBER, 1988.



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY Lawrence O. Vailley
Its Chairman

ATTEST: Carl "Bud" Markel, Clerk

Carl "Bud" Markel
Clerk

Adopted regular meeting October 25, 1988

Effective October 26, 1988



FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State
DIVISION OF ELECTIONS
Room 1802, The Capitol
Tallahassee, Florida 32399-0250
(904) 488-8427

October 27, 1988

RECEIVED
ST. JOHNS COUNTY, FLORIDA

'88 OCT 28 P3:21

Honorable Carl "Bud" Markel
Clerk of Circuit Court
St. Johns County Courthouse
Post Office Drawer 300
St. Augustine, Florida 32085

Carl Bud Markel
CLERK, COUNTY COMMISSION

Attention: Connie E. McDaniel, Deputy Clerk
Dear Mr. Markel:

Pursuant to the provisions of Section 125.66, Florida Statutes,
this will acknowledge:

- 1. Receipt of letter/s of October 26, 1988
and certified copy/ies of St. Johns
County Ordinance(s) Emergency Ord. No. 88-67
2. Receipt of County Ordinance(s)
relative to:
(a)
which we have numbered
(b)
which we have numbered
3. We have filed this/these ordinances in this office
on October 27, 1988. (2:13 pm)
4. The original/duplicate copy/ies showing the filing date
is/are being returned for your records.

Sincerely,

Liz Cloud

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

REGISTERED NO. R-418-710-752
Post Office Completion: Reg. Fee \$4.40, Special Delivery \$5.35, Handling Charge \$, Return Receipt \$.90, Postage \$.65, Restricted Delivery \$
Customer must declare Full value \$ N/A
FROM: Carl "Bud" Markel, Clerk of Circuit Court, P.O. Drawer 300, St. Augustine, Fl. 32085-0300
TO: Liz Cloud, Chief Bureau of Administrative Code, Room 1801 The Capitol, Tallahassee, 32301

PS Form 3806, RECEIPT FOR REGISTERED MAIL (Customer Copy)
June 1986 (See Information on Reverse)