

RESOLUTION 88- 242

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, PROVIDING FOR GENERAL OBLIGATION BONDS OF ST. JOHNS COUNTY, FLORIDA IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$8,500,000 TO FINANCE THE COST OF ACQUIRING, DESIGNING, CONSTRUCTING, EQUIPPING AND PROVIDING UTILITIES FOR ADDITIONAL JAIL AND CRIMINAL JUSTICE FACILITIES IN ST. JOHNS COUNTY FLORIDA; CALLING A REFERENDUM TO BE HELD ON NOVEMBER 8, 1988, ON THE QUESTION OF THE APPROVAL OF SUCH GENERAL OBLIGATION BONDS; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

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

WHEREAS, 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 (the "Project"), is necessary and desirable and is in the best interest of the County; and

WHEREAS it is necessary and essential to call and hold a bond referendum submitting the issuance of the Bonds to approval or disapproval by the qualified electors who reside in the County;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. A bond referendum is hereby called and ordered to be held in St. Johns County, Florida (the "County"), on the 8th day of November, 1988, to determine whether or not there should be issued general obligation bonds of the County in an aggregate principal amount not exceeding eight and one half Million Dollars (\$8,500,000) (the "Bonds") to finance the cost of acquiring,

designing, constructing, equipping, and providing utilities for additional jail and criminal justice facilities in the County, together with other costs necessary, appurtenant or incidental thereto, including the costs of issuing the bonds (the "Project") to enable law enforcement personnel to prosecute and incarcerate persons who have committed crimes within the County. The Bonds shall be secured by a pledge of the full faith and credit of the County, and the principal of and interest on the Bonds shall be payable from ad valorem taxes levied and collected in the County on all taxable property situated in the County, in amounts sufficient to pay the principal of and interest on the Bonds as the same become due and payable. The Bonds may be issued all at one time or in part from time to time, the principal thereof shall be payable in such amounts and at such times, not later than thirty (30) years from the respective dates of issuance of the Bonds, and in such manner, and the Bonds shall bear interest at such rate or rates, not to exceed the maximum rate permitted by law at the time of sale of the Bonds, payable at such times and in such manner, as shall be determined by subsequent resolutions of the Board of County Commissioners of the County.

SECTION 2. The Bonds shall not be issued unless approved at the bond referendum by a majority of the qualified electors residing in the County and voting in such referendum, as provided by the Constitution and statutes of the State of Florida.

SECTION 3. All qualified electors residing in the County shall be entitled and permitted to vote in the bond referendum. The places for voting in the bond referendum shall be the same as the places for voting in general elections held in the County, and shall be determined by the Supervisor of Elections of the County. The polls shall be open at such voting places from 7:00 A. M. to 7:00 P.M. on the date of the bond referendum.

SECTION 4. The Clerk of the Circuit Court, ex-officio Clerk of the Board of County Commissioners of the County (the "Clerk") shall prepare and give notice of the bond referendum by causing

a copy of the form of notice attached hereto as Exhibit A together with this resolution to be published at least twice, once in the fifth (5th) week and once in the third (3rd) week prior to the week in which the bond referendum is to be held, in the St. Augustine Record, a newspaper of general circulation in the County, the first publication to be not less than thirty (30) days prior to the date of the bond referendum. The Clerk shall secure from the publisher of said newspaper an appropriate affidavit of proof that such notice and this resolution have been duly published as herein provided, and said affidavit of proof shall be filed in the minutes of the Board of County Commissioners of the County.

SECTION 5. The vote at the bond referendum shall be by a voting device (the "Device"), as authorized and used pursuant to Chapters 100, 101 and 102, Florida Statutes, as amended, and in each polling place there shall be at least one Device. The Supervisor of Elections of the County shall cause to be prepared and furnished to the inspectors and clerks for the bond referendum such Devices in such numbers as shall be required to carry out the intent and purposes of this resolution, and shall cause to be prepared and approved for use in the Devices such ballots as shall be necessary to conduct the bond referendum. Ballots in the same general form as hereinafter provided shall be made available for absentee voting.

SECTION 6. The Ballot to be used at the bond referendum shall be substantially in the following form:

OFFICIAL BALLOT ADDITION TO JAIL
AND CRIMINAL JUSTICE FACILITY
BOND REFERENDUM

ST. JOHNS COUNTY, FLORIDA

Shall St. Johns County issue not exceeding \$8,500,000 of general obligation bonds, bearing interest at not exceeding the maximum legal rate, maturing not later than 30 years after issuance and payable from ad valorem taxes on all taxable property in the County, to finance the cost of acquiring, designing, constructing, equipping, and providing utilities for additional County jail and criminal justice facilities as more fully described in St. Johns County Resolution 88-242?

YES - For Bonds _____

NO - Against Bonds _____

Instructions to voters:

If you are in favor of the issuance of the bonds, punch the ballot card in the hole next to the right of the phrase "YES - For Bonds."

If you are not in favor of the issuance of the bonds, punch the ballot card in the hole next to the right of the phrase "NO - Against Bonds."

SECTION 7. The Supervisor of Elections of the County is hereby authorized and requested to make up and certify a list of the names of all qualified voters residing in the County. A certified copy of such list shall be furnished to the inspectors and clerk at the voting places for the bond referendum, and a certified copy of such list shall be filed in the records of the Board of County Commissioners.

SECTION 8. Pursuant to Florida Statute §100.271 providing that when a bond referendum is held in conjunction with another election the officials responsible for the canvass of such election shall also canvass the returns of the referendum and certify the same to the proper governing body, the above described bond referendum shall be held and conducted, and the votes cast shall be counted,

tabulated and canvassed by the officials responsible for the canvass of the November 8, 1988 general election and returned without delay to the Board of County Commissioners in the manner prescribed by general law. The Board of County Commissioners shall make a separate finding as to the total number of votes cast in the bond referendum, both in favor and against the approval of the Bonds, and shall find and declare the results of the bond referendum. The finding and declaration of results shall be recorded in the minutes of the Board of County Commissioners.

SECTION 9. In the event that any word, phrase, clause, sentence or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, phrase, clause, sentence or paragraph hereof.

SECTION 10. All resolutions in conflict or inconsistent herewith are hereby repealed, to the extent of such conflict or inconsistency.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida this 13 day of SEPTEMBER, 1988.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Lawrence D. Hartley
Its Chairman

ATTEST: Carl "Bud" Markel, Clerk

BY: Carl Bud Markel
Clerk

EXHIBIT A

NOTICE OF BOND REFERENDUM TO BE HELD IN
ST. JOHNS COUNTY, FLORIDA
ON NOVEMBER 8, 1988

NOTICE IS HEREBY GIVEN THAT A BOND REFERENDUM will be held on the 8th day of November, 1988, in St. Johns County, Florida, for the purpose of determining whether or not general obligation bonds of the County shall be issued in an aggregate principal amount not exceeding \$8,500,000, bearing interest at such rate or rates not exceeding the maximum legal rate as shall be determined at the time of the sale thereof, maturing in amounts and at times not later than thirty (30) years from the dates of issuance of the bonds, to finance the cost of acquiring, designing, constructing, equipping, and providing utilities for additional jail and criminal justice facilities in the County, together with other costs necessary, appurtenant or incidental thereto, including the costs of issuing the bonds, to enable law enforcement personnel to prosecute and incarcerate persons who have committed crimes within the County, all as more particularly described and provided in Resolution No. 88-242 of the Board of County Commissioners of St. Johns County, Florida, adopted on the 13 day of SEPTEMBER, 1988, a copy of which is published herewith as part of such notice.

The places for voting in the bond referendum shall be the same as the places for voting in general elections held in St. Johns County, and the polls will be open at the voting places on the date of said referendum from 7:00 A.M. until 7:00 P.M. on the same day, all as provided in said Resolution.

All qualified electors residing within St. Johns County shall be entitled, qualified and permitted to vote at such referendum.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Carl Paul Mangel
Clerk

(Attention: Clerk
A copy of Resolution 88-242
must be published with this notice.)