

RESOLUTION NO. 90- 211

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA INDICATING AGREEMENT TO THE FILING WITH THE TOWN OF HASTINGS, FLORIDA OF A JOINT APPLICATION FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE PURPOSE OF EXTENDING WATER AND SEWER SERVICE FROM THE TOWN INTO AN ADJACENT, UNINCORPORATED AREA OF THE COUNTY AND APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE TOWN AND ST. JOHNS COUNTY EVIDENCING THEIR COMMITMENT TO COOPERATE IN THE WATER AND SEWER EXTENSION PROJECT.

WHEREAS, St. Johns County recognizes the need to work cooperatively with the Town of Hastings to delineate and establish formal water and sewer service areas for the Town and the County, and

WHEREAS, the County recognizes the importance of defined service areas, long-term planning and financial consideration related thereto,

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

SECTION 1. That St. Johns County agrees to file in concert with the Town of Hastings a joint application for a Community Development Block Grant for the purpose of extending water and sewer service from the Town into an adjacent, unincorporated area of the county located north of the current incorporated Town boundaries, provided that such joint application is filed on or before November 29, 1990.

SECTION 2. That St. Johns County approves the interlocal agreement between the Town of Hastings and St. Johns County, Florida attached hereto.

ADOPTED by the Board of County Commissioners of St. Johns County, Florida at a regular Board of County Commissioners meeting this 28th day of November, 1990.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Ronald A. Board
Its Chairman

ATTEST:

BY: Gregory Jones
Deputy Clerk

AGREEMENT

THIS AGREEMENT made and entered into this 28TH day of November, A.D., 1990, by and between the TOWN OF HASTINGS, a municipal corporation, organized under the laws of Florida, hereinafter called "TOWN", and ST. JOHNS COUNTY, a political subdivision of the State of Florida, hereinafter called "COUNTY",

WHEREAS, the governing bodies of the TOWN and the COUNTY recognize the need to work cooperatively to delineate and establish formal water and sewer service areas for the TOWN and COUNTY, and

WHEREAS, the TOWN and COUNTY recognize the importance of defined service areas and the long-term planning and financial considerations related thereto, and

WHEREAS, the TOWN intends to plan, construct, and maintain utility facilities to provide water and sewer service to customers within the respective service area boundaries of the TOWN and a portion of the County adjacent to the Northern and Northwestern borders of the TOWN,

NOW, THEREFORE, in consideration of the above and based on the covenants contained herein, it is agreed by and between the parties as follows:

1. Service area boundaries are formally presented on the Engineering Maps depicted in "Exhibit 1" attached hereto and they are further described as follows and in conjunction with the following definitions:
 - A. Service Area Boundaries The boundaries of the service area are delineated as follows:
 1. Southside: by the Florida East Coast Railway right-of-way and by the TOWN limits.
 2. Westside: by Cracker Branch
 3. North and East Sides: by the wetlands bordering Cypress Creek.

- B. Marsh/Wetlands - Boundaries depicted adjacent to marsh/wetlands areas have been located based on the assumption that development would not occur beyond the City's service area boundary (i.e., into the marsh/wetland). If future development does, in fact, occur into the marsh/wetland, and adjacent to the boundary, the boundary would be modified accordingly and related utility services would then be contained within the City's service area, unless service is available from the County
- C. Water-Boundaries depicted adjacent to or within a body of water are fixed as shown, and it is not intended that the boundary be presumed to be located elsewhere within the water or be applicable to any properties adjacent or related thereto.
- D. Right-of-Way-Boundaries depicted as contained within the confines of a designated right-of-way (TOWN, COUNTY or State) shall specifically indicate that properties abutting one side of the right-of-way are within the Town's service area and properties abutting the other side of the right-of-way are within the County's service area. Boundaries depicted along and adjacent/parallel to one side of a designated right-of-way shall specifically indicate that properties abutting both sides of the right-of-way will be within the service area that encompasses the right-of-way.
- E. TOWN Limits-Boundaries depicted as being coincident with TOWN limits shall be further described and supported by TOWN codes and ordinances, or other legal documents or surveys relating thereto.

F. Other-Boundaries depicted without obvious relationship to marsh/wetland, water, right-of-way or TOWN limits boundaries, shall generally be based on the following criteria:

1. Straight-line extension of a right-of-way boundary.
2. Subdivision or development boundary.
3. Straight-line between two known and identifiable points.
4. Prescribed distance(s) from existing, identifiable point(s).
5. Section lines, as depicted on USGS maps.
6. Other criteria that may be specifically defined to accurately locate a boundary line.

These boundaries, although not accurately presentable on the map, could be readily identified for reliable interpretation of the service area boundaries.

2. Service area boundaries may, from time to time, be amended by mutual agreement of the TOWN and COUNTY.
3. Properties not included within the Town's designated water and sewer service area shall be added to the Town's service area in the event of annexation of the properties to the TOWN, provided that water and sewer service is not, at the time, available from the County.
4. Properties not included within the Town's designated water and sewer service area may be added to the Town's service area upon approval of the COUNTY, at the request of the TOWN and in response to a property owner's

application to the TOWN for water and sewer service.

5. In the event that service area boundaries are amended, in accordance with paragraphs 2, 3, or 4 of this Agreement, the TOWN shall prepare the applicable modifications to the official Service Area Map for submittal to the COUNTY. The Mayor and the COUNTY Administrator shall be authorized to approve such Map Changes.

6. This Agreement may be amended by mutual agreement of the TOWN and COUNTY. In the event that no such amendments shall be made, this Agreement shall continue, indefinitely, in full force and effect. This Agreement may be terminated by either party upon 60 days notice to the other party.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hand and seals this day and year below written.

ATTEST:

TOWN OF HASTINGS

City Clerk

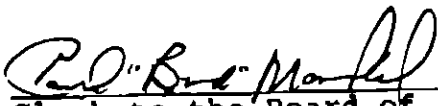
(Seal)

Mayor

Date: _____

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA



Clerk to the Board of
COUNTY Commissioners of
St. Johns COUNTY, Florida

(SEAL)

By: 

Chairman

Date: November 28, 1990

4. If displacement of any persons or businesses will take place as a result of CDBG funded activities, a plan for mitigating such displacement and assisting such businesses or persons.

Date Adopted: N/A

5. Evidence that the local government has submitted information, as required, to the Regional Planning Council.

Date mailed: 11-28-90

6. Evidence that the local government has adopted procedures which provide response to complaints and grievances.

Date Adopted: 11-28-90

7. The local government has identified how the needs of non-English speaking residents were met in case of public hearings where a significant number of non-English speaking residents participated.

8. Evidence that the local government has complied with the local comprehensive planning requirements of Chapter 163, Florida Statutes for the activities proposed under this project.

Date plan adopted 9-14-90 (if applicable)
Date plan approved by DCA n/a (if applicable)
Date plan approval appealed N/A (if applicable)
Date project activities reviewed for local comprehensive plan compliance _____

9. If applying under the Emergency Assistance Set-aside, provide evidence that an Executive Order has been issued pursuant to Section 252.36 Florida Statutes for this emergency, that the applicant is an eligible local government within the area designated by Executive Order, and that no other source of federal, state or local disaster funds is available.

Date of Executive Order N/A
Copy of Executive Order on page _____
Evidence or statement that no other disaster funds are available on page _____

I, the undersigned, certify that the citizen participation requirements have been met, a community development plan developed, surveys of the service area conducted and a displacement plan written and adopted. I further certify that all such evidence is on file in my office. I understand that failure to submit, complete and sign this certification will result in a 50 point score reduction.

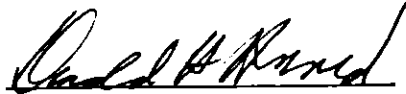
Donald R. Gould 11-28-90
City, County or Town Clerk Date
Chairman, Board of County Commissioners
St. Johns County, Florida

(Signature) Seal

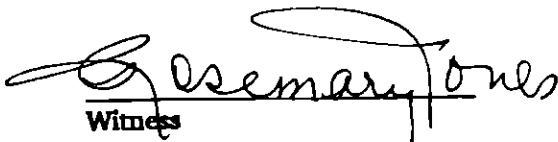
CDBG-N-12
STATEMENT OF ASSURANCES

- 47. Executive Order 11288, relating to the prevention, control and abatement of water pollution;
- 48. Cost-Effective Energy Conservation Standards, 24 C.F.R. Part 39;
- 49. Coastal Barrier Resources Act of 1982;
- 50. Hatch Act;
- 51. OMB Circulars A-87, A-102, A-110, A-122 as amended;
- 52. Treasury Circular 1075 regarding drawdown of CDBG funds;

The applicant hereby assures and certifies that it will comply with the above list of applicable federal and state requirements in the administration of its Florida Small Cities Community Development Block Grant Program:


Signature

Chairman, Board of County
Commissioners, St. Johns County 11-28-90
Title Florida Date


Witness

Title

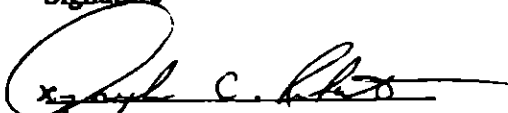
Date

IF JOINT APPLICATION:

Signature

Title

Date

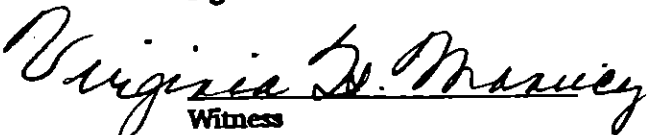

Signature

Mayor

Title

November 26, 1990

Date


Witness

Grant Specialist

Title

November 26, 1990

Date


Failure to submit signed assurances will result in a 50 point score reduction.

CDBG-N-13
STATEMENT OF APPLICATION

Application is hereby made for a Community Development Block Grant under Title I of the Housing and Community Development Act of 1974, as amended, Section 290.046, Florida Statutes, Chapter 9B-43, Florida Administrative Code. I, the undersigned authorized representative of the applicant, certify that to the best of my knowledge and belief, the data which is incorporated in this application is true and correct; submission of the application has been duly authorized by resolution of the governing body; and, the applicant will comply with the assurances listed above. If other than the chief elected official, a copy of the official authorization resolution is attached as page _____.


Signature

Chairman
~~Board of County Commissioners~~ 11-28-90
Title St. Johns County Date


Witness

Title Date


IF JOINT APPLICATION:

Signature

Title Date


Signature

Mayor November 26, 1990
Title Date


Witness

Grant Specialist November 26, 1990
Title Date

AN APPLICATION MUST BE SIGNED PRIOR TO SUBMISSION IN ORDER TO BE ELIGIBLE FOR SCORING.