

RESOLUTION NO. 91-111

A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA DETERMINING THAT THE ACQUISITION OF THE WATER AND SEWER UTILITY PRESENTLY SERVING ST. AUGUSTINE SHORES AND NEARBY DEVELOPMENTS IS IN THE PUBLIC INTEREST AND APPROVING A STATEMENT REQUIRED BY FLORIDA STATUTE §125.3401.

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

Section 1. Upon hearing staff reports and the comments of the public at the noticed public hearing of July 23, 1991 and having considered each and all of the elements listed in Section 125.3401, Florida Statutes, as amended, as well as other factors bearing on the matter, the Board of County Commissioners of St. Johns County hereby finds and determines that the acquisition of

The Water and Sewer System facilities serving St. Augustine Shores and nearby developments and consisting of a water distribution system consisting of approximately 34.36 miles of water main and appurtenances and water supply treatment and pump facilities, together with sewer collection system consisting of approximately 23.64 miles of gravity sewer piping, approximately 8.58 miles of sewage force main and 23 collection system pumping stations, together with sewage treatment and effluent disposal facilities, together with easements for such distribution and collection systems, water supply wells, off-site finished water storage and repump facilities, water plant site and buildings, wastewater treatment plant and sewage treatment plant sites and buildings

from United Florida Utilities Corporation is in the public interest.

Section 2. The Statement attached hereto as Exhibit A showing that the acquisition of the above described facilities is in the public interest, which statement includes a summary of the County's experience in water and sewer utilities operation and showing of financial ability to provide the service was prepared by County staff and is hereby approved and ratified by the Board of County Commissioners of St. Johns County, Florida.

Section 3. The Clerk is directed to file a copy of the Statement in the minutes of this Board of County Commissioners.

PASSED AND ADOPTED this 23rd day of July, 1991 by the Board of County Commissioners of St. Johns County, Florida.



BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: *Ronald H. Beard*  
Its Chairman

ATTEST: Carl "Bud" Markel, Its Clerk

By: *Wonne Carter*  
Deputy Clerk

RE: Water and Sewer Revenue Bonds  
(St. Augustine Shores Utilities Acquisition)

Florida Statutes Chapter 125.3401  
Acquisition of Water or Sewer Utility by County

A presentation was made to representatives of St. Johns County, Florida by consultants specifically authorized to examine the feasibility of acquiring St. Augustine Shores Utilities. Final conclusions and recommendations regarding the acquisition of St. Augustine Shores Utilities included a recommendation that the acquisition was economically feasible and would be in the public's best interest.

The impetus for the utility acquisition was from the existing customers of the Shores Utility. The ability to stabilize the Shores rates without adversely affecting the County's rate structure was critical to the decision to acquire. In accomplishing these goals the county feels it has made a showing that the acquisition is in the public interest.

St. Johns County has been operating a water and sewer utility for approximately 40 years. The utility system was originally operated under Anastasia Sanitary District, an independent district created in 1951. The Board members were by law the same as the County Commission. Consolidation of a smaller County water utility with the larger special district water and sewer utility was approved by an act of the Florida Legislature in the spring of 1990. The systems have been operated as a single system since January 1, 1991. The county system has been determined to be well operated and well maintained. An economic feasibility analysis was performed by an outside consultant to examine the economic feasibility of St. Johns County acquiring the St. Augustine Shores Utilities System and was filed with the clerk on July 23, 1991. This feasibility analysis concluded that the acquisition of the utility could be accomplished and the necessary and desirable services provided by the county. The county concurs in that study. Following the closing of the revenue bonds sale and the closing of this acquisition with Florida United Utilities Corporation, the new owner of the utility's assets will be St. Johns County, Florida.

EXHIBIT A

# The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared \_\_\_\_\_

SHERRY L. RAUCH \_\_\_\_\_ who on oath says that she is

ACCOOUNT CLERK \_\_\_\_\_ of the St. Augustine Record, a

daily newspaper published at St. Augustine in St. Johns County, Florida; that

the attached copy of advertisement, being a \_\_\_\_\_

NOTICE OF PUBLIC MEETING AND PUBLIC HEARING

\_\_\_\_\_ in the matter of \_\_\_\_\_

Meeting on July 23, 1991

\_\_\_\_\_ in the \_\_\_\_\_ Court,

was published in said newspaper in the issues of \_\_\_\_\_

July 6, 1991

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me \_\_\_\_\_ *Sherry L. Rauch*

Zoe Ann Johns

this \_\_\_\_\_ 16th \_\_\_\_\_ day of \_\_\_\_\_ July \_\_\_\_\_

A.D. 19 91

*Zoe Ann Johns*  
(SEAL) 8/22/93 Notary Public

NOTICE OF PUBLIC MEETING AND PUBLIC HEARING OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY PERTAINING TO THE PURCHASE OF THE WATER AND SEWER UTILITY SYSTEM PRESENTLY SERVING ST. AUGUSTINE SHORES AND OTHER DEVELOPMENTS.

NOTICE is hereby given that a public meeting and hearing of the Board of County Commissioners of St. Johns County will be held on Tuesday, July 23, 1991 at 9:00 a.m. in the Auditorium of the County Administration Building at 4020 Lewis Speedway, north of the city limits of St. Augustine, Florida, for the purpose of considering (i) the purchase of the water and sewer utility that is presently serving St. Augustine Shores and other developments based upon Florida Statute Section 125.3401 and other criteria and (ii) the approval of a statement showing that the purchase of the utility is in the public interest.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE AUTHORITY WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

DATED: July 2, 1991.  
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA  
Carl "Bud" Markel, Its Clerk  
By: Patricia DeGrande  
Deputy Clerk  
L320 July 6, 1991

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STATE OF FLORIDA,  
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Sworn to and subscribed before me \_\_\_\_\_ Zoe Ann Johns

this \_\_\_\_\_ 9th \_\_\_\_\_ day of \_\_\_\_\_ July

A.D. 19 \_\_\_\_\_ 91

Zoe Ann Johns  
(SEAL) \_\_\_\_\_ Notary Public  
8/22/93

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