

RESOLUTION NO. 99 - 109

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY EXEMPTING APPROVAL OF THE SALE OF A UTILITY SYSTEM FROM JCP UTILITY COMPANY TO JEA FROM THE PROCEDURE AND REQUIREMENTS OF THE ST. JOHNS COUNTY WATER AND SEWER UTILITIES REGULATORY ORDINANCE 89-63, AS AMENDED, AND THE RULES AND REGULATIONS OF THE ST. JOHNS COUNTY, FLORIDA, UTILITY AUTHORITY AS ADOPTED BY ORDINANCE 97-8, AS AMENDED.

WHEREAS, JCP Utility Company is requesting approval of the proposed sale of its water and sewer certificates and water and sewer facilities to JEA;

WHEREAS, JCP Utility Company and JEA have asked that the Board of County Commissioners grant an exemption from the procedure and requirements of St. Johns County Ordinances 89-63 and 97-8, as amended, by having the application reviewed by the Board of County Commissioners without a prior hearing or recommendation from the St. Johns County Water and Sewer Authority;

WHEREAS, it has been represented to the Board of County Commissioners that an expedited review of the application is necessary, otherwise the proposed sale to JEA may not occur;

WHEREAS, Section 7(d) of St. Johns County Ordinance 89-63 provides that the transfer of a utility system from a private utility to a governmental authority shall be approved as a matter of right;

WHEREAS, it appears that the proposed sale and granting of an exemption is consistent with the public interest.

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

Section 1. The granting of an approval for the sale of the franchise certificates and water and sewer facilities from JCP Utility Company to JEA is exempted from all of the procedures and requirements of the St. Johns County Water and Sewer Utilities Regulatory Ordinance 89-63, as amended, and the Rules and Regulations of the St. Johns County, Florida, Utility Authority as adopted by Ordinance 97-8, as amended, except that an exemption is not granted as to Section 7(g).

Section 2. The Board of County Commissioners shall hold a public hearing to hear any objections and to consider granting approval of the proposed sale on July 20, 1999. A legal notice thereof shall be published one time in advance of the hearing date.

Section 3. This Resolution shall take effect upon the same date that Ordinance 99-46, which added Section 7(g) to Ordinance 89-63, becomes effective.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida, this 13 day of July 1999.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: Marc Javalone
Its Chair

ATTEST: CHERYL STRICKLAND

By: *Patricia De Grande*
Deputy Clerk



Adopted Regular Meeting July 13, 1999.

Effective: July 15, 1999.