

RESOLUTION NO. 99- 91

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TRANSFERRING A PORTION OF THE COUNTY'S EXCLUSIVE (WATER AND WASTEWATER) SERVICE AREA TO THE COUNTY'S DESIGNATED (WATER AND WASTEWATER) SERVICE AREA IN ACCORD WITH THE PROVISIONS OF ORDINANCE 99-36.

WHEREAS, the Board of County Commissioners of St. Johns County, Florida, (County) has enacted the St. Johns County Water and Wastewater Service Area Ordinance, Ordinance 99-36; and

WHEREAS, Ordinance 99-36 creates an Exclusive Service Area in which St. Johns County is the sole provider of water and wastewater service to all persons and entities within that area and a Designated Service Area in which the County can either provide water and wastewater services or grant other providers the right to do so; and

WHEREAS, Ordinance 99-36 includes in the Exclusive Service Area an area of the County known as West St. Augustine; and

WHEREAS, on May 18, 1999, at the St. Johns County Commission meeting adopting Ordinance 99-36, representatives of the City of St. Augustine (City) stated that the City had recently formulated plans and secured the capital necessary to make needed upgrades to the water and wastewater service to the West St. Augustine Area, an area previously awarded to the City under the Interlocal Agreement between St. Johns County, Florida and the City of St. Augustine executed on May 9, 1989; and

WHEREAS, the County believes that West St. Augustine is in great need of the upgrades proposed by the City and that the construction of those upgrades to the water and wastewater systems of the City to provide adequate, reliable and safe water and wastewater service to West St. Augustine are in the best interests of the citizens of both County and City residents; and

WHEREAS, Ordinance 99-36 authorizes the County to enlarge or reduce its Exclusive Service Area and its Designated Service Area by County resolutions.

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

Section 1. Transfer of service area. The area described in Exhibit 1 and incorporated into this resolution by reference, commonly known as West St. Augustine, Florida (the "West St. Augustine Area"), is hereby deleted from the County's Exclusive Service Area and is transferred and added to the County's Designated Service Area pursuant to Section 6 of Ordinance 99-36.

Section 2. Designation of City of St. Augustine, Florida as water and wastewater provider.

Pursuant to Ordinance 99-36, the Board hereby designates the City of St. Augustine, Florida as the designated provider for water and wastewater services in the West St. Augustine Area more specifically described in Exhibit 1 attached hereto. Such designation shall take effect immediately upon the execution by the County and the City of the interlocal agreement described in Section 3 below.

Section 3. Interlocal Agreement. In order to effectuate the timely upgrade of water and wastewater service to the West St. Augustine Area, the Board hereby authorizes its staff to tender an Interlocal Agreement to the City within 30 days of the effective date of this Resolution setting forth the responsibilities of the County and the City in this designated area.

Section 4. Effective date. This Resolution shall take effect upon adoption by the Board of County Commissioners of St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 25 day of May, 1999.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: Marc A. Jacalone
Marc A. Jacalone, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

BY: Patricia DeGrande
Deputy Clerk

EXHIBIT I

AREA RESERVED TO THE CITY OF ST. AUGUSTINE FOR UTILITY SERVICES

A PART OF TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BOUNDED ON THE NORTH BY THE CENTERLINE OF RAVENSWOOD DRIVE AND ITS WESTERLY EXTENSION;

BOUNDED ON THE EAST BY THE WEST BOUNDARY OF THE LIMITS OF THE CITY OF ST. AUGUSTINE AS OF MAY 24, 1999;

BOUNDED ON THE SOUTH BY THE CENTERLINE OF STATE ROAD NO. 207;

BOUNDED ON THE WEST BY THE CENTERLINE OF HOLMES BOULEVARD;

EXCEPTING THEREFROM LOTS 14, 15, 16, 17 AND 18, F.N. HOLMES SUBDIVISION AS RECORDED IN MAP BOOK 2 PAGE 36; THAT PART OF SECTION 48, TOWNSHIP 7 SOUTH, RANGE 29 EAST LYING NORTH OF STATE ROAD NO. 207; THAT PART OF SECTION 47, TOWNSHIP 7 SOUTH, RANGE 29 EAST LYING EAST OF HOLMES BOULEVARD AND NORTH OF STATE ROAD NO. 207; AND THE SOUTHERLY 660 FEET OF SECTION 25, TOWNSHIP 7 SOUTH, RANGE 29 EAST LYING NORTH OF STATE ROAD NO. 207, ALL BEING IN ST. JOHNS COUNTY, FLORIDA.