

RESOLUTION NO.: 2008-240

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA REPEALING THE SCHEDULE OF FEES FOR THE USE OF SPORTS FIELDS AT DAVIS PARK AS SET FORTH IN RESOLUTION NUMBER 2002-78; PROVIDING THAT ANY REVENUE REMAINING IN THE SPECIAL FUND ESTABLISHED BY RESOLUTION NUMBER 2007-78 BE TRANSFERRED TO THE COUNTY GENERAL FUND; DISESTABLISHING THE SPECIAL REVENUE FUND ESTABLISHED BY RESOLUTION 2002-78; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 7, 2002, the St. Johns County Board of County Commissioners (“the Board”) recognized that the sports fields at Davis Park were designed to accommodate regional competitions and tournament play, and that the park’s design required a certain level of care of maintenance; and

WHEREAS, on May 7, 2002, the Board adopted Resolution Number 2002-78, which among other things, provides a schedule of fees for the use of sports fields at Davis Park to fund the costs of such care and maintenance; and

WHEREAS, Resolution Number 2002-78 further provides for the establishment of a special fund to allow acceptance and use of fee revenues; and

WHEREAS, on September 18, 2007, the Board subsequently adopted Resolution Number 2007-266, *as amended*, which among other things, provides a uniform schedule of fees for the use of all county parks, including Davis Park; and

WHEREAS, fee revenues collected pursuant to Resolution Number 2007-266, *as amended*, are allocated for use through the General Fund.

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

Section 1. Repeal. The schedule of fees for use of sports fields at Davis Park as set forth in Exhibit "A" of Resolution 2002-78 is hereby repealed.

Section 2. Fees and Charges. The schedule of fees and charges as it pertains to Park Fees set forth in Resolution 2007-266, *as amended*, is hereby incorporated by reference into the body of this Resolution.

Section 3. Transfer of Revenue Funds. Any revenues remaining in the special fund established by Resolution Number 2002-78 shall be transferred to the County General Fund.

Section 4. Disestablishment of Special Fund. The special revenue fund established by Resolution Number 2002-78 is hereby disestablished.

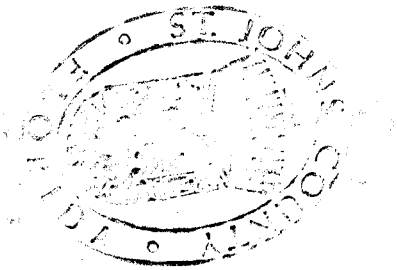
Section 5. Prior Inconsistent Resolutions. Any prior resolutions inconsistent with the provisions set forth above are hereby repealed.

Section 6. Fee Waiver. If the Board finds that it is in the best interest of the County and will serve a public purpose to waive any fees and/or charges incorporated by reference into the body of this Resolution, the Board may waive such required fees, unless and except those fees are prohibited from waiver by contract, rule, ordinance or other law.

Section 7. Severability. If any word, phrase, clause, section or portion of this resolution shall be held invalid or unconstitutional by a court of competent jurisdiction, such word, phrase, clause, section or portion shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 8. Effective Date. This Resolution shall become effective on October 1, 2008.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 2nd day of September, 2008.



**ST. JOHNS COUNTY BOARD
OF COUNTY COMMISSIONERS**

By: *Thomas G. Manuel*
Thomas G. Manuel, Chairman

ATTEST: Cheryl Strickland, Clerk

By: *Pam Halterman*
Deputy Clerk

Rendition Date: 9/5/08

Effective Date: 10/1/08