

RESOLUTION NO. 2012- 115

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS FOR THE RENEWAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN ST. JOHNS COUNTY UTILITY DEPARTMENT AND ST. JOHNS COUNTY PARKS AND RECREATION DEPARTMENT FOR USE OF THE ADMINISTRATIVE BUILDING AND WAREHOUSE LOCATED ON MIZELL ROAD.

RECITALS

WHEREAS, in 2007 the Memorandum of Understanding (MOU), attached hereto as Exhibit "A," incorporated by reference and made a part hereof, allowed Parks and Recreation use of the former Utility Department building and warehouse located on Mizell Road for a term of five years. The MOU states at the end of the five year term the amount of compensation would be reevaluated; and

WHEREAS, the original rental amount was \$60,143 per year. Due to the economic downturn the current assessed value has been used to calculate the rental rate of the building in the amount of \$48,447 per year as shown on the new MOU attached hereto as Exhibit "B," incorporated by reference and made a part hereof; and

WHEREAS, St. Johns County Park & Recreation Department will pay/transfer to the St. Johns County Utility Department \$48,447 per year or use; and

WHEREAS, it is in the best interest of the County to authorize the renewal of the MOU to eliminate the need for the County to acquire property to accommodate the administrative functions of the County Parks and Recreation Department; and

WHEREAS, to the extent that there are typographical, or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners.

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

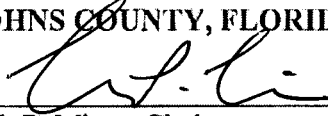
Section 1. The above recitals are incorporated by reference into the body of this Resolution and such recitals are adopted as findings of fact.

Section 2. The Board of County Commissioners hereby approves the terms of the renewal of the Memorandum of Understanding.

Section 3. The Clerk is instructed to file the Memorandum of Understanding in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 17th day of April, 2012.

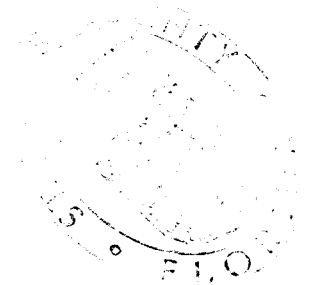
**BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA**

By: 
Mark P. Miner, Chair

ATTEST: Cheryl Strickland, Clerk

By: 
Deputy Clerk

RENDITION DATE 4/19/12



Memorandum of Understanding

This **Memorandum of Understanding** is intended to provide guidance to **St. Johns County** staff with respect to the use of the former **St. Johns County Utility Department** administrative building and warehouse located on Mizell Road.

Paramount Public Purpose. By separate Resolution by the Board of County Commissioners of St. Johns County, Florida, the Board declared that the use, described below, was of Paramount Public Purpose. Such a declaration by the Board serves as a primary rationale for authorizing such use, as described below.

Use. From, and after, May 29, 2007, the former **St. Johns County Utility Department** administrative building and warehouse may be used as the primary administrative building for the **St. Johns County Parks and Recreation Department**.

Term. Unless use is returned to the **St. Johns County Utility Department**, or the building located on Mizell Road is otherwise disposed in a manner that is allowed by any applicable law, rule, or policy, then the **St. Johns County Parks and Recreation Department** may use such building for a period of five (5) years, which runs from July 24, 2007, up through 11:59 pm on July 23, 2012.

Payment for Use. For such use, it is noted and agreed that the **St. Johns County Parks and Recreation Department** will pay/transfer to the **St. Johns County Utility Department** an amount of \$60,143.00 per year of use. For the first year, the \$60,143.00 will be due no later than August 24, 2007. For all other years, the \$60,143.00 will be due no later than August 24, of that year. The payment/transfer shall be made in any manner, and under any procedures that are acceptable to the County.

Return of Use. Should the **Board of County Commissioners of St. Johns County, Florida**, determine/declare that there is no longer a Paramount Public Purpose for use by the **St. Johns County Parks and Recreation Department**, then such use shall revert and return to the **St. Johns County Utility Department**. The return and reversion shall occur no later than one year from the date of the **Board's** determination/declaration.

Exhibit "B" to Resolution

MEMORANDUM OF UNDERSTANDING

This **Memorandum of Understanding** is intended to provide guidance to **St. Johns County** staff with respect to the use of the former **St. Johns County Utility Department** administrative building and warehouse located on Mizell Road.

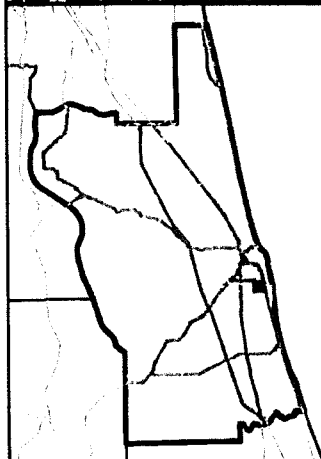
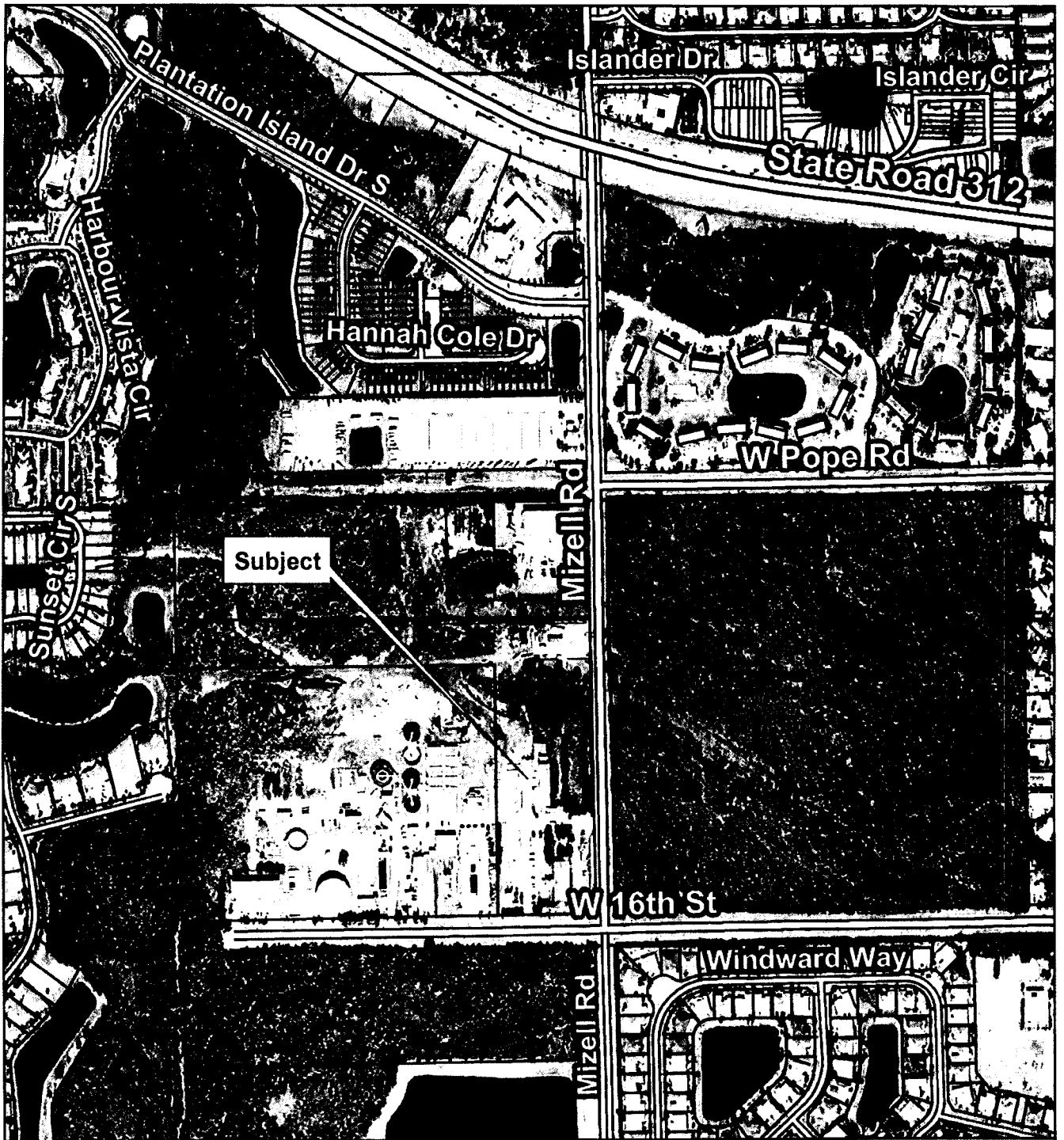
Paramount Public Purpose. Resolution 2007-217 by the Board of County Commissioners declared that the use, described below, was of Paramount Public Purpose. Such a declaration by the Board serves as a primary rationale for authorizing such use.

Use. From and after May 29, 2007 the former **St. Johns County Utility Department** administrative building and warehouse has been used as the primary administrative building for the **St. Johns County Parks and Recreation Department**.

Term. Unless use is returned to the **St. Johns County Utility Department**, or the building located on Mizell Road is otherwise disposed in a manner that is allowed by any applicable law, rule, or policy, then the **St. Johns County Parks and Recreation Department** may continue use of such building for an additional period of five (5) years, which will continue at the expiration of the original Memorandum of Understanding which ends July 24, 2012. The new term will expire **July 24, 2017**. At the time of expiration the term and compensation will be reevaluated.

Payment for Use. For such use, it is noted and agreed that the **St. Johns County Parks and Recreation Department** will pay/transfer to the **St. Johns County Utility Department** an amount of \$48,447 per year of use beginning August 24, 2012 and payment will be due each year no later than August 24 of that year. The payment/transfer shall be made in any manner and under any procedures that are acceptable to the **County**.

Return of Use. Should the **Board of County Commissioners of St. Johns County, Florida**, determine/declare that there is no longer a Paramount Public Purpose for the use by the **St. Johns County Parks and Recreation Department**, then such use shall revert and return to the **St. Johns County Utility Department**. The return and reversion shall occur no later than one year from the date of the **Board's** determination/declaration.



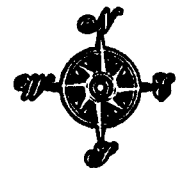
Parks & Recreation Offices

0 150 300 600 900 1,200 Feet

St. Johns County
Land Mgmt Systems
Real Estate Division



Map Prepared:
March 15, 2012
(904) 209-0788



DISCLAIMER.
This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy.