

RESOLUTION NO. 2005- 173

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA SUSPENDING RULE 4.101 OF THE RULES/POLICIES OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS FOR THE PURPOSE OF ALLOWING THE BOARD TO TAKE ACTION AT A SPECIAL MEETING AND PUBLIC HEARING TO BE HELD ON AUGUST 17 AND 18, 2005, AT THE OUR LADY STAR OF THE SEA CULTURAL CENTER, 545 A1A NORTH, PONTE VEDRA BEACH, FL 32082.

RECITALS

WHEREAS, pursuant to Section 125.001, Florida Statutes, the Board of County Commissioners of St. Johns County, Florida (hereinafter, "Board") may hold regular and special meetings of the Board at any appropriate public place in the County; and

WHEREAS, the Office of the Attorney General of the State of Florida has interpreted "any appropriate public place" to include any public location within the county irrespective of the location of the county seat. See Op. Att'y Gen. Fla. 99-39 (1999); and

WHEREAS, Section 125.01 Florida Statutes provides that the Board may adopt its own rules of procedure and may set the time and place of its official meetings; and

WHEREAS, the Board has adopted its own rules of procedure with Rule 4.101 providing that, "No action may be taken by the Board at a meeting located outside the County Seat."; and

WHEREAS, Rule 4.803 provides, "A motion to suspend the standing rules may be made by a Commissioner or the Chair. A suspension is a non-debatable motion. The standing rules may be suspended by a majority plus one (1) of the Commissioners present. Once suspended, the rules remain suspended only for the time indicated in the motion."

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County as follows:

1. The above Recitals are incorporated herein by reference and are adopted as findings of fact in support of this motion.

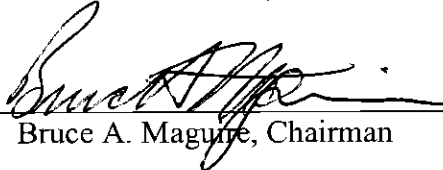
2. Rule 4.101 of the Board's Rules/Policies shall be suspended on August 17, 2005, and shall remain suspended until it resumes in full force and effect on August 18, 2005.

3. The purpose of suspending Rule 4.101 is to facilitate a Board special meeting and public hearing to be held in the Our Lady Star of the Sea Cultural Center, 545 A1A North, Ponte Vedra Beach, Florida on August 17 and 18, 2005 and to empower the Board to take action at the meeting to consider an Agreement to Purchase Water and Wastewater Assets from St. Johns


Service Company, Inc., as required by Section 125.3401, Florida Statutes, and following that public hearing, the Board plans to take those actions authorized by said Section 125.3401, Florida Statutes, and other provisions of law, associated with acquisition of the water and wastewater utility facilities owned by St. Johns Service Company, Inc. located in St. Johns County, Florida. The meeting will be held at the Our Lady Star of the Sea Cultural Center, a public place within St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 28th day of June, 2005.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Bruce A. Maguire, Chairman

ATTEST: Cheryl Strickland, Clerk

By: 
Deputy Clerk

RENDITION DATE 7/1/2005

Effective Date: 6-28-05

