

RESOLUTION NO. 2006-418

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, DECLARING THAT AN EMERGENCY EXISTS PERTAINING TO DANGER TO PRIVATE PROPERTY AT OR NEAR THE VICINITY OF 2835 SOUTH PONTE VEDRA BLVD. DUE TO RECENT STORM EROSION, AND ANY ACTION TAKEN DURING THE EMERGENCY SPECIAL MEETING ON NOVEMBER 9, 2006 DIRECTLY PERTAINS TO THE EMERGENCY.

RECITALS:

WHEREAS, the Board of County Commissioners of St. Johns County, Florida has adopted Rules and Policies addressing the procedural requirements for calling an emergency meeting of the Board of County Commissioners; and

WHEREAS, pursuant to Board of County Commissioners of St. Johns County Rule 4.104, the Chair of the Board of County Commissioners may call an emergency meeting of the Board to consider and take action upon a public emergency; and

WHEREAS, on Wednesday, November 8, 2006, at approximately 5:30 p.m., Chairman James E. Bryant, upon advice of the County Engineer and County Attorney, called an emergency meeting of the Board of County Commissioners; and

WHEREAS, pursuant to Rule 4.104, no action shall be taken by the Board unless the Board first declares by motion or resolution that an emergency exists and the action taken directly pertains to the emergency; and

WHEREAS, prior notice of the emergency meeting was given by the most appropriate and effective methods available under the circumstances, including but not limited to, contacting the local news media; and

WHEREAS, areas of St. Johns County have been experiencing a “coastal storm”, as referenced in Rule 62B-33.0051(5), Florida Administrative Code, commencing on or about November 3, 2006, 2006, which is causing and has caused erosion of the Atlantic Ocean beach and dune system in ST. Johns County, Florida; and

WHEREAS, as a result of such “coastal storm,” one or more beach front homes located within ST. Johns County in the vicinity of 2835 South Ponte Vedra Blvd. have become vulnerable to damage or collapse from ongoing ocean wave action or from a subsequent “coastal storm;” and

WHEREAS, County staff, including a well qualified Professional Engineer, licensed in the State of Florida, have inspected the area in question, and have consulted with other agencies, including but not limited to, the State of Florida, Department of Environmental Protection; and

found that a Coastal Storm erosion emergency exists in St. Johns County, as referenced in said Rule 62B-33.0051(5), Florida Administrative Code.

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

Section 1. The aforementioned Recitals are hereby incorporated by reference as findings of fact and conclusions of law.

Section 2. The Board of County Commissioners of St. Johns County, Florida declares that based on said facts and law, a local state of emergency exists in St. Johns County of the type referenced in Rule 62B-33.0051(5), Florida Administrative Code, in the vicinity described above, and that any action taken at the Emergency Special Meeting on November 9, 2006, directly pertains to the emergency.

Section 3. The affected property owner(s), as reasonably determined by the County Engineer using recognized professional standards, are authorized to proceed to protect the affected property in compliance with Rule 62B-33.0051, Florida Administrative Code, and Section 161.085, Florida Statutes.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida, this 9th day of November, 2006

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk

Rendition Date: 11-09-06

By: Cheryl Strickland
Deputy Clerk

