

RESOLUTION NO. 2008-256

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, FINDING A PUBLIC PURPOSE IN THE EXPENDITURE OF PUBLIC FUNDS FOR THE PURPOSES OF EDUCATING THE ST. JOHNS COUNTY ELECTORATE REGARDING A ONE-CENT SURTAX FOR FIVE (5) YEARS FOR THE PURPOSES OF ACQUIRING CONSERVATION PROPERTY AND FUNDING TRANSPORTATION INFRASTRUCTURE FOR EXISTING DEVELOPMENT

WHEREAS, the acquisition of natural, farm and forest lands will maintain good surface water quality by using appropriate lands for their natural stormwater cleaning abilities; provide opportunities for both existing residents and future generations to enjoy fish and wildlife conservation areas, natural/environmentally sensitive areas and will also provide opportunities for passive recreational and educational uses; and,

WHEREAS, it is consistent with the State of Florida Comprehensive Plan and the St. Johns County Comprehensive Plan to acquire, preserve and passively use environmentally significant lands, and/or to purchase agricultural lands and/or to purchase the development rights of agricultural lands located in St. Johns County, Florida in order to protect the natural environment and/or to acquire lands for passive public recreation; and,

WHEREAS, transportation system infrastructure improvements are needed in existing development areas within the County to enhance safety and transportation operation and ease traffic congestion; and,

WHEREAS, improvements to the transportation system infrastructure may encompass alternative modes of transportation such as mass transit, sidewalks, bike lanes and multi-purpose paths; and,

WHEREAS, the Board of County Commissioners of St. Johns County desires to submit to the qualified electors of St. Johns County the question as to whether or not to levy a one percent Local Government Infrastructure Surtax pursuant to Section 212.055(2), Florida Statutes, as amended, to fund the acquisition and restoration of environmentally significant lands, the acquisition of passive public recreation lands, the acquisition of agricultural land and/or the acquisition of development rights of agricultural lands, and to provide transportation system infrastructure improvements as described herein; and,

WHEREAS, relying on a Florida Supreme Court decision, the Florida Attorney General has provided the opinion (AGO 98-33) that a County may expend County funds to support or oppose an issue before the electorate, provided that the County Commissioner makes the requisite legislative findings as to the purpose of the expenditure and the benefits accruing to the County from such expenditure; and,

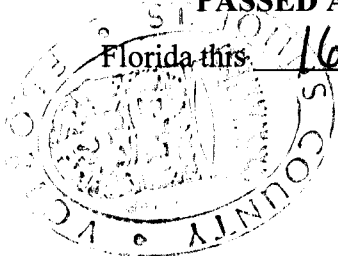
WHEREAS, the expenditure of funds to educate the electorate regarding a one-cent sales tax as opposed to Ordinance No. 2008-42 will fulfill a public purpose and accrue to the benefit of the St. Johns County electorate.

BE IT THEREFORE RESOLVED by the Board of County Commissioners of St. Johns County, Florida:

1. The Whereas clauses set out above are hereby adopted by this Board as findings of fact.
2. The County Administrator is authorized to expend up to Thirty-Five Thousand Dollars (\$35,000.00) in aggregate with St. Johns County Resolution 2008-257 for the purposes of educating the St. Johns County electorate regarding the five (5) year one-cent sales tax by the electorate as proposed by Ordinance 2008-42.
3. The County Administrator shall ensure that any expenditures authorized by this resolution are specifically utilized to meet the public purpose of educating the public as described herein.

This Resolution shall take effect immediate upon adoption.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida this 16th day of September, 2008.



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

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

ATTEST: Cheryl Strickland, Clerk

By: *Pam Halterman*
Deputy Clerk

Rendition Date: 9/19/08