

1  
2 An act relating to St. Johns County; creating  
3 the Town of Ponte Vedra Beach; providing  
4 legislative intent; providing municipal  
5 boundaries and municipal powers; providing a  
6 council-manager form of government; providing  
7 for election of a town council; providing for  
8 membership, qualifications, terms, powers, and  
9 duties of its members, including the mayor;  
10 providing for compensation and expenses;  
11 providing general powers and duties; providing  
12 circumstances resulting in vacancy in office;  
13 providing grounds for forfeiture and  
14 suspension; providing for filling of vacancies;  
15 providing for meetings; providing for keeping  
16 of records; providing for adoption,  
17 distribution, and recording of technical codes;  
18 providing a limitation upon employment of town  
19 council members; providing certain interference  
20 with town employees shall constitute  
21 malfeasance in office; establishing the fiscal  
22 year; providing for adoption of annual budget  
23 and appropriation; providing amendments for  
24 supplemental, reduction, and transfer of  
25 appropriations; providing for limitations;  
26 providing for appointment of charter offices,  
27 including a town manager and town attorney;  
28 providing for removal, compensation, and  
29 filling of vacancies; providing qualifications,  
30 powers, and duties; providing for nonpartisan  
31 elections and for matters relative thereto;

1 providing for recall; providing for initiative  
2 and referenda; providing the town a  
3 transitional schedule and procedures for first  
4 election; providing for first-year expenses;  
5 providing for adoption of transitional  
6 ordinances, resolutions, comprehensive plan,  
7 and local development regulations; providing  
8 for a transition agreement between St. Johns  
9 County and Town of Ponte Vedra Beach; providing  
10 for interim municipal services; providing for  
11 disposition of existing special districts;  
12 providing for the grandfathering in of existing  
13 land uses and zoning for certain property  
14 owners; providing land descriptions of the  
15 town; providing for future amendments of the  
16 charter; providing for standards of conduct in  
17 office; providing for severability; providing  
18 for a referendum; providing an effective date.

19

20 Be It Enacted by the Legislature of the State of Florida:

21

22 Section 1. Short title.--This act, together with any  
23 future amendments thereto, shall be known and may be cited as  
24 the Town of Ponte Vedra Beach Charter, hereinafter referred to  
25 as "the charter."

26 Section 2. Legislative intent.--The Legislature hereby  
27 finds and declares that the Ponte Vedre Beach area in St.  
28 Johns County includes a compact and contiguous community of  
29 approximately 25,000 residents susceptible to urban services,  
30 and constitutes a community amenable to separate municipal  
31 government.

1           Section 3. Incorporation of municipality; corporate  
2 limits.--There is hereby created, effective December 31, 1998,  
3 in St. Johns County, a new municipality to be known as the  
4 Town of Ponte Vedra Beach, which shall have a council-manager  
5 form of government. The corporate boundaries of the Town of  
6 Ponte Vedra Beach, hereinafter referred to as "town," shall be  
7 as described in section 12.

8           Section 4. Municipal powers.--The town shall be a body  
9 corporate and politic and shall have all the powers of a  
10 municipality under the Constitution and laws of the State of  
11 Florida, as fully and completely as though such powers were  
12 specifically enumerated in the charter, unless otherwise  
13 prohibited by or contrary to the provisions of the charter.  
14 The town shall have all governmental, corporate, and  
15 proprietary powers to enable it to conduct municipal  
16 government, perform municipal functions, and render municipal  
17 services, and may exercise any power for municipal services  
18 unless expressly prohibited by law. The powers of the town  
19 shall be liberally construed in favor of the town.

20           Section 5. Town council.--

21           A. COUNCIL; COMPOSITION; QUALIFICATIONS OF COUNCIL  
22 MEMBERS.--

23           1. There shall be a five member town council,  
24 hereinafter referred to as the "council," consisting of four  
25 council members elected at-large, although each of these  
26 council members must reside in the district they represent,  
27 and one council member representing the town at-large and  
28 designated as mayor.

29           2. The districts' geographical boundaries are:

30           District 1:  
31

1 Beginning at a point where Ponte Vedra Lakes  
2 Boulevard intersects the boundary of St. Johns  
3 County and Duval County; thence southerly and  
4 easterly on Ponte Vedra Lakes Boulevard to the  
5 power lines; thence southerly along the power  
6 line right-of-way to Solana Road also known as  
7 State Road 210A; thence easterly along Solana  
8 Road to the intersection of State Road 210A and  
9 A1A North; thence southerly along A1A North to  
10 Thousand Oaks Boulevard; thence westerly and  
11 northerly along Thousand Oaks Boulevard to  
12 Palmera Drive; thence northerly along Palmera  
13 Drive to Alta Mar Drive; thence west along Alta  
14 Mar Drive to TPC Boulevard; thence northerly  
15 and westerly along TPC Boulevard to Solana  
16 Road; thence westerly along State Road 210A to  
17 the intersection of State Road 210A and North  
18 Roscoe Boulevard; thence westerly from said  
19 intersection along an extension of State Road  
20 210A to the centerline of the Intracoastal  
21 Waterway; thence northerly along the  
22 Intracoastal Waterway to a point where the  
23 centerline of the channel of the Intracoastal  
24 Waterway intersects the boundary of St. Johns  
25 County and Duval County; thence easterly along  
26 the St. Johns County boundary to the point of  
27 beginning.  
28 District 2:  
29 Beginning at the intersection of the shores of  
30 the Atlantic Ocean and the boundary line  
31 between St. Johns County and Duval County;

1        thence southerly along the shores of the  
2        Atlantic Ocean to the easterly extension of  
3        Mickler's Cutoff; thence along said extension  
4        to the intersection of County Road 203 and  
5        Mickler's Cutoff Road; thence northerly and  
6        westerly along the boundary of the Ponte Vedra  
7        Municipal Service District (hereinafter  
8        referred to as "Ponte Vedra MSD"), to Ponce de  
9        Leon Boulevard, also known as State Road A1A;  
10       thence northerly along Ponce de Leon Boulevard  
11       to Solana Road; thence west on Solana Road to  
12       the Power Lines; thence northerly along the  
13       power lines to Ponte Vedra Lakes Boulevard;  
14       thence northwesterly along Ponte Vedra Lakes  
15       Boulevard to the boundary of St. Johns County;  
16       thence easterly along the boundary between St.  
17       Johns County and Duval County to the point of  
18       beginning.  
19       District 3:  
20       Beginning at the intersection of TPC Boulevard  
21       and Alta Mar Drive; thence southerly and  
22       easterly along TPC Boulevard to Highway A1A  
23       North; thence south on Highway A1A to the  
24       intersection of Mickler's Cutoff; thence  
25       easterly along Mickler's Cutoff to the  
26       intersection with the western boundary of the  
27       Ponte Vedra MSD; thence northerly and westerly  
28       along the boundary of the Ponte Vedra MSD;  
29       thence southerly on A1A North to the  
30       intersection of Thousand Oaks Boulevard; thence  
31       westerly and northerly along Thousand Oaks

1           Boulevard to Palmera Drive; thence northerly  
2           along Palmera Drive to Alta Mar Drive; thence  
3           west along Alta Mar Drive to the point of  
4           beginning.  
5           District 4:  
6           Beginning at the intersection of TPC Boulevard  
7           and Solana Road; thence southerly and easterly  
8           along TPC Boulevard to Highway A1A North;  
9           thence southerly along A1A North to the  
10          intersection of A1A North and Mickler's Cutoff  
11          Road; thence easterly along an extension of  
12          Mickler's Cutoff Road to the shores of the  
13          Atlantic Ocean; thence southerly along the  
14          shores of the Atlantic Ocean to an extension of  
15          the southern boundary of the Ponte Vedra MSD;  
16          thence westerly along said extension to the  
17          intersection with the boundary of the Guana  
18          State Park; thence following the boundary of  
19          the Guana State Park to the center of the  
20          Intracoastal Waterway; thence northerly along  
21          the center of the Intracoastal Waterway to the  
22          westerly extension of Solana Road; thence  
23          easterly along Solana Road to the point of  
24          beginning.  
25          District 5:  
26          At-Large Mayoral/Council Seat comprising the  
27          entire Town.  
28          3. Redistricting.--In the year 2001 and in the  
29          odd-numbered years after each decennial census thereafter, and  
30          at any time when required by law, the town council shall  
31

1 redivide the town into four districts of contiguous territory  
2 as nearly equal in population as possible.

3 4. Council Seats.--There shall be five separate  
4 council seats to be designated as District 1, District 2,  
5 District 3, District 4 and District 5-Mayoral/Council. Council  
6 members must qualify for council positions by district and the  
7 council members elected to those seats shall hold seats 1  
8 through 5 respectively.

9 5. To qualify for office:

10 a. Each candidate for the office of council shall be a  
11 registered voter in the State of Florida and an elector of the  
12 town.

13 b. At the time of qualification, each candidate for a  
14 council seat shall reside within the boundaries of the town  
15 and, if elected, shall maintain such residency throughout his  
16 or her term of office. Each district council member must be a  
17 resident of the district they represent during their  
18 incumbency. For the initial election, following the referendum  
19 approving the creating of the town, candidates for office  
20 shall qualify as provided in section 9B. Thereafter,  
21 candidates shall qualify as provided in section 8C.

22 B. TERM OF OFFICE.--The term of office for council  
23 members shall be 4 years. Each council member shall remain in  
24 office until a successor is elected and assumes the duties of  
25 the position, except as otherwise provided herein. No council  
26 member shall serve more than two consecutive terms of office.

27 C. THE MAYOR; POWERS AND DUTIES.--

28 1. The mayor shall be elected from the at-large  
29 District 5-Mayoral/Council candidates. The mayor shall have  
30 the same legislative powers and duties as any other council  
31 member, as well as, the duties provided in paragraph 2.

1           2. In addition to carrying out his or her regular  
2 council member duties, the mayor shall preside at the meetings  
3 of the council and shall be recognized as the head of town  
4 government for service of process, ceremonial matters, and the  
5 signature or execution of ordinances, contracts, deeds, bonds,  
6 and other instruments and documents. The mayor shall serve as  
7 the liaison between the town council and the town manager;  
8 however, the mayor shall have no administrative duties other  
9 than those necessary to accomplish the actions delineated  
10 above, or such other actions as may be authorized by the  
11 council, consistent with general or special law.

12           D. COMPENSATION AND EXPENSES.--Council members shall  
13 be compensated at the rate of \$500 per month and shall be  
14 entitled to receive reimbursement in accordance with Florida  
15 Statutes for authorized travel and per diem expenses incurred  
16 in the performance of their official duties. The council, by  
17 not less than a majority plus one vote of the entire council,  
18 may elect to provide for an increase in compensation by  
19 ordinance. However, no such ordinance establishing or  
20 increasing compensation shall take effect until the date of  
21 commencement of the terms of council members elected at the  
22 next regular election which follows the adoption of said  
23 ordinance.

24           E. GENERAL POWERS AND DUTIES OF COUNCIL.--Except as  
25 otherwise prescribed herein or provided by law, legislative  
26 and police powers of the town shall be vested in the council.  
27 The council shall provide for the exercise of its powers and  
28 for the performance of all duties and obligations imposed on  
29 the town by law.

30           F. VACANCIES; FORFEITURE OF OFFICE; SUSPENSION;  
31 FILLING OF VACANCIES.--

1           1. Vacancies.--A vacancy in the office of a council  
2 member shall occur upon the death of the incumbent, removal  
3 from office as authorized by law, resignation, appointment to  
4 other public office which creates dual office holding,  
5 judicially determined incompetency, or forfeiture of office as  
6 described in paragraph 2.

7           2. Forfeiture of office.--A council member shall  
8 forfeit his or her office upon determination by the council,  
9 acting as a body at a duly noticed public meeting, that he or  
10 she:

11           a. Lacks at any time, or fails to maintain during his  
12 or her term of office, any qualification for the office  
13 prescribed by the charter or otherwise provided by law;

14           b. Is convicted of a felony, or enters a plea of  
15 guilty or nolo contendere to a crime punishable as a felony;

16           c. Is convicted of a first degree misdemeanor arising  
17 directly out of his or her official conduct or duties, or  
18 enters a plea of guilty or nolo contendere thereto, even if  
19 adjudication of guilt has been withheld;

20           d. Is found to have violated any standard of conduct  
21 or code of ethics established by law for public officials and  
22 has been suspended from office by the Governor, unless  
23 subsequently reinstated as provided by law; or

24           e. Is absent from two consecutive regular council  
25 meetings or four or more meetings in any calendar year without  
26 justifiable reason, or for any other reason established in the  
27 charter.

28           3. Suspension from office.--A council member shall be  
29 suspended from office upon return of an indictment or issuance  
30 of any information charging the council member with any crime  
31 which is punishable as a felony or with any crime arising out

1 of his or her official duties which is punishable as a first  
2 degree misdemeanor. In furtherance thereof:

3 a. During the period of suspension, the council member  
4 shall not perform any official act, duty, or function or  
5 receive any pay, allowance, emolument, or privilege of office.

6 b. If the council member is subsequently found not  
7 guilty of the charge, or if the charge is otherwise dismissed,  
8 reduced, or altered in such a manner that suspension would no  
9 longer be required as provided herein, the suspension shall be  
10 lifted and the council member shall be entitled to receive  
11 full back pay and such other emoluments or allowances as he or  
12 she would have been entitled to had the suspension not  
13 occurred.

14 4. Filling of vacancies.--

15 a. If a vacancy occurs in the office of mayor, the  
16 council shall appoint from its members by majority vote an  
17 individual to be mayor for the remainder of the mayor's term.

18 b. If any vacancy occurs in the office of any council  
19 member, including any vacancy resulting from a council member  
20 being appointed by the council to fill a mayoral vacancy, the  
21 remaining council members shall, within 30 days following the  
22 occurrence of such vacancy, by majority vote, appoint a person  
23 to fill the vacancy until the next general election.

24 c. Any person appointed to fill a vacant seat on the  
25 council shall be required to meet the qualifications of the  
26 seat to which he or she is appointed.

27 G. Council meetings.--Regular meetings of the council  
28 shall be held on the third Thursday of every month and at such  
29 place, reasonably accessible to the citizens of the town, as  
30 the council shall prescribe by resolution. Such meetings shall  
31 be public meetings within the meaning of s. 286.011, Florida

1 Statutes, and shall be subject to notice and other  
2 requirements of law applicable to public meetings. Pursuant  
3 thereto:

4 1. Special meetings may be held at the call of the  
5 mayor or upon the request of a majority of the council  
6 members. Such meetings shall be held at a place that is  
7 reasonably accessible to the citizens of the town. Unless of  
8 an emergency nature, the person or persons calling such  
9 meeting shall provide not less than 72-hours prior notice of  
10 the meeting to the public.

11 2. Elected or reelected council members shall be  
12 inducted into office at the first regularly scheduled meeting  
13 following certification of their election.

14 3. A majority of the council shall constitute a  
15 quorum. No action of the council shall be valid unless adopted  
16 by an affirmative vote of the majority of the council unless  
17 otherwise provided by law. All actions of the council shall be  
18 by ordinance, resolution, or motion.

19 H. TOWN RECORDS.--The council shall, in a properly  
20 indexed book kept for the purpose, provide for the  
21 authentication and recording in full of all minutes of  
22 meetings and all ordinances and resolutions adopted by the  
23 council, and the same shall at all times be a public record.  
24 The council shall further maintain a current codification of  
25 all ordinances. Such codification shall be printed and shall  
26 be made available for distribution to the public on a  
27 continuing basis. All ordinances or resolutions of the council  
28 shall be signed by the mayor and attested to by the town  
29 clerk, hereinafter referred to as "clerk," who shall be  
30 selected by the town manager, hereinafter referred to as  
31 "manager."

1           I. ADOPTION OF CODES.--The council may adopt any  
2 standard code of technical regulations by reference thereto in  
3 an adopting ordinance and may amend the code in the adopting  
4 ordinance or later amendatory ordinance. The procedures and  
5 requirements governing such an adoption ordinance shall be  
6 prescribed for ordinances generally, except that:

7           1. Requirements regarding distribution and filing of  
8 copies of the ordinance shall not be construed to require  
9 distribution and filing of copies of the adopted code of  
10 technical regulations, except as provided in paragraph 2.

11           2. A copy of each adopted code of technical  
12 regulations, as well as of the adoptive ordinance, shall be  
13 authenticated and recorded by the clerk.

14           J. LIMITATION OF EMPLOYMENT OF COUNCIL MEMBERS.--No  
15 council member shall be in the employment of the town in any  
16 other capacity while in office, nor shall any former council  
17 member be employed by the town until after the expiration of 1  
18 year from the time of leaving office.

19           K. NONINTERFERENCE BY COUNCIL.--Except for the  
20 purposes of inquiry and information, the council and its  
21 members including committees thereof, are expressly prohibited  
22 from interfering with the performance of the duties of any  
23 employee of the town who is under the direct or indirect  
24 supervision of the manager or town attorney, hereinafter  
25 referred to as "attorney." Such action shall be malfeasance  
26 within the meaning of s. 112.501, Florida Statutes, and s.  
27 112.51, Florida Statutes.

28           Section 6. Budget and appropriations.--

29           A. FISCAL YEAR.--The town shall have a fiscal year  
30 which shall begin on October 1 of each year and end on  
31 September 30 of the succeeding year.

1           B. BUDGET ADOPTION.--The council shall by resolution  
2 adopt a budget for the next fiscal year prior to the beginning  
3 of the next fiscal year, following a minimum of two public  
4 hearings on the proposed budget. A resolution adopting the  
5 annual budget shall constitute appropriation of the amounts  
6 specified therein as expenditures from funds indicated.

7           C. APPROPRIATION AMENDMENTS DURING THE FISCAL YEAR.--

8           1. Supplemental appropriations.--If during the fiscal  
9 year, revenues in excess of those estimated in the budget are  
10 available for appropriation, the council by resolution may  
11 make supplemental appropriations for the year in an amount not  
12 to exceed such excess.

13           2. Reduction of appropriations.--If, at any time  
14 during the fiscal year, it appears probable to the manager  
15 that the revenues available will be insufficient to meet the  
16 amount appropriated, the manager shall report same to the  
17 council without delay, indicating the estimated amount of the  
18 deficit, any remedial action taken and recommendations as to  
19 any other steps that should be taken. The council shall then  
20 take such further action as it deems necessary to prevent or  
21 minimize any deficit and, for that purpose, the council may by  
22 resolution reduce one or more appropriations accordingly.

23           3. Limitations; effective date.--No appropriation for  
24 debt service may be reduced or transferred, and no  
25 appropriation may be reduced below any amount required by law  
26 to be appropriated, or by more than the unencumbered balance  
27 thereof. Other provisions of law to the contrary  
28 notwithstanding, the supplemental and emergency appropriations  
29 and reduction or transfer of appropriations authorized by this  
30 section may be made effective immediately upon adoption.

31           Section 7. Charter officers.--

1           A. DESIGNATION.--The manager and attorney are  
2 designated as charter officers, except that the office of the  
3 attorney may be contracted to an attorney or law firm.

4           B. APPOINTMENT; REMOVAL COMPENSATION; FILLING OF  
5 VACANCIES.--

6           1. The charter officers shall be appointed by a  
7 majority of the full council and shall serve at the pleasure  
8 of the council.

9           2. The charter officers shall be removed from office  
10 only by a majority plus one vote of the full council. Upon  
11 demand by a charter officer, a special hearing shall be held  
12 prior to such removal.

13           3. The compensation of the charter officers shall be  
14 fixed by the council.

15           4. The council shall begin the process to fill a  
16 vacancy in a charter office as soon as practicable. An acting  
17 town manager or an acting town attorney may be appointed by  
18 the council during a vacancy in such charter office.

19           5. The charter officers shall not be a candidate for  
20 council while holding their charter position.

21           C. TOWN MANAGER.--The manager shall be the chief  
22 administrative officer of the town.

23           1. Qualifications.--The manager shall be selected on  
24 the basis of experience, expertise, and management ability as  
25 it pertains to running municipal government. There shall be a  
26 town manager who shall be appointed and who shall serve at the  
27 pleasure of the town council. The town manager shall be chosen  
28 on the basis of professional training, executive and  
29 administrative experience, and qualifications. The town  
30 manager shall have a Bachelor's Degree from an accredited  
31 college or university and at least 5 years experience as the

1 town manager or assistant town manager in a city or county  
2 with a population of comparable size. The town manager shall  
3 maintain residency within the county during the tenure of  
4 office and shall not engage in any other business or  
5 occupation without the express approval of the town council.

6 2. The town manager shall be bonded at the discretion  
7 of the town council.

8 3. Powers and duties.--The manager shall:

9 a. As the chief administrative officer of the town,  
10 direct and supervise the administration of all departments,  
11 offices, and agencies of the town, except the office of  
12 attorney, and except as otherwise provided by the charter or  
13 by law.

14 b. Appoint, suspend, or remove any employee of the  
15 town or appointive administrative officer provided for, by or  
16 under the charter, including the clerk, except the office of  
17 attorney, and except as otherwise provided by law, the charter  
18 or personnel rules adopted pursuant to the charter. The  
19 manager may authorize any administrative officer who is  
20 subject to his or her discretion and supervision to exercise  
21 these powers with respect to subordinates in that officer's  
22 department, office, or agency.

23 c. Ensure that all laws, provisions of the charter and  
24 acts of the council are faithfully executed.

25 d. Prepare and submit the annual operating budget and  
26 the capital expenditures program to the council in the form  
27 prescribed by ordinance.

28 e. Attend meetings of the council.

29 f. Draw and sign vouchers upon depositories as  
30 provided by ordinance, and keep, or cause to be kept, a true  
31 and accurate account of same.

1           g. Sign all licenses issued by the town and issue  
2 receipts for all moneys paid to the town and deposit said  
3 moneys in the proper depositories on the first banking day  
4 after receipt. The manager may delegate the responsibilities  
5 of this subparagraph to an appropriate town employee who shall  
6 be bonded.

7           h. Provide administrative services in support of the  
8 official duties of the mayor and the council.

9           i. Keep the council advised as to the financial  
10 condition and future needs of the town and make  
11 recommendations to the council concerning the affairs of the  
12 town.

13           j. Submit to the council, and make available to the  
14 public, a complete report on finances and administrative  
15 activities of the town as of the end of each fiscal year.

16           k. Sign contracts on behalf of the town to the extent  
17 authorized by ordinance.

18           l. Perform such other duties as are specified in the  
19 charter or as may be required by the council.

20           D. TOWN ATTORNEY.--The attorney shall be the chief  
21 legal officer of the town.

22           1. Qualifications.--The town attorney shall be a  
23 member of The Florida Bar in good standing.

24           2. Powers and duties.--The town attorney:

25           a. Shall serve as chief legal advisor to the council,  
26 the charter officers and all town departments, officers, and  
27 agencies.

28           b. May hire such assistants as may be required when  
29 approved by the council.

30  
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1           c. Shall attend council meetings unless excused by the  
2 council and shall perform such professional duties as may be  
3 required by law or by the council in furtherance of the law.

4           d. Shall prepare an annual budget for the operation of  
5 the office of attorney and shall submit this budget to the  
6 manager for inclusion in the annual town budget in accordance  
7 with uniform town procedures.

8           Section 8. Elections.--

9           A. ELECTORS.--Any person who is a resident of the  
10 town, who has qualified as an elector of this state, and who  
11 registers in the manner prescribed by law shall be an elector  
12 of the town.

13           B. NONPARTISAN ELECTIONS.--All elections for the  
14 council members shall be conducted on a nonpartisan basis  
15 without any designation of political party affiliation.

16           C. QUALIFYING FOR OFFICE.--Any elector of the town who  
17 wishes to become a candidate for a town elective office shall  
18 qualify with the clerk. Candidates must submit their names and  
19 proof of qualification, as described in the applicable  
20 provisions of s. 99.061, Florida Statutes, to the St. Johns  
21 County Supervisor of Elections Office between noon of the 50th  
22 day and noon of the 46th day prior to the town election. Proof  
23 of qualification includes:

24           1. Proof of current address.

25           2. A petition for the candidate with signatures of  
26 Ponte Vedra Beach registered voters totaling not less than 25  
27 registered voters as of January 31st of that same year.

28           D. SCHEDULE FOR STAGGERED TOWN ELECTIONS AND  
29 RUNOFFS.--Pursuant to s. 100.031, Florida Statutes, the town  
30 elections for District 2 and District 4 will be held in  
31 conjunction with the first primary which is 9 weeks prior to

1 the General Election which is held on the first Tuesday after  
2 the first Monday in November of even-numbered years beginning  
3 in the year 2000. Pursuant to s. 100.031, Florida Statutes,  
4 the town elections for District 1 and District 3 and the mayor  
5 will be held in conjunction with the first primary which is 9  
6 weeks prior to the general election which is held on the first  
7 Tuesday after the first Monday in November of even-numbered  
8 years beginning in the year 2002. In the event no candidate  
9 for an office receives a majority of the votes cast for said  
10 office, there will be a runoff election between the two  
11 candidates with the highest number of votes. The runoff will  
12 be held in conjunction with the general election in November.

13 E. SCHEDULE FOR OTHER ELECTIONS.--Special municipal  
14 elections shall be held in the same manner as regular  
15 elections, except that the council, by ordinance, shall fix  
16 the time for the holding of such elections.

17 F. DETERMINATION OF ELECTION TO OFFICE.--In either the  
18 case of council members or the mayoral/council member, if only  
19 one candidate qualifies for an office, said candidate shall be  
20 deemed to be elected. If two or more candidates qualify for an  
21 office, the names of those candidates shall be placed on the  
22 ballot at the general election. If no candidate for an office  
23 receives a majority of the votes cast for said office, then  
24 the two candidates for the office receiving the highest vote  
25 in the general election shall run again in the runoff  
26 election, provided that:

27 1. If more than two candidates for an office receive  
28 an equal and highest number of votes, the names of such  
29 candidates shall be placed on the runoff election ballot.

30 2. In any contest in which there is a tie for second  
31 place, the name of the candidate placing first and the names

1 of the candidates tying for second shall be placed upon the  
2 runoff election ballot. The candidate receiving the highest  
3 number of votes cast for the office in the runoff election  
4 shall be elected to such office. If the vote at the runoff  
5 election results in a tie, the outcome shall be determined by  
6 lot.

7 G. TOWN CANVASSING BOARD.--The town canvassing board,  
8 hereinafter referred to as the "canvassing board," shall be  
9 composed of the manager, attorney, and clerk, of whom the  
10 clerk shall act as chair. At the close of the polls of any  
11 town election, or as soon thereafter as practicable, the  
12 canvassing board shall meet at a time and place designated by  
13 the chair and shall proceed to publicly canvass the vote as  
14 shown by the returns then on file in the office of the town  
15 clerk, and then shall publicly canvass the absentee elector  
16 ballots. The canvassing board shall prepare and sign a  
17 certificate containing the total number of votes cast for each  
18 candidate or other measure voted upon. The certificate shall  
19 be placed on file with the clerk.

20 H. RECALL OF COUNCIL MEMBERS.--Any member of the  
21 council, including the mayor, may be removed from office by  
22 the electors of the town following the procedures for recall  
23 established by general law.

24 I. INITIATIVE AND REFERENDUM.--

25 1. Power to initiate and reconsider ordinances.--

26 a. Initiative.--The electors of the town shall have  
27 the power to propose ordinances to the council and, if the  
28 council fails to adopt an ordinance so proposed without any  
29 change in substance, to adopt or reject it at a town election,  
30 provided that such power shall not extend to the annual budget  
31 or capital program or any ordinance appropriating money,

1 levying taxes, or setting salaries of town officers or  
2 employees.

3 b. Referendum.--

4 (1) The council shall have the power, by resolution,  
5 to call for a referendum vote by the electors of the town at  
6 any time, provided that the purpose of such referendum is  
7 presented to the town at a public hearing at least 60 days  
8 prior to the adoption of said resolution. Any resolution  
9 calling for a referendum vote of the electors of the town must  
10 be passed by the affirmative vote of a majority of the full  
11 council.

12 (2) The electors of the town shall have the power to  
13 require reconsideration by the council of any adopted  
14 ordinance and, if the council fails to repeal an ordinance so  
15 reconsidered, to approve or reject it at a town election,  
16 provided that such power shall not extend to the annual budget  
17 or capital program or any ordinance appropriating money,  
18 levying taxes or setting salaries of town officers or  
19 employees.

20 2. Commencement of proceedings.--Any 10 electors may  
21 commence initiative or referendum proceedings by filing with  
22 the clerk an affidavit stating that they shall constitute the  
23 petitioners' committee, hereinafter referred to as the  
24 "committee," and be responsible for circulating the petition  
25 and filing it in proper form stating their names and addresses  
26 and specifying the address to which all notices to the  
27 committee are to be sent, and setting out in full the proposed  
28 initiative ordinance or citing the ordinance sought to be  
29 reconsidered. Promptly after the affidavit of the committee  
30 is filed, the clerk shall, at the committee's request, issue  
31

1 the appropriate petition blanks to the committee at the  
2 committee's expense.

3 3. Petitions.--

4 a. Initiative and referendum petitions must be signed  
5 by electors of the town equal in number to at least 10 percent  
6 of the total number of electors registered to vote in the last  
7 regular town election and at least 10 percent of the total  
8 number of electors in each of the four districts registered to  
9 vote in the last regular town election.

10 b. All papers of a petition shall be assembled as one  
11 instrument of filing. Each signature shall be executed in ink  
12 and shall be followed by the printed name and address of the  
13 person signing. Petitions shall contain or have attached  
14 thereto, throughout their circulation, the full text of the  
15 ordinance proposed or sought to be reconsidered.

16 c. Each paper of a petition shall have attached to it  
17 when filed, an affidavit executed by the circulator thereof  
18 stating that he or she personally circulated the paper, the  
19 number of signatures thereon, that all signatures were affixed  
20 in his or her presence, that he or she believes them to be the  
21 genuine signatures of the persons whose names they purport to  
22 be and that each signer had an opportunity before signing to  
23 read the full text of the ordinance proposed or sought to be  
24 reconsidered.

25 d. All initiative and referendum petitions must be  
26 filed within 60 days of the date on which proceedings with  
27 respect to such initiative or referendum are commenced and all  
28 requirements of the process, including, but not limited to,  
29 the submission of the signatures required, must be completed  
30 no later than 90 days following the date of filing of said  
31 initiative or referendum petition.

1           4. Procedure for filing.--  
2           a. Within 20 days after an initiative petition or a  
3 referendum is filed, the clerk shall complete a certificate as  
4 to its sufficiency, specifying, if it is insufficient, the  
5 particulars wherein it is defective and shall promptly send a  
6 copy of the certificate to the committee by registered mail.  
7 Grounds for insufficiency are only those specifics in  
8 subparagraph c. that are not met. A petition certified  
9 insufficient for lack of the required number of valid  
10 signatures may be amended once if the committee files a notice  
11 of intent to amend it with the designated official within 2  
12 business days after receiving the copy of the certificate and  
13 files a supplementary petition upon additional papers within  
14 10 days after receiving a copy of such certificate. Such  
15 supplementary petition shall comply with original petition  
16 requirements, and within 5 days after it is filed, the clerk  
17 shall complete a certificate as to the sufficiency of the  
18 petition as amended and promptly send a copy of such  
19 certificate to the committee by registered mail. If a petition  
20 or an amended petition is certified sufficient, or if a  
21 petition or amended petition is certified insufficient and the  
22 committee does not elect to amend or request the council to  
23 review under subparagraph b. within the time required, the  
24 clerk shall promptly present the certificate to the council  
25 and such certificate shall then be a final determination as to  
26 the sufficiency of the petition.  
27           b. The council review.--If a petition has been  
28 certified insufficient and the committee does not file notice  
29 of intent to amend it or if an amended petition has been  
30 certified insufficient, the committee may, within 2 business  
31 days after receiving the copy of such certificate, file a

1 request that it be reviewed by the council. The council shall  
2 review the certificate at its next meeting following the  
3 committee's filing of such request and approve or disapprove  
4 it, and determination shall then be final as to the  
5 sufficiency of the petition.

6 5. Action on petitions.--

7 a. Action by the council.--When an initiative or  
8 referendum petition has been determined sufficient, the  
9 council shall promptly consider the proposed initiative  
10 ordinance or reconsider the referendum ordinance by voting its  
11 repeal. The repeal of an ordinance relating to the levy of ad  
12 valorem taxes shall be by ordinance. If the council fails to  
13 adopt a proposed initiative ordinance without any change in  
14 substance within 45 days or fails to repeal the referendum  
15 ordinance within 30 days, or in the case of a referendum  
16 authorized pursuant to sub-subparagraph 1.b.(1), within 5 days  
17 after the date on which the petition is determined to be  
18 sufficient, it shall submit the proposed initiative or  
19 referendum ordinance to the electors of the town. If the  
20 council fails to act on a proposed initiative ordinance or a  
21 referendum ordinance within the time period specified, the  
22 council shall be deemed to have failed to adopt the proposed  
23 initiative ordinance or failed to repeal the referendum  
24 ordinance on the last day that the council was authorized to  
25 act on such manner.

26 b. Submission to electors.--The vote of the town on a  
27 proposed initiative or referendum ordinance shall be held not  
28 less than 30 or more than 60 days from the date the council  
29 acted, or was deemed to have acted pursuant to subparagraph  
30 a., that the petition was determined sufficient. If no regular  
31 election is to be held within the period described in this

1 paragraph, the council shall provide for a special election,  
2 except that the council may, in its discretion, provide for a  
3 special election at an earlier date than 60 days. Copies of  
4 the proposed initiative or referendum ordinance shall be made  
5 available at the polls.

6 c. Withdrawal of petitions.--An initiative or  
7 referendum petition may be withdrawn at anytime prior to the  
8 15th day preceding the day scheduled for a vote of the  
9 electors of the town by filing with the clerk a request for  
10 withdrawal signed by at least eight members of the committee.  
11 Upon the filing of such request, the petition shall have no  
12 further force or effect and all proceedings thereon shall be  
13 terminated.

14 6. Results of election.--

15 a. Initiative.--If a majority of the qualified  
16 electors voting on a proposed initiative ordinance vote in its  
17 favor, it shall be considered adopted upon certification of  
18 the election results. If conflicting ordinances are approved  
19 at the same election, the one receiving the greatest number of  
20 affirmative votes shall prevail to the extent of such  
21 conflict.

22 b. If a majority of the qualified electors voting on a  
23 referendum ordinance vote against it, it shall be considered  
24 repealed upon certification of the election results.

25 Section 9. Transition schedule.--

26 A. REFERENDUM.--The referendum election called for by  
27 this act shall be held on November 3, 1998, at which time the  
28 following question shall be placed upon the ballot:

29  
30 "SHALL CHAPTER . . . ., LAWS OF FLORIDA, CREATING THE TOWN  
31 OF PONTE VEDRA BEACH AND PROVIDING ITS CHARTER BE APPROVED?"

1  
2 In the event this question is answered affirmatively by a  
3 majority of voters voting in the referendum, the provisions of  
4 the charter will take effect as provided in section 15.

5 B. INITIAL ELECTION OF COUNCIL MEMBERS.--

6 1. Dates.--Following the adoption of the charter in  
7 accordance with subsection A, the St. Johns County Commission  
8 shall call a special election for the election of the five  
9 council members to be held on Tuesday, March 9, 1999. In the  
10 event no candidate for an office receives a majority of the  
11 votes cast for said office, then a runoff election between the  
12 two candidates receiving the most votes shall be held on  
13 Tuesday, March 23, 1999.

14 2. Qualifying period.--Between noon on Friday, January  
15 29, 1999, and noon on Friday, February 12, 1999, any  
16 individual who wishes to run for one of the five initial seats  
17 on the council shall qualify as a candidate with the St. Johns  
18 County Supervisor of Elections in accordance with the  
19 provisions of the charter and general law.

20 3. Certification of election results.--For the initial  
21 election, the St. Johns County Commission shall appoint a  
22 canvassing board which shall certify the results of the  
23 election.

24 4. Induction into office.--Those candidates who are  
25 elected on either Tuesday, March 9, 1999, or Tuesday, March  
26 23, 1999, shall take office at the initial council meeting,  
27 which shall be held at 10 a.m. on Saturday, March 27, 1999, at  
28 the Ponte Vedra Beach Public Library or at some other place  
29 within the town limits as may be designated by the Chair of  
30 the St. Johns County Commission.

31

1           5. Initial terms of office.--After the initial  
2 election of council members and mayor, the first regular town  
3 election will be held in accordance with section 8D in the  
4 year 2000. The initial council members from District 2 and  
5 District 4 shall serve a term from Saturday, March 27, 1999,  
6 to the third Thursday in November 2000, or until the results  
7 of any necessary run-off elections are certified and any  
8 run-off election winners are sworn in. The initial council  
9 members from District 1 and District 3 and the mayor shall  
10 serve a term from Saturday, March 27, 1999, to the third  
11 Thursday in November 2002, or until the results of any  
12 necessary run-off elections are certified and any run-off  
13 election winners are sworn in.

14           C. CREATION AND ESTABLISHMENT OF TOWN.--For the  
15 purpose of compliance with s. 200.066, Florida Statutes,  
16 relating to assessment and collection of ad valorem taxes, the  
17 town is hereby created and established effective December 31,  
18 1998. Notwithstanding anything to the contrary contained  
19 herein, the town, although created and established as of  
20 December 31, 1998, shall not be operable until March 27, 1999.

21           D. FIRST YEAR EXPENSES.--The council, in order to  
22 provide moneys for the expenses and support of the town, shall  
23 have the power to borrow money necessary for the operation of  
24 the town government until such time as a budget is adopted and  
25 revenues are raised in accordance with the provisions of the  
26 charter.

27           E. COUNTY SERVICES DURING TRANSITION.--From and after  
28 the effective date, during the transition period and until  
29 such time as the council becomes operative, estimated to be  
30 June 30, 1998, St. Johns County will continue to provide the  
31

1 town with all of the same services as it does as of December  
2 31, 1998.

3 F. TRANSITIONAL ORDINANCES AND RESOLUTIONS.--The  
4 council shall adopt ordinances and resolutions required to  
5 effect the transition. Ordinances adopted within 60 days after  
6 the first council meeting may be passed as emergency  
7 ordinances. These transitional ordinances, passed as emergency  
8 ordinances, shall be effective for no longer than 90 days  
9 after adoption, and thereafter may be readopted, renewed, or  
10 otherwise continued only in the manner normally prescribed for  
11 ordinances.

12 G. TRANSITIONAL COMPREHENSIVE PLAN AND LAND  
13 DEVELOPMENT REGULATIONS.--

14 1. Until such time as the town adopts a comprehensive  
15 plan, the applicable provisions of the Comprehensive Plan of  
16 St. Johns County, as the same exists on the day the town  
17 commences corporate existence, shall remain in effect as the  
18 town's comprehensive plan. Within 1 year after incorporation,  
19 the town shall establish a local planning agency pursuant to  
20 s. 163.3174, Florida Statutes, to prepare and adopt a  
21 comprehensive plan as required by s. 163.3174, Florida  
22 Statutes, within 3 years after the date of incorporation. The  
23 St. Johns County Comprehensive Plan shall be controlling until  
24 the town adopts a comprehensive plan in accordance with the  
25 provisions of s. 163.3174, Florida Statutes. All planning  
26 functions, duties, and authority shall thereafter be vested in  
27 the council which shall be deemed the local planning agency  
28 until and unless the council establishes a separate local  
29 planning agency.

30 2. Subject to the provisions of the St. Johns County  
31 Comprehensive Plan, all powers and duties of the planning

1 commission, zoning authority, any boards of adjustment, and  
2 the County Commission of St. Johns County shall be vested in  
3 the council until such time as the council delegates all or a  
4 portion thereof to another entity. The council shall abide by  
5 the St. Johns County Comprehensive Plan until such time as the  
6 town's comprehensive plan is adopted.

7 3. Subsequent to the commencement of the town's  
8 corporate existence, any amendment of the comprehensive plan  
9 or land development regulations enacted by the St. Johns  
10 County Commission shall be deemed as part of the town's  
11 transitional land development regulations and shall take  
12 effect within the town's corporate limits.

13 4. For purposes of meeting provisions of s. 218.23(1),  
14 Florida Statutes, the town shall levy ad valorem taxes,  
15 exclusive of taxes levied for debt service or other special  
16 millages authorized by voters, to produce the revenue  
17 equivalent to a millage rate of 3 mills on the dollar based on  
18 the 1998 taxable values of real estate as certified by the  
19 property appraiser pursuant to s. 193.122(2), Florida  
20 Statutes, or, in order to produce revenue equivalent to that  
21 which would otherwise be produced by such 3 mill ad valorem  
22 tax to have:

23 (a) Received a remittance from the county pursuant to  
24 general law;

25 (b) Collected an occupational license tax;

26 (c) Collected a utility tax;

27 (d) Levied an ad valorem tax;

28 (e) Received revenue from a combination of these four  
29 sources; or

30 (f) Any other municipal service special levies as may  
31 be allowed by state law.

1           Section 10. Land use and zoning.--Whenever the town  
2 prescribes land use regulations or adopts zoning ordinances  
3 that impose restrictions which are more stringent than those  
4 in effect on the date of the town's incorporation, the town  
5 must grant, for each parcel that was for the 5 years preceding  
6 the date of the town's incorporation owned by the same person  
7 or by his or her heirs or devisees, a variance that permits,  
8 for a period of 10 years or for so long as the parcel remains  
9 under the ownership of that person or his or her heirs or  
10 devisees, whichever is longer, the same use of the parcel as  
11 was permitted on the date of the town's incorporation and with  
12 no greater restriction. Subsequent owners of such parcels who  
13 are not heirs or devisees shall be granted the same variance  
14 until the date which marks 10 years from the date of  
15 incorporation.

16           Section 11. Provision for interim municipal services;  
17 continuation, merger, and dissolution of existing districts;  
18 continuation and allocation of St. Johns County imposed taxes  
19 to fund town operations.--

20           A. PONTE VEDRA MUNICIPAL SERVICE DISTRICT.--Upon the  
21 date the town becomes operable, the Ponte Vedra Municipal  
22 Service District shall be dissolved. The town will assume any  
23 indebtedness and receive title to all property owned by the  
24 municipal service district, and will assume any liabilities  
25 and other agreements made by the municipal service district.  
26 The existing municipal service indebtedness, if any, shall be  
27 allocated to the general fund and said debt shall be retired  
28 by funds earmarked for general expenditures. The town may  
29 contract for any of the services provided by the municipal  
30 service district prior to its dissolution.

31

1           B. PROVISION FOR INTERIM SERVICES.--Following  
2 appointment of the manager and attorney, the council may enter  
3 into a transition agreement with St. Johns County for the  
4 continuation of municipal services until replaced by  
5 alternative providers designated by the council. The  
6 transition agreement shall provide a manner in which the town  
7 will compensate St. Johns County for continuing to provide  
8 those services. In connection with that transition agreement,  
9 the council shall also adopt and revise as necessary a  
10 schedule for the implementation of municipal services. In any  
11 event, there shall be no abridgement of existing contracts for  
12 services for those contracts in existence as of the date of  
13 incorporation.

14           C. ST. JOHNS COUNTY TAXES LEVIED WITHIN THE BOUNDARIES  
15 OF THE TOWN TO PROVIDE FOR MUNICIPAL SERVICES.--In levying  
16 taxes and fees for the 1999-2000 fiscal year, St. Johns County  
17 shall separately identify all taxes and fees which it imposes  
18 for countywide purposes and all taxes and fees it imposes to  
19 provide municipal services to the unincorporated areas. If  
20 services provided by St. Johns County serve both a municipal  
21 and countywide purpose, an allocation of the cost of those  
22 services between countywide and municipal government must be  
23 made so that no countywide tax revenues are utilized to pay  
24 for municipal services. In the event the town charter is  
25 adopted, those municipal taxes and fees imposed by St. Johns  
26 County to provide municipal services within the boundaries of  
27 the town shall be prorated between St. Johns County and the  
28 town using the date which the town becomes operable pursuant  
29 to section 9C as the date the tax revenues belonged to the  
30 town. To the extent the town is the beneficiary of those tax  
31 revenues, it will be deemed to have levied those taxes as town

1 taxes. The transition agreement will provide for the payment  
2 to St. Johns County of such amounts as are necessary to  
3 compensate St. Johns County for providing transition municipal  
4 services.

5 D. POLICE.--The town may form its own police  
6 department or contract for same.

7 E. FIRE.--The town may form its own fire department or  
8 contract for same. Upon withdrawal from the county fire  
9 district, the town shall assume the assets and liabilities of  
10 the fire district within the incorporated town limits.

11 F. OTHER ESSENTIAL SERVICES.--All residents of the  
12 town shall be entitled to all other essential services offered  
13 by the town. The town may form its own departments for such  
14 services or contract for same.

15 Section 12. Land description.--The corporate  
16 boundaries of the town shall be as follows:

17 A part of the Townships 3 and 4 South, Range 29  
18 East, St. Johns County, Florida, bounded as  
19 follows: On the East by the mean high water  
20 line of the Atlantic Ocean; on the South by the  
21 northern boundary of the Guana State Park as  
22 described in Official Records 650, page 948 of  
23 the Public Records of St. Johns County; on the  
24 West by the centerline of the Intracoastal  
25 Waterway; and on the North by the St. Johns  
26 County Line.

27 Section 13. PALM VALLEY - PART ONE

28  
29 Begin at a point on the center line of the  
30 Intracoastal Waterway, which point intersects  
31 with the westerly prolongation of the northerly

1        line of Big Cypress Subdivision as recorded in  
2        MB 5 page 74 of public record of St. Johns  
3        County, Florida, thence easterly along said  
4        northerly line and its westerly prolongation to  
5        the northeast corner of said Big Cypress  
6        Subdivision, thence southerly along the  
7        easterly line of said Subdivision and its  
8        prolongation to the northerly line of Palm  
9        Valley Gardens Unit 4 as recorded in MB 5 page  
10       71 of public records, thence easterly along  
11       said northerly line to the northeast corner of  
12       said Subdivision, thence southerly along the  
13       easterly line of said Subdivision and the  
14       easterly line of Palm Valley Gardens Unit 3 as  
15       recorded in MB 5 page 66 of public records of  
16       said county, to its intersection with the  
17       northerly line of Palm Valley Gardens Unit 6,  
18       as recorded in MB 5 page 73 of public records  
19       of said county, thence easterly along said  
20       northerly line to the northeast corner of said  
21       subdivision, thence southerly along the  
22       easterly line of said subdivision to a point  
23       where it intersects the northerly line of Lot  
24       39 of said subdivision, thence northeasterly  
25       along the said northerly Lot line to its  
26       intersection with the southeast corner of lands  
27       described in OR Book 700 page 101, said point  
28       being on the southeasterly line of Section 39,  
29       Township 4 South, Range 29 East by possession,  
30       thence northeasterly along said easterly line  
31       to its point of intersection with the

1           southwesterly corner of lands described as  
2           Parcel "B" in OR 1252 pages 1401 through 1416,  
3           thence easterly, northerly and easterly along  
4           the southerly and easterly boundary of said  
5           Parcel "B" to its intersection with the  
6           northwesterly right of way line of County Road  
7           No. C-210 (Old Palm Valley Road), thence  
8           northerly along said northwesterly right of way  
9           to a point that intersects with the  
10           northwesterly prolongation of the northerly  
11           line of the lands to Sheetz described in OR 652  
12           page 2026, thence southeasterly, crossing  
13           CR-210, along the prolongation and said  
14           northerly line to the most easterly corner of  
15           OR652 page 2026, thence southeasterly to the  
16           most southerly corner of OR652 page 2026,  
17           thence northwesterly along the southerly line  
18           of OR652 page 2026 to its intersection with the  
19           northeasterly corner of lands described in  
20           OR1214 page 862, thence southerly along  
21           easterly line of said lands and the easterly  
22           line of lands in OR1083 page 1056 to the  
23           southeasterly corner of OR1083 page 1056,  
24           thence westerly along southerly line of OR1083  
25           page 1056 to the northeast corner of OR993 page  
26           187, thence southerly along east line of OR993  
27           page 187 to the southeast corner thereof,  
28           thence easterly along the south line of lands  
29           described as Parcel A in OR1252 page 1401, also  
30           being the south line of GL 2 Section 4 Township  
31           4 South Range 29 East by possession, to the

1 southeast corner of said GL 2 by possession,  
2 thence southerly along the easterly line of  
3 Section 4 Township 4 South Range 29 East by  
4 possession, to its intersection with the  
5 northerly line of Glen Eagles Subdivision as  
6 recorded in MB19 pages 97 through 99, thence  
7 westerly along said northerly line to the  
8 northwest corner of said Subdivision, thence  
9 south along the westerly line of said  
10 Subdivision and its southerly prolongation to  
11 its intersection with the northerly line of  
12 Azalea Point at Ponte Vedra Unit 3 as recorded  
13 in MB27 pages 76 through 80, thence westerly,  
14 southerly, southwesterly and westerly along the  
15 northerly line of said Subdivision to its  
16 intersection with the easterly right of way  
17 line of CR210, thence southerly along said  
18 easterly right of way and the westerly line of  
19 said Azalea Point at Ponte Vedra Unit 3 to the  
20 southwest corner of said subdivision, thence  
21 easterly, northerly and easterly along the  
22 boundaries of said subdivision to its  
23 intersection with the southwest corner of Lot  
24 21 of Pool Villas Unit 3 as recorded in Map  
25 Book 24 pages 20 through 23, thence continue  
26 easterly along the southerly line of Lots 21,  
27 20 and 19 of said subdivision to the  
28 intersection with the westerly line of Lot 18  
29 of said subdivision, thence southerly along the  
30 westerly line of said subdivision and its  
31 southerly prolongation to its intersection with

1        the northerly line of Lot 110 of Azalea Point  
2        Unit II B as recorded in Map Book 26 pages 26  
3        through 28, thence westerly, southerly and  
4        easterly along the boundary of said subdivision  
5        to its intersection with the northwest corner  
6        of Old Palm Valley Unit II as recorded in Map  
7        Book 26 pages 58 through 61, thence southerly,  
8        westerly and southwesterly to the point of  
9        intersection with the northeast corner of Tract  
10       "A", Old Palm Valley Unit I, as recorded in Map  
11       Book 26 pages 29 through 33, thence westerly  
12       along the northerly line of said subdivision to  
13       its intersection with the easterly right of way  
14       line of CR-210, thence southerly along said  
15       easterly line to the southwest corner of Old  
16       Palm Valley Unit I, thence easterly along the  
17       southerly line of said subdivision to its point  
18       of intersection with the easterly line of  
19       Section 9, Township 4 south, Range 29 east,  
20       thence southerly along said easterly line to  
21       the southeast corner of Section 9, thence  
22       westerly along the southerly line of Section 9  
23       and crossing CR-210, to the point of  
24       intersection of Sections 9, 16 and 42, all of  
25       Township 4 south, Range 29 east, also being the  
26       southeast corner of lands described in OR 941  
27       page 1177, thence northwesterly along the  
28       easterly line of said lands and continuing  
29       northwesterly along the lands described in OR  
30       864 page 985 to an intersection with the north  
31       line of said Section 42, also being the South

1        line of Palm Valley Gardens Unit Five as  
2        recorded in Map Book 5 page 72, thence westerly  
3        along the southerly line of Palm Valley Gardens  
4        Unit 5 to the northeast corner of Palm Valley  
5        Woods Estates as recorded in MB13 page 28,  
6        thence southerly along the easterly line of  
7        Palm Valley Woods Estates and continuing  
8        southerly along easterly lines of lands  
9        described in OR225 page 245 and continuing  
10       southerly along easterly line of lands  
11       described in OR279 page 303 to the southeast  
12       corner thereof, thence Westerly along the  
13       southerly line of OR279 page 303 to its  
14       intersection with the easterly line of Palm  
15       Valley Gardens Unit 2 as recorded in MB5 page  
16       65, thence southerly along said easterly line  
17       of Palm Valley Gardens Unit 2 to its  
18       intersection with the north line of Section 49  
19       Township 4 South Range 29 East, thence easterly  
20       along the north line of said Section 49 to the  
21       northeast corner thereof, thence south along  
22       the easterly line of said Section 49 to the  
23       southeast corner thereof, thence westerly along  
24       south line of said Section 49 to its  
25       intersection with the northeast corner of  
26       Section 51 Township 4 South Range 29 East, said  
27       point also being the northwest corner of  
28       Section 54 Township 4 South Range 29 East,  
29       thence southerly along the east line of said  
30       Section 51 to its intersection with the  
31       easterly right of way line of CR210A (aka South

1        Roscoe Blvd), thence southerly along said right  
2        of way line to its intersection with the  
3        northerly right of way line of CR210, thence  
4        crossing said right of way line, continue  
5        southerly along the easterly right of way line  
6        of a county road known as South Roscoe Blvd  
7        Extension, to a point of intersection with the  
8        easterly prolongation of the southerly line of  
9        lands described as Parcel B in OR1283 page  
10       1073, thence westerly along said southerly line  
11       of said lands and its westerly prolongation to  
12       its intersection with the centerline of the  
13       Intracoastal Waterway, thence northerly along  
14       said centerline to the point of beginning.

15

16       PALM VALLEY - PART TWO

17

18       Begin at a point on the south line Section 15  
19       Township 4 south Range 29 east where it  
20       intersects the easterly right of way line of  
21       CR210, thence easterly along south line of said  
22       section 15 to the southeast corner of  
23       Government Lot 3 of said section, thence  
24       northerly along the east line of said  
25       Government Lot 3 to its intersection with the  
26       southerly line of Micklers Road, thence  
27       southwesterly along said right of way line to  
28       its intersection with the easterly right of way  
29       line of CR210, thence southerly along CR210 to  
30       the point of beginning.

31

1           PALM VALLEY - PART THREE  
2  
3           Begin at the southeast corner of Seaside at  
4           Ponte Vedra Unit 3, a subdivision as recorded  
5           in Map Book 28 page 56 of the public records of  
6           St. Johns County, Florida, thence northerly  
7           along the easterly line of said subdivision to  
8           a point of intersection with the northwesterly  
9           corner of the lands to Mickler, as described in  
10           Official Record Book 397 page 284, thence  
11           easterly along the northerly line of said lands  
12           to the northwest corner of the lands to Caines,  
13           as described in Official Records Book 71 page  
14           473, thence continue easterly along the  
15           northerly line of said lands to the northwest  
16           corner of lands to Lee as described in Official  
17           Records Book 1164 page 614, thence continue  
18           easterly along the northerly line to the  
19           northeast corner of said lands, thence  
20           southerly along the easterly line of said lands  
21           and its southerly prolongation to the southerly  
22           right of way line of Mickler Road, thence  
23           easterly along the south line of road to its  
24           intersection with the northwest corner of Guana  
25           State Park, as described in Official Records  
26           650 page 948 of the Public Records of St. Johns  
27           County, thence southerly along the boundary of  
28           Guana State Park to its intersection with the  
29           south line of Section 47, Township 4 South  
30           Range 29 East, thence westerly along said south  
31           line to its intersection with the boundary of

1           Guana State Park, thence continue westerly and  
2           northerly with said boundary to its  
3           intersection with the southerly right of way  
4           line Mickler Road, thence northerly crossing  
5           Mickler Road to a point on the south line of  
6           Seaside at Ponte Vedra Unit 3, thence easterly  
7           along the south line of said subdivision to the  
8           point of beginning.

9           Section 14. General provisions.--

10          A. CHARTER AMENDMENTS.--The charter may be amended in  
11 accordance with the provisions for charter amendments as  
12 specified in the Municipal Home Rule Powers Act, chapter 166,  
13 Florida Statutes, as the same may be amended from time to  
14 time, or its successor, or as may otherwise be provided by  
15 general law. The town council may, by ordinance, or the  
16 electors of the town may, by petition signed by 10 percent of  
17 the registered electors as of the last preceding town  
18 election, submit to the electors of the town a proposed  
19 amendment to the charter, which amendment may be to any part  
20 or to all of the charter except that part describing the  
21 boundaries of the town. The town council shall place the  
22 proposed amendment contained in the ordinance or petition to a  
23 vote of the electors of the town at the next town election or  
24 at a special election called for such purpose. The form,  
25 content, and certification of any petition to amend shall be  
26 established by ordinance.

27          B. STANDARDS OF CONDUCT.--All elected officials and  
28 employees of the town shall be subject to the standards of  
29 conduct for public officers and employees set by general law.  
30 In addition, the council shall, no later than 6 months from  
31 the effective date of incorporation, establish by ordinance a

1 code of ethics for officials and employees of the town which  
2 may be supplemental to general law, but in no case may such an  
3 ordinance diminish the provisions of general law. The intent  
4 of this provision of the charter is to require more stringent  
5 standards than those provided under general law.

6       Section 15. If any provision of this act, or the  
7 application thereof to any person or circumstance, is held  
8 invalid, the invalidity shall not affect other provisions or  
9 applications of this act which can be given effect without the  
10 invalid provision or application, and to this end the  
11 provisions of this act are declared severable.

12       Except for this section, which takes effect upon  
13 becoming law, this act shall take effect upon approval by a  
14 majority vote of those qualified electors residing within the  
15 proposed corporate limits of the proposed Town of Ponte Vedre  
16 as described in section 12 or a majority vote of the qualified  
17 electors, excluding the electors in the Palm Valley area, as  
18 described in section 13, voting in a referendum election to be  
19 called by the St. Johns County Commission to be held November  
20 3, 1998, in accordance with the provisions of law relating to  
21 elections currently in force. If a majority of the Palm  
22 Valley electors, participating in said referendum, vote  
23 against incorporation, the Palm Valley area shall not be  
24 included in any town limits ratified by said referendum nor  
25 are their votes counted in favor of incorporation.