

INTERLOCAL AGREEMENT BETWEEN  
NASSAU COUNTY, FLORIDA, AND THE CITY OF  
FERNANDINA BEACH, FLORIDA

WEN OXLEY JR  
CLERK OF CIRCUIT COURT  
NASSAU COUNTY, FLORIDA  
RECORDING \$ 33.00  
TRUST FUND \$ 4.50

Book 1068 Page 87

See 37.50

8

**THIS INTERLOCAL AGREEMENT** is made and entered into this 7th day of May 2002, by and between the CITY OF FERNANDINA BEACH, FLORIDA, a municipal corporation (herein called "CITY"), and the BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, a political subdivision of the State of Florida, (herein called "COUNTY").

WITNESSETH:

**WHEREAS**, the Transportation Interlocal Agreement which was passed by the City of Fernandina Beach and Nassau County on October 3, 2000 outlines the procedures necessary for developers to receive traffic concurrency approval for road capacity on City and County roads; and

**WHEREAS**, the procedure located in the Transportation Interlocal Agreement states that Nassau County will review concurrency applications submitted to the City of Fernandina Beach and provide an analysis of each project and its impacts to city and county road segments to the City of Fernandina Beach; and

**WHEREAS**, the developers of the project known as Amelia Crossing have applied for transportation concurrency review; and

**WHEREAS**, Nassau County Concurrency Coordinator, William Taylor, in a letter dated January 23, 2002, stated that "two roadway segments within the project impact area will fail to meet

Return: Joan Blanchard

the required Level of Service Standard in the Fernandina Beach Comprehensive Plan"; and

**WHEREAS**, Nassau County has met with the developer of Amelia Crossing to discuss road improvements that, if made, would improve the transportation concerns along the impacted road segment; and

**WHEREAS**, the COUNTY has approved a proposal from Nassau County Public Works to use funds from the 501 District Transportation Impact Fees to cover the costs of improving the signal light at the intersection of Beech Street and South Fourteenth Street on April 8, 2002; and

**WHEREAS**, the COUNTY will be responsible for the construction of the upgrade to the signal light at the intersection of Beech Street and South Fourteenth Street; and

**WHEREAS**, the CITY and COUNTY have determined that using the 501 District Transportation Impact Fees to upgrade the signal at the intersection of Beech Street and South Fourteenth Street will be in the best interest of Amelia Island.

**NOW, THEREFORE**, in consideration of the foregoing premises, which shall be deemed an integral part of this Agreement and of the mutual covenants and conditions hereinafter set forth, the CITY and the COUNTY, intending to be legally bound hereby, agree as follows:

1. **CONCURRENCY**. That the County will enter into an agreement with Amelia Crossing, LLC ("DEVELOPER") and Eagle Development Company ("CONTRACTOR") for the construction of

an upgrade to the signal at the intersection of Beech Street and South Fourteenth Street according to plans prepared pursuant to a design build contract in accordance with County Standards and subject to County review, and requiring the developer to pay <sup>\$77,615.61</sup>~~\$77,6151.61~~ in transportation impact fees.



2. **TRAFFIC SIGNAL UPGRADE.** That the signal upgrade and all related improvements shall not exceed a cost of \$125,000.00.
3. **FUNDING.** That the COUNTY is authorized to utilize up to \$50,000.00 from the 501 District Transportation Impact Fees to supplement the funding of this project, with the understanding that the \$77,615.61 transportation impact fee to be paid by the DEVELOPER will be the primary source of funding.
4. **AUTHORITY.** Each of the parties represents to the other that the execution of this Agreement has been duly and properly authorized by the governing bodies of each of the parties, and each has full authority to execute the same through its representatives whose signatures appear below.
5. **ADA COMPLIANCE.** The City will insure and certify to the County that the facility will be ADA compliant both as to Federal Requirements and the State of Florida Accessibility Guide. Failure to construct and maintain the facilities

pursuant to Federal and State requirements shall be considered a breach of this Agreement.

A breach of this Agreement, as determined by mediation or a Court of Law, shall terminate this Agreement. The County shall be reimbursed for any monies spent if breach occurs.

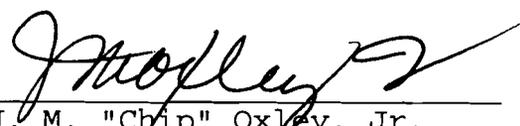
6. **TERM.** This Agreement shall continue in effect until completion of construction of the project as contemplated herein, and performance of the covenants stated herein by both parties.

7. **FILING.** A copy of this Interlocal Agreement shall be filed with the Clerk of the Circuit Court, as required by Florida Statute 163.01.

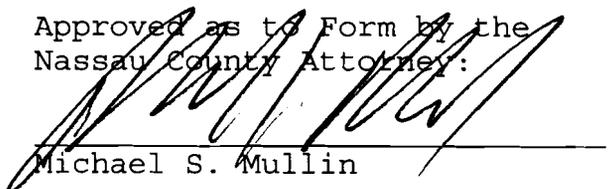
**IN WITNESS WHEREOF,** the parties have executed the foregoing Agreement the day and year indicated above.

BOARD OF COUNTY COMMISSIONERS  
OF NASSAU COUNTY, FLORIDA

ATTEST:

By:   
J. M. "Chip" Oxley, Jr.  
Its: Ex-Officio Clerk

By:   
Marianne Marshall, Chairman  
Nick D. Deonas

Approved as to Form by the  
Nassau County Attorney:  
  
Michael S. Mullin

CITY OF FERNANDINA BEACH

ATTEST:

By: Mary L. Mercer  
Mary L. Mercer  
City Clerk

By: Kimberly P. Page  
Kimberly P. Page  
Mayor-Commissioner

Approved as to Form by the  
City Attorney:

A. Jeffrey Tomassetti  
A. Jeffrey Tomassetti

City Funding Source designated  
as:

NTE \$50,000 from 501 District  
Transportation Impact Fee

mydoc.contracts/ameliacrossing.interlocal.agmt

=====

12:00 Upon the request and recommendation of the Public Works Director, it was moved by Commissioner Howard, seconded by Commissioner Samus, and unanimously carried to approve the utilization of \$50,000 of the District 501 Transportation Impact Fees in order to assist in the funding of the traffic signal replacement, at a total cost of \$125,000, at South 14th Street and Beech Street, with the balance expended from the Amelia Crossings Transportation Impact Fees, contingent upon the City of Fernandina Beach City Commissioners approving the use of the District 501 fees.

RESOLUTION NUMBER 2002-67

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, TO APPROVE THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF FERNANDINA BEACH AND NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS TO APPROVE THE USE OF 501 DISTRICT TRANSPORTATION IMPACT FEES TO IMPROVE THE TRAFFIC SIGNAL AT THE INTERSECTION OF BEECH STREET AND SOUTH FOURTEENTH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Transportation Interlocal Agreement which was passed by the City of Fernandina Beach and Nassau County on October 3, 2000 outlines the procedures necessary for developers to receive traffic concurrency approval for road capacity on city and county roads; and

WHEREAS, the procedures located in the Transportation Interlocal Agreement states that Nassau County will review concurrency applications submitted to the City of Fernandina Beach and provide an analysis of each project and its impacts to city and county road segments to the City of Fernandina Beach; and

WHEREAS, the developers of the project known as Amelia Crossing have applied for transportation concurrency review of the impact of their development to effected roadways; and

WHEREAS, Nassau County Concurrency Coordinator, William Taylor, in a letter dated January 23, 2002, stated that "two roadway segments within the project impact area will fail to meet the required Level of Service Standard in the Fernandina Beach Comprehensive Plan"; and

WHEREAS, Nassau County has met with the developer of Amelia Crossing to discuss road improvements that, if made, would improve the transportation concerns along the impacted road segment; and

WHEREAS, Nassau County Board of County Commissioners has approved a proposal from Nassau County Public Works to use funds from the 501 District Transportation Impact Fees to supplement the costs of improving the traffic signal at the intersection of Beech Street and South Fourteenth Street; and

WHEREAS, the County will contract with the developer of Amelia Crossing for the construction of said improvements as well as the developer's payment of \$77,615,61 of Nassau County Transportation Impact Fees; and

WHEREAS, The City Commission has determined that acceptance of the attached Interlocal Agreement by the City and Nassau County will satisfy the Concurrency issues regarding the Amelia Crossing development.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The Interlocal Agreement between the

City of Fernandina Beach and Nassau County Board of County Commissioners for the use of 501 District Transportation Impact Fees, in an amount not to exceed \$50,000, to supplement the expense of improvements to the traffic signal at the intersection of Beech Street and South Fourteenth Street is hereby approved.

SECTION 2. The Mayor and City Clerk are hereby authorized to execute said agreement.

SECTION 3. The City Clerk is hereby directed to forward said agreement to Nassau County Public Works Department to be accepted by the Board of County Commissioners of Nassau County and recorded in the public records of Nassau County.

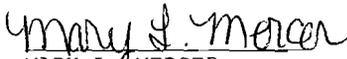
SECTION 4. This resolution shall become effective immediately upon passage.

ADOPTED this 7th day of May, 2002.

CITY OF FERNANDINA BEACH

  
KIMBERLY P. PAGE  
Mayor-Commissioner

ATTEST:

  
MARY L. MERCER  
City Clerk



# City of Fernandina Beach

OFFICE OF THE CITY CLERK

May 20, 2002

Nassau County Board of  
County Commissioners  
J. M. "Chip" Oxley, Jr.  
Ex-Officio Clerk  
Post Office Box 1010  
Fernandina Beach, Florida 32035-1010

RE: 501 District Transportation Impact Fees

Dear Mr. Oxley:

Please find enclosed a copy of Resolution Number 2002-67 that approved the Interlocal Agreement between Nassau County and the City of Fernandina Beach for the use of 501 District Transportation Impact fees to improve the traffic signal at the intersection of Beech Street and South 14<sup>th</sup> Street.

Also, enclosed is the original agreement that has been signed by the designated city officials.

Please returned a copy of the agreement for our files when completed.

Sincerely,  
CITY OF FERNANDINA BEACH

Cassandra P. Mitchell  
Interim City Clerk  
enclosures



**NASSAU COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
P. O. Box 1010  
Fernandina Beach, Florida 32035-1010

Nick Deonas  
David C. Howard  
Vickie Samus  
Floyd L. Vanzant  
Marianne Marshall

Dist. No. 1 Fernandina Beach  
Dist. No. 2 Fernandina Beach  
Dist. No. 3 Yulee  
Dist. No. 4 Hilliard  
Dist. No. 5 Callahan

June 10, 2002

JOSEPH M. "Chip" OXLEY, JR.  
Ex-Officio Clerk

MICHAEL S. MULLIN  
County Attorney

WALTER D. GOSSETT  
County Coordinator

Ms. Cassandra P. Mitchell  
Interim City Clerk  
City of Fernandina Beach  
Post Office Box 668  
Fernandina Beach, FL 32035

Dear Ms. Mitchell:

Enclosed please find an executed certified copy of the Agreement between Nassau County and the City of Fernandina Beach for the use of 501 District Transportation Impact Fees to improve the traffic signal at the intersection of Beech Street and South 14<sup>th</sup> Street.

Please note on Page 3 of the Agreement a typographical error in the amount, which has been struck through and typed correctly to reflect the correct amount.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely yours,

J. M. "Chip" Oxley, Jr.  
Ex-Officio Clerk

JMO:Jb

Enclosure

CC: Jack J. D'Amato, Public Works Director  
Walter D. Gossett, County Coordinator  
Michael S. Mullin, County Attorney