

CS-13-207

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CONTRACT APPROVAL FORM

CONTRACT MANAGEMENT

(Contract Management Use only)

2014 JUL 17 AM 10: 30

CONTRACT TRACKING NO.

CM2135

CONTRACTOR INFORMATION

Name: Nassau County School ~~Board~~ District

Address: 1201 Atlantic Avenue Fernandina Beach FL 32034

Contractor's Administrator Name: John Ruis Title: School Superintendent

Tel#: (904) 491-9900 Fax: (904) 277-9042 Email: jruis@nassau.k12.fl.us

2014 JUL 24 AM 11: 10

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CONTRACT INFORMATION

Contract Name: Memorandum of Understanding re: Collection of School Board Impact Fees Contract Value: N/A

Brief Description: MOU specific to the adjustment of future transfers of education impact fees

Contract Dates : From: 6/26/14 to until termination Status: [x] New [] Renew [] Amend# [] WA/Task Order

How Procured: [] Sole Source [] Single Source [] ITB [] RFP [] RFQ [] Coop. [] Other [] N/A

If Processing an Amendment:

Contract #: [] Increase Amount of Existing Contract: [] No Increase

New Contract Dates: [] to [] TOTAL OR AMENDMENT AMOUNT: []

14 JUL 23 PM 3: 01

APPROVALS PURSUANT TO NASSAU COUNTY PURCHASING POLICY, SECTION 6

- 1. Department Head Signature Date 7/16/14 Funding Source/Acct #
2. Charlotte Young Contract Management Date 7/17/14 141 Impact Fund Education Impact Fee Collections
3. Office of Management & Budget Date 7-22-14
4. County Attorney (approved as to form only) Date 7-23-14

Comments:

COUNTY MANAGER - FINAL SIGNATURE APPROVAL

Ted Selby Date 7/24/14

RETURN ORIGINAL(S) TO CONTRACT MANAGEMENT FOR DISTRIBUTION AS FOLLOWS:

- Original: Clerk's Services; Contractor (original or certified copy)
Copy: Department
Office of Management & Budget
Contract Management
Clerk Finance

14 JUL 18 AM 9: 22

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE NASSAU COUNTY SCHOOL DISTRICT
AND THE
BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA

This Memorandum of Understanding (MOU) entered into on June 26, 2014, between the Nassau County School District and the Nassau County Board of County Commissioners is specific to the adjustment of future transfers of education impact fees.

OVERVIEW:

On March 28, 2012, the Nassau County School Board sent a Memorandum to the Nassau County Board of County Commissioners, the subject of which was School Board Resolution #1277 Regarding School Impact Fee Reduction. The School Impact Fee should have been adjusted downward in the amount of \$458.00 to be effective the day after the County Commission meeting held on April 18, 2012. On January 13, 2014, the County Commission passed Resolution No. 2014-005 adjusting the education impact fee to \$3,268.00 from \$3,726.00. For this reason, applications submitted to the Nassau County Building Department from April 19, 2012 to January 13, 2014 should have been charged \$458.00 less, resulting in an overpayment to the School District. Additionally, there were payers in the Town of Callahan, the Town of Hilliard, and in the City of Fernandina Beach who paid an incorrect amount, likewise resulting in an overpayment to the School District.

Because the County Commission and the municipalities periodically transfer education impact fee collections, this error has resulted in overpayment to the Nassau County School District.

AGREEMENT OF PARTIES:

The purpose of this Memorandum of Understanding is to provide documentation of the agreement of the Nassau County School District and the Board of County Commissioners of Nassau County, Florida to offset future transfers. The Board of County Commissioners will make payment to the persons and entities that have made an overpayment, and will offset that payment from future transfers of educational impact fees to the School District. This is consistent with past practice. See attached letter from Dr. John Ruis to Mr. Ted Selby dated November 6, 2008, attached hereto as Exhibit "A".

By this Memorandum of Understanding the Nassau County School District consents to the offset of future transfers to make the appropriate adjustment. Once this Memorandum of Understanding is executed and the offset effected, the County Commission will make the appropriate refunds to payers of the education impact fee.

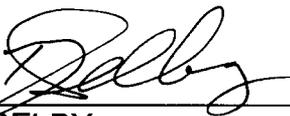
IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding of the day and year first above written.

NASSAU COUNTY SCHOOL DISTRICT

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



JOHN L. RUIS
SUPERINTENDENT OF SCHOOLS



TED SELBY
COUNTY MANAGER

Date: 6-26-14

Date: 7/24/14

Enclosure

CC: Mary Potochnik, Chief Deputy Financial Services

EXHIBIT "A"

The Nassau County School District

1201 Atlantic Avenue
Fernandina Beach, Florida 32034



John L. Ruis, Ed.D.
Superintendent of Schools

(904) 491-9900
Fax (904) 277-9032
www.nassau.k12.fl.us

November 6, 2008

Mr. Ted Selby
Office of Management and Budget
Nassau County Board of County Commission
P.O. Box 1010
Fernandina Beach, Florida 32034

Dear Mr. Selby:

This is to follow through with the conversations you have had recently with Susan Farmer, Executive Director of Business Services. We have recently had requests from citizens to refund the impact fee based on findings of the Board of County Commission. It is the position of the school district that the school impact fee is collected under the Board of County Commission ordinance. If there is a subsequent finding that the impact fee should not have been collected based upon the Impact Fee Ordinance then the county should refund the entire impact fee including the school's portion and deduct the refund from the next quarterly impact fee distribution to the School Board.

We would like to thank you for your assistance with this matter and working with us to come to a resolution of this matter.

Sincerely,

A handwritten signature in cursive script that reads "John L. Ruis".

John L. Ruis
Superintendent of Schools

08 NOV 10 PM 3:23

COUNTY COMMISSIONERS
OFFICE

Our mission is to develop each student as an inspired life-long learner and problem-solver with the strength of character to serve as a productive member of society.

AN EQUAL OPPORTUNITY EMPLOYER