

RESOLUTION 99 - 139

A RESOLUTION APPROVING THE PROPOSED SETTLEMENT AGREEMENT REGARDING CASE NO. 98-139-CA AND CASE NO. 99-751-CA; CITY OF FERNANDINA BEACH, a Florida municipal corporation, vs. BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, a political subdivision of the State of Florida.

WHEREAS, the City of Fernandina Beach filed two (2) cases against Nassau County; and

WHEREAS, the City and the county have participated in mediation sessions for both cases; and

WHEREAS, as a result of the mediation sessions, a proposed settlement addresses both pending cases; and

WHEREAS, the Board of County Commissioners is desirous of considering the proposed settlement.

NOW, THEREFORE, BE IT RESOLVED this 25th day of October, 1999, by the Board of County Commissioners of Nassau County, Florida, as follows:

1. The Board of County Commissioners agrees to the proposed settlement terms as follows:
 - a. County agrees to fully renovate the Nassau County Courthouse, and it shall include one Courtroom, 2 judges' chambers for judges, and judicial assistant offices.
 - b. Both parties shall request an Attorney General's opinion regarding the storage of County records off the barrier island and outside the County seat. If the opinion permits the above, then the Board of County Commissioners

will rescind the Resolution extending the County seat boundary, Resolution Number 96-59. If the opinion does not permit the above, then this Agreement is void, but the parties may negotiate another agreement.

- c. County agrees to encourage the Constitutional Officers to maintain and continue the same level of service currently provided within the corporate limits of Fernandina Beach, and the County agrees to provide the same space presently utilized by the Constitutional Officers within the corporate limits of Fernandina Beach.

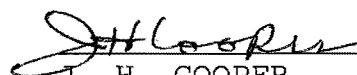
The City agrees to provide up to \$1,000,000.00 for reimbursement to the County for construction of a facility on North 14th Street to house the Constitutional offices of the Constitutional Officers, and said amount shall be paid over 2 fiscal years beginning October 1, 2000.

- d. The City will dismiss its pending actions against the County Case No. 98-139-CA and No. 99-751-CA, and will not judicially or otherwise contest or oppose or interfere with the County's efforts to build a new jail near Yulee, Florida, to convert the temporary Courthouse located at 191 Nassau Place, Yulee, Florida, to the County Administration building, or to construct a new judicial annex with no more than 2 Courtrooms and associated

offices off Amelia Island unless or until required by the judiciary. Nor will the City oppose any other non-judicial offices at that location or any other location.

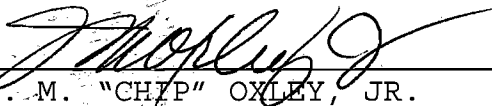
- e. The parties shall enter into an interlocal agreement after a public hearing, which shall incorporate the terms of this stipulation and agreement.
2. Final approval of the terms of the proposed settlement agreement is subject to a joint hearing between the City Commission and the County Commission to consider the adoption of an Interlocal Agreement that would have specific settlement language in the Agreement and would be approved by both governmental bodies at a public hearing.
3. The County Coordinator is directed to coordinate with the City Manager to set a public hearing for consideration of the Interlocal Agreement. The hearing should be held at the earliest possible time considering any requirements for advertising.
4. The Administrative Judge of Nassau County and the Chief Judge of the Fourth Judicial Circuit should be provided copies of this Resolution.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

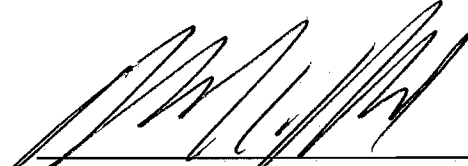


J. H. COOPER
Its: Chairman

ATTEST:


S. M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney


MICHAEL S. MULLIN

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