

RESOLUTION 2022-23

**A RESOLUTION OF THE BOARD OF
COMMISSIONERS OF NASSAU COUNTY, FLORIDA,
RELATIVE TO PRESENT AND FUTURE PROVISION
OF WATER AND WASTEWATER UTILITY
SERVICES IN NASSAU COUNTY BY THE JEA.**

WHEREAS, on the 17th day of December, 2001, Nassau County (County) and JEA entered into the Nassau County/JEA Water and Wastewater Interlocal Agreement (Agreement) whereby the County authorized JEA to provide water, wastewater and reclaimed water utility services in Nassau County upon completion of its acquisition of the United Water Florida utility systems which, at that time, provided service to its customers in Nassau, Duval and St. Johns Counties; and

WHEREAS, said Agreement identified that the Service Territory to be served by the JEA was the water and wastewater service area as certificated by the Florida Public Service Commission prior to the acquisition of United Water by JEA; and

WHEREAS, said Agreement provides that JEA may provide utility services west of the Intercoastal Waterway, excluding the incorporated municipalities of Callahan and Hilliard (Additional Service Territory) and that development is now planned in such territory and thus a need for the extension of utility services will be required; and

WHEREAS, said Agreement details the rights and obligations of each party to the other relative to the provision of such utility services in the County, provided that the County shall have one *ex-officio* non-voting representative admitted to the JEA Board of Directors' meetings and who shall have full rights of participation in discussions concerning all matters which may affect directly or indirectly the provision of water and wastewater services within the County under the terms of said Agreement; and

WHEREAS, said Agreement provides that as part of the asset reporting requirements, JEA shall furnish to the County reporting on all asset information of its utility system in the County on an annual basis which shall, without limitation, detail the value of all such assets, any contributions in aid of construction applicable thereto and other capital asset information reasonably requested by the County in order to allow verification and compliance with the terms of the Agreement. Also included in the reporting requirements is the requirement that JEA provide annual financial statements, budgets, current five-year capital improvement plans, and renewal and replacement program documents; and

WHEREAS, JEA is also responsible for certain lump sum payments to the County in consideration of the said Agreement; and

WHEREAS, said Agreement provides a right of Nassau County to purchase the JEA Investment as defined in the Agreement located in the County according to a predetermined formula as contained in that Agreement, as well as certain other additional provisions.

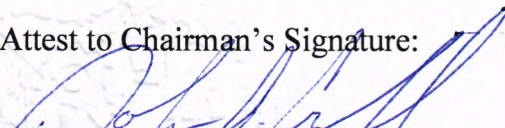
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA AS FOLLOWS:

- 1. Nassau County hereby removes its County Attorney as an *ex-officio* member of the JEA Board of Directors.
- 2. Nassau County retains its right to appoint a new *ex-officio* member but declines to do so at this time.
- 3. Nassau County hereby directs its staff to request and acquire from the JEA such accounting and other financial and operating information as staff and its advisors deem necessary in order to advise the Board as to the proper course of conduct between the JEA and the County on a going forward basis and with a view of non-renewal of said Interlocal Agreement upon its expiration and the potential acquisition of the JEA facilities located in the Service Territory and Additional Service Territory.
- 4. Nassau County hereby directs its staff and advisors to meet with the JEA in earnest in order to ensure that adequate water and wastewater services are provided to the present and future residents of Nassau County in and on a timely, economical and prudent basis.
- 5. This Resolution shall take effect immediately upon its adoption.

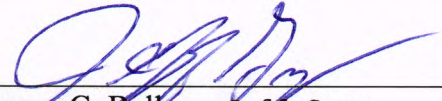
PASSED and DULY ADOPTED with a quorum present and voting by the Board of County Commissioners of Nassau County, Florida in regular session this 14th day of March, 2022.

**BOARD OF COUNTY COMMISSIONERS,
NASSAU COUNTY, FLORIDA**

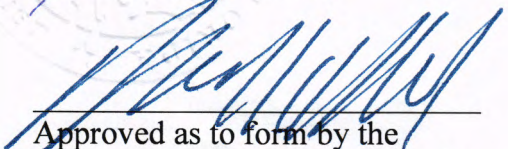
Attest to Chairman's Signature:



John A. Crawford
Its: Ex-Officio Clerk



~~Aaron C. Bell~~ Jeff Gray
~~Chairman~~ Vice Chairman



Approved as to form by the
County Attorney, Michael Mullin