

RESOLUTION NO. 2022-

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
NASSAU COUNTY, FLORIDA, PLEDGING \$1,850,000 OF ALL
LEGALLY AVAILABLE NON AD-VALOREM FUNDS TO ELIMINATE
THE AMERICAN BEACH WATER AND SEWER DISTRICT
ASSESSMENT.**

WHEREAS, American Beach was established in 1935 as a historic African-American coastal community in Nassau County, Florida currently served by private well and septic; and

WHEREAS, since 2016 the Board of County Commissioners of Nassau County, Florida (the "BOCC") working collectively with the American Beach community have examined financially feasible options for the conversion from private well/septic to public water/sewer; and

WHEREAS, in December 2019, a community survey was conducted with the American Beach community which identified and ranked water/sewer as a top priority for the American Beach community; and

WHEREAS, the BOCC, through its consultant, researched funding sources to install water and sewer lines and determined that Florida Department of Environmental Protection SRF loans were the most equitable for American Beach; and

WHEREAS, a community election "Straw Ballot" was held to assess the desire of the community to be assessed to install public water/sewer. The independent tabulation of results was overwhelmingly in support of the project: a 64% response rate with 86% of valid votes supporting the assessment; and

WHEREAS, in August 2020, the Board enacted Ordinance No. 2020-26, to create the American Beach Water and Sewer District (the "District") pursuant to Section 125.01 and 189.02, Florida Statutes, as a dependent special district to construct, own, operate, lease, and maintain water and sewer systems within its boundaries and pursue financing. The American Beach Water/Sewer District Citizens Advisory Board was created by Resolution 2021-22 on February 17, 2021; and

WHEREAS, the Board, sitting as the governing body of the District, adopted Resolution No. 2021-153 (the "Initial Assessment Resolution"), creating the Assessment Area and describing the method of assessing the Capital Cost and Project Cost against the real property that will be specially benefited thereby, and directing preparation of the preliminary Assessment Roll and provision of the notices required by the Ordinance; and

WHEREAS, the project funding was realized through a partnership between the American Beach Community, the BOCC, Florida Department of Environmental Protection, Nassau Legislative Delegation, and Florida Governmental Utility Authority; and

WHEREAS, the project costs are estimated to be approximately \$11 million +/- and the BOCC and the District sought and received funding through legislative appropriations, grants, and state revolving fund loans to provide approximately 83% funding for the project costs, with the remainder secured by the American Beach assessments; and

WHEREAS, the completion of the water and sewer improvements will provide a substantial public benefit to the County through fire protection; as a barrier island subject to storm surges, the system will prevent ground water intrusion and runoff of septic; and the ability to complete improvements to Evans Rendezvous to make the building available for public use; and

WHEREAS, adoption of this Resolution by the BOCC will provide funding to eliminate, by December 31, 2023, the requirement for annual assessments on individual property owners of the historic African American coastal community that is vulnerable to storm surge.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Nassau County, Florida, that:

1. The Board hereby approves and pledges \$1,850,000.00 dollars from all legally available non-ad valorem funds to eliminate, by December 31, 2023, the American Beach Water and Sewer District assessments.

DULY ADOPTED by the Board of County Commissioners of Nassau County, Florida, in the special meeting of February ____, 2022.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

AARON C. BELL
Its: Chairman

Attest as to Chairman's Signature:

JOHN A. CRAWFORD
Its: Ex-Officio Clerk/Comptroller

Approved as to form for the BOCC
and the District by the Nassau
County Attorney:

MICHAEL S. MULLIN