

RESOLUTION NO. 2007- 386

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH ANASTASIA MOSQUITO CONTROL DISTRICT TO ACQUIRE A PARCEL OF LAND TO CONSTRUCT A NEW EMERGENCY OPERATION CENTER AT THE END OF AGRICULTURAL CENTER DRIVE.**

**RECITALS**

**WHEREAS**, the County and the Anastasia Mosquito Control District (“AMCD”) wish to collaborate as partners to develop a parcel of land (the “Site”) located at the end of Agricultural Center Drive (PIN 087550 0340) for the purpose of enhancing the delivery of public services; and

**WHEREAS**, the County desires to construct a new Emergency Operation Center (“EOC”) and a portion of the AMCD parcel presents a promising possible location. The AMCD may also wish to construct new facilities on the remainder of the parcel from which to administer and execute their operations; and

**WHEREAS**, the County and AMCD have drafted a Memorandum of Understanding (“MOU”), attached hereto as “Exhibit A”, incorporated by reference and made a part hereof, in order to codify the terms of the cooperative effort, further their collective institutional goals and benefit the overall interests of the citizens of St. Johns County; and

**WHEREAS**, the County desires to move forward during the inspection period to explore the feasibility of this option.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:**

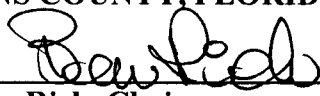
Section 1. The above recitals are incorporated by reference into the body of this Resolution and such recitals are adopted as findings of fact.

Section 2. The Board of County Commissioners of St. Johns County hereby approves the terms and conditions of the MOU and authorizes the County Administrator to execute said MOU.

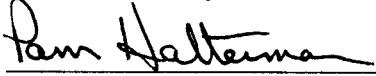
Section 3. The Clerk of Courts of St. Johns County is instructed to file the MOU in the public records of St. Johns County.

**PASSED AND ADOPTED**, this 27 day of November, 2007.

**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA.**

By:   
Ben Rich, Chairman

**ATTEST:** Cheryl Strickland, Clerk

By:   
Deputy Clerk

**RENDITION DATE** 11/30/07

**Exhibit A to Resolution**

**MEMORANDUM OF UNDERSTANDING**

**THIS MEMORANDUM OF UNDERSTANDING (the "MOU")** is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2007 between **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084 (the "**COUNTY**") and **ANASTASIA MOSQUITO CONTROL DISTRICT OF ST. JOHNS COUNTY**, a Florida independent special district, whose address is 500 Old Beach Road, St. Augustine, Florida 32080 (the "**AMCD**").

**WITNESSETH:**

**WHEREAS**, the County and AMCD wish to collaborate as partners to develop a parcel of land (the "**Site**") located at the end of Agricultural Center Drive (PIN 087550 0340) for the purpose of enhancing the delivery of public services; and

**WHEREAS**, the County desires to construct a new Emergency Operation Center ("**EOC**") on a part of the Site and the AMCD wishes to construct new facilities on the Site from which to administer and execute their operations; and

**WHEREAS**, the County and AMCD acknowledge that among the reasons for entering into this MOU are in order to codify the terms of the cooperative effort, further their collective institutional goals and benefit the overall interests of the citizens of St. Johns County.

**NOW THEREFORE** in consideration of the terms contained herein the County and the **AMCD** agree as follows:

1. The above Recitals are hereby incorporated into the body of this MOU and adopted as findings of fact.
2. The AMCD will convey by deed title to a seven-acre parcel, suitable for the construction of the new EOC, within the Site on its northern boundary (the "**EOC Parcel**") within one hundred (100) days of this MOU. The exact configuration and boundaries of the EOC Parcel will be determined by a boundary survey, and by reference made a part hereof.
3. The AMCD will convey by deed a sixty foot (60') wide right-of-way easement ("**ROW**"), exclusive of the EOC Parcel, to the County, in order to provide access to, and along, the boundary of the EOC Parcel from Agricultural Center Drive within one hundred (100) days of this MOU. The exact configuration and boundaries of the ROW will be determined by a boundary survey, and by reference made a part hereof. It is specifically understood that such easement is non-exclusive as it relates to the AMCD, and that the AMCD will continue to maintain use of the easement in any way or fashion that does not obstruct the County's ROW ingress or egress to the EOC Parcel. Moreover, it is expressly understood that the County, so long as the ROW easement exists, will maintain, and repair (as necessary) such ROW easement.

4. The County will construct an access road to and the boundary of the EOC Parcel in the ROW within \_\_\_\_ months of this MOU.

5. The County will extend water and sewer mains of sufficient size for both the EOC and the AMCD uses through the EOC Parcel in the ROW within \_\_\_\_ months of this MOU.

6. The County shall have the right for ninety (90) days from the date of this MOU (“**Inspection Termination Date**”) to enter upon the Site for the purpose of physically inspecting the Site and conducting surveys, studies and tests, or assessments, including but not limited to Phase 1 Environmental Study, Real Estate Appraisal, and Engineering analysis to determine the Site’s suitability for the County’s intended purpose. AMCD hereby gives County the right to enter upon, test and inspect the Site at County’s sole cost and risk. AMCD agrees to provide the County any documents, tests, easements, wetland assessments, environmental assessments, surveys, and the like, within their possession that would help the County make a suitability decision regarding the property. The County agrees to provide AMCD with copies of all reports conducted on the Site.

7. The County shall have the responsibility for securing, to the extent necessary under existing law, permits, and/or authorizations required to construct the EOC. As such, the County shall have the responsibility to take whatever steps are required, under the County’s Land Development Code, in order to ensure that the land use of the EOC Parcel is compatible for construction of the EOC. Further, the County shall have the responsibility to take whatever steps are required under the County’s Land Development Code, in order to ensure that the land use of the retained AMCD Parcel is compatible for future AMCD facilities, to the extent that the County has been informed by the AMCD of the purpose of such future AMCD facilities.

8. If County for any reason determines that the Site is unsuitable for the County’s intended use, or that there are other circumstances that negatively affect the County’s intended use, then County shall give written notice to AMCD advising of such unsuitability and electing to terminate this MOU on or prior to the Inspection Termination Date. Such notice of termination must be given on or before the Inspection Termination Date. If such notice is timely given, this MOU shall terminate.

9. Any written notice or request by either party to the other shall be sent by First Class Mail or hand delivered to the parties at the following addresses:

- o To County at: St. Johns County, Florida

4020 Lewis Speedway

St. Augustine, FL 32084

Attention: County Administrator

- o To AMCD at: Anastasia Mosquito Control District  
500 Old Beach Road  
St. Augustine, FL 32080  
Attention: District Director

10. This Memorandum of Understanding is subject to the adoption of a Resolution by the St. Johns County Board of County Commissioners and a Resolution by the Board of the Anastasia Mosquito Control District authorizing the County Administrator or designee, and the District Director or designee, to execute this MOU and approving the terms.

11. The effective date of this MOU shall be the first date upon which this MOU or its valid counterparties are executed by all named parties

12. If any word, phrase, sentence, part, section, or other portion of this MOU, or any application thereof, to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, or the proscribed application thereof, shall be severable, and remaining portions of the MOU, and all applications thereof, not having been declared void, unconstitutional, or invalid shall remain in full force, and effect.

13. This MOU shall be construed according to the laws of the State of Florida.

IN WITNESS THEREOF, County and AMCD have caused this MOU to be executed by their undersigned officials as duly authorized for the uses expressed therein the day and year first written above.

**ANASTASIA MOSQUITO CONTROL DISTRICT OF ST. JOHNS COUNTY, FLORIDA**

**ST. JOHNS COUNTY , FLORIDA**

\_\_\_\_\_  
by Dr. Rui-De Xue

\_\_\_\_\_  
by Michael D. Wanchick

District Director

County Administrator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**Witnesses to Anastasia Mosquito Control District**

**ATTEST: Cheryl Strickland**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature—**Deputy Clerk**

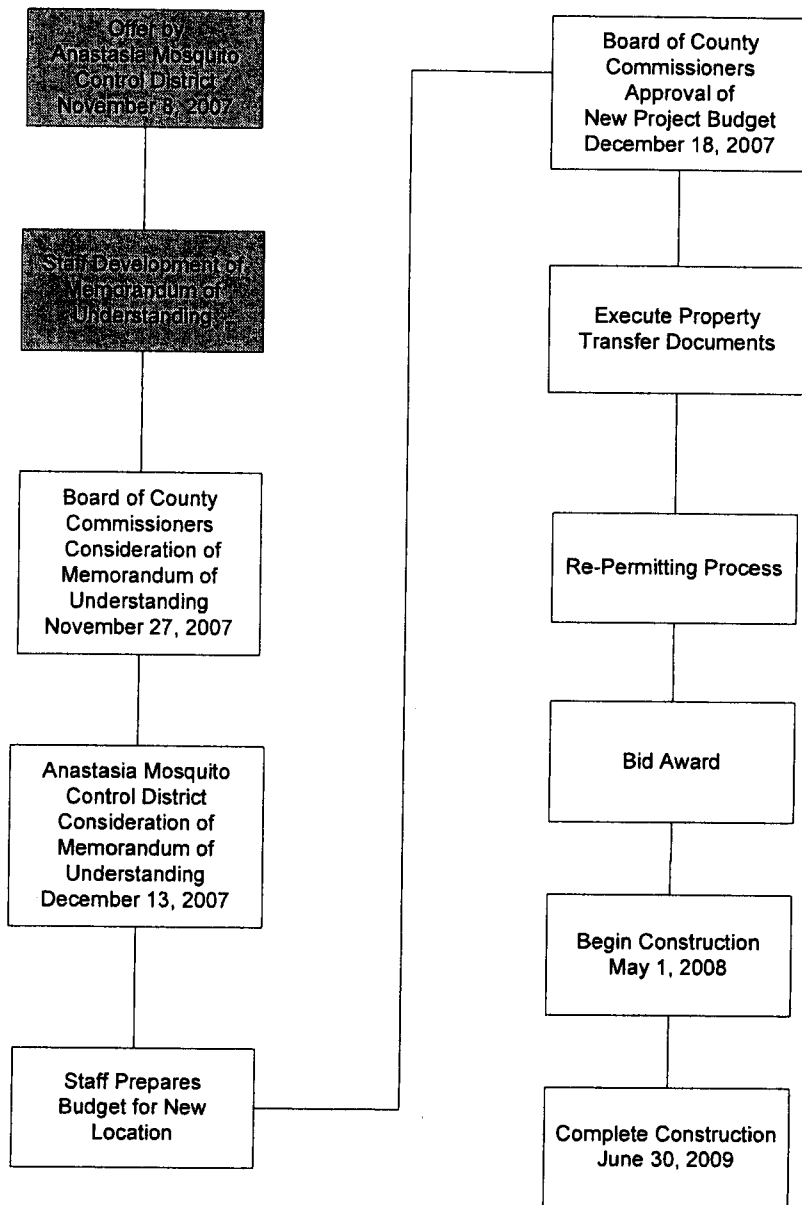
\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name—**Deputy Clerk**

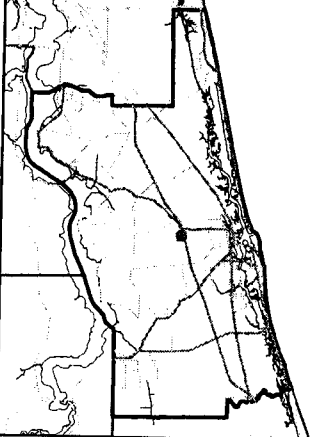
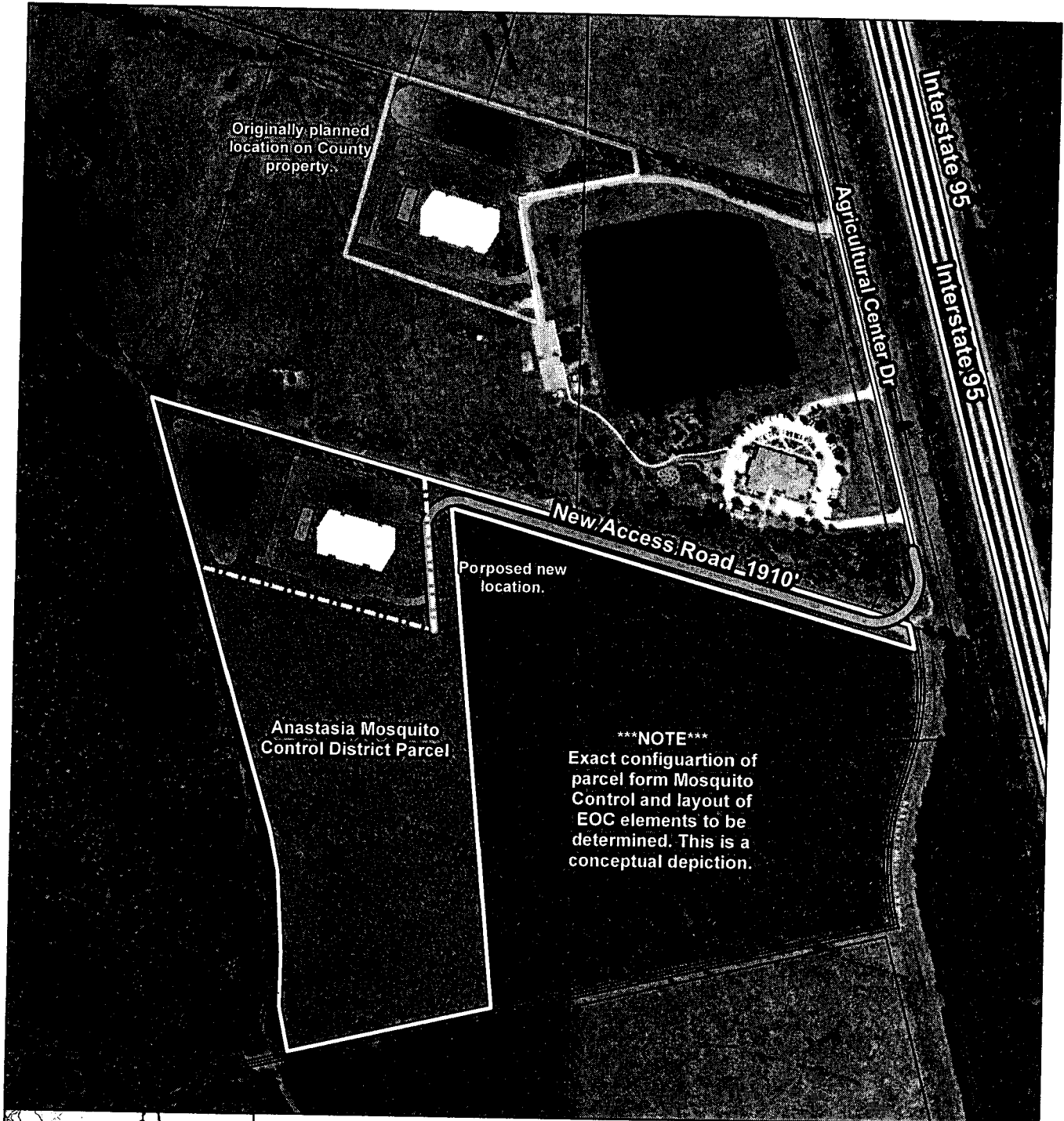
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

# Sequence of Events For Construction of Emergency Operations Center

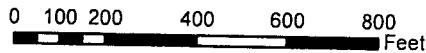


Shading indicates  
A Completed Step



# Emergency Operation Center Site

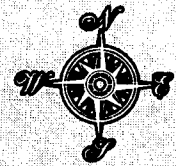
## Memorandum of Understanding Anastasia Mosquito Control District



St. Johns County  
Land Mgmt Systems  
Real Estate Division

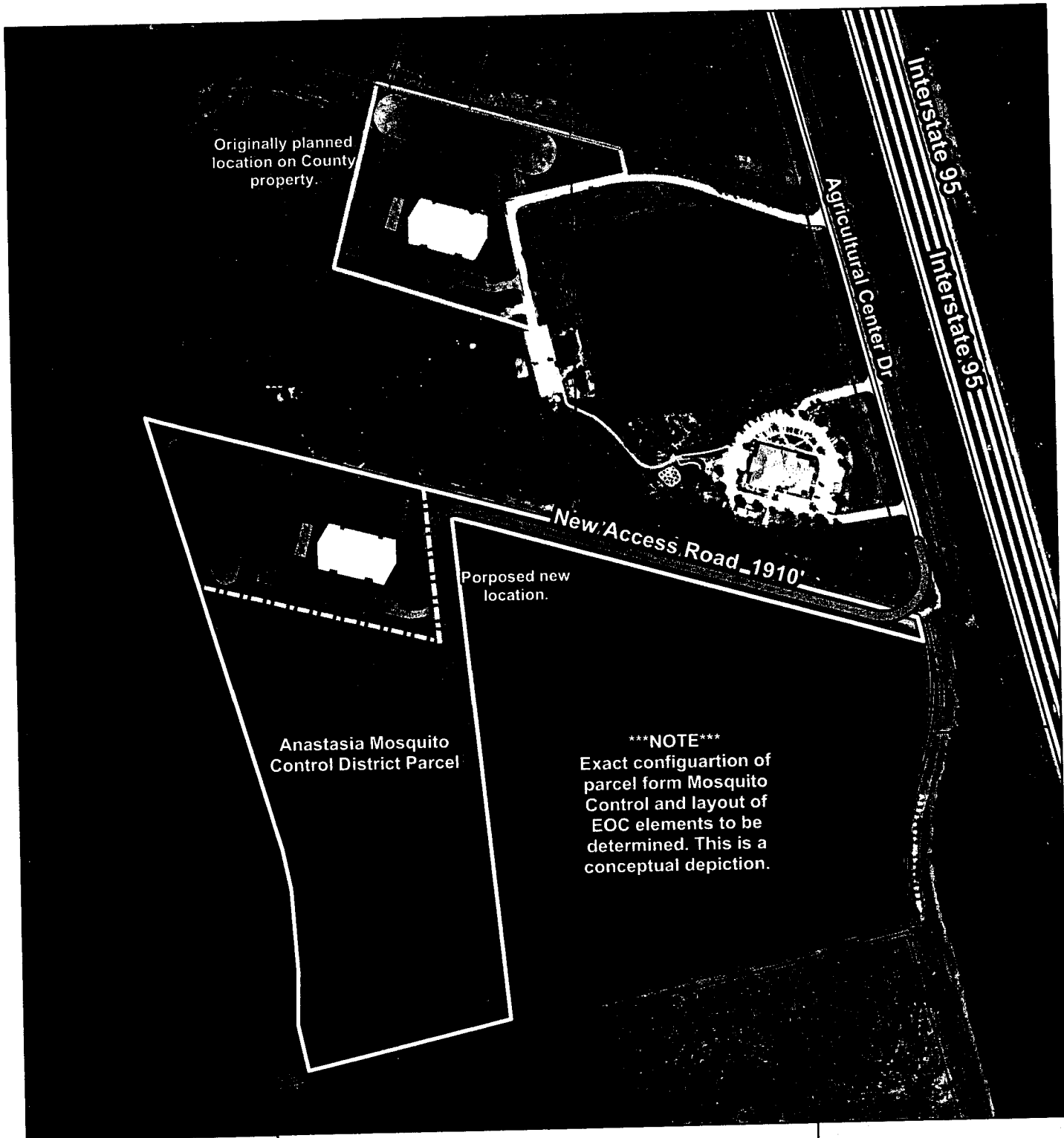


Map Prepared:  
November 16, 2007  
(904) 209-0796



2005 Aerial Imagery

**DISCLAIMER.**  
This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy.



Originally planned location on County property.

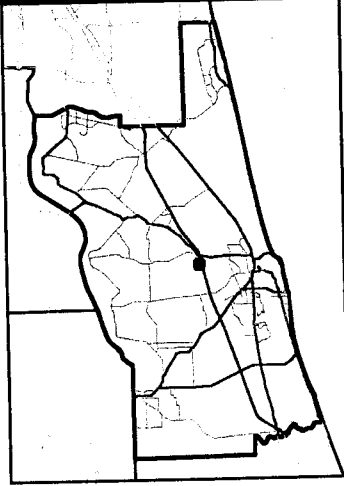
Interstate 95  
Agricultural Center Dr  
Interstate 95

New Access Road - 1910'

Proposed new location.

Anastasia Mosquito Control District Parcel

**\*\*\*NOTE\*\*\***  
Exact configuration of parcel form Mosquito Control and layout of EOC elements to be determined. This is a conceptual depiction.

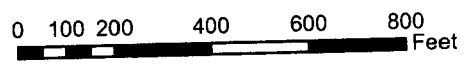


# Emergency Operation Center Site

## Memorandum of Understanding Anastasia Mosquito Control District



**2005 Aerial Imagery**



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Land Mgmt Systems  
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