



Value From The Ground Up™

Corporate Headquarters

Mark R. Bridwell

Vice President and General Counsel\*

March 13, 2018

VIA E-MAIL TO: [mmullin@nassaucountyfl.com](mailto:mmullin@nassaucountyfl.com)

Michael S. Mullin  
County Attorney, Nassau County Florida  
96135 Nassau Place, Ste. 6  
Yulee, FL 32097

Dear Mike:

Since the inception of the East Nassau Community Planning Area (“ENCPA”), Raydient Places + Properties, f/k/a TerraPointe LLC (“Raydient”), worked collaboratively with Nassau County (the “County”) officials to achieve the common goal of creating a high quality master planned community to optimize economic development within the County. Now, after numerous years of planning, the ENCPA is under development, poised for substantial market activity and on track to reach our common goal. The progress Raydient is making will not continue, however, without our ongoing collaboration, which is why recent public statements by certain County officials and staff as to community and regional park facilities cause great concern to Raydient. We strongly believe these statements mischaracterize our commitments and are inconsistent with County regulations and the County approved ENCPA documents and policies.

From the beginning, Raydient collaborated with the County to identify ways to enhance public infrastructure, including parks and recreation, as part of the ENCPA development. As a result, Raydient made numerous commitments to directly invest in public facilities that are well above and beyond what is required. The purpose of this letter is to (i) clarify some of the numerous ENCPA conditions to development that have been committed to and which represent significant commitments and enhancements to public infrastructure by Raydient made to date (some of which exceed any State or local requirement) and (ii) restate proposals that we have made for specific public infrastructure contributions for ENCPA development in the approved Employment Center Detailed Specific Area Plan (“DSAP”) and the proposed Chester Road DSAP. These proposals are consistent with our stated commitments to establish a higher quality development standard to contribute and enhance ENCPA public infrastructure and demonstrate our good faith intent to continue a collaborative relationship and allow the parties to move forward toward our common economic development goals.

### Employment Center DSAP #1

The Employment Center DSAP Development Order (“DO”) was approved by the County on June 24, 2013 and subsequently amended. This approved DSAP encompasses approximately 4,202 acres of land and includes numerous conditions required for development, such as the:

P: 904.321.5525	Rayonier Inc.
F: 904.598.2264	1 Rayonier Way
<a href="http://www.rayonier.com">www.rayonier.com</a>	Yulee, FL 32097

\* Admitted in GA only. Certified as Authorized House Counsel in Florida under Chapter 17, Rules Regulating the Florida Bar.

- provision of approximately 1,700 acres of regionally significant Conservation Habitat Network (“CHN”), which will form interconnected wetlands, surface waters and upland preserves, of which approximately 107.5 acres of this acreage will be in the form of uplands to create an interconnected public regional park within this DSAP;
- required Mobility Fee Network improvements to serve the DSAP, including the dedication of an approximately 20 mile public trail system that will connect with other ENCPA lands outside this DSAP;
- conveyance of an approximately 26 acre elementary school site (Wildlight Elementary), which public elementary school is currently in operation;
- provision of land for an approximately 20 acre public community park within the Employment Center Central Planning Area;
- construction of neighborhood parks, plazas and playfields; and
- provision of an approximately 4 acre site for a fire/emergency management (ems) public facility.

In addition to the Employment Center DSAP development conditions and as a result of discussions between the County and Raydient, Raydient also proposes the following:

- provision of approximately 34 acres of public community park lands within the Employment Center Central Planning Area, which is 14 more acres than required as set forth above; and
- provision of approximately 14 acres of public community park lands within the overall Employment Center DSAP that together with the approximately 34 acres of public community park lands within the Central Planning Area will total 48 public community park acres at buildout of the Employment Center DSAP.

A summary of some the ENCPA commitments made to date by Raydient is attached as Exhibit “A”. The general location of the public community park and a portion of the public regional park lands within the Employment Central Planning Area are generally depicted as Parcel B on Exhibit “B” (the “CPA Park”).

In addition to the above approved and proposed DSAP development conditions, the County staff recently began to demand that Raydient construct and fund all County public community and regional park improvements within the ENCPA. This is contrary to the County community and regional park facility requirements, including those applicable to the ENCPA, and approved Employment Center DSAP DO development conditions. As you know, the purpose of the County parks and recreational facilities impact fee (the “Recreational Impact Fees”) is to “provide a source of revenue to fund the construction or improvement of the county park system necessitated by growth.”<sup>1</sup>

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<sup>1</sup> Nassau County Comprehensive Impact Fee Ordinance Section 2.02

Notwithstanding the development conditions for parks contained in the approved Employment Center DSAP DO, and the County's duty to utilize Recreational Impact Fees as construction sources, in order to assist the County with the CPA Park funding, Raydient proposes to exceed the County regulations by donating the CPA Park land to the County and voluntarily constructing certain park improvements, prior to the impacts giving rise to the need for this park occurring. Raydient will accelerate approximately \$3 million in funding to construct certain community and regional public park improvements at the CPA Park by utilizing the community and regional park Recreational Impact Fees associated with the 3,269 units proposed within the Central Planning Area of this DSAP (which fees may be advanced by Raydient from time to time or by project developers) and providing an additional developer investment of approximately \$1.1 million.

Raydient proposes to commence construction of the CPA Park improvements no later than 12 months from County approval (and the expiration of all appeal periods) of the Preliminary Development Plan ("PDP") application for the second residential Employment Center PDP and provide the CPA Park to the County, including the park improvements, within 90 days of the park improvement completion. We also propose that maintenance of the park improvements will be shared by the ENCPA Stewardship District (the "District") and the County provided the District accepts the maintenance responsibility and the parties enter into an interlocal agreement. While this commitment to support maintenance is above and beyond the County's regulations, it is consistent with Raydient's commitment to utilize the District to enhance public facilities within the ENCPA. Raydient's proposal to construct these park improvements within the CPA Park exceeds any Employment Center DSAP approved DO condition and County regulations. As we have repeatedly stated, as the Employment Center is implemented our plans for recreation will consistently provide substantial economic contribution towards public park improvements utilizing various funding sources, including developer impact fee prepayments and other investments to meet the needs of ENCPA residents and enhance public parks. While these financial commitments will exceed our legal obligations, they are consistent with our commitment to serve the needs of ENCPA residents.

In addition to the above, Raydient is actively engaged with UF Health to create the UF Health Wellness Center, which is intended to be open to the public, and consist of gym facilities with personal training and a medically based, supervised fitness/wellness program. Raydient is also committed to provide residents of the Employment Center DSAP with substantial private amenities in addition to the required community and regional public park lands. The required Employment Center DSAP development conditions coupled with the CPA Park proposal and the UF Health Wellness Center will provide vibrant public places for the DSAP and County residents to recreate beyond any facilities presently available in the County.

#### Chester Road DSAP # 2 Summary

The Employment Center DSAP is the only DSAP approved within the ENCPA to date. However, Raydient submitted a complete application for the Chester Road DSAP to the County on March 16, 2016. Upon submittal, Raydient worked with the County staff for almost two years to advance the development proposed in this DSAP proffering numerous commitments to a

higher development standard that exceeds the County regulations. This proposed DSAP had encompassed approximately 1,248 acres of land and included numerous proposed conditions such as the:

- provision of an approximately 7 mile multi-use public trail system that will connect with other ENCPA lands;
- provision of approximately 554 acres of regionally significant CHN lands within this DSAP;
- construction of neighborhood parks; and
- dedication of 58 acres of community and regional public park lands.

In addition to the above proposed conditions and as a result of discussions between the County and Raydient, Raydient also proposed the following additional development conditions to provide for a higher quality master planned community:

- donation and construction of approximately 2.7 miles of external multi-use trails along Chester Road and Pages Dairy Road;
- donation of 17.5 acres of right-of-way for the County's Chester Road widening project;
- donation of right-of-way for the County's Pages Dairy Road widening project;
- undertaking of a signal warrant analysis and queuing analysis at the intersection of the DSAP Chester Road boundary and Starfish Drive and, depending on the analysis results, construct improvements;
- provision of up to 1.25 acres for a stormwater pond to serve the County Pages Dairy Road and Chester Road intersection improvements (with the option for additional stormwater capacity or compensatory stormwater management within the project for the County Chester Road widening); and
- waiver of the right to obtain any Recreational Impact Fees credits.

Once again, the above conditions exceeded the ENCPA sector plan requirements and were offered to aid the County to help address existing impacts from growth outside the ENCPA. This application initiated the County staff demand (made for the first time more than a year into the Chester Road DSAP negotiations and almost four years after the approval of the Employment Center DSAP #1) that Raydient must nevertheless also construct and fund all community and regional public park facilities within the ENCPA.

Raydient had repeatedly expressed its commitment to donate 14.9 acres of public community park land (together with an additional 7.1 acres of CHN land beyond County requirements) and 43.5 acres of public regional park land within the Chester Road DSAP. Funding for improvements within these parks is the responsibility of the County under the Comprehensive Plan and as contemplated by the County's own Comprehensive Impact Fee Ordinance. When the County continued to demand that private developers fund all community and regional park improvements within the ENCPA, Raydient met with the contract purchaser of this DSAP to formulate a proposal to assist the County with its park funding issue.

To that end, the contract purchaser had agreed to provide \$1,005,000 in funding to voluntarily construct certain improvements to the proposed approximately 55 acre community and regional public park within the Pages Dairy Road Planning Area portion of this DSAP (the "Pages Dairy Park") by utilizing the prepayment of the Recreational Impact Fees for approximately 1,500 age restricted units, which equates to approximately \$894,000.00 and an additional developer investment of \$111,000. This investment would have allowed for the design and construction of two baseball fields with associated improvements as more particularly depicted and described on the proposed concept plan attached as Exhibit "C". Commencement of the design, permitting and construction of these park improvements was proposed to begin no later than 60 days from County approval (and the expiration of all appeal periods) of the Chester Road DSAP DO and the PDP(s) for 1,500 age restricted units and the Pages Dairy Park and the County's acceptance of a performance bond for the improvements. The Pages Dairy Park and the park improvements would have been donated to the County within 90 days of completion. This proffer by the contract purchaser went well beyond any Comprehensive Plan or ENCPA requirements.

In addition to the more than \$1 million in funds offered by the contract purchaser, the County also has approximately \$1.4 million in Recreational Impact Fees (from the County Recreational Impact Fees Community District 503 and Regional Park funds) as of February 27, 2018, collected from impacts outside the ENCPA. Had the County accepted the offer before it, these funds could have been put to active use for the Chester Road DSAP community and regional public park facilities, including at the Pages Dairy Park, for the benefit of all County residents. In total there was approximately \$2.4 million in funding available to accelerate development of the Pages Dairy Park in the very near term.

The vast majority of the residents within the DSAP were projected to be 55 years old or older. The Pages Dairy Park facilities would likely have been under-utilized by the very residents purportedly generating (and funding) the impact. To ensure the Chester Road active adult residents would have been provided adequate recreation, an 11 acre private park constructed by the residential builder was proposed and would have been in addition to the above described Pages Dairy Park. Notwithstanding the substantial commitments made by the contract purchaser, the County appeared to reject these Chester Road DSAP park proposals, which has delayed, if not defeated, progress for an attractive and important investment by a private developer in the County. Given this, Raydient withdrew the Chester Road DSAP application from the County's consideration in 2017.

#### Civic Facilities Study Summary

In yet a further effort to assist the County, Raydient had also offered to fund a civic facilities study to be prepared by VHB at Raydient's expense. The general scope of the civic facilities study was proposed to address initial planning strategies for the programming and location of various public civic facilities (e.g. public parks, fire stations, schools, etc.) within the ENCPA based upon anticipated development densities and intensities over the life of the ENCPA development plan. The study was also proposed to identify potential funding sources

Michael S. Mullin  
March 13, 2018  
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for the community and regional public park facilities, including (among other sources) the use of incremental ad valorem revenues generated by ENCPA development towards these ENCPA public facilities. A draft of the civic facilities study scope was prepared by VHB following a meeting with County staff in October 2017 and is attached as Exhibit "D". The study was anticipated to take approximately 15 months to complete. This offer of a study was not the subject of any regulatory requirement under State or local law, but was offered in good faith as a contribution to add clarity to the ENCPA planning goals for civic facility needs and to respond proactively to the County's concerns as to the funding of community and regional public parks. As you know, the parties collaborated to create and implement the ENCPA Mobility Network to resolve the ENCPA transportation requirements and it was our hope that the civic facility study would have formed the basis for another similar collaborative effort.

It is our sincere hope that with the articulation of the commitments and proposals within this letter that the County will reconsider its positions as to approaches to funding public facilities in the County. Because the community and regional public parks located in the ENCPA will serve existing and new residents from areas inside and outside the ENCPA, it is appropriate and necessary for the County to contribute impact fees from all areas of the County which benefit from such facilities. We know of no jurisdiction that has successfully attracted positive economic development through private investment by insisting that private development fund the entire cost of public recreation or other public facilities, which cost is and should remain a responsibility of local government, facilitated only in part by private investment. Raydient looks forward to reengaging our positive collaboration for the long term benefit of Nassau County, reengaging discussions as to the previously-proposed ENCPA civic facilities study and Chester Road DSAP and finally to realize our common goal of a unique community for the County with positive economic benefits to the County and its residents.

Sincerely,



cc: Senator Aaron Bean  
Representative Cord Byrd  
Chairman Pat Edwards  
Shanea Jones, County Manager  
Commissioner Stephen W. Kelley  
Commissioner Daniel B. Leeper  
Commissioner George V. Spicer  
Vice Chairman Justin M. Taylor

**EXHIBIT "A"**

## Employment Center Detailed Specific Area Plan (DSAP)

<https://www.nassaucountyfl.com/DocumentCenter/View/13089>

Community Parks	Development Order Requirement	Proposed Commitment	Estimated Value
	20 ac	34 ac	\$1.5 MM *
Land (developer)			
Wildlight (~2,900 ac)	Single family \$287/unit Multifamily \$259/unit Paid at building permit over 20+years	Accelerate fees of \$898,639 by developer through park improvements construction	\$0.9 MM
Impact fees (builder)			
Enhancement (developer)		\$1,101,361	\$1.1 MM
Balance DSAP (~1,300 ac)	14 ac	14 ac	\$0.7 MM *
Land (developer)			
<b>Subtotal</b>	<b>34 ac</b>	<b>48 ac</b>	<b>\$4.2 MM</b>
<b>Regional Parks</b>			
	76 ac	76 ac	\$0.4 MM *
Land (developer)			
Wildlight (~2,900 ac)	Single family \$320/unit Multifamily \$288/unit Paid at building permit over 20+years	Accelerate fees of \$1,000,864 by developer through park improvements construction	\$1.0 MM
Impact fees (builder)			
Balance DSAP (~1,300 ac)	31.5 ac	31.5 ac	\$0.15 MM *
Land (developer)			
<b>Subtotal</b>	<b>107.5 ac</b>	<b>107.5 ac</b>	<b>\$1.55 MM</b>
<b>Other</b>			
		<b>\$0.15-20 MM</b>	<b>\$0.15-20 MM</b>
Civic Facilities Study			
Enhancement (developer)			
Fire / EMS site	~4 ac	~4 ac	\$0.8 MM *
Land (developer)			
<b>Subtotal</b>	<b>~4 ac</b>	<b>~4 ac</b>	<b>\$1.0 MM</b>

\* Note: Estimated values are based on recent comparable sales/contracts at Wildlight

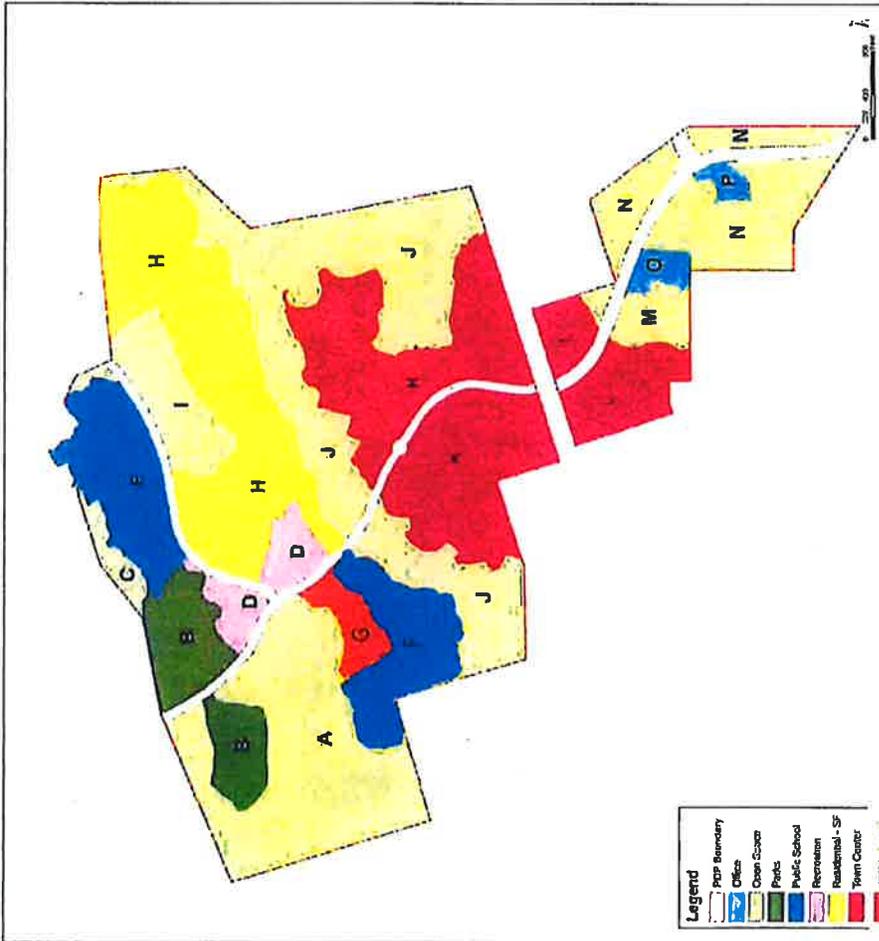
**EXHIBIT "B"**

**APPROVED**

**DEVELOPMENT NOTES**

1. THE CENTRAL BUSINESS DISTRICT IS A REDEVELOPMENT AREA AND IS SUBJECT TO THE DEVELOPMENT REGULATIONS - LOCAL ORDINANCE 100-100-001. ANY DEVELOPMENT IN THIS AREA SHALL BE SUBJECT TO THE DEVELOPMENT REGULATIONS - LOCAL ORDINANCE 100-100-001.
2. THE MAP IS FOR INFORMATIONAL PURPOSES ONLY. THE DEVELOPMENT REGULATIONS - LOCAL ORDINANCE 100-100-001 SHALL BE THE AUTHORITY FOR ANY DEVELOPMENT IN THIS AREA.
3. THE DEVELOPMENT REGULATIONS - LOCAL ORDINANCE 100-100-001 SHALL BE THE AUTHORITY FOR ANY DEVELOPMENT IN THIS AREA.
4. THE DEVELOPMENT REGULATIONS - LOCAL ORDINANCE 100-100-001 SHALL BE THE AUTHORITY FOR ANY DEVELOPMENT IN THIS AREA.
5. THE DEVELOPMENT REGULATIONS - LOCAL ORDINANCE 100-100-001 SHALL BE THE AUTHORITY FOR ANY DEVELOPMENT IN THIS AREA.

Market Street PDP Location in Employment Center DSAP Central Planning Area



Employment Center DSAP  
Market Street PDP  
Map C - Land Use Plan



**EXHIBIT "C"**

# Pages Dairy Park – Phase 1 Improvements

## I. Soft Cost \$225,000

- A. Surveying
  - 1. Partial Boundary
  - 2. Topography
  - 3. Wetland/tree
- B. Geotechnical
- C. Design/ Construction Document Preparation
- D. Regulatory Permitting
  - 1. DSAP
  - 2. SJRWMD ERP
  - 3. USACOE Dredge/Fill
  - 4. Nassau County Plan Approval
- E. CEI

## II. General Site Work \$420,768

- A. Paved driveway within Pages Dairy right of way
- B. Paved ADA spaces
- C. 3" millings on 3" crushcrete parking area and driveway
- D. Stabilized road connection to existing park
- E. Sidewalk connection to existing park
- F. Culvert wetland crossing for path connection
- G. Storm drainage
- H. Stormwater pond excavation and control structure
- I. Fill placement/fine grading
- J. Common area grassing/landscape/field irrigation
- K. Concrete walks
- L. General conditions, overhead, insurance and bonds
- M. 15% contingency

## III. Two Baseball Fields \$302,948

- A. Two clay fields with Bermudagrass
- B. Chain link enclosure
- C. Bleachers and slab - 2 each field
- D. Sidewalk/concrete pad for future concession building
- E. Field equipment
- F. Dugouts and benches
- G. Baseball backstops and baseline fence
- H. Conduits for future lighting
- I. General conditions, overhead, insurance and bonds
- J. 15% contingency

## IV. East Side Clearing \$55,220

- A. Clear
- B. Stump
- C. Seed

## TOTAL \$1,003,936



ENCPA DSAP # 2 – Developer Commitments and Contributions

Phase 1 Park Improvements

**EXHIBIT "D"**



To: Taco Pope, AICP

Date: October 18, 2017

Memorandum

Project #: 61636.03

From: Jim Sellen  
Tyler K. Johnson, AICP

Re: Civic Facilities Study Outline

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On Wednesday October 11, 2017, a publicly noticed meeting was held in the Nassau County Attorney's Office between representatives of Nassau County, Raydient Places + Properties and the East Nassau Stewardship District. At this meeting, the parties discussed an outline of work for a Civic Facilities Study to be completed.

Taco Pope, Nassau County, discussed the County's desired approach to the Study. Mr. Pope explained four-step study focusing on:

- 1) Needs/Level of service standards
- 2) Location of facilities
- 3) Cost estimates and funding
- 4) Phasing and implementation

Attendees agreed on the key components of the Study and all that public engagement at each phase, including Board of County Commissioners workshops and a final public hearing, is critical to consensus-building and providing context for the subsequent phases of the Study.

Based on the discussions at the October 11, 2017 public meeting, the following Study general outline of the meeting has been prepared for consideration of County staff as a basis for the creation of the associated Memorandum of Understanding.

1. Community Facilities to be addressed in the Civic Facilities Study and Civic Facility Study Map. Those items marked with an asterisk (\*) are to be included in the Civic Facility Map and reflected in the Capital Improvements Program to support ENCPA civic facilities, since these items are subject to the previously adopted ENCPA Mobility Plan and Mobility Fee.
  - a) Public Parks (Regional, Community)
  - b) Schools
  - c) Mobility network roads\*
  - d) Mobility network trails
  - e) Wildlife crossings
  - f) Conservation Habitat Network (CHN)
  - g) Fire/EMS Stations
  - h) Water/Wastewater Facilities
  - i) Transit-Oriented Development (TODs)\*
  - j) Electric utility facilities

2. Study Scope of Work:

- a) Facilitate a kickoff workshop to address best practices of analogue local governments to provide context for analyzing Nassau County community facility standards.
- b) Review guidelines and standards for location, land and facilities contained in the Nassau County Comprehensive Plan, the ENCPA Master Plan (Objective FL.13 and its associated policies) and the needs and level of service standards of other agencies, including but not limited to the Nassau County School District, Nassau County Fire Rescue, Nassau County Sheriff's Office, JEA, FPL, Nassau Transit and others, to meet the civic facility demands to serve the ENCPA and confirm or recommend standards for spatial distribution of civic facilities in the ENCPA.
- c) Spatially distribute the residential and non-residential development approved for the ENCPA as the basis for calculating civic facilities needs and conceptual location of the civic facilities.
- d) Identify the park types, number of parks and facilities required to meet the County level of service requirements agreed upon in (b) and incorporated into Policy ROS.1.03 of the 2030 Comprehensive Plan of Nassau County for the ENCPA.
- e) Graphically depict the location of the Regional Park system and the conceptual location of the Community Park system on the Civic Facilities Map.
- f) Graphically depict the conceptual location of all public schools, fire/EMS stations, law enforcement stations, water and wastewater treatment plants, electrical substations, transit-oriented development areas, Mobility Network Roads, Mobility Network Trails, ENCPA Land Use Plan, CHN and wildlife crossings pursuant to Comprehensive Plan Policy FL.13.07(A)(1)(b) on the Civic Facilities Map.
- g) Provide cost/revenue estimates to implement the regional and community park program agreed upon in (d) and identify any gaps that may be created by implementing the desired park system for the ENCPA.
- h) Facilitate an expert panel workshop with BOCC to identify financial options for addressing the funding gaps for parks and recreation.
- i) Identify the measures that need to be taken to close the gaps between cost and revenues to construct the park system contemplated for the ENCPA, including revenue sources that should be considered and, if necessary, modifications of park and recreation standards, and phasing plan.
- j) Prepare the draft final report.
- k) Presentation draft final report to the BOCC.
- l) Incorporate revisions to draft report based on direction of BOCC and prepare final report including:

- i. A Community Facilities Map depicting conceptual locations of facilities to be finalized in conjunction with adoption of future DSAPs.
- ii. Amending, as appropriate, the 2030 Comprehensive Plan including the ENCPA (Sector Plan) Master Plan (Objective FL.13 and associated Policies), Nassau County Land Development Code and other regulatory documents/development orders. Specific reference is made to Policy FL.13.07(A)(1)(e) of the adopted ENCPA Master Plan.

### 3. Study Phasing and Schedule:

- a) Within sixty (60) calendar days of the execution of this Memorandum of Understanding (MOU), the Study shall commence.
- b) In order to assure decisions are made in the proper context and to promote consensus building, the Study will be conducted in four phases. A workshop will be scheduled with the BOCC at the end of each phase of the Study to obtain BOCC feedback and public input. The Phases are described generally as follows:
  - i) Phase 1 will address items 1(a) and 1(b) and should be completed within four (4) months of the commencement of the Study.
  - ii) Phase 2 will address items 1(c) through 1(f) and should be completed within eight (8) months of the commencement of the Study.
  - iii) Phase 3 will address items 1(g) through 1(k) and should be completed within twelve (12) months of the commencement of the Study.
  - iv) Phase 4 will address item 1(l) and should be completed within fifteen (15) months of the commencement of the Study.

### 4. Study Deliverables:

- a) Graphic depiction of the following (and provision of all shapefiles in ArcMap 10.4 compatible format):
  - i. Spatial distribution of densities and intensities based on the ENCPA Master Plan, conceptual design work performed by Raydient and other available resources
  - ii. Conceptual location of all Regional Park lands
  - iii. Conceptual location of all public schools
  - iv. Conceptual location all Community Parks
  - v. Conceptual location of water and waste water treatment plants

- vi. Mobility Network Roads
  - vii. Mobility Network Trails
  - viii. Wildlife crossings pursuant to Comprehensive Plan Policy FL.13.07(A)(1)(b)
  - ix. Boundary of the CHN
  - x. Land Use Plan as adopted
- b) Conceptual Programming of the Regional Park system
  - c) Conceptual Programming of the Community Park system
  - d) Cost estimate to implement the identified programming
  - e) Identification of required amendments to the 2030 Comprehensive Plan, ENCPA (Sector Plan) Master Plan (Objective FL.13 and associated Policies), Nassau County Land Development Code and other similar regulatory documents and development orders. Specific reference is made to Policy FL.13.07(A)(1)(e).
  - f) A final report including all back-up data and analysis and graphical representations.
  - g) All mapping and geospatial data delivered in a format compatible with ArcMap 10.4
5. **THE COUNTY** agrees to provide:
- a) Data and analysis in a timely manner to Raydient as needed to conduct the Study.
  - b) Reasonable access to technical staff for coordination and plan development. The County reserves the right to seek third party assistance if workload exceeds current capacity.
  - c) Meeting space and presentation equipment for public workshops and public hearings.
  - d) Coordination with all State and local agencies as applicable.
6. **Raydient** agrees to provide:
- a) Funding for VHB's efforts
  - b) Technical/spatial analysis, exhibits, and final report.
  - c) Exhibits and presentation material for all public workshops and public hearings.
  - d) Raydient agrees to participate in all public workshops and the requisite number of public hearings

- e) Advertising for public workshops and public hearings.

7. Pre-Study parameters:

- a) The Study will take into consideration the proposal that Regional Park Level of Service standards defined in Policy ROS.01.03 of the Nassau County 2030 Comprehensive Plan may be satisfied through the dedication of upland lands within the CHN that are (i) unencumbered by any restrictions that could limit recreational use by the public based on the definition of a regional park in the Nassau County 2030 Comprehensive Plan (as amended). This includes, but is not limited to, the ability to construct regional scale sports and recreation facilities and the supporting infrastructure such as roadways, storm water retention facilities, and parking areas and (ii) consistent with the Study as adopted by Resolution of the Nassau County Board of County Commissioners.
- b) The Study will also consider the viability of utilizing upland lands within the CHN to supplement Community Parks and, when it is jointly determined to create a superior public space, granting credits towards the Community Park Level of Service standards defined in Policy ROS.01.03 of the Nassau County 2030 Comprehensive Plan.
- c) If the Study (i) determines that certain upland lands within the CHN are suitable to support recreation facilities and (ii) the BOCC adopts the results of the Study by Resolution, then upland lands within the Conservation Habitat Network that have been jointly identified and programmed as a part of the Study shall be eligible for use by Raydient to satisfy the Level of Service standards defined in Policy ROS.01.03 of the 2030 Comprehensive Plan of Nassau County.
- d) It is understood by both parties that, in order to implement the proposals described above, it will be necessary to amend the 2030 Comprehensive Plan, ENCPA (Sector Plan) Master Plan (Objective FL.13 and associated Policies), Nassau County Land Development Code and other regulatory documents/development orders. Specific reference is made to Policy FL.13.07(A)(1)(e) of the adopted ENCPA Master Plan.
- e) Lands jointly identified to serve as Regional and/or Community Parks shall be of a size, shape and configuration subtle to facilitate the programming identified by the Study for the respective land area. Lands identified to serve as Regional and/or Community parks shall be accessible and integrated with the ENCPA mobility network and public utilities.
- f) Nassau County reserves the right to secure a third-party consultant to review the Study, provide technical assistance and provide recommendations throughout the process.