1   Introduced by the Council President at the request of the Mayor:

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4   **ORDINANCE 2023-668**

5   AN   ORDINANCE   APPROVING   AND   AUTHORIZING   THE

6   MAYOR,   OR   HER   DESIGNEE,   AND   CORPORATION

7   SECRETARY   TO   EXECUTE   AND   DELIVER   AN   INTERLOCAL

8   AGREEMENT   BETWEEN   THE   CITY   OF   JACKSONVILLE

9   ("CITY")   AND   ST.   JOHNS   COUNTY,   FLORIDA   ("SJC"),

10   AS   AUTHORIZED   BY   SECTION   163.01,   *FLORIDA*

11   *STATUTES*,   FOR   THE   PURPOSE   OF   ALLOCATING   THE

12   DUTIES   AND   OBLIGATIONS   WITH   REGARD   TO

13   PERMITTING, OPERATION, MAINTENANCE AND REPAIR OF

14   CERTAIN   PORTIONS   OF   RACE   TRACK   ROAD   WITH

15   PORTIONS   THEREOF   IN   BOTH   CITY   COUNCIL   DISTRICT

16   11   AND   SJC;   PROVIDING   FOR   OVERSIGHT   BY   THE

17   PUBLIC   WORKS   DEPARTMENT;   PROVIDING   AN   EFFECTIVE

18   DATE.

19

20   **WHEREAS**,   the   City   of   Jacksonville   ("City")   and   Eastland

21 Development Group, Inc. ("Eastland") entered into an agreement with

22 respect to the funding and construction of widening to four (4) lanes

23 a portion of Race Tack Road ("East Section of Race Track Road"),

24 which is located in the City and transitions into St. Johns County,

25 Florida ("SJC"), which agreement was authorized by Ordinance 2021-

26 787-E;

27   **WHEREAS**, upon completion of construction of the East Section of

28 Race Track Road, those portions of the East Section of Race Track

29 Road owned by Eastland located within the City and SJC will be

30 dedicated and conveyed to the City and SJC as to those portions

31 located within each jurisdiction respectively; and

1 **WHEREAS**, City and SJC desire to enter into an interlocal

2 agreement to allocate the duties and obligations between the parties

3 with regard to the permitting, operation, maintenance and repair of

4 the East Section of Race Track Road and provide that after conveyance,

5 SJC shall operate, maintain and repair the East Section of Race Track

6 Road in a good and workmanlike manner at its sole cost and expense;

7 now therefore,

8 **BE IT ORDAINED** by the Council of the City of Jacksonville:

9 **Section 1.   Incorporating Recitals.** The recitals set forth

10 above are hereby ratified and confirmed as being true and correct and

11 are hereby made a specific part of this Ordinance upon adoption

12 thereof.

13 **Section 2.   Approval and Execution of Interlocal Agreement**

14 **authorized.**   There is hereby approved, and Mayor, or her designee,

15 and the Corporation Secretary are hereby authorized to execute and

16 deliver, for and on behalf of the City, the Interlocal Agreement

17 between City and SJC, in substantially the same form attached hereto

18 as **Exhibit 1** and incorporated herein by this reference (the

19 "Agreement"), as authorized by Section 163.01, *Florida Statutes*. The

20 Agreement may include such additions, deletions, and changes as may

21 be reasonable, necessary, and incidental for carrying out the purposes

22 thereof, as may be acceptable to the Mayor or her designee, with such

23 inclusion and acceptance being evidenced by execution of the Agreement

24 by the Mayor or her designee; provided however, no modification of

25 the Agreement may increase the financial obligations or liability of

26 the City to an amount in excess of the amount stated in the Agreement,

27 and any such modification shall be technical only and shall be subject

28 to appropriate legal review and approval by the Office of General

29 Counsel. For purposes of this Ordinance, the term "technical changes"

30 is defined as those changes having no financial impact to the City

31 or other non-substantive changes that do not substantively increase

the duties and responsibilities of the City under the provisions of the Agreement.

Section 3. **Oversight.** The Public Works Department shall provide oversight of the Agreement and the project described herein.

Section 4. **Effective Date.** This ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

Form Approved:

  /s/ Joelle J. Dillard
Office of General Counsel
Legislation prepared by: Joelle J. Dillard
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