

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2023-668-E**

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

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

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

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

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10 Form Approved:

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12 /s/ Joelle J. Dillard

13 Office of General Counsel

14 Legislation prepared by: Joelle J. Dillard

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