

1 Introduced by Council President at the request of the Joint  
2 Planning Committee:

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5 **ORDINANCE 2007-1183**

6 AN ORDINANCE AUTHORIZING THE MAYOR AND  
7 CORPORATION SECRETARY TO EXECUTE AN INTERLOCAL  
8 AGREEMENT BETWEEN THE CITY OF JACKSONVILLE, THE  
9 CITY OF ATLANTIC BEACH, THE TOWN OF BALDWIN, THE  
10 CITY OF JACKSONVILLE BEACH, THE CITY OF NEPTUNE  
11 BEACH (THE "CITIES") AND THE DUVAL COUNTY SCHOOL  
12 BOARD TO COORDINATE THE LOCATION AND DEVELOPMENT  
13 OF PUBLIC SCHOOL FACILITIES THROUGHOUT DUVAL  
14 COUNTY; PROVIDING AN EFFECTIVE DATE.

15  
16 **WHEREAS**, The Cities and the School Board recognize the  
17 benefits that flow to the citizens and students of the communities  
18 by more closely coordinating their comprehensive land use and  
19 school facilities planning programs: namely (1) better coordination  
20 of new schools in time and place with land development, (2) greater  
21 efficiency for the Cities and the School Board by the reduction of  
22 student travel times and the placement of schools to take advantage  
23 of existing and planned roads, water, sewer, and parks, (3)  
24 improved student access and safety by coordinating the construction  
25 of new and expanded schools with the road and sidewalk construction  
26 programs of the Cities, (4) the location and design of schools so  
27 that they serve as community focal points, (5) the location and  
28 design of schools with parks, active recreation facilities,  
29 libraries, and other community facilities to take advantage of  
30 joint use opportunities, and (6) the location of new schools and  
31 expansion and rehabilitation of existing schools so as to reduce

1 pressures contributing to urban sprawl and support existing  
2 neighborhoods; and

3       **WHEREAS**, the City Council of the Consolidated City of  
4 Jacksonville and the Duval County School Board, in March 2001,  
5 established a Joint Planning Committee to serve as an advisory body  
6 to the City Council and School Board, and charged said Joint  
7 Planning Committee to assist Jacksonville and the School Board in  
8 carrying out many of the public school facility planning  
9 responsibilities subsequently mandated in Sections 1013.33 and  
10 163.31777, Florida Statutes, and

11       **WHEREAS**, Section 1013.33(10), Florida Statutes, requires that  
12 the location of public education facilities must be consistent with  
13 the comprehensive plans and implementing land development  
14 regulations of the appropriate Cities; and

15       **WHEREAS**, Sections 163.3177(6)(h)1 and 2, Florida Statutes,  
16 requires each local government to adopt an intergovernmental  
17 coordination element as part of their comprehensive plan that  
18 states principles and guidelines to be used in the accomplishment  
19 of the adopted comprehensive plan with the plans of the school  
20 boards, and describe the processes for collaborative planning and  
21 decision making on population projections and public school siting;  
22 and

23       **WHEREAS**, Section 163.3177(6)(h)2, Florida Statutes, further  
24 requires each county, which in this instance is the Consolidated  
25 City of Jacksonville, all of the municipalities within Duval  
26 County, and the School Board to establish by interlocal or other  
27 formal agreement executed by all affected parties, the joint  
28 processes described above consistent with their adopted  
29 intergovernmental coordination elements; and

30       **WHEREAS**, this Interlocal Agreement was initially executed on  
31 April 2, 2003, and has been updated to reflect changes in the state

1 concurrency legislation relating to public schools as provided in  
2 Laws 2005, c. 2005-290 (Senate Bill 360), which became effective  
3 July 1, 2005; and

4 **WHEREAS**, the Cities and the School Board have mutually agreed  
5 that coordination of school facility planning and comprehensive  
6 land use planning is in the best interest of the citizens of the  
7 Cities; and

8 **WHEREAS**, the Cities have jurisdiction for land use and growth  
9 management decisions within their boundaries, and

10 **WHEREAS**, the School Board has the responsibility to provide  
11 school facilities to ensure a free and adequate public education to  
12 the residents of the Cities, and

13 **WHEREAS**, the Cities and the School Board agree that they can  
14 better fulfill their respective responsibilities by working in  
15 close cooperation to ensure that adequate public school facilities  
16 are available to the residents of the Cities, and

17 **WHEREAS**, the parties are authorized to enter into this  
18 interlocal agreement pursuant to Section 163.01, Section  
19 163.3177(6)(h)2, Section 163.3180(13)(9), Section 1013.33(2)(a), and  
20 Section 163.31777, Florida Statutes; now therefore

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

22 **Section 1.** The Mayor and Corporation Secretary are  
23 authorized to execute on behalf of the City of Jacksonville an  
24 Interlocal Agreement between the City of Jacksonville, the City of  
25 Atlantic Beach, the Town of Baldwin, the City of Jacksonville  
26 Beach, the City of Neptune Beach and the Duval County School Board,  
27 in substantially the form attached hereto and made a part hereof as  
28 **Exhibit 1**, to coordinate the location and development of public  
29 school facilities throughout Duval County and administering the  
30 school concurrency requirement of Chapter 163, Florida Statutes.

1           **Section 2.           Effective Date.** This ordinance shall become  
2 effective upon signature by the Mayor or upon becoming effective  
3 without the Mayor's signature.

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5 Form Approved:

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7                 /s/ Jason R. Teal          

8 Office of General Counsel

9 Legislation Prepared By: Jason R. Teal

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