



POLICY 7.16

5-A I recommend that the Board approve development of the proposed **revised** Policy 7.16, entitled “Street Improvements.”

[Contact: Warren Haan, PX 21912.]

Development

CONSENT ITEM

- This revision addresses street improvements, including sidewalks, curbs, gutters, street paving and other improvements resulting from the facility's traffic.
- This revision seeks to coordinate with the applicable local government regarding funding allocations and maintenance, with the scope of improvements being determined from review of a current traffic study.
- This revision also updates statutory references.

POLICY 7.16

STREET IMPROVEMENTS

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3 Streets, sidewalks and the like ~~special benefits~~ are proper and necessary parts of
4 school plants when such improvements are made in connection with such plants and
5 adjacent thereto for the safety and health of students and others using the facilities.

6 1. As a part of construction of major new or modified facilities such as new and
7 replacement schools, transportation compounds and warehouses, the Board will
8 include in its planning the financing of such improvements, as required by those
9 facilities in accordance with State law. This includes the school, on not more than
10 two sides of a school site for sidewalks contiguous to the school property, curbs,
11 gutters, and ~~one-half of~~ street paving and improvements as approved by the
12 School Board and resulting solely from the facility's traffic. For other roadway
13 improvements and signalization, the staff will approach the applicable local
14 government to request that the necessary improvements be programmed into their
15 local Capital Plan funding allocations. The scope of such improvements shall be
16 determined from review of a current traffic study procured by the District and
17 discussions/negotiations between the District and the city, county and/or state
18 government agency responsible for such improvements. All agreements shall be in
19 compliance with current State law. Such improvements together with real property
20 on which they are located will be dedicated to the governmental agency having
21 jurisdiction for maintenance purposes and right-of-way.

22 2. On existing sites where such improvements are non-existent and a governmental
23 agency having jurisdiction elects to provide these improvements, the School Board
24 will participate in the cost therefore to the same extent as for new construction.

25 3. On existing sites where such improvements are already in existence, the School
26 Board presumes the responsibility for maintaining ~~these~~ the improvements that are
27 on School Board property. The maintenance of improvements that are not on
28 School Board property shall be the responsibility of ~~lies totally with~~ the
29 governmental agency having jurisdiction except in those instances where such
30 improvements are damaged as a direct result of activities by the Board or its
31 employees in which case the Board will participate in restoration to the extent that
32 its action or those of its employees caused said damage.

33 4. When an existing hazard on or near a public sidewalk, street, or highway adjacent
34 to a school site is identified and the hazard endangers the life or threatens the
35 health or safety of students who walk or are transported, the Superintendent, on
36 behalf of the School Board shall, within twenty-four (24) hours excluding Saturdays,
37 Sundays and legal holidays, shall bring that hazard to the attention of the
38 governmental entity which has jurisdiction over the location of said hazard.

39 STATUTORY AUTHORITY: Fla. Stat. §§ ~~4001.11; 230.22(2); 235.19~~ 1001.32(2);
40 1001.42(2), (8), (9), (17) & (25); 1001.43(2) & (5); 1001.44 (31); 1013.36
41 LAWS IMPLEMENTED: Fla. Stat. §§ ~~235.34~~ 1001.42(2), (8), (9) & (17); 1001.43(1)(f) &
42 (4); 1001.41 (31); 1013.36; 1013.51
43 HISTORY: 4/6/83; 12/1/08; ___/___2009

Legal Signoff:

The Legal Department has reviewed proposed Policy 7.16 and finds it legally sufficient for development by the Board.

Attorney

Date