

RESOLUTION NO. 2023-36

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN ST. JOHNS COUNTY, FLORIDA AND THE ST. JOHNS COUNTY SCHOOL DISTRICT REGARDING THE ST. JOHNS COUNTY SCHOOL DISTRICT PROVIDING TRAINING AND TESTING OF ST. JOHNS COUNTY STAFF FOR COMMERCIAL DRIVER LICENSES; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE MEMORANDUM OF UNDERSTANDING ON BEHALF OF THE COUNTY.

WHEREAS, in 2022, Federal Motor Carrier regulations changed and impacted how Commercial Driver License (CDL) testing and training are recorded and verified through the use of recognized training facilities. In turn, the state of Florida changed how it manages CDL testing to comply with these federal regulations. These changes have created a challenge for smaller entities with limited resources to test and/or keep the credential as a registered training site; and

WHEREAS, the County requires certain staff to possess and maintain CDL to hold certain County positions; and

WHEREAS, the County has worked with the St. Johns County School District to provide training and testing of qualified St. Johns County staff; and

WHEREAS, the County and St. Johns County School District desire to cooperate in the training and testing for CDL as set forth in the Memorandum of Understanding attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are incorporated into the body of this Resolution and adopted as findings of fact.

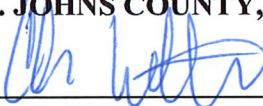
Section 2. The Board of County Commissioners of St. Johns County, Florida hereby approves the Memorandum of Understanding between St. Johns County and St. Johns County School District, and authorizes the County Administrator, or designee, to execute the MOU on behalf of the County, in substantially the same form and format as attached.

Section 3. To the extent that there are typographical and/or administrative errors and/or omissions that do not change the tone, tenor, or content of this Resolution, then this Resolution may be revised without subsequent approval of the Board of County Commissioners.

Section 4. This Resolution shall be effective upon adoption by the Board of County Commissioners.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida, this 7th day of February, 2023.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

By: 
Christian Whitehurst, Chair

ATTEST: Brandon J. Patty, Clerk of the
Circuit Court & Comptroller

By: 

Deputy Clerk

Rendition Date FEB 07 2023



**Memorandum of Understanding Between
St. Johns County School District
and
St. Johns County**

This Memorandum of Agreement is entered by and between St. Johns County School District (“SJCS D”) and St. Johns County, Florida (“County”). This MOU is NOT meant to supersede any other MOUs between SJCS D and County.

BACKGROUND AND OBJECTIVES

In 2022, Federal Motor Carrier regulations changed and impacted how Commercial Driver License (CDL) testing and training are recorded and verified through the use of recognized training facilities. In turn, the state of Florida changed how it manages CDL testing to comply with these federal regulations. These changes have created a challenge for smaller entities with limited resources to test and/or keep the credential as a registered training site.

STATEMENT OF WORK

This MOU is intended to help facilitate the mutually accepted goal of assisting the employees of the County in obtaining their CDL, through training and testing administered by certified St. Johns County School District Bus Operators, under the supervision of St. Johns County School District.

ROLES AND RESPONSIBILITIES

The parties to this MOU mutually agree to promote the following roles and responsibilities to the extent consistent with their respective missions, roles and responsibilities.

It shall be the responsibility of SJCS D to:

1. Provide certified and licensed Bus Operators to provide CDL training, in accordance with the Federal Motor Carrier regulations.
2. Provide certified and licensed Bus Operators to administer the CDL exam, in accordance with the Federal Motor Carrier regulations.
3. Provide registered and insured school buses for BOCC employee(s) to utilize, under the direction and supervision of SJCS D, during training and testing.

It shall be the responsibility of the County to:

1. Obtain and maintain in force, at its expense, during the entire term of this MOU, Commercial General Liability Insurance naming SJCS D as the certificate holder and an additional insured and having a minimum coverage of one million dollars (\$1,000,000) for injuries to one person and two million dollars (\$2,000,000) of aggregate coverage.
2. Obtain and maintain in force, at its expense, during the entire term of this MOU, Workers’ Compensation Insurance.

TERMS OF AGREEMENT

This MOU will remain in effect for a period of five years from the date of the last signature or until terminated by either agency upon written notice to the other party.

Each party will directly fund its own participation under this MOU. All commitments made in this MOU are subject to the availability of funds and each party's budget priorities. Nothing in this MOU may be construed to obligate either party to current or future expenditures of resources.

LIABILITY AND INDEMNIFICATION

Except as expressly provided in this MOU and except for damages that may be incurred by SJCS D that are covered by the Commercial General Liability insurance referred to above, neither party shall be liable to the other for any indirect, consequential, incidental, exemplary, punitive or special damages, including, but not limited to, any loss of profit or revenue, arising from or in connection with any breach or violation of the MOU or from any action or omission relating to the MOU, whether or not the other party has been advised of the possibility of such damage.

This Section shall survive termination of this MOU.

SIGNATURES

IN WITNESS WHEREOF, the parties hereto have executed this MOU on the date(s) set forth below.

FOR ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS

Signature: _____
Name: _____
Title: _____
Date: _____

FOR ST. JOHNS COUNTY SCHOOL DISTRICT

Signature: _____
Name: _____
Title: _____
Date: _____