

1 Introduced by Council Member White:  
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4 **ORDINANCE 2026-392**

5 AN ORDINANCE APPROVING AND AUTHORIZING THE  
6 MAYOR, OR HER DESIGNEE, AND THE CORPORATION  
7 SECRETARY TO EXECUTE AND DELIVER THAT CERTAIN  
8 PRIVATE SIDETRACK AGREEMENT BETWEEN THE CITY AND  
9 CSX TRANSPORTATION, INC. REGARDING THE  
10 CONSTRUCTION OF A CITY-OWNED RAILROAD SIDETRACK  
11 ADJACENT TO THE CECIL COMMERCE CENTER MEGA-SITE;  
12 PROVIDING FOR OVERSIGHT BY THE DEPARTMENT OF  
13 PUBLIC WORKS; REQUESTING ONE CYCLE EMERGENCY  
14 PASSAGE; PROVIDING AN EFFECTIVE DATE.  
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16 **WHEREAS**, pursuant to the CIP Project entitled Cecil Mega Site  
17 Rail Spur project, the City of Jacksonville ("City") authorized the  
18 construction of a new rail spur into the 600-acre City-owned Mega  
19 Site at Cecil Commerce Center (the "Project"), and the City has  
20 received partial funding for the Project pursuant to a State of  
21 Florida grant in the amount of \$5,500,000; and

22 **WHEREAS**, in order for the City to tie into the CSX mainline,  
23 CSX Transportation, Inc. ("CSX") requires the City to enter into a  
24 Private Sidetrack Agreement (the "Agreement") to provide funding to  
25 CSX in the amount of \$1,827,779.00 for the construction of CSX's  
26 portion of the sidetrack connecting to the mainline (to be funded by  
27 subsequent appropriation), to govern construction requirements for  
28 the Project, and to address subsequent maintenance and related  
29 obligations as between the parties, and legislation is required to  
30 authorize the execution of the Agreement; now therefore

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

1           **Section 1.           Authorization.** The Mayor, or her designee, and  
2 the Corporation Secretary are hereby authorized to execute and deliver  
3 on behalf of the City, that certain Private Sidetrack Agreement  
4 between the City and CSX (the "Agreement"), in substantially the form  
5 placed **On File** with the Legislative Services Division. The Agreement  
6 provides that the City will provide funding in the amount of  
7 \$1,827,779.00 to CSX (the "CSX Contribution") for the construction  
8 of the CSX portion of the sidetrack connecting to the CSX mainline,  
9 and sets forth the construction and related requirements attendant  
10 to the construction by the City of the balance of the sidetrack.  
11 Subject to a future City Council appropriation of the CSX  
12 Contribution, funding for the Project will be borne by the City and  
13 paid from the Capital Improvement Program under the project entitled  
14 "Cecil Mega Site Rail Spur."

15           **Section 2.           Oversight.** The Department of Public Works shall  
16 oversee the project described herein.

17           **Section 3. Requesting One Cycle Emergency Passage Pursuant 4 to**  
18 **Council Rule 4.901 Emergency.** One cycle emergency passage of this  
19 legislation is requested. The nature of the emergency is that the  
20 City has commenced construction on the Project but will be unable to  
21 work in CSX right of way without the executed Agreement, and the  
22 City's contractor will likely have to cease construction and  
23 remobilize (at additional cost to the City) without one cycle  
24 emergency passage.

25           **Section 4.           Effective Date.** This Ordinance shall become  
26 effective upon signature by the Mayor or upon becoming effective  
27 without the Mayor's signature.  
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1 Form Approved:

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3           /s/ John Sawyer          

4 Office of General Counsel

5 Legislation Prepared By: John Sawyer

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