

1 Introduced by the Council President at the request of the Mayor:  
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4 **RESOLUTION 2023-405**

5 A RESOLUTION REQUESTING THAT THE FLORIDA  
6 DEPARTMENT OF TRANSPORTATION ("FDOT") DELIVER  
7 THE 5<sup>TH</sup> STREET BRIDGE REPLACEMENT PROJECT AS A  
8 LOCAL AGENCY PROGRAM (LAP) PROJECT TO PROVIDE  
9 GREATER EFFICIENCY, INNOVATION, AND COST SAVINGS  
10 TO THE CITY; ENDORSING THE PRELIMINARY  
11 DEVELOPMENT AND ENVIRONMENTAL ASSESSMENT BY THE  
12 FDOT THAT INCLUDES THE NATIONAL ENVIRONMENTAL  
13 POLICY ACT (NEPA) ACTIVITIES; ACCEPTING AND  
14 AUTHORIZING THE MAYOR AND CORPORATION SECRETARY  
15 TO EXECUTE ALL DOCUMENTS RELATED TO THE  
16 ACCEPTANCE OF ADDITIONAL ACQUIRED RIGHT-OF-WAY  
17 FOR THE 5<sup>TH</sup> STREET BRIDGE NUMBER 724039 BRIDGE  
18 REPLACEMENT PROJECT SHOULD IT BE NEEDED FOR  
19 FURTHERANCE OF ITS FINANCIAL PROJECT NO. 437414-  
20 1 IN COUNCIL DISTRICT 10; AUTHORIZING A SEPARATE  
21 TRANSFER AND MAINTENANCE AGREEMENT FOR THE  
22 SUBJECT PROJECT AT A LATER DATE IF ADDITIONAL  
23 RIGHT-OF-WAY WILL BE REQUIRED FOR THE COMPLETION  
24 OF THIS PROJECT; PROVIDING THAT ANY ITEMS, IN  
25 THE FDOT'S SOLE DISCRETION AND WITHOUT  
26 LIMITATIONS IN ACCORDANCE WITH THE CODE OF  
27 FEDERAL REGULATIONS (CFR), DEEMED TO BE FEDERAL  
28 NON-PARTICIPATING ITEMS SHALL BE FOUNDED AT THE  
29 SOLE EXPENSE OF THE FDOT; PROVIDING FOR  
30 OVERSIGHT BY THE ENGINEERING AND CONSTRUCTION  
31 MANAGEMENT DIVISION OF THE DEPARTMENT OF PUBLIC

1 WORKS; PROVIDING AN EFFECTIVE DATE.

2 **BE IT RESOLVED** by the Council:

3 **Section 1. Endorsing FDOT Financial Project No. 437414-1 to**  
4 **be performed as a Local Agency Program project and Approving and**  
5 **Accepting Right-of-Way.** The City of Jacksonville endorses the  
6 delivery of the Financial Project No. 437414-1 (the "Project") in  
7 Council District 10 as a Local Agency Program (LAP) project to allow  
8 for greater efficiency, innovation, and cost savings to the city, and  
9 requests that the Florida Department of Transportation (FDOT) provide  
10 the Preliminary Development and Environmental assessment that  
11 includes the National Environmental Policy Act activities. The City  
12 of Jacksonville will accept additional acquired right-of-way for the  
13 Project should it be needed for Project completion. If additional  
14 Right-of-Way is required for completion of the Project, the FDOT and  
15 the City of Jacksonville will execute a separate transfer and  
16 maintenance agreement for that Right-of-Way at a later date. Also,  
17 any items, in the FDOT's sole discretion and without limitation in  
18 accordance with the Code of Federal Regulations, deemed to be federal  
19 non-participating items, shall be funded at the sole expense for the  
20 FDOT.

21 **Section 2. Execution of Documents Authorized.** The Mayor  
22 and Corporation Secretary are hereby authorized to execute all  
23 documents which will facilitate the acceptance of the Right-of-Way  
24 for 5<sup>th</sup> Street Bridge Number 724039.

25 **Section 3. Effective Date.** This Resolution shall  
26 become effective upon signature by the Mayor or upon becoming  
27 effective without the Mayor's signature.  
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Form Approved:

/S/ James McCain

Office of General Counsel

Legislation Prepared By: James McCain

FDOT 5<sup>th</sup> Street Bridge