

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

5 A RESOLUTION REQUESTING THAT THE FLORIDA
6 DEPARTMENT OF TRANSPORTATION ("FDOT") DELIVER
7 THE 5TH 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 5TH 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 5th 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 5th Street Bridge