

1 Introduced by the Council President at the request of the Mayor:

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4 **ORDINANCE 2020-490**

5 AN ORDINANCE APPROPRIATING \$15,000.00  
6 (\$7,500.00 FROM CSX TRANSPORTATION, INC. (CSX)  
7 AND \$7,500.00 FROM THE FLORIDA DEPARTMENT OF  
8 TRANSPORTATION (FDOT)) FOR THE CLOSURE OF THE  
9 EAST 59<sup>TH</sup> STREET RAILROAD-HIGHWAY GRADE  
10 CROSSING; AUTHORIZING THE MAYOR AND  
11 CORPORATION SECRETARY TO EXECUTE AND DELIVER  
12 THE STIPULATION OF PARTIES FOR THE CLOSURE OF  
13 EAST 59<sup>TH</sup> STREET FDOT CROSSING NUMBER 621069K  
14 RAILROAD-HIGHWAY GRADE CROSSING BETWEEN AND  
15 AMONG THE CITY OF JACKSONVILLE (CITY), CSX,  
16 AND FDOT FOR THE PERMANENT CLOSING OF A  
17 RAILROAD-HIGHWAY PUBLIC GRADE CROSSING AT EAST  
18 59<sup>TH</sup> STREET; PROVIDING FOR OVERSIGHT BY THE  
19 DEPARTMENT OF PUBLIC WORKS; AMENDING THE 2020-  
20 2024 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM  
21 APPROVED BY ORDINANCE 2019-505-E TO PROVIDE  
22 FUNDING FOR THE PROJECT ENTITLED "RAILROAD  
23 CROSSINGS"; PROVIDING AN EFFECTIVE DATE.

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

26 **Section 1. Appropriation.** For the 2019-2020 fiscal  
27 year, within the City's budget, there are hereby appropriated the  
28 indicated sum(s) from the account(s) listed in subsection (a) to  
29 the account(s) listed in subsection (b):

30 (B.T. 20-98, attached hereto as **Exhibit 1** and incorporated herein  
31 by this reference)

1 (a) Appropriated from:

2 See B.T. 20-098 \$15,000.00

3 (b) Appropriated to:

4 See B.T. 20-098 \$15,000.00

5 (c) Explanation of Appropriation

6 The funding above comprises incentive payments in the  
7 amount of \$7,500.00 from both CSX Transportation, Inc.  
8 (CSX) and the Florida Department of Transportation (FDOT)  
9 for the closure of the East 59<sup>th</sup> Street railroad-highway  
10 grade crossing.

11 **Section 2. Purpose.** The purpose of the appropriation  
12 above is to provide incentive payments to the City from CSX and  
13 FDOT for the permanent closure of the East 59<sup>th</sup> Street railroad-  
14 highway grade crossing.

15 **Section 3. Approval and authorization.** There is hereby  
16 approved, and the Mayor, or his designee, and the Corporation  
17 Secretary are hereby authorized to execute and deliver the  
18 Stipulation of Parties for the Closure of East 59<sup>th</sup> Street FDOT  
19 Crossing Number 621069K Railroad-Highway Grade Crossing between and  
20 among the City, CSX, and FDOT in substantially the form placed **ON**  
21 **FILE** with the Office of Legislative Services. CSX has filed an  
22 application with FDOT to close permanently the railroad-highway  
23 grade crossing located at East 59<sup>th</sup> Street. City has agreed to enter  
24 into separate agreements with CSX and FDOT and to remove all  
25 evidence of the crossing, restore the right-of-way to CSX, provide  
26 permanent closure signs and object markers as identified in FDOT's  
27 Standard Plan, Index 700-109. CSX and FDOT will each provide  
28 incentive payments in the amount of \$7,500.00 for the closure of  
29 the East 59<sup>th</sup> Street railroad-highway grade crossing. There is no  
30 current license agreement between City and CSX for this crossing  
31 and there will not be one.

1           **Section 4.           Oversight.**           The Department of Public Works  
2 shall oversee the project described herein.

3           **Section 5.           CIP Amendment.**           Ordinance 2019-505-E, being  
4 the 2020-2024 Five-Year Capital Improvement Program for the City  
5 and certain of its independent agencies, is hereby amended to  
6 provide funding for the project entitled "Railroad Crossings." The  
7 project is more fully described in the Project Information Sheet,  
8 attached hereto as **Exhibit 2** and incorporated herein by this  
9 reference. The Council finds that the deferral of this amendment of  
10 the CIP until the next annual budget and CIP review will be  
11 detrimental to the best interests of the community because such  
12 deferral will result in the City's loss of needed grant dollars.  
13 Pursuant to Section 122.605(c), *Ordinance Code*, enactment of this  
14 ordinance requires the affirmative vote of two-thirds of the  
15 Council members present at the meeting because of the CIP amendment  
16 set forth in this section. This ordinance shall constitute an  
17 amendment to Ordinance 2019-505-E. In all other respects, the Five-  
18 Year Capital Improvement Program approved by Ordinance 2019-505-E  
19 shall continue in full force and effect.

20           **Section 6.           Effective Date.**           This ordinance shall become  
21 effective upon signature by the Mayor or upon becoming effective  
22 without the Mayor's signature.

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24 Form Approved:

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26           /s/ James R. McCain, Jr.

27 Office of General Counsel

28 Legislation prepared by: James R. McCain, Jr.

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