

1 Introduced by the Council President at the request of the Mayor and  
2 amended by the Neighborhoods, Community Services, Public Health &  
3 Safety Committee:  
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6 **ORDINANCE 2020-490-E**

7 AN ORDINANCE APPROPRIATING \$19,500 (\$12,000  
8 FROM CSX TRANSPORTATION, INC. (CSX) AND \$7,500  
9 FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION  
10 (FDOT)) FOR THE CLOSURE OF THE EAST 59<sup>TH</sup> STREET  
11 RAILROAD-HIGHWAY GRADE CROSSING; AUTHORIZING  
12 THE MAYOR AND CORPORATION SECRETARY TO EXECUTE  
13 AND DELIVER THE STIPULATION OF PARTIES FOR THE  
14 CLOSURE OF EAST 59<sup>TH</sup> STREET FDOT CROSSING  
15 NUMBER 621069K RAILROAD-HIGHWAY GRADE CROSSING  
16 BETWEEN AND AMONG THE CITY OF JACKSONVILLE  
17 (CITY), CSX, AND FDOT FOR THE PERMANENT  
18 CLOSING OF A RAILROAD-HIGHWAY PUBLIC GRADE  
19 CROSSING AT EAST 59<sup>TH</sup> STREET; PROVIDING FOR  
20 OVERSIGHT BY THE DEPARTMENT OF PUBLIC WORKS;  
21 AMENDING THE 2021-2025 FIVE-YEAR CAPITAL  
22 IMPROVEMENT PROGRAM APPROVED BY ORDINANCE  
23 2020-505-E TO PROVIDE FUNDING FOR THE PROJECT  
24 ENTITLED "RAILROAD CROSSINGS"; PROVIDING AN  
25 EFFECTIVE DATE.  
26

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

28 **Section 1. Appropriation.** For the 2020-2021 fiscal  
29 year, within the City's budget, there are hereby appropriated the  
30 indicated sum(s) from the account(s) listed in subsection (a) to

1 the account(s) listed in subsection (b):

2 (Revised B.T. 20-98, attached hereto as **Revised Exhibit 1**, labeled  
3 as "Revised Exhibit 1, Revised B.T. 20-98, January 19, 2021 -  
4 NCSPHS" and incorporated herein by this reference)

5 (a) Appropriated from:

6 See Revised B.T. 20-098 \$19,500

7 (b) Appropriated to:

8 See Revised B.T. 20-098 \$19,500

9 (c) Explanation of Appropriation

10 The funding above comprises incentive payments in the  
11 amount of \$12,000 from CSX Transportation, Inc. (CSX) and  
12 \$7,500 from the Florida Department of Transportation  
13 (FDOT) for the closure of the East 59<sup>th</sup> Street railroad-  
14 highway grade crossing.

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

19 **Section 3. Approval and authorization.** There is hereby  
20 approved, and the Mayor, or his designee, and the Corporation  
21 Secretary are hereby authorized to execute and deliver the  
22 Stipulation of Parties for the Closure of East 59<sup>th</sup> Street FDOT  
23 Crossing Number 621069K Railroad-Highway Grade Crossing between and  
24 among the City, CSX, and FDOT in substantially the form placed  
25 **Revised On File** with the Office of Legislative Services. CSX has  
26 filed an application with FDOT to close permanently the railroad-  
27 highway grade crossing located at East 59<sup>th</sup> Street. CSX and FDOT  
28 will each provide incentive payments for the closure of the East  
29 59<sup>th</sup> Street railroad-highway grade crossing. There is no current  
30 license agreement between City and CSX for this crossing and there  
31 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 2020-505-E, being  
4 the 2021-2025 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 **Revised Exhibit 2**, labeled as "Revised Exhibit  
9 2, Revised CIP, January 19, 2021 - NCSPHS" and incorporated herein  
10 by this reference. The Council finds that the deferral of this  
11 amendment of the CIP until the next annual budget and CIP review  
12 will be detrimental to the best interests of the community because  
13 such deferral will delay the desired closing of the railroad  
14 crossing. Pursuant to Section 122.605(c), *Ordinance Code*, enactment  
15 of this ordinance requires the affirmative vote of two-thirds of  
16 the Council members present at the meeting because of the CIP  
17 amendment set forth in this section. This ordinance shall  
18 constitute an amendment to Ordinance 2020-505-E. In all other  
19 respects, the Five-Year Capital Improvement Program approved by  
20 Ordinance 2020-505-E shall continue in full force and effect.

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

24  
25 Form Approved:

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27 /s/ Paige H. Johnston

28 Office of General Counsel

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

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