

## LEGISLATIVE FACT SHEET

DATE: 05/13/19

BT or RC No: \_\_\_\_\_  
(Administration & City Council Bills)

SPONSOR: Public Works/Engineering/CM Lori Boyer, CD 5  
(Department/Division/Agency/Council Member)

Contact for all inquiries and presentation Robin Smith

Provide Name: Robin Smith

Contact Number: 904-255-8762

Email Address: [robinsmith@coj.net](mailto:robinsmith@coj.net)

PURPOSE: White Paper (Explain Why this legislation is necessary? Provide; Who, What, When, Where, How and the Impact.) Council Research will complete this form for Council introduced legislation and the Administration is responsible for all other legislation. (Minimum of 350 words - Maximum of 1 page.)

This legislation is necessary for City Council to authorize the Mayor to execute the Assignment and Assumption of the Stipulation of Parties between the Florida Department of Transportation (FDOT), Florida East Cost Railway, L.L.C. (Railway) and The City of Jacksonville. The City has filed an application with FDOT to offset the expansion of the Nira Street railroad-highway public at grade crossing, to permanently close two railroad-highway public at grade crossings. The first closure location is Gary Street and second closure location is Naldo Avenue, pursuant to Chapter 335.141(1), Florida Statutes and Rule 14-57.012, Florida Administrative Code. The City also agrees to enter into a separate agreement with the Railway to pay an annual license fee and maintenance fee of the crossing surface, including all track bed and rail components, the highway roadbed, for the width of the rail ties within the crossing area at Nira Street railroad-highway public at grade crossing.

In the Stipulation of Parties, the City agrees to the conditions stated which includes: The railroad, at the city's expense, will provide all necessary materials to install a pedestrian grade crossing surface on the north side of the Nira Street Crossing (Exhibit 'C'), in compliance with the Railroad Crossing Design Standard 222.2.4 (Exhibit 'D'); the Railroad, at the City's expense, will provide or furnish all necessary materials and install the automated railroad grade crossing warning device to include Type III, Class IV flashing lights and gates, in accordance with the Department's Standards Plans Index 509-070 (Exhibit 'E'). The City also agrees, at the City's expense, to remove all evidence of the crossing, restore the Railway's right-of-way, and provide permanent closure signs and object markers as identified in FDOT's Standard Plan, Index 700-109.

If additional information is required, please call Robin Smith at 255-8762 or Kelsey Cox at 255-8931.  
Thank you

APPROPRIATION: Total Amount Appropriated \$0.00 as follows:

List the source **name** and provide Object and Subobject Numbers for each category listed below:

(Name of Fund as it will appear in title of legislation)

Name of Federal Funding Source(s)	From: _____	Amount: _____
	To: _____	Amount: _____
Name of State Funding Source(s)	From: _____	Amount: _____
	To: _____	Amount: _____
Name of City of Jacksonville Funding Source(s)	From: _____	Amount: _____
	To: _____	Amount: _____
Name of In-Kind Contribution(s)	From: _____	Amount: _____
	To: _____	Amount: _____
Name & Number of Bond Account(s)	From: _____	Amount: _____
	To: _____	Amount: _____

**PLAIN LANGUAGE OF APPROPRIATION / FINANCIAL IMPACT / OTHER:**

Explain: Where are the funds coming from, going to, how will the funds be used? Does the funding require a match? Is the funding for a specific time frame? Will there be an ongoing maintenance? ... and staffing obligation? Per Chapters 122 & 106 regarding funding of anticipated post-construction operation costs.

(Minimum of 350 words - Maximum of 1 page.)

The annual license fee will come from account PWGM011-04938. The annual maintenance fee will come from account PWTE011-03410. The cost of the materials to close Naldo Avenue will come from project PW0096-01.

**ACTION ITEMS:** Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

**ACTION ITEMS:**

	Yes	No
Emergency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Justification of Emergency: If yes, explanation must include detailed nature of emergency.

Federal or State Mandate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision.

Fiscal Year Carryover?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Note: If yes, note must include explanation of all-year subfund carryover language.

CIP Amendment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment.

Contract / Agreement Approval?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Attachment & Explanation: If yes, attach the Contract / Agreement and name of Department (and contact name) that will provide oversight. Indicate if negotiations are on-going and with whom. Has OGC reviewed / drafted?

Stipulation of Parties from the Florida Department of Transportation between City and Florida East Coast Railway. Reviewed by OGC. Public Works Engineering, Kelsey Cox 904-255-8931, will be point of contact. Negotiations are complete.

Related RC/BT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Waiver of Code?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper.

Code Exception?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Code Reference: If yes, identify code in box below and provide detailed explanation (including impacts) within white paper.

Related Enacted Ordinances?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Code Reference: If yes, identify related code section(s) and ordinance reference number in the box below and provide detailed explanation and any changes necessary within white paper.

**ACTION ITEMS CONTINUED:** Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

**ACTION ITEMS:**

	Yes	No	
Emergency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Justification of Emergency: If yes, explanation must include detailed nature of emergency.</p> <div style="border: 1px solid black; height: 80px; width: 100%;"></div>
Federal or State Mandate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision.</p> <div style="border: 1px solid black; height: 80px; width: 100%;"></div>
Fiscal Year Carryover?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Note: If yes, note must include explanation of all-year subfund carryover language.</p> <div style="border: 1px solid black; height: 80px; width: 100%;"></div>
CIP Amendment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment.</p>
Contract / Agreement Approval?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Attachment &amp; Explanation: If yes, attach the Contract / Agreement and name of Department (and contact name) that will provide oversight. Indicate if negotiations are on-going and with whom. Has OGC reviewed / drafted?</p> <p>Stipulation of Parties from the Florida Department of Transportation between City and Florida East Coast Railway. Reviewed by OGC.</p> <div style="border: 1px solid black; height: 150px; width: 100%;"></div>
Related RC/BT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Waiver of Code?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper.</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>
Code Exception?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Code Reference: If yes, identify code in box below and provide detailed explanation (including impacts) within white paper.</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>
Related Enacted Ordinances?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Code Reference: If yes, identify related code section(s) and ordinance reference number in the box below and provide detailed explanation and any changes necessary within white paper.</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>

**ACTION ITEMS CONTINUED:** Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

**ACTION ITEMS:**

	Yes	No
Continuation of Grant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation: How will the funds be used? Does the funding require a match? Is the funding for a specific time frame and/or multi-year? If multi-year, note year of grant? Are there long-term implications for the General Fund?

Surplus Property Certification?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Attachment: If yes, attach appropriate form(s).

Explanation: List agencies (including City Council / Auditor) to receive reports and frequency of reports, including when reports are due. Provide Department (include contact name and telephone number) responsible for

Division Chief: Robin Smith  
(signature)

Date: 5/9/2019

Prepared By: Kelsey Cox  
(signature)

Date: 5/9/2019

**ADMINISTRATIVE TRANSMITTAL**

To: MBRC, c/o Roselyn Chall, Budget Office, St. James Suite 325

Thru: John P. Pappas, Director, Public Works Department

(Name, Job Title, Department)

Phone: 255-8748

E-mail: [pappas@coj.net](mailto:pappas@coj.net)

From: Robin Smith, Acting Chief, Engineering Division

Initiating Department Representative (Name, Job Title, Department)

Phone: 255-8762

E-mail: [RobinSmith@coj.net](mailto:RobinSmith@coj.net)

Primary Contact: Kelsey Cox, Project Engineer, Engineering Division

(Name, Job Title, Department)

Phone: 255-8931

E-mail: [kcox@coj.net](mailto:kcox@coj.net)

CC: Jordan Elsbury, Director of Intergovernmental Affairs, Office of the Mayor

904-630-1825 E-mail: [JElsbury@coj.net](mailto:JElsbury@coj.net)

**COUNCIL MEMBER / INDEPENDENT AGENCY / CONSTITUTIONAL OFFICER TRANSMITTAL**

To: Peggy Sidman, Office of General Counsel, St. James Suite 480

Phone: 904-630-4647

E-mail: [psidman@coj.net](mailto:psidman@coj.net)

From:

Initiating Council Member / Independent Agency / Constitutional Officer

Phone:

E-mail:

Primary

Contact: (Name, Job Title, Department)

Phone:

E-mail:

CC: Jordan Elsbury, Director of Intergovernmental Affairs, Office of the Mayor

904-630-1825 E-mail: [JElsbury@coj.net](mailto:JElsbury@coj.net)

Legislation from Independent Agencies requires a resolution from the Independent Agency Board approving the legislation.

Independent Agency Action Item:

Yes

No

Boards Action / Resolution?

☐☐

Attachment: If yes, attach appropriate documentation. If no, when is board action scheduled?

**FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED**