

RESOLUTION NO. 24-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING EXECUTION OF A GRANT PARTICIPATION AND REIMBURSEMENT AGREEMENT FOR THE BROWARD COUNTY SEALED CORRIDOR PROJECT, WITHIN BROWARD COUNTY, WITH BRIGHTLINE TRAINS FLORIDA LLC AND OTHER BROWARD COUNTY MUNICIPALITIES, AND PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

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WHEREAS, on June 23, 2022, the Broward Metropolitan Planning Organization (“BMPO”) hosted a town hall with the Federal Railroad Administration (“FRA”), local governments, and transportation partners to discuss railroad safety where FRA’s concerns were raised about the County’s Quiet Zone due to multiple fatalities along the Florida East Coast (“FEC”) railway corridor; and

WHEREAS, the FRA emphasized the need for local and regional partners to collaborate on interventions and improvements to prevent further fatalities while maintaining the Quiet Zone; and

WHEREAS, in October 2022, the BMPO applied to the FRA Railroad Crossing Elimination Program (“RCEP”) Grant on behalf of Broward County, the cities of Dania Beach, Fort Lauderdale (“City”), Hallandale Beach, Hollywood, Pompano Beach, and Wilton Manors, to fund the Broward County Sealed Corridor project that includes the installation of exit gates and/or centerline median islands at 21 crossings over 26 miles of FEC railway; and

WHEREAS, the impacted railway crossings and locations of the proposed improvements under the City’s jurisdiction include: NE 17<sup>th</sup> Court, SW 5<sup>th</sup> Street, SW 6<sup>th</sup> Street, SW 7<sup>th</sup> Street, SW 17<sup>th</sup> Street, and SW 22<sup>nd</sup> Street; and

WHEREAS, on June 5, 2023, the BMPO received a Notice of Award of \$15,440,000 from the FRA in RCEP grant funds for the Broward County Sealed Corridor project; and

WHEREAS, the RCEP Grant scope of work includes a total project cost of \$19,300,000 for the crossing safety improvements and the local municipalities have committed \$3,860,000 to meet the required 20% non-federal match, with the remaining \$15,440,000 funded by the grant; and

WHEREAS, Broward County has committed to provide a 20% cost share for crossings on County jurisdiction streets, as well as 12% of the local municipalities' cost share leaving the municipalities' shares at 8% of the improvements within each respective municipality and a 20% contingency of that amount; and

WHEREAS, the City's cost share is \$676,147 for the project; and

WHEREAS, beyond the cost share, the City will be responsible for executing updated or new crossing agreements with the FEC Railway for the improvements of each location on the streets under the City's jurisdiction; and

WHEREAS, the Grant Participation and Reimbursement Agreement for the Implementation of the Railroad Crossing Elimination Program Grant ("Grant Participation and Reimbursement Agreement") outlines the conditions of the local funds being provided to Brightline including roles and responsibilities of Brightline and Broward County and the local Broward County municipalities along the FEC Corridor in relation to the implementation of the RCEP Grant Broward County Sealed Corridor Project ("project") with local funds associated with the FRA Grant; and

WHEREAS, upon the approval and execution of the Grant Participation and Reimbursement Agreement by all parties, the BMPO, as grant recipient, will execute a final Grant Agreement, with the FRA and will execute a final Subrecipient Agreement with Brightline Trains Florida LLC, as the subrecipient.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission of the City of Fort Lauderdale, Florida, hereby approves and authorizes execution of a Grant Participation and Reimbursement Agreement for the Broward County Sealed Corridor Project, within Broward County, with Brightline Trains Florida LLC and other Broward County municipalities, in substantially the form attached, to City Commission Agenda Memo #24-1016.

SECTION 2. That all resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. That if any clause, section, or other part of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That this Resolution shall be in full force and effect upon its adoption.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:

\_\_\_\_\_  
City Clerk  
DAVID R. SOLOMAN

APPROVED AS TO FORM  
AND CORRECTNESS:

\_\_\_\_\_  
Interim City Attorney  
D'WAYNE M. SPENCE

Dean J. Trantalis \_\_\_\_\_  
John C. Herbst \_\_\_\_\_  
Steven Glassman \_\_\_\_\_  
Pamela Beasley-Pittman \_\_\_\_\_  
Ben Sorensen \_\_\_\_\_