

RESOLUTION NO. 13-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A RAILROAD REIMBURSEMENT AGREEMENT WITH FLORIDA EAST COAST RAILWAY, L.L.C. AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF RAIL ROAD CROSSING IMPROVEMENTS AT SW 9<sup>th</sup> STREET AT THE FLORIDA EAST COAST RAILWAY CROSSING NUMBER 272561-N AND FUTURE MAINTENANCE AND ADJUSTMENT OF SAID DEVICES; AUTHORIZING THE CITY MANAGER TO EXTEND THE TERM OF THE AGREEMENT UPON MUTUAL AGREEMENT; PROVIDING FOR THE EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE (FINANCIAL PROJECT NO. 43143815701)

WHEREAS, the State of Florida Department of Transportation is constructing rail road crossing improvements at SW 9<sup>th</sup> Street at the Florida East Coast Railway, L.L.C. Crossing No. 272561-N under Financial Project No. 43143815701; and

WHEREAS, upon completion of the installation of said signals, the City of Fort Lauderdale and Florida East Coast Railway, L.L.C. shall bear the future expense of maintenance and adjustment of said grade crossing signal devices at a rate of fifty (50%) percent each; and

WHEREAS, that the City Manager of the City of Fort Lauderdale is authorized to extend the term of said agreement upon mutual agreement; and

WHEREAS, the City Commission of the City of Fort Lauderdale declares that entering into said agreement is in the best interest of the City;

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

SECTION 1. That the proper City officials of the City of Fort Lauderdale are hereby authorized to execute a Railroad Reimbursement Agreement Grade Crossing Traffic Control Devices - Municipal for Financial Project No. 43143815701, with the State of Florida, Department of Transportation and Florida East Coast Railway, L.L.C. to assume its share, of the costs for future maintenance and adjustment of grade crossing traffic control devices crossing at SW 9<sup>th</sup> Street at Florida East Coast Railway, L.L.C. crossing number 272561-N, said share being fifty (50%) percent.

SECTION 2. That the City Manager is authorized to extend the term of the Railroad Reimbursement Agreement Grade Crossing Traffic Control Devices - Municipal for Financial Project No. 43143815701, upon mutual agreement/

SECTION 3. This Resolution shall take effect immediately upon adoption.

SECTION 4. That the office of the City Attorney shall review and approve as to form all documents prior to their execution by the proper City officials.

ADOPTED this the \_\_\_\_\_ day of April, 2013.

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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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City Clerk  
JONDA K. JOSEPH