

RESOLUTION NO. 15

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 25-7 (b) OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, DELEGATING TO THE CITY MANAGER THE AUTHORITY TO GRANT PERMISSION FOR A SERIES OF ROAD CLOSURES AT THE FLORIDA EAST COAST RAILROAD CROSSING FOR ROADS WITHIN THE CITY'S ROADWAY JURISDICTION TO ENABLE FLORIDA EAST COAST RAILROAD TO MAKE IMPROVEMENTS TO THE RAIL LINE TO ACCOMMODATE THE ALL ABOARD FLORIDA ENHANCED USE OF THE RAIL LINE AND FURTHER DELEGATING AUTHORITY TO THE CITY MANAGER TO GRANT PERMISSION TO FEC TO CLOSE ROADWAYS AT RAILROAD CROSSINGS FOR PERIODS NOT TO EXCEED SEVEN (7) DAYS UPON CERTAIN TERMS AND CONDITIONS; PROVIDING THAT ALL RESOLUTIONS OR PARTS THEREOF IN CONFLICT HERewith ARE REPEALED; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, City Code Section 25-7 (b), provides:

(b) Streets, alleys and sidewalks which are under the jurisdiction of the City may be closed for a period of time not to exceed seventy-two hours by order of the City Manager. Only such rights-of-way which are not classified within the jurisdiction of other governmental entities or subject to separate agreements may be closed by the City Manager. The City Manager shall assure that vital public services and traffic safety are maintained during the street closure.

WHEREAS, Florida East Coast Railway ("FEC") has embarked upon a program of upgrading its rail system in anticipation of opening its rail system to All Aboard Florida which

will be running from Orlando, through West Palm Beach, Fort Lauderdale and Miami with a rapid transit system; and

WHEREAS, the success of the All Aboard Florida rapid transit system is dependent upon an upgrading of the FEC rail system which requires several road closures at railroad crossing within the corporate limits of the City of Fort Lauderdale;

WHEREAS, in order for FEC to accomplish the upgrades at the railroad crossing, FEC has advised City officials that it requires authorization to close the roads in question for periods of time in excess of the seventy-two (72) hour period for which the City Manager is authorized to permit such closures under City Code Section 25-7(b); and

WHEREAS, the upgrading of the FEC rail system to accommodate the All Aboard Florida rapid transit system serves a valid municipal purpose; and

WHEREAS, delegating authority to the City Manager to authorize closures in conjunction with the FEC program of upgrading its rail system to accommodate the All Aboard Florida rapid transit system serves a valid municipal purpose;

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

SECTION 1. That the City Commission hereby delegates to the City Manager the authority to authorize road closures for periods not to exceed seven (7) days per road closure along the FEC railway line in conjunction with FEC upgrading its rail line to accommodate the All Aboard Florida rapid transit system running from Orlando to Miami and through the corporate limits of the City of Fort Lauderdale.

SECTION 2. That in authorizing the road closures under this Resolution, the City Manager is granted the discretion to authorize the series of closures in such a manner as to minimize to the greatest extent practicable the disruption of traffic patterns during the road closures at the railroad crossing.

SECTION 3. That this delegation of authority to the City Manager is conditioned upon FEC reimbursing the City the costs of authorizing and administering Modification of Traffic Plan in conjunction with the road closures and recovery by the City of its costs of administration of the road closures.

SECTION 4. That any and all other Resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION 5. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the 2nd day of June, 2015.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

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