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RESOLUTION NO. 2024-110

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, APPROVING AND ADOPTING THE GRANT PARTICIPATION AND REIMBURSEMENT AGREEMENT BETWEEN THE CITY AND BRIGHTLINE TRAINS FLORIDA LLC, FOR THE IMPLEMENTATION OF THE RAILROAD CROSSING ELIMINATION PROGRAM GRANT FOR THE BROWARD COUNTY SEALED CORRIDOR PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on October 10, 2022, the Broward Metropolitan Planning Organization (MPO) on behalf of Broward County, the cities of Dania Beach, Fort Lauderdale, Hallandale Beach, Hollywood, Pompano Beach, and Wilton Manors, applied for the Federal Railroad Administration (FRA) Railroad Crossing Elimination Program (RCEP) Grant to fund the Broward County Sealed Corridor project for safety improvements at 21 crossings over 26 miles of FEC railway; and

WHEREAS, the RCEP Grant application outlined a total project cost of \$19,300,000 for the safety improvements and the aforementioned local governments committed \$3,860,000 to meet the required 20% non-federal match, with the remaining \$15,440,000 funded by the federal share; and

WHEREAS, the City Commission of Hallandale Beach ("City Commission") adopted Resolution 2022-116, thereby committing a sum of \$336,539, representing the City of Hallandale Beach ("City") 20% local share for the safety improvements; and

WHEREAS, on March 6, 2023, the FRA notified Broward County of a potential formal review of the Quiet Zone due to 34 crashes, resulting in 22 fatalities and six injuries between January and December 2022; and

WHEREAS, the MPO collaborated with Broward County, the municipalities along the FEC corridor, the Broward County Sheriff's Office, and Brightline to demonstrate a commitment to both public safety and the Quiet Zone and Broward County requested that the MPO lead the response to the FRA with an action plan; and

WHEREAS, the MPO coordinated with the FRA, Broward County, the City and the other municipalities, to review data, and develop a preliminary action plan and thereafter finalize short- and long-term safety improvements; and

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

39 **WHEREAS**, over the past year, the MPO and Brightline have prepared preliminary
40 plans for the 26 crossing improvements at 21 FEC at-grade crossings identified in the Grant
41 application, prepared the National Environmental Policy Act (NEPA) requirements, and
42 addressed project-specific terms and conditions with the FRA for the RCEP Grant; and

43 **WHEREAS**, as of June 2024, MPO has provided the final funding commitment
44 required by all municipalities, and the City's requested local match of \$208,184, which the
45 City has budgeted for in the FY24-25 budget; and

46 **WHEREAS**, in August 2024, the FRA notified the MPO that all NEPA documentation
47 requirements were satisfied, and the FRA RCEP Grant Agreement for the Broward County
48 Sealed Corridor project is under final review; and

49 **WHEREAS**, upon approval of the RCEP Grant Agreement, the MPO will be positioned
50 to proceed with executing the Subrecipient Agreement with Brightline Trains Florida LLC and
51 the Grant Agreement with the FRA; and

52 **WHEREAS**, these critical improvements, including quad gates and hardened
53 medians, will reduce accidents and fatalities, maintain the City's Quiet Zone, and significantly
54 improve public safety; and

55 **WHEREAS**, City Staff recommends that the City Commission approve the Agreement
56 between the City, Broward County, the other municipalities and Brightline Trains Florida LLC,
57 for funding and implementation of the Broward County Sealed Corridor Project.

58
59 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY**
60 **COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:**

61
62 **SECTION 1. Recitals.** The foregoing "Whereas" clauses are adopted herein.

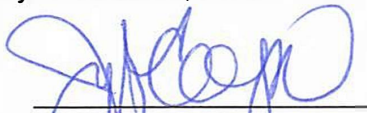
63
64 **SECTION 2. Approval of RECEP Agreement.** The Mayor and City Commission
65 hereby approve the Grant Participation and Reimbursement Agreement between the City and
66 Brightline Trains Florida LLC, for the implementation of the Railroad Crossing Elimination
67 Program Grant for as part of the Broward County Sealed Corridor Project along the Florida
68 East Coast Railway and Brightline Corridor within Broward County, Florida, attached hereto
69 as Exhibit "1" reflecting the City's local match of Two Hundred Eight Thousand One Hundred

Eighty Four Dollars (\$208,184.00) representing the City's 20% local share for the safety improvements.

SECTION 3. Execution of Agreement. The Mayor and/or City Manager are hereby authorized to execute the Grant Participation and Reimbursement Agreement, together with such non-material changes as may be agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

SECTION 4. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

APPROVED AND ADOPTED this 30th day of October, 2024.

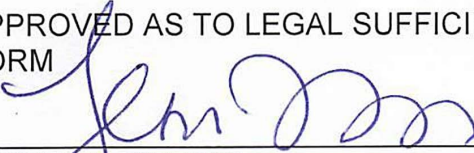

JOY F. COOPER
MAYOR

SPONSORED BY: CITY ADMINISTRATION

ATTEST:


JENORGEN GUILLEN
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY AND
FORM


JENNIFER MERINO
CITY ATTORNEY

FINAL VOTE ON ADOPTION

Mayor Cooper	<u>Yes</u>
Vice Mayor Lima-Taub	<u>Yes</u>
Commissioner Adams	<u>Yes</u>
Commissioner Butler	<u>Yes</u>
Commissioner Lazarow	<u>Yes</u>



MONICA CEPERO, County Administrator

115 S. Andrews Avenue, Room 409 • Fort Lauderdale, Florida 33301 • 954-357-7354 • FAX 954-357-7360

October 7, 2022

The Honorable Pete Buttigieg
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Railroad Crossing Elimination Grant Program: Safety Improvements in Broward County

Dear Secretary Buttigieg,

Broward County is pleased to participate with the Broward Metropolitan Planning Organization (MPO) for the application being submitted to the *Railroad Crossing Elimination Grant Program (RCEP)*. The application is directed at an important project in our county -- supporting the final design and construction of safety measures needed to reduce risks associated with rail traffic on the Florida East Coast rail corridor. Local match investments for the project will be provided in partnership with Broward County and the municipalities along the corridor. Brightline Trains Florida, LLC (Brightline) will lead the project design and construction.

Broward County is planning to contribute approximately \$2,366,000 from currently budgeted resources toward the local match requirement for the project pending approval by our Board of Commissioners and the County's Transportation Surtax Oversight Board. For the safety improvements undertaken at crossings where the County has maintenance agreements with Florida East Coast Railway (FECR), future maintenance of the improvements will be covered under these same agreements, ensuring sustainability of the safety measures that are implemented.

The project is part of a comprehensive approach to improve safety along the entire shared corridor with the goal of reducing accidents to zero, saving lives, and improving the public perception of rail and public transportation. The Broward MPO, Brightline, FECR, and the local public authorities have been working closely with FRA on recommended crossing enhancements to improve safety. This project is a critical component of this public safety initiative, and we are committed to being a partner and supporting this initiative as much as possible.

I appreciate your consideration and respectfully request that you consider this vital project for funding. Thank you for your time and support.

Sincerely,

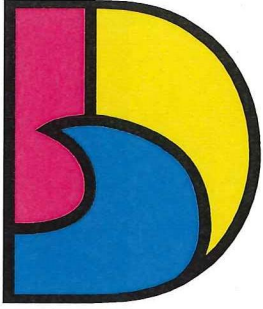
A handwritten signature in blue ink, appearing to read "MC", is written over the word "Sincerely,".

Monica Cepero
County Administrator

cc: Greg Stuart, Executive Director, Broward MPO

Broward County Board of County Commissioners

Mark D. Bogen • Lamar P. Fisher • Beam Furr • Steve Geller • Jared E. Moskowitz • Nan H. Rich • Tim Ryan • Michael Udine



SEA IT. LIVE IT. LOVE IT.

September 20, 2022

The Honorable Pete Buttigieg
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary Buttigieg,

The City of Dania Beach strongly supports the Broward Metropolitan planning Organization's application to the *Railroad Crossing Elimination Grant Program (RCEP)* for Broward County, located in southeast Florida. The RCEP grant funding would support the final design and construction of approximately 40 exit gates and 10 medians at 27 highway-railroad grade crossings, to further enhance public safety and "seal" the rail corridor. This project is a \$23.7 million safety investment by Broward County, the Florida Department of Transportation (FDOT), and several local municipalities, wherein Brightline Trains Florida, LLC (Brightline) will lead the project design and construction. The City of Dania Beach acknowledges a 20% non-Federal match (approximately \$584,494.00) will be required upon approval of the improvements that will be installed at the grade crossings within our City. At this time we are reserving any financial commitments until the appropriate workshops and public hearings are held with the stakeholders detailing all of the financial commitments and improvements for the region. Once the stakeholder meetings are held, and the commitment from all affected parties is determined, then the City will acknowledge that the relevant maintenance agreements with the Florida East Coast Railway for each of the impacted crossings will need to be modified to include these additional improvements.

The crossings proposed to be enhanced through this project run along the existing Florida East Coast railroad corridor. The railway currently accommodates freight service and intercity passenger rail service with both expected to expand over the next couple of years. The safety and efficiency of the rail corridor impacts the residents, businesses, and visitors of our City. This project is part of a comprehensive approach to improve safety along the entire shared corridor with goal of reducing accidents to zero. FDOT, Brightline, FECR, and the local public authorities have been working closely with FRA on recommended crossing enhancements to improve safety. This project is a critical component of this public safety initiative and we are committed to being a partner.

Thank you for your consideration and respectfully request that you consider this vital project for funding.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Ana M. Garcia', with a long horizontal flourish extending to the right.

Ana M. Garcia
City Manager

CC: Mayor, Vice Mayor, and Commissioners
Eve Boutsis, City Attorney
Candido Sosa-Cruz, Deputy City Manager
Fernando Rodriguez, Director, Public Services
Dincer Ozaydin, Deputy Director, Public Services



October 4, 2022

The Honorable Pete Buttigieg
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary Buttigieg:

I am writing to express my strong support for the Broward Metropolitan Planning Organization's application to the *Railroad Crossing Elimination Grant Program (RCEP)* for Broward County, located in southeast Florida. The RCEP grant funding would support the final design and construction of approximately 40 exit gates and ten medians at 27 highway-railroad grade crossings, to further enhance public safety and "seal" the rail corridor. This project is a \$23.7 million safety investment by Broward County, the Florida Department of Transportation (FDOT), and several local municipalities, wherein Brightline Trains Florida, LLC (Brightline) will lead the project design and construction. **The City of Fort Lauderdale is committed to improving safety at the six locally controlled crossings. The associated cost of the proposed safety improvements are estimated at \$5,012,000 and, if awarded, and in conjunction with City Commission approval, the City of Fort Lauderdale would provide a 20% non-Federal match of approximately \$1,002,400 for the improvements that will be installed at the six grade crossings under City of Fort Lauderdale authority.** The City acknowledges that the relevant maintenance agreements with the Florida East Coast Railway (FECR) for each of the impacted crossings will need to be modified to include these additional improvements.

The crossings proposed to be enhanced through this project run along the existing Florida East Coast railroad corridor. The railway currently accommodates freight service and intercity passenger rail service with both expected to expand over the next couple of years. The safety and efficiency of the rail corridor impacts the residents, businesses, and visitors of our City. This project is part of a comprehensive approach to improve safety along the entire shared corridor with the goal of reducing accidents to zero. FDOT, Brightline, FECR, and the local public authorities have been working closely with the Federal Railroad Administration (FRA) on recommended crossing enhancements to improve safety. This project is a critical component of this public safety initiative, and we are committed to being a partner.

I appreciate your consideration and respectfully request that you consider this vital project for funding. Thank you for your time and consideration.

Sincerely,

Greg Chavarria
City Manager

c: Susan Grant, Assistant City Manager
Anthony G. Fajardo, Assistant City Manager
Ben Rogers, Director of Transportation and Mobility
Laura Reece, Director of Office of Management and Budget

Office of the City Manager

100 North Andrews Avenue, Fort Lauderdale, Florida 33301
Telephone (954) 828-5013, Fax (954) 828-5599
www.fortlauderdale.gov



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WHEREAS, affected local municipalities must commit to providing a 20% non-federal match for the improvements that will be installed at the grade crossings, which for the City of Hallandale Beach is approximately Three Hundred Thirty-Six Thousand, Five Hundred Thirty-Nine Dollars (\$336,539); and

WHEREAS, the City of Hallandale Beach Mayor and City Commission recognize that the proposed capital improvements project is a critical component for this public safety initiative, hereby endorse the RCEP grant application and commit to being a partner; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:

SECTION 1. The foregoing “whereas” clauses are incorporated herein.

SECTION 2. Endorsement and Authorization. The Mayor and the City Commission of the City of Hallandale Beach, Florida, hereby endorse MPO's application to the Railroad Crossing Elimination Grant Program (RCEP) to fund physical barriers or highway-rail grade crossing improvement projects that focus on improving the safety and mobility of people and goods within the Quiet Zone and commit to being a partner and providing a 20% local match for the improvements that will be installed at the grade crossings, which municipal local match is approximately Three Hundred Thirty-Six Thousand, Five Hundred Thirty-Nine Dollars (\$336,539). The City Manager is authorized to execute all necessary documents to submit applications and implement if awarded.

SECTION 3. Effective Date. This resolution shall be effective immediately upon its adoption.

APROVED and ADOPTED this 28th day of September, 2022.

W. F. Butler for
JOY F. COOPER
MAYOR

68 SPONSORED BY: CITY ADMINISTRATION

69 ATTEST:

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73 JENORGEN GUILLEN, CMC
74 CITY CLERK
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78 APPROVED AS TO LEGAL SUFFICIENCY
79 AND FORM

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83 JENNIFER MERINO
84 CITY ATTORNEY
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FINAL VOTE ON ADOPTION

Mayor Cooper	<u>yes</u>
Vice Mayor Butler	<u>yes</u>
Commissioner Javellana	<u>yes</u>
Commissioner Lazarow	<u>yes</u>
Commissioner Lima-Taub	<u>yes</u>

September 20, 2022

The Honorable Pete Buttigieg
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary Buttigieg:

I am writing to express my strong support for the Broward Metropolitan Planning Organization's application to the *Railroad Crossing Elimination Grant Program (RCEP)* for Broward County, located in southeast Florida. The RCEP grant funding would support the final design and construction of approximately 40 exit gates and 10 medians at 27 highway-railroad grade crossings, to further enhance public safety and "seal" the rail corridor. This project is a \$23.7 million safety investment by Broward County, the Florida Department of Transportation (FDOT), and several local municipalities, wherein Brightline Trains Florida, LLC (Brightline) will lead the project design and construction. The City of Hollywood acknowledges a 20% non-Federal match (approximately \$584,494.00) will be required upon approval of the improvements that will be installed at the grade crossings within our City. The City acknowledges that the relevant maintenance agreements with the Florida East Coast Railway for each of the impacted crossings will need to be modified to include these additional improvements.

The crossings proposed to be enhanced through this project run along the existing Florida East Coast railroad corridor. The railway currently accommodates freight service and intercity passenger rail service with both expected to expand over the next couple of years. The safety and efficiency of the rail corridor impacts the residents, businesses, and visitors of our City. This project is part of a comprehensive approach to improve safety along the entire shared corridor with goal of reducing accidents to zero. FDOT, Brightline, FECR, and the local public authorities have been working closely with FRA on recommended crossing enhancements to improve safety. This project is a critical component of this public safety initiative and we are committed to being a partner.

2600 Hollywood Boulevard
P.O. Box 229045
Hollywood, Florida
33022-9045

hollywoodfl.org

September 20, 2022

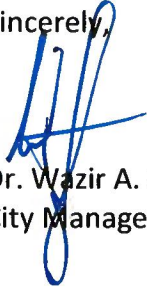
The Honorable Pete Buttigieg

U.S. Department of Transportation

Page 2

I appreciate your consideration and respectfully request that you consider this vital project for funding. Thank you for your time and consideration.

Sincerely,



Dr. Wazir A. Ishmael
City Manager

C: Mayor, Vice Mayor, and City Commissioners
George R. Keller, Jr. Deputy City Manager
Gus Zambrano, Assistant City Manager for Sustainable Development
Shiv Newaldass, Director, Department of Development Services
Laurette Jean, Director, Office of Budget and Performance Management
Gregory Stuart, Executive Director, Broward MPO

September 28, 2022

The Honorable Pete Buttigieg
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Railroad Crossing Elimination Grant Program

Dear Secretary Buttigieg:

On behalf of the Pompano Beach City Commission, I am writing to express my strong support for the Broward Metropolitan Planning Organization's application to the *Railroad Crossing Elimination Grant Program (RCEP)* for Broward County, located in southeast Florida. The RCEP grant funding would support the final design and construction of approximately 40 exit gates and 10 medians at 27 highway-railroad grade crossings, to further enhance public safety and "seal" the rail corridor. This project is a \$23.7 million safety investment by Broward County, the Florida Department of Transportation (FDOT), and several local municipalities, wherein Brightline Trains Florida, LLC (Brightline) will lead the project design and construction. The City of Pompano Beach is committed to providing a 20% non-Federal match (approximately \$542,478) for the improvements that will be installed at the grade crossings under our authority. The City acknowledges that the relevant maintenance agreements with the Florida East Coast Railway for each of the impacted crossings will need to be modified to include these additional improvements.

The crossings proposed to be enhanced through this project run along the existing Florida East Coast railroad corridor. The railway currently accommodates freight service and intercity passenger rail service with both expected to expand over the next couple of years. The safety and efficiency of the rail corridor impacts the residents, businesses, and visitors of our City. This project is part of a comprehensive approach to improve safety along the entire shared corridor with goal of reducing accidents to zero. FDOT, Brightline, FECR, and the local public authorities have been working closely with FRA on recommended crossing enhancements to improve safety. This project is a critical component of this public safety initiative and we are committed to being a partner.

We appreciate your consideration and respectfully request that you consider this vital project for funding. Thank you for your time and consideration.

Sincerely,



Rex Hardin

City of Wilton Manors

2020 Wilton Drive • Wilton Manors, Florida 33305 • (954) 390-2120 • FAX (954) 390-2199

October 7, 2022



Celebrating is Just Better Here

The Honorable Pete Buttigieg
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary Buttigieg,

Scott Newton

Mayor

Paul Rolli

Vice Mayor

Mike Bracchi

Commissioner

Chris Caputo

Commissioner

Gary Resnick

Commissioner

Leigh Ann Henderson

City Manager

Kerry Ezrol

City Attorney

I am writing to express my strong support for the Broward Metropolitan planning Organization's application to the *Railroad Crossing Elimination Grant Program (RCEP)* for Broward County, located in southeast Florida. The RCEP grant funding would support the final design and construction of approximately 40 exit gates and 10 medians at 27 highway-railroad grade crossings, to further enhance public safety and "seal" the rail corridor. This project is a \$23.7 million safety investment by Broward County, the Florida Department of Transportation (FDOT), and several local municipalities, wherein Brightline Trains Florida, LLC (Brightline) will lead the project design and construction. **The City of Wilton Manors is committed to providing a non-Federal match for the improvements that will be installed at the grade crossing under our authority.** The City acknowledges that the relevant maintenance agreements with the Florida East Coast Railway for each of the impacted crossings will need to be modified to include these additional improvements.

The crossings proposed to be enhanced through this project run along the existing Florida East Coast railroad corridor. The railway currently accommodates freight service and intercity passenger rail service with both expected to expand over the next couple of years. The safety and efficiency of the rail corridor impacts the residents, businesses, and visitors of our City. This project is part of a comprehensive approach to improve safety along the entire shared corridor with goal of reducing accidents to zero. FDOT, Brightline, FECR, and the local public authorities have been working closely with FRA on recommended crossing enhancements to improve safety. This project is a critical component of this public safety initiative and we are committed to being a partner.

I appreciate your consideration and respectfully request that you consider this vital project for funding. Thank you for your time and consideration.

Sincerely,

Leigh Ann Henderson

Leigh Ann Henderson
City Manager

Wilton Manors is a Community Wildlife Habitat