

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED RAILROAD REIMBURSEMENT AGREEMENT AMONGST THE FLORIDA DEPARTMENT OF TRANSPORTATION, THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY AND THE CITY OF HOLLYWOOD TO PAY CERTAIN COSTS ASSOCIATED WITH RAILROAD IMPROVEMENTS BEING MADE WITHIN THE SOUTH FLORIDA RAIL CORRIDOR AT THE TAFT STREET CROSSING RELATING TO THE SHERIDAN STATION PROJECT; AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED AGREEMENT WITH STATIONSIDE PARTNERS LLC TO ASSIGN THE PAYMENT OBLIGATIONS STATED WITHIN THE AFOREMENTIONED RAILROAD REIMBURSEMENT AGREEMENT TO STATIONSIDE PARTNERS, LLC.

WHEREAS, Stationside Partners, LLC. ("Developer"), is the owner of that certain project within the municipal boundaries of the City commonly referred to a "Sheridan Station," located generally between Sheridan Street and Taft Street, west of I-95 and east of the South Florida Rail Corridor ("SFRC"), hereinafter referred to as the "Project;" and

WHEREAS, in connection with the Project, Developer is required to complete certain improvements on Taft Street west of the Project, including the improvement and widening of Taft Street at the point where Taft Street crosses the South Florida Rail Corridor (the "RR Improvements"); and

WHEREAS, the South Florida Rail Corridor was formerly owned and operated by CSX Transportation (CSXT) but is now owned by the Florida Department of Transportation ("FDOT") and is operated by the South Florida Regional Transportation Authority ("SFRTA"); and

WHEREAS, in order to facilitate the RR Improvements within the South Florida Rail Corridor, FDOT and SFRTA require that the City enter into a Railroad Reimbursement Agreement (the "RRA"), attached hereto, by which the City agrees to pay certain costs associated with the RR Improvements ("Payment Obligations") and to undertake responsibility for the improved roadway lying outside the railroad ties ("Maintenance Obligations"); and

WHEREAS, the Developer and City desire to enter into an Agreement, attached hereto, which provides that Developer shall be responsible for the Payment Obligations described in the RRA and will indemnify the City for said improvement work; and

WHEREAS, prior to execution of the Agreement, the Developer shall provide the funding to the City in the amount estimated to fulfill the Payment Obligations as set forth in the RRA; and

WHEREAS, similar to the current Taft Street rail crossing tri-party agreements, upon completion of the crossing work, the City shall be responsible for the Maintenance Obligations described in the RRA, to include the highway roadbed and surface outside the rail ties and for the payment of fifty percent of the annual maintenance costs of the traffic control devices; and

WHEREAS, the execution of the attached RRA covering the Taft Street crossing will supersede the existing Taft Street grade crossing and traffic control device agreements amongst the City, FDOT and the CSX;

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

Section 1: That it hereby approves and authorizes the execution by the appropriate City Officials of the attached Railroad Reimbursement Agreement, amongst the Florida Department of Transportation, the South Florida Regional Transportation Authority and the City of Hollywood, together with such non-material changes as may subsequently be agreed to by the City Manager and approved as to form and legality by the City Attorney.

Section 2: That it hereby approves and authorizes the execution by the appropriate City Officials of the attached Agreement between Stationside Partners, LLC and the City of Hollywood, together with such non-material changes as may subsequently be agreed to by the City Manager and approved as to form and legality by the City Attorney.

RESOLUTION RE RAILROAD REIMBURSEMENT AGREEMENT AMONGST FDOT,  
SFRTA AND THE CITY.

Section 3: That this Resolution shall be in full force and effect  
immediately upon its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
PETER BOBER, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGALITY  
for the use and reliance of the  
City of Hollywood, Florida, only.

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JEFFREY P. SHEFFEL, CITY ATTORNEY