



Legislation Details (With Text)

File #: R-2016-298 **Version:** 1 **Name:** All Aboard Florida Letter Agreement
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Title: A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute The Attached Letter Agreement Amongst The Florida East Coast Railway, L.L.C., All Aboard Florida-Operations, L.L.C., And The City Of Hollywood To Amend The City's Existing FEC License Agreements To Provide For Intercity Passenger Trains On The FEC Railway And To Add All Aboard Florida-Operations, L.L.C. As A Party To Said Agreements.

Sponsors:

Indexes:

Code sections:

Attachments: 1. RESOALLABOARDFLORIDALICENSEAGREEMENT.pdf, 2. All Aboard Florida Ltr Agmt (REVISED).pdf, 3. TermSheetAllAboardFloridaFECAmendtoAgreements2016.pdf, 4. BIS 17004.pdf

| Date | Ver. | Action By | Action | Result |
|------------|------|---------------------------------|--------|--------|
| 10/19/2016 | 1 | Regular City Commission Meeting | adopt | Pass |

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute The Attached Letter Agreement Amongst The Florida East Coast Railway, L.L.C., All Aboard Florida-Operations, L.L.C., And The City Of Hollywood To Amend The City's Existing FEC License Agreements To Provide For Intercity Passenger Trains On The FEC Railway And To Add All Aboard Florida-Operations, L.L.C. As A Party To Said Agreements.

Staff Recommends: Approval of the Attached Resolution.

Explanation:

The City of Hollywood and Florida East Coast Railway, L.L.C. (FEC), have throughout the years entered into several License Agreements, by which FEC grants the City License to provide public roadway crossings across its Railway Rights of Way. The License Agreements require the City to pay for the periodic maintenance of the roadway crossings and equipment. The License Agreements allow FEC to add new tracks and requires the City to pay for additional pavement work required as a result.

All Aboard Florida-Operations, L.L.C. (AAF) is making and paying for certain improvements at FEC Crossings for which the City has executed License Agreements. These improvements include among other new railway track and associated crossing equipment, in order to

operate passenger trains on the FEC tracks between Miami to Orlando. Through funding support by the Broward County Metropolitan Planning Organization (MPO), AAF is also implementing crossing upgrades in support of the establishment of a quiet zone.

The Letter Agreement provides that while AAF is paying for the initial passenger rail crossing improvements in their entirety, their doing so does not waive the FEC's rights, pursuant to the existing Licenses, to continue to charge for future crossings maintenance upgrades and improvements. AAF will join FEC in notifying the City of anticipated maintenance costs for the upcoming Fiscal Year for budget allocations to be included in the annual Capital Improvement Plan.

Recommended for inclusion on the agenda by:

Dr. Wazir Ishmael, City Manager

Gus Zambrano, Assistant City Manager

Thomas Barnett, Director, Department of Development Services

Luis A. Lopez, City Engineer