



## Legislation Details (With Text)

**File #:** R-2017-363    **Version:** 1    **Name:** FEC Tree Trimming  
**Type:** Resolution    **Status:** Passed  
**File created:** 11/21/2017    **In control:** Engineering Division  
**On agenda:** 12/6/2017    **Final action:** 12/6/2017  
**Title:** A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue A Purchase Order To Sherlock Tree Company, Inc., And The City Of Hollywood To Trim Existing Trees From The Florida East Railway West Landscape Easement As Required For Safe Railway Traffic In The Amount Of \$102,628.00; and approving an amendment to the Fiscal Year 2018 Capital Improvement Program, as set forth in Exhibit A.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. EN18-026 FEC Tree Trimming Reso.pdf, 2. Exhibit A Trees.pdf, 3. EN18-026 Sherlock Tree Company.pdf, 4. TermSheetOdysseyBestInterest2017.pdf, 5. BIS 18055.pdf

Date	Ver.	Action By	Action	Result
12/6/2017	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 Issue A Purchase Order To Sherlock Tree Company, Inc., And The City Of Hollywood To Trim Existing Trees From The Florida East Railway West Landscape Easement As Required For Safe Railway Traffic In The Amount Of \$102,628.00; and approving an amendment to the Fiscal Year 2018 Capital Improvement Program, as set forth in Exhibit A.

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 maintenance work required as a result.

All Aboard Florida-Operations, L.L.C. (AAF) is making and paying for certain improvements at FEC Railway and 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.

The City of Hollywood and Florida East Coast Railway (FEC) have throughout the years entered into several Right of Way Leases, which grant the City License to install landscaping, parking areas and way finding features in Railway Rights of Way. The Easement Agreements require the City to remove any improvement installed within the easement when required due to conflicts with existing or proposed railway operations.

All Aboard Florida (AAF) has installed a new railway line on the west side of the original FEC railway, both the new and existing rail line are locating within 25' of the City installed Trees full growth drip line. The trees need to be trimmed periodically to meet safety requirements.

All Aboard Florida, LLC, their contractor Archer Western, and subcontractor Sherlock Tree Company, Inc. are currently working in the FEC corridor, from Miami to West Palm Beach, installing traffic control devices, adjusting rail lines, improving crossings, testing the system and soon will begin testing the new Brightline Trains. Working in an active railway right of way requires certification by the railroad and mandatory supervision by trained operators serving as Flagman and/or Employee in Charge, coordinating and supervising the work taking place and communicating with train traffic. To maintain safe railway operations, reduce scheduling conflicts and eliminate City liability; staff recommends for All Aboard Florida's subcontractor presently working in the FEC right of way to trim trees from FEC Right of Way from Harrison Street to Pembroke Road, including Maintenance of Traffic, debris removal and hauling and providing certified Flagmen and Employee in Charge as required to monitor and supervise work.

This funding was not requested as part of the adopted Capital, therefore it is necessary to amend the approved FY 2018 Capital Improvement Program. Funding will be transferred as set forth in Exhibit A.

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