



## Legislation Details (With Text)

**File #:** R-2017-038    **Version:** 1    **Name:** All Aboard (FEC)-Tree Removal  
**Type:** Resolution    **Status:** Passed  
**File created:** 1/9/2017    **In control:** Engineering Division  
**On agenda:** 2/15/2017    **Final action:** 2/15/2017

**Title:** A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute The Attached Letter Agreement Among Florida East Coast Railway, All Aboard Florida-Operations LLC, And The City Of Hollywood To Remove Existing Trees From The Florida East Coast Railway Corridor West Landscape Easement, As Required For Safe Railway Traffic, In The Amount Of \$188,794.00.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. FEC Tree Removal ResoRev1.pdf, 2. EN17-042 All Aboard Florida Amendment 1 Tree Removal.pdf, 3. EN17-042 All Aboard Florida Tree Removal Quote.pdf, 4. EN 17-042 All Aboard Florida FEC Agreement.pdf, 5. Term Sheet - FEC Railway and All Aboard Florida Operations, LLC.pdf, 6. BIS 17-097.pdf

Date	Ver.	Action By	Action	Result
2/15/2017	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 Execute The Attached Letter Agreement Among Florida East Coast Railway, All Aboard Florida-Operations LLC, And The City Of Hollywood To Remove Existing Trees From The Florida East Coast Railway Corridor West Landscape Easement, As Required For Safe Railway Traffic, In The Amount Of \$188,794.00.

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. 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 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, which is in conflict with the Landscape Right of Way Lease area along the west side Dixie Highway. FEC requires removal of trees between Sheridan Street to Tyler Street, west of the newly installed rail line. Approximately 50% of the existing trees will remain between Sheridan Street and Taft Street, all of the existing trees between Taft Street to Tyler Street will be removed; trees south of Hollywood Blvd will remain.

All Aboard Florida, LLC, and their contractor Archer Western is 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 contractor presently working in the FEC right of way to remove trees from FEC Right of Way from Sheridan Street to Tyler Street, including Maintenance of Traffic, debris removal and hauling and providing certified Flagmen and Employee in Charge as required to monitor and supervise work.

On January 18, 2017, the City Commission adopted R-2017-009 which amended the Capital Improvement Plan budget, authorized the Tree Removal for East Coast Railroad Corridor project and allocated funds to the project. Funds are available in account number 34.1417.17533.541.006304.

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