

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED LETTER OF AGREEMENT AMONG THE CITY OF HOLLYWOOD, FLORIDA EAST COAST RAILWAY, LLC, AND BRIGHTLINE TRAINS FLORIDA LLC, MODIFYING EXISTING CROSSING AGREEMENTS FOR THE JOHNSON STREET AND WASHINGTON STREET CROSSINGS PARTICIPATING IN THE BROWARD COUNTY SEALED CORRIDOR PROJECT FUNDED THROUGH THE FEDERAL RAILROAD CROSSING ELIMINATION PROGRAM ("RCEP") GRANT ADMINISTERED BY THE BROWARD METROPOLITAN PLANNING ORGANIZATION AND REMOVING GARFIELD STREET CROSSING FROM THE RCEP GRANT PARTICIPATION, AND SUPERSEDING THE LETTER OF AGREEMENT AUTHORIZED BY RESOLUTION NO. R-2026-027.

WHEREAS, the City previously entered into Crossing Agreements with the Florida East Coast Railway, LLC ("FECR") for the construction, maintenance, and operation of at-grade railroad crossings within the City, including the crossings located at Garfield Street (DOT #272582G, dated March 22, 1927), Johnson Street (DOT #272584V, dated November 9, 1977), and Washington Street (DOT #272589E, dated June 7, 1972); and

WHEREAS, FECR owns and maintains the Florida East Coast Railway Corridor ("Corridor"), which is shared with Brightline Trains Florida LLC ("Brightline") for intercity passenger rail service; and

WHEREAS, the Broward Metropolitan Planning Organization ("BMPO") has been awarded a federal Railroad Crossing Elimination Program ("RCEP") Grant to improve safety along the Corridor by installing enhancements at twenty (20) grade crossings, not including the Garfield Street crossing, within Broward County as part of the Broward County Sealed Corridor Project ("Project"); and

WHEREAS, the City Commission previously adopted Resolution No. R-2024-395 authorizing the City's participation in the RCEP Grant and Resolution No. R-2025-218 approving the City's Supplemental Agreement with Brightline and FECR for safety improvements at the Garfield Street Crossing, and Resolution No. R-2026-027 authorizing the execution of a Letter Agreement dated September 5, 2025,

among the City, FECR, and Brightline with respect to the Garfield Street, Johnson Street, and Washington Street crossings; and

WHEREAS, in order to keep the Garfield Street crossing open to vehicular traffic, the Garfield Street crossing is being removed from the City's RCEP Grant participation and from the scope of the Project, and shall remain governed by the existing Crossing Agreement dated March 22, 1927, in accordance with its existing terms, including its existing maintenance cost allocation; and

WHEREAS, Brightline is no longer the construction lead for the Project, and FECR has been designated by the BMPO as the construction lead for the Project and will implement improvements at the participating municipalities' crossings using federal and local matching funds; and

WHEREAS, with the RCEP Project improvements, the existing Crossing Agreement(s) responsibilities require clarification; and

WHEREAS, FECR and Brightline have proposed an Amended Letter Agreement attached as Exhibit "1," between FECR, Brightline, and the City of Hollywood to ensure continuity of responsibilities of the Crossing Agreements; and

WHEREAS, under the proposed Amended Letter Agreement, FECR will construct the improvements and be reimbursed pursuant to its Subrecipient Agreement with the BMPO, while the City will contribute its proportional local share under a separate Reimbursement Agreement with FECR; and

WHEREAS, the Amended Letter Agreement makes no change to the City's maintenance responsibility for the Johnson Street and Washington Street crossings, which is already at one hundred percent (100%), and makes no changes to the City's maintenance cost allocation for the Garfield Street crossing, which shall continue to be governed by the Crossing Agreement dated March 22, 1927; and

WHEREAS, the Amended Letter Agreement further provides that the existing FECR Crossing Agreements shall remain in full force and effect and that, upon completion of the improvements, the City shall remain responsible for all ongoing maintenance costs, including track and signal maintenance, for the improved crossings; and

WHEREAS, the Amended Letter Agreement supersedes and replaces in its entirety the Letter Agreement dated September 5, 2025, authorized by Resolution No. R-2026-027; and

WHEREAS, funding for signal maintenance, and crossing surface maintenance of all active FECR crossings within the City limits are budgeted annually in accordance with the terms and cost provisions established in the existing Crossing Agreements.

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

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution, by the City Manager, of the attached Amended Letter Agreement between the City, FECR, and Brightline, attached as Exhibit "1," together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

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

PASSED AND ADOPTED this _____ day of _____, 2026.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

DAMARIS HENLON
CITY ATTORNEY