

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE EXECUTION OF A LETTER AGREEMENT BETWEEN THE CITY OF HOLLYWOOD, FLORIDA EAST COAST RAILWAY, LLC, AND BRIGHTLINE TRAINS FLORIDA LLC, MODIFYING EXISTING CROSSING AGREEMENTS FOR THE GARFIELD STREET, JOHNSON STREET, AND WASHINGTON STREET CROSSINGS PARTICIPATING IN THE BROWARD COUNTY SEALED CORRIDOR PROJECT FUNDED THROUGH THE FEDERAL RAILROAD CROSSING ELIMINATION PROGRAM GRANT ADMINISTERED BY THE BROWARD METROPOLITAN PLANNING ORGANIZATION.

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-one (21) grade crossings 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 Program 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

WHEREAS, Brightline has been designated by the BMPO as the construction lead for the Project and will implement the improvements at the participating municipalities' crossings using federal and local matching funds; and

WHEREAS, with the RCEP Project improvements, the existing Crossing Agreements responsibilities require clarification; and

WHEREAS, FECR and Bright have proposed a 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 Letter Agreement, Brightline 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; and

WHEREAS, the Letter Agreement modifies the City's maintenance responsibility for the Garfield Street crossing from fifty percent (50%) to one hundred percent (100%) with no changes to maintenance responsibility are proposed for Washington Street and Johnson Street crossings as current maintenance responsibility is already at one hundred percent (100%); and

WHEREAS, the 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, 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 appropriate City officials, of the attached Letter Agreement between the City of Hollywood, Florida East Coast Railway, LLC, and Brightline Trains Florida LLC, 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.

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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