

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, DIRECTING THE COUNTY ADMINISTRATOR TO WORK WITH THE CITY OF FORT LAUDERDALE TO JOINTLY PLAN, FUND, AND CARRY OUT AN UPDATED ASSESSMENT FOR THE PURPOSE OF BUILDING CONSENSUS ON A COST-EFFECTIVE ALTERNATIVE FOR RAIL SERVICE TO CROSS THE NEW RIVER; DECLARING THE IMPORTANCE OF ACHIEVING CONSENSUS ON THE LOCALLY PREFERRED ALTERNATIVE REQUIRED FOR RAIL SERVICE TO CROSS THE NEW RIVER AND ALLOW COMMUTER RAIL SERVICE TO PROCEED TO THE NORTH OF THE NEW RIVER; AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROVE AND EXECUTE ANY REQUIRED AGREEMENTS TO CONDUCT A JOINT ASSESSMENT, SUBJECT TO PRIOR REVIEW FOR LEGAL SUFFICIENCY BY THE OFFICE OF THE COUNTY ATTORNEY; AUTHORIZING THE COUNTY ADMINISTRATOR TO TAKE ALL NECESSARY ADMINISTRATIVE AND BUDGETARY ACTIONS NEEDED TO IMPLEMENT ANY REQUIRED AGREEMENTS AND CONSENSUS BUILDING; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, there is a critical need to develop adequate transit services for the mobility needs of residents, businesses, and visitors in Broward County and the Southeast Florida region;

WHEREAS, in 1995, a collaboration of freight operators and the Florida Department of Transportation ("FDOT") completed the "Rail Rationalization Study" and recommended long term planning for the South Florida Rail Corridor ("SFRC") and the Florida East Coast Railway ("FEC") Corridor, including double tracking of the SFRC and the concurrent, public investment in the FEC Corridor, and possible implementation of passenger service within the FEC Corridor;

WHEREAS, the South Florida East Coast Corridor Study, later referred to as the Tri-Rail Coastal Link Study (initiated in 2004), explored the feasibility of an 85-mile tri-county (Palm Beach, Broward, Miami-Dade) commuter rail transit system to provide traffic relief, increase mobility, and provide greater access to Florida's Strategic Intermodal System ("SIS") facilities;

WHEREAS, on January 28, 2021, Broward County and FDOT executed a Memorandum of Understanding ("MOU"), formalizing a partnership to undertake a Project Development and Environmental Study and other activities advancing commuter rail public transit service on the FEC Corridor in Broward County;

WHEREAS, on June 16, 2022, the Board of County Commissioners of Broward County, Florida ("Board") held a workshop to review commuter rail study results to date, and found it advisable to define a number of separate projects for public transit, including an initial commuter rail project along the FEC Corridor south of the New River (Broward Commuter Rail-South, or BCR-South), whose development is addressed in a separately proposed Resolution, and one or more future commuter rail projects on the FEC Corridor north of the New River, including a potential method for crossing the New River;

WHEREAS, FDOT has led studies on New River Crossing alternatives for rail, including a January 2020 New River Crossing Feasibility Technical Memorandum that identified four alternatives (low-level bascule bridge, mid-level bascule bridge, high-level fixed bridge, and a tunnel), along with subsequent efforts

undertaken as part of the Broward Commuter Rail Project Development and Environmental Study (2021-2022), which included more detailed, but still preliminary, estimates of capital and operating costs for each alternative;

WHEREAS, the City Commission of the City of Fort Lauderdale supported a tunnel option including adopting Resolution No. 22-20 on January 18, 2022, urging FDOT to recommend construction of a tunnel as the locally preferred alternative for crossing the New River and expressing a belief that a tunnel could be built for substantially less than the preliminary cost estimates produced by FDOT's consultants, which ranged from \$1.64 billion to \$2.46 billion in 2021 dollars, according to the most recent study and independent technical review;

WHEREAS, the Board finds that a commuter rail public transit project would generate many benefits for residents, businesses, and visitors in the northern portion of the County, including enhanced mobility, economic growth, affordable housing development, lower vehicle emissions, and higher overall quality of life, thereby serving a public purpose; and

WHEREAS, to realize these benefits, the Board finds it necessary to undertake an additional assessment of alternatives for crossing the New River in the future, and to reach a level of consensus for the locally preferred alternative to be defined for traversing this navigable waterway, and allowing additional commuter rail and other passenger rail services on the FEC Corridor while minimizing any negative impacts, NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

That,

Section 1. Updated Assessment of Alternatives for Crossing the New River. The Board directs the County Administrator to collaborate with the City of Fort Lauderdale to jointly plan, fund, and undertake an updated assessment to determine acceptable, cost-effective New River crossing alternatives that serve the needs of the community and facilitate efficient rail service ("Joint Assessment"). The Joint Assessment would review existing ridership projections and capital and operating cost estimates for the various alternatives identified in previous studies. The Joint Assessment would also include an evaluation of the potential for each alternative to obtain grant funding, including due consideration of the cost-effectiveness of each alternative, and of other criteria used by federal and state funding agencies.

Section 2. Consensus Building. The Board further declares the importance of achieving a consensus on a technically and financially feasible locally preferred alternative allowing trains to cross the New River and to have commuter rail proceed north of the New River in the County, and calls on all parties to support these efforts to the best of their abilities.

Section 3. Authorized Appropriation and Disbursement. The Board hereby authorizes the County Administrator to take all administrative and budgetary actions needed for the County's contribution to the Joint Assessment and consensus building activities, and further authorizes the County Administrator to enter into any required agreements in furtherance of these purposes, subject to review thereof for legal sufficiency by the Office of the County Attorney.

Section 4. Severability. If any portion of this Resolution is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Resolution. If

any court determines that this Resolution, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Resolution to any other individual, group, entity, property, or circumstance.

Section 5. Effective Date. This Resolution is effective upon adoption.