



# Broward County

## Legislation Details (With Text)

<b>File #:</b>	22-607	<b>Version:</b>	1
		<b>Status:</b>	Agenda Ready
		<b>In control:</b>	Public Works - Highway Construction and Engineering Division
<b>On agenda:</b>	6/7/2022	<b>Final action:</b>	6/7/2022
<b>Title:</b>	MOTION TO APPROVE Release and Indemnification Agreement, Permission to Enter Property, between Broward County and the Florida East Coast Railway, L.L.C. for traffic signal system improvements on Johnson Street intersections at Dixie Highway, Florida East Coast Railway and N 21st Avenue in the City of Hollywood, at an estimated cost of \$43,518 to the County; and authorize Mayor and Clerk to execute same. (Commission District 6)		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Exhibit 1 - Agreement		

Date	Ver.	Action By	Action	Result
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### Broward County Commission Regular Meeting

**Director's Name:** Trevor M. A. Fisher

**Department:** Public Works      **Division:** Highway Construction & Engineering

### Information

#### Requested Action

MOTION TO APPROVE Release and Indemnification Agreement, Permission to Enter Property, between Broward County and the Florida East Coast Railway, L.L.C. for traffic signal system improvements on Johnson Street intersections at Dixie Highway, Florida East Coast Railway and N 21st Avenue in the City of Hollywood, at an estimated cost of \$43,518 to the County; and authorize Mayor and Clerk to execute same. **(Commission District 6)**

#### Why Action is Necessary

Board of County Commissioner's approval is required to enter into a legal agreement with the Florida East Coast Railway, L.L.C.

#### What Action Accomplishes

Establishes the responsibilities of the County and the Florida East Coast Railway regarding the construction of traffic signal improvements on Johnson Street intersections at Dixie Highway, Florida East Coast Railway and N 21st Avenue in the City of Hollywood.

#### Is this Action Goal Related

No

#### Previous Action Taken

None

### **Summary Explanation/Background**

PUBLIC WORKS DEPARTMENT/HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION  
RECOMMENDS APPROVAL.

On January 3, 1984, the Board of County Commissioners adopted Resolution R-84-7 approving the Synchronization Agreement between Broward County, Florida East Coast Railway Company and the Florida Department of Transportation for synchronization of railroad devices with both existing and/or proposed traffic signal devices to clear highway traffic from the rail/highway grade crossing of Johnson Street upon the approach of trains.

As part of its capital improvement program, Broward County is replacing the aged, span-wire-supported traffic signal devices on the Johnson Street intersections at Dixie Highway, Florida East Coast Railway and N 21st Avenue with new, mast-arm-supported traffic signal devices. Other associated improvements include pavement milling and resurfacing, concrete curbs and sidewalks, ADA upgrades and new signing and pavement markings. The design and construction costs of these improvements are partially funded through a Federal Emergency Management Agency Pre-Disaster Mitigation Grant award amount of \$497,377.

The existing Synchronization Agreement allows for traffic signal improvements to be undertaken. Broward County has submitted engineering plans for this project which were approved by the Florida East Coast Railway.

This item seeks Board approval of a Release and Indemnification Agreement, Permission to Enter Property, for traffic signal system improvements on Johnson Street intersections at Dixie Highway, Florida East Coast Railway and N 21st Avenue. This Agreement grants permission to County and its contractors to work on or near the Florida East Coast Railway's right-of-way to construct the project. In turn, to the extent permitted by law, the County shall indemnify and hold harmless the Florida East Coast Railway, L.L.C. Florida East Coast Railway requires a payment of \$43,518 for its costs associated with engineering and field work necessary to accommodate the project.

The agreement has been reviewed and approved as to form by the Office of the County Attorney.

### **Source of Additional Information**

Richard C. Tornese, P.E., Director, Highway Construction and Engineering Division, (954) 577-4579  
Trevor M. A. Fisher, P.E., MBA, Director, Public Works Department, (954) 357-6410

### **Fiscal Impact**

#### **Fiscal Impact/Cost Summary**

Funds for the estimated cost of \$43,518 to the County are available in the Constitutional Gas Tax Capital Outlay Fund.