COUNCIL ITEM 11D
DATE 5-12-14

RESOLUTION 14-R77

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, ACKNOWLEDGING AND IDENTIFYING SIGNIFICANT PUBLIC HEALTH, SAFETY AND WELFARE CONCERNS RESULTING FROM THE "ALL ABOARD FLORIDA" PLAN; URGING LOCAL, STATE AND FEDERAL OFFICIALS TO ASSIST THE CITY OF PORT ST. LUCIE IN MITIGATING SAID CONCERNS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida East Coast Industries ("FECI") is developing a privately owned, operated and maintained high-speed passenger rail service named All Aboard Florida ("AAF") that will travel between Miami and Orlando with stops in Fort Lauderdale and West Palm Beach; and

WHEREAS, the City of Port St. Lucie desires to bring these issues to the attention of neighboring local governments as well as St. Lucie County, state and federal officials, and urge all such officials to take steps to help mitigate these risks; and

WHEREAS, it is now understood that the passenger rail service is being proposed to be funded by a Railroad Rehabilitation & Improvement Financing ("RRIF") program loan of up to potentially $1.5 billion from the Federal Rail Administration, an agency of the United States federal government; and

WHEREAS, it is now also understood that the State of Florida is proposing to spend $215 million for a new rail station at the Orlando International Airport which will benefit All Aboard Florida; and

WHEREAS, instead of being a passenger rail service provided by a private company using solely private resources, it is now clear that a significant portion of the financial burden of this passenger rail service is actually going to be borne by the taxpayers through assistance from the federal, state and local governments; and

WHEREAS, the City Council of the City of Port St. Lucie implores any donor agency, including the Federal Rail Administration and any other federal agency and the State of Florida and its agencies to require AAF to pay for the costs of AAF, including quiet zones and corridor improvements, and that there shall be no governmental assistance, be it in the form of loans, infrastructure or right-of-way at less than market

rates, as such support would put the risk of the passenger rail service on the backs of the taxpayers; and

WHEREAS, the AAF plan is to run 16 daily round-trip high-speed passenger trains along the existing Florida East Coast ("FEC") railroad corridor, resulting in daily gate closings, as well as all other grade crossings along the FEC railroad corridor in addition to current gate closings for existing freight trains; and

WHEREAS, the AAF plan will result in additional lowering and raising of the train bridges, creating greater opportunity for bridge mechanism failure, which causes trains to block all grade crossings; and

WHEREAS, St. Lucie County, housing both law enforcement and fire rescue personnel and equipment, crosses the FEC railroad corridor to provide service to St. Lucie County residents; and

WHEREAS, additional grade crossing closures and blockages will hinder the St. Lucie County Fire District from being able to make timely responses to emergency calls or transport medical patients located on either side of the FEC railroad corridor, compromising the health, safety and welfare of the citizens of the City of Port St. Lucie and all those who rely on the St. Lucie County Fire District services; and

WHEREAS, the health, safety and welfare of the citizens of the City of Port St. Lucie, and that of all those who rely on the St. Lucie County Fire District services is the primary responsibility of the City Council of the City of Port St. Lucie; and

WHEREAS, the significant risks posed to public safety response times and land mobility, and the overall quality of life for those who live in and visit the City of Port St. Lucie is a genuine threat to the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true, correct, and incorporated herein by this reference.

Section 2. The City Council of the City of Port St. Lucie urges any donating agency, including the Federal Rail Administration and any other federal agency and the

State of Florida and its agencies, to require AAF to pay for the costs of AAF including quiet zones and corridor improvements and that there shall be no governmental assistance, be it in the form of loans, infrastructure or right-of-way at less than market rates. Any such support would put the risk of the passenger rail service on the backs of the taxpayers.

Section 3. The City Council of the City of Port St. Lucie hereby calls on all of its neighboring local officials, as well as officials of St. Lucie County, the State of Florida and federal officials, to take all steps possible in order to mitigate the threat to the overall safety and well-being of all who live, work and visit the City of Port St. Lucie and its neighboring communities, by prevailing upon FECI/AAF to:

- Divert or decrease the number of freight trains along the FEC railroad corridor;
- Limit the volume of all railroad traffic (both freight and passenger) per hour during peak times;
- Reschedule freight trains to run at night;
- Install "sealed corridor" grade crossing safety equipment;
- Install infrastructure and equipment necessary for quiet zones;
- Restore grade crossings to include repaving and restriping the roadway;
- Provide access to real-time train-monitoring by St. Lucie County Fire District dispatchers

Section 4. The City Clerk is hereby directed to provide copies of this Resolution to the City of Fort Pierce and to Martin and St. Lucie County, St. Lucie County Fire District and to the State of Florida and the United States Department of Transportation.

Section 5. EFFECTIVE DATE. This resolution shall become effective immediately upon its adoption.

RESOLUTION 14-R77

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this 12th day of May, 2014.

CITY COUNCIL
CITY OF PORT ST. LUCIE

ATTEST:

By: _____
JoAnn M. Faiella, Mayor

_____
Karen A. Phillips, City Clerk

APPROVED AS TO FORM: _____
Pam E. Booker, Interim City Attorney

CITY OF PORT ST. LUCIE CORPORATE SEAL 1961 FLORIDA

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