

RESOLUTION NO. 2019-R-29

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SUBMISSION OF A FLORIDA EASTCOAST RAILWAY APPLICATION FOR HIGHWAY CROSSING OVER/UNDER PROPERTIES AND TRACKS, TO PERFORM THE ENGINEERING STUDIES NECESSARY TO MOVE THE EXISTING RAILWAY CROSSING AT N.E. 141 STREET; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, The Florida East Coast Railway (“FECR”) operates a rail corridor located within the boundaries of the City of North Miami (“City”); and

WHEREAS, the City is desirous of moving the existing roadway located over the FEC right-of-way on NE 141st ST; and

WHEREAS, this particular crossing is very dangerous because there is no traffic light and no room for the accumulation of cars waiting to cross; and

WHEREAS, City staff and has asked the Florida Department of Transportation and FECR to make improvements but have had no success; and

WHEREAS, The Blackstone Group, owners of the adjacent Aliro Apartments, has agreed to pay for the initial fees and deposits as well as the improvements if the relocation is approved; and

WHEREAS, the application for Highway Crossing or Construction Projects Over/Under or Adjacent to Properties and Tracks is the first step in the process of relocating the railway and is necessary for the completion of the preliminary engineering studies; and

WHEREAS, the Mayor and City Council believe that submission of an application for this purpose will benefit the residents of the City.

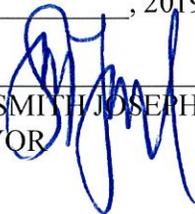
NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA THAT:

Section 1. Approval of Application. The Mayor and City Council of the City of North Miami, Florida, hereby approve the application for Highway Crossing or Construction Projects Over/Under or Adjacent to Properties and Tracks attached as "Exhibit 1."

Section 2. Authority of City Manager. The City Manager is authorized to execute the application for Highway Crossing or Construction Projects Over/Under or Adjacent to Properties and Tracks attached as "Exhibit 1".

Section 3. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 4-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 26th day of March, 2019.



DR. SMITH JOSEPH
MAYOR

ATTEST: 

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Bien-Aime

Vote:

Mayor Smith Joseph, D.O., Pharm. D.	<u>X</u>	(Yes)	_____	(No)
Vice Mayor Philippe Bien-Aime	<u>X</u>	(Yes)	_____	(No)
Councilman Scott Galvin	<u>X</u>	(Yes)	_____	(No)
Councilwoman Carol Keys, Esq.	<u>X</u>	(Yes)	_____	(No)
Councilman Alix Desulme	_____	(Yes)	_____	(No) Absent