

RESOLUTION NO. 2003-08

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF WINTER PARK, FLORIDA WITH RESPECT TO
THE CENTRAL FLORIDA COMMUTER RAIL PROJECT.**

WHEREAS, the Florida Department of Transportation (FDOT) is undertaking the development and implementation of the Central Florida Commuter Rail Project running from DeLand in Volusia County through Seminole County, and Orange County (including the Cities of Orlando, Maitland and Winter Park) to Poinciana in Osceola County; and

WHEREAS, FDOT has reached agreement with CSX Transportation providing for the acquisition of the CSXT's A-Line between Milepost A749.7 near DeLand and A814.1 near Poinciana, a distance of approximately 61.5 miles for the use of the Commuter Rail Project; and

WHEREAS, Orange, Seminole, Volusia, and Osceola Counties and the City of Orlando (collectively, the "Local Government Partners") have agreed that the FDOT will be the agency responsible for the design, permitting and construction of the Commuter Rail Project and will be responsible for its operation, management and maintenance for a period of seven years; and;

WHEREAS, on March 13, 2007, a referendum of the voters of Winter Park approved a Commuter Rail stop based upon assurances at the time; and

WHEREAS, fiscal changes of substantial consequence have occurred since the Commuter Rail Interlocal Agreements were signed on August 27, 2007; including escalating projected Operating and Maintenance costs (up 32% in less than one year), passage of Amendment 1 Property Tax Reform and potential exposure to taxpayers from unforeseen costs relating to insurance and/or indemnification issues; and

WHEREAS, the City Commission must exercise prudent financial stewardship of taxpayer dollars, and said Commission recognizes a primary responsibility to provide municipal services to our residents, before allocating tax dollars elsewhere;

WHEREAS, the City of Winter Park agrees to pay no more than its proportionate share of operating and maintenance costs based upon total boardings as a percentage of total ridership; and

WHEREAS, capital costs for the Commuter Rail project will be funded as follows: 50% from the federal government, 25% from the state and 25% from local governments or lesser amounts that may be determined; and

WHEREAS, assurances have been made that all parties will work in good faith to achieve alternative funding sources by 2017 for operating expenses and fixed guideway bond debt service costs; and

WHEREAS, the City of Winter Park has been assured it may “opt out” if a dedicated funding source is not obtained after year seven of operation that will eliminate, in entirety, the City’s yearly operating and maintenance costs including repayment of its share of the fixed guideway bonds;

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of Winter Park, Florida that:

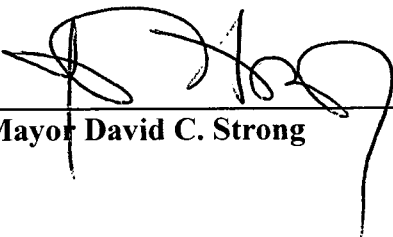
Section 1. The City of Winter Park supports the development and implementation of a Passenger/Commuter Rail Project in the Central Florida area; and

Section 2. The City of Winter Park supports alternate and financially feasible mass transit solutions including, but not limited to, the Lynx Bus System, Bus Rapid Transit, employer-provided van pooling, the utilization of HOV lanes, car-pooling and other cost effective means of reducing automobile traffic; and

Section 3. The City of Winter Park authorizes Mayor David C. Strong, or his designee to join in efforts with other municipalities throughout Florida under the auspices of Metroplan Orlando, the Florida municipalities and the State Legislature to make Passenger/Commuter rail a reality.


ADOPTED by the City Commission of the City of Winter Park, Florida this 23rd day of June, 2008.

CITY OF WINTER PARK



Mayor David C. Strong

ATTEST:



City Clerk Cynthia Bonham