

RESOLUTION NO. 2014- 033

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, URGING ALL POTENTIAL DONOR AGENCIES TO REQUIRE ALL ABOARD FLORIDA TO PAY FOR ALL COSTS OF ALL ABOARD FLORIDA, AND THAT ANY GOVERNMENTAL ASSISTANCE SHALL BE PROVIDED AT NO LESS THAN MARKET RATES; AND DIRECTING CERTIFIED COPIES OF THIS RESOLUTION TO BE PROVIDED TO ANY APPLICABLE DONOR AGENCIES.

WHEREAS, All Aboard Florida, a subsidiary of Florida East Coast Industries, is proposing to provide passenger rail service between Miami and Orlando that will run through populated areas of Indian River County, including Vero Beach, Sebastian, and the communities of Gifford, Roseland, Wabasso and Winter Beach; and

WHEREAS, at first, such passenger rail service was touted as being provided by a private company, using solely private resources; 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, there are a total of 32 railroad crossings within Indian River County and 352 rail crossings in the region, and local governments, such as Indian River County, will bear the maintenance costs of upgraded railroad crossings and the costs of installing and maintaining any quiet zones; 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 Board of County Commissioners of Indian River County implores any donor agency, including the Federal Rail Administration and any other federal agency and the State of Florida and its agencies, to require All Aboard Florida to pay for the costs of All Aboard Florida, 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

RESOLUTION NO. 2014- 033

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, THAT:

Section 1. The above "WHEREAS" clauses are true and correct, and are hereby adopted as findings of the Board.

Section 2. The Board of County Commissioners of Indian River County urges any donor agency, including the Federal Rail Administration and any other federal agency and the State of Florida and its agencies, to require All Aboard Florida to pay for the costs of All Aboard Florida, 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.

Section 3. A certified copy of this resolution shall be provided to the Governor Rick Scott, the Federal Rail Administration and any other state, local or federal agency which intends to offer support for All Aboard Florida.

The foregoing resolution was moved for adoption by Commissioner Solari, and seconded by Commissioner Davis, and, upon being put to a vote, the vote was as follows:

Chairman Peter D. O'Bryan	<u> Aye </u>
Vice Chairman Wesley S. Davis	<u> Aye </u>
Commissioner Joseph E. Flescher	<u> Aye </u>
Commissioner Bob Solari	<u> Aye </u>
Commissioner Tim Zorc	<u> Aye </u>

The Chairman thereupon declared the resolution duly passed and adopted this 8th day of April, 2014.

ATTEST: Jeffrey R. Smith, Clerk of Court and Comptroller

By: [Signature]
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

By: [Signature]
Peter D. O'Bryan, Chairman



BCC approval date: April 8, 2014

Approved as to form and legal sufficiency:

By: [Signature]
Dylan Reingold, County Attorney