

**RESOLUTION NO. 2156-15**

**A RESOLUTION OF THE COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, FOR THE APPROVAL OF THE JOINT PARTICIPATION AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF WINTER PARK – FM# 436862-1-58-01; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, the City of Winter Park (“City”) and the Florida Department of Transportation (“FDOT”) is granted legislative authority to enter into this Joint Participation Agreement (“Agreement”) under Section 339.12, Florida Statutes; and

**WHEREAS**, FDOT is willing, under its Five Year Work Program, to provide funding for the project described as the “Installation of Forty Six (46) HPS Decorative Street Lights on the South Side of State Road 426 (Fairbanks Avenue) between State Road 400/Interstate 4 and State Road 15-600/US 17-92 (Orlando Avenue),” otherwise known as FM #436862-1-58-01 (“Project”); and

**WHEREAS**, this Project is on the State Highway System, is not intended for revenue producing purposes and follows FDOT’s Five Year Work Program; and

**WHEREAS**, implementing the Project is in the best interest of both FDOT and City; and

**WHEREAS**, it would be most practical, expeditious, and economical for City to perform the installation of the decorative lighting as the location of such installation is within City’s borders; and

**WHEREAS**, the Agreement establishes the terms and conditions required by FDOT to provide City with funding for the installation of such decorative lighting; and

**WHEREAS**, the City Commission has determined that it is in the public interest to approve and adopt this Agreement; and

**WHEREAS**, the City Commission has determined that the terms and conditions as stated in the Agreement is fair and reasonable to City.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:**

**SECTION 1. Approval of the Agreement.** The Joint Participation Agreement between the State of Florida Department of Transportation and the City of Winter Park – FM# 436862-1-58-01, will be approved and adopted.

**SECTION 2. Severability.** If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it will not invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.


**SECTION 3. Conflicts.** All Resolutions or parts of Resolutions in conflict with any of this Resolution are repealed.

**SECTION 4. Effective Date.** This Resolution will be effective immediately upon its passage and adoption.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 8<sup>th</sup> day of June, 2015.

  
\_\_\_\_\_  
Steve Leary, Mayor

Attest:

  
\_\_\_\_\_  
Cynthia S. Bonham, City Clerk