

RESOLUTION 03-2015

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PERTAINING TO A JOINT PARTICIPATION AGREEMENT BETWEEN FLORIDA DEPARTMENT OF TRANSPORTATION AND THE TOWN OF MALABAR AND PROVIDING FOR AUTHORIZATION FROM COUNCIL FOR THE TOWN ADMINISTRATOR TO EXECUTE SAID AGREEMENT; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is necessary for the Town of Malabar to facilitate the work being done by Florida Power and Light and the Department of Transportation on Highway 1 as these two agencies cannot contract directly with each other. Since the improvements are within Malabar jurisdiction, it is customary for the Town to be the agent listed in the agreement. In this case, the Town will pay the project cost of \$21,248.00 to Florida Power and Light and the Florida Department of Transportation will reimburse the Town of Malabar the full amount of \$21,248.00 within thirty (30) days.

WHEREAS, the State of Florida Department of Transportation and Florida Power and Light are working on the Construction of Highway Lighting on U.S. 1 from South of Riverside Drive to the North Town Limits.

WHEREAS, the Town of Malabar has an Agreement for Services and a Franchise Agreement in place with Florida Power and Light; and also has a Traffic Signal Maintenance & Compensation Agreement in place with Florida Department of Transportation.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN OF MALABAR OF BREVARD COUNTY, FLORIDA that;

SECTION 1. The Malabar Town Council approves this Joint Participation Agreement between the Town and FDOT for Project known as FM #437229-1-58-02.

SECTION 2. The Town Council hereby authorizes and directs the Town Administrator to make, execute and deliver to the Florida Department of Transportation the Joint Participation Agreement. This resolution shall become EXHIBIT "C" of the Agreement.

SECTION 3. Conflict
All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 4 Effective Date.
This Resolution shall take effect immediately upon passage.

This Resolution was moved for adoption by Council Member Vail. The motion was seconded by Council Member KORN and, upon being put to a vote, the vote was as follows:

- Council Member Grant Ball Nay
- Council Member Brian Vail Aye
- Council Member Don Krieger Nay
- Council Member Dick Korn Aye
- Council Member Marisa Acquaviva Aye

This Resolution was then declared to be duly passed and adopted this 2nd day of March, 2015.

(seal)

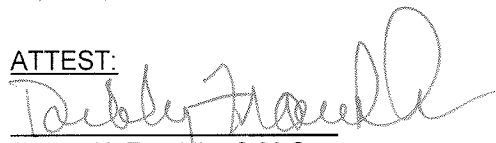
TOWN OF MALABAR

By:




Mayor Carl Beatty, Council Chair

ATTEST:



Debby K. Franklin, C.M.C.
Town Clerk/Treasurer

Approved as to Form and Content:



Karl W. Bohne, Jr., Town Attorney