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RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

CENTRAL FLORIDA COMMUTER RAIL TRANSIT and APPROVAL OR ENDORSEMENT OF COMMUTER RAIL INTERLOCAL AGREEMENTS

Resolution No. 2007- M-25

WHEREAS, the Florida Department of Transportation (FDOT) along with its Local Government Partners -- Orange County, the City of Orlando, Osceola County, Seminole County, and the County of Volusia -- is undertaking the development and implementation of the Central Florida Commuter Rail Transit System which will run from DeLand in the County of Volusia through Seminole County and Orange County (including the City of Orlando) to Poinciana in Osceola County; and

WHEREAS, the FDOT is making application to the Federal Transit Administration and Congress for capital funds, commonly referred to as New Starts funding, to provide a portion of the funds necessary for the planning, design, right-of-way acquisition and construction of the proposed commuter rail service on the Commuter Rail System; and

WHEREAS, Federal New Starts funding and other Federal funding will require a fifty percent (50%) match of Federal funds with State of Florida and local funds for capital costs, which will be shared after approval of an Interlocal Funding Agreement among FDOT and the Local Government Partners; and

WHEREAS, the Local Government Partners, by approval of the attached Interlocal Agreement, intend to create the Central Florida Commuter Rail Commission (Commission) to assume responsibility for funding, operation, management, and maintenance of the Commuter Rail System upon expiration of a seven year FDOT Funding Period; and

WHEREAS, the Commission and FDOT, by subsequent approval of the attached Interlocal Operating Agreement, will agree that the FDOT will be the agency responsible for the design, permitting and construction of the Commuter Rail System, and will be responsible for its funding, operation, management, and maintenance for the seven year FDOT Funding Period and the Commission will thereafter assume control of the Commuter Rail System.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

Section 1. Approval of the Interlocal Funding Agreement. The Board of County Commissioners of Orange County, Florida, hereby approves the Interlocal Funding Agreement for Acquisition and Construction of the Central Florida Commuter Rail System, by and among Orange County, Osceola County, Seminole County, County of Volusia, City of Orlando and the Florida Department of Transportation, a copy of which is attached hereto as **Exhibit A**, and authorizes the Orange County Mayor to execute it.

Section 2. Approval of the Interlocal Governance Agreement. The Board of County Commissioners of Orange County, Florida, hereby approves the Interlocal Governance Agreement for the Creation of the Central Florida Commuter Rail Commission, by and among Orange County, Osceola County, Seminole County, County of Volusia, and the City of Orlando, a copy of which is attached hereto as **Exhibit B**, and authorizes the Orange County Mayor to execute it.

Section 3. Endorsement of Interlocal Operating Agreement. The Board of County Commissioners of Orange County, Florida, hereby endorses the Interlocal Operating Agreement for the Operation of the Central Florida Commuter Rail System, a copy of which is attached hereto as **Exhibit C**, which will be subsequently considered for approval and execution by the Commission and FDOT.

Section 4. Approval of the Interlocal Agreement with the City of Winter Park regarding the Central Florida Commuter Rail Transit System. The Board of County Commissioners of Orange County, Florida, hereby approves the Interlocal Agreement regarding the Central Florida Commuter Rail Transit System by and between Orange County and the City of Winter Park, Florida, as approved by the City of Winter Park on April 30, 2007, a copy of which is attached hereto as **Exhibit D**, and authorizes the Orange County Mayor to execute it.

Section 5. Approval of the Interlocal Agreement with the City of Maitland regarding the Central Florida Commuter Rail Transit System. The Board of County Commissioners of Orange County, Florida, hereby approves the Interlocal Agreement regarding the Central Florida Commuter Rail Transit System by and between Orange County and the City of Maitland, Florida,

as approved by the City of Maitland on April 23, 2007, a copy of which is attached hereto as **Exhibit E**, and authorizes the Orange County Mayor to execute it.

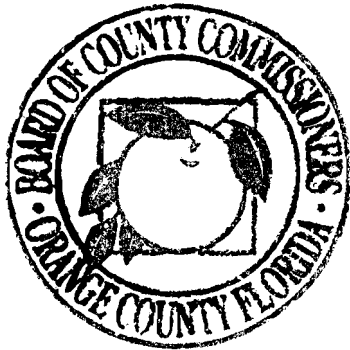
Section 6. Approval of the Revised Interlocal Agreement with the City of Winter Park regarding the Central Florida Commuter Rail Transit System. Notwithstanding Section 4 of this Resolution, the Board of County Commissioners of Orange County, Florida, hereby approves the Revised Interlocal Agreement regarding the Central Florida Commuter Rail Transit System by and between Orange County and the City of Winter Park, Florida, a copy of which is attached hereto as **Exhibit F**, and authorizes the Orange County Mayor to execute it. This Revised Interlocal Agreement shall take effect only if approved by the City of Winter Park on or before August 31, 2007, and if approved by such date, shall, by its terms, supersede and replace the Interlocal Agreement attached hereto as **Exhibit D** and referenced in Section 4. However, if the Revised Interlocal Agreement is not approved by the City of Winter Park on or before August 31, 2007, the Board's approval of the Revised Interlocal Agreement shall become null and void, and shall be of no further force or effect, and its approval of the Interlocal Agreement under Section 4 shall remain in full force and effect.

Section 7. Approval of the Revised Interlocal Agreement with the City of Maitland regarding the Central Florida Commuter Rail Transit System. Notwithstanding Section 5 of this Resolution, the Board of County Commissioners of Orange County, Florida, hereby approves the Revised Interlocal Agreement regarding the Central Florida Commuter Rail Transit System by and between Orange County and the City of Maitland, Florida, a copy of which is attached hereto as **Exhibit G**, and authorizes the Orange County Mayor to execute it. This Revised Interlocal Agreement shall take effect only if approved by the City of Maitland on or before

August 31, 2007, and if approved by such date, shall, by its terms, supersede and replace the Interlocal Agreement attached hereto as **Exhibit E** and referenced in Section 5. However, if the Revised Interlocal Agreement is not approved by the City of Maitland on or before August 31, 2007, the Board's approval of the Revised Interlocal Agreement shall become null and void, and shall be of no further force or effect, and its approval of the Interlocal Agreement under Section 5 shall remain in full force and effect.

Section 8. Effective date. This Resolution shall take effect immediately upon the date of adoption.

DONE AND ADOPTED this 19th day of July, 2007.



ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: Richard T. Crotty
Richard T. Crotty
Orange County Mayor
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ATTEST: Martha O. Haynie, Orange County Comptroller
As Clerk of the Board of County Commissioners

By: Martha O. Haynie
Deputy Clerk