

RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION

RESOLUTION 2024-17

A RESOLUTION OF THE GOVERNING BOARD OF THE RIVER TO SEA TPO, RELATING TO ADOPTION OF A FICTITIOUS NAME; MAKING FINDINGS; PROVIDING THAT THE TRANSPORTATION PLANNING ORGANIZATION MAY OPERATE USING THE FICTITIOUS NAME VOLUSIA-FLAGLER TRANSPORTATION PLANNING ORGANIZATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the River to Sea TPO is created and operates pursuant to an Interlocal Agreement for the Creation of the Metropolitan Planning Organization, which agreement was recorded on August 20, 2014, in Official Records Book 7022, Page 4779, Public Records of Volusia County, Florida and recorded in Official Records Book 2019, Page 1194, Public Records of Flagler County, Florida (the "Interlocal Agreement"); and

WHEREAS, pursuant to Section 3.01 of the aforesaid Interlocal Agreement, the River to Sea TPO operates pursuant to the legal name River to Sea TPO; and

WHEREAS, the River to Sea TPO desires to do business as the Volusia-Flagler Transportation Planning Organization; and

WHEREAS, the River to Sea TPO has the legal power to operate using a fictitious name pursuant to Section 865.09, Florida Statutes; and

WHEREAS, the River to Sea TPO Governing Board hereby determines and finds that it is in the promotion of the public safety, interest, and welfare that the River to Sea TPO be authorized to use the fictitious name Volusia-Flagler Transportation Planning Organization in the operation of the transportation planning organization,

NOW, THEREFORE, BE IT RESOLVED by the River to Sea TPO that:

SECTION 1. Recitals. Each and all of the recitals ("WHEREAS" clauses) are hereby incorporated herein.

SECTION 2. Approval of Fictitious Name. As provided by Section 865.09, Florida Statutes, and upon satisfying the requirements of Section 3. of this Resolution, the River to Sea TPO is hereby authorized to operate using the fictitious name and to do business as "Volusia-Flagler Transportation Planning Organization."

SECTION 3. Application for Use of a Fictitious Name.

(a) The Executive Director is authorized and directed to advertise the use of the fictitious name Volusia-Flagler Transportation Planning Organization in a newspaper of general circulation in Volusia County, Florida, as provided in Section 865.09, Florida Statutes.

(b) The Executive Director is authorized and directed to file an application for use of the fictitious name Volusia-Flagler Transportation Planning Organization with the Florida Secretary of State, as provided in Section 865.09, Florida Statutes. in a newspaper of general circulation in Volusia County, Florida. A copy of the form of application is attached hereto as Exhibit "A" and by this reference incorporated herein. The Executive Director is authorized to execute and file the aforesaid application on behalf of the River to Sea TPO.

(c) Upon approval of the application to use a fictitious name by the Office of the Florida Secretary of State, the Executive Director is authorized and directed to file a certified copy of the approval to use the aforesaid fictitious name in the public records of Volusia County and Flagler County, Florida.

SECTION 4. Filing with Government Agencies. Upon compliance with Sections 2 and 3 of this Resolution, the Agency Clerk is directed to notify the following agencies of the fictitious name approval and forward to said agencies a copy of the approval to use a fictitious name:

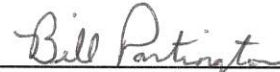
- a. Florida Department of Transportation;
- b. Federal Transit Administration (through the Florida Department of Transportation);
- c. Federal Highway Administration (through the Florida Department of Transportation); and
- d. Each governmental entity which is a member of the River to Sea TPO.

SECTION 5. Severability Clause. In the event that any term, provision, clause, sentence or section of this Resolution shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Resolution, and this Resolution shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

SECTION 6. Effective Date. This Resolution shall become effective upon adoption.

DONE AND RESOLVED at the regularly convened meeting of the River to Sea TPO held on the **28th** day of **August 2024**.

RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION

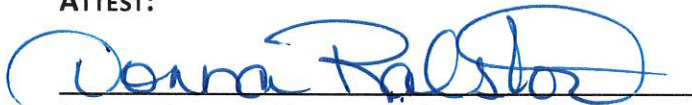


ORMOND BEACH MAYOR BILL PARTINGTON
CHAIRPERSON, RIVER TO SEA TPO

CERTIFICATE:

The undersigned duly qualified and acting Recording Secretary of the River to Sea TPO certified that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the River to Sea TPO held on **August 28, 2024**.

ATTEST:



DONNA RALSTON, RECORDING SECRETARY
RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION