

RESOLUTION 21-R\_\_

**A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, APPROVING THE SECOND AMENDMENT TO CITY OF PORT ST. LUCIE IMPACT FEE AGREEMENT BETWEEN CITY OF PORT ST. LUCIE, ACCEL INTERNATIONAL HOLDINGS, INC. AND ACCEL FLORIDA, LLC; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Port St. Lucie, a Florida municipal corporation (the “City”), Accel International Holdings, Inc. a Florida corporation (the “Company”), and Accel Florida, LLC, a Florida limited liability company (the “Owner/Landlord”) previously entered into an Impact Fee Mitigation Agreement; and

**WHEREAS**, the parties seek a modification to the job creation schedule otherwise provided by the Agreement for the creation of one hundred twenty-five (125) new jobs; and

**WHEREAS**, the City desires to accept the terms and conditions of the requested amendment (“Amended Agreement”).

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA:**

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Resolution.

Section 2. Approval. The City Council authorizes the Mayor or his designee, or the City Manager or his designee, to enter into, execute and deliver the Second Amended Agreement in substantially the same form that is attached hereto and incorporated herein as **Exhibit “A”**, and such other documents necessary to implement the terms and conditions of said Amended Agreement.

Section 3. Conflict. If any resolutions, or parts of resolutions, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

Section 4. Severability. The provisions of this Resolution are intended to be severable. If any part of this Resolution is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2023.

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CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: \_\_\_\_\_  
Shannon Martin, Mayor

ATTEST:

\_\_\_\_\_  
Sally Walsh, City Clerk

APPROVED AS TO FORM:

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Richard Berrios, Interim City Attorney