

RESOLUTION 23-R__

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AND EXECUTE A TRAFFIC SIGNAL, MAINTENANCE, AND COMPENSATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Transportation (“FDOT”) owns traffic signals and devices (the “Facilities”) located along the State Highway System; and

WHEREAS, FDOT has identified approximately 24 intersections and sites along the State Highway System that are within the City of Port St. Lucie’s (the “City”) jurisdiction, and where certain Facilities are located; and

WHEREAS, Section 334.044(7) enables FDOT to enter into contracts and, pursuant to Section 335.055, Florida Statutes, is authorized to enter into contracts with municipalities to perform maintenance on the State Highway System within the appropriate boundaries; and

WHEREAS, FDOT desires to enter into a Traffic Signal, Maintenance, and Compensation Agreement (the “TSMCA”) with the City for maintenance of the Facilities in those identified intersections and sites along the State Highway System and within City limits; and

WHEREAS, the City desires to enter into the TSMCA with FDOT and is authorized to do so pursuant to Sections 163.01(4) and 335.055, Florida Statutes, as well as Section 9.03 of the City Charter.

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. Authorization. The City Manager, or his designee, is hereby authorized to enter into, execute and deliver to FDOT the TSMCA, and such other documents as are necessary to implement the terms of the TSMCA. Moreover, the City Manager and City Engineer, and/or their designees, are hereby authorized to take all actions necessary to work with FDOT to accomplish the purposes set forth in the TSMCA.

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 3. 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

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unconstitutional by a Court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

Section 4. 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.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney