

RESOLUTION 21-R__

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (“FDEP”) GRANT AGREEMENTS TO BENEFIT WATER QUALITY IMPROVEMENTS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Environmental Protection (“FDEP”) is willing to enter into two grant agreements to provide financial assistance to the City to improve water quality, identified as NS082 and NS084 (collectively “Projects”), that state the terms and conditions upon which FDEP funds will be provided and to set forth the manner in which the Projects will be undertaken and completed; and

WHEREAS, the Project scope for Grant agreement NS082, attached hereto as Exhibit “A,” consists of modification of the SWW-1 control structure to treat runoff from 504.5-acres of tributary drainage basins which will slow, spread, soak, and filter water before it discharges into Warner Creek and the North Fork of the St. Lucie.; and

WHEREAS, the Project scope for Grant agreement NS084, attached hereto as Exhibit “B,” consists of expansion of the existing retention lakes to holding 7 acre-feet of water on-site and the reduction of runoff during storm events while also providing wildlife habitat and community resilience benefits, and includes littoral zones to provide additional nutrient uptake to the system; and

WHEREAS, the FDEP and the City desire to enter into the Grant Agreements in substantially the form attached hereto and incorporated herein by reference as Exhibits “A” and “B,” pursuant to Section 215.97(2), Florida Statutes; and

WHEREAS, the City Council hereby determines that the parties may enter into these Grant Agreements as it serves a public purpose,

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

Section 1. Ratification of Recitals. The City Council hereby adopts and ratifies those matters set forth in the foregoing recitals.

Section 2. Authorization. The City Council of the City of Port St. Lucie, Florida hereby authorizes the City Manager or his designee to execute the Grant Agreements and any other documents related to the FDEP of improvements to water quality.

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Section 3. The City Clerk is hereby directed to send a certified copy of this Resolution to the Florida Department of Environmental Protection 3900 Commonwealth Boulevard - MS 3570 Tallahassee, FL 32399-3600 and Mitch Holmes at Mitch.Holmes@FloridaDEP.gov and all other persons as directed by the City Council.

Section 4. Conflict. If any Resolution, or parts of any Resolution, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

Section 5. Severability. The provisions of this Resolution are intended to be severable. If any part of this Resolution is determined to be void or is held to be illegal, invalid, or unconstitutional by a Court of competent jurisdiction, then the remainder of this Resolution shall remain in full force and effect and this Resolution shall nevertheless stand and be construed as if the illegal or invalid part or portion had not been included herein.

Section 6. 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 _____ 2021.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Vice Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney