

RESOLUTION 20-R__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AMENDMENT NUMBER THREE (3) TO FLORIDA DEPARTMENT OF TRANSPORTATION, DISTRICT FOUR (4) INCLUSIVE LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 28, 2017, the City of Port St. Lucie (“City”) and the Florida Department of Transportation (“FDOT”) entered into the State of Florida Department of Transportation District Four (4) Inclusive Landscape Maintenance Memorandum of Agreement (“MMOA”) for the purpose of the installation and maintenance of landscape improvements within the rights of way of State Roads 5 (US 1), 9 (I-95), and 716 (Port St. Lucie Boulevard); and

WHEREAS, the City and FDOT have previously entered into amendments to the MMOA to modify the scope of the landscape improvements to be installed and maintained in the right of way of State Road 9 and State Road 5 on April 16, 2021, and May 26, 2022, respectively; and

WHEREAS, the City and FDOT wish to amend the scope of improvements to be maintained to include additional landscape on State Road 9 at St. Lucie Boulevard in accordance with Amendment Number Three to Florida Department of Transportation, District Four (4) Inclusive Landscape Maintenance Memorandum of Agreement (“Amendment 3”) attached hereto as Exhibit “A”; and

WHEREAS, the City Council desires to beautify and improve various rights-of-way areas within the City of Port St. Lucie by landscaping; and

WHEREAS, City Council wishes to authorize the City Manager, or his designee, to execute and enter into Amendment 3, in substantially the same form as attached hereto, to accomplish the purposes set forth therein.

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. Implementation. The City Manager, or his designee, is hereby authorized and directed to proceed to execute and enter into Amendment 3, in substantially the same form as attached hereto, to accomplish the purposes set forth therein.

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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 _____, 2024.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

Richard Berrios, City Attorney