

RESOLUTION 21-R\_\_\_\_\_

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE CITY MANAGER, OR HIS DESGINEE, TO ENTER INTO AND EXECUTE A LOCAL AGENCY PROGRAM AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION CONCERNING THE CONSTRUCTION OF SIDEWALK IMPROVEMENTS WITHIN AND ALONG NW CURTIS STREET FROM NW PRIMA VISTA BOULEVARD TO NW FLORESTA DRIVE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, the City of Port St. Lucie has requested funding assistance from the State of Florida Department of Transportation (“FDOT”) for the construction of sidewalk improvements along NW Curtis Street from NW Prima Vista Boulevard to NW Floresta Drive (hereinafter referred to as the “Project”); and

**WHEREAS**, the total cost of the Project is estimated to be \$548,657.00, and the majority of the financing of the Project will be through the use of Federal funds totaling approximately \$325,396.00, which are being made available to the City as reimbursement for the costs associated with the construction services for the Project; and

**WHEREAS**, the terms and conditions upon which the Federal funding assistance will be provided and the understandings as to the manner in which the City will undertake and complete the Project are formalized in the Local Agency Program (“LAP”) Agreement, which is attached hereto as Exhibit “A” and incorporated herein by reference; and

**WHEREAS**, the City desires to pursue the Project, which shall be completed on or before December 31, 2023, unless otherwise extended, and accept the funding assistance and enter into the LAP Agreement with FDOT.

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

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. The City Manager, or his designee, is hereby authorized to enter into, execute and deliver to FDOT the LAP Agreement, in substantially the same form that is attached hereto and incorporated herein as Exhibit “A” to this Resolution, and such other documents necessary to implement the terms of said Agreement.

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Section 3. The City Manager and City Engineer, and their designees, are hereby authorized to take all actions necessary to implement the terms and conditions of the LAP Agreement, and accomplish the purposes set forth therein.

Section 4. Conflict. If any resolutions, or parts of resolutions, 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 declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

Section 6. Effective Date. This Resolution shall become effective immediately upon adoption.

**PASSED AND APPROVED** by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

ATTEST:

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

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

APPROVED AS TO FORM:

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James D. Stokes, City Attorney