

RESOLUTION 22-R__

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE ENTRANCE INTO AND EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF PORT ST. LUCIE AND ST. LUCIE COUNTY FOR THE PURPOSE OF DESIGNING A STORMWATER TREATMENT AREA WITHIN THE HOG PEN SLOUGH; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.01, Florida Statutes, known as the “Florida Interlocal Cooperation Act of 1969”, authorizes local governmental units to make the most efficient use of their powers by enabling them to cooperate with other public agencies on a basis of mutual advantage and thereby to provide services and facilities in a manner pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the need and development of local communities; and

WHEREAS, the City of Port St. Lucie (“City”) and St. Lucie County (“County”) desire to enter into an interlocal agreement to fund the design of a stormwater treatment area located on a 10.67 acre parcel of land owned by the City; and

WHEREAS, Hog Pen Slough is a drainage feature that benefits both County and City residents; and

WHEREAS, runoff from Hog Pen Slough has been determined to exceed water quality standards for the impaired receiving bodies, and additional capacity in Hog Pen Slough will benefit communities currently underserved by drainage level of service; and

WHEREAS, the proposed project (“Project”) is for construction of a stormwater treatment area for Hog Pen Slough that will improve water quality for the regional system and overall health of the Indian River Lagoon and its tributaries; and

WHEREAS, water quality improvement projects are a strategic goal of both the County and City; and

WHEREAS, coordination of this work between the City and County will minimize impacts to residents and will serve a public purpose; and

WHEREAS, the County has executed an interlocal cost share agreement for the design of a stormwater treatment drainage feature within the Hog Pen Slough; and

WHEREAS, the City desires to accept the terms and conditions of the Interlocal Agreement and enter into the Interlocal Agreement with the County.

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

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

Section 2. The City Council hereby authorizes the Mayor, or her designee or the City Manager, or his designee, to enter into, execute and deliver the Interlocal 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 of said Agreement.

Section 3. The City Manager or his designee, is hereby authorized to take all actions necessary to implement the terms and conditions of the Interlocal Agreement, and accomplish the purposes set forth within.

Section 4. The City Clerk of the City of Port St. Lucie is hereby directed to send copies of this Resolution to the County and all other necessary parties.

Section 5. If any resolution, or parts of any resolution, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

Section 6. 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 invalid or illegal by a Court of competent jurisdiction then the remainder of this Resolution shall remain in full force and effect.

Section 7. 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 _____, 2022.

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