

RESOLUTION 21-R__

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE VICE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN ST. LUCIE COUNTY AND THE CITY OF PORT ST. LUCIE FOR MAINTENANCE OF THE ROUNDABOUT AT THE GILSON ROAD AND BECKER ROAD INTERSECTION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the County is a political subdivision of the State of Florida and given those powers and responsibilities enumerated in Chapter 125, Florida Statutes; and

WHEREAS, the County and the City are empowered to enter into interlocal agreements pursuant to Section 163.01, Florida Statutes; and

WHEREAS, the COUNTY and CITY desire to enter into this Agreement pursuant to Section 163.01 Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969," which authorizes local governmental units to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage; and

WHEREAS, Veranda St. Lucie Land Holdings, LLC has contracted with Culpepper & Terpening, Inc. to design a roundabout at the Gilson Road and Becker Road intersection ("Roundabout") which is located partially in the City's and partially in the County's right-of-way; and

WHEREAS, the parties desire to identify maintenance responsibilities for the Roundabout as depicted on the approved set of construction plans dated May 4, 2021 ("Construction Plans"), which are hereby incorporated by reference, and the as-built plans after the Improvements, as defined herein, are completed; and

WHEREAS, coordination of the maintenance responsibilities among the parties will minimize impacts to residents and will serve a public purpose; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Port St. Lucie, Florida, as follows:

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

Section 2. The City Council of the City of Port St. Lucie, Florida, hereby authorizes the Mayor to enter into and execute the Interlocal Agreement with the County, in substantially the

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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.

Section 3. The City Clerk is hereby directed to send a certified copy of this Resolution to St. Lucie County Administrator, 2300 Virginia Avenue, Fort Pierce, Florida 34982, 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