

RESOLUTION 23-R__

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AND EXECUTE A CONSTRUCTION AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF CONSTRUCTING ROADWAY IMPROVEMENTS ON TRADITION PARKWAY WITHIN THE LIMITED ACCESS RIGHT-OF-WAY OF STATE ROAD 9 (INTERSTATE 95); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie’s Public Works Department intends to construct roadway improvements to Tradition Parkway; and

WHEREAS, the proposed Tradition Parkway improvements will encroach into the State of Florida Department of Transportation’s Limited Access Right-of-Way of State Road 9 (Interstate 95); and

WHEREAS, the improvements include the extension of an existing westbound right-turn lane; and

WHEREAS, in accordance with Section 339.282, Florida Statutes, the State of Florida Department of Transportation may contract with the City to finance, construct, and improve public transportation facilities; and

WHEREAS, to accomplish the improvements, the State of Florida Department of Transportation requires the City to enter into a Construction Agreement (“Agreement”), which is attached hereto and incorporated herein as Exhibit “A”; and

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 to enter into and execute the Agreement, in substantially the same form as attached hereto as Exhibit “A,” on behalf of the City of Port St. Lucie, Florida, to allow construction of the Tradition Parkway improvements within the Limited Access Right-of-Way of State Road 9 (Interstate 95).

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.

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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 _____, 2023.

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