

## RESOLUTION 23-R\_\_

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, APPROVING THE SECOND AMENDMENT TO RIVERLAND BECKER ROAD CONSTRUCTION AGREEMENT BETWEEN THE CITY AND RIVERLAND/KENNEDY II, LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, the City Council approved the terms and conditions contained in the Riverland Becker Road Agreement on February 14, 2022, as amended by the First Amendment to the Riverland Becker Road Agreement, collectively (the “Agreement”); and

**WHEREAS**, the City and Riverland/Kennedy II, LLC (“GL”) desire to amend Section 3 of the Agreement through the Second Amendment to Riverland Becker Road Construction Agreement (“Amendment”), attached hereto as **Exhibit “A”**; and

**WHEREAS**, the City Council hereby agrees to the terms of the Amendment.

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.** The City Council authorizes the Mayor, or her designee, or the City Manager, or his designee, to enter into, execute and deliver the Amendment, in substantially the same form as attached hereto and incorporated herein as **Exhibit “A”**, and such other documents necessary to implement the terms and conditions of said Amendment.

**Section 3.** The Mayor, or her designee, or the City Manager, or his designee, are hereby authorized to take any and all actions necessary to implement the terms and conditions of the Amendment 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.

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**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 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 M. Martin, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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Rich Berrios, City Attorney