

RESOLUTION 21-R__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE LIGHT EMITTING DIODE (LED) LIGHTING AGREEMENTS WITH FLORIDA POWER & LIGHT COMPANY FOR THE INSTALLATION OR MODIFICATION OF LED STREETLIGHTS THROUGHOUT THE CITY, LOCATED IN THE CITY RIGHT-OF-WAY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie and Florida Power & Light Company (“FPL”) enter into LED lighting agreements from time to time; and

WHEREAS, these lighting agreements provide for FPL to install or modify certain lighting facilities described and identified in each lighting agreement, to furnish to the City the electric energy necessary for the operation of the lighting facilities, and to furnish such other services as are specified in each agreement, all in accordance with the terms of FPL's currently effective lighting rate schedule on file at the Florida Public Service Commission (FPSC) or any successive lighting rate schedule approved by the FPSC; and

WHEREAS, the City Council desires to authorize the City Manager to execute these agreements pursuant to his administrative authority; and

WHEREAS, these agreements serve a public purpose,

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

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

Section 2. Authorization. The City Council of the City of Port St. Lucie hereby authorizes the City Manager to execute, as they become necessary from time to time, LED lighting agreements, in substantially the form attached hereto as Exhibit “A,” on behalf of the City with FPL and any other ministerial documents relating to such agreements for those street lighting fixtures located on property which will be dedicated to the City as a public roadway.

Section 3. 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 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.

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BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its 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: _____
Gregory J. Oravec, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney