

RESOLUTION 26-R__

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA APPROVING AND AUTHORIZING THE SETTLEMENT OF LITIGATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 25, 2025, by filing and service of a Summons and Complaint, McTeague Construction Company, Inc., (“McTeague”) commenced a lawsuit against the City of Port St. Lucie (“City”); and

WHEREAS, on November 3, 2025, the City filed counterclaims against McTeague; and

WHEREAS, the lawsuit is currently styled *McTeague Construction Company, Inc. v. City of Port St. Lucie*, Case No. 2025-CA-002754; and

WHEREAS, McTeague alleges the City breached a sidewalk construction contract; and

WHEREAS, the City alleges, among other things, McTeague breached two sidewalk construction contracts; and

WHEREAS, after mediation, involvement of a third-party, and negotiations, the parties have agreed to terms and conditions which will settle the dispute; and

WHEREAS, this Resolution approves and authorizes the settlement of the lawsuit, as well as the execution of a Three-Party Settlement Agreement and Mutual Release in substantially the same form as the attached Exhibit “A,” which has been executed by the other two involved parties; and

WHEREAS, the City Council finds that the settlement of this dispute serves a valid public purpose.

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. Authority. The City Manager, or his designee, is authorized to execute the Three-Party Settlement Agreement and Mutual Release in substantially the same form as the attached Exhibit “A”. Additionally, the City Manager and City Attorney are authorized to take any necessary steps to effectuate the terms of settlement and resolution of the dispute.

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

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unconstitutional by a Court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

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 _____, 2026.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

Richard Berrios, City Attorney