

## **RESOLUTION 25-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, APPROVING ARTWORK SUBMITTED BY TEX MEX OF FL, LLC, IN CONNECTION WITH A MAJOR SITE PLAN KNOWN AS PROJECT KING (P24-190); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, Chapter 162 of the City’s Code of Ordinances requires certain public art requirements to be met when certain new improvements are constructed; and

**WHEREAS**, on February 10, 2025, City Council approved a major site plan application (Project No. P24-190) (the “Project”) submitted by Tex Mex of FL, LLC for the construction of a 300,040 square foot warehouse and distribution center to be constructed in two phases for property generally located west of I-95 and south of SW Discovery Way, thereby subjecting the Project to the City’s public art requirements; and

**WHEREAS**, Section 162.09 of the City’s Code of Ordinances allows the developer to site a permanent public artwork as part of its development project in order to comply with the City’s public art requirements, and Tex Mex of FL, LLC has proposed an on-site installation by artist Dale Rogers consisting of a three-dimensional sculpture measuring approximately 7.5 feet by 7.5 feet by 6 feet, constructed of Corten steel with stainless steel reinforcement and a high-durability painted finish (Exhibit “A”) (the “Proposed Artwork”), with placement as depicted in Exhibit “B”; and

**WHEREAS**, Section 162.05 of the City’s Code of Ordinances sets forth the selection criteria for sites and public art; and

**WHEREAS**, on November 17, 2025, the Public Art Advisory Board held a hearing and completed its review of the Proposed Artwork for compliance with Chapter 162 of the City’s Code of Ordinances; and

**WHEREAS**, the Public Art Advisory Board found the Proposed Artwork consistent with Chapter 162 of the Code of Ordinances and recommended that the City Council approve the Proposed Artwork.; and

**WHEREAS**, the City Council; held a hearing December 8, 2025, to consider the Proposed Artwork; and

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**WHEREAS**, the City Council has considered the Proposed Artwork and all evidence and testimony submitted into the record relating to the Proposed Artwork and has determined that the approval of the Proposed Artwork is consistent with Chapter 162 of the City's Code of Ordinances.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, THAT:**

**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 accepts the recommendation of the Public Art Advisory Board and hereby approves the Proposed Artwork.

**Section 3.**     **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 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.

**Section 5.**     **Effective Date.** This Resolution shall become effective immediately upon adoption.

**PASSED AND APPROVED** by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2025.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

ATTEST:

By: \_\_\_\_\_  
Shannon M. Martin, Mayor

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Richard Berrios, City Attorney