

RESOLUTION 23-R

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED AND RESTATED INTERLOCAL AGREEMENT BETWEEN VERANO #5 COMMUNITY DEVELOPMENT DISTRICT, A COMMUNITY DEVELOPMENT DISTRICT ORGANIZED UNDER CHAPTER 190, FLORIDA STATUTES, AND THE CITY OF PORT ST. LUCIE, NECESSARY FOR MAINTENANCE OF STORMWATER INFRASTRUCTURE ASSOCIATED WITH THE EXTENSION OF CROSSTOWN PARKWAY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Verano Community Development Districts (“Districts”) entered into that certain District Interlocal Agreement dated November 17, 2005; and

WHEREAS, the Districts entered into that certain Amended and Restated District Interlocal Agreement dated as of April 9, 2015, and recorded in Official Records Book 3733, Pages 2535-2556, of the Public Records of St. Lucie County, Florida; and

WHEREAS, by the Restated Agreement, the Center District (“District #5”) agreed to maintain and operate that portion of the City Drainage System lying within the boundaries of all the Districts; and

WHEREAS, District #5 and the City of Port St. Lucie (“City”) have determined that Section 2.a of the Restated Stormwater Agreement should be amended to include under the District #5 responsibilities maintenance of the stormwater outfall pipes and all related appurtenances lying within easements dedicated or to be dedicated to District #5 located north of Crosstown Parkway and within the drainage easement located within a portion of Crosstown Parkway right-of-way as described in the sketch and legal description provided as Exhibit B of the Amended and Restated Agreement; and

WHEREAS, the City Council hereby determines that the parties may enter into the Agreement as it serves a 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. Implementation. The City Council of the City of Port St. Lucie, Florida, hereby authorizes the Mayor to enter into and execute the Second Amended and Restated Interlocal Agreement with the Verano Community Development Districts, in substantially the same form that is attached hereto and incorporated herein as Exhibit “A” to this Resolution, and such other documents necessary to implement the terms of said Agreement.

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Section 3. The City Clerk is hereby directed to send a certified copy of this Resolution to Glen J. Torcivia, Torcivia, Donlon, Goddeau & Rubin, P.A., Northpoint Corporate Center, 701 Northpoint Parkway, Suite 209, West Palm Beach, Florida 33407, and all other persons as directed by the City Council.

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.

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 _____, 2023.

CITY COUNCIL
CITY OF PORT ST. LUCIE

ATTEST:

Sally Walsh, City Clerk

By: _____
Shannon M. Martin, Mayor

APPROVED AS TO FORM:

James D. Stokes, City Attorney