

RESOLUTION 21-R__

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE AN INTERLOCAL AGREEMENT BETWEEN ST. LUCIE COUNTY AND THE CITY OF PORT ST. LUCIE, AMENDING AND RESTATING MUNICIPAL SERVICES TAXING UNITS FOR PUBLIC TRANSIT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the County is a political subdivision of the State of Florida and given those powers and responsibilities enumerated in Chapter 125, Florida Statutes; and

WHEREAS, the County and the City are empowered to enter into interlocal agreements pursuant to Section 163.01, Florida Statutes; and

WHEREAS, on January 28, 2003, the County adopted Resolution No. 03-21, which established a Municipal Services Taxing Unit (“MSTU”) for public transit and non-motorized transportation that would levy an ad valorem tax at a rate not to exceed ¼ mill per annum for a term of no longer than 20 years (hereinafter referred to as the “Public Transit MSTU”); and

WHEREAS, on April 22, 2003, the County adopted Resolution No. 03-65, which amended Resolution No. 03-21 by deleting the provision for non-motorized transportation from the Public Transit MSTU; and

WHEREAS, Resolution No. 03-65 took effect upon the enactment by the City of Fort Pierce City Commission, the City of Port St. Lucie City Council and the Town of St. Lucie Village Board of Alderman of ordinances consenting to the inclusion of their respective entity within the boundaries of the Unit on or before June 1, 2003; and

WHEREAS, on April 22, 2003, the County and the City entered into an Interlocal Agreement (“Agreement”) to allocate the proceeds of the MSTU to the County and the City, which was recorded at Official Records Book 1742, Page 1199 of the Public Records of St. Lucie County, Florida; and

WHEREAS, the parties desire to amend and restate the Agreement to update the references to transit planning documents, provide for an annual meeting between the parties as well as a meeting prior to any increase in the millage rate for the MSTU, and extend the term of the Agreement through and including December 31, 2043; and

WHEREAS, the City Council hereby determines that the parties may enter into the Amended and Restated Interlocal Agreement, in substantially the same form as attached hereto as Exhibit “A” (the “Amended Agreement”), as it serves a public purpose.

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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 of the City of Port St. Lucie, Florida, hereby authorizes the Mayor, or her designee, to enter into and execute the Amended Agreement, 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 Amended Agreement.

Section 3. The City Clerk is hereby directed to send a certified copy of this Resolution to St. Lucie County Administrator, 2300 Virginia Avenue, Fort Pierce, Florida 34982, and all other persons as directed by the City Council.

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.

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 held to be illegal, invalid, or unconstitutional by a Court of competent jurisdiction, then the remainder of this Resolution shall remain in full force and effect and this Resolution shall nevertheless stand and be construed as if the illegal or invalid part or portion had not been included herein.

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 _____, 2021.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney