

RESOLUTION 23-R__

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, RATIFYING THE CITY MANAGER'S EXECUTION OF THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ("FDEP") GRANT AGREEMENT TO BENEFIT THE INDIAN RIVER LAGOON WATER QUALITY IMPROVEMENTS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Department of environmental Protection ("FDEP") approved and proposed grant agreement NS107 ("Agreement") to the City of Port St. Lucie ("City"), which provides the City with financial assistance to further the completion of a water quality improvement project ("Project"); and

WHEREAS, FDEP and the City Manager executed the Agreement; and

WHEREAS, the scope of the Project consists of retrofitting the surface water management system serving the Elkcam Drainage Basin (1909 acres) through the installation of a Type II baffle boxe upstream of the Elkcam Waterway outfall to the North Fork of the St Lucie River; and

WHEREAS, the FDEP and the City desire to enter into the Agreement; and

WHEREAS, the City Council hereby determines that the parties may enter into this 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. Ratification of Agreement and Authorization. The Agreement, previously executed by the City Manager and FDEP, is ratified. Moreover, the City Manager and City Engineer, and/or their designees, are hereby authorized to take all actions necessary to work with FDEP to accomplish the purposes set forth in the Agreement.

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 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.

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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

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney