

**CITY COUNCIL RESOLUTION NO. 2021-151**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE PUBLIC TRANSPORTATION GRANT AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR THE REHABILITATION OF RUNWAY 5-23 AT THE AIRPORT; PROVIDING FOR A STATUTORY EXEMPTION TO THE PROHIBITION OF EMPLOYING THE SAME ENTITY FOR BOTH DESIGN AND CONSTRUCTION ENGINEERING AND INSPECTION SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lake City, Florida (“City”) entered into a Public Transportation Grant Agreement (hereinafter the “Agreement”) with the Florida Department of Transportation (hereinafter “FDOT”) on January 13, 2021, pursuant to City Council Resolution 2020-144; and

**WHEREAS**, the Agreement memorializes the grant award from FDOT to the City for the design and rehabilitation of runway 5-23 at the Lake City Gateway Airport (hereinafter the “Project”); and

**WHEREAS**, Florida law now provides for an exemption to the prohibition of employing the same entity for both design and construction engineering and inspection services when receiving FDOT grant awards; and

**WHEREAS**, the City Council seeks to request from FDOT an amendment to the Agreement by incorporating the aforementioned statutory exemption into the Agreement to facilitate the Project; and

**WHEREAS,** the City Council finds it to be in the best interests of the City to request the aforementioned amendment to the Agreement with FDOT to facilitate the Project.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are all true and accurate and are incorporated herein and made a part of this resolution.

**Section 2.** The City is hereby authorized to request an amendment to the Agreement with FDOT and the Mayor, and city administration, are authorized to execute such an amendment to the Agreement that incorporates substantially the following (additions are underlined and deletions are ~~stricken~~):

17.h. **Design Services and Construction Engineering and Inspection Services.** If the Project is wholly or partially funded by the Department and administered by a local governmental entity, except for a seaport listed in Section 311.09, Florida Statutes, or an airport as defined in Section 332.004, Florida Statutes, the entity performing design and construction engineering and inspection services may not be the same entity.

**Section 3.** The Mayor is authorized to execute the Amendment for and on behalf of the City.

**Section 4.** Severability. Should any section, subsection, sentence, clause, phrase, or other provision of this resolution be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this resolution.

**Section 5.** Conflict. All resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

**Section 6.** Effective Date. This resolution shall take effect upon its adoption.

**PASSED AND ADOPTED** at a meeting of the City Council this \_\_\_\_ day of October 2021.

**CITY OF LAKE CITY, FLORIDA**

By: \_\_\_\_\_  
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND  
LEGALITY:

By: \_\_\_\_\_  
Audrey E. Sikes, City Clerk

By: \_\_\_\_\_  
Frederick L. Koberlein, Jr.,  
City Attorney