



THE SUNRISE CITY

**FORT PIERCE**  
CITY ATTORNEY'S OFFICE *Florida*

RECEIVED

TIME \_\_\_\_\_

DEC 4 2017

CITY OF FT. PIERCE  
CITY MANAGER'S OFFICE

**TO : Nicholas C. Mimms, P.E., City Manager**

**FROM : James M. Messer, City Attorney**

**RE : Proposed Resolution No. 17-R42 Supporting the Construction of an  
Observation Deck in conjunction with North Causeway Bridge Replacement**

**DATE : December 4, 2017**

This above referenced Resolution has been Approved as to Form and Correctness by the City Attorney.

Please feel free to contact this office if you have comments or inquiries concerning this matter.

JM/aw

Attachment

C: John R. Andrews, City Engineer  
Linda Cox, City Clerk

OK /  
12/5/17



THE SUNRISE CITY  
**FORT PIERCE**  
CITY ATTORNEY'S OFFICE  
*Florida*

**RECEIVED**  
DEC 01 2017  
RECEIVED TIME  
NOV 30 2017  
CITY OF FT. PIERCE  
CITY MANAGER'S OFFICE

**CITY ATTORNEY USE ONLY**

Date Received:	12/01/17
Assigned To:	<i>[Signature]</i>
File:	
Due Date:	12/08/17
Hours:	1.9

**REQUEST FOR LEGAL SERVICES**

**To:** JAMES M. MESSER, CITY ATTORNEY

**SUBMITTED BY:** JOHN R. ANDREWS, P.E., CITY ENGINEER *JRA*

**CITY MANAGER AUTHORIZATION:** NICHOLAS C. MIMMS, P.E., CITY MANAGER *NCF*

**RE:** PROPOSED RESOLUTION SUPPORTING CONSTRUCTION OF AN OBSERVATION DECK IN CONJUNCTION WITH NORTH CAUSEWAY BRIDGE REPLACEMENT

**DATE:** NOVEMBER 30, 2017

**Service Required:** (please circle or underline)

Review Documents	Draft Document	Written Opinion Requested
Attend Meetings	Advise	Other: _____

Upon review and/or "Approval as to Form and Correctness," the Department submitting the RLS is responsible for placement of any related item on a Commission or Board Agenda.

- Brief statement of the nature of the request or problem:** Request review and approval of proposed resolution showing the support of the City of Fort Piece for the construction by FDOT of an observation deck beneath the proposed North Causeway Bridge replacement.
- Discussion of the implications and the possible impact if not apparent from preceding information:** None
- Time considerations and their significance:** Requested by St. Lucie TPO Director to have adoption by end of December 2017.
- Are City funds required? If so, list approvals obtained for expenditure of funds:** No funding is requested at this time, but future maintenance responsibilities must be committed.

- 5. **Factual background:** Provide City's desire and support to FDOT to provide public access to the water for recreational activities.
  
- 6. **List and/or attach all related documents and known authorities (e.g., statute, ordinance, resolution, administrative code, legal case, RFP, bidder's response, contract, lease, letter, memorandum, prior legal opinion, deed, etc.):** Not applicable
  
- 7. **Identify prior legal assistance on this or a related matter and the attorney who handled it:**  
None
  
- 8. **If this is a request for review of a contract, provide the following:**
  - a. **List of individuals who have read and approved the business terms and conditions of the contract and confirmed the ability to carry out the terms of the contract as they apply to the City:** Not Applicable
  
  - b. **Insurance requirements that differ from the City's template insurance terms:** Not Applicable

CITY ATTORNEY USE ONLY			
Routed for Review	Date	Response Deadline	Response

**RESOLUTION 17-R42**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **SUPPORTING THE CONSTRUCTION OF AN OBSERVATION DECK UNDER THE WESTERN END OF THE REPLACEMENT STATE ROAD A1A NORTH CAUSEWAY BRIDGE, COMMITTING TO THE MAINTENANCE OF THE OBSERVATION DECK UPON THE COMPLETION OF ITS CONSTRUCTION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Florida Department of Transportation (“FDOT”) will be constructing the State Road (“SR”) A1A North Causeway Bridge Replacement Project (FPID# 4299362);

**WHEREAS**, as part of the SR A1A North Causeway Bridge Replacement Project (“Project”), the existing SR A1A North Causeway Bridge will be demolished;

**WHEREAS**, the FDOT has constructed observation decks under replacement causeway bridges recently constructed in Indian River and Martin Counties;

**WHEREAS**, FDOT may construct an observation deck under the western end of the replacement SR A1A North Causeway Bridge as part of the Project;

**WHEREAS**, the western end of the Project is located within the municipal boundaries of the City of Fort Pierce (“City”);

**WHEREAS**, the City identified the need for additional public fishing facilities within the municipal boundaries of the City; and,

**WHEREAS**, FDOT requested that the City adopt a resolution expressing its support for the construction of and its commitment to the maintenance of an observation deck underneath the western end of the replacement SR A1A North Causeway Bridge.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, THAT:**

**SECTION 1.** The City Commission supports the construction of an observation deck under the western end of the replacement SR A1A North Causeway Bridge as part of the Project.

**SECTION 2.** The City Commission commits to the City of Fort Pierce entering into an agreement for the maintenance of the observation deck and maintaining it upon the completion of its construction.

**SECTION 3.** This Resolution becomes effective immediately upon its adoption.

**IN WITNESS HEREWITH**, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 4th day of December, 2017.

ATTEST:

\_\_\_\_\_  
Linda Hudson, Mayor

\_\_\_\_\_  
Linda Cox, City Clerk

Approved as to Form  
And Correctness:

\_\_\_\_\_  
James M. Messer, Esq.  
City Attorney