

ORDINANCE 19-\_\_

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE LEASE WITH GRANT OF PURCHASE OPTION AGREEMENT REGARDING THE REAL PROPERTY LOCATED AT 9801 SW DISCOVERY WAY (THE FLORIDA CENTER FOR BIO-SCIENCES) TO CLEVELAND CLINIC FLORIDA, A NONPROFIT CORPORATION, TOGETHER WITH THE OTHER ITEMS OF PERSONAL PROPERTY WHICH EXIST IN OR ARE ATTACHED TO THE BUILDING; AUTHORIZING THE MAYOR, THE CITY MANAGER, OR THEIR DESIGNEES, TO EXECUTE THE LEASE WITH GRANT OF PURCHASE OPTION AGREEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, on August 11, 2017, the City of Port St. Lucie (the “City”) acquired title to the real property located at 9801 SW Discovery Way, Port St. Lucie, Florida (the “Property”); and

**WHEREAS**, the Property includes a 108,000 square foot building, built as a lab space for high end bio-medical research, known as the Florida Center for Bio-Sciences; and

**WHEREAS**, the City currently pays all of the operating costs, taxes, special assessments and is responsible for any repairs which may be required at the Property; and

**WHEREAS**, on May 24, 2019, the City received a Letter of Intent from Cleveland Clinic Florida (at the time known as “Project Learn”) proposing to occupy the Property as a biomedical translational research institute; and

**WHEREAS**, on May 28, 2019, City Council authorized the City Manager to negotiate with Cleveland Clinic Florida to establish and occupy a bio-medical translational research institute at the Property; and

**WHEREAS**, on August 26, 2019, City Council authorized the City Manager and City Attorney to prepare a Lease with Grant of Purchase Option Agreement (“Agreement”) with Cleveland Clinic Florida for the Property; and

**WHEREAS**, the City desires to enter into the Agreement in substantially the same form as attached hereto and incorporated herein as Exhibit “A”; and

**WHEREAS**, City Council deems it to be in the best interest of the City to enter into the Agreement with Cleveland Clinic Florida in furtherance of the City’s commitment for economic development and a diverse local economy; and

**WHEREAS**, City Council has determined that entering the Agreement is in the public interest, for a public purpose and therefore, necessary for the public health, safety and welfare.

**NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:**

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 Ordinance.

Section 2. The Mayor, the City Manager, or their designees, are hereby authorized and directed to execute the Agreement in substantially the same form as attached hereto as Exhibit "A" and to take any and all necessary actions, including preparing and executing instruments, required to effectuate the transfer of possession of the Property to Cleveland Clinic Florida.

Section 3. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 4. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 5. Effective Date. This Ordinance shall become effective immediately after final adoption on second reading.

**PASSED AND ADOPTED** by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2019.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: \_\_\_\_\_  
Gregory J. Oravec, Mayor

ATTEST:

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Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

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James D. Stokes, City Attorney