

ORDINANCE 22-__

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE CONVEYANCE OF APPROXIMATELY 2.95 ACRES OF CITY-OWNED REAL PROPERTY, AS A COMPONENT OF A SETTLEMENT AGREEMENT WITH THE ST. LUCIE COUNTY FIRE DISTRICT AND RELATED TO THE CITY CENTER PROJECT AND ACQUISITION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 9, 2020, the City of Port St. Lucie (“City”) City Council approved the City Manager to enter into a purchase and sale agreement with the Securities and Exchange Commission court-appointed Receiver for the City’s purchase of certain parcels within City Center (“City Center Parcels”); and

WHEREAS, the total tax and assessment liability on the City Center Parcels is currently more than \$47 million; and

WHEREAS, in an effort to settle all outstanding tax liability associated with the City Center Parcels, the City engaged in settlement discussions with the various taxing authorities, including the St. Lucie County Fire District (“Fire District”), in addition to the tax certificate holders; and

WHEREAS, based on information supplied by the St. Lucie County Tax Collector, the Fire District is owed past due property taxes for the City Center Parcels in excess of one hundred sixty-three thousand dollars, not including interest (“Tax Liability”); and

WHEREAS, the City identified certain real property outside of City Center currently being leased to the Fire District, a portion of which the Fire District expressed interest in obtaining fee simple title to (the “Settlement Parcel”); and

WHEREAS, the Settlement Parcel is not needed to further the strategic goals of any City departments and is hereby determined to be surplus real property; and

WHEREAS, the City and the Fire District have reached an agreement to fully resolve the Tax Liability associated with the City Center Parcels, which requires the City to convey the Settlement Parcel to the Fire District; and

WHEREAS, after considering the factors set forth above, the City Council has determined that conveyance of the Settlement Parcel to the Fire District is in the best interest of the City and constitutes a valid public purpose; and

WHEREAS, the City desires and hereby authorizes the conveyance of the Settlement Parcel, via Quit Claim, which attached hereto as Exhibit “A” an incorporated herein, to the Fire District in exchange for the Fire District foregoing payment of the Tax Liability.

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. Authorization. The City Council of the City of Port St. Lucie hereby authorizes the conveyance of the Settlement Parcel to the Fire District and further authorizes the City Manager, or his designee, to execute and deliver the Quit Claim Deed in substantially the same form as attached hereto and incorporated herein as Exhibit “A”.

Section 3. Execution. The City Manager, or his designee, is hereby authorized to execute any and all documents necessary to complete the conveyance of the Settlement Parcel to the Fire District, including, but not limited to, the Quit Claim Deed.

Section 4. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 5. 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 6. Effective Date. This Ordinance shall become effective ten (10) days after final adoption on second reading.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this ____ day of ____, 2022.

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