

RESOLUTION 21-R\_\_

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, DEFERRING IMPLEMENTATION OF CITY ORDINANCE 21-75, ESTABLISHING A MOBILITY PLAN AND MOBILITY FEE, FROM OCTOBER 1, 2021 TO OCTOBER 5, 2021; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, the City Council considered City Ordinance 21-75, on August 23, 2021 and September 13, 2021; and

**WHEREAS**, City Ordinance 21-75 repeals the City's established road impact fee and transportation concurrency requirements and implements a mobility plan and mobility fee system, pursuant to section 163.3180(5)(i), Florida Statutes, effective October 1, 2021; and

**WHEREAS**, the City Council desires to defer implementation of Ordinance 21-75 to October 5, 2021 in order to allow additional public comment on and further publicize the changes in the Ordinance.

**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. Deferment Actions. The City Council directs staff to take the following actions, in addition to all actions required by law:

- a. Provide notice to all known interested parties that a public hearing will be held by City Council on Ordinance 21-75 on October 4, 2021, beginning at 8:00 A.M., in the City Council Chambers, as advertised in Treasure Coast Newspapers (TC Palm) on September 24, 2021 and posted at City Hall on September 22, 2021.
- b. Defer implementation of Ordinance 21-75 from October 1, 2021 to October 5, 2021.
- c. Continue to collect City Road Impact fees pursuant to Title XV, Chapter 159, Article II of the City's Code through October 4, 2021.
- d. Contingent on the written consent of St. Lucie County, continue to collect St. Lucie County's Road Impact Fees to the extent they would have been collected by the City prior to consideration of Ordinance 21-75 and according to the terms of the Interlocal Agreement for Road Impact Fees executed on November 9, 2011, through October 4, 2021. Any funds collected by the City on behalf of the County pursuant to this provision shall be remitted to the County by November 5, 2021.

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.

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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.

**PASSED AND ADOPTED** by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2021.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: \_\_\_\_\_  
Shannon M. Martin, Mayor

ATTEST:

\_\_\_\_\_  
Sally Walsh, City Clerk

APPROVED AS TO FORM:

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James D. Stokes, City Attorney