

RESOLUTION 25-R__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER OR HIS DESGINEE TO EXECUTE AN IMPACT FEE MITIGATION AGREEMENT BETWEEN THE CITY OF PORT ST. LUCIE AND FOUR PORT ST. LUCIE, LLC; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is policy of the City of Port St. Lucie (the "City") to stimulate economic growth in the City by attracting new businesses to the City and by encouraging the expansion of existing businesses within the City, or a combination thereof; and

WHEREAS, the creation of new employment opportunities for citizens of the City and the increased tax revenues resulting from such business expansion or relocation within the City is beneficial to the local economy and enhances the health, safety, and welfare of its citizens; and

WHEREAS, pursuant to Chapter 159, Article V of the City's Code of Ordinances (the "City Code"), the City has established an Economic Development Impact Fee Mitigation Program for certain qualified target businesses to mitigate any real or perceived disadvantage occurring from the imposition of impact fees and to create permanent employment expansion opportunities for City citizens; and

WHEREAS, Four Port St. Lucie, LLC (the "Company") will, directly or through an affiliate, operate an advanced manufacturing facility in the City, one of the City's targeted industries, and will be an economic driver in the manufacturing industry and will create two hundred twenty-five (225) new jobs paying an average wage of \$24.83 per hour plus benefits. The Company plans to create fifteen (15) jobs in year one; eighty-five (85) additional jobs in year two; fifty (50) additional jobs in year 3; fifty (50) additional jobs in year 4; and twenty-five (25) additional jobs in year 5, for a total of two hundred twenty-five (225) new jobs; and

WHEREAS, the Company will build an approximately 250,000 square foot advanced manufacturing facility on a 15.83 acre parcel of land owned by the Company in the Tradition Park of Commerce within the City (the "Project"); and

WHEREAS, the Company has committed to locating the Project in the City; and

WHEREAS, as a result of the above-referenced Project, the Company plans to create two hundred twenty-five (225) new jobs in the City meeting the threshold requirements set forth in section 159.504 (A) (1), (4) of the City's Code and remain in the City for a period of at least (10) years while maintaining the job creation and salary commitments outlined in section 159.504 (A) (1), (4) of the City's Code; and

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WHEREAS, the Company would be required to pay City impact fees in conjunction with the issuance of the building permits for the Project; and

WHEREAS, the Company has been determined to be eligible to receive an Economic Development Impact Fee Waiver pursuant to section 159.504 (A) (1), (4) of the City's Code by the City Manager and receive the waiver set forth in section 159.506 (A) (1) of the City's Code; and

WHEREAS, the City finds and declares that it is in the public interest to award Economic Development Impact Fee Waiver to the Company based on their agreement to create two hundred twenty-five (225) new jobs in the City; and

WHEREAS, the City desires to enter into an Impact Fee Mitigation Agreement with the Company as formalized in the Impact Fee Mitigation Agreement set forth in **Exhibit "A"**; and

WHEREAS, the Company acknowledges that the impact fee waiver is contingent upon the Company meeting the performance requirements as outlined in the attached Impact Fee Mitigation Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, THAT:

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. The City Council approves impact fee mitigation for the Company and authorizes the City Manager or his designee to enter into, execute, and deliver the Impact Fee Mitigation Agreement, in substantially the same form that is attached hereto and incorporated herein as **Exhibit "A"**, and such other documents necessary to implement the terms and conditions of said Agreement.

Section 3. The City Manager or his designee is hereby authorized to take all actions necessary to implement the terms and conditions of the Impact Fee Mitigation Agreement, in substantially the same form that is attached hereto and incorporated herein as **Exhibit "A"**, and such other documents necessary to implement the terms and conditions of said Agreement.

Section 4. 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 5. 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 6. 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 _____, 2023.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

Richard Berrios, City Attorney