

ORDINANCE 22-\_\_

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE CONVEYANCE OF SIX (6) RESIDENTIAL REAL PROPERTY PARCELS TO THE COMMUNITY LAND TRUST OF PALM BEACH COUNTY AND THE TREASURE COAST, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE SALE TO APPROVED APPLICANTS OF THE PSL HOMEOWNERSHIP PROGRAM; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, the City of Port St. Lucie’s (“City”) Neighborhood Services Department sought a housing professional or group of professionals with extensive experience, skills and a vision to help design and develop a comprehensive, detailed program for the disposition of homes that the City could dedicate, in perpetuity, to its affordable housing portfolio; and

**WHERE**, in an effort to develop its affordable housing portfolio, the City dedicated six (6) City-owned vacant residential parcels to the City’s Neighborhood Services Department for affordable housing purposes (the “Subject Parcels”); and

**WHEREAS**, on October 28, 2019, the City Council agreed to award Contract No’s: 20190095, 20190106, 20190107, 20190119, 20190120, and 20190121 to Black Street Enterprises, LLC, for the construction of six (6) affordable single-family residences on the Subject Parcels; and

**WHEREAS**, on February 8, 2021, the City Council agreed to award Contract No. 20210015 to the Community Land Trust of Palm Beach County, Inc., now known as the Community Land Trust of Palm Beach County and the Treasure Coast, Inc., a Florida not-for-profit corporation (“CLT of PBC&TC”), to launch and run a program that will promote permanent affordability and the retention of affordable housing investments, by the City, in the community, and to incorporate a planned model for the selection of awarding the Subject Parcels to approved City residents or City work force, who are at or below the 80% area median income (“AMI”) category for four (4) of the Subject Parcels and who are at or below the 50% AMI income category for two (2) of the Subject Parcels (“the Neighborhood Stabilization Program - Pilot Housing Disposition Program Plan” or more recently named the “PSL Homeownership Program”); and

**WHEREAS**, on November 22, 2021, the City Council approved the Neighborhood Stabilization Program - Pilot Housing Disposition Program Plan as well as the disposition of the Subject Parcels, with the newly constructed single-family residences located on the Subject Parcels, for affordable housing purposes; and

**WHEREAS**, considering the factors set forth above, the City Council desires to convey the Subject Parcels, with the newly constructed single-family residences, to CLT of PBC&TC, so

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that the CLT of PBC&TC can subsequently sell the newly constructed single-family residences to approved City residents or City work force who are at or below the 80% AMI and the 50% AMI income category (the “Approved City Residents”), while retaining ownership of the Subject Parcels by entering into ground leases with the Approved City Residents; and

**WHEREAS**, the City Council hereby authorizes the Mayor, or her designee, or the City Manager, or his designee, to convey the Subject Parcels, which are described in Exhibit “A” attached hereto and incorporated herein, to the CLT of PBC&TC, subject to certain restrictions, as provided herein.

**WHEREAS**, the Subject Parcels will be restricted as follows:

- (a) Property Use. Owner shall not sublease, sell or otherwise convey any of Owner’s rights, for any period of time, without the written permission of CLT of PBC&TC and Owner agrees that CLT of PBC&TC shall have the right to withhold such consent; and
- (b) Maintenance of Property. Owner shall use the home and land in a way that will not cause harm to others or create any public nuisance. Owner shall dispose of all waste in a safe and sanitary manner. Owner shall maintain all parts of the home and land in safe, sound and habitable condition, in full compliance with all laws and regulations, and in the condition that is required to maintain insurance coverage. Dogs deemed vicious by animal control or other governing authorities, are not permitted. Owner shall see that all necessary repairs and replacements are accomplished when needed; and
- (c) Mortgage of Property. Owner may mortgage the home only with the written permission of CLT of PBC&TC.

**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 hereby authorizes, the Mayor, or her designee, or the City Manager, or his designee, to convey the Subject Parcels, with the newly constructed single-family residences, to the Community Land Trust of Palm Beach County and the Treasure Coast, Inc., to be used exclusively by City Approved Residents and for the PSL Homeownership Program. The City Council further authorizes the Mayor, or her designee, or the City Manager, or

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his designee, to execute any and all documents necessary to accomplish the conveyances of the Subject Parcels and the purposes set forth in this Ordinance, contingent on the conditions specified herein.

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 upon final adoption on the 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:

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Sally Walsh, City Clerk

APPROVED AS TO FORM:

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James D. Stokes, City Attorney