

RESOLUTION NO. 22-R11

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **DESIGNATING THE REAL PROPERTY LOCATED AT 100 BLUE SKY CIRCLE, FORT PIERCE, FLORIDA, PARCEL ID NUMBERS 2419-211-0004-000-8 AND 2419-211-0004-010-1, THE BLUE SKY LANDING GREEN REUSE AREA** PURSUANT TO THE FLORIDA BROWNFIELDS REDEVELOPMENT ACT FOR THE PURPOSE OF REMEDIATION, REHABILITATION, AND REDEVELOPMENT; PROVIDING FOR NOTICE TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State of Florida has provided, in Sections 376.77 through 376.85, Florida Statutes, of the Brownfields Redevelopment Act, for the designation of a "Brownfield Area" by resolution at the request of a person who owns or controls one or more parcels to provide for their remediation, rehabilitation, and redevelopment; and

WHEREAS, St. Lucie County, Florida is the owner of the property located at 100 Blue Sky Circle, Fort Pierce, Florida, identified by Parcel ID numbers 2419-211-0004-000-8 and 2419-211-0004-010-1 (hereinafter the "Property"), as shown in the attached and incorporated Exhibit "A", and has entered into a Ground Lease regarding Parcel ID 2419-211-0004-000-8 and a Purchase and Sale Agreement regarding Parcel ID 2419-211-0004-010-1 with Blue McNeil One, LLC and Blue McNeil Two, LLC (hereinafter the "Developers"), respectively, to develop a new affordable housing development on the Property; and

WHEREAS, the Developers have requested the City of Fort Pierce (hereinafter the "City") designate the Property the "Blue Sky Landing Green Reuse Area" pursuant to Section 376.80(2)(c), Florida Statutes; and

WHEREAS, St. Lucie County, Florida, as the owner of the Property, has asserted the Developers have control of the Property, are authorized to obtain designation under Section 376.80(2)(c), Florida Statutes, and consents to said designation; and

WHEREAS, the City Commission has reviewed the criteria set forth in Section 376.80(2)(c), Florida Statutes, and has determined the applicant has established the following:

1. The Developers, who own or controls the Property, are requesting the designation and have agreed to rehabilitate and redevelop the Property pursuant to Section 376.80, Florida Statutes.
2. The rehabilitation and redevelopment of the Property will result in economic productivity of the area and will provide affordable housing as defined in Section 420.0004, Florida Statutes.
3. The redevelopment of the Property is consistent with the City's comprehensive plan and is a permitted use under the City's land development regulations.
4. Notice of the proposed rehabilitation of the Property has been provided to neighbors and nearby residents of the proposed area to be designated pursuant to Section 376.80(2)(c), Florida Statutes, and the Developers have afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation. Notice of the proposed rehabilitation of the Property has been posted in the affected area.

5. The Developers have provided reasonable assurances they have sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the Property.

WHEREAS, the City of Fort Pierce wishes to notify the Florida Department of Environmental Protection of this Resolution designating the Property as the Blue Sky Green Use Area pursuant to Sections 376.77 through 376.85, Florida Statutes, to further its rehabilitation and redevelopment; and

WHEREAS, the applicable procedures set forth in Sections 376.80 and 166.041, Florida Statutes, have been followed and proper notice has been provided; and

WHEREAS, such designation shall not render the City of Fort Pierce liable for costs of site development or remediation, including site rehabilitation and source removal, as those terms are defined in Sections 376.79(19) and (20), Florida Statutes, or for any other costs, above and beyond those costs attributed to the adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Fort Pierce, Florida:

SECTION 1. That the recitals and findings set forth in the Preamble to this Resolution are hereby adopted as true and correct by reference thereto and incorporated herein as if fully set forth in this Section.

SECTION 2. That the City Commission finds that the Developers have satisfied the criteria set forth in Section 376.80(2)(c), Florida Statutes, of the Brownfields Redevelopment Act.

SECTION 3. That the City Commission designates the Property depicted on the attached Exhibit "A" and identified by Parcel ID Numbers 2419-211-0004-000-8 and 2419-211-0004-010-1 as the Blue Sky Landing Green Reuse Area for purposes of and pursuant to Sections 376.77 through 376.85, Florida Statutes, of the Brownfields Redevelopment Act.

SECTION 4. That the City Manager, or his designee, is hereby authorized to notify the Florida Department of Environmental Protection of the City Commission's Resolution designating the Property as the Blue Sky Landing Green Reuse Area for purposes of and pursuant to Sections 376.77 through 376.85, Florida Statutes, of the Brownfields Redevelopment Act.

SECTION 5. The Developers are hereby responsible for the site rehabilitation of the Property, all costs associated with such, and will comply with all requirements of Sections 376.77 through 376.85, Florida Statutes, of the Brownfields Redevelopment Act.

SECTION 7. This Resolution shall become effective immediately upon final adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted this 21st day of March 2022.

LINDA HUDSON, MAYOR

ATTEST:

LINDA W. COX, CITY CLERK

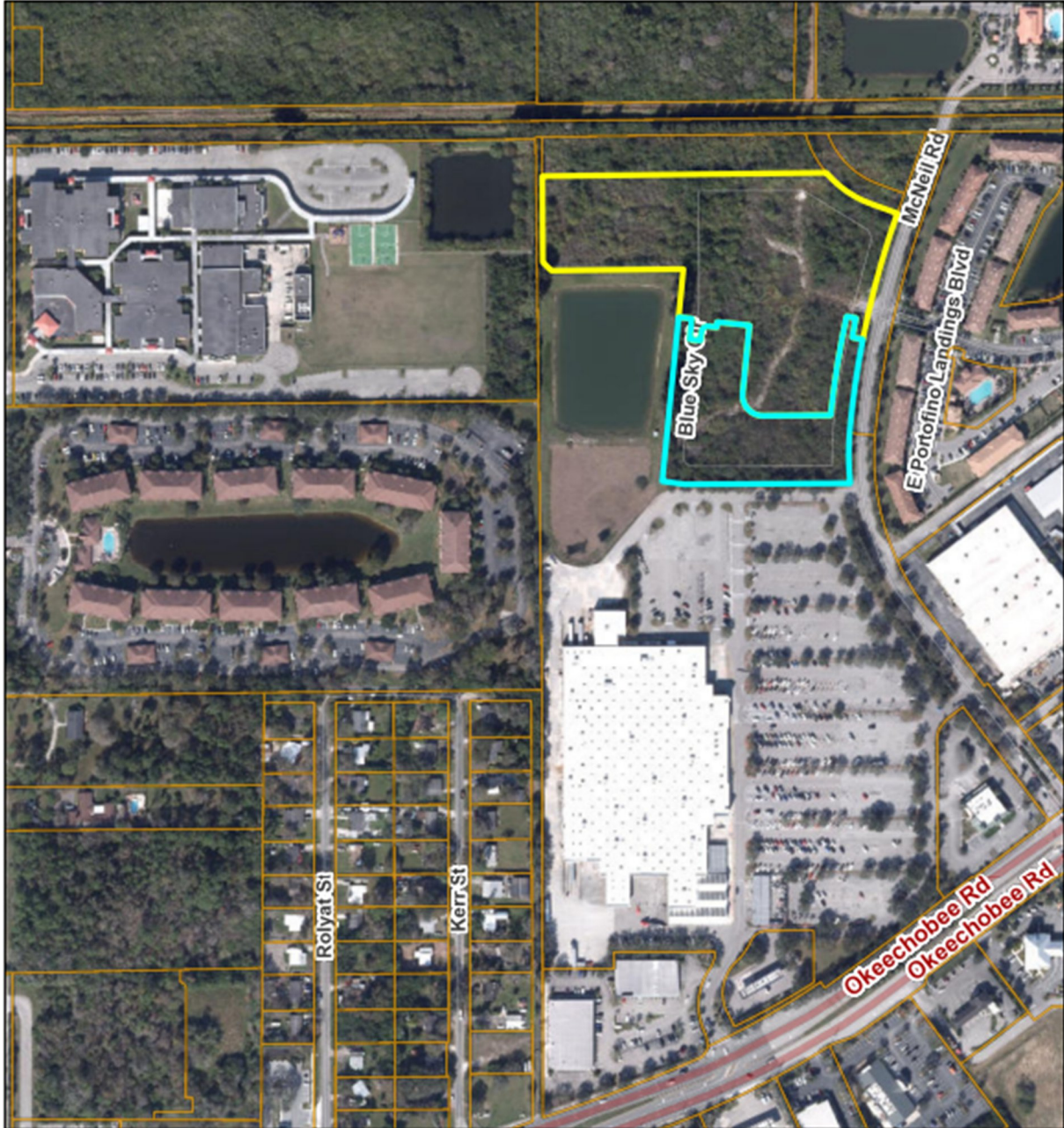
(CITY SEAL)

APPROVED AS TO FORM
AND CORRECTNESS:

Tanya M. Earley, Esq.
CITY ATTORNEY

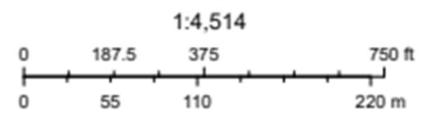
EXHIBIT "A"

Saint Lucie County Property Appraiser



February 3, 2022

- █ 2419-211-0004-000-8
- █ 2419-211-0004-010-1



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