

RESOLUTION NO. 23-R59

**A RESOLUTION OF CITY OF FORT PIERCE, FLORIDA, AUTHORIZING THE TRANSFER OF 3.38+/- ACRES BETWEEN AVENUE B AND CANAL TERRACE; DETERMINING THAT IT IS IN THE BEST INTEREST AND WELFARE OF THE CITY AND ITS RESIDENTS; PROVIDING FOR APPROPRIATE BUDGET ITEMS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Fort Pierce has recognized and prioritized the need for affordable and workforce housing units within the City; and

**WHEREAS**, the Fort Pierce Redevelopment Agency, a dependent special district of the City of Fort Pierce (“FPRA”), identified 3.38+/- acres of property between Avenue B and Canal Terrace, just south of Moore’s Creek in the City of Fort Pierce (the “Property”), a survey and legal description of which is attached hereto as Exhibit “A” and incorporated herein; and

**WHEREAS**, on July 16, 2020, FPRA published Request for Proposal #2020-031 to identify qualified developers to build single-family residential housing units to be sold to income-eligible buyers as affordable and workforce housing (the “Project”); and

**WHEREAS**, the FPRA received two proposals with only one proposal deemed responsive to the request based on minimum qualifications, such proposal being presented by East to West Development Corporation, a Florida not-for-profit corporation; and

**WHEREAS**, on September 8, 2020, the FPRA authorized negotiations for a development agreement to be presented to the FPRA Board for final review and approval; and

**WHEREAS**, on January 13, 2021, the FPRA unanimously approved support for the proposal and authorized the Executive Director to proceed with securing a development agreement; and

**WHEREAS**, the negotiated development agreement was unanimously approved by the FPRA on June 8, 2021, and there was executed that certain Development Agreement for Affordable/Workforce Housing with an effective date of June 8, 2021 (the “Development Agreement”); and

**WHEREAS**, on August 31, 2021, East to West Development Corporation subsequently assigned its interest in the Project and the Development Agreement to OMCII, LLC, a Florida limited liability company (the “Developer”); and

**WHEREAS**, the terms and conditions of the Development Agreement have been satisfied and Developer and FPRA wish to transfer the Property; and

**WHEREAS**, the City of Fort Pierce, Florida, intends to approve the transfer of the Property and authorize the necessary parties to execute a deed and other such closing documents necessary to complete the transaction pursuant to the terms of the Development Agreement.

**NOW, THEREFORE, BE IT RESOLVED** BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AS FOLLOWS:

**SECTION I.** The foregoing findings are incorporated herein by reference and made a part hereof.

**SECTION II.** The City Commission hereby approves the transfer of the Property and authorizes the Chair of the FPRA to execute the deed and all other necessary closing documents to effectuate transfer of the Property to Developer, such deed is attached hereto as Exhibit “B” and incorporated herein by reference, or a deed in substantially similar form, finding the transfer of the Property pursuant to the Development Agreement to be in the best interest of the residents of the City of Fort Pierce.

**SECTION III.** The City Manager, City Attorney or their designee, and the members of the FPRA are hereby further authorized to complete any necessary due diligence, execute documentation, or complete other actions necessary to consummate and effectuate the transfer of the Property in accordance with the terms of the Development Agreement.

**SECTION IV.** This Resolution shall become effective immediately upon its passage and adoption.

**IN WITNESS WHEREOF**, this Resolution has been duly adopted this \_\_\_\_ day of November, 2023.

\_\_\_\_\_  
LINDA HUDSON, Mayor

ATTEST

APPROVED AS TO FORM AND  
CORRECTNESS:

\_\_\_\_\_  
LINDA COX, City Clerk

\_\_\_\_\_  
SARA HEDGES, City Attorney

Exhibit A: Survey and Legal Description for the Property  
Exhibit B: Deed to OMCII, LLC  
Exhibit C: Request for Proposal #2020-031  
Exhibit D: Proposal from East and West Development Corp.  
Exhibit E: Development Agreement  
Exhibit F: Assignment from East and West Development Corp. to OMCII, LLC