

ORDINANCE NO. 12-30

COUNCIL ITEM 10A
DATE 6/25/12

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, PROVIDING FOR THE ADDITIONAL FUNDING OF AN ESTABLISHED REDEVELOPMENT TRUST FUND FOR COMMUNITY REDEVELOPMENT WITHIN "SOUTHERN GROVE"; DETERMINING THE ADDITIONAL TAX INCREMENT TO BE DEPOSITED IN THE REDEVELOPMENT TRUST FUND; ESTABLISHING THE BASE YEAR FOR DETERMINING ASSESSED VALUES OF PROPERTY IN THE CRA EXPANSION AREA FOR TAX INCREMENT PURPOSES; PROVIDING FOR THE ANNUAL APPROPRIATION OF THE ADDITIONAL TAX INCREMENT BY TAXING AUTHORITIES IN THE COMMUNITY REDEVELOPMENT AREA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Resolution No. 01-R2, adopted by the City Council of Port St. Lucie, Florida (the "City Council") on January 22, 2001, it was determined that one or more blighted areas exist within the City of Port St. Lucie, Florida, (the "City") and that the rehabilitation, conservation or redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, morals or welfare of the residents of the City; and

WHEREAS, by Ordinance No. 01-01, adopted by the City Council on February 12, 2001, the City Council created the Community Redevelopment Agency of the City (the "Agency"); and

WHEREAS, by Resolution No. 01-R27 adopted by the City Council on June 11, 2001, the City Council adopted a community redevelopment plan (the "Plan") for the community redevelopment area as fully described in that Resolution; and

WHEREAS, by Ordinance No. 01-23, adopted by the City Council on June 11, 2001, the City Council established a redevelopment trust fund (the "Trust Fund") for the Community Redevelopment Area as provided in Section 163.387, Florida Statutes (The "Act"); and

WHEREAS, by Resolution No. 03-R30, adopted by the City Council on April 14, 2003, it was determined that an additional blighted area commonly known as "Lentz Grove", existed within the City, and that the rehabilitation, conservation or redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, morals or welfare of the residents of the City; and

WHEREAS, by Resolution No. 03-R31, adopted by the City Council on April 14, 2003, the City Council adopted an amendment to the Plan for the Lentz Grove area; and

WHEREAS, by Ordinance No. 03-76, adopted by the City Council on April 14, 2003, the City Council amended the Trust Fund to provide for the additional funding of the Trust Fund for community redevelopment within the Lentz Grove area; and

ORDINANCE NO. 12-30

WHEREAS, by Resolution No. 06-R18, adopted by the City Council on March 13, 2006, it was determined that an additional blighted area commonly known as “the CRA Expansion Area” existed within the City, and that the rehabilitation, conservation or redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, morals or welfare of the residents of the City; and

WHEREAS, by Resolution No. 06-R102, adopted by the City Council on November 20, 2006, the City Council adopted an amendment to the Plan for the CRA Expansion Area; and

WHEREAS, by Ordinance No. 07-114, adopted by the City Council on August 13, 2007, the City Council amended the Trust Fund to provide for the additional funding of the Trust Fund for community redevelopment within the CRA Expansion Area; and

WHEREAS, by Resolution 11-R50, adopted by the City Council on August 29, 2011, it was determined that an additional blighted area commonly known as “Southern Grove” existed within the City, and that the rehabilitation, conservation or redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, morals or welfare of the residents of the City; and

WHEREAS, by Resolution No. 12-R65, adopted by the City Council on June 25, 2012, the City Council adopted an amendment to the Plan for Southern Grove; and

WHEREAS, notice of the City Council’s intention to provide for the additional funding of the established Trust Fund has been published in a local newspaper of general circulation and mailed to all “taxing authorities” (as hereinafter defined) in accordance with Section 163.346, Florida Statutes.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

SECTION 1. In addition to their existing payments, there shall be paid into the Trust Fund each year by each of the “taxing authorities”, as that term is defined in Section 163.340, Florida Statutes, levying ad valorem taxes within the Southern Grove, a sum equal to fifty percent (50%) of the incremental increase in ad valorem taxes levied each year by the taxing authority within Southern Grove, as calculated in accordance with Section 3 of this Ordinance and the Act, based on the base tax year established in Section 2 of this Ordinance (such annual sum being hereinafter referred to as the “tax increment”).

SECTION 2. The most recent assessment roll used in connection with the taxation of property prior to the effective date of this Ordinance shall be the final assessment roll of taxable real property in Port St. Lucie, Florida, prepared by the Property Appraiser of St. Lucie County, Florida, and filed with the Department of

ORDINANCE NO. 12-30

Revenue pursuant to Section 193.1142, Florida Statutes, reflecting valuation of real property for purposes of ad valorem taxation as of January 1, 2012 (the "base year value"), and all deposits into the Fund shall be in the amount of tax increment calculated as provided in Section 3 hereof based upon increases in valuation of taxable real property from the base year value.

SECTION 3. The tax increment shall be determined and appropriated annually by each taxing authority, and shall be an amount equal to fifty percent (50%) of the difference between:

- (a) That amount of ad valorem taxes levied each year by each taxing authority on taxable real property located within the geographic boundaries of Southern Grove; and
- (b) That amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, upon the total of the base year assessed value of the taxable real property in Southern Grove.

Except as otherwise limited by the Act.

SECTION 4. All taxing authorities shall annually appropriate to and cause to be deposited into the Trust Fund the tax increment determined pursuant to the Act and Section 3 of this Ordinance as provided in the Act. The obligation of each taxing authority to annually appropriate the tax increment for deposit in the Trust Fund shall commence immediately upon the effective date of this Ordinance and continue to the extent permitted by the Act and so long as the Plan is in effect.

SECTION 5. Any and all ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed.

SECTION 6. If any part of this Ordinance is held to be invalid or unenforceable for any reason, such holding shall not affect the validity or enforceability of the remainder of this Ordinance, which shall remain in full force and effect.

SECTION 7. The City Clerk is hereby authorized and directed to send a certified copy of this Ordinance to each of the taxing authorities and to the Property Appraiser of St. Lucie County, Florida.

SECTION 8. This Ordinance shall take effect 10 days after adoption.

ORDINANCE NO. 12-30

APPROVED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida this ___ day of _____, 2012.

CITY COUNCIL
CITY OF PORT ST. LUCIE

JoAnn M. Faiella, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM _____
Roger G. Orr, City Attorney

Appendix A: Legal Description

SOUTHERN GROVE CRA

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTIONS 15, 22, 23, 26, 27, 34 AND 35 TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE CENTERLINE OF GATLIN BOULEVARD, ALSO BEING THE NORTH LINE OF SAID SECTION 15, AS SHOWN ON THE PLAT OF TRADITON PLAT NO. 6, RECORDED IN PLAT BOOK 42, PAGES 5, 5A THROUGH 5F, PUBLIC RECORDS OF SAID ST. LUCIE COUNTY, FLORIDA AND THE WESTERLY LIMITS OF THOSE LANDS DESCRIBED IN AN ORDER OF TAKING DATED JULY 4, 1979 AND RECORDED IN OFFICIAL RECORDS BOOK 311, PAGES 2946 THROUGH 2952, INCLUSIVE PUBLIC RECORDS OF SAID ST. LUCIE COUNTY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS FOR STATE P:\500-599\B589\OVER\B589SD MXD.docROAD NO. 9 (I-95), SECTION 94001 - 2412, DATED 06/02/77, WITH LAST REVISION OF 09/11/79; THENCE SOUTH 00°01'45" WEST AS A BASIS OF BEARINGS, A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID GATLIN BOULEVARD, ALSO BEING THE WESTERLY LINE OF SAID STATE ROAD NO. 9 (I-95) AND ALSO BEING THE SOUTHEAST CORNER OF SAID TRADITION PLAT NO. 6 AND TO THE POINT OF BEGINNING; THENCE TRAVERSING THE SAID WESTERLY LINE BY THE FOLLOWING TWENTY-FOUR (24) COURSES:

1. SOUTH 89°58'15" EAST, A DISTANCE OF 242.61 FEET;
2. SOUTH 00°01'45" WEST, A DISTANCE OF 20.00 FEET;
3. SOUTH 89°58'15" EAST, A DISTANCE OF 318.60 FEET;
4. SOUTH 81°56'34" EAST, A DISTANCE OF 515.34 FEET;
5. SOUTH 69°58'48" EAST, A DISTANCE OF 276.75 FEET;
6. SOUTH 52°20'12" EAST, A DISTANCE OF 908.27 FEET;
7. SOUTH 43°16'30" EAST, A DISTANCE OF 590.74 FEET;
8. SOUTH 27°42'53" EAST, A DISTANCE OF 590.97 FEET;
9. SOUTH 19°56'04" EAST, A DISTANCE OF 1197.74 FEET;
10. SOUTH 18°47'19" EAST, A DISTANCE OF 2565.69 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 24749.33 FEET;
11. SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°11'10", AN ARC DISTANCE OF 1376.21 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A LINE (THE RADIUS POINT OF SAID CURVE BEARS NORTH 68°01'31" EAST FROM THIS POINT);
12. NORTH 00°02'34" EAST ALONG SAID LINE, A DISTANCE OF 53.48 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 24729.33 FEET (THE RADIUS POINT OF SAID CURVE BEARS NORTH 68°08'25" EAST FROM THIS POINT);
13. SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°31'59", AN ARC DISTANCE OF 661.68 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A LINE (THE RADIUS POINT OF SAID CURVE BEARS NORTH 66°36'26" EAST FROM THIS POINT);
14. SOUTH 65°16'33" EAST ALONG SAID LINE, A DISTANCE OF 59.98 FEET;
15. SOUTH 23°27'14" EAST, A DISTANCE OF 5.99 FEET;
16. SOUTH 10°06'31" WEST, A DISTANCE OF 72.11 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 24729.33 FEET (THE RADIUS POINT OF SAID CURVE BEARS NORTH 66°21'02" EAST FROM THIS POINT);
17. SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°31'35", AN ARC DISTANCE OF 4543.28 FEET TO A POINT OF TANGENCY WITH A LINE;

18. SOUTH 34°10'33" EAST ALONG SAID LINE, A DISTANCE OF 1712.58 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 6987.97 FEET;
19. SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 29°45'21", AN ARC DISTANCE OF 3629.11 FEET TO A POINT OF TANGENCY WITH A LINE;
20. SOUTH 04°25'12" EAST ALONG SAID LINE, A DISTANCE OF 1751.36 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 24381.33 FEET;
21. SOUTHEASTERLY, SOUTHERLY AND SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°30'14", AN ARC DISTANCE OF 1916.56 FEET TO A POINT OF TANGENCY WITH A LINE;
22. SOUTH 00°05'02" WEST ALONG SAID LINE, A DISTANCE OF 724.96 FEET;
23. SOUTH 09°10'27" WEST, A DISTANCE OF 101.27 FEET;
24. SOUTH 00°05'02" WEST, A DISTANCE OF 483.47 FEET TO A POINT ON THE NORTHERLY LINE OF LAND DESCRIBED IN DEED DATED MAY 12, 1951 TO CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT AND RECORDED IN DEED BOOK 165, PAGES 361 THROUGH 362, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, ALSO BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT CANAL C-23;

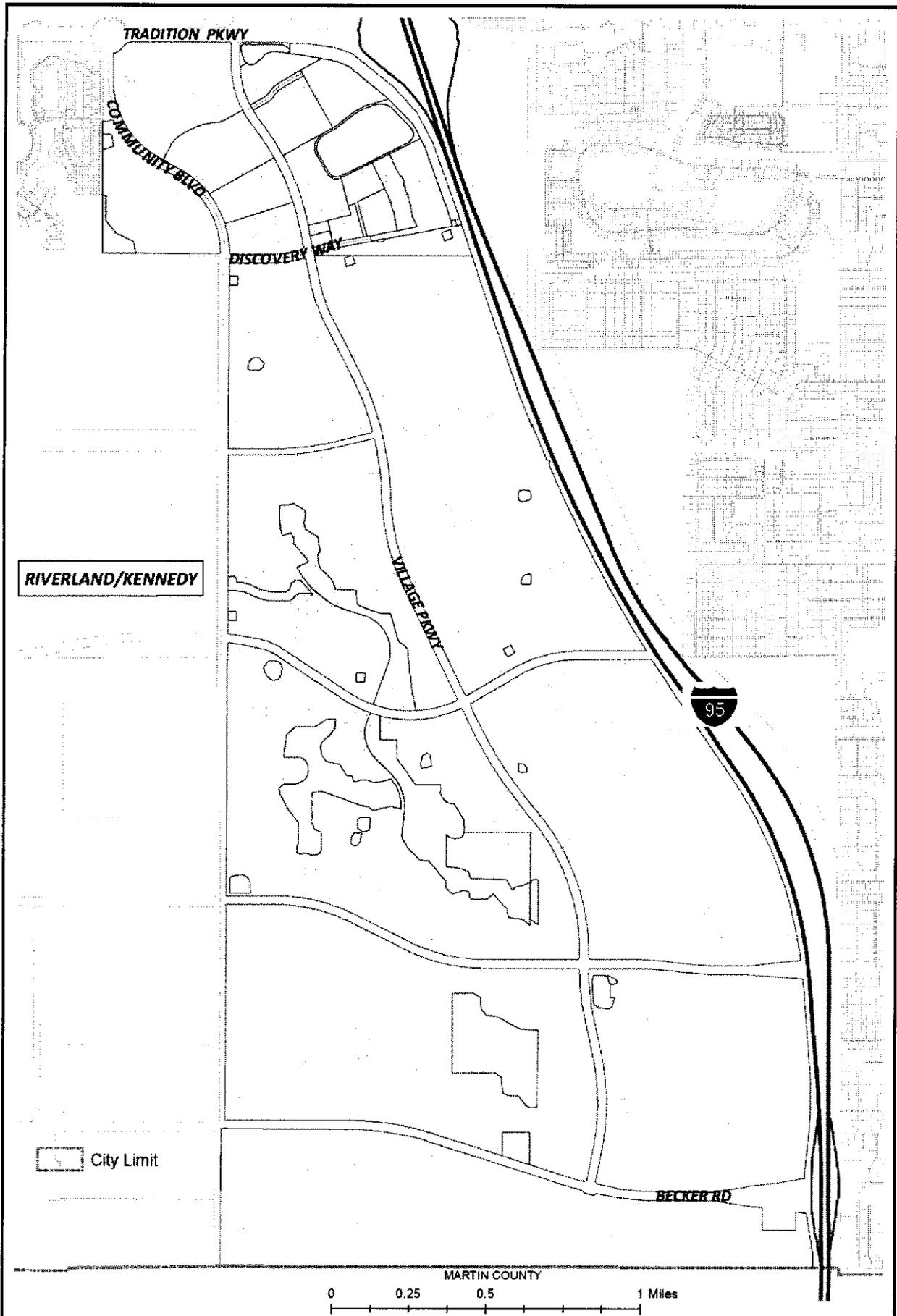
THENCE DEPARTING SAID STATE ROAD NO. 9 (I-95) AND TRAVERSING ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE OF CANAL C-23 BY THE FOLLOWING TWO (2) COURSES:

1. NORTH 89°54'36" WEST, A DISTANCE OF 4896.74 FEET;
2. NORTH 89°54'26" WEST, A DISTANCE OF 5221.40 FEET TO A POINT ON THE EASTERLY LINE OF A 30 FOOT WIDE PARCEL DESCRIBED IN SPECIAL WARRANTY DEED DATED SEPTEMBER 1, 1987 TO METROPOLITAN LIFE INSURANCE COMPANY AND RECORDED IN OFFICIAL RECORD BOOK 557, PAGES 676 THROUGH 680, INCLUSIVE, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA;

THENCE NORTH 00°05'34" EAST, DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE OF CANAL C-23 AND ALONG THE SAID EASTERLY LINE, A DISTANCE OF 17341.94 FEET; THENCE NORTH 89°50'39" WEST, A DISTANCE OF 2096.15 FEET; THENCE NORTH 00°02'55" WEST, A DISTANCE OF 3277.25 FEET; THENCE NORTH 89°57'05" EAST, A DISTANCE OF 200.00 FEET; THENCE NORTH 00°02'55" WEST, A DISTANCE OF 12.70 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 175.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 54°37'24", AN ARC DISTANCE OF 166.84 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID TRADITION PLAT NO. 6 AND BEING A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 300.00 FEET; THENCE TRAVERSING THE SAID SOUTHERLY LINE OF SAID TRADITION PLAT NO. 6 BY THE FOLLOWING THREE (3) COURSES:

1. NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 19°14'49", AN ARC DISTANCE OF 100.78 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 175.00 FEET;
2. NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 54°37'24", AN ARC DISTANCE OF 166.84 FEET TO A POINT OF TANGENCY WITH A LINE;
3. NORTH 89°57'05" EAST ALONG SAID LINE, A DISTANCE OF 2427.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 3606.173 ACRES, MORE OR LESS.



CITY OF PORT ST LUCIE
 121 SW Port St Lucie Blvd
 Port St Lucie, FL 34984

SOUTHERN GROVE CRA



Prepared by Laurie Lowe, GISP
 Finance Dept. - 8/22/11
 Southern Grove_2011.pdf

MEMORANDUM

TO: MAYOR & CITY COUNCIL 

FROM: GREGORY J. ORAVEC, CITY MANAGER

SUBJECT: ORDINANCE NO. 12-30, ADDITIONAL FUNDING OF AN ESTABLISHED REDEVELOPMENT TRUST FUND

DATE: JUNE 21, 2012

If the City Council approves Resolution No. 12-R65, amending the Community Redevelopment Plan to include Southern Grove, it is advisable that the City Council also approve Ordinance No. 12-30 so that the Redevelopment Trust Fund can accept tax increment generated from the Southern Grove district of the Community Redevelopment Area. These funds will be used to complete community redevelopment within Southern Grove in accordance with the community redevelopment plan. As set forth by the Ordinance, the tax increment revenue contribution from participating taxing authorities will be limited to 50%.

If you have any questions or need additional information, please do not hesitate to contact me.