

COUNCIL ITEM 012  
DATE 10/23/00

ORDINANCE 00-99

COUNCIL ITEM 10B  
DATE 10/9/00

AN ORDINANCE ESTABLISHING THE RIVER PLACE ON THE ST. LUCIE COMMUNITY DEVELOPMENT DISTRICT; PROVIDING A DISTRICT NAME; PROVIDING BOUNDARIES; DESIGNATING INITIAL MEMBERS OF THE DISTRICT BOARD OF SUPERVISORS; PROVIDING POWERS; PROVIDING FOR EXCEPTIONS AND INTERLOCAL AGREEMENTS WITH THE CITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR ADOPTION.

WHEREAS, the Port St. Lucie City Council has determined that it is authorized pursuant to Section 190.005, Florida Statutes, to establish community development districts that are less than 1,000 acres in size and located within the corporate boundaries of the City; and

WHEREAS, River Place, Inc., a Florida corporation, and Brisben Family Limited Partnership, a Georgia Limited Partnership, have filed a petition with the Council to establish a community development district which petition contains the information required by Section 190.005(1)(a), Florida Statutes; and

WHEREAS, the Council has conducted a public hearing October 23, 2000 after publishing notice of such hearing in the Ft. Pierce Tribune on September 20, September 27, October 4 and October 11, 2000; and

WHEREAS, the Council has taken testimony and considered the record of the public hearing and the factors set forth in Section 190.005(1)(e), Florida Statutes, and determined:

- (1) All statements contained within the petition are true and correct.
- (2) Creation of a district is consistent with all-applicable elements and portions of the State Comprehensive Plan and the Port St. Lucie Comprehensive Plan.
- (3) The area of land contained within the proposed district is sufficiently compact and contiguous to be developable as one functional, interrelated community.
- (4) The District is the best alternative available for delivering community development services and facilities to the area that will be served by the district.
- (5) The community development services and facilities of the district will be compatible with the capacity and uses of existing local and regional community development services and facilities.
- (6) The area that will be served by the district is amenable to separate special-district government.

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

Section 1. Establishment; Name.

The River Place on the St. Lucie Community Development District (the District) is hereby established.

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Section 2. Boundaries.

The boundaries of the District are set forth in the legal description contained in the attached Exhibit A.

Section 3. Initial Board of Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors of the District: Carol Ann Cardella, Frederick H. Cook, Jr., (Craig) Michael Houston, Donnie Edward Blackwood, and Teri Ann Chase Williams.

Section 4. District Powers.

The District shall have all the power and authority to construct, operate and maintain District facilities and services as authorized by Chapter 190, Florida Statutes, as amended from time to time. Said power shall be discharged in accordance with Chapter 190 of the Florida Statutes.

Section 5. Exceptions and Interlocal Agreements.

While the District shall have all of the authority and power contained within Chapter 190, Florida Statutes, the District shall not exercise certain powers except as specified herein:

(a) The District may construct, but will not operate, potable water or wastewater facilities unless, pursuant to Chapter 163, Florida Statutes, an Interlocal Agreement is promulgated between the City and the District. Provided, however, following construction, the District will dedicate such facilities to the City.

(b) The District may provide financing for acquisition and installation of a traffic signal at the south end of Lazy River Parkway where it intersects St. James Drive. However, funds shall be provided to the City, and the City shall be responsible for acquisition, permitting, construction and operation of said traffic signal.

(c) The road within the District denominated as Lazy River Parkway shall be constructed by the District and dedicated to the City for operation and maintenance.

(d) The District will maintain all landscaping within the District rights-of-way and the right-of-way for Lazy River Parkway.

(e) The City will maintain its park on the perimeter of the CDD at a premium level, and the District will provide an agreed-upon allowance for park maintenance and park services.

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(f) The City is responsible for any compliance with State or Federal water quality standards for discharges to waters of the State or the United States, in connection with providing water and wastewater facilities.

Section 6. Conflicting Provisions.

In the event this Ordinance conflicts with any other ordinance of the City of Port St. Lucie, this Ordinance shall govern and the conflicting ordinance shall be repealed to the extent of such conflict.

Section 7. Severability.

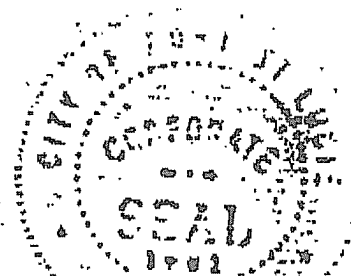
If any portion of this Ordinance is, for any reason, held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this Ordinance.

Section 8. Department of State.

The Clerk is hereby directed to send a certified copy of this Ordinance to the Bureau of Administrative Code and Laws, Department of State, the Capitol, Tallahassee, FL 32304.

Section 9. This Ordinance shall become effective upon final adoption.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this 23rd day of October, 2000.



CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: James F. Fielding  
JAMES F. FIELDING, MAYOR

ATTEST:

Karen A. Phillips  
SANDRA R. JOHNSON  
CITY CLERK

Karen A. Phillips,  
Assistant City Clerk

APPROVED AS TO FORM:

Roger G. Orr  
ROGER G. ORR, CITY ATTORNEY