

PROPOSED ORDINANCE NO. 2020-07

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA AUTHORIZING THE MAYOR, VICE MAYOR, AND CITY MANAGER TO TAKE ACTION, PURSUANT TO CITY OF PEMBROKE PINES CHARTER SECTION 8.03, AND CONSISTENT WITH THE NEIGHBORHOOD STABILIZATION PROGRAM (“NSP”) GRANT AGREEMENT ENTERED INTO BETWEEN THE CITY OF PEMBROKE PINES AND THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, INCLUDING THE EXECUTION OF A PURCHASE AND SALE AGREEMENT FOR THE CONVEYANCE OF PROPERTY ACQUIRED BY THE CITY PURSUANT TO THE NSP GUIDELINES TO QUALIFIED INDIVIDUALS, AND TO AUTHORIZE THE MAYOR, VICE-MAYOR, OR CITY MANAGER TO EXECUTE DEEDS, AND OTHER DOCUMENTS NECESSARY TO PROCEED TO CLOSING ON THE CONVEYANCE OF QUALIFIED PROPERTY WITHIN THE NSP TARGET AREA TO QUALIFIED INDIVIDUALS IN A MANNER CONSISTENT WITH THE RESPECTIVE PURCHASE AND SALE AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Pembroke Pines (“City”) is an entitlement recipient of federal funds from the United States Department of Housing and Urban Development (“HUD”) under the Community Development Block Grant Program (“CDBG”); and

WHEREAS, the City received funds through the Neighborhood Stabilization Program (“NSP”) to facilitate the purchase and rehabilitation of foreclosed and abandoned properties that might otherwise become sources of abandonment and blight within the community; and

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WHEREAS, the City Commission finds that acquisition, rehabilitation, and subject conveyance of property pursuant to the NSP guidelines serves both a municipal and public purpose, and is consistent with the City's authority pursuant to Section 166.021, Florida Statutes; and

WHEREAS, pursuant to City Charter Section 8.03, prior to the conveyance of City owned property, the City Commission must adopt an ordinance to authorize the conveyance of the City property by no less than a four-fifths (4/5ths) vote of the City Commission; and

WHEREAS, the City Commission finds that the City Property conveyed pursuant to the NSP guidelines will not exceed 15% of the City's Annual Operating Budget in the year of the sale; and

WHEREAS, the City Commission, related to the conveyance of property pursuant to the NSP guidelines hereby authorizes the Mayor, Vice-Mayor, and City Manager to execute a Purchase and Sale Agreement between the City and individuals qualified pursuant to the NSP guidelines for the conveyance of City property located at 10053 SW 16TH Street, Pembroke Pines (the "City Property"), and acquired pursuant to the NSP guidelines, and authorizes the Mayor, Vice-Mayor, and City Manager to execute deeds and any other documents that are necessary to proceed to close on the respective City Property conveyance in a manner consistent with the Purchase and Sale Agreement for the disposition of property under the NSP guidelines;

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WHEREAS, the City Commission finds that the City's participation in the NSP is consistent with the City's Charter, Code of Ordinances, and is in the best interest of the residents and citizens of the City of Pembroke Pines.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct, and are hereby incorporated herein and made a part hereof. All exhibits attached hereto are incorporated herein and made a specific part hereof.

Section 2. The City Commission finds, pursuant to Section 8.03 of the Charter of the City of Pembroke Pines, that pursuant to NSP guidelines, the conveyance of the City Property acquired pursuant to NSP guidelines will not exceed 15% of the City's Annual Operating Budget. Therefore, through the adoption of this Ordinance by a four-fifths (4/5ths) vote of the City Commission, the conveyance of the City Property may occur without any further action by the City Commission.

Section 3. The City Commission of the City of Pembroke Pines hereby authorizes the Mayor, Vice-Mayor, or City Manager to execute a Purchase and Sale Agreement between the City and individuals qualified pursuant to the NSP guidelines for the conveyance of the City Property acquired by the City. The property to be conveyed is the property located at **10053 SW 16TH Street**,

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Pembroke Pines. The City Commission further authorizes the Mayor, Vice-Mayor, or City Manager to execute deeds and any other documents that are necessary to proceed to close on the respective City Property conveyance in a manner consistent with the Purchase and Sale Agreement for the disposition of property under the NSP guidelines.

Section 4. The City Commission further authorizes, with respect to the conveyance of City Property acquired through the NSP, the City Manager and City Attorney to prepare, review and execute all necessary documents, in order to insure legal sufficiency, compliance with the NSP guidelines, and to insure that the conveyance of the City Property is in the best interest of the City, all factors considered.

Section 5. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

Section 6. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 7. This Ordinance shall become effective immediately upon its passage and adoption.

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**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS ____ DAY
OF _____, 2020.**

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
PEMBROKE PINES, FLORIDA, ON THE SECOND AND FINAL READING,
THIS ____ DAY OF _____, 2020.**

CITY OF PEMBROKE PINES, FLORIDA

By: _____

ATTEST:

MAYOR FRANK C. ORTIS

MARLENE D. GRAHAM, CITY CLERK

ORTIS _____

APPROVED AS TO FORM:

GOOD _____

SCHWARTZ _____

CHANZES _____

OFFICE OF THE CITY ATTORNEY

SIPLE _____