

RESOLUTION 26-R__

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA TO ADOPT AN ORDINANCE CALLING FOR A REFERENDUM ON THE 2026 GENERAL ELECTION HELD ON NOVEMBER 3, 2026 TO ALLOW THE ELECTORS OF THE COUNTY TO CONSIDER EXTENDING THE LEVY OF A ONE-HALF CENT INFRASTRUCTURE SURTAX FOR AN ADDITIONAL TEN (10) YEARS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 212.055(2), Florida Statutes authorizes St. Lucie County (“County”) to impose a local government infrastructure surtax upon transactions occurring within the County which are taxable under Chapter 212, Florida Statutes (“Infrastructure Surtax”); and

WHEREAS, via Ordinance No. 18-004 and countywide referendum election held at the general election on November 6, 2018, the County implemented the current Infrastructure Surtax for a period of ten (10) years, which was effective January 1, 2019; and

WHEREAS, the purpose of this Resolution is to request that the County enact another ordinance submitting for referenda vote an extension of the current Infrastructure Surtax for a period of ten (10) years from January 1, 2029 through December 31, 2038, and to outline the rationale for such request; and

WHEREAS, the City of Port St. Lucie (“City”) may use the funds generated by the Infrastructure Surtax to finance, construct, reconstruct, maintain, repair and improve public infrastructure including long term capital maintenance and useful life extension of public infrastructure projects such as new and improved sidewalks near schools, adding and enhancing greenspace, roadway improvements including expansion and major resurfacing, reducing traffic congestion, local flood control and improving water quality, and such other similar uses authorized under Florida law for the use and benefit of the citizens of the City; and

WHEREAS, when authorized and implemented, the Infrastructure Surtax functions as a sales tax levied on all sales in the County without regard to residency; and

WHEREAS, short term and seasonal visitors (“Non-Permanent Residents”) are estimated to contribute 15 – 20% towards all Infrastructure Surtax revenue collected in the County; and

WHEREAS, Non-Permanent Residents contribute significantly to road congestion, wear and tear on roadways and other public infrastructure within the City; and

WHEREAS, because infrastructure projects generally have a long useful life and because funding them would be costly to the current citizens of the City, it is fair and equitable that current

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and future Non-Permanent Residents who benefit from such infrastructure improvements share in the cost of these projects through the Infrastructure Surtax; and

WHEREAS, the Infrastructure Surtax allows the City to use current fiscal and monetary resources for other existing and needed municipal services; and

WHEREAS, in accordance with Section 212.055(2)(c), Florida Statutes, the proceeds generated from the Infrastructure Surtax shall be divided and distributed among the County government and its eligible municipalities based upon the formula provided in Section 218.62, Florida Statutes, thereby guaranteeing the City with a continued proportionate share of the revenue generated by the Infrastructure Surtax; and

WHEREAS, the revenue generated by the Infrastructure Surtax can be used for matching state and federal funds to generate significantly more funding for infrastructure projects within the City; and

WHEREAS, adequate public infrastructure facilities of the types described in this Resolution promote the safe, efficient, and uninterrupted provision of numerous general and essential public services provided by the City including but not limited to roadways, flood control, pedestrian safety and water quality; and

WHEREAS, should the voters ultimately authorize the extension of the Infrastructure Surtax, the current citizens' oversight committee shall continue to review projects funded by the infrastructure surtax and issue reports to the City ensuring transparency as well as fiscal responsibility and stewardship of City surtax revenue; and

WHEREAS, Florida Law requires voter approval of the local government infrastructure surtax by countywide referendum election before it can be implemented.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Resolution.

Section 2. Request for an Ordinance to the County. The City hereby requests that the Board of County Commissioners of St. Lucie County ("BOCC"), Florida adopt an ordinance calling for a referendum at the 2026 General Election held on November 3, 2026 to allow the electors of the County to consider whether there should be a continued levy of a one-half cent infrastructure surtax for ten (10) years, from January 1, 2029 through December 31, 2038.

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Section 3. Ballot Language Suggestion. The City suggests that the BOCC consider utilizing the following ballot summary in the ordinance adopted by the BOCC substantially in the form of:

“To fund projects to improve local roads, reduce traffic congestion, add sidewalks and greenspace, improve local water quality, including the Lagoon, reduce neighborhood flooding and similar uses under Florida law and seek matching funds for these purposes, shall St. Lucie County continue to levy a countywide half-cent sales tax, for ten years, with expenditures reviewed by an independent citizens committee ensuring dollars are spent fairly throughout the County and its municipalities?”

Section 4. Conflict. If any resolutions, or parts of resolutions, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

Section 5. Severability. The provisions of this Resolution are intended to be severable. If any part of this Resolution is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

Section 6. Effective Date. This Resolution shall become effective immediately upon adoption.

Section 7. Transmission to County. Upon adoption, this Resolution shall be transmitted to the County for consideration.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this ____ day of _____, 2026.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

Richard Berrios, City Attorney