

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, RELATING TO THE PROVISION OF VOLUNTARY CULVERT REPAIR SERVICES IN THE CITY OF PORT ST. LUCIE; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City intends to levy non-ad valorem special assessments against residential properties within the boundaries of the area known as the City of Port St. Lucie for the purpose of recouping the costs of voluntary culvert repair services from the owners of the properties so benefitted (“Culvert Assessment”); and

WHEREAS, the purpose of the levy is to recover costs incurred for repairs to stormwater culverts in the City; and

WHEREAS, the City is authorized to impose non-ad valorem assessments and by resolution has expressed its intent to use the uniform method of notice, levy, collection and enforcement of such assessments, as authorized by Section 197.3632, Florida Statutes; and

WHEREAS, the uniform methodology with its enforcement provisions including the use of tax certificates and tax deeds for enforcing against any delinquencies, is fairer to the delinquent property owner than traditional lien foreclosure methodology; and

WHEREAS, the uniform method will provide for more efficiency of collection by virtue the assessment being on the tax bill issued by the Tax Collector which will produce positive economic benefits to the City; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF 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. AUTHORITY. Pursuant to Article VIII, Section 2, of the Florida Constitution, Section 166.021, Florida Statutes, and Section 1.01 of the Charter of the City of Port St. Lucie, Florida, the City has the governmental, corporate, and proprietary powers to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law. In addition to the above powers, the City has enacted Ordinance 94-34 specifically authorizing the City to acquire, construct, improve, and equip capital projects and finance the costs of the same by levying and collecting assessments on any property specifically benefitted thereby.

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Section 3. PURPOSE AND DEFINITIONS. This Resolution constitutes the Preliminary Rate Resolution, which initiates the annual process for updating the Assessment Roll and directs the imposition of the Culvert Assessment pursuant to an annual rate resolution for the fiscal year beginning October 1, 2026. Unless the context indicates otherwise, words imparting the singular number include the plural number, and vice versa.

Section 4. PROVISION AND FUNDING OF VOLUNTARY CULVERT REPAIR SERVICES.

(A) The City established a voluntary culvert repair special assessment program (“Program”), whereby a property owner may request that the City provide for the repair or replacement of culverts on the owner’s property and impose a non-ad valorem assessment against the property to recover the costs of the work and related administrative expenses.

(B) The owner of each parcel listed in the Assessment Roll (“Benefitted Parcels”) has voluntarily requested to participate in the Program.

(C) The City has provided culvert repair or replacement services to all Benefitted Parcels.

(D) It is hereby ascertained, determined, and declared that each parcel listed in the Assessment Roll has benefited from the City's provision of culvert repair services in an amount not less than the Culvert Assessment imposed against such parcel.

Section 5. IMPOSITION OF CULVERT ASSESSMENT.

For the fiscal year beginning on October 1, 2026, the Culvert Assessment is to be imposed against the Benefitted Parcels located in the City. The total amount of the Culvert Assessment and the maximum annual installment of the Culvert Assessment for each Parcel, including Collection Costs, are included in Appendix C.

Section 6. AUTHORIZATION OF PUBLIC HEARING. A public hearing shall be held during a regular City Council Meeting on Monday, August 24, 2026, at 6:00 p.m. in Council Chambers at City Hall, Building A, 121 S.W. Port St. Lucie Blvd., Port St. Lucie, Florida 34984, for the purpose of: (a) receiving and considering comments on the assessments from affected property owners and the public; (b) considering the adoption of the annual assessment resolution for the upcoming fiscal year; and (c) authorizing the imposition of Culvert Assessment for the fiscal year beginning October 1, 2026, and collecting such assessments via the uniform method of collection on the same tax bill as non-ad valorem taxes.

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Section 7. DIRECTION TO CITY MANAGER.

(A) The City Manager or his designee is hereby authorized and directed to prepare or cause to be prepared, an updated Assessment Roll for the fiscal year beginning October 1, 2026. Such updated Assessment Roll shall contain: (1) a summary description of all assessed property within the City conforming to the description on the Tax Roll; (2) the name and address of each owner of record for each parcel as shown on the Tax Roll; and (3) the amount of the Assessment to be imposed against each such parcel of assessed property. A copy of this Preliminary Rate Resolution and the updated Assessment Roll shall be maintained in the office of the City Clerk of the City and open to public inspection. The foregoing shall not be construed to require that the updated Assessment Roll be in printed form if the amount of the Culvert Assessment for each parcel of property can be determined by use of a computer terminal available to the public.

(B) The City Manager or his designee is hereby authorized and directed to publish a notice, as required by Section 197.3632, Florida Statutes, in substantially the form attached hereto as Appendix "A," incorporated herein by reference. Such notice by publication shall be published not later than August 04, 2026, in a newspaper of general circulation within the City.

(C) The City Manager or his designee is hereby authorized and directed to provide notice by first class mail to affected owners of each parcel of assessed property pursuant to the requirements of Section 197.3632, Florida Statutes. Such notice shall be in substantially the form attached hereto as Appendix "B," incorporated herein by reference and shall be mailed not later than August 04, 2026.

Section 8. CONFLICT. If any resolutions, or parts of resolutions, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

Section 9. 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.

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Section 10. EFFECTIVE DATE. This Preliminary Rate Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, THIS 27th DAY OF JULY, 2026.

CITY COUNCIL
CITY OF PORT ST. LUCIE:

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

By: _____
Richard Berrios, City Attorney

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