

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, RELATING TO RESIDENTIAL STREET LIGHTING WITHIN THE RESIDENTIAL STREET LIGHTING ASSESSMENT AREAS IN PORT ST. LUCIE, FLORIDA; RE-IMPOSING RESIDENTIAL STREET LIGHTING ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN PORT ST. LUCIE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, the City Council (the "Council") of Port St. Lucie, Florida (the "City"), has enacted Ordinance No. 09-64 (the "Ordinance"), which authorizes the imposition of annual Residential Street Lighting Assessments for residential street lighting services, facilities, or programs against certain Assessed Property within Residential Street Lighting Assessment Areas located in the City of Port St. Lucie; and

**WHEREAS**, the imposition of a Residential Street Lighting Assessment for residential street lighting services, facilities or programs for each fiscal year is an equitable and efficient method of allocating and apportioning the Residential Street Lighting Cost among parcels of Assessed Property; and

**WHEREAS**, the Council desires to continue the assessment program for residential street lighting services, facilities or programs within the Residential Street Lighting Assessment Areas of the City using the tax bill collection method for the fiscal year beginning on October 1, 2012; and

**WHEREAS**, the Council, on July 23, 2012, adopted Resolution No. 12-R79 (the "Preliminary Rate Resolution"), containing a brief and general description of the residential street lighting services, facilities or programs to be provided to Assessed Property; describing the method of apportioning the Residential Street Lighting Cost to compute the Residential Street Lighting Assessment for residential street lighting services, facilities or programs against certain platted residential lots; designating a rate of assessment; and directing preparation of the Assessment Roll and provision of the notice required by the Ordinance; and

**WHEREAS**, in order to re-impose Residential Street Lighting Assessments for the fiscal year beginning October 1, 2012, the Ordinance requires the City to adopt an Annual Rate Resolution for each fiscal year, which establishes the rate of assessment and approves the Assessment Roll for the upcoming fiscal year, with such amendments

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as the Council deems appropriate, after hearing comments and objections of all interested parties; and

**WHEREAS**, the updated Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance; and

**WHEREAS**, notice of a public hearing has been published and, as required by the terms of the Ordinance, mailed to each owner of certain platted residential lots proposed to be assessed notifying such Owners of their opportunity to be heard, an affidavit regarding the form of notice mailed to each owner of residential improved property being attached hereto as Appendix A and the proof of publication being attached hereto as Appendix B; and

**WHEREAS**, a public hearing was held on August 13, 2012, and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance.

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

**SECTION 1. AUTHORITY.** This Resolution is adopted pursuant to the provisions of Chapter 161, Residential Street Lighting Assessment Areas (Ordinance No. 09-64) of the Port St. Lucie Code of Ordinances, and sections 197.3632 and 197.3635, Florida Statutes, and Resolution No. 12-R79 (the "Preliminary Rate Resolution"); and other applicable provisions of law.

**SECTION 2. DEFINITIONS AND INTERPRETATION.** This Resolution constitutes the Annual Rate Resolution as defined in the Ordinance. All terms in this Resolution shall have the meanings defined in the Ordinance and the Preliminary Rate Resolution.

**SECTION 3. REIMPOSITION OF RESIDENTIAL STREET LIGHTING ASSESSMENTS.**

(A) The parcels of assessed property described in the Assessment Roll, which is hereby approved, are hereby found to be specially benefited by the provision of residential street lighting services, facilities, or programs described in the Preliminary Rate Resolution, in the amount of the Residential Street Lighting Assessment set forth in the Assessment Roll, a copy of which was present at the above referenced public

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hearing and is incorporated herein by reference. It is hereby ascertained, determined, and declared that each parcel of assessed property within the Residential Street Lighting Assessment Areas will be benefited by the City's provision of residential street lighting services, facilities or programs in an amount not less than the Residential Street Lighting Assessment for such parcel, computed in the manner set forth in the Preliminary Rate Resolution. Adoption of this Annual Rate Resolution constitutes a legislative determination that all parcels assessed derive a special benefit, as set forth in the Ordinance and the Preliminary Rate Resolution, from the residential street lighting services, facilities or programs to be provided and a legislative determination that the Residential Street Lighting Assessments are fairly and reasonably apportioned among the platted residential lots that receive the special benefit as set forth in the Preliminary Rate Resolution.

(B) The method for computing Residential Street Lighting Assessments described in the Preliminary Rate Resolution is hereby approved.

(C) For the fiscal year beginning October 1, 2012, the Residential Street Lighting Cost shall be allocated among all parcels of Assessed Property, based upon the number of platted residential lots on each parcel pursuant to the Ordinance and the Preliminary Rate Resolution. An annual rate of assessment equal to \$27.00 is hereby imposed for each Assessed Property. Residential Street Lighting Assessments for residential street lighting services, facilities or programs in the amounts set forth in the Assessment Roll, as herein approved, are hereby levied and imposed on all parcels of Assessed Property described in the Assessment Roll.

(D) Any shortfall in the expected Residential Street Lighting Assessment proceeds due to any reduction or exemption from payment of the Residential Street Lighting Assessments required by law or authorized by the Council shall be supplemented by any legally available funds, or combination of such funds.

(E) Such Residential Street Lighting Assessments shall constitute a lien upon the Assessed Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

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(F) The Assessment Roll, as herein approved, shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed by the Ordinance. The Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix C.

**SECTION 4. CONFIRMATION OF PRELIMINARY RATE RESOLUTION.** The Preliminary Rate Resolution is hereby confirmed.

**SECTION 5. EFFECT OF ADOPTION OF RESOLUTION.** The adoption of this Annual Rate Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the method of apportionment, the rate of assessment, the Assessment Roll and the levy and lien of the Residential Street Lighting Assessments for residential street lighting services, facilities or programs) unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Annual Rate Resolution.

**SECTION 6. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, this 13<sup>th</sup> day of August, 2012.

CITY COUNCIL  
CITY OF PORT ST. LUCIE:

By: \_\_\_\_\_  
JoAnn M. Faiella, Mayor

ATTEST:

\_\_\_\_\_  
Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Roger G. Orr, City Attorney

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APPENDIX A

AFFIDAVIT REGARDING NOTICE MAILED TO PROPERTY OWNERS

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**AFFIDAVIT OF MAILING**

**BEFORE ME**, the undersigned authority, personally appeared Irene Sorensen, Finance Department, who after being duly sworn, deposes, and says:

1. I, Irene Sorensen, pursuant to the authority and direction received from the City Council of the City of Port St. Lucie, timely directed the preparation of the Residential Street Lighting Assessment Roll and the preparation, mailing, and publication of notice in accordance with Chapter 161, City of Port St. Lucie, Code of Ordinances, and Florida Statute section 197.3632, in conformance with the Preliminary Rate Resolution adopted by the Council on July 16, 2012.

2. In accordance with the Ordinance and Florida Statutes, I supervised and directed the mailing of individual mailed notices to the owner of each assessed property contained in the Residential Street Lighting Assessment Roll. The notice was substantially in the form as contained in the Preliminary Rate Resolution and included the following: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the total revenue the City expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and the date, time, and place of the public hearing.

**FURTHER AFFIANT SAYETH NOT.**

\_\_\_\_\_  
Irene Sorensen, Finance Department

**STATE OF FLORIDA**

**COUNTY OF ST. LUCIE**

The foregoing Affidavit of Mailing was sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 2012, by Irene Sorensen. She is personally known to me and did take an oath.

\_\_\_\_\_  
Notary Public, State of Florida

«OWNER1»  
«OWNER2»  
«ADDRESS1»  
«ADDRESS2»  
«CITY», «STATE» «ZIP»  
«COUNTRY»

**NOTICE OF HEARING TO IMPOSE A  
NON-AD VALOREM ASSESSMENT  
FOR  
RESIDENTIAL STREET LIGHTING**

**NOTICE DATE: JULY 16, 2012**

Parcel Identification Number: «PARCELID»  
Legal Description: «LEGAL»

**\*\*\*\*\* NOTICE TO PROPERTY OWNER\*\*\*\*\***

As required by § 197.3632, Florida Statutes, notice is hereby given by the City of Port St. Lucie, Florida, that an annual assessment using the tax bill collection method may be levied on your property for the purpose of funding Residential Street Lighting. The use of an annual special assessment for residential street lighting services within the City of Port St. Lucie has proven to be a fair, efficient and effective means of funding these services. The assessment rate for each property is calculated by multiplying the number of platted residential lots on each parcel by the rate of assessment. **The proposed assessment rate per platted residential lot for fiscal year 2012-2013 is \$ 27.00.**

The total number of platted lots calculated for the above-referenced parcel is «UNITS» for which the City proposes an assessment of \$ «AMOUNT» for fiscal year 2012-2013.

The total revenue the City will collect by the assessment is estimated to be \$ **325,954.00** for fiscal year 2012-2013. The Residential Street Lighting Assessment will be levied and collected in the same manner as ad valorem taxes by the Tax Collector of St. Lucie County and will appear on the "non-ad valorem" portion of the 2012 tax bill and future bills. If you fail to pay an assessment when due, a tax certificate may be sold against your property and may result in a loss of title to the property.

All affected property owners have the right to appear and be heard at a public hearing held by the City Council and have the right to file written objections with the City Clerk within twenty (20) days of this notice. **The public hearing is to be held on Monday, August 13, 2012 at 7:00 p.m. in the Council Chambers, City Hall, 121 S.W. Port St. Lucie Boulevard, Port St. Lucie, Florida.** At the hearing, the City Council will consider comments and objections to the Residential Street Lighting Assessment roll, and will approve the assessment roll as final, including any changes, if necessary. Upon the filing of such assessment roll with the St. Lucie County Tax Collector, the assessments shall stand as legal, valid and binding liens, co-equal with the lien of all state, county, district, and municipal taxes, superior in dignity to all other liens, titles, and claims, until paid. In accordance with the Americans with Disabilities Act, persons needing special accommodations should contact the City Clerk's office at (772) 871-5157 at least seven days prior to the hearing.

If you decide to appeal any decision made by the City Council with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made. Unless proper steps are initiated within a court of competent jurisdiction to secure relief within 20 days from the date of City Council action at the above hearing (including the method of apportionment, the rate of assessment, and the imposition of assessments), such action shall be the final adjudication of the issues presented. Copies of the legal documentation for the assessment program are available in the City Clerk's Office, located at 121 S.W. Port St. Lucie Blvd., Port St. Lucie, Florida.

**RESIDENTIAL STREET LIGHTING ASSESSMENT**

**PUBLIC HEARING NOTICE**

**THIS IS NOT A BILL --- DO NOT PAY**

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**APPENDIX B**  
**PROOF OF PUBLICATION**

**NOTICE OF SALE**

Immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

**NOTICE OF SALE**

In order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Corrie Johnson, ADA Coordinator, 250 NW

**NOTICE OF SALE**

Lucie County, Florida, at 11:00 a.m. on the 7 day of August, 2012, the following described property as set forth in said Order or Final Judgment, to-wit:

**NOTICE OF SALE**

the 19th Judicial Circuit in and for St. Lucie County, where: **HERITAGE OAKS AT TRADITION HOMEOWNERS' ASS-**

**NOTICE OF SALE**

**ROSA L. BARRETT, T. and WILLIS BARRETT, Defendant.**  
**NOTICE OF SALE**

**NOTICE OF SALE**

time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

**NOTICE OF SALE**

**NOTICE OF SALE**

**NOTICE OF MEETING** **NOTICE OF MEI**

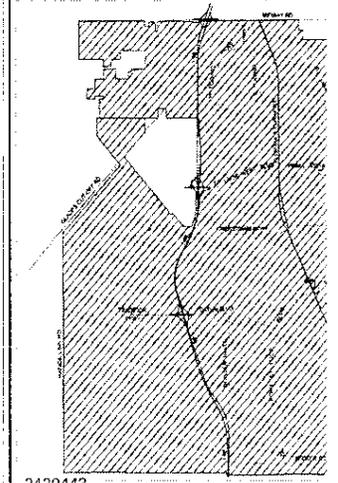
**NOTICE OF PUBLIC HEARIN**  
**THE COLLECTION OF NUISANCE**  
**SPECIAL ASSESSMENTS ON**

Notice is hereby given that the City Council of Florida ("Council") will conduct a public hearing of nuisance abatement services for the purpose of adopting the non-ad valorem nuisance abatement services assessment against certain properties, which were located within the city boundaries of the Nuisance Abatement Services Assessor providing nuisance abatement services assessments for each property were calculated as the cost of the abatement, plus administrative cost of collection.

The public hearing will be held in the Council Chambers, City Hall, Building A, 121 S.W. Port St. Lucie Blvd., Port St. Lucie, Florida, on August 13, 2012, at 7:00 p.m. The purpose of receiving public comment on the assessments. All affected property owners at the hearing and to file written objections with the City Clerk within 20 days of this notice. The schedule of assessments to be assessed on the 2012 tax roll include NAME:Wayno, Joseph and Brenda PARCEL ID: 342063016300006 AMOUNT: \$1,684.79 ADDRESS:801 SW Curry St, Port St Lucie

NAME:McKeever, Michael and Martha PARCEL ID:342254004150006 AMOUNT:\$38,614.74 ADDRESS:3060 Se Darien, Port St Lucie.

NAME:Jeantinord, Aneige and Wisly PARCEL ID:342056003570007 AMOUNT:\$10,907.73 ADDRESS:461 SE Whitmore Dr, Port St Lucie The total revenue the City will collect by the fiscal year 2012 is \$51,207.26. Copies of the assessment roll, showing the amount to be imposed against each parcel of property relating to the assessment is available of the City Clerk, located on the First Floor of the City Hall, Port St. Lucie, Florida. The assessments will be collected on the tax bill mailed in November 2012, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessment will result in a loss of title to the property, which may result in a loss of title to the property. Lucie Legal Department at 772-344-4386 between 8:00 a.m. and 5:00 p.m. Publish: July 23, 2012



**NOTICE OF MEETING** **NOTICE OF MEETING** **NOTICE OF MEETING**

**NOTICE OF HEARING TO RE-IMPOSE AND PROVIDE FOR COLLECTION OF RESIDENTIAL STREET LIGHTING SPECIAL ASSESSMENTS**

Notice is hereby given that the City Council of the City of Port St. Lucie, Florida, will conduct a public hearing to re-impose Residential Street Lighting Assessments for the fiscal year beginning October 1, 2012 within the Residential Street Lighting Assessment Areas against certain residential property located within the incorporated area of the City, to fund the cost of residential street lighting and to authorize collection of such assessments on the tax bill.

The Residential Street Lighting Assessments will be computed by multiplying the number of platted residential lots on each parcel by the rate of assessment. The rate of assessment for the upcoming fiscal year shall be \$27.00. The total revenue the City will collect by the assessment is estimated to be \$325,954.00 for fiscal year 2012-2013.

The public hearing will be held at 7:00 P.M. on August 13, 2012, in Council Chambers, City Hall, Building A, 121 S.W. Port St. Lucie Blvd., Port St. Lucie, FL 34984 for the purpose of receiving public comment on the assessment roll. All affected property owners have a right to appear at the hearing and to file written objections with the City Clerk within 20 calendar days of the date of this notice.

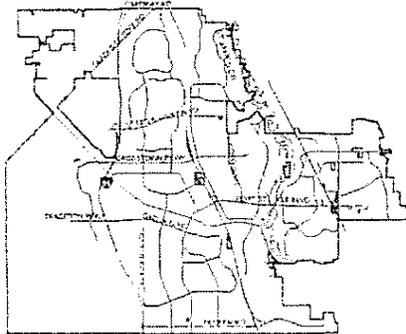
Copies of the Residential Street Lighting Assessment Ordinance (Ordinance 09-64); and the Preliminary Rate Resolution initiating the annual process of updating the Assessment Roll and re-imposing the Residential Street Lighting Assessments, and the updated Assessment Roll for the 2012 fiscal year are available for inspection at the City Clerk's office, located at City Hall, Building A, 121 S.W. Port St. Lucie Blvd, Port St. Lucie, Florida 34984.

If a person decides to appeal any decision made by the City Council with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the City at (772) 871-5157 or (772) 873-6340 TDD at least seven days prior to the date of the hearing.

If you have any questions, please contact the City Clerk's Office at (772) 871-5157, Monday through Friday between 8:00 a.m. and 5:00 p.m. The assessments will be collected on the non-ad valorem portion of the tax bill to be mailed in November 2012, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessment will cause a tax certificate to be issued against the property, which may result in a loss of title to the property.

CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA

Karen A. Phillips, CMC  
City Clerk  
Publish: July 23, 2012



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**NOTICE OF MEETING** **NOTICE OF MEETING** **NOTICE OF MEETING**

**NOTICE OF HEARING TO RE-IMPOSE AND PROVIDE FOR COLLECTION OF SOLID WASTE SERVICE ASSESSMENTS**

Notice is hereby given that the City Council of the City of Port St. Lucie, Florida, will conduct a public hearing to re-impose Solid Waste Service Assessments for the fiscal year beginning October 1, 2012 within the Solid Waste Services Assessment Area against certain residential property located within the incorporated area of the City, to fund the cost of solid waste collection and disposal services, facilities, and programs, and to authorize collection of such assessments on the tax bill.

The Solid Waste Service Assessments will be computed by multiplying the number of dwellings on each parcel by the rate of assessment plus any unpaid or delinquent charges for solid waste incurred between October 1, 2012 and September 30, 2013. The rate of assessment for the upcoming fiscal year shall be \$268.36, which is an increase in the amount of \$5.74 from last year. The total revenue the City will collect by the Assessment is estimated to be \$17,409,855.00 for fiscal year 2012-2013.

A public hearing will be held at 7:00 P.M. on August 13, 2012, in Council Chambers, City Hall, Building A, 121 S.W. Port St. Lucie Blvd., Port St. Lucie, FL 34984 for the purpose of receiving public comment on the Assessment Roll. All affected property owners have a right to appear at the hearing and to file written objections with the City Clerk within 20 calendar days of the date of this notice.

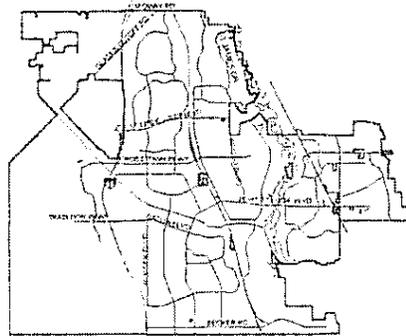
Copies of the Solid Waste Services Assessment Ordinance (Ordinance 07-79) and this Preliminary Rate Resolution initiating the annual process of updating the Assessment Roll and re-imposing the Solid Waste Service Assessments, and the updated Assessment Roll for the 2012 fiscal year are available for inspection at the City Clerk's office, located at City Hall, Building A, 121 S.W. Port St. Lucie Blvd, Port St. Lucie, Florida 34984.

If a person decides to appeal any decision made by the City Council with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the City at (772) 871-5157 or (772) 873-6340 TDD at least seven days prior to the date of the hearing.

If you have any questions, please contact the City's Legal Department at (772) 334-4386, Monday through Friday between 8:00 a.m. and 5:00 p.m. The Assessments will be collected on the non-ad valorem portion of the tax bill to be mailed in November 2012, as authorized by section 197.3632, Florida Statutes. Failure to pay the Assessment will cause a tax certificate to be issued against the property, which may result in a loss of title to the property.

CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA

Karen A. Phillips, CMC



City Clerk

Publish: July 23, 2012  
2420437

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**APPENDIX C**  
**FORM OF CERTIFICATE TO**  
**NON-AD VALOREM ASSESSMENT ROLL**

RESOLUTION 12-R87

**CERTIFICATE OF NON-AD VALOREM ASSESSMENT ROLL**

I, the undersigned, hereby certify that I am the Finance Director/Treasurer of the City of Port St. Lucie located in St. Lucie County, Florida; as such, I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for residential street lighting services ("Residential Street Lighting Assessment Roll") for the City is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law; and relative numbers thereto involved are as follows for the 2012 Roll:

Current:  
Number of Units:  
Total Amount of Dollars:

Delinquent:  
Number of Units:  
Total Amount of Dollars:

**I FURTHER CERTIFY** that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Residential Street Lighting Assessment Roll will be delivered to the St. Lucie County Tax Collector by September 15, 2012.

**IN WITNESS WHEREOF**, I have subscribed this certificate and directed the same to be delivered to the St. Lucie County Tax Collector and made part of the above-described Residential Street Lighting Assessment Roll this \_\_\_\_ day of \_\_\_\_\_, 2012.

**CITY OF PORT ST. LUCIE  
ST. LUCIE COUNTY, FLORIDA**

**By: \_\_\_\_\_  
Edwin M. Fry Jr.,  
Finance Director/Treasurer**

[to be delivered to the Tax Collector prior to September 15, 2012]