

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

RESOLUTION 18-107

A RESOLUTION OF THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, CALLING FOR A REFERENDUM TO BE HELD ON AUGUST 28, 2018 FOR THE PURPOSE OF SUBMITTING TO THE DULY QUALIFIED ELECTORS OF THE SCHOOL DISTRICT OF BROWARD COUNTY, FLORIDA A QUESTION REGARDING A LEVY OF AD-VALOREM TAXES FOR OPERATING EXPENSES TO ENHANCE FUNDING FOR SCHOOL RESOURCE OFFICERS AND SECURITY STAFF, PROVIDE FUNDING TO RECRUIT AND RETAIN HIGHLY QUALIFIED TEACHERS, AND FUND OTHER ESSENTIAL INSTRUCTION RELATED EXPENSES TO PRESERVE IMPORTANT PROGRAMS IN PUBLIC SCHOOLS; PROVIDING FOR PROPER NOTICE OF SUCH REFERENDUM; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the School District of Broward County, Florida (the "District") has experienced a severe shortfall in the funding provided by the Florida Legislature for the District's normal operating expenses during the current and prior fiscal years; and

WHEREAS, under the State of Florida budget approved for the 2017-18 school year, the District will experience an even more significant decrease in State funding for operating expenses; and

WHEREAS, The School Board of Broward County, Florida (the "School Board") anticipates further decreases in State funding for operating expenses; and

WHEREAS, the District has experienced shortfalls in funding to recruit and retain highly qualified teachers and pre-kindergarten through adult instructional personnel, paraprofessionals, food service employees, and bus drivers and assistants; and

WHEREAS, the State's funding formula does not permit the use of capital funds for operating expenses except as provided by Section 1011.71(9) and Section 1011.73, Florida Statutes (2017) and for limited purposes pursuant to Section 1011.71(5), Florida Statutes (2017); and

WHEREAS, Section 1011.71(9) and Section 1011.73, Florida Statutes (2017), authorize the imposition by school boards of a levy of ad valorem taxes for up to four (4) years for operating expenses, subject to approval by the electors of the county voting in a referendum; and

WHEREAS, if such ad-valorem tax levy is approved, the School Board will require monthly reports on all receipts and expenditures in connection with such levy, and will promptly post such reports on the School Board's website for public inspection;

NOW, THEREFORE, BE IT RESOLVED BY THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA:

Section 1. Levy of Ad Valorem Taxes for Operating Expenses. Pursuant to the provisions of Section 1011.71(9), Florida Statutes (2017), there is hereby levied and imposed one half (1/2) mills of ad-valorem taxes for operating expenses to enhance funding for school resource officers and security staff, and to provide funding to recruit and retain highly qualified teachers, and fund other essential instruction related expenses to preserve important programs in public schools.

Section 2. Term of Levy. The one half (1/2) mill levy of ad valorem taxes for operating expenses shall commence July 1, 2019 and shall remain in full force and effect for up to four (4) years ending June 30, 2023, unless repealed or reduced prior to that time by resolution of the School Board, which repeal or reduction may be effectuated without referendum.

Section 3. Referendum. The School Board hereby requests a referendum to be held throughout Broward County, Florida, on the fourth Tuesday in August, which is August 28, 2018, for the purpose of submitting to the duly qualified electors of Broward County the question set forth herein. The School Board hereby requests the Broward County Board of County Commissioners (i) to approve the date for the referendum and (ii) to direct the Broward County Supervisor of Elections to place on the ballot the statement contained in the "Notice of Election" set forth in Section 4, below, and to conduct said election pursuant to the provisions of the election laws of the State of Florida. The vote at said referendum shall be by the voting devices provided by the Supervisor of Elections for the primary election, as approved by the Florida Department of State pursuant to Chapter 101, Florida Statutes, and in each polling place there shall be at least one such device.

Section 4. Notice of Election. Notice of said election shall be given by publication in a newspaper of general circulation throughout Broward County, Florida. Such publication shall be made at least twice, once in the fifth week and once in the third week prior to the week of August 28, 2018, the first publication to be not less than 30 days prior to the date of the referendum. Such notice shall be substantially in the following form together with such additional information as the Supervisor of Elections of Broward County, Florida shall require:

**THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
NOTICE OF ELECTION**

NOTICE IS HEREBY GIVEN THAT AN ELECTION HAS BEEN CALLED BY THE SCHOOL DISTRICT OF BROWARD COUNTY, FLORIDA FROM 7:00 A.M. UNTIL 7:00 P.M. ON TUESDAY, THE 28th DAY OF AUGUST, 2018, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY QUALIFIED ELECTORS OF SAID DISTRICT THE FOLLOWING QUESTION:

**Funding Security and Essential Instruction Related Expenses
of Schools through 1/2 Mill Property Tax Levy**

Shall The School Board of Broward County levy an ad-valorem operating millage of 1/2 mills annually for fiscal years July 1, 2019 through June 30, 2023, to (i) enhance funding for school resource officers, including charter schools with more than 1,000 students, (ii) hire school security staff, (iii) provide funding to

recruit and retain highly qualified teachers and (iv) fund other essential instruction related expenses to preserve important programs in public schools?

_____ **Yes** _____ **No**

IN ACCORDANCE WITH THE CONSTITUTION AND THE ELECTION LAWS OF THE STATE OF FLORIDA, ALL DULY QUALIFIED ELECTORS OF BROWARD COUNTY, FLORIDA SHALL BE ENTITLED TO VOTE IN THE ELECTION TO WHICH THIS NOTICE PERTAINS.

IF THE QUESTION SHALL BE APPROVED BY VOTE OF A MAJORITY OF THE DULY QUALIFIED ELECTORS OF BROWARD COUNTY, FLORIDA VOTING THEREON, THE SCHOOL BOARD SHALL LEVY ONE HALF (1/2) MILLS TO ENHANCE FUNDING FOR SCHOOL RESOURCE OFFICERS AND SECURITY STAFF, AND PROVIDE FUNDING TO RECRUIT AND RETAIN HIGHLY QUALIFIED TEACHERS, AND FUND OTHER ESSENTIAL INSTRUCTION RELATED EXPENSES TO PRESERVE IMPORTANT PROGRAMS IN PUBLIC SCHOOLS FOR A PERIOD OF FOUR YEARS.

Section 5. Official Ballot. The official ballot to be used in the election to be held on August 28, 2018, shall be in full compliance with the laws of the State of Florida and shall be substantially in the following form:

OFFICIAL BALLOT

Funding Security and Essential Instruction Related Expenses of Schools through 1/2 Mill Property Tax Levy

Shall The School Board of Broward County levy an ad-valorem operating millage of 1/2 mills annually for fiscal years July 1, 2019 through June 30, 2023, to (i) enhance funding for school resource officers, including charter schools with more than 1,000 students, (ii) hire school security staff, (iii) provide funding to recruit and retain highly qualified teachers and (iv) fund other essential instruction related expenses to preserve important programs in public schools?

_____ **Yes** _____ **No**

If the question shall be approved by vote of a majority of the duly qualified electors of Broward County, Florida, voting thereon, the School Board shall levy one half (1/2) mills to enhance funding for school resource officers, hire school security staff, provide funding to recruit and retain highly qualified teachers, and fund other essential instruction related expenses to preserve important programs in public schools for a period of four (4) years.

Section 6. Time and Place of Referendum. The polls will be open at the voting places on the date of such referendum from 7:00 A.M. until 7:00 P.M. All qualified electors residing within the District shall be entitled and permitted to vote at such referendum on the proposition provided below. The referendum shall be held at the polling places provided for primary and general elections in Broward County, Florida and the inspectors and clerks shall be those appointed and qualified for primary and general elections in Broward County, Florida by the Supervisor of Elections. The inspectors and clerks at each polling place and the Supervisor of Elections shall canvass the vote and make due returns of same without delay to the Board. Such returns shall show, separately, the number of qualified electors who voted at such election on such question and the number of votes cast respectively for and against approval of such question. The returns of the inspectors and clerks shall, as soon as practicable after the close of the polls, be canvassed by the Supervisor of Elections, who shall declare and certify the results of such referendum.

Section 7. Absentee Voting. Absentee electors participating in said referendum shall be entitled to cast their ballots in accordance with the provisions of the laws of the State of Florida with respect to absentee voting, which shall have printed thereon the question hereinabove set forth, with proper place for voting either “Yes” or “No” following the statement of the question aforesaid.

Section 8. Voter Registration Books. The Supervisor of Elections is hereby authorized and requested to furnish to the inspectors and clerks at each place where the votes are to be cast in such referendum, applicable portions of the registration books or certified copies thereof showing the names of the qualified electors residing in the District.

Section 9. Statutory References. All statutory references herein shall be to said statutes as they exist on the date of adoption of this Resolution and as they may be from time to time amended or renumbered, except to the extent contractual commitments would preclude application of a subsequent statutory revision or repeal.

Section 10. Severability. It is declared to be the intent of the School Board that, if any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 11. Conflict. Any resolution or part thereof in conflict with this Resolution or any part hereof is hereby repealed to the extent of the conflict.

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Section 12. Effective Date. Sections 1 through 2 of this Resolution shall be effective upon approval by a majority of votes cast by qualified electors in the referendum provided for herein and the remaining sections of this Resolution shall be effective immediately upon its adoption.

Approved by The School Board of Broward County, Florida this 8th day of May, 2018.

[SEAL]

Nora Rupert
Chair
The School Board of Broward County, Florida

Attest:

Robert W. Runcie
Secretary
The School Board of Broward County, Florida