

RESOLUTION

A RESOLUTION REQUESTING THE BOARD OF COUNTY COMMISSIONERS FOR CLAY COUNTY, FLORIDA, TO PLACE A REFERENDUM ON THE BALLOT FOR THE AUGUST 23, 2022, PRIMARY ELECTION FOR THE ELECTORS WITHIN CLAY COUNTY, FLORIDA, TO VOTE ON THE APPROVAL OF A CONTINUATION OF AN ADDITIONAL ONE (1) MILL AD VALOREM MILLAGE TAX IN WHICH CHARTER SCHOOLS SPONSORED BY THE SCHOOL DISTRICT ARE ENTITLED TO A PROPORTIONATE SHARE PURSUANT TO SECTION 1011.71(9) AND 1011.73(2) OF THE FLORIDA STATUTES; PROVIDING FOR NOTICE OF THE REFERENDUM ELECTION; PROVIDING FOR PLACES OF VOTING, INSPECTORS AND CLERKS; PROVIDING FOR AN OFFICIAL BALLOT; PROVIDING FOR ABSENTEE VOTING; PROVIDING FOR EARLY VOTING; PROVIDING FOR PRINTING OF BALLOTS; PROVIDING FOR REFERENDUM ELECTION PROCEDURE; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED, by the School Board of Clay County, Florida (“the Board”), acting as the governing body of the School District of Clay County, Florida, a/k/a Clay County District Schools (“District”), as follows:

SECTION 1 – AUTHORITY FOR RESOLUTION: Section 1011.73(2), *Florida Statutes*, authorizes the School Board of Clay County, Florida, pursuant to a resolution adopted at a regular meeting, to direct the Board of County Commissioners of Clay County, Florida, to call an election at which the electors with the school district may approve an ad valorem tax millage as authorized under section 1011.71(9), *Florida Statutes*.

SECTION 2 – FINDINGS: It is hereby found and determined that:

A. The enactment of the Marjory Stoneman Douglas High School Public Safety Act (“the Act”) made numerous school safety reforms and imposed upon all Florida public school districts numerous additional requirements to achieve greater safety for public school students and staff; and

B. The funds allocated to Clay County District Schools (“District”) by the State of Florida are insufficient for the District to satisfy objectives required by the Act without compromising the quality of instructional and other services provided by the District; and

C. Section 1011.71(9), *Florida Statutes*, authorizes public school boards to levy, by local referendum, additional millage for school operational purposes up to an amount which, when

combined with the non-voted millage levied, does not exceed the 10 mill limit established in s. 9(b), Art. VII of the *Constitution of the State of Florida*, which millage in Clay County, Florida is below said limit; and

D. On August 28, 2018, the School Board of Clay County, Florida, submitted to the voters of Clay County, Florida, the question of approving an additional one (1) mill of ad valorem millage tax for a period of four (4) years to satisfy financial funding district public schools to meet the objectives and requirements of the Act; and

E. The voters approved an additional one (1) mill of ad valorem millage tax for a period of four (4) years, which millage increase has been dedicated to providing increased safety and security to the students and staff of the public non-Charter schools of Clay County from its inception on July 1, 2019, and is set to expire on June 30, 2023; and

F. The mandate set forth by the Act is still in effect, the need for increased safety and security for students and staff is still paramount, and the funding provided by the State of Florida has not increased to cover the need for increased safety and security for students and staff of district public schools; and

G. The School Board has determined that it is in the best interests of the District students and staff to submit to the voters the question of approving a continuation of an additional one (1) mill of ad valorem millage tax for a period of four (4) years to satisfy financial funding for both Charter and non-Charter district public schools to meet the objectives and requirements of the Act, and to provide for operating expenses necessary to the District's delivery of high quality educational services.

SECTION 3 – PLAN FOR THE USE OF ADDITIONAL ONE (1) MILL LEVY: The proceeds of the additional one (1) mill of ad valorem millage tax for a period of four (4) years will be used to satisfy financial funding for both Charter and non-Charter district public schools to meet the objectives and requirements of the Act, and to provide for operating expenses necessary to the District's delivery of high quality educational services.

SECTION 4 - LEVY OF ONE MILL(1) OF AD VALOREM TAX: Subject to approval of the electors of the District, at a referendum held as provided in Section 1011.71(9), *Florida Statutes*, an additional one (1) mill of ad valorem millage tax for a period of four (4) years shall be levied by the Board and District and the same is hereby levied for a period commencing July 1, 2023, and shall remain in effect for a period of four (4) years, ending on June 30, 2027, and shall be collected as authorized and in the manner required by law.

SECTION 5 - ELECTION ORDERED: A referendum election is hereby directed to be held in Clay County to determine whether or not the Board may levy the additional one (1) mill of ad valorem millage tax for a period of four (4) years. The Board hereby requests the Board of County Commissioners of Clay County, Florida, to direct the Supervisor of Elections of Clay County to place the required referendum election on the ballot for the Primary Election on August 23, 2022, and to include the statement(s) contained in the "Notice of Election" attached hereto as Exhibit A, and to conduct said election pursuant to the provisions of the election laws of the State of Florida on the date designated in this resolution.

SECTION 6 - NOTICE OF ELECTION: Not less than (30) days prior to said referendum election, notice of said election shall be given by publication in a newspaper of general circulation throughout the District. 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 23, 2022, which notice shall be substantially in the form attached hereto as Exhibit A, together with such additional information as the Supervisor of Elections of Clay County shall require. Any costs associated with the publication of the Notice of Election shall be paid by the Board.

SECTION 7 - PLACES OF VOTING, INSPECTORS AND CLERKS: The polls will be open at the voting places on the date of such referendum election from 7:00 a.m. until 7:00 p.m. All qualified electors residing within Clay County shall be entitled and permitted to vote at such referendum election on the proposition provided herein. The places of voting and the inspectors and clerks of the referendum election shall be those designated by the Supervisor of Elections of Clay County in accordance with law.

SECTION 8 - OFFICIAL BALLOT: The ballots to be used in the referendum election shall be in full compliance with the laws of the State of Florida, and shall be in substantially the following form:

OFFICIAL BALLOT

THE SCHOOL BOARD OF CLAY COUNTY, FLORIDA
REFERENDUM ELECTION
AUGUST 23, 2022

CONTINUE ADDITIONAL ONE MILL AD VALOREM TAX
FOR DISTRICT AND CHARTER SCHOOL SECURITY AND EXPENSES

SHALL AN ADDITIONAL ONE (1) MILL OF AD VALOREM MILLAGE TAX, PROPORTIONATELY SHARED BETWEEN CHARTER AND NON-CHARTER CLAY DISTRICT PUBLIC SCHOOLS BASED UPON EACH CHARTER SCHOOL'S PROPORTIONATE SHARE OF THE DISTRICT'S TOTAL UNWEIGHTED FULL-TIME EQUIVALENT STUDENT ENROLLMENT, BE APPROVED TO FUND SAFETY AND SECURITY FOR DISTRICT PUBLIC SCHOOL STUDENTS AND STAFF, AND TO PROVIDE OPERATING EXPENSES OF THE DISTRICT, BEGINNING JULY 1, 2023, AND ENDING ON JUNE 30, 2027?

Instructions to voters:

_____ YES, FOR THE ONE (1) MILL OF AD VALOREM TAX MILLAGE

_____ NO, AGAINST THE ONE (1) MILL OF AD VALOREM TAX
MILLAGE

SECTION 9 - 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. The form of ballots to be used in such referendum election for absentee voters shall be the same as used at the polling places for such election.

SECTION 10 – EARLY VOTING: Adequate provision shall be made for early voting on dates, and at times and locations designated and determined by the Supervisor of Elections. The form of ballots to be used in the referendum for early voting shall be the same as used in the polling places for the election.

SECTION 11 - PRINTING OF BALLOTS: The Supervisor of Elections of Clay County is authorized and directed to have printed a sufficient number of the aforesaid ballots for use of absentee electors entitled to cast such ballots in such referendum election and shall also have printed sample ballots and deliver them to the inspectors and clerks on or before the date and time for the opening of the polls for such referendum election for the voting places; and, further, is authorized and directed to make appropriate arrangements for the conduct of the election at the polling places specified.

SECTION 12 - ELECTION PROCEDURE: The Supervisor of Elections shall hold, administer, and conduct the referendum election in the manner prescribed by law for holding elections in the Clay County. Returns shall show the number of qualified electors who voted at such referendum election on the proposition and the number of votes cast respectively for and against approval of the proposition. The returns shall be canvassed in accordance with law. Provision will be made for early voting as required by Section 101.657, *Florida Statutes*.

SECTION 13 - REFERENDUM RESULTS: If a majority of the ballots cast at such election shall be “YES, FOR THE ONE (1) MILL OF AD VALOREM TAX MILLAGE,” the levy of such surtax shall be approved and said additional one (1) mill of ad valorem tax shall be levied as provided by law.

SECTION 14 - SEVERABILITY: In the event that any word, phrase, clause, sentence, or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause, phrase, sentence or paragraph hereof.

SECTION 15 - REPEALING CLAUSE: All resolutions in conflict or inconsistent herewith are repealed insofar as there is conflict or inconsistency.

SECTION 16 - EFFECTIVE DATE: This resolution shall take effect immediately upon its adoption. However, the additional one (1) mill of ad valorem millage tax authorized hereunder

shall only be effective upon approval by a majority vote of the qualified electors of Clay County, with imposition of said levy to begin on July 1, 2023.

DULY ADOPTED AND APPROVED this _____ day of April, 2022, by the School Board of Clay County, Florida.

**THE SCHOOL BOARD OF CLAY COUNTY,
FLORIDA**

By _____
MARY S. BOLLA, Chairman

ATTEST:

DAVID S. BROSKIE
Superintendent of Schools