

RESOLUTION NO. 92-38

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA DIRECTING THAT A STRAW BALLOT BE PLACED ON THE BALLOT AT THE FIRST PRIMARY ELECTION IN 1992 TO DETERMINE WHETHER OR NOT THE QUALIFIED ELECTORS OF THE COUNTY APPROVE OF THE LEVY AND COLLECTION OF A SPECIAL AD VALOREM TAX NOT TO EXCEED ONE-HALF (0.5) MILL EACH YEAR FOR FIVE YEARS ONLY UPON THE ASSESSED VALUE OF ALL TAXABLE PROPERTY SITUATED IN THE COUNTY FOR THE PURPOSE OF FINANCING THE COSTS, NOT TO EXCEED \$7,500,000, OF CAPITAL PROJECTS FOR PUBLIC LIBRARIES IN THE COUNTY AS DESCRIBED IN THE LIBRARY'S FIVE YEAR PLAN; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This resolution is adopted pursuant to Section 125.01(1)(r) and (y) and (3)(a) and (b), Florida Statutes, Chapter 100, Florida Statutes, and other applicable provisions of law.

SECTION 2. PURPOSE OF THE ELECTION. The purpose of the election is to determine whether or not a majority of the qualified electors of St. Johns County who participate in the first primary election in 1992 approve of a special ad valorem tax not to exceed one-half (0.5) mill each year for five years only upon the assessed value of all taxable property situated in St. Johns County for the purpose of financing the costs, not to exceed \$7,500,000, of capital projects for public libraries in the county as described in the library's five year plan.

The term "capital projects for public libraries," when used in this resolution, shall be deemed to include without limitation the acquisition of lands for the sites of such libraries, the design and construction of buildings to house such libraries, the acquisition and installation of equipment, furniture and other furnishings, books, periodicals, recordings and other publications productions and personal property of every description ordinarily owned and held by public

libraries for the use of the citizens of their communities, and all necessary or desirable appurtenant facilities.

The special ad valorem tax, if levied and collected, will be included within the ten mill cap set by Florida Statute 200.071(1). The election will not provide authority to pledge such tax for the payment of bonds or other indebtedness.

SECTION 3. REFERENDUM. A referendum of the qualified electors of St. Johns County is hereby called to be held on September 1, 1992, to determine whether or not such electors shall approve the levy and collection by the County of a special ad valorem tax not to exceed one-half (0.5) mill each year for five years only upon the assessed value of all taxable property situated in St. Johns County for the purpose of financing the capital costs, not to exceed \$7,500,000, of capital projects for public libraries in the county. All qualified electors of the County shall be entitled to vote in such referendum. The places of voting in such referendum shall be the same as for the primary election being held in the County on the same date, and the inspectors and clerks for such voting places for such referendum shall be the same, respectively, as those persons appointed for those voting places for such primary election. The polls will be open at such voting places from 7:00 o'clock a.m. until 7:00 o'clock p.m. on said date, local time.

SECTION 4. OFFICIAL BALLOT. A punch card voting system shall be used for such referendum, and the ballot to be used for such referendum shall be in substantially the following form:

LIBRARY TAX REFERENDUM
ST. JOHNS COUNTY, FLORIDA

SHALL ST. JOHNS COUNTY FINANCE THE COST, NOT TO EXCEED \$7,500,000, OF CAPITAL PROJECTS FOR PUBLIC LIBRARIES IN THE COUNTY TO INCLUDE ACQUISITION OF LAND FOR LIBRARIES, CONSTRUCTION OF LIBRARY BUILDINGS AND THE ACQUISITION OF LIBRARY EQUIPMENT, FURNISHINGS AND BOOKS BY LEVYING AND COLLECTING A SPECIAL AD VALOREM TAX NOT TO EXCEED ONE-HALF MILL EACH YEAR FOR FIVE YEARS ONLY, UPON THE ASSESSED VALUE OF ALL TAXABLE PROPERTY SITUATED IN THE COUNTY?

The ballot shall be so arranged that the voters may vote "YES _____, FOR TAX FOR LIBRARIES" or "NO _____, AGAINST TAX FOR LIBRARIES".

SECTION 5. ABSENTEE VOTING. Paper ballots shall be used in such referendum for absentee voting. The form of ballot to be used in the referendum for absentee voters shall be substantially the form provided in Section 4 above, with the following printed on the bottom of each paper ballot:

___ YES, FOR TAX FOR LIBRARIES/___ NO, AGAINST TAX FOR LIBRARIES

If you are in favor of the special ad valorem tax for libraries, place an X in the space to the left of the words "YES, FOR TAX FOR LIBRARIES".

If you are not in favor of the special ad valorem tax for libraries, place an X in the space to the left of the words "NO, AGAINST TAX FOR LIBRARIES".

SECTION 6. PRINTING OF BALLOTS. The Supervisor of Elections of the County, or other duly authorized officer, is authorized and directed to have printed in accordance with law a sufficient number of the aforesaid ballots for use of absentee electors entitled to cast such ballots in such bond referendum, and shall also have printed and delivered in accordance with law the official ballots for use in such voting machines and to make all appropriate arrangements for the conducting of such library tax referendum.

SECTION 7. REFERENDUM PROCEDURE. The officials responsible for canvass of the September 1, 1992 primary election shall also canvass the returns of the library tax referendum and shall certify the same without delay to the Board of County Commissioners of the County. Such returns shall show the number of qualified electors who voted at such library tax referendum on said proposition and the number of votes cast respectively for and against approval of such proposition and shall declare and certify the results of such library tax referendum. The certificate of declaration of results shall be recorded in the minutes of the Board of County Commissioners of the County.

SECTION 8. REFERENDUM RESULTS. If a majority of the votes cast at such referendum in respect to said proposition shall be "FOR TAX FOR LIBRARIES", such proposition shall be approved.

SECTION 9. NOTICE OF LIBRARY TAX REFERENDUM. This resolution shall be published in full by the Supervisor of Elections as part of the notice of such library tax referendum, together with an appropriate caption, in such form as she shall determine in a newspaper and of general circulation in the County, once in the fifth week and once in the third week prior to the week in which the library tax referendum is to be held, the first publication to be not less than thirty (30) days prior to the date of such library tax referendum.

SECTION 10. 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 11. REPEALING CLAUSE. All resolutions in conflict or inconsistent herewith are hereby repealed, insofar as there is conflict or inconsistency.

SECTION 12. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 25th day of February, 1992.



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: J. Q. Bischoff
Its Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: Andy Edgum
Deputy Clerk