

The unsigned School Board Resolution and the duplicate School Board Transmittal Letter were removed from this resolution, and a "Supporting Documents" title page was added.

RESOLUTION NO. 2024-349

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACKNOWLEDGING RECEIPT OF A RESOLUTION OF THE ST. JOHNS COUNTY SCHOOL BOARD THAT CALLS FOR A REFERENDUM TO BE PLACED ON THE BALLOT OF THE NOVEMBER 5, 2024, GENERAL ELECTION TO DETERMINE IF THE DULY QUALIFIED ELECTORS OF THE ST. JOHNS COUNTY SCHOOL DISTRICT APPROVE THE CONTINUATION OF THE DISCRETIONARY SALES SURTAX OF ONE-HALF CENT AS AUTHORIZED UNDER SECTION 212.055, FLORIDA STATUTES; PROVIDING FOR THE FORM OF THE BALLOT TITLE AND SUMMARY; PROVIDING FOR THE SCHOOL BOARD TO PUBLISH NOTICE OF THE REFERENDUM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2015, the School Board of St. Johns County, Florida (the "School Board") determined that there was a need for construction of new school facilities, reconstruction and improvement of existing school facilities, and improvements in school safety, security and technology; and

WHEREAS, by 2015 the School Board determined, the capital outlay funding available to the School District of St. Johns County, Florida (the "District") had become insufficient for the cost of construction, reconstruction and improvement of public-school facilities, including safety and security improvements and technology upgrades; and

WHEREAS, Section 212.055(6), Florida Statutes, authorizes the imposition by school boards of a one-half cent sales surtax on all taxable transactions to fund capital outlay projects, subject to approval by the electors of the county voting in a referendum; and

WHEREAS, in November 2015, 60.81 percent of the electors of St. Johns County approved a one-half cent sales surtax to fund the cost of construction, reconstruction and improvement of public-school facilities within the District with an effective date of January 1, 2016; and

WHEREAS, since January 1, 2016, the District utilized the sales surtax proceeds to fund construction of new school facilities and the reconstruction and improvement of existing school facilities, including school safety and security improvements and technology upgrades; and

WHEREAS, the 2015 sales surtax is scheduled to expire December 31, 2025; and

WHEREAS, St. Johns County continues to experience significant population and public-school enrollment growth; and

WHEREAS, the St. Johns County School Board desires to submit to the qualified electors of St. Johns County the question as to whether or not to continuing the existing one-half cent sales surtax pursuant to Section 212.055, Florida Statutes, for the purpose of funding the costs of new construction, reconstruction,, and improvement of school facilities, including safety and security improvements and technology upgrades, with continued monitoring by the Sales Surtax Citizen Advisory Committee; and

WHEREAS, at a special meeting on August 20, 2024, the St. Johns County School Board duly adopted its Resolution 2024-05 calling for a referendum on the approval of continuing the existing one-half cent sales surtax, and pursuant to the specific authority of Section 212.055, Florida Statutes, calling for the Board of County Commissioners to place such question on the November 5, 2024, general election ballot (“the School Board Resolution”). A copy of the School Board Resolution is attached as *Appendix A*; and

WHEREAS, it is the Board of County Commissioners’ statutory duty pursuant to Section 212.055, Florida Statutes to place on the referendum question as presented by the School Board Resolution, and to submit the question to the electors of St. Johns County on the November 5, 2024, general election ballot.

NOW THEREFORE BE IT RESOLVED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida:

Section 1. Authority for this Resolution. This resolution is adopted pursuant to Sections 212.055, Florida Statutes, as amended, and other applicable provisions of law.

Section 2. School District Referendum. The School Board Resolution shall be placed on the ballot of the general election on November 5, 2024, for submission to the electors of the St. Johns County School District.

Section 3. Ballot. The form of ballot to be used shall be in substantially the following form:

OFFICIAL BALLOT (ENGLISH)

**ONE-HALF CENT SALES SURTAX FOR CONSTRUCTION,
RECONSTRUCTION AND IMPROVEMENT OF SCHOOL FACILITIES.**

Shall the School Board of St. Johns County, Florida continue the one-half cent sales surtax to fund the construction, reconstruction and improvement of school facilities, including safety and security improvements and technology upgrades, beginning January 1, 2026, and ending December 31, 2035, with continued monitoring by the sales surtax citizen advisory committee?

BOLETA OFICIAL (ESPAÑOL)

**IMPUESTO ADICIONAL SOBRE LAS VENTAS DE MEDIO CENTAVO
PARA LA CONSTRUCCIÓN, RECONSTRUCCIÓN Y MEJORA DE
INSTALACIONES ESCOLARES.**

¿Debe The St. Johns County School Board continuar imponiendo el impuesto adicional sobre las ventas de medio centavo para financiar la construcción, reconstrucción y mejora de las instalaciones escolares, incluyendo mejoras de seguridad y actualizaciones tecnológicas, a partir del 1 de enero de 2026 y hasta el 31 de diciembre de 2035, con el seguimiento continuo del comité asesor de ciudadanos del recargo sobre las ventas?

_____ FOR THE HALF-CENT TAX / A FAVOR EL IMPUESTO DE
MEDIO CÉNTAVO

_____ AGAINST THE HALF-CENT TAX / CONTRA EL IMPUESTO
DE MEDIO CÉNTAVO

Section 4. Notice of Referendum Election. The Superintendent of St. Johns County School District shall be responsible for placing a notice of the referendum in a newspaper of general circulation published in the District. The publication shall be made at least thirty (30) days prior to the referendum and shall be made at least twice, once in the fifth week and once in the third week prior to the week in which the referendum is deemed to be held. The notice of referendum shall be in substantially the form provided in the attached *Exhibit A*.

Section 5. Places of Voting; Inspectors and Clerks. The polls will be open at the voting places on the date and times of the General Election. All qualified electors residing within the District shall be entitled and permitted to vote at the referendum election on the proposition provided in the School Board Resolution. The places of voting and the inspectors and clerks of the referendum election shall be those designated by the Supervisor of Elections of St. Johns County in accordance with the law.

Section 6. Vote-by-Mail. Adequate provision shall be made by the Supervisor of Elections for voting by mail in accordance with the law. The form of ballots to be used in the referendum election for absentee voters shall be the same as used in the polling places for the election.

Section 7. Early Voting. Adequate provision shall be made by the Supervisor of Elections for early voting in accordance with the law. The form of ballots to be used in the referendum election for early voting shall be the same as used in the polling places for the election.

Section 8. Printing of Ballots. Vote-by-mail, early voting and election day ballots are printed as necessary by the Supervisor of Elections of St. Johns County.

Section 9. Referendum Election Procedure. The Supervisor of Elections of St. Johns County shall hold, administer, and conduct the referendum election in the manner prescribed by law for holding elections in the District. Returns shall show the number of qualified electors who voted at the 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.

Section 10. Severability. In the event that any word, phrase, clause, sentence, or paragraph of this Resolution shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause, phrase, sentence, or paragraph.

Section 11. Repealing Clause. All Resolutions in conflict or inconsistent with this Resolution are repealed insofar as there is conflict or inconsistency.

Section 12. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida, this 22nd day of August, 2024.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Sarah Arnold, Chair

ATTEST: Brandon J. Patty, Clerk
of the Circuit Court and Comptroller

By: Crystal Smith
Deputy Clerk

Rendition Date: AUG 22 2024

Effective Date: AUG 22 2024



EXHIBIT A

**NOTICE OF REFERENDUM ELECTION IN THE SCHOOL DISTRICT
OF ST. JOHNS COUNTY, FLORIDA, ON NOVEMBER 5, 2024**

NOTICE IS HEREBY GIVEN THAT A REFERENDUM ELECTION will be held with the November 5, 2024 General Election, in the School District of St. Johns County, Florida, for the purpose of determining whether or not the electors in the School District approve the levy of one-half (0.50) mill for School District critical maintenance and equipment needs for four years, beginning with the 2025-2026 fiscal year; all as more specifically described and provided in a Resolution of the School Board of St. Johns County, Florida, adopted _____, 2024, and published below.

The polls will be open at the voting places from 7 am until 7 pm on November 5, 2024. Mail-In-voting will be available for the referendum election. Adequate provisions shall be made by the Supervisor of Elections for early voting in accordance with law.

All qualified electors residing within the School District shall be entitled, qualified, and permitted to vote at the referendum election.

[Insert form of Resolution]

**SCHOOL BOARD OF ST. JOHNS COUNTY,
FLORIDA**

By: _____
Chair, The School Board of St. Johns County,
Florida [SEAL]

ATTEST: _____
Secretary, The School Board of St. Johns County,
Florida

Approved as to form and legality:

Frank D. Upchurch III
School Board Attorney

APPENDIX A
SCHOOL BOARD RESOLUTION

THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA

RESOLUTION NO. 2025-5

A RESOLUTION OF THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA, CALLING FOR A REFERENDUM TO BE HELD ON NOVEMBER 5, 2024, FOR THE PURPOSE OF SUBMITTING TO THE DULY QUALIFIED ELECTORS OF ST. JOHNS COUNTY, FLORIDA A QUESTION REGARDING THE CONTINUATION BY THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA OF THE DISCRETIONARY SALES SURTAX OF ONE-HALF CENT FOR THE PURPOSE OF FUNDING THE COSTS OF NEW CONSTRUCTION, RECONSTRUCTION, AND IMPROVEMENT OF SCHOOL FACILITIES, INCLUDING SAFETY AND SECURITY IMPROVEMENTS AND TECHNOLOGY UPGRADES, WITH CONTINUED MONITORING BY THE SALES SURTAX CITIZEN ADVISORY COMMITTEE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2015, the School Board of St. Johns County, Florida (the "School Board") determined that there was a need for construction of new school facilities, reconstruction and improvement of existing school facilities, and improvements in school safety, security and technology; and

WHEREAS, by 2015, the capital outlay funding available to the School District of St. Johns County, Florida (the "District") had become insufficient for the cost of construction, reconstruction and improvement of public school facilities, including safety and security improvements and technology upgrades; and

WHEREAS, Section 212.055(6), Florida Statutes, authorizes the imposition by school boards of a one-half cent sales surtax on all taxable transactions to fund capital outlay projects, subject to approval by the electors of the county voting in a referendum; and

WHEREAS, in November 2015, 60.81 percent of the electors of St. Johns County approved a one-half cent sales surtax to fund the cost of construction, reconstruction and improvement of public school facilities within the District with an effective date of January 1, 2016; and

WHEREAS, since January 1, 2016, the District utilized the sales surtax proceeds to fund construction of new school facilities and the reconstruction and improvement of existing school facilities, including school safety and security improvements and technology upgrades; and

WHEREAS, the 2015 sales surtax is scheduled to expire December 31, 2025; and

WHEREAS, St. Johns County continues to experience significant population and public school enrollment growth; and

WHEREAS, as of the beginning of the 2024-2025 school year, approximately 13,000 District students are scheduled to be housed in approximately 600 portable classrooms; and

WHEREAS, additional new schools and classroom additions are needed in St. Johns County to relieve overcrowding and reduce the need for portables due to enrollment growth; and

WHEREAS, school construction costs have significantly increased; and

WHEREAS, the need for the construction of additional new schools, reconstruction and improvement of existing schools and safety and security improvements and technology upgrades will continue indefinitely; and

WHEREAS, without an extension of one-half cent sales surtax, beginning in 2026, the District will lose more than \$35 million per year in capital outlay revenue, further impairing the District's ability to build and improve schools as necessary to properly serve St. Johns County students; and

WHEREAS, it is estimated that out of county visitors pay up to 38 percent of the sales taxes in St. Johns County; and

WHEREAS, pursuant to Section 212.055(6)(b), Florida Statutes, sales surtax revenue must now be shared with eligible charter schools based on their proportionate share of the total School District enrollment; and

WHEREAS, attached to this Resolution is a plan (the "Plan") consistent with the provisions of Section 212.055(6)(c), Florida Statutes, for the use of the proceeds of levy and collection of the surtax for capital outlay and technology implementation, including continued monitoring by the Sales Surtax Citizen Advisory Committee;

NOW, THEREFORE, BE IT RESOLVED BY THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA THAT:

Section 1. Referendum. The School Board hereby calls for a referendum to be held throughout St. Johns County, Florida, on the Tuesday following the first Monday of November, which is November 5, 2024, for the purpose of submitting to the duly-qualified electors of St. Johns County the question of continuing the existing one-half cent sales surtax for the purpose of funding the costs of new construction, reconstruction, and improvement of school facilities, including safety and security improvements and technology upgrades, with continued monitoring by the Sales Surtax Citizen Advisory Committee. The School Board hereby requests for the St. Johns County Board of County Commissioners to: (i) approve the date for the referendum, and (ii) direct the St. Johns County Supervisor of Elections to place on the ballot the ballot question set forth in Section 9 below and conduct said election pursuant to the provisions of Florida's Election Code.

Section 2. Term of Levy. If approved by a majority of the ballots cast, the proposed surtax levy shall commence January 1, 2026. The surtax levy shall remain in full force and effect from January 1, 2026, until December 31, 2035, unless repealed or reduced prior to that time by resolution of the School Board, which repeal or reduction may be effectuated without referendum, so long as there are no bonds or other obligations of the School Board outstanding that are payable from the proceeds of such levy.

Section 3. Administration. The proposed surtax shall be collected, administered and paid to the School Board by the Department of Revenue pursuant to the terms of Section 212.054, Florida Statutes, and such other laws as may be applicable.

Section 4. Plan for Use of Sales Surtax Proceeds. The proceeds of the proposed school capital outlay sales surtax, as authorized by Section 212.055(6), Florida Statutes, shall be used to provide new construction, reconstruction and improvement of school facilities, including safety and security improvements and technology upgrades. A plan for these capital expenditures is set forth in the Plan for Use of Sales Surtax Proceeds which is attached hereto and incorporated herein as Exhibit A.

Section 5. Charter Schools. As required by Section 212.055(6)(b), Florida Statutes, sales surtax revenue will be shared with eligible charter schools based on their proportionate share of the total School District enrollment.

Section 6. Sales Surtax Citizen Advisory Committee. The existing St. Johns County School District Sales Surtax Citizen Advisory Committee shall continue to operate under its duly adopted Rules of Procedure as approved by the School Board of St. Johns County, Florida for the purpose of monitoring and advising the School Board in regard to the expenditure of the sales surtax proceeds.

Section 7. Operational Expenses. Neither the proceeds of the surtax nor any interest accrued thereto shall be used for operational expenses.

Section 8. Notice of Election. A notice of the referendum election shall be published in conformity with Florida law.

Section 9. Official Ballot. The official ballot to be used in the election to be held on Tuesday, November 5, 2024, shall be in English and Spanish and shall be in full compliance with the laws of the State of Florida and shall be substantially in the following form:

OFFICIAL BALLOT (ENGLISH)

**ONE-HALF CENT SALES SURTAX FOR CONSTRUCTION,
RECONSTRUCTION AND IMPROVEMENT OF SCHOOL
FACILITIES.**

Shall the School Board of St. Johns County, Florida continue the one-half cent sales surtax to fund the construction, reconstruction and improvement of school facilities, including safety and security improvements and technology upgrades, beginning January 1, 2026, and ending December 31, 2035, with continued monitoring by the sales surtax citizen advisory committee?

BOLETA OFICIAL (ESPAÑOL)

IMPUESTO ADICIONAL SOBRE LAS VENTAS DE MEDIO CENTAVO PARA LA CONSTRUCCIÓN, RECONSTRUCCIÓN Y MEJORA DE INSTALACIONES ESCOLARES.

¿Debe The St. Johns County School Board continuar imponiendo el impuesto adicional sobre las ventas de medio centavo para financiar la construcción, reconstrucción y mejora de las instalaciones escolares, incluyendo mejoras de seguridad y actualizaciones tecnologías, a partir del 1 de enero de 2026 y hasta el 31 de diciembre de 2035, con el seguimiento continuo del comité asesor de ciudadanos del recargo sobre las ventas?

_____ FOR THE HALF-CENT TAX / A FAVOR EL IMPUESTO DE MEDIO CÉNTAVO

_____ AGAINST THE HALF-CENT TAX / CONTRA EL IMPUESTO DE MEDIO CÉNTAVO

Section 10. Severability. It is declared to be the intent of the School Board that, if any section, subsequent, 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.

ADOPTED at a Special Meeting of the School Board of St. Johns County, Florida the ____ day of _____, 2024, with a quorum present and voting.

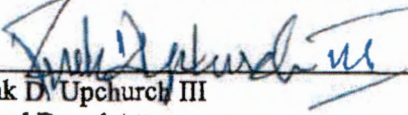
SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA

By: Beverly Slough
Beverly Slough, Chair

[SEAL]
ATTEST:

Tim Forson
Tim Forson
Superintendent of Schools
St. Johns County School District

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Frank D. Upchurch III
School Board Attorney
St. Johns County School District

EXHIBIT A

PLAN FOR USE OF SALES SURTAX PROCEEDS

1. Pursuant to Section 212.055(6), Florida Statutes, capital improvements to be funded by proceeds of the sales surtax shall be for:
 - a. Construction of new school facilities.
 - b. Renovation or renewal of school facilities.
 - c. School safety and security improvements.
 - d. Technology upgrades, including hardware and software.
2. Scope of the projects will be based on a detailed assessment of the facility need and condition, and providing for a safe and appropriate learning environment.
3. The Sales Surtax Citizen Advisory Committee shall continue to monitor and advise the School Board on the expenditure of the surtax proceeds.

Supporting Documents

1. Transmittal Letter dated August 20, 2024 from St. Johns County School Board
2. Minutes from Special St Johns County School Board Meeting, Tuesday, August 20, 2024



Tim Forson
Superintendent of Schools

40 Orange Street
St. Augustine, Florida 32084
(904) 547-7500
www.stjohns.k12.fl.us

August 20, 2024

SCHOOL BOARD

Beverly Slough
District 1

Anthony E. Coleman Sr.
District 2

Bill Mignon
District 3

Kelly Barrera
District 4

Patrick Canan
District 5

VIA HAND DELIVERY

Sarah Arnold, Chair
Saint Johns County Board of County Commissioners
500 San Sebastian View
St. Augustine, FL 32084

Re: School Board Resolutions 2025-05 and 2025-06

Dear Ms. Arnold:

The purpose of this letter is to transmit to you, the Commission and relevant staff two referendum ballot initiatives that the School Board wishes to place in front of the general electorate of St. Johns County in November.

To that end, enclosed please find a copy of School Board Resolution 2025-05 calling for a referendum election to consider the adoption of a continuation of the current one-half cent sales surtax for the purpose of funding new school facilities, renovations/reconstruction at existing facilities, school safety and technology upgrades. The resolution was duly adopted by the School Board at its special purpose meeting on August 20, 2024.

In addition, also enclosed is a copy of School Board Resolution 2025-06 calling for a referendum election to consider the adoption of an additional operating millage of one mill for school district operational purposes to include: 1) recruiting and retaining high quality teachers and staff, 2) continued investment in school safety and student welfare, and 3) the preservation and enhancements to certain educational programs.

Furthermore, for your records, you will also find enclosed a draft copy of the minutes of that special purpose meeting held on August 20, 2024.

Finally, this is a formal request for the St. Johns County Board of County Commissioners to place the resolutions on a special called meeting agenda to properly approve the School Board's request as stated above, duly provided for in both resolutions and place both referendum questions on the November 5, 2024 ballot for the voters of St. Johns County to decide.

Thank you for your courtesy and cooperation in this matter.

Sincerely,


Beverly Slough, Chairman
St. Johns County School Board

*The St. Johns County School District will inspire good character and a passion for lifelong learning
in all students, creating educated and caring contributors to the world.*

Enclosures

cc's via e-mail:

Joy Andrew, County Administrator

Lex Taylor, County Attorney

County Commission Members

Tim Forson, Superintendent

School Board Members

Frank D. Upchurch III, School Board Attorney

BAS/mt

SPECIAL SCHOOL BOARD MEETING - TO CONSIDER SALES TAX AND OPERATING MILLAGE REFERENDUMS AND UNION RATIFICATIONS (Tuesday, August 20, 2024)

Generated by Miriam Testasecca on Tuesday, August 20, 2024

DRAFT MINUTES (WILL BE APPROVED AT THE SEPTEMBER 10, 2024 SCHOOL BOARD MEETING)

Members present

Bev Slough, Kelly Barrera, Patrick Canan, Tony Coleman, Jennifer Collins (Bev Slough was caught in traffic)

Meeting called to order at 4pm

1. CALL TO ORDER BY THE BOARD CHAIR

2. ROLL CALL OF BOARD MEMBERS

3. OPENING COMMENTS FROM THE SCHOOL BOARD AND SUPERINTENDENT

Mr. Forson stated that we are bringing forward two important items to discuss.

4. SCHOOL BOARD ATTORNEY - ACTION

4.01 Request for Approval of a Resolution Calling for a Referendum Election to Authorize a Continuation of the Current Half-Cent School Capital Outlay Surtax

**Motion by: Patrick Canan
Carries**

Second by: Kelly Barrera

Final Resolution: Motion

Yea: Kelly Barrera, Patrick Canan, Tony Coleman, Jennifer Collins

4.02 Request for Approval of a Resolution Calling for a Referendum Election to Authorize an Additional Operating Millage of One Mill for Operational Purposes

**Motion by: Kelly Barrera
Carries**

Second by: Jennifer Collins

Final Resolution: Motion

Yea: Kelly Barrera, Patrick Canan, Tony Coleman, Jennifer Collins

Public Comment: Tamara Whitaker, Jacksonville, FL

Ms. Whitaker spoke in support for the support staff, and for the referendum.

5. PERSONNEL/HUMAN RESOURCES - ACTION

5.01 Request for Approval of Collective Bargaining Agreement 2024-2025 with St. Johns Education Association

**Motion by: Kelly Barrera
Carries**

Second by: Patrick Canan

Final Resolution: Motion

Yea: Kelly Barrera, Patrick Canan, Tony Coleman, Jennifer Collins

Public Comment: Tamara Whitaker, Jacksonville, FL

Ms. Whitaker thanked everyone for their professionalism.

5.02 Request for Approval of Collective Bargaining Agreement 2024-2025 with St. Johns Educational Support Professional Association

**Motion by: Kelly Barrera
Motion Carries**

Second by: Jennifer Collins

Final Resolution:

Yea: Bev Slough, Kelly Barrera, Patrick Canan, Tony Coleman, Jennifer Collins

Public Comment:

Char Rostakowki, St. Augustine, FL

Ms. Rostakowki spoke in favor of ratification.

Tamara Whitaker, Jacksonville, FL

Ms. Whitaker stated that she appreciates the work.

6. PUBLIC COMMENT

7. CLOSING COMMENTS FROM THE SCHOOL BOARD AND SUPERINTENDENT

Ms. Collins stated that we don't know what we would.

Mr. Canan thanked both teams for all their work.

Mrs. Barrera and Mr. Coleman thanked everyone.
Mrs. Slough apologized for being detained in traffic and thanked both teams.
Mr. Forson spoke about setting a target for where we want to go.

8. ADJOURNMENT - 5:03 pm