

ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

BOARD OF COUNTY COMMISSIONERS

District 1 - Christian Whitehurst
District 2 - Sarah Arnold, Chair
District 3 - Roy Alaimo, Vice Chair
District 4 - Krista Joseph
District 5 - Henry Dean



BOARD MEETING AGENDA

County Auditorium
500 San Sebastian View

Joy Andrews, County Administrator
Rich Komando, Interim County Attorney

Thursday, August 22, 2024 2:30 PM

Please be sure all cellular devices are turned off for the duration of the County Commission Meeting

EMERGENCY MEETING

- ❖ Call to Order by Chair
- ❖ Roll Call by the Clerk of the Court
- ❖ Invocation
- ❖ Pledge of Allegiance
- ❖ Additions/Deletions to Regular Agenda
- ❖ Approval of Regular Agenda

Presenter: Lex Taylor, Deputy County Attorney

1. **Public Hearing** * In accordance with section 212.055(6)(b), F.S., a proposed resolution requesting that the Supervisor of Elections place the School Board's referendum question on the November 5, 2024 referendum election ballot to authorize the St. Johns County school board to levy an additional discretionary sales surtax at a rate that may not exceed 0.5 percent. On August 20, 2024, in accordance with section 212.055 of the Florida Statutes, the St. Johns County School Board (School Board) adopted its Resolution 2024-05, calling for a referendum election 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 whether to continue 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 requests that the St. Johns County Board of County Commissioners (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 and conduct said election pursuant to the provisions of Florida's Election Code. In a letter dated August 20, 2024, and addressed to the Chair of the St. Johns County Board of Commissioners (Board), the School Board presented its Resolution 2024-05 and formally requested that the Board place the referendum statement as provided in its Resolution 2024-05 on a November 5, 2024 referendum election ballot. As required by Section 212.055(6)(b), sales surtax revenue will be shared with eligible charter schools based on their proportionate share of the total School District enrollment. The printer for the ballots for the Supervisor of Elections requires approval by the Board of County Commissioners no later than August 23rd at 5pm in order to meet publishing requirements for early voting. Section 212.055 of the Florida Statutes provides that the school board in each county is authorized to levy an additional discretionary sales surtax at a rate that may not exceed 0.5 percent. In order to do so, the school board is required to adopt a resolution, which includes a referendum statement that conforms to applicable provisions of the Florida Statutes. Section 212.055 further provides that the referendum statement shall be placed on the ballot by the governing body of the county. Florida Courts have ruled the authority over the referendum's date lies with the school board, as reflected in both state law and a 2020 ruling from the 19th Judicial Circuit. Here, in accordance with section 212.055 of the Florida Statutes, the proposed resolution provides that the Board issue a request to the St. Johns County Supervisor of Elections to place the School Board's referendum statement as provided in its Resolution 2024-05 on a November 5, 2024 referendum election ballot.

Presenter: Lex Taylor, Deputy County Attorney

2. **Public Hearing** * In accordance with section 1011.71(9) and 1011.73 F.S., a proposed resolution requesting that the Supervisor of Elections place the School Board's referendum question on a November 5, 2024 referendum election ballot to authorize the St. Johns County school board to levy an additional millage for school operational purposes of ad valorem taxes. On August 20, 2024, in accordance with section 1011.71(9) and 1011.73 of the Florida Statutes, the St. Johns County School Board (School Board) adopted its Resolution 2024-06, calling for a referendum election 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 whether to increase ad valorem millage by one mill for four years beginning July 1, 2025 through June 30, 2029 to provide funding to: (a) recruit and retain high-quality teachers and staff by paying competitive compensation as compared to surrounding school districts, (b) continue to invest in school safety and student welfare, including school nurses and special education, and (c) preserve and enhance educational programs, including science, technology, art, music and athletics for the benefit of St. Johns County traditional public schools and charter schools. The School Board hereby requests 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 and conduct the election pursuant to the provisions of Florida's Election Code. In a letter dated August 20, 2024, and addressed to the Chair of the St. Johns County Board of Commissioners (Board), the School Board presented its Resolution 2024-06 and formally requested that the Board place the referendum statement as provided in its Resolution 2024-06 on a November 5, 2024 referendum election ballot. As authorized by Section 1011.71(9), Florida Statutes, the revenue from the one mill levy will be shared with eligible charter schools based on their proportionate share of District school enrollment. The printer for the ballots for the Supervisor of Elections requires approval by the Board of County Commissioners no later than August 23rd at 5pm in order to meet publishing requirements for early voting. Section 1011.71(9) of the Florida Statutes provides that the school board in each county is authorized to levy an additional millage for school operational purposes up to an amount that, when combined with non-voted millage levied under this section, does not exceed the 10-mill limit established in s. 9(b), Art. VII of the State Constitution. In order to do so, the school board is required to adopt a resolution, which includes a referendum statement that conforms to applicable provisions of the Florida Statutes. Section 1011.73 further provides that the referendum statement shall be placed on the ballot by the governing body of the county. Florida Courts have ruled the authority over the referendum's date lies with the school board, as reflected in both state law and a 2020 ruling from the 19th Judicial Circuit. Here, in accordance with section 1011.71(9) and 1011.73 of the Florida Statutes, the proposed resolution provides that the Board issue a request to the St. Johns County Supervisor of Elections to place the School Board's referendum statement as provided in its Resolution 2024-06 on a November 5, 2024 referendum election ballot.