

RESOLUTION NO. _____ - 2007

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA RESCINDING *RESOLUTION NO. 425-2007* AND DIRECTING THE SUPERVISOR OF ELECTIONS OF MONROE COUNTY, FLORIDA TO PLACE ON THE JANUARY 29, 2008 PRESIDENTIAL PREFERENCE ELECTION BALLOT THE REFERENDUM QUESTION SET FORTH IN THIS RESOLUTION CONCERNING WHETHER THE SCHOOL BOARD OF MONROE COUNTY SHOULD BE AUTHORIZED TO LEVY A .5 MILL AD VALOREM TAX.

WHEREAS, pursuant to Section 1011.73(2) and (3), Florida Statutes, the School Board of Monroe County, Florida, in *Resolution No. 686* adopted October 23, 2007, requested the Monroe County Board of County Commissioners direct the Supervisor of Elections to place on the January 29, 2008 Presidential Preference Primary Election Ballot a referendum question concerning whether the School Board of Monroe County should be authorized to levy a .5 mill ad valorem tax; and

WHEREAS, the Monroe County Board of County Commissioners approved *Resolution No. 425-2007* as presented by the School Board of Monroe County, Florida at their regularly scheduled meeting held November 14, 2007; and

WHEREAS, the School Board of Monroe County has subsequently advised the ballot language provided for approval in *Resolution No. 425-2007* is incorrect and must be changed to reflect the ballot language set forth in this resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AS FOLLOWS:

Section 1: *Resolution No. 425-2007* is hereby rescinded.

Section 2: Pursuant to Sec. 1011.73(2)(3) and (4)(a)(b), Florida Statutes, the Supervisor of Elections of Monroe County, Florida is hereby directed to place on the ballot of the Presidential Preference Primary Ballot Election to be held January 29, 2008, the following proposition, in both English and Spanish, to be voted upon by the voters of Monroe County, Florida:

RENEW FLEXIBLE FUNDING FOR MONROE COUNTY SCHOOLS:

The District's objective is to continue to make available a portion of the existing capital ad valorem tax levy for operations – such as teachers, school nurses and classroom materials. The District intends to continue its reduced millage for capital projects, and continue to make available the equivalent amount for operations.

Shall the District continue to enact a yearly ad valorem tax of .5 mill, for four years beginning July 1, 2008 for operating purposes?

_____ YES _____ NO

Section 2: The Supervisor is further directed to require the School Board to obtain pre-clearance from the U. S. Department of Justice before placing the referendum on the January 29, 2008 ballot.

Section 3: The Clerk is hereby directed to send a certified copy of this resolution to Harry Sawyer, Supervisor of Elections, 530 Whitehead Street, #101, Key West, FL 33040.

Passed and adopted by the Monroe County Board of Commissioners at a meeting held this 19th day of December, 2007.

Mayor McCoy	_____
Mayor Pro Tem Di Gennaro	_____
Commissioner Spehar	_____
Commissioner Murphy	_____
Commissioner Neugent	_____

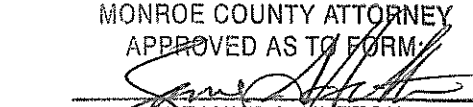
BOARD OF COUNTY COMMISSIONERS OF
MONROE COUNTY, FLORIDA

By: _____
Mayor Charles "Sonny" McCoy

(Seal)

ATTEST: DANNY L. KOLHAGE, CLERK

By: _____
Deputy Clerk

MONROE COUNTY ATTORNEY
 APPROVED AS TO FORM:


 SUZANNE A. HUTTON
 COUNTY ATTORNEY
 Date 11/21/07

Peters-Katherine

From: Peters-Katherine
Sent: Wednesday, November 21, 2007 2:04 PM
To: 'Scott Black'
Cc: Hutton-Suzanne; Shillinger-Bob; Cyr-Connie; dsmits@florida-law.com
Subject: Agenda Item Re: Approval of Resolution Rescinding Resolution 425-2007 approved 11/14/07 and directing SOE

Attachments: MCSB Resolution Rescinding Res 425-1007 Re .5 Mill Ref.pdf

Good afternoon Mr. Black – pursuant to our phone conversation and emails, attached please find the Agenda Summary and Resolution rescinding Resolution 425-2007 approved 11/14/07 by the BOCC and directing SOE to place the revised language provided by you yesterday afternoon via email on the January 29, 2008 Presidential Preference Primary Election Ballot.

The County Attorney has reviewed and stamped the Resolution and signed off on the Agenda Summary for placement on the December 19th BOCC Regular Meeting agenda as a County Attorney item. As you can see by the agenda back-up, the fully executed Resolution No. 425-2007 has not yet been received by this office from the Clerk. Once the fully executed copy has been received, the back-up will be updated. This is for your use and information.

Have a wonderful Thanksgiving!

11/21/2007

Peters-Katherine

From: Scott Black [sblack@florida-law.com]
Sent: Tuesday, November 20, 2007 3:45 PM
To: Peters-Katherine
Cc: dsmits@florida-law.com
Subject: Corrected Resolution language
Attachments: AGENDA_SUMMARY_School_Board_Res_re_ballot[corrected].DOC;
Draft_Resolution_School_Bd_Direct_SOE_re_ballot[corrected].doc

Kathy: Attached is the corrected County Resolution and Agenda Rationale. Please let me know if you can squeeze it on the December 5th Workshop or whether it will go on for Dec 19th. You will have to add language to the rationale and resolution indicating the new resolution rescinds and replaces the prior one.

Thanks for your help.

Scott C. Black
District Legal Dept.

11/20/2007

RESOLUTION NO. 425 - 2007

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA DIRECTING THE SUPERVISOR OF ELECTIONS OF MONROE COUNTY, FLORIDA TO PLACE ON THE JANUARY 29, 2008 PRESIDENTIAL PREFERENCE ELECTION BALLOT A REFERENDUM QUESTION CONCERNING WHETHER THE SCHOOL BOARD OF MONROE COUNTY SHOULD BE AUTHORIZED TO LEVY A .5 MILL AD VALOREM TAX.

WHEREAS, pursuant to Section 1011.73(2) and (3), Florida Statutes, the School Board of Monroe County, Florida, in *Resolution No. 686* adopted October 23, 2007, has requested that the Board of County Commissioners direct the Supervisor of Elections to place on the January 29, 2008 Presidential Preference Primary Election Ballot a referendum question concerning whether the School Board of Monroe County should be authorized to levy a .5 mill ad valorem tax;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AS FOLLOWS:

Section 1: Pursuant to Sec. 1011.73(2)(3) and (4)(a)(b), Florida Statutes, the Supervisor of Elections of Monroe County, Florida is hereby directed to place on the ballot of the Presidential Preference Primary Ballot Election to be held January 29, 2008, the following proposition, in both English and Spanish, to be voted upon by the voters of Monroe County, Florida:

**PROVIDING FLEXIBILITY FOR GREATER FUNDING FOR OPERATIONS
IN THE MONROE COUNTY SCHOOL DISTRICT**

The district's existing ad valorem tax can be used for capital purposes ONLY. The district's intent is to provide for a shift to continue to enable the district to obtain additional funding for operations such as teachers and classrooms – by reducing millage for capital projects, and enacting the following for tax operations:

Shall the district enact a yearly ad valorem tax of .50 mill, for four years beginning July 1, 2008, for operating purposes, thus keeping the millage at the current rate?

_____ YES

_____ NO

Section 2: The Supervisor is further directed to require the School Board to obtain pre-clearance from the U. S. Department of Justice before placing the referendum on the January 29, 2008 ballot.

Section 3: The Clerk is hereby directed to send a certified copy of this resolution to Harry Sawyer, Supervisor of Elections, 530 Whitehead Street, #101, Key West, FL 33040.

Passed and adopted by the Monroe County Board of Commissioners at a meeting held this 14th day of November, 2007.

Mayor McCoy	<u>Yes</u>
Mayor Pro Tem DiGennaro	<u>Yes</u>
Commissioner Spehar	<u>Yes</u>
Commissioner Murphy	<u>Yes</u>
Commissioner Neugent	<u>Yes</u>


BOARD OF COUNTY COMMISSIONERS OF
MONROE COUNTY, FLORIDA

By: _____
Mayor Mario Di Gennaro

(Seal)

ATTEST: DANNY L. KOLHAGE, CLERK

By: _____
Deputy Clerk

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

ROBERT B. SHILLINGER, JR.
CHIEF ASSISTANT COUNTY ATTORNEY
Date: 11-2-07