RESOLUTION NO. 2018-96

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, IN SUPPORT OF RESOLUTION 18-047 OF THE SCHOOL BOARD OF MIAMI DADE COUNTY; AND URGING OTHER MUNICIPALITIES TO SUPPORT A REFERENDUM TO BE HELD ON NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE DULY QUALIFIED ELECTORS OF MIAMI-DADE COUNTY, FLORIDA A QUESTION REGARDING A LEVY OF AD VALOREM TAXES FOR OPERATING EXPENSES TO ATTRACT AND RETAIN HIGH QUALITY TEACHERS, INSTRUCTIONAL PERSONNEL, AND TO ENHANCE SCHOOL SAFETY AND SECURITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Councilmember David Singer)

WHEREAS, the Village of Palmetto Bay advocates for the highest quality public education for all students, and develops and supports Resolution 18-047 sponsored by the School Board of Miami Dade County (attached as Exhibit A); and

WHEREAS, the Village of Palmetto Bay supports and values an inclusive, safe and innovative quality public education system that ensures all students can succeed while promoting excellence for students, educators and administrators by implementing improvement and best practices; and

WHEREAS, over the last two decades, public school teachers can’t afford to live in Miami Dade County without another source of income as South Florida deems to rank as one of the nation’s least affordable metro areas for educators; and

WHEREAS, on July 18, 2018, the Miami Dade County School approved ballot language that will ask voters to increase property taxes by 75 cents per thousand dollars in taxable value, which amounts to less than $142 for the typical homeowner. The tax increase will generate an extra $232 million per year, which the school district will
use to give teachers a raise, hire security personnel and additional personnel, including school counselors and teacher aides; and

WHEREAS, investing in public education and security of our children is crucial to student health and welfare. Public schools serve as a lifeline for children; and

WHEREAS, investing in public education is crucial to ensuring the future health of our economy and our country’s future. Students must leave their public schools ready for success in our 21st century society and ready to fill current and future jobs. A robust investment in education is necessary to equip schools with the resources to position students to acquire the skills and knowledge needed for college and career success.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF PALMETTO BAY, FLORIDA, THAT:

Section 1. Pursuant to the provisions set forth in Resolution 18-047, the Village Council is in support of a referendum to be held on November 6, 2018.

Section 2. The Village Council urges the School Board of Miami Dade County to promote an increase of property taxes in support of raising teacher salaries.

Section 3. The Village Clerk is instructed to submit a certified copy of this Resolution to all Miami Dade County Municipalities including the School Board of Miami Dade County.

Section 4. This Resolution shall be effective upon adoption.

PASSED and ADOPTED this 23rd day of July, 2018.
Attest:

Missy Arocha
Village Clerk

Eugene Flinn
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA ONLY:

Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Karyn Cunningham       YES
Council Member David Singer            YES
Council Member Larissa Siegel Lara     YES
Vice-Mayor John DuBois                 ABSENT
Mayor Eugene Flinn                     YES
SUBJECT: APPROVE RESOLUTION 18-047 CALLING FOR A REFERENDUM TO BE HELD ON NOVEMBER 6, 2018, SEEKING APPROVAL FROM THE VOTERS OF MIAMI-DADE COUNTY FOR THE SCHOOL BOARD TO LEVY AN AD VALOREM ASSESSMENT TO SUPPORT TEACHERS, INSTRUCTIONAL PERSONNEL, AND SCHOOL SAFETY AND SECURITY, WITH OVERSIGHT BY A CITIZEN ADVISORY COMMITTEE

LINK TO STRATEGIC BLUEPRINT: INFORMED, ENGAGED AND EMPOWERED STAKEHOLDERS

Over the last decade, our school district has seen remarkable success. Miami-Dade County Public Schools (M-DCPS) is one of the highest-performing urban school systems in the state, becoming an "A"-rated district earlier this year. Year after year, student achievement has climbed, as have graduation rates and school performance. This performance has been the result of the outstanding work of teachers and instructional personnel in the classroom. Financially, the District navigated the Great Recession, creating efficiencies through innovation while protecting the classroom, the workforce, and programs such as art, music, and world languages.

The Board has recognized the need to identify supplemental revenue sources to support educators and public education in light of the challenges and issues impacting school funding and teacher salaries in M-DCPS. Most recently, the Board took action at its January 17, 2018 meeting, and again at its April 25, 2018 meeting, to direct staff to explore solutions to improve teacher compensation and support public education.

Though the state and nation have experienced a full economic recovery, funding for public schools in Florida has continued to lag. As a result of various policies implemented by the state over the course of the last fifteen years, M-DCPS has effectively lost over $1.3 billion; only receiving a $0.47 increase per student in base funding as a result of the 2018 legislative session. This meager increase does not provide sufficient resources to recruit and retain high caliber teachers and instructional personnel and provide the enhanced safety and security measures at each school as required by the new state law.

Staff, along with the Teacher Salary Task Force, has explored all available avenues to secure additional funding. The task force recommendations were presented to the Board at a workshop on June 27, 2018, wherein it was delineated that Section 1011.71(9) and Section 1011.73, Florida Statutes (2018), authorize the imposition by school boards of a levy of ad valorem taxes for up to four (4) years for operating expenses, subject to approval by the electors of the county voting in a referendum. It is estimated that the Board may be able to raise $232 million annually, at a cost of less than $142 per year, or $0.39 per day, to the typical homeowner.
In order to ensure M-DCPS is able to secure the resources necessary to continue our success in the future, and based on the recommendations of the Teacher Salary Task Force as well as direction provided by the Board at its meeting of June 27, 2018, Resolution 18-047 seeking approval from the voters of Miami-Dade County for the School Board to levy an ad valorem assessment for a period of four (4) years, beginning July 1, 2019, and ending June 30, 2023, to support teachers, instructional personnel, and school safety and security is being recommended to be placed on the November 6, 2018 ballot.

Recommended: That the School Board of Miami-Dade County, Florida,

1) approve Resolution 18-047, calling for a referendum to be held on November 6, 2018, for the purpose of seeking approval from the voters of Miami-Dade County for the School Board to levy an ad valorem assessment of 0.75 mills to support teachers, instructional personnel and school safety and security;

2) in accordance with Section 1011.73(2), F.S., direct the Miami-Dade County Commission to place the referendum on the November 6, 2018, general election ballot as authorized by Resolution 18-047;

3) authorize the Superintendent to use District resources to educate the community on the purpose and benefits of the proposed referendum; and

4) authorize the Superintendent to develop a framework for the establishment of a citizen oversight advisory committee for the purpose of monitoring the use of proceeds generated by the passage of the referendum proposed under Resolution 18-047, and present a recommendation to the Board by August 2018.
RESOLUTION 18-047

A RESOLUTION OF THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, CALLING FOR A REFERENDUM TO BE HELD ON NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE DULY QUALIFIED ELECTORS OF MIAMI-DADE COUNTY, FLORIDA A QUESTION REGARDING A LEVY OF AD VALOREM TAXES FOR OPERATING EXPENSES TO ATTRACT AND RETAIN HIGH QUALITY TEACHERS, INSTRUCTIONAL PERSONNEL, AND TO ENHANCE SCHOOL SAFETY AND SECURITY, WITH OVERSIGHT BY A CITIZEN ADVISORY COMMITTEE; PROVIDING FOR PROPER NOTICE OF SUCH REFERENDUM; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, for the first time in the history of Florida School Performance Grades, the School District of Miami-Dade County, Florida ("the District") has achieved a district wide grade of an "A," and for the second year in a row, there are no "F"-rated traditional schools in the District; and

WHEREAS, higher percentages of Miami-Dade schools received "A" grades in 2018 than statewide across all schools and in all other large Florida Districts; and

WHEREAS, the District’s graduation rate rose to 84.2 percent for the 2016-2017 academic year, the highest rate the District has achieved since the Florida Department of Education began tracking graduation statistics with modern methods in the late 1990s; and

WHEREAS, the District has demonstrated outstanding results on statewide assessments, NAEP-TUDA results, impressive third-grade assessment results and regularly leads the nation in both Advanced Placement (AP) participation and performance among minority students; and

WHEREAS, for the seventh straight year, the District received more national magnet merit awards than any other District, and for 2017-18 award cycle, the District received 54 magnet merit awards, an increase of 12 additional awards; and

WHEREAS, the School Board must maintain sufficient revenues to maintain high quality instruction in schools; and

WHEREAS, the District has experienced a severe shortfall in the funding provided by the Florida Legislature for the District’s normal operating expenses during the current and prior fiscal years, and such shortfall negatively affects the District’s ability to attract and retain high quality teachers and other instructional personnel; and

WHEREAS, the State categorical funding allocation for more School Resource Officers and security personnel and other safety and security requirements is insufficient to meet the statutory requirements and needs of the District; and

WHEREAS, under the State of Florida budget approved for the 2018-2019 school year, the millage the District is required to levy will be the lowest total millage assessed for school purposes in decades; and
WHEREAS, the State's funding formula does not permit the use of capital funds for operating expenses except for limited purposes pursuant to Section 1011.71(5), Florida Statutes (2018); and

WHEREAS, Section 1011.71(9) and Section 1011.73, Florida Statutes (2018), authorize the imposition by school boards of a levy of ad valorem taxes for up to four (4) years for operating expenses, subject to approval by the electors of the county voting in a referendum;

NOW, THEREFORE, BE IT RESOLVED BY THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Levy of Ad Valorem Taxes for Operating Expenses. Pursuant to the provisions of Section 1011.71(9), Florida Statutes (2018), there is hereby levied and imposed 0.75 mills of ad valorem taxes to fund operating expenses to attract and retain teachers and other instructional personnel and to enhance school safety and security, with oversight by a citizen advisory committee.

Section 2. Term of Levy. The 0.75 mill levy of ad valorem taxes for operating expenses shall commence July 1, 2019 and shall remain in full force and effect for up to four years ending June 30, 2023, unless repealed or reduced prior to that time by resolution of the School Board, which repeal or reduction may be effectuated without referendum.

Section 3. Referendum. The School Board hereby requests a referendum to be held throughout Miami-Dade County, Florida, on the second Tuesday after the first Monday in November, which is November 6, 2018, for the purpose of submitting to the duly qualified electors of Miami-Dade County the question or questions set forth herein. The School Board hereby requests the Miami-Dade County Board of County Commissioners (i) to approve the date for the referendum and (ii) to direct the Miami-Dade County Supervisor of Elections to place on the ballot the statement contained in the “Notice of Election” set forth in section 4, below, and to conduct said election pursuant to the provisions of the election laws of the State of Florida. The vote at said referendum shall be by the voting device provided by the Supervisor of Elections for the general election, as approved by the Florida Department of State pursuant to Chapter 101, Florida Statutes, and in each polling place there shall be at least one such device.

Section 4. Notice of Election. Notice of said election shall be given by publication both in English and Spanish in a newspaper of general circulation throughout the County. Such publication shall be made at least twice, once in the fifth week and once in the third week prior to the week of November 6, 2018, the first publication to be not less than 30 days prior to the date of the referendum. Such notice shall be substantially in the following form together with such additional information as the Supervisor of Elections of Miami-Dade County, Florida shall require:
NOTICE OF ELECTION

TUESDAY, NOVEMBER 6, 2018
IN
MIAMI-DADE COUNTY, FLORIDA

NOTICE IS HEREBY GIVEN THAT AN ELECTION HAS BEEN CALLED BY THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA FROM 7:00 A.M. UNTIL 7:00 P.M. ON TUESDAY, THE 6th DAY OF NOVEMBER, 2018, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY QUALIFIED ELECTORS OF MIAMI-DADE COUNTY, FLORIDA THE FOLLOWING QUESTION:

REFERENDUM TO APPROVE AD VALOREM LEVY FOR TEACHERS, INSTRUCTIONAL PERSONNEL, SCHOOL SAFETY AND SECURITY

SHALL THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, LEVY 0.75 MILLS OF AD VALOREM TAXES FOR OPERATIONAL FUNDS (1) TO ATTRACT AND RETAIN HIGH QUALITY TEACHERS AND INSTRUCTIONAL PERSONNEL, AND (2) TO ENHANCE SCHOOL SAFETY AND SECURITY, WITH OVERSIGHT BY A CITIZEN ADVISORY COMMITTEE, BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2023?

_____ YES  _____ NO

IN ACCORDANCE WITH THE CONSTITUTION AND THE ELECTION LAWS OF THE STATE OF FLORIDA, ALL DULY QUALIFIED ELECTORS OF MIAMI-DADE COUNTY, FLORIDA SHALL BE ENTITLED TO VOTE IN THE ELECTION TO WHICH THIS NOTICE PERTAINS.

IF THE QUESTION SHALL BE APPROVED BY VOTE OF A MAJORITY OF THE DULY QUALIFIED ELECTORS OF MIAMI-DADE COUNTY, FLORIDA VOTING THEREON, THE SCHOOL BOARD SHALL LEVY 0.75 MILLS OF AD VALOREM TAXES FOR OPERATIONAL FUNDS TO BE USED TO ATTRACT AND RETAIN HIGH QUALITY TEACHERS AND INSTRUCTIONAL PERSONNEL AND TO ENHANCE SCHOOL SAFETY AND SECURITY, WITH OVERSIGHT BY A CITIZEN ADVISORY COMMITTEE, FOR A PERIOD OF FOUR YEARS.

Section 5. **Official Ballot.** The official ballot to be used in the election to be held on November 6, 2018, 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

REFERENDUM TO APPROVE AD VALOREM
LEVY FOR TEACHERS, INSTRUCTIONAL
PERSONNEL, SCHOOL SAFETY AND SECURITY

SHALL THE SCHOOL BOARD OF MIAMI-DADE
COUNTY, FLORIDA, LEVY 0.75 MILLS OF AD
VALOREM TAXES FOR OPERATIONAL FUNDS (1)
TO ATTRACT AND RETAIN HIGH QUALITY
TEACHERS AND INSTRUCTIONAL PERSONNEL,
AND (2) TO ENHANCE SCHOOL SAFETY AND
SECURITY, WITH OVERSIGHT BY A CITIZEN
ADVISORY COMMITTEE, BEGINNING JULY 1, 2019,
AND ENDING JUNE 30, 2023?

_____ YES  __________ NO

If the question shall be approved by vote of a majority of the duly qualified electors of
Miami-Dade County, Florida, voting thereon, the School Board shall levy 0.75 mills of ad
valorem taxes for operational funds to attract and retain high quality teachers and instructional
personnel and to enhance school safety and security, with oversight by a citizen advisory
committee for a period of four years.

Section 6.  Time and Place of Referendum. The polls will be open at the voting
places on the date of such referendum from 7:00 A.M. until 7:00 P.M. All qualified electors
residing within the County shall be entitled and permitted to vote at such referendum on the
proposition provided above. The referendum shall be held at the polling places provided for
general elections in Miami-Dade County, Florida and the inspectors and clerks shall be those
appointed and qualified for general elections in Miami-Dade County, Florida by the Supervisor
of Elections. The inspectors and clerks at each polling place and the Supervisor of Elections
shall canvass the vote and make due returns of same without delay to the Board. Such returns
shall show, separately, the number of qualified electors who voted at such election on such
question and the number of votes cast respectively for and against approval of such question.
The returns of the inspectors and clerks shall, as soon as practicable after the close of the polls,
be canvassed by the Supervisor of Elections, which shall declare and certify the results of such
referendum.

Section 7.  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, which shall have printed thereon the question
hereinabove set forth, with proper place for voting either "YES" or "NO" following the
statement of the question aforesaid.

Section 8.  Voter Registration Books. The Supervisor of Elections is hereby
authorized and requested to furnish to the inspectors and clerks at each place where the votes are
to be cast in such referendum, applicable portions of the registration books or certified copies
thereof showing the names of the qualified electors residing in the County.
Section 9. **Statutory References.** All statutory references herein shall be to said statutes as they exist on the date of adoption of this Resolution and as they may be from time to time amended or renumbered, except to the extent contractual commitments would preclude application of a subsequent statutory revision or repeal.

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

Section 11. **Conflict.** Any resolution or part thereof in conflict with this Resolution or any part hereof is hereby repealed to the extent of the conflict.

Section 12. **Effective Date.** Sections 1 through 2 of this Resolution shall be effective upon approval by a majority of votes cast by qualified electors in the referendum provided for herein and the remaining sections of this Resolution shall be effective immediately upon its adoption.

Approved by The School Board of Miami-Dade County, Florida this ____ day of July, 2018.

By: ____________________________
Chair, The School Board of
Miami-Dade County, Florida

[SEAL]

ATTEST: _________________________
Secretary, The School Board of
Miami-Dade County, Florida

Approved as to form and legality.

______________________________
School Board Attorney