

**Resolution 2014-05**

A RESOLUTION OF THE SCHOOL BOARD OF VOLUSIA COUNTY FLORIDA, DIRECTING A REFERENDUM TO BE HELD ON AUGUST 26, 2014, PURSUANT TO SECTION 212.055(6), FLORIDA STATUTES, FOR THE PURPOSE OF SUBMITTING TO THE DULY QUALIFIED ELECTORS OF VOLUSIA COUNTY, FLORIDA, A QUESTION REGARDING THE EXTENSION OF THE LEVY OF A DISCRETIONARY SALES SURTAX IN VOLUSIA COUNTY OF ONE-HALF CENT FOR SPECIFIED PURPOSES; PROVIDING FOR PROPER NOTICE OF SUCH ELECTION; AUTHORIZING CERTAIN INCIDENTAL ACTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 9, 2001, the electors of Volusia County approved a sales surtax levy of 0.5 percent (one-half percent)(one-half cent) pursuant to sections 212.054 and 212.055(6), Florida Statutes, for a fifteen (15) year period for the limited purpose of capital expenditures or fixed capital costs, associated construction-related costs, technology implementation at schools and bond indebtedness financing costs;

WHEREAS, that levy shall expire on December 31, 2016, unless extended by the electors of Volusia County;

WHEREAS, the critical need for the extension of the levy was established by a Citizens' Capital Needs Committee that met five times between the months of September 30, 2013, through January 13, 2014, and approved a recommended capital projects list that identified new capital project needs for an additional fifteen (15) year period of 2017 through 2031 ("New Capital Project Needs Plan");

WHEREAS, on January 28, 2014, the Volusia County School Board ("School Board") reviewed and approved the recommendation of the Citizens' Capital Needs Committee;

WHEREAS, the capital revenue sources for the School District of Volusia County, Florida, for financing the costs of school facility renovation, replacement and construction and technology purchases are inadequate without the continuation of the one-half cent sales surtax levy;

WHEREAS, the School Board is authorized by section 212.055(6), Florida Statutes, to levy a one-half cent sales surtax to fund capital outlay projects and technology implementation, including the payment of bond indebtedness and any interest accrued thereto, upon approval by a majority vote of the electors of Volusia County;

WHEREAS, the School Board desires to limit the financial impact of its capital outlay and technology implementation programs on local property owners by minimizing the use of ad valorem taxes to pay the costs of such improvements; and

WHEREAS, the New Capital Project Needs Plan is consistent with the School Board's adopted 2012 Educational Plant Survey as approved by the Florida Department of Education and serves as a plan for use of the proceeds of the levy and collection of the surtax for capital outlay which may be modified from time to time as the School Board determines to be in the best interest of the citizens throughout Volusia County.

NOW, THEREFORE, BE IT RESOLVED by the School Board of Volusia County, Florida, as follows:

**SECTION 1. SALES SURTAX LEVY.** There is hereby levied and imposed within Volusia County a discretionary sales surtax of 0.5 percent (one-half cent) pursuant to the provisions of sections 212.055(6) and 212.054, Florida Statutes subject to approval by a majority vote of the electors of Volusia County voting in the referendum directed by this resolution.

**SECTION 2. FINDINGS.** The findings set forth above are hereby adopted and incorporated by reference into this resolution.

**SECTION 3. TERM OF LEVY.** The surtax levy shall continue beginning January 1, 2017. The surtax levy shall remain in full force and effect for a period of fifteen (15) years from and after January 1, 2017, through December 31, 2031, unless repealed or reduced prior to that time by resolution of the School Board, which repeal or reduction may be effectuated without referendum.

**SECTION 4. ADMINISTRATION; USE OF REVENUES.**

- A. The surtax levied by this resolution shall be collected, administered and paid to the School Board by the Department of Revenue pursuant to the terms of section 212.054(4)(a), Florida Statutes or as otherwise provided by law.
- B. The proceeds of the levy and collection of the surtax and any interest accrued thereto shall be expended by the School Board for fixed capital expenditures or fixed capital costs associated with the renovation or construction of school facilities, and campuses, for security, technology and other school purposes, which have a useful life expectancy of five (5) or more years, and any land improvement, design and engineering costs related thereto, and for the costs of retrofitting and providing for technology implementation, including hardware and software, for the various sites within the district. Such proceeds and interest thereon may also be used for the purpose of servicing bond indebtedness to finance the projects authorized above. A brief and general description of the initial capital outlay projects to be funded by the surtax is set forth in the New Capital Project Needs Plan attached as Exhibit A.

**SECTION 5. PROJECT OVERSIGHT COMMITTEE.** The School Board and the Superintendent of Schools shall establish a Project Oversight Committee to report on the implementation, progress, status and completion of the projects funded by the sales surtax approved by this referendum. The Project Oversight Committee shall consist of six private citizens and one member of the Volusia County School District administration. The six private citizens shall not be affiliated with or employed by any business or occupation that would have a

direct or indirect financial benefit from these projects. The Project Oversight Committee shall prepare an annual report within ninety (90) days of the end of each fiscal year.

**SECTION 6. REFERENDUM ELECTION ORDERED; DIRECTION.** Pursuant to authority granted to the School Board pursuant to section 212.055(6), Florida Statutes, a county-wide referendum election is hereby ordered to be held in Volusia County on August 26, 2014, consistent with the terms of this resolution. This resolution shall constitute direction to the Volusia County Council to call said election within the School District of Volusia County consistent with the terms of this resolution. The School Board shall reimburse the County of Volusia for the costs of such referendum, if any, based on the actual expenses incurred on behalf of the School Board as filed by the Volusia County Supervisor of Elections attributable to the referendum.

**SECTION 7. OFFICIAL BALLOT.** The ballots to be used in the referendum election shall be substantially in the following form:

**BALLOT TITLE:** REFERENDUM ON EXTENDING ONE-HALF CENT SALES SURTAX FOR SCHOOL SECURITY, TECHNOLOGY AND OTHER FACILITY IMPROVEMENTS

**BALLOT QUESTION:** SHALL AN EXTENSION OF THE ONE-HALF CENT SCHOOL CAPITAL OUTLAY SALES SURTAX THAT EXPIRES ON DECEMBER 31, 2016, BE AUTHORIZED FOR AN ADDITIONAL FIFTEEN (15) YEAR LEVY BY THE SCHOOL BOARD OF VOLUSIA COUNTY BEGINNING JANUARY 1, 2017, TO FINANCE SCHOOL SECURITY AND TECHNOLOGY CAPITAL IMPROVEMENTS AND CONSTRUCTION OF OTHER SCHOOL CAPITAL PROJECTS, INCLUDING CONSTRUCTION, ADDITIONS, RENOVATIONS, AND REPLACEMENTS?

\_\_\_\_\_ **FOR THE ONE-HALF CENT TAX**  
\_\_\_\_\_ **AGAINST THE ONE-HALF CENT TAX**

**SECTION 8. HOLDING OF ELECTION.** The referendum election directed by this resolution shall be held and conducted in the manner set forth by law.

**SECTION 9. NOTICE OF REFERENDUM.** In accordance with section 100.342, Fla. Stat., the superintendent is hereby authorized and directed to place a notice of referendum election in a newspaper of general circulation published in the school district. The publication 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 to be held.

**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 to the extent of such conflict or inconsistency.

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

ADOPTED at a regular meeting of the School Board of Volusia County, Florida, the 25<sup>th</sup> day of February, 2014.

SCHOOL BOARD OF VOLUSIA COUNTY,  
FLORIDA

By: *Candace Lankford*  
CANDACE LANKFORD  
Chairman

ATTEST:

*Margaret A. Smith*  
MARGARET A. SMITH, D.Ed.  
Superintendent and Ex Officio Secretary  
of the School Board of Volusia County, Florida

EXHIBIT "A"

**CITIZENS' CAPITAL NEEDS COMMITTEE  
RECOMMENDED CAPITAL PROJECTS LIST  
SCHOOL BOARD APPROVED January 28, 2014**

**SECURITY** **\$ 45,000,000**

**Security Enhancements: ALL SCHOOLS & BUSES**

School needs vary. Security enhancements may include, but not be limited to, one or more of the following:

- Cameras
- Cypher Locks
- Electronic lock system
- Fencing
- Impact resistance window laminate
- Panic buttons
- Ridership Verification & Accountability System
- School Visitor Management System

**TECHNOLOGY** **\$ 135,000,000**

**Classroom & School Based Technology Retrofits & Upgrades: ALL SCHOOLS**

**Career & Technology Education Upgrades: ALL SECONDARY SCHOOLS**

- High School Academies
- Middle School Electives

**District Based Technology Retrofits & Upgrades**

**SCIENCE CLASSROOM REMODELING: ALL MIDDLE SCHOOLS** **\$ 8,000,000**

**NEW AND/OR REPLACEMENT SCHOOLS** **\$ 111,000,000**

- Pierson/Seville Elementary Replacement
- Chisholm Elementary (Replacement on site)
- Deltona Middle (Replacement on site)
- George Marks Elementary (Replacement on site)
- Tomoka Elementary (Replacement on site)

**ATHLETICS & PHYSICAL EDUCATION** **\$ 15,000,000**

**Track resurfacing/replacement & athletic fields: ALL HIGH SCHOOLS**

Dollars are based on 2013 values

EXHIBIT "A"

**SPECIFIC & SIGNIFICANT RENOVATIONS** **\$ 100,000,000**

**ELEMENTARY SCHOOLS**

Enterprise	Classroom renovations/replacement
McInnis	Connect to potable water and/or sanitary sewer when available
Orange City	Classroom renovations & additions, site improvements/circulation
Ortona	Classroom renovations, site improvements/circulation
Osceola	New construction: administration/guidance, classroom renovations, windows & doors, exterior walls, site improvement/circulation
Read-Pattillo	New construction: administration/guidance, classroom renovations, exterior walls, site improvement/circulation
Starke	Doors, ceiling & lights and interior finishes including electrical, restroom renovations
Woodward	Classroom renovations & addition, restroom renovations

**MIDDLE SCHOOLS**

New Smyrna	Classroom addition, Site work circulation, Façade upgrade
Silver Sands	Exterior site improvements, parking lot & lighting

**HIGH SCHOOLS**

Atlantic	HVAC replacement, ceiling & lighting, electric service upgrade, roof replacement, auditorium renovations, window replacement, technology lab conversion
Deltona	Windows and doors replacement, technology lab conversion
Pine Ridge	HVAC replacement, ceiling & lighting, electric service upgrade, roof replacement, technology lab conversion, culinary lab
Seabreeze	Exterior door replacement, Buildings 8 & 9 classroom renovations
Spruce Creek	HVAC Replacement, electric service upgrades

**OTHER RENOVATIONS (subject to sufficient revenues)**

May include upgrades or replacement at any school of one or more of the following: electric service and/or equipment, ceiling & lights, fire alarm, HVAC system and/or equipment, intercom, roof replacements.

**HALF CENT MONIES RECEIVED**

(32m x 15 yrs based on 2013 values) **\$ 480,000,000**

**PROJECT COST ESTIMATE (based on 2013 values)**

Security	<b>\$ 45,000,000</b>
Technology	<b>\$ 135,000,000</b>
Facilities	<b>\$ 234,000,000</b>
<b>SUBTOTAL</b>	<b>\$ 414,000,000</b>
Contingency &	
Inflation	<b>\$ 66,000,000</b>
	<b>\$ 480,000,000</b>

Dollars are based on 2013 values