



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
William K. DeBral, Deputy County Attorney
Susan J. Prado, Assistant County Attorney

MEMORANDUM

TO: Board of County Commissioners
FROM: Dylan Reingold, County Attorney
DATE: May 13, 2020
SUBJECT: School District Request for Reconsideration of Resolution Calling for Referendum on November 3, 2020 General Election Ballot

BACKGROUND.

On April 28, 2020, the School Board of Indian River County ("School Board") passed Resolution 2020-09, directing the Indian River County Board of County Commissioners (the "Board") to call an election, at which the electors within the School District may vote on the approval of an additional ad valorem millage of 0.50 mill for school operational purposes for the 2021/2022, 2022/2023, 2023/2024 and 2024/2025 fiscal years. Resolution 2020-09 requested that the referendum be placed on the August 18, 2020 Primary Election ballot.

At the May 12, 2020 Board meeting, the Board voted to place the referendum on the November 3, 2020 General Election ballot. At the School Board meeting that evening, the School Board drafted a letter requesting that the Board reconsider the decision to place the matter on the November 3, 2020 General Election ballot.

The County Attorney's Office has attached the relevant statutes and legal guidance on the issue.

FUNDING.

There is no funding associated with this item.

RECOMMENDATION.

The County Attorney's Office recommends that the Board consider the request and decide whether to approve the requested reconsideration.

ATTACHMENT(S).

School Board Letter
Section 1011.73, Florida Statutes
Section 1011.71, Florida Statutes
School Board of Clay County, Florida v. Clay County Order, dated August 15, 2019
Attorney General Opinion 98-29