



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## New Business - Miscellaneous

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J.5.

8/16/2022

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### Subject:

Rescind Resolution 2022-55 Regarding Referendum Election for School Millage Increase

### Fiscal Impact:

N/A

### Dept/Office:

District 3 Commission Office

### Requested Action:

Rescind Resolution 2022-55, which passed on May 26, 2022.

### Summary Explanation and Background:

At a Planning and Zoning meeting on May 26, 2022, the Board, minus the District 3 Commissioner, passed the measure to put the school millage increase referendum on the November 8, 2022 ballot.

This resolution should be rescinded for the following reasons:

- 1) A potential \$50 million per year tax increase does not belong on the consent portion of a planning and zoning agenda.
- 2) Hernando County, also considering a school board millage increase, just had a ruling on July 28, 2022 by Fifth Judicial Circuit Court Judge Lawrence J. Semento that states to they do not, in fact, need to put the referendum on this November's ballot. While not dealing with the same section of statute as Hernando County, the finding remains the same.
- 3) This will greatly affect affordable housing. The Orlando Sentinel addressed the issue in an article in 2015 regarding property tax burdens shifting to renters. One landlord stated "My choice? I can either go broke or pass the tax along to my renters." A study done by the Massachusetts Institute for Technology, Center of Real Estate found conclusively that "rents rise after tax changes sufficiently to fully absorb 80-90% of the change in landlord tax payments." Raising taxes greatly harms renters who are already struggling to make ends meet

- 4) According to the Brevard County Property Appraiser, the median market value for a single-family residence in Brevard County is approximately \$250,000. The 2021-2022 adopted millage rate was 3.5661, which for a \$250,000 home would equal \$891.53 in taxes annually. With a 1 mil increase, the annual taxes would increase by \$250, or an additional \$20.83 per month passed onto the renter. This will increase faster as investment property not subject to the 3% cap.

### **Clerk to the Board Instructions:**



August 29, 2022

MEMORANDUM

TO: John Tobia, District 3 Commissioner

RE: Item J.5., Rescind Resolution No. 2022-55, Regarding Referendum Election for School Millage Increase

**This is to correct the memorandum dated August 17, 2022.** The Board of County Commissioners, in regular session on August 16, 2022, discussed rescinding Resolution No. 2022-55, that was adopted on May 26, 2022, regarding referendum election for school millage increase, **but took no action; and reached consensus for you to bring a letter** back to the Board on August 30, 2022, Board of County Commission meeting **to send to the Brevard Legislative Delegation regarding an amendment to Florida Statue, Section 1011.73(1-2), regarding district millage elections.**

Your continued cooperation is greatly appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

  
Kimberly Powell, Clerk to the Board

/ns

cc: Each Commissioner  
County Manager  
County Attorney



August 17, 2022

**M E M O R A N D U M**

**TO:** John Tobia, District 3 Commissioner

**RE:** Item J.5., Rescind Resolution No. 2022-55, Regarding Referendum Election for School Millage Increase

The Board of County Commissioners, in regular session on August 16, 2022, discussed rescinding resolution No. 2022-55, that was adopted on May 26, 2022, regarding referendum election for school millage increase, but reached consensus to bring the item back to the Board on August 30, 2022 Board of County Commission meeting.

Your continued cooperation is greatly appreciated.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS**  
**RACHEL M. SADOFF, CLERK**

*Kimberly Powell*  
Kimberly Powell, Clerk to the Board

/ns

**cc:** Each Commissioner  
County Manager  
County Attorney