



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - County Attorney

J.4.

10/28/2025

Subject:

School Board Direction to Call a Referendum Election for Renewal of Additional One Mill Ad Valorem Tax Millage for School Operations

Fiscal Impact:

None

Dept/Office:

County Attorney's Office on behalf of Brevard County School Board Attorney Paul Gibbs

Requested Action:

It is directed by the Brevard County School Board that the Board of County Commissioners adopt a resolution calling a referendum election for the qualified electors of the School District of Brevard County to vote whether to renew the additional one mill ad valorem tax millage for school operations for a period of four years.

Summary Explanation and Background:

Section 1011.73(2), Florida Statutes, provides that school boards, "pursuant to resolution adopted at a regular meeting, shall direct the county commissioners to call an election at which the electors within the school district may approve an ad valorem tax millage as authorized under [Section 1011.71(9), Florida Statutes]." Any millage so authorized shall be levied for a period of up to four years or until changed by another millage election, whichever is earlier.

In November 2022, the voters of Brevard County approved an additional one mill ad valorem tax millage for school operations for four years. At a regular meeting on September 23, 2025, the School Board adopted its Resolution 2026-02. That resolution calls for a renewal of the expiring one mill levy and directs the Board of County Commissioners to place the required referendum election on the ballot of the general election to be held on November 3, 2026. A copy of the School Board's Resolution 2026-02 is attached.

In considering this item, the Board of County Commissioners is not voting on the wisdom of the proposed one mill ad valorem millage renewal. Rather, if the School Board satisfied the applicable statutory requirements, the Board of County Commissioners has a ministerial duty to place the referendum election on the ballot as directed. See, e.g., Fla. AGO 98-29 at 2, n. 6 (including Section 1011.73's predecessor, Section 236.31, among statutes "that clearly authorize a school district to call a referendum or direct the county commission to call such an election."). By statute, all school district millage elections shall be held only at a general election and conducted in the manner prescribed by law for holding general elections. The School District shall pay for the cost of publishing notices of the election and all expenses of the election.

Clerk to the Board Instructions:

Return a copy of the Clerk's Memorandum and executed Resolution to the County Attorney and School Board Attorney Paul Gibbs.



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

October 29, 2025

M E M O R A N D U M

TO: Morris Richardson, County Attorney

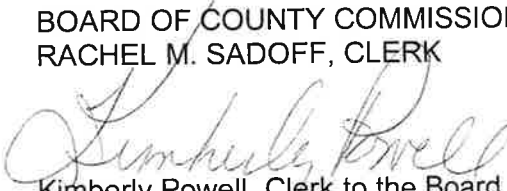
RE: Item J.4., School Board Direction to Call a Referendum Election for Renewal of Additional One Mill Ad Valorem Tax Millage for School Operations

The Board of County Commissioners, in regular session on October 28, 2025, adopted Resolution No. 2025-136, calling for a referendum election for the qualified electors of the School District of Brevard County to vote whether to renew the additional one mill ad valorem tax millage for school operations for a period of four years. Enclosed is a fully-executed Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

Encl. (1)

cc: School Board Attorney

RESOLUTION 2025-136

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, CALLING A REFERENDUM ELECTION ON NOVEMBER 3, 2026, FOR THE PURPOSE OF DETERMINING WHETHER THE ELECTORS OF THE SCHOOL DISTRICT AUTHORIZE THE RENEWAL OF AN AD VALOREM TAX MILLAGE INCREASE BY ONE (1.0) MILL FOR AN ADDITIONAL PERIOD OF FOUR (4) YEARS, TO BE USED FOR SCHOOL OPERATIONS.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA:

SECTION 1: AUTHORITY FOR RESOLUTION. This Resolution is adopted pursuant to the authority of the Board under Chapter 125, Florida Statutes and to the School Board of Brevard County, Florida's authority to direct the Board to call a referendum election under section 1011.73, Florida Statutes.

SECTION 2. FINDINGS. It is hereby found and determined that:

A. Pursuant to its authority under section 1011.73, Florida Statutes, the School Board of Brevard County, Florida, in the attached Resolution 2026-02 dated September 23, 2025, has directed the Board of County Commissioners to place a referendum election on the ballot of the general election to be held on November 3, 2026, for the qualified electors of the School District to vote whether to renew the ad valorem millage of one (1.0) mill for a period of four (4) years, to be limited to school operating expenses as described in Resolution 2026-02.

B. All requirements of the School Board for calling of the referendum election have been satisfied.

SECTION 3. REFERENDUM ELECTION. A referendum election is hereby called and ordered to be held concurrently with the general election to be held on November 3, 2026, to determine whether the ballot issue set forth in the attached Resolution 2026-02 adopted by the School Board of Brevard County, Florida on September 23, 2025, shall be approved.

SECTION 4. NOTICE OF REFERENDUM ELECTION. This Resolution shall be published by the School District in the manner prescribed in Section 6 of the attached Resolution 2026-02 adopted by the School Board of Brevard County, Florida on September 23, 2025.

SECTION 5. PLACES OF VOTING, INSPECTORS, CLERKS. The polls will be open at the voting placed on the date of such referendum election during the hours prescribed by law. All qualified electors shall be entitled and permitted to vote at such

referendum election on the proposition provided below. The places of voting and the inspectors and clerk for the referendum election shall be those designated by the Supervisor of Elections of Brevard County.

SECTION 6. OFFICIAL BALLOT. The ballot language shall be that set forth in Section 8 of the attached District School Board Resolution 2026-02 adopted by the School Board of Brevard County on September 23, 2025.

SECTION 7. PAYMENT OF REFERENDUM ELECTION ELECTIONS. Pursuant to section 1011.73(7), Florida Statutes, the District School Board shall pay the cost of the publication of notice of the election and all expenses of the election. The County Manager is hereby authorized and directed to approve and seek reimbursement from the School Board of Brevard County, Florida, for the payment of lawful expenses associated with conducting the referendum election and the Clerk of the Board of County Commissioners is hereby authorized and directed to disburse funds necessary to pay such expenses.

SECTION 8. VOTER REGISTRATION BOOKS. The Supervisor of Elections for Brevard County 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 election, applicable portions of the registration books or certified copies thereof showing the names of the qualified electors.

SECTION 9. ELECTION ADMINISTRATION. The referendum election shall be held and conducted in the manner prescribed by law and shall, as soon as practicable, be returned and canvassed in the manner prescribed by law. The result shall show the number of qualified electors who voted at such referendum election and the number of votes cast respectively for and against approval of the millage renewal. Upon certification in the manner prescribed by law, the results shall be recorded in the minutes of the Board of County Commissioners.

SECTION 10. ELECTION RESULTS. If the majority of the votes cast at such a referendum election shall be "Yes," the millage renewal shall pass.

SECTION 11. SEVERABILITY. In the event that any word, phrase, clause, sentence or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause sentence or paragraph hereof.

SECTION 12. REPEALING CLAUSE. All resolutions or other actions of the County which are in conflict herewith are hereby repealed to the extent of such conflict or inconsistency.

SECTION 13. EFFECTIVE DATE. This Resolution shall take effect upon adoption by the Board.

DONE AND ADOPTED in Regular Session of the Board of County Commissioners of Brevard County, Florida, this 28th day of October, 2025.

ATTEST:



Rachel M. Sadoff, Clerk

Brevard County Board of County Commissioners

BY: 

Rob Feltner, Chairman

(Approved by the Board on October 28, 2025)

Reviewed for legal form and content:



Morris Richardson, County Attorney

RESOLUTION 2026-02

A RESOLUTION OF THE SCHOOL BOARD OF BREVARD COUNTY, CALLING FOR A REFERENDUM ELECTION TO DETERMINE IF THE ELECTORS OF THE SCHOOL DISTRICT OF BREVARD COUNTY, FLORIDA, AUTHORIZE RENEWAL OF THE SCHOOL BOARD'S ONE MILL AD VALOREM TAX MILLAGE FOR FOUR YEARS TO BE USED FOR SCHOOL OPERATIONS TO INCLUDE MAINTAINING A HIGH QUALITY WORKFORCE THROUGH COMPETITIVE COMPENSATION FOR TEACHERS AND STAFF TO ENSURE STUDENT ACHIEVEMENT; PROVIDING FOR NOTICE OF THE REFERENDUM ELECTION; PROVIDING FOR PLACES OF VOTING, INSPECTORS, AND CLERKS; PROVIDING FOR AN OFFICIAL BALLOT; PROVIDING FOR ABSENTEE VOTING; PROVIDING FOR EARLY VOTING; PROVIDING FOR PRINTING OF BALLOTS; PROVIDING FOR REFERENDUM ELECTION PROCEDURE; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED by the School Board of Brevard County, Florida ("Board"), acting as the governing body of the School District of Brevard County, Florida ("District"), as follows:

SECTION 1 – AUTHORITY FOR RESOLUTION: This resolution is adopted pursuant to Section 1011.73(2), Florida Statutes (2025), and other applicable provisions of law.

SECTION 2 – FINDINGS: The Board, as the governing board of the District, pursuant to Article IX, Section 4(b), Florida Constitution and Sections 1001.32(2) and 1001.40, Florida Statutes (2025), hereby finds and determines the following:

- A. The Board has a primary goal to continue elevating student achievement for students attending its public schools.
- B. The education funds available to the Board through the Florida Educational Finance Program funding formula are not sufficient to provide competitive wages to its employees and to sustain essential educational programs and opportunities that prepare its public school students for the future.
- C. Funding is needed to supplement salary resources provided by the Florida Educational Finance Program in order for Brevard Public Schools to compete for highly qualified and experienced educators and support staff.
- D. Increased compensation for teachers, particularly for experienced teachers, is critical to recruiting and sustaining a highly qualified faculty work force.

- E. The Board is aware that voters in over 25 school districts in Florida have approved additional millage for school operations, creating a competitive advantage for them.
- F. Students directly benefit from having a well-trained and experienced teacher in their classroom.
- G. Students directly benefit from expanded academic programs, including Career and Technical Education (CTE) and Science, Technology, Engineering and Mathematics (STEM) programs, athletics, arts and classroom technology.
- H. A high-quality education system benefits all residents of Brevard County, regardless of whether they have children in school.
- I. Section 1011.73(2), Florida Statutes (2025), authorizes the qualified electors of Brevard County to vote on an additional millage for operational purposes.
- J. That the voters approved an additional one (1) mill ad valorem tax millage for school operations for four (4) years in November 2022
- K. The Board finds it is in the best interest of the students in public schools that the qualified electors be given the opportunity to approve the renewal of the one (1) mill ad valorem millage for school operations, specifically focused on teacher and staff compensation and/or benefits and financial support for academic programs, early childhood instructional support, athletics, arts and classroom technology as defined in the Plan for Use of Ad Valorem Millage Proceeds which is attached hereto and incorporated herein as Exhibit A.
- L. The renewal of the millage is subject to approval by the electors of the District at a referendum held as provided in Section 1011.71(9), Florida Statutes (2025), and, if approved, is hereby levied for the period commencing January 1, 2027, and ending December 31, 2030 and will be collected as authorized in the manner required by law. Also, the funds raised by the one (1) mill levied under Section 1011.71(9), Florida Statutes shall be shared with charter schools based on each charter school's proportionate share of the district's total unweighted full-time equivalent student enrollment and used in a manner consistent with the purposes of the levy.
- M. That to ensure proper fiscal stewardship of the millage proceeds, an independent citizens oversight committee has been appointed by the School Board. Annual reporting of the status of projects funded (expenditures) utilizing these funds will be presented to the School Board and shall be available for public review.

SECTION 3 – PLAN FOR USE OF AD VALOREM MILLAGE PROCEEDS:

- A. The Board intends that the revenue generated by the millage for operational purposes shall be used to recruit and retain instructional and support staff personnel including teachers, support staff, administrators, to make its compensation more competitive with surrounding counties.
- B. The Board further intends to use some of the revenue generated by the millage to expand staffing in early childhood education programs, maintaining and expanding Career and Technical Education (CTE) programs for students, to support early childhood education, to enhance art, music and athletic programs, to expand access to educational programs and continue the modernization of classroom technology learning environments.
- C. The plan for the use of the revenue generated by the millage is identified in the Plan for Use of Millage Proceeds which is attached hereto and incorporated herein as Exhibit A.

SECTION 4 – RENEWING THE LEVY OF ONE (1) MILL AD VALOREM MILLAGE: Subject to approval by the electors of the District at a referendum held as provided in Section 1011.71(9), Florida Statutes (2025), and, if approved, is hereby levied for the period commencing January 1, 2027, and ending December 31, 2030 and will be collected as authorized in the manner required by law.

SECTION 5 - REFERENDUM ELECTION ORDERED: That pursuant to Section 1011.73(1), Florida Statutes (2025) the Board of County Commissioners in and for Brevard County, Florida, is hereby directed to place the required referendum election on the ballot of the general election to be held on November 3, 2026, for the qualified electors of Brevard County Public Schools to vote whether to renew the ad valorem millage of one (1.0) mill for a period of four (4) years. The millage shall be limited to operating expenses of the School District as described in this Resolution.

SECTION 6 – NOTICE OF REFERENDUM ELECTION: The Superintendent is hereby authorized and directed to place a notice of the referendum election in a newspaper of general circulation published in the District. The publication will be made at least thirty (30) days prior to the referendum and must 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 deemed to be held. The notice of referendum must be in substantially the form provided in the attached Exhibit B. This Resolution shall be published as a part of such notice.

SECTION 7 – PLACES OF VOTING, INSPECTORS, AND CLERKS: The Brevard County, Florida polls will be open at the voting places on the date of the referendum election from 7:00 a.m. until 7:00 p.m. All qualified electors residing within the District shall be entitled and permitted to vote at the referendum election on the proposition provided in this Resolution. The places of voting and the inspectors and clerks of the referendum election shall be those designated by the Supervisor of Elections of Brevard County, Florida, in accordance with law.

SECTION 8 - OFFICIAL BALLOT: The ballots to be used in the referendum election shall contain a statement relating to the authority of the School Board of Brevard County, Florida, to renew the levy of one (1) mill ad valorem millage for a period of four (4) years from January 1, 2027 to December 31, 2030, and shall be in substantially the following form:

OFFICAL BALLOT

**RENEWAL OF AD VALOREM MILLAGE TO SUSTAIN INCREASED TEACHER PAY AND
OTHER PURPOSES**

Shall the School Board renew a one (1) mill ad valorem millage for four years to sustain increased teacher and staff pay, fund technical training for students, and for other similar purposes, to ensure student achievement, recruit and retain teachers and staff with competitive salaries, and distribute funds as required to charter schools based on their proportionate share of district enrollment, with all expenditures reviewed by an independent citizens’ oversight committee.

_____ YES - FOR RENEWAL OF MILLAGE

_____ NO - AGAINST RENEWAL OF MILLAGE

SECTION 9 – ABSENTEE VOTING: Adequate provision shall be made for absentee voters. The form of ballots to be used in the referendum for absentee voters shall be the same as used in the polling places for the election.

SECTION 10 – EARLY VOTING: Adequate provision shall be made for early voting, to run continuously from October 19, 2026 through October 31, 2026, including Sunday. Monday through Friday hours are 8:00 a.m. to 6:00 p.m. Weekend hours are from 8:00 a.m. to 4:00 p.m. The form of ballots to be used in the referendum for early voting shall be the same as used in the polling places for the election.

SECTION 11 – PRINTING OF BALLOTS: The Supervisor of Elections of Brevard County, Florida is authorized and directed to have printed on plain white paper a sufficient number of the ballots for use of absentee electors and early voters entitled to cast ballots in the referendum election; to have printed sample ballots and deliver the sample ballots to the inspectors and clerks on or before the date and time for opening of the polls for the referendum election; and to make appropriate arrangements for the conduct of the election at the polling places specified.

SECTION 12 – GENERAL ELECTION PROCEDURE: The Supervisor of Elections of Brevard County, Florida shall hold, administer, and conduct the referendum election in the manner prescribed by law for holding elections in the District. Returns shall show the number of qualified electors who voted at the referendum election on the proposition and the number of votes cast respectively for and against approval of the proposition. The returns shall be canvassed in accordance with the law.

SECTION 13 – 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 14 – REPEALING CLAUSE: All Resolutions in conflict or inconsistent with this Resolution are repealed insofar as there is conflict or inconsistency.

SECTION 15 – EFFECTIVE DATE: This Resolution shall take effect immediately upon its adoption.

ADOPTED at a Meeting of the School Board of Brevard County, Florida the 23rd day of September 2025, with a quorum present and voting.

SCHOOL BOARD OF BREVARD COUNTY, FLORIDA

By: 
Gene Trent, Board Chair

EXHIBIT A

PLAN FOR USE OF AD VALOREM MILLAGE PROCEEDS

- 1.** Pursuant to Section 1011.73(2), Florida Statutes, operational expenses to be funded by proceeds of the Millage shall be for:
 - a.** Teacher and staff compensation and/or benefits
 - b.** District-wide financial supplements for additional duties such as: Athletic Coaches, Teacher Mentors, Academic Team Sponsors, etc.
 - c.** Career and Technical Education and Academic Programs, Supplies and Staff
 - d.** Early Childhood Instructional Support Staff
 - e.** Athletic Programs, Supplies and Fees
 - f.** Performing Arts Programs, Supplies and Staff
 - g.** Classroom Technology – Advancing the “Classrooms of the Future” initiative
- 2.** To ensure proper fiscal stewardship of the millage proceeds, an oversight committee comprised of independent citizens has been appointed by the School Board. Annual reporting of the status of projects funded (expenditures) utilizing these funds will be presented to the School Board and shall be available for public review.

EXHIBIT B

**NOTICE OF REFERENDUM ELECTION IN THE SCHOOL DISTRICT OF BREVARD COUNTY,
FLORIDA ON NOVEMBER 3, 2026**

NOTICE IS HEREBY GIVEN THAT A REFERENDUM ELECTION will be held on November 3, 2026, in Brevard County, Florida, for the purpose of determining whether or not the Brevard County, Florida electorate approve renewing the one (1) mill ad valorem millage for a period of four (4) years, as specifically described and provided in a Resolution of the School Board of Brevard County, Florida, adopted September 23, 2025, and published below.

The polls will be open at the voting place on the date of the referendum election from 7:00 a.m. until 7:00 p.m., absentee voting will be available for the referendum election, and early voting will run continuously from Monday, October 19, 2026 through Saturday, October 31, 2026, including Sunday, with Monday through Friday hours from 8:00 a.m. to 6:00 p.m., and weekend hours from 8:00 a.m. to 4:00 p.m., all as provided in the Resolution published below.

All qualified electors residing within the School District shall be entitled, qualified, and permitted to vote at the referendum election.

SCHOOL BOARD OF BREVARD COUNTY, FLORIDA

By:  _____

Gene Trent, Board Chair

Board Meeting Date

Item Number: 54

Motion By: KD

Second By: TA

Nay By: _____

Commissioner	DISTRICT	AYE	NAY
Commissioner Delaney	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair Goodson	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Adkinson	3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Altman	5	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chairman Feltner	4	<input checked="" type="checkbox"/>	<input type="checkbox"/>

OLD

2725 Judge Fran Jamieson
Way
Viera, FL 32940



Agenda Report

New Business - County Attorney

J.3. *MOVED to J.4.*

10/28/2025

Subject:

School Board Direction to Call a Referendum Election for Renewal of Additional One Mill Ad Valorem Tax Millage for School Operations

Fiscal Impact:

None

Dept/Office:

County Attorney's Office on behalf of Brevard County School Board Attorney Paul Gibbs

Requested Action:

It is directed by the Brevard County School Board that the Board of County Commissioners adopt a resolution calling a referendum election for the qualified electors of the School District of Brevard County to vote whether to renew the additional one mill ad valorem tax millage for school operations for a period of four years.

Summary Explanation and Background:

Section 1011.73(2), Florida Statutes, provides that school boards, "pursuant to resolution adopted at a regular meeting, shall direct the county commissioners to call an election at which the electors within the school district may approve an ad valorem tax millage as authorized under [Section 1011.71(9), Florida Statutes]." Any millage so authorized shall be levied for a period of up to four years or until changed by another millage election, whichever is earlier.

In November 2022, the voters of Brevard County approved an additional one mill ad valorem tax millage for school operations for four years. At a regular meeting on September 23, 2025, the School Board adopted its Resolution 2026-02. That resolution calls for a renewal of the expiring one mill levy and directs the Board of County Commissioners to place the required referendum election on the ballot of the general election to be held on November 3, 2026. A copy of the School Board's Resolution 2026-02 is attached.

In considering this item, the Board of County Commissioners is not voting on the wisdom of the proposed one mill ad valorem millage renewal. Rather, if the School Board satisfied the applicable statutory requirements, the Board of County Commissioners has a ministerial duty to place the referendum election on the ballot as directed. See, e.g., Fla. AGO 98-29 at 2, n. 6 (including Section 1011.73's predecessor, Section 236.31, among statutes "that clearly authorize a school district to call a referendum or direct the county commission to call such an election."). By statute, all school district millage elections shall be held only at a general election and conducted in the manner prescribed by law for holding general elections. The School District shall pay for the cost of publishing notices of the election and all expenses of the election.

Clerk to the Board Instructions:

Return a copy of the Clerk's Memorandum and executed Resolution to the County Attorney and School Board Attorney Paul Gibbs.

RESOLUTION 2026-02

A RESOLUTION OF THE SCHOOL BOARD OF BREVARD COUNTY, CALLING FOR A REFERENDUM ELECTION TO DETERMINE IF THE ELECTORS OF THE SCHOOL DISTRICT OF BREVARD COUNTY, FLORIDA, AUTHORIZE RENEWAL OF THE SCHOOL BOARD'S ONE MILL AD VALOREM TAX MILLAGE FOR FOUR YEARS TO BE USED FOR SCHOOL OPERATIONS TO INCLUDE MAINTAINING A HIGH QUALITY WORKFORCE THROUGH COMPETITIVE COMPENSATION FOR TEACHERS AND STAFF TO ENSURE STUDENT ACHIEVEMENT; PROVIDING FOR NOTICE OF THE REFERENDUM ELECTION; PROVIDING FOR PLACES OF VOTING, INSPECTORS, AND CLERKS; PROVIDING FOR AN OFFICIAL BALLOT; PROVIDING FOR ABSENTEE VOTING; PROVIDING FOR EARLY VOTING; PROVIDING FOR PRINTING OF BALLOTS; PROVIDING FOR REFERENDUM ELECTION PROCEDURE; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED by the School Board of Brevard County, Florida ("Board"), acting as the governing body of the School District of Brevard County, Florida ("District"), as follows:

SECTION 1 – AUTHORITY FOR RESOLUTION: This resolution is adopted pursuant to Section 1011.73(2), Florida Statutes (2025), and other applicable provisions of law.

SECTION 2 – FINDINGS: The Board, as the governing board of the District, pursuant to Article IX, Section 4(b), Florida Constitution and Sections 1001.32(2) and 1001.40, Florida Statutes (2025), hereby finds and determines the following:

- A. The Board has a primary goal to continue elevating student achievement for students attending its public schools.
- B. The education funds available to the Board through the Florida Educational Finance Program funding formula are not sufficient to provide competitive wages to its employees and to sustain essential educational programs and opportunities that prepare its public school students for the future.
- C. Funding is needed to supplement salary resources provided by the Florida Educational Finance Program in order for Brevard Public Schools to compete for highly qualified and experienced educators and support staff.
- D. Increased compensation for teachers, particularly for experienced teachers, is critical to recruiting and sustaining a highly qualified faculty work force.

- E. The Board is aware that voters in over 25 school districts in Florida have approved additional millage for school operations, creating a competitive advantage for them.
- F. Students directly benefit from having a well-trained and experienced teacher in their classroom.
- G. Students directly benefit from expanded academic programs, including Career and Technical Education (CTE) and Science, Technology, Engineering and Mathematics (STEM) programs, athletics, arts and classroom technology.
- H. A high-quality education system benefits all residents of Brevard County, regardless of whether they have children in school.
- I. Section 1011.73(2), Florida Statutes (2025), authorizes the qualified electors of Brevard County to vote on an additional millage for operational purposes.
- J. That the voters approved an additional one (1) mill ad valorem tax millage for school operations for four (4) years in November 2022
- K. The Board finds it is in the best interest of the students in public schools that the qualified electors be given the opportunity to approve the renewal of the one (1) mill ad valorem millage for school operations, specifically focused on teacher and staff compensation and/or benefits and financial support for academic programs, early childhood instructional support, athletics, arts and classroom technology as defined in the Plan for Use of Ad Valorem Millage Proceeds which is attached hereto and incorporated herein as Exhibit A.
- L. The renewal of the millage is subject to approval by the electors of the District at a referendum held as provided in Section 1011.71(9), Florida Statutes (2025), and, if approved, is hereby levied for the period commencing January 1, 2027, and ending December 31, 2030 and will be collected as authorized in the manner required by law. Also, the funds raised by the one (1) mill levied under Section 1011.71(9), Florida Statutes shall be shared with charter schools based on each charter school's proportionate share of the district's total unweighted full-time equivalent student enrollment and used in a manner consistent with the purposes of the levy.
- M. That to ensure proper fiscal stewardship of the millage proceeds, an independent citizens oversight committee has been appointed by the School Board. Annual reporting of the status of projects funded (expenditures) utilizing these funds will be presented to the School Board and shall be available for public review.

SECTION 3 – PLAN FOR USE OF AD VALOREM MILLAGE PROCEEDS:

- A. The Board intends that the revenue generated by the millage for operational purposes shall be used to recruit and retain instructional and support staff personnel including teachers, support staff, administrators, to make its compensation more competitive with surrounding counties.
- B. The Board further intends to use some of the revenue generated by the millage to expand staffing in early childhood education programs, maintaining and expanding Career and Technical Education (CTE) programs for students, to support early childhood education, to enhance art, music and athletic programs, to expand access to educational programs and continue the modernization of classroom technology learning environments.
- C. The plan for the use of the revenue generated by the millage is identified in the Plan for Use of Millage Proceeds which is attached hereto and incorporated herein as Exhibit A.

SECTION 4 – RENEWING THE LEVY OF ONE (1) MILL AD VALOREM MILLAGE: Subject to approval by the electors of the District at a referendum held as provided in Section 1011.71(9). Florida Statutes (2025), and, if approved, is hereby levied for the period commencing January 1, 2027, and ending December 31, 2030 and will be collected as authorized in the manner required by law.

SECTION 5 - REFERENDUM ELECTION ORDERED: That pursuant to Section 1011.73(1), Florida Statutes (2025) the Board of County Commissioners in and for Brevard County, Florida, is hereby directed to place the required referendum election on the ballot of the general election to be held on November 3, 2026, for the qualified electors of Brevard County Public Schools to vote whether to renew the ad valorem millage of one (1.0) mill for a period of four (4) years. The millage shall be limited to operating expenses of the School District as described in this Resolution.

SECTION 6 – NOTICE OF REFERENDUM ELECTION: The Superintendent is hereby authorized and directed to place a notice of the referendum election in a newspaper of general circulation published in the District. The publication will be made at least thirty (30) days prior to the referendum and must 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 deemed to be held. The notice of referendum must be in substantially the form provided in the attached Exhibit B. This Resolution shall be published as a part of such notice.

SECTION 7 – PLACES OF VOTING, INSPECTORS, AND CLERKS: The Brevard County, Florida polls will be open at the voting places on the date of the referendum election from 7:00 a.m. until 7:00 p.m. All qualified electors residing within the District shall be entitled and permitted to vote at the referendum election on the proposition provided in this Resolution. The places of voting and the inspectors and clerks of the referendum election shall be those designated by the Supervisor of Elections of Brevard County, Florida, in accordance with law.

SECTION 8 - OFFICIAL BALLOT: The ballots to be used in the referendum election shall contain a statement relating to the authority of the School Board of Brevard County, Florida, to renew the levy of one (1) mill ad valorem millage for a period of four (4) years from January 1, 2027 to December 31, 2030, and shall be in substantially the following form:

OFFICAL BALLOT

**RENEWAL OF AD VALOREM MILLAGE TO SUSTAIN INCREASED TEACHER PAY AND
OTHER PURPOSES**

Shall the School Board renew a one (1) mill ad valorem millage for four years to sustain increased teacher and staff pay, fund technical training for students, and for other similar purposes, to ensure student achievement, recruit and retain teachers and staff with competitive salaries, and distribute funds as required to charter schools based on their proportionate share of district enrollment, with all expenditures reviewed by an independent citizens' oversight committee.

_____ YES - FOR RENEWAL OF MILLAGE

_____ NO - AGAINST RENEWAL OF MILLAGE

SECTION 9 – ABSENTEE VOTING: Adequate provision shall be made for absentee voters. The form of ballots to be used in the referendum for absentee voters shall be the same as used in the polling places for the election.

SECTION 10 – EARLY VOTING: Adequate provision shall be made for early voting, to run continuously from October 19, 2026 through October 31, 2026, including Sunday. Monday through Friday hours are 8:00 a.m. to 6:00 p.m. Weekend hours are from 8:00 a.m. to 4:00 p.m. The form of ballots to be used in the referendum for early voting shall be the same as used in the polling places for the election.

SECTION 11 – PRINTING OF BALLOTS: The Supervisor of Elections of Brevard County, Florida is authorized and directed to have printed on plain white paper a sufficient number of the ballots for use of absentee electors and early voters entitled to cast ballots in the referendum election; to have printed sample ballots and deliver the sample ballots to the inspectors and clerks on or before the date and time for opening of the polls for the referendum election; and to make appropriate arrangements for the conduct of the election at the polling places specified.

SECTION 12 – GENERAL ELECTION PROCEDURE: The Supervisor of Elections of Brevard County, Florida shall hold, administer, and conduct the referendum election in the manner prescribed by law for holding elections in the District. Returns shall show the number of qualified electors who voted at the referendum election on the proposition and the number of votes cast respectively for and against approval of the proposition. The returns shall be canvassed in accordance with the law.

SECTION 13 – 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 14 – REPEALING CLAUSE: All Resolutions in conflict or inconsistent with this Resolution are repealed insofar as there is conflict or inconsistency.

SECTION 15 – EFFECTIVE DATE: This Resolution shall take effect immediately upon its adoption.

ADOPTED at a Meeting of the School Board of Brevard County, Florida the 23rd day of September 2025, with a quorum present and voting.

SCHOOL BOARD OF BREVARD COUNTY, FLORIDA

By: 
Gene Trent, Board Chair

EXHIBIT A

PLAN FOR USE OF AD VALOREM MILLAGE PROCEEDS

- 1.** Pursuant to Section 1011.73(2), Florida Statutes, operational expenses to be funded by proceeds of the Millage shall be for:
 - a.** Teacher and staff compensation and/or benefits
 - b.** District-wide financial supplements for additional duties such as: Athletic Coaches, Teacher Mentors, Academic Team Sponsors, etc.
 - c.** Career and Technical Education and Academic Programs, Supplies and Staff
 - d.** Early Childhood Instructional Support Staff
 - e.** Athletic Programs, Supplies and Fees
 - f.** Performing Arts Programs, Supplies and Staff
 - g.** Classroom Technology – Advancing the “Classrooms of the Future” initiative
- 2.** To ensure proper fiscal stewardship of the millage proceeds, an oversight committee comprised of independent citizens has been appointed by the School Board. Annual reporting of the status of projects funded (expenditures) utilizing these funds will be presented to the School Board and shall be available for public review.

EXHIBIT B

**NOTICE OF REFERENDUM ELECTION IN THE SCHOOL DISTRICT OF BREVARD COUNTY,
FLORIDA ON NOVEMBER 3, 2026**

NOTICE IS HEREBY GIVEN THAT A REFERENDUM ELECTION will be held on November 3, 2026, in Brevard County, Florida, for the purpose of determining whether or not the Brevard County, Florida electorate approve renewing the one (1) mill ad valorem millage for a period of four (4) years, as specifically described and provided in a Resolution of the School Board of Brevard County, Florida, adopted September 23, 2025, and published below.

The polls will be open at the voting place on the date of the referendum election from 7:00 a.m. until 7:00 p.m., absentee voting will be available for the referendum election, and early voting will run continuously from Monday, October 19, 2026 through Saturday, October 31, 2026, including Sunday, with Monday through Friday hours from 8:00 a.m. to 6:00 p.m., and weekend hours from 8:00 a.m. to 4:00 p.m., all as provided in the Resolution published below.

All qualified electors residing within the School District shall be entitled, qualified, and permitted to vote at the referendum election.

SCHOOL BOARD OF BREVARD COUNTY, FLORIDA

By:  _____

Gene Trent, Board Chair

RESOLUTION 2025-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, CALLING A REFERENDUM ELECTION ON NOVEMBER 3, 2026, FOR THE PURPOSE OF DETERMINING WHETHER THE ELECTORS OF THE SCHOOL DISTRICT AUTHORIZE THE RENEWAL OF AN AD VALOREM TAX MILLAGE INCREASE BY ONE (1.0) MILL FOR AN ADDITIONAL PERIOD OF FOUR (4) YEARS, TO BE USED FOR SCHOOL OPERATIONS.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA:

SECTION 1: AUTHORITY FOR RESOLUTION. This Resolution is adopted pursuant to the authority of the Board under Chapter 125, Florida Statutes and to the School Board of Brevard County, Florida's authority to direct the Board to call a referendum election under section 1011.73, Florida Statutes.

SECTION 2. FINDINGS. It is hereby found and determined that:

A. Pursuant to its authority under section 1011.73, Florida Statutes, the School Board of Brevard County, Florida, in the attached Resolution 2026-02 dated September 23, 2025, has directed the Board of County Commissioners to place a referendum election on the ballot of the general election to be held on November 3, 2026, for the qualified electors of the School District to vote whether to renew the ad valorem millage of one (1.0) mill for a period of four (4) years, to be limited to school operating expenses as described in Resolution 2026-02.

B. All requirements of the School Board for calling of the referendum election have been satisfied.

SECTION 3. REFERENDUM ELECTION. A referendum election is hereby called and ordered to be held concurrently with the general election to be held on November 3, 2026, to determine whether the ballot issue set forth in the attached Resolution 2026-02 adopted by the School Board of Brevard County, Florida on September 23, 2025, shall be approved.

SECTION 4. NOTICE OF REFERENDUM ELECTION. This Resolution shall be published by the School District in the manner prescribed in Section 6 of the attached Resolution 2026-02 adopted by the School Board of Brevard County, Florida on September 23, 2025.

SECTION 5. PLACES OF VOTING, INSPECTORS, CLERKS. The polls will be open at the voting placed on the date of such referendum election during the hours prescribed by law. All qualified electors shall be entitled and permitted to vote at such

referendum election on the proposition provided below. The places of voting and the inspectors and clerk for the referendum election shall be those designated by the Supervisor of Elections of Brevard County.

SECTION 6. OFFICIAL BALLOT. The ballot language shall be that set forth in Section 8 of the attached District School Board Resolution 2026-02 adopted by the School Board of Brevard County on September 23, 2025.

SECTION 7. PAYMENT OF REFERENDUM ELECTION ELECTIONS. Pursuant to section 1011.73(7), Florida Statutes, the District School Board shall pay the cost of the publication of notice of the election and all expenses of the election. The County Manager is hereby authorized and directed to approve and seek reimbursement from the School Board of Brevard County, Florida, for the payment of lawful expenses associated with conducting the referendum election and the Clerk of the Board of County Commissioners is hereby authorized and directed to disburse funds necessary to pay such expenses.

SECTION 8. VOTER REGISTRATION BOOKS. The Supervisor of Elections for Brevard County 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 election, applicable portions of the registration books or certified copies thereof showing the names of the qualified electors.

SECTION 9. ELECTION ADMINISTRATION. The referendum election shall be held and conducted in the manner prescribed by law and shall, as soon as practicable, be returned and canvassed in the manner prescribed by law. The result shall show the number of qualified electors who voted at such referendum election and the number of votes cast respectively for and against approval of the millage renewal. Upon certification in the manner prescribed by law, the results shall be recorded in the minutes of the Board of County Commissioners.

SECTION 10. ELECTION RESULTS. If the majority of the votes cast at such a referendum election shall be "Yes," the millage renewal shall pass.

SECTION 11. SEVERABILITY. In the event that any word, phrase, clause, sentence or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause sentence or paragraph hereof.

SECTION 12. REPEALING CLAUSE. All resolutions or other actions of the County which are in conflict herewith are hereby repealed to the extent of such conflict or inconsistency.

SECTION 13. EFFECTIVE DATE. This Resolution shall take effect upon adoption by the Board.

DONE AND ADOPTED in Regular Session of the Board of County Commissioners of Brevard County, Florida, this 28th day of October, 2025.

ATTEST:

Brevard County Board of County Commissioners

Rachel M. Sadoff, Clerk

BY:

Rob Feltner, Chairman

(Approved by the Board on October 28, 2025)

Reviewed for legal form and content:

Morris Richardson, County Attorney