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RESOLUTION NO. 2018-

AN ENABLING RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, SCHEDULING A REFERENDUM ELECTION TO BE HELD AT THE GENERAL ELECTION ON NOVEMBER 6, 2018, FOR THE PURPOSE OF DETERMINING WHETHER TO LEVY A ONE PERCENT (1%) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SALES SURTAX FOR A PERIOD OF THIRTY (30) YEARS AS AUTHORIZED BY STATE LAW; PROVIDING FOR THE DELIVERY OF A CERTIFIED COPY OF THIS ENABLING RESOLUTION TO THE SUPERVISOR OF ELECTIONS BY JUNE 18, 2018; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Section 212.055(1), Florida Statutes, authorizes Broward County, Florida ("County"), to levy a Charter County and Regional Transportation System Sales Surtax ("Transportation Surtax"), subject to approval by referendum by a majority of the County electorate voting on the ballot measure; and

WHEREAS, in furtherance of funding critical transportation and transit needs for the benefit of present and future generations, the Board of County Commissioners of Broward County, Florida, desires that a referendum election on the levy of a one percent (1%), thirty (30) year Transportation Surtax be held at the General Election on November 6, 2018, in Broward County, Florida ("Ballot Measure"); and

WHEREAS, if the levy of the Transportation Surtax is approved by referendum at the General Election on November 6, 2018, the proceeds of the Transportation Surtax

1 shall be expended for transportation and transit purposes authorized in
2 Section 212.055(1)(d), Florida Statutes, as further described in the proposed ballot
3 language, with oversight of expenditures by an independent Transportation Surtax
4 Oversight Board, NOW, THEREFORE,

5

6 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
7 BROWARD COUNTY, FLORIDA:

8

9 Section 1. A referendum election is called and ordered to be held in Broward
10 County, Florida, on Tuesday, November 6, 2018, and at such other times as provided
11 for early voting by Section 101.657, Florida Statutes, for the purpose of determining
12 whether to levy, for a period of thirty (30) years, a one percent (1%) Transportation
13 Surtax on all transactions taxable pursuant to Section 212.054(2), Florida Statutes,
14 consistent with the requirements of applicable law.

15

16 Section 2. Said referendum election shall be held between the hours of
17 7:00 a.m. and 7:00 p.m. on Tuesday, November 6, 2018, and at such other days and
18 times for early voting as provided by Section 101.657, Florida Statutes, at the polling
19 places established in Broward County. Absentee ballots for said referendum election
20 shall be prepared and made available as provided by law. All registered and qualified
21 electors of Broward County shall be eligible to vote in the referendum election.

22

23 Section 3. In accordance with Section 100.342, Florida Statutes, at least thirty
24 (30) days' notice of the referendum election shall be published by the Broward County

1 Administrator, in a newspaper of general circulation in Broward County, at least twice,
2 including once in the fifth week and once in the third week prior to the week in which the
3 referendum election is to be held. The notice is attached hereto and made a part hereof
4 as Exhibit A.

5
6 Section 4. The title and summary of the Ballot Measure to appear on the ballot
7 for the referendum election are as follows:

8
9 **FUNDING FOR COUNTYWIDE TRANSPORTATION SYSTEM**

10 Shall countywide transportation improvements to reduce traffic congestion, implement
11 rail systems along key corridors, improve local roads, enhance traffic signal
12 synchronization, develop safe sidewalks and bicycle pathways, expand bus and special
13 needs transportation, and implement emerging transportation technologies including
14 alternative fueling, be funded by levying a 30-year, one percent sales surtax, paid by
15 residents and visitors, with the proceeds held in trust and expenditures overseen by an
16 independent oversight board?

17
18 _____ YES
19 _____ NO
20

21 Section 5. In accordance with Section 102.012, Florida Statutes, the
22 Supervisor of Elections shall appoint election boards consisting of clerks and inspectors
23 to serve in the referendum election.

24

1 Section 6. The Broward County Canvassing Board shall canvass the returns
2 in said referendum election and shall, as provided by law, certify the results of such
3 referendum election to the Board of County Commissioners of Broward County, Florida,
4 the Broward County Administrator, and the Florida Department of State, to be recorded
5 in appropriate public records.

6
7 Section 7. If a majority of the qualified electors voting in the referendum
8 election vote "Yes" on the Ballot Measure, a one percent (1%) Transportation Surtax
9 shall be levied, for a period of thirty (30) years, pursuant to Ordinance No. 2018-____,
10 enacted by the Board on _____, 2018.

11
12 Section 8. The County Administrator shall furnish a certified copy of this
13 adopted enabling Resolution to the Broward County Supervisor of Elections on or
14 before June 18, 2018. The County Administrator is also authorized to perform all other
15 tasks as may be necessary or useful to comply with the requirements of law relating to
16 referendum elections.

17
18 Section 9. SEVERABILITY.
19 If any portion of this Resolution is determined by any Court to be invalid, the
20 invalid portion shall be stricken, and such striking shall not affect the validity of the
21 remainder of this Resolution. If any Court determines that this Resolution, or any
22 portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies),
23 property(ies), or circumstance(s), such determination shall not affect the applicability
24 hereof to any other individual, group, entity, property, or circumstance.

EXHIBIT A

NOTICE OF REFERENDUM ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018, AND AT SUCH OTHER TIMES AS PROVIDED FOR EARLY VOTING BY SECTION 101.657, FLORIDA STATUTES, TO DETERMINE WHETHER TO LEVY A CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SALES SURTAX AT A RATE OF ONE PERCENT (1%) FOR A PERIOD OF THIRTY YEARS.

A countywide referendum election will be held on Tuesday, November 6, 2018, and at such other times as provided for early voting by Section 101.657, Florida Statutes, for the purpose of determining whether to levy, at a rate of one percent (1%) for a period of thirty (30) years, a Charter County and Regional Transportation System Sales Surtax on all transactions taxable pursuant to Section 212.054(2), Florida Statutes, including the first Five Thousand Dollars (\$5,000) of the sales amount of any items of tangible personal property ("Ballot Measure").

As set forth in enabling Resolution No. 2018-_____, adopted on _____, 2018, by the Board of County Commissioners of Broward County, Florida, the title and summary of the Ballot Measure to appear on the referendum election ballot shall be as follows:

FUNDING FOR COUNTYWIDE TRANSPORTATION SYSTEM

Shall countywide transportation improvements to reduce traffic congestion, implement rail systems along key corridors, improve local roads, enhance traffic signal synchronization, develop safe sidewalks and bicycle pathways, expand bus and special needs transportation, and implement emerging transportation technologies including alternative fueling, be funded by levying a 30-year, one percent sales surtax, paid by residents and visitors, with the proceeds held in trust and expenditures overseen by an independent oversight board?

_____ YES

_____ NO

The referendum election on the Ballot Measure shall be held on November 6, 2018, between the hours of 7:00 a.m. and 7:00 p.m., and at such other days and times for early voting as provided by Florida law, at the polling places established in Broward County. Absentee ballots for the referendum election shall be prepared and made available as provided by law. All registered and qualified electors of Broward County shall be eligible to vote in said referendum election.

The Broward County Canvassing Board shall canvass the returns and certify the results of the referendum election to the Board of County Commissioners of Broward County, Florida, the Broward County Administrator, and the Florida Department of State, to be recorded and filed in appropriate public records.

Instructions:

A. Publish two (2) times:

Once on: October 2, 2018

Once on: October 16, 2018

B. Furnish two (2) proofs of publication and invoice to:

Mary Anne Darby, Deputy Clerk
Records, Taxes and Treasury Division
Broward County Governmental Center
115 S. Andrews Avenue, Room 336-U
Fort Lauderdale, Florida 33301

C. Furnish one (1) proof of publication and invoice to:

Board of County Commissioners
Accounting Division
Broward County Governmental Center
115 S. Andrews Avenue, Room 201
Fort Lauderdale, Florida 33301