

**RESOLUTION NO. 2022-02**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BAYSHORE FIRE PROTECTION AND RESCUE SERVICE DISTRICT, FLORIDA; CALLING FOR AN ELECTION TO DETERMINE VOTER APPROVAL OF AN INCREASE IN THE ANNUAL MAXIMUM MILLAGE TAX RATE THE DISTRICT CAN IMPOSE ON PROPERTY WITHIN THE BOUNDARIES OF THE DISTRICT; AUTHORIZING ACTION TO CONDUCT AN ELECTION; RESCINDING ALL RESOLUTIONS IN CONFLICT; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE LIBERAL CONSTRUCTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the District Board of Commissioners for the Bayshore Fire Protection and Rescue Service District, Florida (the "District") anticipates increases in the District's annual expenses as a result of a number of factors, including funding the operation, construction, maintenance and staffing of District services and facilities, present and future; and

**WHEREAS**, the District is currently authorized to charge an annual maximum tax rate of 3.500 mills (\$3.50 for every \$1,000.00 of property value) as approved by referendum in 2003; and

**WHEREAS**, the Board has determined that there is a real and present public necessity to increase the annual maximum millage tax rate the District can charge from 3.500 mills (\$3.50 for every \$1,000.00 of property value), to 3.75 mills (\$3.75 for every \$1,000.00 of property value).

**NOW THEREFORE**, be it resolved by the Board of Commissioners of the Bayshore Fire Protection and Rescue Service District, as follows:

**SECTION ONE, INCORPORATION OF RECITALS**

The recitals set forth above are true and correct and form a part of this Resolution.

**SECTION TWO, CALLING OF AN ELECTION**

An election is hereby called to be held on November 8, 2022, for the purpose of submitting to the qualified electors of the District a question of whether the annual maximum ad valorem millage tax rate of 3.500 mills (\$3.50 for every \$1,000.00 of property value), which was approved by Referendum in 2003, should be increased to an annual maximum ad valorem millage tax rate of 3.75 mills (\$3.75 for every \$1,000.00 of property value). The official ballot shall be in the form as provided by law and shall contain the question to be voted upon which shall be substantially in the following form:

**REFERENDUM TO INCREASE THE MAXIMUM MILLAGE RATE**

Shall the Bayshore Fire Protection and Rescue Service District be authorized to increase the annual maximum ad valorem millage tax rate on all property within its boundaries from 3.5 mills (\$3.50 for every \$1,000.00 of property value) as approved by referendum in 2003, to 3.75 mills (\$3.75 for every \$1,000.00 of property value), to fund the operation, construction, maintenance and staffing of District services and facilities?

Yes

No

**SECTION THREE. AUTHORIZATION TO CONDUCT AN ELECTION**

The Supervisor of Elections, the Chairman of the Board of Commissioners of the District, and the officials, officers, legal counsel, employees, and agents of the District are hereby directed and authorized to do all things necessary to prepare a ballot question and conduct an election of the qualified voters of the District to determine whether the current annual maximum ad valorem millage tax rate of 3.500 (\$3.50 for every \$1,000.00 of property value) should be increased to an annual maximum ad valorem millage tax rate of 3.750 mills (\$3.75 for every \$1,000.00 of property value). The elections shall be conducted according to the requirements of law governing elections conducted by the Supervisor of Elections. The election shall be held at the polling places designated by the Supervisor of Elections and the polls shall be opened and closed as provided by law. The publication of notice of this election shall occur in the Fort Myers News-Press, and the first publication shall be at least thirty (30) days prior to the 8<sup>th</sup> day of November 2022. The publication shall be made at least twice with the first publication to occur in the fifth week and with the second publication to occur in the third week prior to the week in which the election is to be held.

**SECTION FOUR. RESCISSION**

The Board of Commissioners hereby rescinds all prior resolutions and other official action of the Board of Commissioners to the extent of any conflict with any part of this Resolution.

**SECTION FIVE. SEVERABILITY**

If any section, subsection, sentence, clause or other provision of this Resolution is held unconstitutional, inoperative or void by a court of competent jurisdiction, such holding shall not affect the remainder of this Resolution.

**SECTION SIX. CONSTRUCTION AND EFFECTIVE DATE**

This Resolution shall be liberally construed to affect the purposes hereof and shall take effect immediately upon its adoption.

THE FOREGOING RESOLUTION WAS OFFERED BY COMMISSIONER \_\_\_\_\_ WHO MOVED THE RESOLUTION'S ADOPTION. THE MOTION WAS SECONDED BY COMMISSIONER \_\_\_\_\_ AND, UPON BEING PUT TO A VOTE, THE VOTE WAS AS FOLLOWS:

- Commissioner Paul A. Griffin \_\_\_\_\_
- Commissioner Eric L. Ducrou \_\_\_\_\_
- Commissioner Tracy R. Hansen \_\_\_\_\_
- Commissioner Timothy W. Cook \_\_\_\_\_
- Commissioner Thomas (Tony) Mere \_\_\_\_\_

DULY PASSED AND ADOPTED THIS 10th DAY OF MAY 2022.

BOARD OF COMMISSIONERS OF  
THE BAYSHORE FIRE PROTECTION AND  
RESCUE SERVICE DISTRICT, FLORIDA

By: \_\_\_\_\_  
DISTRICT CHAIR

ATTEST:

\_\_\_\_\_  
By:  
Title: