

RESOLUTION NO. 2025-3433

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CALLING FOR A TOWN OF SURFSIDE SPECIAL ELECTION TO BE HELD ON NOVEMBER 4, 2025 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE A BALLOT QUESTION AS A BINDING REFERENDUM TO CONTINUE THE UNDERGROUNDING OF OVERHEAD UTILITY LINES FOR ELECTRIC AND COMMUNICATION SERVICES AT AN ANTICIPATED COST OF EIGHTY MILLION (\$80,000,000) DOLLARS; PROVIDING FOR PUBLICATION OF NOTICE OF SUCH REFERENDUM; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORATE; PROVIDING FOR THE TOWN CLERK TO UTILIZE THE SERVICES OF MIAMI-DADE COUNTY SUPERVISOR OF ELECTIONS FOR THE SPECIAL ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, as a coastal community susceptible to wind and storm events, the Town of Surfside ("Town") Commission recognized the importance and safety of undergrounding utilities and the positive aesthetic impacts of such undergrounding; and

WHEREAS, by referendum to the electors of the Town, at a special election held on November 3, 2020, the Town submitted to the electorate a ballot question as a non-binding referendum regarding whether the undergrounding of utilities was favored, which ballot question received over 72% approval from the Town electors voting in such election; and

WHEREAS, the Town sought the approval of the electors of the Town on March 15, 2022 by holding a bond referendum for the issuance of general obligation bonds in an amount not to exceed Forty Million (\$40,000,000) Dollars for the purpose of financing the costs of the undergrounding of overhead utility lines for electric and communications services (the "Project"), as approved by the voters in 2022 with Forty Million (\$40,000,000) Dollars, which ballot question received over 52% approval from the Town electors voting in such election;

WHEREAS, the expense for the Project was previously estimated to be in the range of (Forty Million) \$40,000,000 Dollars, but is currently estimated to be in the range of (Eighty Million) \$80,000,000 Dollars; and

WHEREAS, the Town Commission now wishes to seek the approval of the electors by holding a binding referendum to continue with the Project at an anticipated cost of Eighty Million (\$80,000,000) Dollars; and

WHEREAS, in accordance with provisions of the Charter of the Town and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the Town of Surfside, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 4, 2025 for the purpose of submitting to the electorate the proposed ballot question to continue with the Project at an anticipated cost of Eighty Million (\$80,000,000) Dollars ; and

WHEREAS, the Constitution of the State of Florida, Article VII, Section 12, as well as Section 100.211, Florida Statutes, authorize and require a voter referendum for the approval of the issuance of general obligation bonds by a municipality; and

WHEREAS, not less than thirty (30) days' notice of the adoption of this Resolution and of its provisions calling for a referendum shall be given by publication in the Miami Herald, a newspaper of general circulation in Surfside, Miami-Dade County, Florida, or by such other lawful means. Such publication shall be made once in the fifth week before the election and once in the third week before the election in accordance with the provisions of Section 100.342, Florida Statutes, and the Town Charter and Code, or as otherwise prescribed by law; and

WHEREAS, the Town Commission finds that this Resolution is in the best interest and welfare of the residents of the Town.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Special Election Called; Notice of Election. That a special election is hereby called, to be held on Tuesday, November 4, 2025, to hold a binding referendum and present to the qualified electors of the Town, the ballot question provided in this Resolution. Notice of said election and referendum shall be published in

accordance with Sections 50.0311 and 100.342, Florida Statutes, at least thirty (30) days prior to said election, the first publication to be in the fifth week prior to the election and the second publication to be in the third week prior to the election, or as otherwise prescribed by law, and shall be in substantially the following form:

“THE TOWN OF SURFSIDE, FLORIDA

NOTICE OF SPECIAL ELECTION OF BINDING REFERENDUM

PUBLIC NOTICE IS HEREBY GIVEN THAT PURSUANT TO RESOLUTION NO. 2025-3433 ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”), A SPECIAL ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD WITHIN THE TOWN ON TUESDAY, NOVEMBER 4, 2025, BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M., AT WHICH TIME THE FOLLOWING BALLOT QUESTION SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN FOR APPROVAL OR REJECTION:

REFERENDUM ON WHETHER TO CONTINUE WITH THE PROJECT

Shall the Town continue with the undergrounding of overhead utility lines for electric and communication services (the “Project”) at an anticipated cost of Eighty Million (\$80,000,000) Dollars?

YES []

NO []

The polling place for the Special Election shall be the Surfside Town Hall located at 9293 Harding Avenue, Surfside, Florida 33154 and any other polling places provided for the Town election. All Town electors who are timely registered shall be eligible to vote. The enabling Resolution, including the ballot question are available at the Office of the Town Clerk, located at the Surfside Town Hall.

Sandra McCready, MMC, Town Clerk”

Section 3. Form of Ballot; Ballot Question. The form of ballot and question for the referendum shall be substantially as follows:

“NOTICE OF SPECIAL ELECTION OF BINDING REFERENDUM

PUBLIC NOTICE IS HEREBY GIVEN THAT PURSUANT TO RESOLUTION NO. 2025-3433 ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”), A SPECIAL ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD WITHIN THE TOWN ON TUESDAY, NOVEMBER 4, 2025, BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M., AT WHICH TIME THE FOLLOWING BALLOT QUESTION SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN FOR APPROVAL OR REJECTION:

REFERENDUM ON WHETHER TO CONTINUE WITH THE PROJECT

Shall the Town continue with the undergrounding of overhead utility lines for electric and communication services (the “Project”) at an anticipated cost of Eighty Million (\$80,000,000) Dollars?

YES []

NO []

The form of the ballot to be used in this special election and its preparation shall be in compliance with all statutory requirements relating to the use of mechanical or other approved voting machines or devices.

Section 4. Conduct of Referendum. That the referendum shall be conducted between the hours of 7:00 a.m. until 7:00 p.m. on election day at the regular polling place for Town elections. Vote-by-mail ballots shall be provided as authorized by law. All qualified Town electors who are timely registered in accordance with law shall be entitled to vote. The marked ballots shall be returned to the Supervisor, who shall deliver the same to the Miami-Dade County Canvassing Board for canvassing in the manner provided by applicable law. Said returns shall be certified to the Town Commission, which shall declare the results thereof and record the same in its minutes along with the number of qualified electors of the Town who voted at the Referendum on the question proposed and the number of votes cast for and against continuing with the undergrounding of overhead utility lines for electric and communication services at an anticipated cost of

Eighty Million (\$80,000,000) Dollars.. The Town Commission shall certify the results of said Referendum to the Florida Department of State and/or other applicable entity in the manner provided by applicable law.

Section 5. Available for Public Inspection; Town Clerk to Utilize the Services of Miami-Dade County Supervisor of Elections. Copies of this Resolution providing for the referendum are on file in the Office of the Town Clerk located at 9293 Harding Avenue, Surfside, Florida and are available for public inspection during regular business hours. Furthermore, the Town Clerk is authorized to utilize the services of Miami-Dade County Supervisor of Elections for any assistance required in the administration of the referendum. The Town shall pay all expenses for conducting the special election and referendum and will pay such expenses to Miami-Dade County upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

Section 6. Authorization of Town Officials. The Town Manager, Town Attorney and Town Clerk are hereby authorized to take all steps necessary to complete the execution and implementation of the terms and purposes of this Resolution, and the Special Election Referendum, if adopted and effective.

Section 7. Effective Date. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED this 20th day of August, 2025.

Moved By: Commissioner Vildostegui

Second By: Commissioner Coto

FINAL VOTE ON ADOPTION

Commissioner Ruben A. Coto	<u>Yes</u>
Commissioner Nelly Velasquez	<u>Absent</u>
Commissioner Gerardo Vildostegui	<u>Yes</u>
Vice Mayor Tina Paul	<u>Yes</u>
Mayor Charles W. Burkett	<u>Yes</u>

Charles W. Burkett, Mayor


ATTEST:



Sandra McCready, MMC, Town Clerk



**APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE RELIANCE OF THE TOWN OF SURFSIDE ONLY:**



Thais Hernandez, Town Attorney