

**RESOLUTION NO. 2026-3501**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CALLING FOR A TOWN OF SURFSIDE SPECIAL ELECTION TO BE HELD ON AUGUST 18, 2026, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE A BALLOT QUESTION PURSUANT TO THE TOWN CHARTER AT ARTICLE II SECTION 11 – “POWERS OF COMMISSION”, REQUIRING APPROVAL FROM AT LEAST 60 % OF THE VOTERS FOR ANY SINGLE PROJECT AS PRESENTED IN BALLOT QUESTION 1) APPROVING/DENYING THE COLLINS AVENUE WATER MAIN PROJECT AT AN ANTICIPATED COST BETWEEN \$7,000,000 AND \$7,500,000 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**, Section 97.1 of the Town Charter of the Town of Surfside (“Town”) referencing Section 6.03 of Article 6 of the Home Rule Charter of Miami-Dade County provides the manner in which charter amendments shall be proposed; and

**WHEREAS**, during the November 4, 2025, the Town of Surfside’s registered voters casted their votes requiring a public referendum be held in which at least 60% of the voters support the use of Town funds on any single project, purchase, or investment of an amount equal to or more than 20% of the Town’s prior fiscal year’s budgeted Ad Valorem Tax revenue; and

**WHEREAS**, the Town of Surfside (“Town”) Commission recognizes the importance of regulating its purchasing powers in order to ensure the financial stability of the Town; and

**WHEREAS**, Article II, Section 11 of the Town Charter provides in pertinent part:

**Sec. 11. - Powers of commission.**

All powers of the town not specifically conferred on other officers and employees and the determination of all matters of policy shall be vested in the commission. Without limitation of the foregoing, the commission shall have power to:

(16) "Use Town funds not exceeding \$2,000,000, adjusted for inflation from 2025 forward, for any single project, purchase, or investment, except in the case of an "emergency" as defined in Sec. 2-262(a){1} of the Town Code. Use of Town funds exceeding \$2,000,000, as set forth herein, shall require a unanimous vote of the entire Town Commission.

(17) Use Town funds on any single project, purchase, or investment in an amount equal to or less than 20% of the Town's prior fiscal year's budgeted ad valorem tax revenue without a public referendum supported by at least 60% of the electors. Use of Town funds exceeding said amount shall require a public referendum approved by at least 60% of the electors.

**WHEREAS**, the Collins Water Main Project came in at an estimated cost higher than the 20% of the Town's prior fiscal year's budgeted Ad Valorem Tax revenue; and

**WHEREAS**, on March 13, 2026, during a Special Town Commission meeting, the Town Commission unanimously voted in favor of the following question: Approving/denying the Collins Avenue Water Main project at an anticipated cost between \$7,000,000 and \$7,500,000 dollars; and

**WHEREAS**, the Town Commission now wishes to seek the approval of the electors by holding a public referendum: Approving/denying the Collins Avenue Water Main project at an anticipated cost between \$7,000,000 and \$7,500,000 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, August 18, 2026 for the purpose of submitting to the electorate the proposed ballot questions to continue the; 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 accordance with Florida Statutes 50.0311. 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, August 18, 2026, to hold a public referendum and present to the qualified electors of the Town of Surfside, the ballot questions 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 AND/OR BOND REFERENDUM**

**PUBLIC NOTICE IS HEREBY GIVEN THAT PURSUANT TO RESOLUTION NO. 2026 - \_\_\_\_\_ 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, AUGUST 18, 2026, BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M., AT WHICH TIME THE FOLLOWING BALLOT QUESTIONS SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN FOR APPROVAL OR REJECTION:**

**REFERENDUM ON WHETHER TO CONTINUE WITH THE COLLINS AVENUE WATER MAIN PROJECT**

Shall the Town continue with the Collins Avenue Water Main project (the “Water Project”) at an anticipated cost between seven million (\$7,000,000) to seven and a half million (\$7,500,000) 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.

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Sandra N. McCready, MMC, Town Clerk”

**Section 3. Form of Ballot; Ballot Question.** That the official ballot to be used in the Special Election to be held on Tuesday, August 18, 2026, as hereby called, shall be in substantially the following form, to-wit:

**“OFFICIAL BALLOT**

**QUESTION 1**

**REFERENDUM ON WHETHER TO CONTINUE WITH THE COLLINS AVENUE WATER MAIN PROJECT**

Shall the Town continue with the Collins Avenue Water Main project (the “Water Project”) at an anticipated cost between seven million (\$7,000,000) to seven and a half million (\$7,500,000) dollars?

YES [     ]

NO [     ]”

**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 and early voting 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 approval of the Bonds. 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.

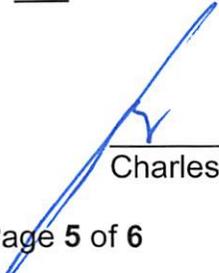
**PASSED AND ADOPTED** this 13<sup>th</sup> day of March, 2026.

**Moved By:** Commissioner Vildostegui

**Second By:** Commissioner Coto

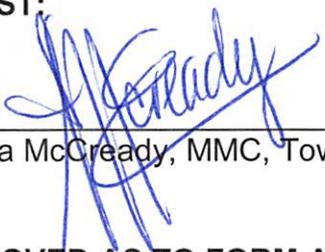
**FINAL VOTE ON ADOPTION**

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



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Charles W. Burkett, Mayor

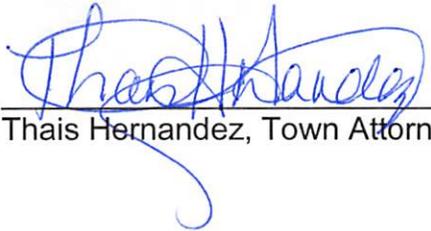
ATTEST:



Sandra McCready, MMC, Town Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Thais Hernandez, Town Attorney