

RESOLUTION NO. 2014-_____

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, CALLING A SPECIAL ELECTION ON THE PROPOSED NON-BINDING STRAW BALLOT QUESTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014; PROVIDING FOR SUBMISSION TO THE ELECTORS FOR APPROVAL OR DISAPPROVAL OF A NON-BINDING STRAW BALLOT QUESTION REGARDING THE UNDERGROUNDING OF THE CURRENT AND FUTURE TRANSMISSION LINE ALONG PONCE DE LEON BOULEVARD FROM RED ROAD (57TH AVE) TO RUIZ STREET AT A COST OF APPROXIMATELY FIFTY-TWO MILLION DOLLARS (\$52,000,000); PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR PROCEDURE FOR BALLOTING; PROVIDING FOR NOTICE; PROVIDING FOR RELATED MATTERS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 18 of the City Charter, Chapter 22 of the City Code of Ordinances, and applicable law, the City Commission of the City of Coral Gables desires to submit a non-binding straw ballot question to the electors of the City relating to the undergrounding of an existing and proposed future Transmission Power Line ("Power Line") along Ponce de Leon Boulevard from Red Road (57th Avenue) to Ruiz Street, including attached distribution lines to preserve the aesthetics and property values of the city; and

WHEREAS, the City has been advised that the costs of undergrounding the Power Line is approximately fifty-two million dollars (\$52,000,000) to the City; and

WHEREAS, pursuant to Section 18 of the City Charter, Chapter 22 of the City Code of Ordinances, and applicable law, the City Commission is authorized to submit the non-binding straw ballot question to the electors of the City for approval or rejection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above stated recitals is hereby adopted and confirmed.

Section 2. Ballot Question. That pursuant to Section 18 of the City Charter, Chapter 22 of the City Code of Ordinances, and applicable law, the Commission seeks to place before the voters a non-binding straw ballot question for the purposes of determining whether the electors support the undergrounding of the existing and proposed future transmission and distribution lines along Ponce de Leon Boulevard, from Red Road (57th Avenue) to Ruiz Street in order to preserve the aesthetics and property values of the City. The Commission wishes to ask the public whether they support the undergrounding of the transmission lines if the costs to the City are approximately fifty-two million dollars (\$52,000,000).

Section 3. Election Called. That a special election is hereby called, to be held on Tuesday, the 4th day of November, 2014, in conjunction with the county-wide general election, to present to the qualified electors of the City of Coral Gables, the non-binding straw ballot questions provided in Section 4 of this Resolution.

Section 4. Form of Non-Binding Straw Ballot Question. That the form of the non-binding straw ballot question provided for in Section 2 of this Resolution shall substantially be as provided below:

NON-BINDING STRAW BALLOT QUESTION REGARDING UNDERGROUNDING OF TRANSMISSION LINES

Would you support undergrounding an existing transmission power line along Ponce de Leon Boulevard, between Red Road and Ruiz Street, with power poles up to 72 feet high, and an approved future transmission power line on the same route with power poles planned up to 85 feet high, at a cost to the City of Coral Gables of approximately \$52,000,000?

____ Yes
____ No

Section 5. Balloting. That balloting shall be conducted between the hours of 7:00 a.m. to 7:00 p.m. on the date of the election. Absentee ballots shall be available. Early voting shall be provided in conjunction with the general election. All qualified City electors who are timely registered in accordance with law shall be entitled to vote. The City Clerk is authorized to obtain any necessary election administration services from the Miami-Dade County (the "County") Supervisor of Elections. The County registration books shall remain open at the Office of the County Supervisor of Elections until the date at which the registration books shall close in accordance with the provisions of the general election laws. The City Clerk and the County Supervisor of Elections are hereby authorized to take all appropriate action necessary to carry into effect and accomplish the provisions of this resolution. This election shall be canvassed by the Miami-Dade County Canvassing Board.

Section 6. Notice of Election. That notice of said election shall be published in accordance with Section 100.342, Fla. Stat., in a newspaper of general circulation within the City at least 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, and shall be in substantially the following form:

“NOTICE OF SPECIAL ELECTION

PUBLIC NOTICE IS HEREBY GIVEN THAT PURSUANT TO RESOLUTION NO. 2014-_____ ADOPTED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, AN ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD WITHIN THE CITY ON TUESDAY, THE 4TH DAY OF NOVEMBER, 2014, BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M., AT WHICH TIME THE FOLLOWING PROPOSAL SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY.

NON-BINDING STRAW BALLOT QUESTION REGARDING UNDERGROUNDING OF TRANSMISSION LINES

Would you support undergrounding an existing transmission power line along Ponce de Leon Boulevard, between Red Road and Ruiz Street, with power poles up to 72 feet high, and an approved future transmission power line on the same route with power poles planned up to 85 feet high, at a cost to the City of Coral Gables of approximately \$52,000,000?

____ Yes

____ No

Polling place information and additional information including the full text of the resolution approving the ballot question is available at the office of the City Clerk located at 405 Biltmore Way, First Floor, Coral Gables, Florida 33134.

City Clerk

Section 7. Copies. That copies of this Resolution and its exhibits are on file at the office of the City Clerk located at 405 Biltmore Way, First Floor, Coral Gables, Florida 33134 and are available for public inspection during regular business hours.

Section 8. Effectiveness. That the City Attorney is authorized to revise the exact wording of this Resolution, the ballot question contained herein, and any exhibit hereto to the extent necessary to ensure its placement on the ballot in accordance with law.

Section 9. Effective Date. That this Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED THIS 4th day of August, 2014.

Jim Cason
Mayor

ATTEST:

Walter Foeman, CMC
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Craig E. Leen
City Attorney