

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2017-__

A RESOLUTION CALLING A SPECIAL ELECTION ON THE PROPOSED BALLOT QUESTION AND ORDINANCE TO BE HELD ON TUESDAY, APRIL 11, 2017; PROVIDING FOR SUBMISSION TO THE ELECTORS FOR APPROVAL OR DISAPPROVAL OF A BALLOT QUESTION RELATING TO THE ALICE AYCOCK SCULPTURES PRESENTLY LOCATED ON THE ON THE SEGOVIA TRAFFIC CIRCLES AT THE INTERSECTIONS OF SEGOVIA STREET AND BILTMORE WAY AND SEGOVIA STREET AND CORAL WAY; PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR PROCEDURE FOR BALLOTING; PROVIDING FOR NOTICE; PROVIDING FOR RELATED MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE.
(SPONSORED BY COMMISSIONER SLESNICK)

WHEREAS, pursuant to City Charter Section 10, “Initiative and Referendum,” the City Commission of the City of Coral Gables desires to submit a ballot question to the electors of the City relating to a proposed ordinance to remove or move the sculptures by Alice Aycock presently located on the Segovia traffic circles at the intersections of Segovia Street and Biltmore Way and Segovia Street and Coral Way, as set forth more specifically in Exhibit 1 to this Resolution; and

WHEREAS, pursuant to City Charter Section 10, the City Commission is authorized to submit the ballot question to the electors of the City for approval or rejection.

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

SECTION 1. Recitals Ratified. That the foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption the hereof.

SECTION 2. Ballot Question and Ordinance. That pursuant to Chapter 22, “Elections,” of the City Code of Ordinances and Section 10, “Initiative and Referendum” of the City Charter of the City of Coral Gables, Florida, the Commission seeks to place before the voters a proposed ordinance which directs the City to exercise all of its contractual authority to remove or move the sculptures presently located on the Segovia traffic circles at the intersections of Segovia Street and Biltmore Way and Segovia Street and Coral Way, at City taxpayers’ expense if necessary. The specific language for the voters’ ordinance proposed by this section is provided in Exhibit 1 to this Resolution.

SECTION 3. Election Called. That a special election is hereby called, to be held on Tuesday, April 11, 2017, in conjunction with the City's general biennial election, to present to the qualified electors of the City of Coral Gables, the ballot question provided in Section 4 of this Resolution.

SECTION 4. Form of Ballot Question. That the form of ballot for the question provided for in Section 2 of this Resolution shall substantially be as provided below:

AN ORDINANCE PERTAINING TO THE ALICE AYCOCK SCULPTURES ON THE SEGOVIA TRAFFIC CIRCLES

On April 2, 2015, the City entered into an agreement with Alice Aycock to design and install the artwork located on the Segovia traffic circles. Shall an ordinance be enacted to direct the City to exercise all of its contractual authority to remove or move the sculptures presently located on the Segovia traffic circles at the intersections of Segovia Street and Biltmore Way and Segovia Street and Coral Way, at City taxpayers' expense, if necessary?

_____ 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. 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. The 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. 2017-____ 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 11TH DAY OF APRIL 2017, 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.

**AN ORDINANCE PERTAINING TO THE ALICE AYCOCK
SCULPTURES ON THE SEGOVIA TRAFFIC CIRCLES**

On April 2, 2015, the City entered into an agreement with Alice Aycock to design and install the artwork located on the Segovia traffic circles. Shall an ordinance be enacted to direct the City to exercise all of its contractual authority to remove or move the sculptures presently located on the Segovia traffic circles at the intersections of Segovia Street and Biltmore Way and Segovia Street and Coral Way, at City taxpayers' expense, if necessary?

_____ Yes

_____ No

Polling place information and additional information including the full text of the proposed ordinance as set forth in the enabling Resolution are 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.

A. That the questions provided for in Sections 2 and 4 above shall become effective only if a majority of the qualified electors voting on the specific question vote for its adoption, and it shall be considered adopted and effective upon certification of election results.

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

SECTION 3. Effective Date. That this resolution shall become effective upon the date of its passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, A.D., 2017.

(Moved: / Seconded:)

(Yeas:)

(; Vote)

APPROVED:

JIM CASON
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

WALTER J. FOEMAN
CITY CLERK

CRAIG E. LEEN
CITY ATTORNEY

Exhibit 1

Upon voter approval of this Question, the following text shall be adopted as an Ordinance of the City of Coral Gables:

The City of Coral Gables shall exercise all of its contractual authority to remove or move the sculptures presently located on the Segovia traffic circles at the intersections of Segovia Street and Biltmore Way and Segovia Street and Coral Way, at City taxpayers' expense if necessary.