

RESOLUTION NO. 15 - 2331

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, OPPOSING ANY PROPOSAL IN THE FLORIDA STATE LEGISLATURE TO STANDARDIZE VARIOUS LOCAL GOVERNMENT ELECTION DATES IN FLORIDA; PROVIDING DIRECTION TO THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE GOVERNOR OF THE STATE OF FLORIDA, FLORIDA OFFICE OF SENATE PRESIDENT, SPEAKER OF THE FLORIDA HOUSE OF REPRESENTATIVES, FLORIDA OFFICE OF THE CLERK OF THE HOUSE, SENATOR GWEN MARGOLIS, REPRESENTATIVE JOSEPH GELLER, CHAIR AND MEMBERS OF THE MIAMI-DADE STATE LEGISLATIVE DELEGATION, FLORIDA LEAGUE OF CITIES AND THE MIAMI-DADE LEAGUE OF CITIES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Florida law grants municipalities in Florida the flexibility to set the date of municipal elections pursuant to Fl. Stat. §101.75, Fl. Stat. §100.3605, and Fl. Stat. §97.0115; and

**WHEREAS**, Surfside Charter Article VI sets forth requirements for nominations and elections for municipal elections, pursuant to Charter Section 97 and Section 105; and

**WHEREAS**, Surfside Charter Section 97 requires that the regular election for the choice of members of the Town Commission shall be held on the third Tuesday in March of each even numbered calendar year; and

**WHEREAS**, the Florida League of Cities received a legislative proposal from Representative Matt Caldwell, Chair of House State Affairs Committee which erodes home rule powers of municipalities by standardizing various local government election dates in Florida and will have a direct impact on municipal and local referenda elections; and

**WHEREAS**, the legislative proposal, currently not in bill form, is likely to be considered during the upcoming 2016 Legislative Session; and

**WHEREAS**, the Florida League of Cities opposes this legislative proposal as it preempts the flexibility currently enjoyed by municipalities to set their own elections according to local needs; and

**WHEREAS**, changes to the length of term of office and dates of elections will likely require municipal Charter amendments in Surfside, which will require an additional referenda election; and

**WHEREAS**, consolidating various elections for local office into a general election has the possibility to create a longer ballot and therefore increase the possibility of “under voting,” the practice in which a voter does not fill out all questions on a ballot; and

**WHEREAS**, consolidating elections may have a negative effect on voter turnout and the non-partisan nature of municipal elections; and

**WHEREAS**, requiring the Town of Surfside to wait to approve operational functions that need voter approval from a municipal election held only on odd numbered years may delay the efficiency of government; and

**WHEREAS**, changes in the timing of elections may change and disrupt qualifying periods for local elections; and

**WHEREAS**, consolidating local election dates in Florida may lead to long lines, more expensive election operations, and potential logistic problems in allowing elections to run smoothly.

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

**Section 1. Recitals Adopted.** That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

**Section 2. Opposition of proposals to standardize local government election dates in Florida.** The Town of Surfside Town Commission opposes any proposal in the Florida State Legislature to standardize various local government election dates in Florida, as it will erode home rule powers for municipalities and will pose legal, financial, and logistic challenges for the Town of Surfside.

**Section 3. Direction to Town Clerk.** The Town Clerk is hereby directed to transmit a copy of this Resolution to the Governor of the State of Florida, Florida Office of Senate President, Speaker of the Florida House of Representatives, Florida Office of the Clerk of the House, Senator Gwen Margolis, Representative Joseph Geller, Chair and Members of the Miami-Dade State Legislative Delegation, Florida League of Cities and the Miami-Dade League of Cities.

**Section 4. Implementation.** The Town Manager is hereby authorized to take any and all action necessary to implement this Resolution.

**Section 5. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of October 2015.

Motion by Commissioner Karukin

Second by Commissioner Olchyk.

**FINAL VOTE ON ADOPTION**


Commissioner Barry Cohen	yes
Commissioner Michael Karukin	yes
Commissioner Marta Olchyk	yes
Vice Mayor Eli Tourgeman	yes
Mayor Daniel Dietch	yes

  
\_\_\_\_\_  
Daniel Dietch, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Sandra Novoa, Town Clerk

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

  
\_\_\_\_\_  
Linda Miller, Town Attorney