

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL MAIL BALLOT ELECTION TO BE HELD FROM MARCH 1, 2025, TO APRIL 30, 2025, TO DETERMINE WHETHER A MAJORITY OF THE AFFECTED PROPERTY OWNERS APPROVE THE CREATION OF THE SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS THE SOUTH BEACH BUSINESS IMPROVEMENT DISTRICT; PROVIDING THAT THE OFFICE OF THE CITY CLERK AND OFFICE OF THE CITY ATTORNEY SHALL CONDUCT SUCH ELECTION; PROVIDING FOR THE FORM OF BALLOT; AND DIRECTING THE CITY CLERK TO GIVE NOTICE OF SUCH ELECTION AS REQUIRED BY THE CITY CODE AND STATE LAW.

WHEREAS, on September 11, 2024, the Mayor and City Commission adopted Resolution No. 2024-33229, amending and restating Resolution No. 2020-31144, which created, pursuant to Chapter 170, Florida Statutes, and subject to the approval of a majority of affected property owners, the special assessment district to be known as the South Beach Business Improvement District (the "District"), for a term of ten (10) years, to stabilize and improve the Ocean Drive and Collins Avenue retail business district, which district is generally located within a nationally recognized historic district, and generally bounded on the north by the northern boundary lines of the properties located at 1601 Collins Avenue and 1610 Collins Avenue, and on the south by 5th Street, through promotion, management, marketing, and other similar services funded by special assessments starting at \$2,147,242 in the first year, increasing annually based on the Consumer Price Index (CPI), but not exceeding two percent (2%) per year; and

WHEREAS, the Mayor and City Commission hereby call for a special mail ballot election (the "Election") to determine whether a majority (50% plus one) of the affected property owners approve the creation of the District; and

WHEREAS, the City and South Beach BID Partners, Inc., a Florida not-for-profit corporation ("South Beach BID Partners"), intend to enter into a Memorandum of Understanding (the "MOU") to conduct the Election; and

WHEREAS, pursuant to the MOU, South Beach BID Partners shall cover the costs of the Election, including the City's staff costs, as well as the cost of postage, printing, mailing supplies, advertising, and translation; and

WHEREAS, the Office of the City Clerk and Office of the City Attorney have prepared special mail ballot election procedures for the proposed Election, which are attached and incorporated as Exhibit "A."

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1.

In accordance with the provisions of the Code of the City of Miami Beach and the general laws of the State of Florida, a special mail ballot election is hereby called and directed to be held in the City of Miami Beach, Florida, from March 1, 2025, to April 30, 2025, for the purpose of submitting to the affected property owners the following question:

Shall the South Beach Business Improvement District be created for a 10-year term, with an estimated annual budget of \$2,147,242, to stabilize and improve the Ocean Drive and Collins Avenue retail business district, generally located within a nationally recognized historic district, through promotion, management, marketing, and similar services, which District shall be funded by special assessments against benefited properties, with assessments increasing pursuant to the Consumer Price Index, up to 2% annually?

SECTION 2.

The Office of the City Clerk and Office of the City Attorney shall conduct the special mail ballot election authorized herein, in accordance with the special mail ballot election procedures attached hereto and incorporated herein as Exhibit "A".

SECTION 3.

The form of the ballot shall be a paper ballot, which shall be mailed to affected property owners.

SECTION 4.

The City Clerk is hereby directed to give notice, as required by law, of the adoption of this Resolution and of the special mail ballot election herein prescribed.

SECTION 5.

This Resolution shall be effective immediately upon its passage. If a majority (50% plus one) of the affected property owners approve the creation of the District, the City Commission will hold a public hearing for the City Commission to (i) make a final decision on whether to levy the special assessments, and (ii) meet as an Equalizing Board to hear and consider any and all complaints as to the special assessments, and adjust and equalize the assessments on a basis of justice and right.

PASSED and ADOPTED THIS ____ day of _____ 2024.

ATTEST:

Rafael E. Granado, City Clerk

Steven Meiner, Mayor

(Sponsored by Commissioner Joseph Magazine and Co-sponsored by Mayor Steven Meiner, Vice Mayor Alex Fernandez, Commissioner Tanya Bhatt, Commissioner Laura Dominguez, Commissioner Kristen Rosen Gonzalez, and Commissioner David Suarez)

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

Nick Kaligis
for City Attorney NK

11/13/24
Date