

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, REPEALING RESOLUTION NO. 2024-33170, WHICH CALLED FOR A CITY OF MIAMI BEACH SPECIAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER CITY CHARTER SECTION 1.03 SHOULD BE AMENDED TO REQUIRE MAJORITY VOTER APPROVAL FOR ALL RIGHT-OF-WAY VACATIONS, SALES, AND LEASES (10 YEARS OR MORE) OF CITY PROPERTY, AMEND REQUIREMENTS FOR SALES/LEASES/VACATIONS, AND AMEND REQUIREMENTS FOR MANAGEMENT/CONCESSION AGREEMENTS OF 10 YEARS OR MORE; FURTHER, DIRECTING THE CITY CLERK TO IMPLEMENT THIS RESOLUTION BY COORDINATING WITH THE MIAMI-DADE COUNTY ELECTIONS DEPARTMENT FOR ITS IMPLEMENTATION OF STATE OF FLORIDA DIVISION OF ELECTIONS REFERENCE GUIDE 0007 ESTABLISHING GUIDELINES FOR COUNTY ELECTIONS DEPARTMENTS TO POST OFFICIAL NOTICES IN ELECTION OFFICES, AT POLLING PRECINCTS, EARLY VOTING SITES, IN VOTE-BY-MAIL BALLOTS, AND ON COUNTY WEBSITES, ADVISING THE CITY'S VOTERS THAT THE CALLING OF THE REFERENDUM HAS BEEN REPEALED AND THE SUBJECT BALLOT MEASURE ORDERED REMOVED FROM THE NOVEMBER 5, 2024 BALLOT BY THE MIAMI BEACH CITY COMMISSION, AND THAT IN ACCORDANCE WITH SAID REFERENCE GUIDE 0007, ANY VOTES CAST FOR THIS BALLOT MEASURE WILL NOT COUNT FOR ITS APPROVAL OR REJECTION NOR SHALL ANY SUCH VOTES CAST BE COUNTED AS PART OF THE OFFICIAL RESULTS OF THE CITY OF MIAMI BEACH'S NOVEMBER 5, 2024 SPECIAL ELECTION.

WHEREAS, on July 24, 2024, the Mayor and City Commission adopted Resolution No. 2024-33170, calling for a November 5, 2024 City of Miami Beach Special Election, for the purpose of submitting to the electorate of the City of Miami Beach a question asking whether City Charter Section 1.03 should be amended to require majority voter approval for all right-of-way vacations, sales, and leases (10 years or more) of City property; amend requirements for sales/leases/vacations; and amend requirements for management/concession agreements of 10 years or more; and

WHEREAS, the Mayor and City Commission now desire to withdraw the question with the appropriate notices advising voters that the proposed ballot question has been repealed, in a manner consistent with the guidelines set forth in Florida Division of Elections Reference Guide 0007, entitled "Notice of Candidate Withdrawal or Disqualification or Removal of Ballot Issue."

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and City Commission hereby repeal Resolution No. 2024-33170, which called for a City of Miami Beach Special Election to be held on November 5, 2024, for the purpose of submitting to the electorate of the City of Miami Beach a question asking whether City Charter Section 1.03 should be amended to require

majority voter approval for all right-of-way vacations, sales, and leases (10 years or more) of City property, amend requirements for sales/leases/vacations, and amend requirements for management/concession agreements of 10 years or more; and further, direct the City Clerk to implement this Resolution by coordinating with the Miami-Dade County Elections Department for its implementation of State of Florida Division of Elections Reference Guide 0007 establishing guidelines for County elections departments to post official notices in election offices, at polling precincts, early voting sites, in Vote-by-Mail ballots, and on County websites, advising the City's voters that the calling of the referendum has been repealed and the subject ballot measure ordered removed from the November 5, 2024 ballot by the Miami Beach City Commission, and that in accordance with said Reference Guide 0007, any votes cast for this ballot measure will not count for its approval or rejection nor shall any such votes cast be counted as part of the official results of the City of Miami Beach's November 5, 2024 Special Election.

PASSED and ADOPTED this _____ day of _____, 2024.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Kristen Rosen Gonzalez)

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

for Nick Callego
City Attorney

10/28/24
Date