

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: September 11, 2024

TITLE: 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 NOVEMBER 12, 2024, TO DECEMBER 16, 2024, TO DETERMINE WHETHER A MAJORITY OF THE AFFECTED PROPERTY OWNERS APPROVE THE RENEWAL OF THE SPECIAL ASSESSMENT DISTRICT KNOWN AS THE LINCOLN ROAD 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; DIRECTING THE CITY CLERK TO GIVE NOTICE OF SUCH ELECTION AS REQUIRED BY THE CITY CODE AND STATE LAW.

RECOMMENDATION

The Administration recommends the Mayor and City Commission adopt the Resolution.

BACKGROUND/HISTORY

Chapter 170, Florida Statutes, authorizes any municipality, subject to approval by a majority of the affected property owners, to levy and collect special assessments against benefitted properties for the purpose of stabilizing and improving retail business districts, wholesale business districts, or nationally recognized historic districts, through promotion, management, marketing, and other similar services.

On April 15, 2015, the Mayor and City Commission adopted Resolution No. 2015- 28992, creating the Lincoln Road Business Improvement District ("District") for a ten-year period to stabilize and improve the Lincoln Road retail business district, which is located within a nationally recognized historic district.

On February 21, 2024, the Mayor and City Commission adopted Resolution No. 2024-32911, authorizing the Offices of the City Manager and City Attorney to work with the BID on renewing the District, set to expire in 2025, pursuant to Chapter 170, Florida Statutes.

On July 24, 2024, the Mayor and Commission adopted Resolution No. 2024-33178, renewing the District, subject to approval by a majority of the affected property owners, for an additional ten (10) years. Pursuant to Chapter 170, Florida Statutes, the renewal aimed to continue stabilizing and improving the Lincoln Road retail business district, with services funded by special assessments starting at \$1,570,117 in the first year, increasing by three percent (3%) annually. The Resolution also provided details on the levy, collection, and publication of these assessments.

This proposed resolution calling for a special mail ballot election, is sponsored by Mayor Steven Meiner, and co-sponsored by Vice Mayor Alex Fernandez and Commissioners Kristen Rosen Gonzalez, Laura Dominguez, Tanya K. Bhatt, and Joseph Magazine.

ANALYSIS

The attached Resolution calls for a special mail ballot election (the "Election") to be held from November 12, 2024, to December 16, 2024, to determine whether a majority of the affected property owners approve the creation of the District. The Office of the City Clerk will conduct the Election in accordance with the special mail ballot election procedures developed by the Office of the City Clerk and the Office of the City Attorney ("Election Procedures"), which are attached to the Resolution as Exhibit "A." The ballot will be a paper form, directing each voter to draw a circle around the appropriate response. The Resolution also directs the City Clerk to publish any election notices required by the City Code and Florida Statutes.

FISCAL IMPACT STATEMENT

If the City Commission approves the Resolution and the Election is administered by the Office of the City Clerk, the City's related costs will be fully reimbursed by the Lincoln Road Business Improvement District, Inc. ("BID"), as outlined in the Election-related Memorandum of Understanding (MOU) between the City and the BID, attached as an exhibit to the companion resolution to this item. A detailed summary of these costs is included in the Cost Estimate attached to the MOU.

Does this Ordinance require a Business Impact Estimate?

(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

The Election-related MOU, attached to the companion resolution for this item, contains a Cost Estimate with a detailed breakdown of the anticipated expenses for conducting the Election. These costs, which will be fully reimbursed by the BID, are consistent with those incurred during the special mail ballot election to establish the 41st Street BID in June 2023, approved by Resolution Nos. 2023-32565 and 2023-32566.

CONCLUSION

If adopted, the proposed Resolution approves the form of ballot and dates for a special mail ballot election to determine whether a majority of the affected property owners approve the renewal of the Lincoln Road Business Improvement District. The Resolution also authorizes the City Clerk and City Attorney to conduct the election and directs the City Clerk to notice the election in accordance with law.

On behalf of its membership, the Lincoln Road BID has requested that the City Commission provide property owners with the opportunity to decide whether to continue assessing themselves. If a majority of property owners vote in favor of the renewal of the District, any concerned property owners and/or members of the public will have the opportunity to address the City Commission at a duly noticed public hearing.

Since its formation, the District has successfully unified Lincoln Road stakeholders and provided funding for services that enhance this prominent commercial district. For these reasons, the Administration supports the renewal of the District and recommends the adoption of the Resolution as outlined above.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

Yes

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? Yes

If so, specify the name of lobbyist(s) and principal(s): Lincoln Road Business Improvement District, Anabel Llopis, Executive Director

Department

Economic Development

Sponsor(s)

Mayor Steven Meiner

Co-sponsor(s)

Commissioner Alex Fernandez
Commissioner Kristen Rosen Gonzalez
Commissioner Laura Dominguez
Commissioner Tanya K. Bhatt
Commissioner Joseph Magazine
Commissioner David Suarez

Condensed Title

Call Special Mail Ballot Election, Lincoln Road Business Improvement District.
(SM/AF/KRG/LD/TB/JM/DS) ED