

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: February 3, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, (1) ADOPTING THE OFFICIAL ELECTION CERTIFICATION OF THE CANVASSING BOARD FOR THE SPECIAL MAIL BALLOT ELECTION HELD IN THE CITY OF MIAMI BEACH 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; AND (2) SETTING A PUBLIC HEARING ON APRIL 23, 2025 AT 2:30 P.M. FOR THE OWNERS OF THE PROPERTY TO BE ASSESSED OR ANY OTHER INTERESTED PERSONS TO BE HEARD BY THE CITY COMMISSION AS TO THE PROPRIETY AND ADVISABILITY OF MAKING SUCH IMPROVEMENTS AND PROVIDING SUCH SERVICES (AND FUNDING THEM WITH SPECIAL ASSESSMENTS ON PROPERTY), AS TO THE COST THEREOF, AS TO THE MANNER OF PAYMENT THEREFOR, AND AS TO THE AMOUNT TO BE ASSESSED AGAINST EACH PROPERTY SO IMPROVED, FOLLOWING WHICH THE CITY COMMISSION SHALL MEET AS AN EQUALIZING BOARD TO HEAR AND CONSIDER ANY AND ALL COMPLAINTS AS TO THE SPECIAL ASSESSMENTS AND TO ADJUST AND EQUALIZE THE ASSESSMENTS ON A BASIS OF JUSTICE AND RIGHT.

RECOMMENDATION

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

BACKGROUND/HISTORY

Pursuant to Chapter 170, Florida Statutes, municipalities may, subject to approval by a majority of the affected property owners, levy and collect special assessments on benefitted properties for stabilizing and improving retail business districts, wholesale business districts, or nationally recognized historic districts, through promotion, management, marketing, and other similar services. These efforts enhance the economic vitality of retail and commercial corridors while ensuring an organized and sustainable approach to district-wide services.

Lincoln Road Business Improvement District Establishment and Renewal Efforts

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 (10)-year period to stabilize and improve the Lincoln Road retail business district, which is situated within a nationally recognized historic district.

As the District approached expiration, the Mayor and City Commission, on February 21, 2024, adopted Resolution No. 2024-32911, directing the Offices of the City Manager and City Attorney to work with representatives of the Lincoln Road Business Improvement District, Inc. ("BID") to facilitate the renewal of the District, set to expire in 2025, in accordance with Chapter 170, Florida Statutes.

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

On September 11, 2024, the Mayor and City Commission adopted Resolution No. 2024-33230, calling 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 (50% plus one (1)) approve the creation of the District. The Mayor and City Commission designated a Canvassing Board for the Election, comprising of:

- Rafael E. Granado, City Clerk;
- Faroat Andasheva, Senior Assistant City Attorney; and
- Rogelio A. Madan, Development & Resiliency Officer, Planning Department.

ANALYSIS

Certification of Election Results

On December 16, 2024, the Canvassing Board convened to tabulate and certify the results of the special mail ballot election. That same day, Letter to Commission (LTC) No. 594-2024 was issued, informing the Mayor and City Commission of the Official Election Certification confirming that a majority of affected property owners had voted in favor of renewing the BID.

A Resolution adopting the Official Election Certification is attached for consideration, with the Certification of Election Results included as an exhibit.

Notice of Public Hearing

In accordance with Chapter 170, Florida Statutes, the attached Resolution also sets a **public hearing for April 23, 2025, at 2:30 p.m.** At this hearing, owners of the property to be assessed and other interested persons will have the opportunity to comment on BID renewal and be heard by the City Commission as to:

- The propriety and advisability of providing services funded by special assessments;
- The cost of the services and the proposed method of payment; and
- The assessment amount allocated to each affected property.

Following public testimony, pursuant to Chapter 170, Florida Statutes, the City Commission will convene as an Equalizing Board to review and adjust the special assessments as necessary, ensuring fairness and equity among property owners before the final assessment roll is approved.

FISCAL IMPACT STATEMENT

The City anticipates no fiscal impact associated with BID renewal. The full cost of administering the Election—approximately \$6,587.33—is reimbursed by the BID in accordance with the Election Memorandum of Understanding (Election MOU) authorized by Resolution No. 2024-33230.

The renewal of the BID will continue to generate self-sustaining revenue through special assessments paid by the property owners, supporting BID-funded services and initiatives independent of City financial resources.

Since all election-related expenses are fully reimbursed by the BID, the City incurs no financial burden. Further, the continuation of the BID will ensure that important services such as marketing, programming, and activations remain funded through special assessments, promoting Lincoln Road's long-term vitality.

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

Click or tap here to enter text.

CONCLUSION

With affected commercial property owners having voted to assess themselves and invest collectively in continued support of services that benefit the District, the Lincoln Road Business Improvement District remains a critical economic development tool. The BID fosters collaborative investment in valuable services and business district enhancements, while providing stakeholders with a unified voice in their engagement with the City.

The Administration recommends that the Mayor and City Commission proceed with the next step in the BID renewal process by adopting the Resolution accepting the Official Election Certification and **setting the public hearing for April 23, 2025, at 2:30 p.m.**

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

Department

Economic Development

Sponsor(s)

Mayor Steven Meiner

Co-sponsor(s)

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

Condensed Title

Set PH/Adopt Special Mail Ballot Election Results, LRBID Special Assessment.
(SM/TB//LD/KRG/AF/JM/DS) ED

Previous Action (For City Clerk Use Only)