

RESOLUTION NO. _____

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.

WHEREAS, on July 24, 2024, the Mayor and City Commission adopted Resolution No. 2024-33178, renewing, pursuant to Chapter 170, Florida Statutes, and subject to approval by a majority of the affected property owners, the special assessment district known as the Lincoln Road Business Improvement District (the "District"), which is set to expire in 2025, for an additional term of ten (10) years, to stabilize and improve the Lincoln Road retail business district—generally bounded on the west by Alton Road, on the east by Washington Avenue, on the north by 17th Street, and on the south by Lincoln Lane South—through promotion, management, marketing, and other similar services; and providing for the levy and collection of special assessments, which shall increase by three (3%) percent annually; and

WHEREAS, 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 affected property owners (50% plus one) approve the creation of the District; and

WHEREAS, pursuant to Resolution No. 2024-33230, the Mayor and City Commission designated Rafael E. Granado, City Clerk; Feroat Andasheva, Senior Assistant City Attorney; and Rogelio A. Madan, Development & Resiliency Officer, Planning Department, to serve as the Canvassing Board for the Election; and

WHEREAS, on December 16, 2024, at 6:30 p.m., the Canvassing Board tabulated and certified the Election, with 65 ballots cast in favor of creating the District, no ballots cast in opposition, five (5) ballots not returned, and one (1) ballot returned blank (undervote); and

WHEREAS, the Official Election Certification of the Canvassing Board is attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, pursuant to Chapter 170, Florida Statutes, the City must fix a time and place for affected property owners or other interested persons to appear before the City Commission to be heard regarding the propriety and advisability of implementing the proposed improvements and

services (funded through special assessments on property), as to the cost thereof, as to the manner of payment therefor, and as to the amount thereof to be assessed against each property; and

WHEREAS, following public testimony, the Mayor and City Commission shall make a final determination on whether to levy the special assessments; and

WHEREAS, thereafter, pursuant to Chapter 170, Florida Statutes, the City Commission shall convene as an equalizing board to hear and consider any complaints regarding the special assessments and shall adjust and equalize the assessments on a basis of justice and right.

NOW, THEREFORE, THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, hereby (1) adopt 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) set 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.

PASSED and ADOPTED THIS ___ day of _____ 2025.

ATTEST:

Rafael E. Granado, City Clerk

Steven Meiner, Mayor

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

for N. Stallego 1/28/25
City Attorney NK Date

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