

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Eric Carpenter, City Manager
DATE: April 23, 2025 2:30 p.m. Public Hearing

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA APPROVING, FOLLOWING A DULY NOTICED PUBLIC HEARING PURSUANT TO SECTIONS 170.07 AND 170.08, FLORIDA STATUTES, THE FINAL ASSESSMENT ROLL FOR THE SPECIAL ASSESSMENT DISTRICT KNOWN AS THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT, AND CONFIRMING SUCH ASSESSMENTS AS LEGAL, VALID, AND BINDING FIRST LIENS UPON THE PROPERTY AGAINST WHICH SUCH ASSESSMENTS ARE MADE UNTIL PAID.

RECOMMENDATION

Adopt the Resolution.

BACKGROUND/HISTORY

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

Lincoln Road BID Establishment and Renewal

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

In anticipation of the original District's expiration in late 2025, the Mayor and Commission voted on February 21, 2024 to adopt 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. (the "Lincoln Road BID" or "BID") to facilitate the District's renewal in accordance with Chapter 170, Florida Statutes.

On July 24, 2024, the Mayor and Commission adopted Resolution No. 2024-33178, conditionally approving the renewal of the District for an additional ten (10) years, subject to approval by a majority of affected property owners. The renewed District would continue to be funded by special assessments, which will now increase by three percent (3%) each year.

On September 11, 2024, the Mayor and City Commission adopted Resolution No. 2024-33230, calling for a mail ballot election, held from November 12 through December 16, 2024, to determine

whether a majority of affected property owners (50% plus one) supported the renewal of the District. The Canvassing Board for the election consisted of the following individuals:

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

A majority of the affected property owners voted in favor of the renewal. A summary of the election results is as follows:

- 65 in favor;
- 0 opposed;
- 1 ballot was rejected as an undervote (blank); and
- 5 ballots were not returned.

The City Clerk transmitted the Official Election Certificate via LTC 549-2024 on December 16, 2024. Subsequently, on February 3, 2025, the City Commission adopted Resolution No. 2025-33456, formally adopting the Official Election Certificate and setting the required public hearing for April 23, 2025, at 2:30 p.m., pursuant to Chapter 170, Florida Statutes.

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ANALYSIS

1. Summary of Proposed Revision to Final Assessment Roll

Following the adoption of the preliminary assessment roll pursuant to Resolution No. 2024-33178, the Lincoln Road BID submitted an IRS tax exemption letter for the property located at 500 Lincoln Road. This property is owned by 500 Lincoln Road, Inc., a 501(c)(3) organization whose sole member and parent entity is Miami Beach Community Church, Inc. Based on the property's current tax-exempt status, it has been excluded from the proposed final assessment roll attached to this Resolution.

The property at 500 Lincoln Road is subject to an active development order, and is expected to be developed with a restaurant or retail use. In the event the property is no longer used for religious or educational purposes, City staff will, as an administrative matter, add the parcel to the assessment roll.

Accordingly, the final assessment roll, attached as Exhibit "A" to the proposed Resolution, reflects the removal of this property. As a result, the Year 1 projected assessments have been reduced by \$18,326, yielding a revised Year 1 budget total of \$1,551,467. Assessments will continue to increase by 3% annually. The updated District now includes 70 tax folios.

2. Public Hearing Requirement Pursuant to Chapter 170, Florida Statutes

Sections 170.07 and 170.08, Florida Statutes, require a public hearing prior to final approval of the special assessment roll. The hearing is scheduled for April 23, 2025, and will provide an opportunity for affected property owners and interested parties to comment on the propriety and

advisability of proposed improvements and services, including the costs, method of payment, and individual assessments.

As required by law, the City has mailed individual hearing notices, including the proposed assessment roll, to all affected property owners.

Following the public hearing, the Mayor and City Commission will convene as an “equalizing board” to hear and consider any complaints as to the special assessments, and to adjust and equalize the assessments on a basis of justice and right. Once approved by Resolution, the final assessment roll will be filed with the City Clerk. The special assessments, as set forth in the final roll, shall stand confirmed and remain legal, valid, and binding liens upon the assessed property, until paid in full.

3. BID Governance and Memorandum of Understanding

As authorized by Resolution No. 2024-33231, the City entered into a Memorandum of Understanding (MOU) with the Lincoln Road BID regarding the mail ballot election. The Lincoln Road BID is a Florida not-for-profit corporation composed of property members and governed by an elected board, which includes a City designee. The purpose of the BID is to administer the District and serve as a principal liaison to the City, offering a unified voice for Lincoln Road’s commercial interests.

If the final assessment roll is approved, the Administration and the Office of the City Attorney will proceed with negotiating a comprehensive MOU, outlining the Lincoln Road BID’s administrative responsibilities and the City’s oversight functions. At a minimum, the MOU will address:

- Assessment collection;
- Annual budget and activity review;
- Financial auditing;
- Compliance with Chapters 170 and 189, Florida Statutes;
- Compliance with the Florida Sunshine Law and Public Records Act (including Chapters 119 and 286, Florida Statutes); and
- Any additional matters as directed by the Mayor and City Commission.

The MOU will authorize the City Manager to appoint a non-voting, ex officio representative to the BID Board of Directors and Executive Committee, if applicable.

FISCAL IMPACT STATEMENT

The full cost of administering the mail ballot election, approximately \$3,830.27, was reimbursed by the Lincoln Road BID pursuant to the MOU authorized by Resolution No. 2024-33230.

The renewal helps support a self-sustaining funding model through special assessments paid by property owners. These assessments pay for BID-provided services and initiatives, reducing reliance on City resources. Services include marketing, programming, and placemaking efforts that contribute to the ongoing vibrancy and competitiveness of Lincoln Road.

According to the 2024 Community Satisfaction Survey, while Miami Beach continues to lead nationally in the delivery of public services, many local businesses expressed a need for additional tools and resources to support long-term sustainability.

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

CONCLUSION

Affected commercial property owners vote to invest in shared services. The renewed Lincoln Road Business Improvement District remains a key economic development tool and will foster coordinated investment, strategic support, and unified advocacy for a Miami Beach iconic and economically significant commercial corridors.

The Administration recommends that, following the public hearing, the Mayor and City Commission adopt the Resolution, and provide direction on any terms for inclusion in the MOU. The final, negotiated MOU will be presented to the City Commission for consideration and approval prior to execution.

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)

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

Condensed Title

2:30 p.m. Approve Final Assessment Roll-LRBID Special Assessment District.
(Mayor/Commission)

Previous Action (For City Clerk Use Only)