



COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Commissioner Kristen Rosen Gonzalez

DATE: October 30, 2024

TITLE: DISCUSSION REGARDING 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/LEASE/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IN VOTE-BY-MAIL BALLOTS, AND ON COUNTY WEBSITES, ADVISING THE CITY'S VOTERS THAT THE CALLING OF THE REFERENDUM HAS BEEN REPEALED AND THE SUBJECT BALLOT MEASURE ORDERED REMOVED FROM THE NOVEMBER 5, 2024 BALLOT BY THE MIAMI BEACH CITY COMMISSION, AND THAT IN ACCORDANCE WITH SAID REFERENCE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.

**RECOMMENDATION**

I would like to request that a discussion item be added to the agenda for our October 30, 2024, Commission meeting, to discuss Miami Beach Referendum 3 - *Charter Section 1.03: Sale/Lease of City property; right-of-way vacations; management/concession agreements.*

**BACKGROUND/HISTORY**

**ANALYSIS**

I recently came across language related to Ballot Question 3 that I had not encountered before. The text of the ballot question is as follows:

**Miami Beach Referendum 3**

**Charter Section 1.03: Sale/Lease of City property; right-of-way vacations; management/concession agreements**

Shall Charter be amended, requiring for all sales/leases (10 years or more) of City property (awarded after November 5, 2024) and right-of-way vacations:

- majority voter approval (includes changing approval for Convention Center Campus/Parking Lots from 60% to majority);
- advisory Planning Board review;
- planning analysis;
- appraisal;
- competitive bidding (sales/leases only);
- public hearing; and

for management/concession agreements (10 years or more):

- 6/7 Commission vote;
- public hearing;
- advisory Planning Board review?

Given the significance of this matter, I would like to request that this discussion item be added to the agenda for our October 30, 2024, Commission meeting. It is crucial for me to gain a clear public analysis of what transpired with this ballot question and ensure that all members are informed.

For your reference, a copy of the Resolution that called for the election, Resolution 2024-33170, is attached.

**FISCAL IMPACT STATEMENT**

n/a

**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**

**Applicable Area**

Citywide

**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?** No

If so, specify the name of lobbyist(s) and principal(s):

**Department**

Office of Commissioner Kristen Rosen Gonzalez

**Sponsor(s)**

Commissioner Kristen Rosen Gonzalez

**Co-sponsor(s)**

**Condensed Title**

Discuss Ballot Question 3: Sec 1.03 Amendments-Sale/Lease City Property, Vacations, Agreements. (Rosen Gonzalez)