

C7 E A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PUBLIC HEARING ON JUNE 25, 2025 AT 9:05 A.M. FOR THE OWNERS OF THE PROPERTY TO BE ASSESSED UPON RENEWAL OF THE SPECIAL ASSESSMENT DISTRICT KNOWN AS THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT, 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 THEREFORE, 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.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: May 21, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PUBLIC HEARING ON JUNE 25, 2025 AT 9:05 A.M. FOR THE OWNERS OF THE PROPERTY TO BE ASSESSED UPON RENEWAL OF THE SPECIAL ASSESSMENT DISTRICT KNOWN AS THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT, 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 THEREFORE, 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 levy and collect special assessments on benefited properties, subject to approval by a majority of affected property owners, 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. These efforts enhance the economic vitality of retail and commercial corridors and ensure a coordinated and sustainable approach to district-wide services.

Establishment and Renewal of the Lincoln Road BID

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 corridor, located within a nationally recognized historic district.

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

On July 24, 2024, the Mayor and City Commission adopted Resolution No. 2024-33178, conditionally renewing the District for an additional ten (10) years, subject to approval by a majority of affected property owners. The proposed annual assessment would begin at \$1,570,117 and

increase by three percent (3%) annually. The Resolution outlined procedures for levying, collecting, and publishing the special 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 determine property owner support, and to be conducted from November 12 through December 16, 2024. The Resolution established a Canvassing Board consisting of:

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

On December 16, 2024, the Canvassing Board certified the Election results. Letter to Commission (LTC) No. 594-2024 informed the Mayor and City Commission that a majority of property owners voted in favor of renewing the District.

Subsequently, on February 3, 2025, the Mayor and Commission adopted Resolution No. 2025-33456, formally accepting the Canvassing Board's certification and scheduling a public hearing for April 23, 2025, as required by Florida law.

ANALYSIS

The public hearing originally scheduled for April 23, 2025 did not occur and must now be rescheduled. The attached Resolution resets the public hearing for **June 25, 2025, at 9:05 a.m.**, or as soon thereafter as the matter can be heard, in accordance with Chapter 170, Florida Statutes.

At that time, affected property owners and other interested parties will have the opportunity to address the City Commission regarding:

- The propriety and advisability of continuing the services to be funded by special assessments.
- The associated cost of the services and the proposed payment method.
- The specific assessment amounts assigned to each benefited property.

Following the public hearing, the City Commission will convene as an Equalizing Board to consider any objections and make any necessary adjustments to ensure fairness and equity in the final assessment roll.

FISCAL IMPACT STATEMENT

There is no fiscal impact to the City associated with the District's renewal. The full cost of administering the Election, approximately \$3,830.27, was reimbursed by the Lincoln Road BID in accordance with the Election Memorandum of Understanding (MOU) authorized by Resolution No. 2024-33230.

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

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

With a majority of affected commercial property owners voting in favor of renewal, the Lincoln Road BID continues to serve as a vital economic development tool for Lincoln Road. The Lincoln Road BID model promotes shared investment in services and enhancements that strengthen the district, while giving stakeholders a unified voice in shaping their business environment.

The Administration recommends that the Mayor and City Commission adopt the Resolution to reset the public hearing for **June 25, 2025, at 9:05 a.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, Inc. / Anabel Llopis

Department

Economic Development

Sponsor(s)

Mayor Steven Meiner

Co-sponsor(s)

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

Condensed Title

Set PH, LRBID Special Assessment. (SM/TB/LD/AF/KRG/JM/DS) ED

Previous Action (For City Clerk Use Only)

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PUBLIC HEARING ON JUNE 25, 2025 AT 9:05 A.M. FOR THE OWNERS OF THE PROPERTY TO BE ASSESSED UPON RENEWAL OF THE SPECIAL ASSESSMENT DISTRICT KNOWN AS THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT, 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 renewal 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, on February 3, 2025, the Mayor and City Commission adopted Resolution No. 2025-33456, adopting the Official Election Certification of the Canvassing Board and setting a public hearing on April 23, 2025, regarding a final determination on whether to levy the special assessments; 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; and

WHEREAS, the public hearing originally scheduled to be held on April 23, 2025, pursuant to Resolution No. 2025-33456 did not occur and, in accordance with Chapter 170, Florida Statutes, the Mayor and City Commission desire to reset the public hearing for June 25, 2025, at 9:05 a.m., or as soon thereafter as the matter can be heard.

NOW, THEREFORE, THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, hereby set a public hearing on June 25, 2025 at 9:05 a.m. for the owners of the property to be assessed upon renewal of the special assessment district known as the Lincoln Road Business Improvement District, 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

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

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION



City Attorney

NK

5/17/2025
Date