



**City Commission Meeting
SUPPLEMENTAL MATERIAL 1**

**City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
July 31, 2015**

Mayor Philip Levine
Vice-Mayor Edward L. Tobin
Commissioner Michael Grieco
Commissioner Joy Malakoff
Commissioner Micky Steinberg
Commissioner Deede Weithorn
Commissioner Jonah Wolfson

City Manager Jimmy L. Morales
City Attorney Raul J. Aguila
City Clerk Rafael E. Granado

Visit us at www.miamibeachfl.gov for agendas and video "streaming" of City Commission Meetings.

ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

ADDENDUM AGENDA

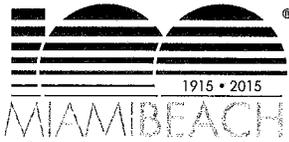
C7 - Resolutions

- C7A A Resolution (1) Adopting The Official Election Certificate Of The Canvassing Board For The Special Mail Ballot Election Held In The City Of Miami Beach From June 29, 2015 To July 24, 2015, To Determine Whether A Majority Of The Affected Property Owners Approve The Creation Of A Special Assessment District To Be Known As The Lincoln Road Business Improvement District; And (2) Setting A Public Hearing On September 30, 2015 At 5:10 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, 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.

(Office Of The City Clerk/Office Of The City Attorney)

(Memorandum & Resolution)

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City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Rafael E. Granado, City Clerk

DATE: July 31, 2015

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA (1) ADOPTING THE OFFICIAL ELECTION CERTIFICATE OF THE CANVASSING BOARD FOR THE SPECIAL MAIL BALLOT ELECTION HELD IN THE CITY OF MIAMI BEACH FROM JUNE 29, 2015 TO JULY 24, 2015, TO DETERMINE WHETHER A MAJORITY OF THE AFFECTED PROPERTY OWNERS APPROVE THE CREATION OF A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT; AND (2) SETTING A PUBLIC HEARING ON SEPTEMBER 30, 2015 AT 5:10 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, 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.**

Attached hereto is the proposed Resolution adopting the Certificate of the Canvassing Board for the Special Mail Ballot Election held in the City of Miami Beach from June 29, 2015 to July 24, 2015, to determine whether a majority of the affected property owners approve the creation of a special assessment district to be known as the Lincoln Road Business Improvement District, and declaring the results thereof. The Certificate of Results is attached to the Resolution.

The Resolution also sets, pursuant to Chapter 170, Florida Statutes, a public hearing on September 30, 2015 at 5:10 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, 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.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA (1) ADOPTING THE OFFICIAL ELECTION CERTIFICATE OF THE CANVASSING BOARD FOR THE SPECIAL MAIL BALLOT ELECTION HELD IN THE CITY OF MIAMI BEACH FROM JUNE 29, 2015 TO JULY 24, 2015, TO DETERMINE WHETHER A MAJORITY OF THE AFFECTED PROPERTY OWNERS APPROVE THE CREATION OF A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT; AND (2) SETTING A PUBLIC HEARING ON SEPTEMBER 30, 2015 AT 5:10 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, 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 April 15, 2015, the Mayor and City Commission adopted Resolution No. 2015-28992, which created, pursuant to Chapter 170, Florida Statutes, and subject to the approval of a majority of the affected property owners, a special assessment district to be known as the Lincoln Road Business Improvement District (the "District"), for a term of ten (10) years, to stabilize and improve the Lincoln Road retail business district, which is located within a nationally recognized historic district, through promotion, management, marketing, and other similar services; and

WHEREAS, on May 20, 2015, the Mayor and City Commission adopted Resolution No. 2015-29026, which called for a special mail ballot election (the "Election") to be held from June 29, 2015 to July 24, 2015, to determine whether a majority of the affected property owners approve the creation of the District; and

WHEREAS, pursuant to Resolution No. 2015-29026, the Mayor and City Commission designated Rafael E. Granado, City Clerk; Raul J. Aguila, City Attorney; and Nick E. Kallergis, Assistant City Attorney, to serve as the members of the Canvassing Board for the Election; and

WHEREAS, on July 24, 2015 at 6:30 p.m., the Canvassing Board tabulated and certified the results of the Election; and

WHEREAS, 57 ballots were cast in favor of the creation of the District, 3 ballots were cast in opposition to the creation of the District, 4 ballots were rejected as improperly cast, and 12 ballots were not returned; 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 at which the owners of the property to be assessed or any other interested persons may appear before the City Commission and be heard as to the propriety and advisability of making such improvements, as to the cost thereof, as to the manner of payment therefor, and as to the amount thereof to be assessed against each property so improved; and

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission 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 June 29, 2015 to July 24, 2015, to determine whether a majority of the affected property owners approve the creation of a special assessment district to be known as the Lincoln Road Business Improvement District; and (2) set a public hearing on September 30, 2015 at 5:10 p.m., in the Commission Chambers, Miami Beach City Hall, 1700 Convention Center Drive, Miami Beach, Florida 33139, at which the owners of the property to be assessed or any other interested persons may be heard by the City Commission as to the propriety and advisability of making such improvements, 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 _____, 2015.

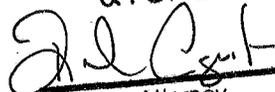
ATTEST:

Rafael E. Granado, City Clerk

Philip Levine, Mayor

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

2/29/15

Date

NK



**SPECIAL MAIL BALLOT ELECTION HELD IN THE CITY OF MIAMI BEACH
FROM JUNE 29, 2015 TO JULY 24, 2015,
TO DETERMINE WHETHER A MAJORITY OF THE AFFECTED PROPERTY OWNERS
APPROVE THE CREATION OF A SPECIAL ASSESSMENT DISTRICT
TO BE KNOWN AS THE
LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT**

****OFFICIAL ELECTION CERTIFICATION OF THE CANVASSING BOARD****

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

We, the undersigned, **Raul J. Aguila, City Attorney, Nick Kallergis, Assistant City Attorney, and Rafael E. Granado, City Clerk**, constituting the Canvassing Board for the Special Mail Ballot Election to approve the creation of the Lincoln Road Business Improvement District, do hereby certify that we met on the 24th day of July 2015, and proceeded to publicly count the votes cast.

We do hereby certify the results as follows:

Shall a special assessment district known and designated as the Lincoln Road Business Improvement District (the "District") be created for a term of ten (10) years, with an estimated annual budget of \$1,426,237, to stabilize and improve the Lincoln Road retail business district, which is located within a nationally recognized historic district, through promotion, management, marketing, and other similar services, which district is to be funded by special assessments against benefited properties?

YES VOTES 57

NO VOTES 3

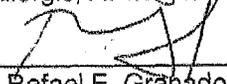
UNRETURNED BALLOTS 12

REJECTED BALLOTS 4


CANVASSING BOARD

Raul J. Aguila, City Attorney


Nick Kallergis, Assistant City Attorney


Rafael E. Granado, City Clerk

Date: July 24, 2015