

RESOLUTION NO. 2024-32911

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE OFFICES OF THE CITY MANAGER AND CITY ATTORNEY TO WORK WITH THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT, INC., FOR THE PURPOSE OF RENEWING THE SPECIAL ASSESSMENT DISTRICT KNOWN AS THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT, WHICH IS SET TO EXPIRE IN 2025, PURSUANT TO CHAPTER 170, FLORIDA STATUTES, 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.

WHEREAS, 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 against property benefited for the purpose of stabilizing and improving retail business districts, wholesale business districts, or nationally recognized historic districts, or any combination of such districts, through promotion, management, marketing, and other similar services, in such districts of the municipality; and

WHEREAS, on April 15, 2015, the Mayor and City Commission adopted Resolution No. 2015-28992, which created a special assessment district to be known as the Lincoln Road Business Improvement District (the "District") for a period 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, the District is 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; provided, however, that the following properties are excluded and exempted from the District: (i) residential properties; (ii) properties owned or occupied by a religious institution and used as a place of worship or education (as defined in Section 170.201(2), Florida Statutes); and (iii) common areas owned by condominium associations; and

WHEREAS, on November 2, 2015, the City and the Lincoln Road Business Improvement District, Inc. ("Lincoln Road BID"), a not-for-profit, tax-exempt entity registered with the State of Florida, entered into a Memorandum of Understanding (MOU), which set forth the obligations of the Lincoln Road BID to administer the District during the ten (10)-year term of the District; and

WHEREAS, the Lincoln Road BID seeks to work with the City to renew the special assessment district pursuant to Chapter 170, Florida Statutes, to continue to stabilize and improve the Lincoln Road retail business district through promotion, management, marketing, and other similar services.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby authorize the Offices of the City Manager and City Attorney to work with the Lincoln Road Business Improvement District, Inc., for the purpose of renewing the special assessment district known as the Lincoln Road Business Improvement District, which is set to expire in 2025, pursuant to Chapter 170, Florida Statutes, 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.

PASSED and ADOPTED THIS 21 day of February 2024.

ATTEST:

781 FEB 23 2024
Rafael E. Granado, City Clerk

Steven Meiner
Steven Meiner, Mayor

APPROVED AS TO FORM AND LANGUAGE & FOR EXECUTION

NK 2-13-24
City Attorney NK Date

(Sponsored by Mayor Steven Meiner)

Co-Sponsored by Commissioner Kristen Rosen Gonzalez
Co-Sponsored by Commissioner Alex J. Fernandez
Co-Sponsored by Commissioner Laura Dominguez
Co-Sponsored by Commissioner Joseph Magazine



MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Alina T. Hudak, City Manager
DATE: February 21, 2024

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE OFFICES OF THE CITY MANAGER AND CITY ATTORNEY TO WORK WITH THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT, INC., FOR THE PURPOSE OF RENEWING THE SPECIAL ASSESSMENT DISTRICT KNOWN AS THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT, WHICH IS SET TO EXPIRE IN 2025, PURSUANT TO CHAPTER 170, FLORIDA STATUTES, 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.

RECOMMENDATION

Approve the Resolution, which is sponsored by Mayor Meiner, to authorize the Offices of the City Manager and City Attorney to work with the Lincoln Road Business Improvement District, Inc. on the renewal process for the special assessment district.

BACKGROUND/HISTORY

On April 15, 2015, the Mayor and City Commission adopted Resolution No. 2015-28992, which created a special assessment district to be known as the Lincoln Road Business Improvement District (the "District") for a period 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.

The District is 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. However, the following properties are excluded and exempted from the District: (i) residential properties; (ii) properties owned or occupied by a religious institution and used as a place of worship or education (as defined in Section 170.201(2), Florida Statutes); and (iii) common areas owned by condominium associations.

On May 20, 2015, the Mayor and City Commission adopted Resolution No. 2015-29026, which called for a special mail ballot election (the "Election") that was held from June 29, 2015 to July 24, 2015, to determine whether a majority (50% plus one) of the affected property owners

approved the creation of the District. Fifty-seven (57) ballots were cast in favor of the creation of the District, three (3) ballots were cast in opposition to the creation of the District, four (4) ballots were rejected as improperly cast, and twelve (12) ballots were not returned.

On July 31, 2015, the Mayor and City Commission approved Resolution No. 2015- 29098, adopting the Official Election Certification of the Canvassing Board for the Election, and setting a public hearing on September 30, 2015, for the owners of the property to be assessed, or any other interested persons, to appear before the Mayor and 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.

Following the duly noticed hearing on September 30, 2015, the Mayor and City Commission voted to levy the special assessments. Pursuant to Section 170.08, Florida Statutes, the Mayor and City Commission met 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, following which the Mayor and City Commission adopted Resolution No. 2015-29145, approving the final assessment roll.

On November 2, 2015, the City and the Lincoln Road Business Improvement District, Inc. ("Lincoln Road BID") entered into a Memorandum of Understanding (MOU), which set forth the obligations of the Lincoln Road BID to administer the District, as well as the rights and obligations of the City including, but not limited to, collecting the special assessments and conducting an annual review of the Lincoln Road BID's budget and activities.

The Lincoln Road BID was formally organized and incorporated by filing Articles of Incorporation with the Secretary of State of the State of Florida on October 30, 2015, and was granted a tax exemption under Section 501(c)(6) of the Internal Revenue Code.

ANALYSIS

Created by Carl Fisher in 1912 and reimagined as a pedestrian mall by Morris Lapidus in the 1960s, Lincoln Road is home to retailers, restaurants, cafes, galleries, and operators spanning eight (8) blocks. As originally approved by the City Commission via Resolution No. 2015-29145, the District contains 76 tax folios: 58 properties with Lincoln Road frontage and 18 folios without Lincoln Road frontage.

Following completion of the Lincoln Road Master Plan in 2015, the Mayor and City Commission have reaffirmed their commitment to uphold Lincoln Road's stature as an internationally renowned commercial district. The Lincoln Road Redevelopment Project, re-authorized via Resolution No. 2021-31552, calls for upgrading the pedestrian mall and its landscaping, lighting, street infrastructure, and related improvements.

Complementing the City's physical enhancements, the Lincoln Road BID supports economic development of the District by maintaining and enhancing its commercial tenant portfolio and curating family-friendly cultural programming. New commercial development consistently attracts investment in and around Lincoln Road and leasing activity remains strong as the corridor's inviting outdoor setting draws top brands and retailers. According to data presented in the Lincoln Road BID's Fiscal Year 2024 Annual Report, Lincoln Road is South Florida's most

popular outdoor lifestyle destination based on annual foot traffic counts.

The services administered by the Lincoln Road BID include maintenance and beautification efforts, safety and security initiatives, marketing and promotion campaigns, as well as events and activations that enrich the cultural fabric of our community. Renewing the District for another term will ensure and strengthen the continuation of vital services and programs that have contributed to the success of the commercial district.

If the Mayor and City Commission desire to renew the District for another term, the statutory procedure is identical to the procedure for the initial creation of a business improvement district. 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 against property benefited for the purpose of stabilizing and improving retail business districts, wholesale business districts, or nationally recognized historic districts, or any combination of such districts, through promotion, management, marketing, and other similar services, in such districts of the municipality.

Pursuant to the existing MOU, the Lincoln Road BID will complete its final assessment year on September 30, 2025. As such, the Lincoln Road BID seeks to work with the City to renew the special assessment district pursuant to the following procedure guided by Chapter 170, Florida Statutes.

- City Commission authorizes the City Administration and City Attorney's Office to work with the Lincoln Road BID to renew the District
- City Commission renews the District, subject to the approval of majority of the affected property owners in a special mail ballot election
- City Commission calls the special election and approves a memorandum of understanding to conduct the election and reimburse the City for its costs
- City Clerk mails election ballots to District property owners, who must return ballots to the City to cast their vote
- Election Canvassing Board certifies election results, City Commission accepts official election certification and sets public hearing before the City Commission acting as the equalizing board, assuming property owners approve in election
- Public hearing for property owners to comment upon renewal of the special assessment district and City Commission adopts final assessment roll
- City Commission authorizes a memorandum of understanding with BID for purposes of administering the District for another 10-year term

The renewal process is anticipated to span approximately one year. Factors such as any modifications to the assessment methodology (if necessary), property owner outreach and engagement, and negotiation of the memorandum of understanding, among others, could impact the projected timeline.

LOBBYIST DISCLOSURE

In accordance with Resolution No. 2023-32857, adopted by the City Commission on December 13, 2023, the following information has been provided by the Administration as it relates to the subject resolution.

1. Was the Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? Yes

2. If so, specify name of lobbyist(s) and principal(s): Lyle Stern, President and Anabel Llopis, Executive Director - Lincoln Road Business Improvement District, Inc.

SUPPORTING SURVEY DATA

The Lincoln Road commercial district is a favorite location for locals and visitors, with 57.4% of residents ranking it among the top locales in the City to visit—recipient of the highest number of votes in the 2022 Community Satisfaction Survey. According to Placer.ai data, as reported by the Lincoln Road BID, approximately 8.1 million people visit Lincoln Road each year.

FINANCIAL INFORMATION

Approval of the subject resolution would not have a fiscal impact. However, it is important to note that the City currently supports the Lincoln Road BID’s ambassador initiative at approximately \$160,000 annually. Over the years, the City has also provided the Lincoln Road BID with ad hoc financial and operational support for various projects or programs. Should the renewal procedures move forward to completion, the process would culminate with negotiation and approval of a memorandum of understanding that will outline the fiscal impact to the City, if any.

CONCLUSION

Formation of the special assessment district has contributed to Lincoln Road becoming a commercial and cultural hub by attracting businesses, tourists, and investment to our city. As the district’s operational manager since 2015, the Lincoln Road BID is an important City partner, by ensuring economic resiliency, fostering community engagement, and enhancing quality of life for residents and visitors alike.

The Administration recommends that the Mayor and City Commission approve the resolution authorizing the Offices of the City Manager and the City Attorney to work with the Lincoln Road BID for purposes of renewing the special assessment district, pursuant to Chapter 170, Florida Statutes.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Prosperity - Revitalize targeted areas and increase investment.

Legislative Tracking

Economic Development

Sponsor

Mayor Meiner

ATTACHMENTS:

Description

- Resolution