

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE FINAL ASSESSMENT ROLL FOR THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT, TO REMOVE FROM THE ASSESSMENT ROLL THE PROPERTY LOCATED AT 1620 DREXEL AVENUE, WHICH IS OWNED AND OCCUPIED BY MIAMI BEACH COMMUNITY CHURCH, INC., A RELIGIOUS INSTITUTION USED AS A PLACE OF WORSHIP OR EDUCATION, WHICH PROPERTY IS EXCLUDED AND EXEMPT FROM THE DISTRICT PURSUANT TO RESOLUTION NO. 2015-28992 AND SECTION 170.201(2), FLORIDA STATUTES; AND, ACCORDINGLY, WAIVING \$28,000 IN OUTSTANDING SPECIAL ASSESSMENTS FOR THE SUBJECT PROPERTY.

WHEREAS, on April 15, 2015, the Mayor and City Commission adopted Resolution No. 2015-28992, creating, 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, 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 (the "District"), through promotion, management, marketing, and other similar services; and

WHEREAS, Resolution 2015-28992 provides that, if any portion of a property owned by a religious institution is not used as a place of worship or education, that portion of the property shall not be excluded or exempted from the District; and

WHEREAS, pursuant to Section 170.201(2), Florida Statutes, property owned or occupied by a religious institution and used as a place of worship or education shall be excluded and exempted from the District; and

WHEREAS, Section 170.201(2) defines "religious institution" as any church, synagogue, or other established physical place for worship at which nonprofit religious services and activities are regularly conducted and carried on; and

WHEREAS, Miami Beach Community Church, Inc., located at 1620 Drexel Avenue, is a religious institution within the meaning of Section 170.201(2), Florida Statutes; and

WHEREAS, however, in May 2014, Miami Beach Community Church, Inc., entered into a ground lease with South Beach Tristar LLC, for the lease and private development of a retail building on a portion of the property located at 1620 Drexel Avenue (the "Property") (altogether, the "Ground Lease"); and

WHEREAS, on September 30, 2015, the City Commission adopted Resolution No. 2015-29145, approving, following a duly noticed public hearing pursuant to Sections 170.07 and 170.08, Florida Statutes, the Final Assessment Roll for the District; and

WHEREAS, the portion of 1620 Drexel Avenue that was subject to the Ground Lease is included in the Final Assessment Roll; and

WHEREAS, on August 14, 2020, Miami Beach Community Church, Inc., and South Beach Tristar LLC recorded a Termination of Memorandum of Lease, terminating the Ground Lease; and

WHEREAS, no private retail development was ever constructed at 1620 Drexel Avenue, and the entirety of the Property is once again owned and occupied by Miami Beach Community Church, Inc.; and

WHEREAS, \$42,000 in special assessments have been levied for the portion of the Property that was subject to the Ground Lease; and

WHEREAS, Miami Beach Community Church, Inc., has reached an agreement with Lincoln Road Business Improvement District, Inc. (the "BID"), to pay \$14,000 of the outstanding assessments to the City; and

WHEREAS, given that no private development of the Property has occurred, Miami Beach Community Church, Inc., has requested that the City Commission remove the Property from the Final Assessment Roll and waive \$28,000 in outstanding assessments; and

WHEREAS, the BID has advised the City, in writing, that it supports the adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby amend the Final Assessment Roll for the Lincoln Road Business Improvement District, to remove from the assessment roll the property located at 1620 Drexel Avenue, which is owned and occupied by Miami Beach Community Church, Inc., a religious institution used as a place of worship or education, which property is excluded and exempt from the District pursuant to Resolution No. 2015-28992 and Section 170.201(2), Florida Statutes; and, accordingly, waive \$28,000 in outstanding special assessments for the subject Property.


PASSED and **ADOPTED** this _____ day of _____, 2021.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO FORM AND
LANGUAGE AND FOR EXECUTION



City Attorney NK

3-12-21
Date