

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE CERTIFICATE OF THE RESULTS OF THE NOVEMBER 2, 2021 SPECIAL ELECTION FOR THE CITY OF MIAMI BEACH, AND DECLARING THE RESULTS THEREOF.

WHEREAS, pursuant to Florida law and the City Code, a Canvassing Board was appointed and authorized to canvass the City of Miami Beach's November 2, 2021 Special Election (the "Special Election"), which was duly conducted by the Elections Department of Miami-Dade County, Florida; and

WHEREAS, the Canvassing Board was present at the Elections Department's tabulation of the returns of the Special Election; and

WHEREAS, the results of the Special Election have been certified by the Canvassing Board; and

WHEREAS, the Certificate of Election Results of the Special Election has been received and is attached hereto and incorporated herein as Composite Exhibit "A;" and

WHEREAS, said Certificate reflects that:

Question "A," as set forth below, was approved by the electorate of the City of Miami Beach.¹

Question "B," as set forth below, was approved by the electorate of the City of Miami Beach.

Question "C," as set forth below, was approved by the electorate of the City of Miami Beach.

Question "D," as set forth below, was approved by the electorate of the City of Miami Beach.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Miami Beach Canvassing Board having canvassed the returns of the November 2, 2021 Special Election of the City of Miami Beach, the Mayor and City Commission hereby (i) adopt the Certificate of Election Results for said Special Election, and (ii) order that the Certificate of Election Results and this Resolution be recorded in the minutes of the November 5, 2021 City Commission meeting as a permanent record of the results of said Special Election; be it further resolved that by the adoption of this Resolution, the Canvassing Board has discharged its duties for said Special Election; and be it further and finally resolved that, as a result of the City of Miami Beach's November 2, 2021 Special Election, the votes upon the questions presented reflect the results as set forth in the Certificate of Election Results. The text of the ballot questions submitted to the voters in this Special Election is as follows:

¹ The 4 ballot questions have been lettered "A," "B," "C," and "D," for ease of reference herein only and were not so lettered on the ballot.

Question “A”:

Amending Lease of City Property: Holocaust Memorial Site

The Holocaust Memorial at Dade Boulevard and Meridian Avenue is on City land leased to the Greater Miami Jewish Federation until 2099.

Shall City, at no cost to City, extend this Lease for 21 additional years and expand the leased premises to include adjacent 12,000 square foot City parking lot, per Resolution 2021-31809, with Federation at its sole expense constructing, operating and maintaining a 7,000 square foot Learning Center promoting tolerance and human rights?

_____ Yes

_____ No

Question “B”:

Non-Binding, Straw Ballot Question: Citywide - Changing Alcoholic Beverage Establishments Sales/Consumption Termination Time

City law allows, subject to exceptions, the sale and consumption of alcoholic beverages at Alcoholic Beverage Establishments throughout the City, from 8:00 a.m. until 5:00 a.m. the following day.

Would you support changing this 5:00 a.m. termination time to 2:00 a.m. throughout the City, with specific locations and related restrictions and exceptions, to be determined by City Commission by Ordinance?

_____ Yes

_____ No

Question “C”:

Amending Lease of City Property: “Smith and Wollensky Restaurant” Site at South Pointe Park

City’s lease of 0.56 acres of property to 1 Washington Avenue Corp. for “Smith and Wollensky Restaurant” in South Pointe Park expires November 2025. Per Resolution 2021-31805, shall this Lease be extended through December 2045, plus renewal options, Restaurant providing:

- Minimum \$3,305,970 in Restaurant upgrades;
- Rent greater of: guaranteed rent, increased annually by 2.5% (\$11,680,085 over first ten years) or percentage of revenues;
- Free restaurant mentorship seminars;
- Park’s security gate installation?

_____ Yes

_____ No

Question "D":

Non-Binding, Straw Ballot Question: Urge Legislature: 1% tax for Homeless Assistance/Domestic Violence Centers

Would you support the City Commission adopting a Resolution urging the Florida Legislature to amend Section 212.0306, Florida Statutes, to allow for collection of a one percent (1%) tax on food and beverage sales for consumption on premises in the City of Miami Beach, which would not apply to hotels and motels, in order to assist homeless persons and those at risk of homelessness, and for the construction and operation of domestic violence centers?

_____ Yes

_____ No

BE IT FURTHER RESOLVED AND DETERMINED that Question "A" was approved, Question "B" was approved, Question "C" was approved, and Question "D" was approved.

PASSED and **ADOPTED** this 5th November 2021.

ATTEST:

Rafael E. Granado, City Clerk

Dan Gelber, Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney *PAZ* 11-3-21
Date