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 AUGUST 23, 2022 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 August 23, 2022 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 Canvassing Board has certified the results of the Special Election; 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.

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

Question "F," 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-Dade Canvassing Board acting as the Miami Beach Canvassing Board having canvassed the returns of the August 23, 2022 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 September 14, 2022 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 August 23, 2022 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:

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[1] The 6 ballot questions have been lettered "A," "B," "C," D, "E" and "F" for ease of reference herein only and were not so lettered on the ballot.

Miami Beach Referendum A

Naming Park Between Alton Road/West Avenue, From 6th to 8th Street as "Canopy Park"

In April 2022, the City took ownership of a 3.0-acre public park generally located between Alton Road and West Avenue, from 6th Street to 8th Street, constructed by TCH 500 Alton, LLC as part of a development agreement, at no cost to the City. The new park includes a botanical garden, dog park, a play and fitness area, and other elements around a central lawn.

Shall the new public park be named "Canopy Park"?

Yes	7,989
No	1,722

Miami Beach Referendum B

RSA Article I: Board of Adjustment - Changing "Architecture" Membership Category from Permissible to Required Membership

City's Related Special Acts Article I, establishes a Board of Adjustment ("BOA") appointed by City Commission, composed of two citizens at-large and five persons each representing one of these professions: Law, *architecture,* engineering, real estate development, certified public accounting, financial consultation, general business.

Article I thus permits, but does not require, appointment of architect to BOA.

Shall Article I be amended for limited purpose of requiring appointment of one member from the architecture profession?

Yes	7,552
No	2,024

Miami Beach Referendum C

Charter Section 6.03: Creating Additional Qualification Requirement for City Commission Candidates: Proof of Residency Documents

Shall Charter Section 6.03 regarding "qualifying" for City elected office, be amended to create an additional qualifying requirement that candidates submit one (1) or more proof of residency documents upon which candidates rely to evidence their compliance with the Charter's existing requirement that candidates reside in the City for at least one year prior to qualifying for office?

Yes	9,040
No	545

Miami Beach Referendum D

RPS1 District / RPS2 District FAR Incentive to Convert Remaining Apartment Hotel Uses to Residential Use

City Charter requires voter approval before increasing a property's floor area ratio ("FAR") (City's method of regulating building size).

In certain residential zoning districts south of 5th Street, apartment-hotels are now prohibited, but previously approved properties may continue such uses.

Shall City increase FAR from 1.25 to 1.50 in RPS1 District, and from 1.50 to 1.75 in RPS2 District,

to provide bonus FAR incentive only for properties converting apartment hotel uses to residential use?

Yes 6,812
No 2,747

Miami Beach Referendum E

Alton Road Gateway Area Increase Maximum Floor Area Ratio (FAR) from 2.0 to 2.6

City Charter requires voter approval before increasing a property's floor area ratio ("FAR") (City's method of regulating building size).

The Alton Road Gateway Area, located between 5th and 8th Streets, from Alton Road to West Avenue, has maximum FAR of 2.0.

Shall City increase maximum FAR in above area from 2.0 to 2.6, only if existing community health center at 710 Alton Road is relocated to another site, with new health facilities and public library?

Yes 5,985
No 3,665

Miami Beach Referendum F

Charter Section 1.03(c): Voter Approval to Aggregate Floor Area When Vacating Streets/Conveying Public Property

Charter Section 1.03(c) requires voter approval before increasing a property's *"floor area ratio"* (how City regulates building size).

The Charter has been interpreted to not require voter approval to aggregate (combine) the *floor area* of unified abutting parcels (adjacent properties touching/not separated by a lot under different ownership) arising from vacating a street or other sale/conveyance of public property.

Shall the Charter be amended to require voter approval of such floor area aggregations?

Yes 7,394
No 2,135

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

PASSED and **ADOPTED** this 14th day of September 2022.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney PAZ 9-1-22 Date

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