

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MIAMI BEACH AND WASHINGTON AVE BID INC. (THE "BID"), TO CONDUCT A SPECIAL MAIL BALLOT ELECTION TO DETERMINE WHETHER A MAJORITY OF THE AFFECTED PROPERTY OWNERS APPROVE THE CREATION OF A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS THE WASHINGTON AVENUE BUSINESS IMPROVEMENT DISTRICT, WHICH ELECTION SHALL BE CONDUCTED BY THE OFFICE OF THE CITY CLERK AND OFFICE OF THE CITY ATTORNEY, AND TO PROVIDE THAT THE BID SHALL COVER THE COSTS OF CONDUCTING SUCH ELECTION.

WHEREAS, on October 18, 2017, the Mayor and City Commission adopted Resolution No. 2017-30065, 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 Washington Avenue Business Improvement District (the "District"), for a term of ten (10) years, to stabilize and improve the Washington Avenue retail business district, which is located within a nationally recognized historic district, through promotion, management, marketing, and other similar services; and

WHEREAS, the Mayor and City Commission have called for a special mail ballot election (the "Election") to determine whether a majority of the affected property owners approve the creation of the District; and

WHEREAS, the City and Washington Ave BID Inc. (the "BID") desire to enter into a Memorandum of Understanding ("MOU"), attached as Exhibit "A" hereto, pursuant to which the City shall agree to conduct the Election, and the BID shall agree to cover the City's costs of the Election, including the City's staff costs, as well as the cost of postage, printing, mailing supplies, advertising, and translation; and

WHEREAS, the Office of the City Clerk and Office of the City Attorney shall conduct the Election; and

WHEREAS, the Office of the City Clerk and Office of the City Attorney have prepared special mail ballot election procedures for the Election, which procedures shall be incorporated in the MOU.

NOW, THEREFORE, THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, hereby approve and authorize the City Manager to execute a Memorandum of Understanding between the City of Miami Beach and Washington Ave BID Inc. (the "BID"), to conduct a special mail ballot election to determine whether a majority of the affected property owners approve the creation of a special assessment district to be known as the Washington Avenue Business Improvement District, which election shall be conducted by the Office of the

City Clerk and Office of the City Attorney, and to provide that the BID shall cover the costs of conducting such election.

PASSED and **ADOPTED** this _____ day of _____, 2018.

ATTEST:

Rafael E. Granado
City Clerk

Dan Gelber
Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION


City Attorney

1-8-18
Date

NK