

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA APPROVING, FOLLOWING A DULY NOTICED PUBLIC HEARING PURSUANT TO SECTIONS 170.07 AND 170.08, FLORIDA STATUTES, THE FINAL ASSESSMENT ROLL FOR THE SPECIAL ASSESSMENT DISTRICT KNOWN AS THE WASHINGTON AVENUE BUSINESS IMPROVEMENT DISTRICT, AND CONFIRMING SUCH ASSESSMENTS AS LEGAL, VALID, AND BINDING FIRST LIENS UPON THE PROPERTY AGAINST WHICH SUCH ASSESSMENTS ARE MADE UNTIL PAID.**

**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**, on January 17, 2018, the Mayor and City Commission adopted Resolution No. 2018-30150, which called for a special mail ballot election (the "Election") to be held from March 8, 2018 to April 20, 2018, to determine whether a majority of the affected property owners approved the creation of the District; and

**WHEREAS**, the affected property owners approved the creation of the District, as follows: 67 ballots were cast in favor of the creation of the District, 12 ballots were cast in opposition to the creation of the District, 5 ballots were rejected as improperly cast, and 26 ballots were not returned; and

**WHEREAS**, pursuant to Sections 170.07 and 170.08, Florida Statutes, the Mayor and City Commission held a duly noticed public hearing on June 6, 2018, 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 and providing such services (and funding them with special assessments on property), as to the cost thereof, as to the manner of payment therefor, and as to the amount thereof to be assessed against each property so improved; and

**WHEREAS**, following the testimony, the Mayor and City Commission voted to levy the special assessments; and

**WHEREAS**, thereafter, pursuant to Section 170.08, Florida Statutes, the 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 approved the final assessment roll; and

**WHEREAS**, the final assessment roll for the District is attached hereto and incorporated herein as Exhibit "A".

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that, following a duly noticed public hearing held on June 6, 2018, and pursuant to Sections 170.07 and 170.08, Florida Statutes, the Mayor and City Commission hereby approve the final assessment roll for the special assessment district known as the Washington Avenue Business Improvement District, and confirm such assessments as legal, valid, and binding first liens upon the property against which such assessments are made until paid.

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Dan Gelber  
Mayor

**ATTEST:**

\_\_\_\_\_  
Rafael E. Granado  
City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

2.20.18 5/22/18  
City Attorney Date

NK