


## COMMISSION MEMORANDUM

**TO:** Mayor Dan Gelber and Members of the City Commission

**FROM:** Rafael A. Paz, City Attorney 

**DATE:** February 9, 2022

**SUBJECT:** AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE VI, ENTITLED "NAMING OF PUBLIC FACILITIES AND ESTABLISHMENT OF MONUMENTS OR MEMORIALS," BY AMENDING SECTION 82-503 THEREOF, ENTITLED "NAMING OF PUBLIC FACILITIES; CO-NAMING AND RE-NAMING OF STREETS," BY AMENDING SUBSECTION (A) THEREOF, TO REINSTITUTE THE VOTER REFERENDUM REQUIREMENT OF SECTION 82-503(6) FOR ANY PROPOSAL FOR NAMING RIGHTS FOR CERTAIN SPECIFIED CITY-OWNED PROPERTIES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

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The City's ordinance for the naming of public facilities, as set forth in Section 82-501 through 82-503 of the City Code (the "Naming Ordinance"), includes a robust public input process for the review and approval of the naming or re-naming of the exterior of most City-owned public facilities, including parks.

In addition to a public hearing requirement, a naming requires review by the Neighborhood and Quality of Life Committee, and approval by a 5/7ths vote of the City Commission.

Until 2020, the Naming Ordinance included an additional requirement of **voter referendum approval** for the exterior naming or re-naming of most City-owned public facilities and parks, including the Miami Beach Convention Center and other major City-owned facilities.

In January, 2020, in view of the policy direction at the time to engage a sponsorship consultant and explore corporate sponsorship and naming rights opportunities, the City Commission amended the naming ordinance, so as to not require voter referendum approval for the naming of specified City-owned facilities, where the naming rights are conferred for a period of less than 20 years.

The proposed Ordinance, sponsored by Commissioner Rosen Gonzalez, would re-institute the voter referendum requirement for any naming or re-naming of the following City-owned facilities:

- Miami Beach Convention Center;
- Colony Theater;
- 10<sup>th</sup> Street Auditorium / Welcome Center;
- Historic City Hall; and
- North Beach Bandshell.<sup>1</sup>

If approved on first reading, the proposed Ordinance would be considered on second reading at the March 9, 2022 City Commission meeting.

RAP/ag

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<sup>1</sup> The proposed renaming of the North Beach Bandshell to the “Miami Beach Bandshell” would not be affected by the proposed Ordinance, as the Naming Ordinance already provides that the voter referendum requirement does not apply to a naming or re-naming of a City-owned facility after a geographic area of the City.