

RESOLUTION NO. 2024-33359

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE CERTIFICATE OF THE RESULTS OF THE NOVEMBER 5, 2024 SPECIAL ELECTION FOR THE CITY OF MIAMI BEACH, AND DECLARING THE RESULTS THEREOF.

WHEREAS, pursuant to Florida law and the City Code, the Miami-Dade County Canvassing Board was appointed and authorized to canvass the City of Miami Beach's November 5, 2024 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 that¹:

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

Question "2," as set forth below, was approved by the electorate of the City of Miami Beach.

Question "3," as set forth below, was approved by the electorate of the City of Miami Beach.

Question "4," as set forth below, was approved by the electorate of the City of Miami Beach.

Question "5," as set forth below, was approved by the electorate of the City of Miami Beach.

Question "6," as set forth below, was approved by the electorate of the City of Miami Beach.

Question "7," 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 County Canvassing Board acting as the Miami Beach Canvassing Board having canvassed the returns of the November 5, 2024 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 20, 2024 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 5, 2024 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 public measure Miami Beach Referendum 8, Approve 1% Tax on Food and Beverage Sales for Homeless Assistance / Domestic Violence Centers was ordered removed from the ballot. Any vote cast for this public measure did not count for approval or rejection of the public measure.

Miami Beach Referendum 1

Charter's "Citizens' Bill of Rights": Amending Existing Rights, Incorporating County Ethics Commission's Enforcement

Shall Bill of Rights be amended:

- expanding existing right to public records, right to no unreasonable postponements, and right to notice and be heard on City matters, amendments including: limits on deferring agenda items, increased public hearings and notice requirements;
- incorporating Code Chapter 62 "Human Relations" classification categories (on which discrimination is prohibited) into "Nondiscrimination" rights;
- incorporating Miami-Dade County Ethics Commission's powers to enforce and impose penalties (in addition to existing Circuit Court enforcement)?

| | | |
|-----|--------|--------|
| Yes | 24,604 | 81.27% |
| No | 5,670 | 18.73% |

Miami Beach Referendum 2

Charter's "Citizens' Bill of Rights": Amending Circuit Court Forfeiture Remedy

Shall Bill of Rights at Section (C), "Remedies," be amended to:

- provide that the "forfeiture of office or employment" judicial remedy for willful violations of the Bill of Rights is subject to terms of collective bargaining agreements (per State law); and
- establish that such forfeiture remedy is within the Court's discretion instead of mandatory, based upon the Court's determination that the violator has committed repeated violations of the Bill of Rights?

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| Yes | 20,157 | 69.66% |
| No | 8,779 | 30.34% |

Miami Beach Referendum 3

Charter Section 1.03: Sale/Lease of City property; right-of-way vacations; management/concession agreements

Shall Charter be amended, requiring for all sales/leases (10 years or more) of City property (awarded after November 5, 2024) and right-of-way vacations:

- majority voter approval (includes changing approval for Convention Center Campus/Parking Lots from 60% to majority);
- advisory Planning Board review;
- planning analysis;
- appraisal;
- competitive bidding (sales/leases only);
- public hearing; and

for management/concession agreements (10 years or more):

- 6/7 Commission vote;
- public hearing;
- advisory Planning Board review?

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|-----|--------|--------|
| Yes | 22,451 | 75.91% |
| No | 7,123 | 24.09% |

Miami Beach Referendum 4

Election of City Commission: Moving City's Runoff Election Date, Installation/Term Commencement, Conforming Office Terms

Shall Charter be amended to provide, commencing City's November 2025 general election:

- City's runoff election date shall be second Tuesday in December immediately following City's general election instead of 2 weeks after said general election;
- installation/commencement of Commission members' terms shall occur on the Monday immediately following runoff election date;
- to conform with above, existing Commission members' terms expiring November 2025 and November 2027 shall be respectively extended to those years' December installation date?

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| Yes | 22,492 | 74.62% |
| No | 7,649 | 25.38% |

Miami Beach Referendum 5

Charter Section 2.05: Public Hearings and Public Notice for Ordinances

Shall Charter 2.05 be amended:

- establishing process requiring two public hearings instead of one for proposed City ordinances except emergency ordinances and proposed ordinances subject to adoption procedures established in City's Zoning Ordinance; and
- authorizing City's alternative optional publication of notice of proposed ordinances on a publicly accessible website in accordance with Chapter 50, Florida Statutes, instead of requiring publication of such notices only in a newspaper of general circulation within City?

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| Yes | 23,411 | 76.31% |
| No | 7,266 | 23.69% |

Miami Beach Referendum 6

Charter Section 2.07: "Vacancies in City Commission"

Shall Charter Section 2.07 be amended to:

- require election to fill vacancy unless City Commission appoints person to fill vacancy within 30 days;
- provide that Commission's power to appoint shall commence upon vacancy or submittal of resignation (if filed) instead of 30 days later;
- require appointments by remaining Commission members be super-majority (majority plus 1) vote instead of majority vote;
- clarify election and installation dates regarding vacancies due to resignation?

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| Yes | 20,925 | 69.02% |
| No | 9,393 | 30.98% |

Miami Beach Referendum 7

Charter Amendments: Clarifying and Conforming Certain Charter Language to Applicable Laws and/or Current Usage

Shall Charter be amended to clarify that the one-year residency requirement to qualify as candidate applies to the year "immediately" prior to qualifying, and clarify filing requirements for qualifying by petition (Charter 6.03); clarify and conform to Florida law restriction against qualifying for more than 1 City office, and replace certain obsolete reference to "Commissioner" with "Commission member" (Charter 2.01); amend Charter 1.07 to include therein all nondiscrimination classification categories in Code Chapter 62?

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|-----|--------|--------|
| Yes | 24,012 | 83.03% |
| No | 4,909 | 16.97% |


BE IT FURTHER RESOLVED AND DETERMINED that Question "1" was approved, Question "2" was approved, Question "3" was approved, Question "4" was approved, Question "5" was approved, Question "6" was approved, and Question "7" was approved. The subject ballot measures having received majority approval of the qualified electors of the City voting on said measures are thus hereby considered effective upon today's acceptance by the City Commission of final certification of election results.

PASSED and ADOPTED this 20th day of November 2024.

ATTEST:



NOV 22 2024




Steven Meiner, Mayor

Rafael E. Granado, City Clerk

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**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

11/19/2024

Date