





92 The City Charter currently provides that leases of City property are franchises  
93 subject to a 50-year term limitation. Shall the Charter be amended to remove the  
94 50-year term limitation on lease(s) of City property involving the redevelopment of  
95 City Hall?

96  
97 YES [ ]

98 NO [ ]

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100 Polling place information, the enabling Resolution, including the full text of the  
101 proposed City Charter Amendments and the ballot questions, are available at the  
102 Office of the City Clerk located at 6130 Sunset Drive, South Miami, Florida 33143.

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Nkenga “Nikki” Payne, CMC, FCRM, City Clerk

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107 **Section 3. Form of Ballot; Ballot Question.** That the official ballot to be used in the  
108 Special Election to be held on Tuesday, March 19, 2024, as hereby called, shall be in  
109 substantially the following form, to-wit:

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111 **“OFFICIAL BALLOT**

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113 **REMOVING THE 50-YEAR TERM LIMIT FOR LEASE(S) OF CITY**  
114 **PROPERTY INVOLVING CITY HALL REDEVELOPMENT**

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116 The City Charter currently provides that leases of City property are franchises  
117 subject to a 50-year term limitation. Shall the Charter be amended to remove the  
118 50-year term limitation on lease(s) of City property involving the redevelopment of  
119 City Hall?

120  
121 YES [ ]

122 NO [ ] ”

123  
124 **Section 4. Balloting.** That balloting shall be conducted between the hours of 7:00 a.m.  
125 until 7:00 p.m. on election day. Vote-by-mail ballots and early voting shall be provided as  
126 authorized by law. All qualified City electors who are timely registered in accordance with law  
127 shall be entitled to vote.

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129 **Section 5. Charter Amendment Text; Effectiveness.** The text of the proposed  
130 Charter amendment (the “Charter Amendment”) is set forth in Exhibit “A”, which is attached  
131 hereto and incorporated herein. The Charter Amendment shall become effective if the majority of  
132 the qualified electors of the City voting on the Charter Amendment vote for its adoption, and it  
133 shall be considered adopted and effective upon the certification of the Special Election results.  
134 Following the adoption of the Charter Amendment, the City Clerk shall file the adopted Charter  
135 Amendment with the Clerk of the Circuit Court of Miami- Dade County, Florida.



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**EXHIBIT “A”**

**TEXT OF PROPOSED CHARTER AMENDMENT OF THE CITY OF SOUTH MIAMI<sup>1</sup>**

**CITY OF SOUTH MIAMI CHARTER**

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**ARTICLE VI. – GENERAL PROVISIONS**

**SECTION 4. Franchise**

\* \* \*

**(C) Requirements:**

All proposed ordinances approving any franchise contract or agreement, the renewal of an existing franchise, the grant of an extension to the franchise term or any material change to an existing franchise, may only be enacted if approved by a vote of 4/5 of all members of the City Commission. The term limit for all franchise contracts or agreements, as defined in this Section, including any renewal or extension to the term of same, shall be (50) years, except that lease(s) of City property involving the redevelopment of City Hall shall not be subject any such term limit. No change in ownership or control of an artificial person with whom the City has entered into a franchise contract or agreement, as defined by this Section, nor shall any ownership or control be transferable in any way, including but not limited to assignments and conveyances of an ownership interest, unless it is approved by an ordinance enacted by members of the City Commission. The enactment of all ordinances required by this Section shall be heard at two public meetings/hearings and the title of the ordinance shall be published in a newspaper of general circulation, as defined in this Section, and it shall also be published in a local newspaper, as defined in this Section, at least five (5) days before the first meeting (first reading of the ordinance). At least ten (10) days before the second and final reading of the franchise ordinance, its title shall be published in a newspaper of general circulation and, in addition, it shall be published in a local newspaper, if available, so as to provide as much notice as possible, but, in any event, the notice need not exceed ten (10) days before the second reading. The timeliness of the publication in the local newspaper shall not be grounds for challenging the ordinance unless such a newspaper is available for publication and then only if it was published less than five (5) days before the second reading.

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<sup>1</sup>Proposed additions to existing Town Charter text are indicated by underlining; proposed deletions from existing Town Charter text are indicated by ~~striketrough~~.