

RESOLUTION NO. R2026-103

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA CALLING FOR A NOVEMBER 3, 2026, SPECIAL ELECTION, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA ONE BALLOT QUESTION THAT PROPOSES AMENDMENTS TO THE CITY CHARTER FOR THE PURPOSE OF REVISING THE EXISTING CITY CHARTER.

WHEREAS, pursuant to Miami-Dade County Charter Section 6.03, and following the North Miami Beach City Commission's review and consideration of recommendations of the City's Charter Review Committee, the City Commission has caused the drafting and preparation of proposed amendments to the City Charter for submission to the electors of the City; and

WHEREAS, the City Commission thus desires to submit the proposed ballot question and Charter amendments set forth hereinbelow to the electors of the City at a Special Election to be held in conjunction with the General Election on November 3, 2026.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, THAT:

Section 1. The foregoing whereas clauses are true and correct and adopted as the legislative and administrative findings of the City Commission and made a specific part of this Resolution; all exhibits attached hereto are made a specific part of this Resolution.

Section 2. In accordance with provisions of the Charter of the City of North Miami Beach, Florida and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the City of North Miami Beach, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 3, 2026, for the purpose of submitting to the electorate the questions as set forth hereunder.

Section 3. That the appropriate and proper Miami-Dade County election officials shall conduct the said Special Election hereby called, with acceptance of the certification of the results of said Special Election to be performed by the City Commission. The official returns for each precinct shall be furnished to the City Clerk of the City of North Miami Beach as soon as the ballots from all precincts have been tabulated.

Section 4. That the said voting precincts in the City of said Special Election shall be as established by the proper and appropriate Miami-Dade County Election Officials. All electors shall vote at the polling places and the voting precincts as determined by the Miami-Dade County Election Officials.

Section 5. In accordance with Florida Statute section I00.342, there shall be at least 30 days' notice of the Special Election by publication in the Miami Herald, a newspaper of general circulation in the City of North Miami Beach. The publication shall be made at least twice, once in the fifth week and once in the third week prior to the week in which the Special Election is to be held.

Section 6. The Notice of Election shall be substantially in the following form:

THE CITY OF NORTH MIAMI BEACH, FLORIDA
NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 3rd DAY OF NOVEMBER 2026, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF NORTH MIAMI BEACH THE FOLLOWING QUESTIONS:

Question 1 - Shall Increases in Commissioner Compensation Require Six Commission Votes to Pass; and Related COLA Language?

Shall Section 2.3 of the City Charter be amended to authorize increases in the compensation of the Mayor and City Commissioners *only* upon the affirmative vote of at least six members of the City Commission; provide that any cost-of-living adjustment (COLA) applies to the entire remuneration package; and require that Commissioners be offered the opportunity to remain in the City's insurance plans, at their own expense, following their term of office?

Yes ___
No _____

Question 2 - Requiring Additional Meeting When Agenda Not Completed; Reducing Required Call for Special Meeting; Clarifying Attendance?

Shall Sections 2.4 and 2.5 of the City Charter be amended to require that if any regular Commission agenda is not completed at a meeting, a second meeting shall be held within fifteen days to complete that agenda; reduce from 5 to 4 the number of Commissioners required to call a special meeting and clarifying attendance requirements as to commencement of the period of nonattendance at Commission meetings and permitting virtual attendance where lawful?

Yes
No

Question 3 - Oversight of Major Development Project and Clarification of Recall Procedure?

Shall Section 3.1.1 of the City Charter be amended to require the City Manager or designee to ensure that major development projects comply with the Charter; authorize the use of independent professional consultants, at the applicant's expense, when reasonably necessary; and provide that failure to act upon credible risks constitutes a Charter violation; and shall Section 2.9 be amended to provide that any recall shall be as provided by general law?

Yes
No

Question 4 - Changing City General Election Dates from November to May: Providing for Extending Terms, Early Voting?

Shall Sections 4.1, 4.2 and 4.4 of the City Charter be amended to change the date of the City general elections from November of even-numbered years to May of odd-numbered years, and increasing the terms of Commissioners elected in 2024 and 2026 by six months to conform to the date change; providing for acceptance of election results and commencement of terms; providing for municipal early voting?

Yes
No

Question 5 - Clarification of Legal Residence Requirements for Candidates to be Equivalent to Domicile?

Shall Section 4.3 of the City Charter be amended to clarify candidate qualifying requirements as to legal residence in the City by specifying that legal residence shall be defined as identical and equivalent to domicile?

Yes
No

Question 6 - Shall Runoff Elections Be Held Four Weeks After the General Election Instead of Two Weeks?

Shall Section 4.1 of the City Charter be amended to change the date of any necessary runoff election from two weeks after the general election, to four weeks after the general election, per request of the Supervisor of Elections?

Yes
No

Question 7 - Shall the City Charter be Amended to Add Language Clarifying Municipal Powers?

Shall Section 1.4 of the City Charter be amended to add the following: "The City's powers shall be liberally construed to include the affirmative duty to protect public health, safety, and welfare using current and reliable data." And to add related conforming language?

Yes
No

Question 8 - Giving the City Manager Flexibility Concerning the Status of and Continued Employment of Department Heads?

Shall Section 7.1 of the City Charter be amended to clarify that the City Manager will have greater flexibility in reappointing or removing Department Heads from their positions?

Yes
No

Section 7. That the official ballot to be used in the Special Election to be held on November 3, 2026, hereby called, shall be in substantially the following form, to-wit:

"OFFICIAL BALLOT"

Question 1 - Shall Increases in Commissioner Compensation Require Six Commission Votes to Pass; and Related COLA Language?

Shall Section 2.3 of the City Charter be amended to authorize increases in the compensation of the Mayor and City Commissioners only upon the affirmative vote of at least six members of the City Commission; provide that any cost-of-living adjustment (COLA) applies to the entire remuneration package; and require that Commissioners be offered the opportunity to remain in the City's insurance plans, at their own expense, following their term of office?

Yes ___
No

Question 2 - Requiring Additional Meeting When Agenda Not Completed; Reducing Required Call for Special Meeting; Clarifying Attendance?

Shall Sections 2.4 and 2.5 of the City Charter be amended to require that if any regular Commission agenda is not completed at a meeting, a second meeting shall be held within fifteen days to complete that agenda; reduce from 5 to 4 the number of Commissioners required to call a special meeting and clarifying attendance requirements as to commencement of the period of nonattendance at Commission meetings and permitting virtual attendance where lawful?

Yes
No

Question 3 Oversight of Major Development Project and Clarification of Recall Procedure?

Shall Section 3.1.1 of the City Charter be amended to require the City Manager or designee to ensure that major development projects comply with the Charter; authorize the use of independent professional consultants, at the applicant's expense, when reasonably necessary; and provide that failure to act upon credible risks constitutes a Charter violation; and shall Section 2.9 be amended to provide that any recall shall be as provided by general law?

Yes
No

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Yes

No

Question 8 - Giving the City Manager Flexibility Concerning the Status of and Continued Employment of Department Heads?

Shall Section 7.1 of the City Charter be amended to clarify that the City Manager will have greater flexibility in reappointing or removing Department Heads from their positions?

Yes

No

Section 8. The form of the ballots to be used in this Special Election and their preparation shall be in compliance with all statutory requirements relating to the use of mechanical or other approved voting machines or devices.

Section 9. That, in accordance with Sections 10 and 11 herein, the Charter shall be amended by revising the existing Charter as set forth in attached Exhibit "A" (redline version) and replacing it with the new reformatted/amended Charter which shall read as the attached reformatted/amended Charter.

Section 10. The City Manager or designee is authorized to do all things necessary to effectuate this Resolution.

Section 11. All Resolutions or parts of Resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 12. Any scrivener or typographical errors that do not affect intent may be corrected with notice to, and the authorization of the City Attorney and City Manager without further process.

Section 13. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of

this Resolution that can be given affect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

Section 14. This Resolution shall take effect immediately upon adoption.

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APPROVED AND ADOPTED by the City of North Miami Beach City Commission at the regular meeting assembled this **21st day of July, 2026.**



ANDRISE BERNARD, MMC
CITY CLERK

MICHAEL JOSEPH
MAYOR



APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE USE AND
RELIANCE OF THE CITY OF NORTH
MIAMI BEACH:

GREENSPOON MARDER, LLP

BY:
CITY ATTORNEYS

Sponsored By: Mayor and City Commission