

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: March 19, 2025 10:20 a.m. First Reading Public Hearing

TITLE: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED, "ADMINISTRATION," BY AMENDING ARTICLE II, ENTITLED "CITY COMMISSION," BY AMENDING SECTION 2-14 THEREOF, ENTITLED "MEETING PROCEDURES AND AGENDAS," TO REQUIRE THAT ANY RESOLUTIONS PLACED ON A CITY COMMISSION AGENDA WITH A FISCAL IMPACT GREATER THAN \$75,000 AND SEEKING A WAIVER OF THE REQUIRED REVIEW BY THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE BY 5/7THS OF THE VOTE BY THE CITY COMMISSION MAY NOT BE PLACED ON THE CONSENT AGENDA AND SHALL INSTEAD BE HEARD AS A REGULAR AGENDA ITEM; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

The attached Ordinance was prepared at the request of the sponsor, Commissioner David Suarez.

The City Commission has established procedures for the conduct of its monthly meetings in Chapter 2 of the Code. On June 22, 2022, the Mayor and City Commission adopted Ordinance No. 2022-4496 to strengthen the City's procedural requirements, including adopting a requirement that any ordinance or resolution initiated by a member of the City Commission with a fiscal impact greater than \$75,000.00 must be first referred to the Finance and Economic Resiliency Committee for review and recommendation, unless it is waived by 5/7th vote.

The sponsor of this Ordinance wishes to amend subsection 2-14 of the City Code to clarify that any resolution initiated by a member of the City Commission with a fiscal impact greater than \$75,000.00 that also seek a waiver of the required review by the Finance and Economic Resiliency Committee should not be placed on the consent agenda, as these items require careful consideration and full transparency in the decision-making process. Such resolutions, regardless of the waiver request, should be heard as regular agenda items to provide for greater public scrutiny, promote accountability, and ensure that any fiscal impact over \$75,000 is properly vetted by the City Commission.

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate? Yes
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

**Is this a “Residents Right to Know” item,
pursuant to City Code Section 2-17?**

No

**Is this item related to a G.O. Bond
Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481,
includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

Department

City Attorney

Sponsor(s)

Commissioner David Suarez

Co-sponsor(s)

Condensed Title

10:20 a.m. 1st Rdg PH, Resos w/Fiscal Impact Over \$75K & 5/7th Vote Waiver, Placed on
Regular. (DS) CA

Previous Action (For City Clerk Use Only)