

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: May 21, 2025 11:01 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 III, ENTITLED "AGENCIES, BOARDS, AND COMMITTEES," BY AMENDING SECTION 2-22(5)(B) THEREOF, ENTITLED "GENERAL REQUIREMENTS," TO REMOVE THE MANDATORY TWO-YEAR HIATUS PRIOR TO REAPPOINTMENT TO ANOTHER AGENCY, BOARD, OR COMMITTEE, EXCEPT FOR MEMBERS OF LAND USE BOARDS, WHO SHALL CONTINUE TO OBSERVE SUCH HIATUS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **RECOMMENDATION**

### **BACKGROUND/HISTORY**

### **ANALYSIS**

The attached Ordinance was prepared at the request of Commissioner Alex J. Fernandez.

The City of Miami Beach relies heavily on the dedicated service of its residents who volunteer their time and expertise to serve on various agencies, boards, and committees. These advisory bodies play a vital role in shaping public policy, informing decision-making, and fostering community engagement.

Under the current provisions of Section 2-22 the City Code, at-large appointees who have served the maximum term limit on a board or committee must observe a mandatory two-year hiatus before they are eligible for reappointment to a different agency, board, or committee. While well-intentioned, this provision has sometimes limited the City's ability to reengage highly qualified, experienced, and civically engaged individuals in public service.

To address this issue, the sponsor seeks to eliminate the mandatory two-year hiatus for at-large appointees—with the exception of those who have served on land use boards. Land use boards, such as the Planning Board or Board of Adjustment, consider applications with significant implications for zoning, development, and Miami Beach's built environment. For these bodies, maintaining the two-year hiatus is appropriate to promote fresh perspectives and preserve public confidence in quasi-judicial decision-making.

By removing the hiatus requirement for all other boards and committees, the City would improve its ability to appoint highly qualified individuals, maintain valuable institutional knowledge, and ensure continuity in the work of these advisory bodies.

### **FISCAL IMPACT STATEMENT**

N/A

### **Does this Ordinance require a Business Impact Estimate?** (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 Alex Fernandez

#### **Co-sponsor(s)**

#### **Condensed Title**

11:01 a.m. 1st Rdg PH, Eliminate Board Member 2-Year Hiatus Prior to Reappointment. (AF)  
CA

**Previous Action (For City Clerk Use Only)**