

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: April 23, 2025 10:20 a.m. Second 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 5/7TH 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.

As presented on First Reading on March 19, 2025 City Commission meeting, the Ordinance amended 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.

The Mayor and City Commission approved the Ordinance on First Reading, amending it on the floor to provide that any resolution involving an unbudgeted expenditure that has not been referred to the Finance and Economic Resiliency Committee is to be placed on the regular agenda for consideration at a Commission meeting.

## **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: 3/27/2025  
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

## **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)**

Commissioner Alex Fernandez  
Commissioner Joseph Magazine

### **Condensed Title**

10:20 a.m. 2nd Rdg, Resos w/Fiscal Impact Over \$75K & 5/7th Vote Waiver, Placed on Reg.  
(DS/AF/JM) CA

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

First Reading on 3/19/2025 - R5 L

