

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: March 19, 2025 9:25 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 MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE IV, ENTITLED "OFFICERS AND EMPLOYEES," BY AMENDING DIVISION 5 THEREOF, ENTITLED "OFFICE OF INSPECTOR GENERAL", BY AMENDING SECTION 2-256 THEREOF, ENTITLED "OFFICE OF INSPECTOR GENERAL," TO AUTHORIZE "RED FLAG" REVIEW BY THE OFFICE OF THE INSPECTOR GENERAL OF PROPOSED OR IMPENDING CITY ACTION; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

The proposed ordinance is presented for the consideration on first reading by the sponsor, Commissioner Alex Fernandez.

The City's Finance and Economic Resiliency Committee ("FERC") discussed the proposed "Red Flag" ordinance and passed a motion to forward the ordinance to the full City Commission with a favorable recommendation at its October 18, 2024 meeting.

The proposed ordinance amends City Code Section 2.256(d) to add additional responsibilities for the Office of the Inspector General ("OIG"), to include notifying the City Commission and/or City Administration when any proposed or impending City action would result in a violation of City policies or rules, or governing law, or when such action would result in waste, fraud, abuse, or inefficiency.

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: 3/6/2025
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 Alex Fernandez

Co-sponsor(s)

Condensed Title

9:25 a.m. 2nd Rdg, OIG "Red Flag" Ordinance. (Fernandez) CA

Previous Action (For City Clerk Use Only)

First Reading Public Hearing on 2/26/2025 – R5 K