

C4 AP REFERRAL TO LAND USE AND SUSTAINABILITY COMMITTEE - DISCUSS  
REQUIRING MEMBERS OF THE CITY COMMISSION TO DISCLOSE AND  
REQUEST AN OPINION FROM THE MIAMI-DADE COUNTY COMMISSION ON  
ETHICS AND PUBLIC TRUST (AND/OR, IF APPLICABLE, THE FLORIDA  
COMMISSION ON ETHICS) PRIOR TO SPONSORING AND PLACING ON A CITY  
COMMISSION MEETING AGENDA ANY ITEM THAT WOULD IMPACT OR APPLY  
TO THE MEMBER, OR A RELATIVE OR BUSINESS ASSOCIATE OF THE  
MEMBER, OR A PRINCIPAL BY WHOM THE MEMBER IS RETAINED,  
INCLUDING ANY ITEM THAT IMPACTS REAL PROPERTY OWNED BY THE  
MEMBER OR THAT IMPACTS PROPERTY WITHIN THE VICINITY OF SUCH  
PROPERTY OWNED BY THE MEMBER; AND REQUIRING THAT ANY SUCH  
CONFLICT OPINION(S) BE ATTACHED TO THE AGENDA ITEM.

Applicable Area:



**COMMISSION MEMORANDUM**

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: February 26, 2025

TITLE: REFERRAL TO LAND USE AND SUSTAINABILITY COMMITTEE - DISCUSS REQUIRING MEMBERS OF THE CITY COMMISSION TO DISCLOSE AND REQUEST AN OPINION FROM THE MIAMI-DADE COUNTY COMMISSION ON ETHICS AND PUBLIC TRUST (AND/OR, IF APPLICABLE, THE FLORIDA COMMISSION ON ETHICS) PRIOR TO SPONSORING AND PLACING ON A CITY COMMISSION MEETING AGENDA ANY ITEM THAT WOULD IMPACT OR APPLY TO THE MEMBER, OR A RELATIVE OR BUSINESS ASSOCIATE OF THE MEMBER, OR A PRINCIPAL BY WHOM THE MEMBER IS RETAINED, INCLUDING ANY ITEM THAT IMPACTS REAL PROPERTY OWNED BY THE MEMBER OR THAT IMPACTS PROPERTY WITHIN THE VICINITY OF SUCH PROPERTY OWNED BY THE MEMBER; AND REQUIRING THAT ANY SUCH CONFLICT OPINION(S) BE ATTACHED TO THE AGENDA ITEM.

**RECOMMENDATION**

**BACKGROUND/HISTORY**

**ANALYSIS**

This Commission Memorandum has been placed on the February 26, 2025 City Commission meeting agenda at the request of Commissioner Alex Fernandez as a referral to the Land Use and Sustainability Committee ("LUSC").

Commissioner Fernandez has requested that the LUSC discuss requiring members of the City Commission to disclose and request an opinion from the Miami-Dade County Commission on Ethics and Public Trust (and/or, if applicable, the Florida Commission on Ethics) prior to sponsoring and placing on a City Commission meeting agenda any item that would impact or apply to the member, or a relative or business associate of the member, or a principal by whom the member is retained, including any item that impacts real property owned by the member or that impacts property within the vicinity of such property owned by the member. Any such conflict opinion(s) would be attached to the agenda item.

**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-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 Clerk

### **Sponsor(s)**

Commissioner Alex Fernandez

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

### **Condensed Title**

Ref: LUSC - Require MDC Comm on Ethics Opinion Prior to Placing Agenda Item that Impacts  
Member/Relative/Business Associate. (AF) CA

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