

C4 J REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS POTENTIALLY ENACTING A RED FLAG ORDINANCE REQUIRING THE OFFICE OF THE INSPECTOR GENERAL TO REVIEW CITY COMMISSION AGENDAS AND MAKE RECOMMENDATIONS CONCERNING ALL AGENDA ITEMS THAT WILL LIKELY RESULT IN AN EXPENDITURE GREATER THAN \$100,000.00.



COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Commissioner Alex Fernandez

DATE: June 26, 2024

TITLE: REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS POTENTIALLY ENACTING A RED FLAG ORDINANCE REQUIRING THE OFFICE OF THE INSPECTOR GENERAL TO REVIEW CITY COMMISSION AGENDAS AND MAKE RECOMMENDATIONS CONCERNING ALL AGENDA ITEMS THAT WILL LIKELY RESULT IN AN EXPENDITURE GREATER THAN \$100,000.00.

RECOMMENDATION

Please place on the June 26, 2024 City Commission agenda a referral to the Finance and Economic Resiliency Committee to discuss potentially enacting a Red Flag Ordinance that would require the Office of the Inspector General ("OIG") to review all printed City Commission agendas, prior to the applicable City Commission meeting date, in order to provide the Mayor and City Commission with recommendations intended to detect and reduce the risk of fraud, waste, mismanagement, misconduct, and/or abuse with regard to all agenda items that will likely result in an expenditure greater than \$100,000.00.

The City is committed to maintaining the highest standards of transparency, accountability, and integrity in its operations and decision-making processes, and the City further recognizes that robust oversight mechanisms are essential to detect and mitigate risks related to fraud, waste, mismanagement, misconduct, and/or abuse. In the City of Miami Beach, in addition to each City department and individual employee, the OIG is entrusted with the responsibility to ensure ethical conduct, efficiency, and accountability within City government.

To that end, the City Code expressly provides that the OIG has the authority to conduct reviews, audits, or investigations relating to any past, present, and proposed city contracts, programs, projects, and expenditures. Additionally, the OIG has the experience and expertise to provide valuable insights and recommendations on matters that will come before the City Commission with a likely expenditure greater than \$100,000.00. Moreover, the proactive review of City Commission agenda items by the OIG can serve as a preventative measure to identify and address potential issues involving costly expenditures before decisions are made or actions are taken.

As such, I would like to discuss with my colleagues the potential adoption of a Red Flag Ordinance to enhance the decision-making and oversight capabilities of the City Commission by integrating the OIG's recommendations into the decision-making process in a prospective (rather than reactive) manner. I would further request that the OIG be present at FERC in order to participate in the Committee discussion and address any potential issues or concerns regarding the foregoing.

BACKGROUND/HISTORY

ANALYSIS

FISCAL IMPACT STATEMENT

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

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?

Yes

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

Office of Commissioner Alex Fernandez

Sponsor(s)

Commissioner Alex Fernandez

Co-sponsor(s)