

R9 M DISCUSS RECENT OBSERVATIONS AND RESIDENT COMPLAINTS
REGARDING THE SPECIAL MAGISTRATE PROCESS.

Applicable Area:



COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Commissioner Laura Dominguez

DATE: September 11, 2024

TITLE: DISCUSS RECENT OBSERVATIONS AND RESIDENT COMPLAINTS REGARDING THE SPECIAL MAGISTRATE PROCESS.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

Please place a discussion item on the March 13, 2024 City Commission agenda to discuss my recent personal observations at a special magistrate hearing and subsequent requests by residents for greater transparency, notice, and participation by affected neighbors who have direct knowledge of evidence relevant to violations being prosecuted by the City's Code Compliance Department and adjudicated by the City's special magistrates.

Recently, I attended a series of special magistrate hearings taking place on a particular day. While I knew that delays and continuances requested by violators is a serious problem achieving just and timely resolution of these cases, I also observed that some cases could not go forward because the code officer issuing the violation was not working on the day of the hearing and/or because proper service of process had not been obtained. I would like to discuss possible solutions to minimize these types of City continuances.

Following my observation of this set of hearings, I, along with other City officials, received an e-mail setting forth resident concerns with both the Code Compliance Department and the special magistrates office after they attended another special magistrate hearing. The residents' concerns can be summarized as follows:

1. The resident perceived the Special Magistrate process as not transparent to general public.
2. The resident perceived that communication from staff about upcoming hearings could be improved.
3. The resident requested that the Special Magistrate clerk bundle related Code Violations, to improve resident participation and avoid confusion for all.
4. The resident requested more consistent notice regarding upcoming hearings regarding violations in a given neighborhood.

I would like to discuss my observations and those of the City resident and to discuss possible solutions with my colleagues.

FISCAL IMPACT STATEMENT

N/A

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 Laura Dominguez

Sponsor(s)

Commissioner Laura Dominguez

Co-sponsor(s)