

ORDINANCE NO. _____

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 III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 26, AND SECTIONS 2-190.106 THROUGH 2-190.111 THEREOF, ENTITLED "GENERAL OBLIGATION BOND OVERSIGHT COMMITTEE," TO UPDATE THE PURPOSE AND COMPOSITION OF THE G.O. BOND OVERSIGHT COMMITTEE TO CHARGE THE COMMITTEE WITH OVERSIGHT OF THE 2022 ARTS & CULTURE G.O. BOND PROGRAM, IF APPROVED BY THE VOTERS ON NOVEMBER 8, 2022; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, following voter approval of the 2018 General Obligation (G.O.) Bond Program, the Mayor and Commission established a G.O. Bond Oversight Committee (Oversight Committee), to monitor and provide the City with advisory recommendations regarding the timely progress, goals, costs, efficiencies, and completion of the 2018 G.O. Bond Program; and

WHEREAS, on November 8, 2022, the City's voters will consider approval of a \$159 million G.O. Arts & Culture Bond, to improve the resiliency of arts and cultural facilities throughout the City; and

WHEREAS, as the initial enabling legislation for the Oversight Committee was limited to matters relating to the 2018 G.O. Bond Program, the Mayor and City Commission desire to amend the G.O. Bond Oversight Committee Ordinance, to charge the Oversight Committee with the responsibility to monitor and provide recommendations regarding the execution and implementation of the 2022 Arts & Culture Bond Program, if approved by the voters on November 8, 2022, as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. That Sections 2-190.106 through 2-190.111 of Article III of Chapter 2 of the Code of the City of Miami Beach are hereby amended as follows:

**CHAPTER 2
ADMINISTRATION**

* * *

ARTICLE III. AGENCIES, BOARDS AND COMMITTEES

* * *

DIVISION 26. GENERAL OBLIGATION BOND OVERSIGHT COMMITTEE

Sec. 2-190.106. Established.

There is hereby established the General Obligation Bond Oversight Committee which is an advisory board of the City.

Sec. 2-190.107. Purpose.

The purpose of the General Obligation Bond Oversight Committee is to make advisory recommendations to the City Manager and the City Commission from a macro perspective regarding the timely progress, overall goals, costs, including financial efficiencies, and the timely completion of General Obligation Bond Program ("G.O. Bond Program") projects approved by the voters in the City of Miami Beach Special Elections held on November 6, 2018 and November 8, 2022.

Sec. 2-190.108 Powers and duties.

The General Obligation Bond Oversight Committee shall have the following powers and duties:

- (a) receive input from the public, the City Administration, City consultants, and the City's Inspector General, as needed, in order to make recommendations relative to the overall timing, cost efficiencies, and prioritization of the G.O. Bond Program projects;
- (b) provide general oversight to ensure that G.O. Bond Program project timelines, budgets (including cost efficiencies) are prioritized and achieved, and that the projects are completed in accordance with the scope of work approved by the voters; and
- (c) review City staff and G.O. Bond Program project managers' progress reports, and provide monthly reports to the City Commission.

Sec. 2-190.109. Composition.

The General Obligation Bond Oversight Committee shall be composed of ~~eleven~~ fourteen (~~11~~14) members as follows:

- (a) ~~Eight Six~~ (~~8~~6) at-large, voting members, with staggered terms, ~~within each geographic area,~~ to be appointed by the City Commission as follows:

1. two City residents from the North Beach area;
2. two City residents from the Mid-Beach area; and
3. two City residents from the South Beach area; and
4. two City residents from any geographic area of the City, with experience working with cultural/arts organizations, including with respect to operations, facilities management or design.

~~However, for the initial one-year and two-year terms, the above six voting members shall be direct appointments of the Mayor, subject to ratification or modification by majority vote of the City Commission.~~

- (b) One direct appointment by the Mayor who shall be a voting member and a resident of any area of the City, and who shall serve as chair of the Committee.

- (c) ~~Four~~ Five (~~4~~5) ex-officio, non-voting members as follows:

1. a designee of the City's Audit Committee;
2. a designee of the City's Parks and Recreational Facilities Board;
3. a designee of the City's Budget Advisory Committee; and
4. a designee of the City's Sustainability Committee; and
5. a designee of the City's Cultural Arts Council.

- (d) The voting members shall serve two-year terms.

1. The term limits for the voting members set forth in subsection (a)(1)-(3) shall be governed by the term limits set forth in Section 2-22(5)(b) of the City Code for at-large appointees.

2. The term limits for the chair of the Committee shall be governed by the term limits set forth in Section 2-22 (5)(a) of the City Code for direct appointees.

Sec. 2-190.110. Knowledge and Experience.

Each of the ~~seven~~nine (7~~9~~) voting members must demonstrate a high degree of knowledge or expertise in one or more of the following areas or disciplines:

1. Banking/Finance;
2. Construction;
3. Real Estate Development;
4. Construction Management;
5. Recreational or Cultural/Arts Operations, Facilities Management/Design;
6. Architecture;
7. Landscape Design/Landscape Architecture;
8. Public Safety/Security Systems;
9. Public Works;
10. Public Facilities;
11. Engineering;
12. Urban Planning/Design;
13. Resiliency/Environmental Management;
14. Communications; or
15. Neighborhood Leadership.

Sec. 2-190.111. Supporting Departments.

The supporting departments for the General Obligation Bond Oversight Committee shall be the City Manager's Office, the Finance Department, and the Capital Improvements and Projects Department. The City Attorney's Office shall provide counsel to the Committee, and the City's Office of the Inspector General shall provide oversight.

SECTION 2. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 4. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Miami Beach City Code. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the _____ day of _____, 202.

PASSED AND ADOPTED this _____ day of _____, 2022.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

Underline denotes additions
~~Strikethrough~~ denotes deletions

Double Underline denotes Second Reading additions

(Sponsored by Mayor Dan Gelber)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney *PAZ* 10-31-22
Date