

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

TO: Mayor Steven Meiner and Members of the City Commission

FROM: Alina T. Hudak, City Manager

MEETING DATE: January 31, 2024

SUBJECT: BUSINESS IMPACT ESTIMATE FOR:

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 III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 30, ENTITLED "COMMITTEE FOR QUALITY EDUCATION IN MIAMI BEACH SCHOOLS," BY AMENDING SECTION 22-190.137 THEREOF, ENTITLED "COMPOSITION, KNOWLEDGE AND EXPERIENCE" TO ALLOW THE CITY COMMISSION TO WAIVE, BY 4/7THS VOTE, THE REQUIREMENT THAT A COMMITTEE MEMBER MUST BE A PARENT/GUARDIAN OF A STUDENT ATTENDING A SCHOOL IN THE CITY; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Is a Business Impact Estimate Required?

Yes **No** (If no, please check one of the boxes below)

If one or more boxes are checked below, this means the City of Miami Beach has determined that a Business Impact Estimate for the above-referenced Ordinance is not required by State law.

- The proposed Ordinance is required for compliance with Federal or State law or regulation;
- The proposed Ordinance relates to the issuance or refinancing of debt;
- The proposed Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed Ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the City;
- The proposed Ordinance is an emergency ordinance;
- The Ordinance relates to procurement; or
- The proposed Ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

If none of the above exceptions apply, this Business Impact Estimate is hereby provided in accordance with Section 166.041(4), Florida Statutes.

1. The summary of the proposed Ordinance and its purpose is more fully set forth in the Commission Memorandum accompanying the Ordinance, as well as in the recitals to the Ordinance itself, which are attached hereto.

2. The City of Miami Beach estimates that the proposed Ordinance will have no direct economic impact on private, for-profit businesses in the City of Miami Beach, that the proposed Ordinance will have no direct compliance costs that businesses may reasonably incur; that the proposed Ordinance will not impose any new charge or fee for which businesses will be financially responsible, and that the proposed Ordinance will not impact the City of Miami Beach's regulatory costs and will not generate any revenue from new charges or fees.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed Ordinance:

The City of Miami Beach estimates that no businesses are likely to be impacted by the proposed Ordinance.

4. Additional comments: None.

MIAMI BEACH

Rafael A. Paz, City Attorney
City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Steven Meiner and Members of the City Commission
Alina T. Hudak, City Manager

FROM: Rafael A. Paz, City Attorney



FIRST READING

DATE: December 13, 2023

SUBJECT: 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 III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 30, ENTITLED "COMMITTEE FOR QUALITY EDUCATION IN MIAMI BEACH SCHOOLS," BY AMENDING SECTION 22-190.137 THEREOF, ENTITLED "COMPOSITION, KNOWLEDGE AND EXPERIENCE" TO ALLOW THE CITY COMMISSION TO WAIVE, BY 4/7THS VOTE, THE REQUIREMENT THAT A COMMITTEE MEMBER MUST BE A PARENT/GUARDIAN OF A STUDENT ATTENDING A SCHOOL IN THE CITY; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The proposed Ordinance was prepared at the request of the sponsor, Commissioner Laura Dominguez, and co-sponsor, Vice-Mayor Kristen Rosen Gonzalez.

The City of Miami Beach's advisory Committee For Quality Education In Miami Beach Schools was established in 1999 to make recommendations to the City Commission and to investigate, develop, and carry out plans to promote and ensure the provision of quality education in Miami Beach public schools.

The Ordinance, codified in Sections 2-190.134 through 2-190.138 of the City Code, was recently expanded to include twenty-six (26) voting members, none of whom are directly appointed by the City Commission, but rather are selected by the Parent Teacher Association for each public and private school in the City.

The only criteria for members of the Committee are that (1) the PTA's designee must be a parent/guardian of a child in the school, and (2) the designee must be a resident of the City of Miami Beach.

The proposed Ordinance would allow the City Commission to waive the requirement that a PTA's designee be a parent/guardian of a child in the school, on a 4/7ths vote of the City Commission, if the City Commission believes it is in the best interest of the City for the PTA's proposed representative to serve on the Committee.

RAP/FA/ag

ORDINANCE NO. _____

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 III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 30, ENTITLED "COMMITTEE FOR QUALITY EDUCATION IN MIAMI BEACH SCHOOLS," BY AMENDING SECTION 22-190.137 THEREOF, ENTITLED "COMPOSITION, KNOWLEDGE AND EXPERIENCE" TO ALLOW THE CITY COMMISSION TO WAIVE, BY 4/7THS VOTE, THE REQUIREMENT THAT A COMMITTEE MEMBER MUST BE A PARENT/GUARDIAN OF A STUDENT ATTENDING A SCHOOL IN THE CITY; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach's advisory Committee For Quality Education In Miami Beach Schools was established in 1999 to make recommendations to the city commission and to investigate, develop, and carry out plans to promote and ensure the provision of quality education in Miami Beach public schools; and

WHEREAS, the Ordinance, codified in Sections 2-190.134 through 2-190.138 of City's Code of Laws and Ordinances ("City Code"), requires for the Committee to be composed of fifteen (15) voting members and three nonvoting ex-officio members; and

WHEREAS, the Mayor and City Commission have determined that it is in the best interest of the City to provide for a waiver, by 4/7ths Commission vote, in the event that a Parent Teacher Association wishes to select a Committee representative who is not a parent/guardian of a student attending a school in the City.

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

SECTION 1. Section 2.190-137 of Division 18, of Article III, of Chapter 2 of the City Code, entitled "Administration," is hereby amended as follows:

CHAPTER 2

ADMINISTRATION

* * *

ARTICLE III. AGENCIES, BOARDS AND COMMITTEES

* * *

DIVISION 30. COMMITTEE FOR QUALITY EDUCATION IN MIAMI BEACH SCHOOLS

* * *

Sec. 2-190.137. Composition; knowledge and experience.

The committee shall consist of twenty-six (26) voting members and three nonvoting ex officio members to be comprised as follows:

- (1) A representative selected by the Parent Teacher Association of North Beach Elementary.
- (2) A representative selected by the Parent Teacher Association of Biscayne Beach Elementary.
- (3) A representative selected by the Parent Teacher Association of Miami Beach Feinberg-Fisher K-8.
- (4) A representative selected by the Parent Teacher Association of Miami Beach South Pointe Elementary.
- (5) A representative selected by the Parent Teacher Association of Miami Beach Nautilus Middle School.
- (6) A representative selected by the Parent Teacher Association of Miami Beach High School.
- (7) A representative selected by the Parent Teacher Association of Ruth K. Broad Elementary School.
- (8) A representative selected by the Parent Teacher Association of Treasure Island Elementary School.
- (9) A representative selected by the Parent Teacher Association, or an equivalent parental organization of Rabbi Alexander Gross High School & Hebrew Academy.
- (10) A representative selected by the Parent Teacher Association, or an equivalent parental organization of Yeshiva Elementary School.
- (11) A representative selected by the Parent Teacher Association, or an equivalent parental organization of St. Patrick Catholic School.
- (12) A representative selected by the Parent Teacher Association, or an equivalent parental organization of Casa Dei Bambini.
- (13) A representative selected by the Parent Teacher Association, or an equivalent parental organization of Lehrman Community Day School Inc.
- (14) A representative selected by the Parent Teacher Association, or an equivalent parental organization of Klurman Mesivta
- (15) A representative selected by the Parent Teacher Association, or an equivalent parental organization of Temple Beth Sholom Innovation School.
- (16) A representative selected by the Parent Teacher Association, or an equivalent parental organization of Mater Beach Academy.
- (17) A representative selected by the Parent Teacher Association, or an equivalent parental organization of Montessori Academy at St. Johns.
- (18) A representative selected by the Parent Teacher Association, or an equivalent parental organization of Le Petite Papillon Montessori.
- (19) A representative selected by the Parent Teacher Association, or an equivalent parental organization of Mechina of South Florida (the Mesivta of Greater Miami).
- (20) Seven members of the public with knowledge or expertise with regard to education issues who shall be direct appointments by the mayor and each city commissioner with no more than three who can be employed or contracted by Miami-Dade County public schools.

A quorum shall consist of nine (9) members. All voting members must be parents/guardians of students attending a Miami Beach school who are also City of Miami Beach residents; provided, however, that the city commission may waive this requirement on a four-sevenths vote for a representative selected by a Parent Teacher Association who is not a parent/guardian of a student attending a Miami Beach school, but who otherwise meets the city affiliation requirement in section 2-22 of the city code. The city commission shall designate two of its members to serve as city commission liaisons who shall report to the city commission actions of the committee for quality education; the city manager shall further designate a member of city staff to serve as a liaison who shall report the committee's actions to the city manager.

Sec. 2-190.138. Supporting department.

The supporting department shall be the office of the city manager.

* * *

SECTION 2. 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 3. REPEALER

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

SECTION 4. SEVERABILITY

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the ____ day of _____, 2023.

PASSED AND ADOPTED this ____ day of _____, 2023.


ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Laura Dominguez and
Co-Sponsored by Vice-Mayor Kristen Rosen Gonzalez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

11-29-23

Date