

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 25, ENTITLED "TRANSPORTATION, PARKING, AND BICYCLE-PEDESTRIAN FACILITIES COMMITTEE," BY AMENDING SECTION 2-190.94 THEREOF, ENTITLED "COMPOSITION," TO ALLOW BUSINESS OWNERS IN THE CITY OF MIAMI BEACH AN OPPORTUNITY TO PARTICIPATE IN THE TRANSPORTATION, PARKING, AND BICYCLE-PEDESTRIAN FACILITIES COMMITTEE; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**WHEREAS**, on July 2, 1997, the Mayor and City Commission of the City of Miami Beach adopted Ordinance No. 97-3086 ("the Ordinance"), establishing the Transportation, Parking, and Bicycle-Pedestrian Facilities Committee (the "Committee")

**WHEREAS**, the Committee's purpose is to serve in an advisory capacity to the City Manager and the City Commission in matters of transportation and parking as they relate to the unique neighborhoods of the City; and to improve the lives of the City's residents and visitors by promoting the development, sound management, safety and use of public facilities dedicated to bicycles and pedestrians in the City; and

**WHEREAS**, the Ordinance, codified in Sections 2-190.91 through 2-190.98 of City's Code of Laws and Ordinances ("City Code"), requires for the Committee to be composed of fourteen (14) voting members, with seven (7) members of the committee comprised of members from community organizations, each of whom shall be appointed by majority vote of the commission; and

**WHEREAS**, the City Commission desires to amend Section 2-190.94 of the City Code to also allow business owners of the City of Miami Beach an opportunity to participate in the Transportation, Parking, and Bicycle-Pedestrian Facilities Committee.

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

**SECTION 1.** Section 2-190.94 of Division 25, of Article III, or Chapter 2 of the City Code, entitled "Administration," is hereby amended as follows:

**CHAPTER 2  
ADMINISTRATION**

## ARTICLE III. AGENCIES, BOARDS AND COMMITTEES

\* \* \*

### Division 25. Transportation, Parking, and Bicycle-Pedestrian Facilities Committee

\* \* \*

#### Sec. 2-190.94. Composition.

(a) The committee shall consist of 14 voting members. The mayor and city commissioners shall each make one direct appointment, with the other seven members of the committee to be comprised of either City business owners or members from the following community organizations, each of whom shall be appointed by majority vote of the city commission:

- (1) Miami Beach Chamber of Commerce's Transportation and Parking Committee;
- (2) A South Beach neighborhood association;
- (3) A South Beach business owner or a South Beach business association;
- (4) A Mid-Beach neighborhood association;
- (5) A Mid-Beach business owner or a Mid-Beach business association;
- (6) A North Beach neighborhood association; and
- (7) A North Beach business owner or a North Beach business association.

For the purposes of this section, terms set forth below shall have the following meaning:

South beach: boundaries south of 23<sup>rd</sup> Street

Mid-Beach: boundaries between 23<sup>rd</sup> Street and 63<sup>rd</sup> Street

North Beach: boundaries north of 63<sup>rd</sup> Street

City business owner: an individual with an ownership or interest for a minimum of six months in a business established in the city for a minimum of six months. Ownership Interest shall mean the ownership of ten percent (10%) or more (including the ownership of 10% or more of the outstanding capital stock) in a business. Business shall mean any sole proprietorship, sponsorship, corporation, limited liability company, or other entity or business association.

(b) On an annual basis, the members of the committee shall elect a chairperson and such other officers as may be deemed necessary or desirable, who shall serve at the will of the committee. Seven members shall consist of a quorum of the committee and shall be necessary in order to take any action.

\* \* \*

**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 \_\_\_\_\_, 2021.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

(Sponsored by Commissioner David Richardson)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney *FA*

6-15-21  
Date