

COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Rafael A. Paz, City Attorney



DATE: February 1, 2023

SUBJECT: 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 II, ENTITLED "CITY COMMISSION," BY AMENDING SECTION 2-14, ENTITLED "MEETING PROCEDURES AND AGENDAS," TO IMPOSE A LIMIT ON THE MAXIMUM NUMBER OF PROCLAMATIONS, AWARDS, CERTIFICATES, OR OTHER RECOGNITIONS THAT MAY BE PLACED ON A MEETING AGENDA BY THE MAYOR OR BY EACH MEMBER OF THE CITY COMMISSION; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

The attached Ordinance has been drafted at the request of Vice-Mayor Steven Meiner and placed on the February 1, 2023 City Commission meeting agenda for First Reading.

Article II of Chapter 2 of the City Code, entitled "City Commission," establishes rules of procedure and agenda requirements for meetings of the City Commission. On July 8, 2015, the City Commission adopted Ordinance No. 2015-3924 which, among other things, amended the Code to provide for the setting of Presentations and Awards meetings. The purpose of the Ordinance was to provide for "separate regularly scheduled meetings" that are "specifically dedicated" for purposes of presenting proclamations, awards, certificates, and all other recognitions (collectively, "Proclamations") made by the Mayor and City Commission.

The City's current practice is to schedule up to three (3) standalone Presentations & Awards meetings per year. In months with a standalone Presentations & Awards meeting, Proclamations may only be presented at the Presentations & Awards meeting. If Proclamations are scheduled to be presented on the same date as a regular City Commission meeting, the City's practice is to notice the meeting as a "City Commission/Presentations & Awards Meeting."

This Ordinance amends Section 2-14 of the City Code, entitled "Meeting procedures and agendas," to impose a limit on the maximum number of Proclamations that may be placed on a meeting agenda by the Mayor or by each member of the City Commission. Specifically, the Ordinance would limit the number of Proclamations, to allow for each member of the City Commission to sponsor no more than three (3) Proclamations per meeting agenda.

This proposed amendment is consistent with the City's longstanding practice to limit each member of the Commission to three (3) Proclamations per meeting. Former Mayor Philip Levine (2013-2017) limited the number of Proclamations on a combined City Commission/Presentations &

Awards Meeting to three per Commissioner and allowed an unlimited number of presentations at the standalone Presentations & Awards Meeting. Prior to the passage of Ordinance No. 2015-3924, which created the separate Presentations & Awards meeting, Former Mayor Matti Herrera Bower (2007-2013) had a policy that a maximum of three Proclamations could be placed on any given meeting by an elected official.

RAP/ag