

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 CREATING DIVISION 33, ENTITLED "NORTH BEACH COMMUNITY REDEVELOPMENT AGENCY ADVISORY COMMITTEE," TO ADVISE THE MAYOR AND CITY COMMISSION IN CONNECTION WITH THE NORTH BEACH COMMUNITY REDEVELOPMENT AGENCY AND IMPLEMENTATION OF THE NORTH BEACH COMMUNITY REDEVELOPMENT AGENCY REDEVELOPMENT PLAN; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, on January 13, 2021, the Mayor and City Commission adopted Resolution No. 2021-31560, establishing the Ad Hoc North Beach Community Redevelopment Agency Advisory Committee (the "Committee") to advise the Mayor, City Commission, and City Manager in connection with the proposed North Beach Community Redevelopment Agency (the "North Beach CRA"), including review and input regarding the proposed redevelopment plan for the North Beach CRA ("Redevelopment Plan"), and the prioritization of public projects to be included in the Redevelopment Plan; and

**WHEREAS**, on February 10, 2021, the Mayor and City Commission adopted Resolution No. 2021-31594, amending Resolution No. 2021-31560, to modify the requirements for composition of the Committee; and

**WHEREAS** on January 20, 2022, the Mayor and City Commission adopted Resolution No. 2022-32005, re-establishing the Committee and extending the term of the existing Committee members for an additional year to January 20, 2023; and

**WHEREAS**, on February 1, 2023, the Mayor and City Commission adopted Resolution No. 2023-32455, re-establishing the Committee and extending the term of the existing Committee members for an additional year to January 20, 2024; and

**WHEREAS**, under the Chairmanship of Jose Smith, who previously served the City in the capacity of City Commissioner and City Attorney, and the leadership of Vice Chair Betsy Perez and Committee members John Bowes, Ronnie Issenberg, Romina Orozco-Encio, Manning Salazar, and David Sexton, the Committee has met regularly since it was initially established, and has offered advisory recommendations on various matters relevant to the development of the North Beach CRA; and

**WHEREAS**, to ensure the continued participation of North Beach residents,

business owners, and community representatives, in connection with the North Beach CRA, the Mayor and City Commission desire to establish the Committee as a standing City advisory committee, codified in the City Code; and

**WHEREAS**, the current members of the Committee, as identified below, shall continue to serve their term in accordance with Resolution No. 2023-32455 through January 20, 2024, with one outstanding vacancy that will be filled by the Mayor and City Commission at the earliest convenience:

- (i) Jose Smith
- (ii) Betsy Perez
- (iii) Romina Orozco-Encio
- (iv) Ronnie Issenberg
- (v) Manning Salazar
- (vi) David Sexton
- (vii) [Vacant seat]

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

**SECTION 1.** Sections 2-190.148-190.152 of Division 33, of Article III, of Chapter 2 of the City Code, entitled "Administration," are hereby created as follows:

**CHAPTER 2  
ADMINISTRATION**

\* \* \*

**ARTICLE III. AGENCIES, BOARDS AND COMMITTEES**

\* \* \*

**DIVISION 33. NORTH BEACH COMMUNITY REDEVELOPMENT AGENCY  
ADVISORY COMMITTEE .**

**Sec. 2-190.148. Established.**

There is hereby established the North Beach Community Redevelopment Agency Advisory ("CRA") Committee whose purposes, power and duties, composition, membership qualifications, and general governing regulations are as follows.

**Sec. 2-190.149. Purpose.**

The purpose of the North Beach CRA Advisory Committee is to make advisory recommendations to the Administration and the City Commission regarding the North Beach CRA.

**Sec. 2-190.150. Powers and duties.**

The Committee shall have the following powers and duties:

- (1) Provide advisory recommendations regarding the implementation of the North Beach CRA Redevelopment Plan and projects which would be funded by the North Beach CRA, including recommendations relative to the overall timing, cost efficiencies, and prioritization of proposed North Beach CRA-funded projects;
- (2) Provide advisory recommendations regarding the Interlocal Agreement, or amendments thereto, between Miami-Dade County and the City of Miami Beach relating to the North Beach CRA, and all related matters pertaining to the North Beach CRA;
- (3) Provide supplemental recommendations regarding matters that are not strictly within the established boundaries, but directly impact and affect the North Beach CRA district, including, but not limited to, climate, traffic, air pollution, and water quality matters.

**Sec. 2-190.151. Composition; knowledge and experience.**

The Committee shall be composed of seven (7) at-large appointments, all of whom shall be appointed to serve for a term of no more than two (2) years at a time.

The seven (7) members shall be affiliated with the City; this requirement shall be fulfilled in the following ways:

(1) Resident Members.

- a. At least one (1) of the seven members must currently reside, for a minimum of five (5) years, within the North Beach area, generally considered as that portion of Miami Beach located north of 63<sup>rd</sup> Street.
- b. At least three (3) of the seven members must currently reside, for a minimum of five (5) years, within the geographic boundaries of the North Beach CRA, or within a 300-foot radius thereof.

(2) Business Member. At least one (1) of the seven members must demonstrate an Ownership Interest, for a minimum of five (5) years, in a Business established within the geographic boundaries of the North Beach CRA, without regard to that person's residency. A candidate who satisfies requirements as both a Resident and Business Owner may qualify for either the Resident Member category, or the Business Member category pursuant to this subsection.

(3) Real Estate Industry Member. At least one (1) of the seven members of the Committee must be a real estate industry professional, residing generally within the City of Miami Beach.

(4) Attorney Member. At least one (1) of the seven members of the Committee must be an attorney with experience in land use, real estate, or other related practice area, residing generally within the City of Miami Beach or maintaining a full-time law practice and physical office located in North Beach.

(5) General Requirements. Each of the seven (7) members must have a demonstrated interest in neighborhood leadership issues, including, without limitation, neighborhood business groups, homeowner or condominium associations and cooperatives, civic groups, and/or other similar qualifications.

For the purposes of this section these terms shall have the following meaning:

- "Ownership Interest" shall mean the ownership of ten percent (10%) or more of a Business (including the ownership of 10% or more of the outstanding capital stock).
- "Business" shall mean any sole proprietorship, partnership, corporation, limited liability company, but shall exclude either a business engaged in the real estate industry (including development, brokerage, or property management), or a law firm, as individuals practicing in either of those areas would be covered under the Real Estate Industry Member category in subsection 2-190.151(3) herein or the Attorney Member category in subsection 2-190.151(4)

Appointed members shall be required to demonstrate compliance with the Committee's Membership Composition requirements herein by executing an affidavit, in a form prepared by the City Clerk's Office, stipulating that the member has met the requirements set forth above, prior to being sworn in as a Committee member.

### **Sec. 2-190.152. Supporting department.**

The supporting departments for the Committee shall be the City Manager's Office, the Economic Development Department, and the Office of Capital Improvement Projects. The City Attorney's Office shall provide counsel to the Committee, and the City's Office of the Inspector General shall provide oversight.

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## **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:**

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

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

(sponsored by Commissioner Laura Dominguez)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

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

*4-19-23*  
\_\_\_\_\_  
Date