

MIAMI BEACH

OFFICE OF THE CITY ATTORNEY
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COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission
Alina T. Hudak, City Manager

FROM: Rafael A. Paz, City Attorney



FIRST READING

DATE: September 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.

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.