

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: February 21, 2024

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 I, ENTITLED "IN GENERAL," BY CREATING SECTION 2-2 THEREOF, ENTITLED "ALTERNATIVE PUBLICATION OF LEGAL NOTICES ON A PUBLICLY ACCESSIBLE WEBSITE," TO PROVIDE THAT IN ACCORDANCE WITH SECTION 50.0311, FLORIDA STATUTES, WHEREVER THE CITY CODE PROVIDES FOR NEWSPAPER PUBLICATION OF A LEGALLY REQUIRED ADVERTISEMENT OR PUBLIC NOTICE, THE CITY MAY USE A PUBLICLY ACCESSIBLE WEBSITE HOSTED BY MIAMI-DADE COUNTY AS AN ALTERNATIVE MEANS OF PUBLISHING SAID LEGALLY REQUIRED ADVERTISEMENTS OR PUBLIC NOTICES, EXCEPT TO THE LIMITED EXTENT THAT NEWSPAPER PUBLICATION IS REQUIRED UNDER THE CITY CHARTER, MIAMI-DADE COUNTY CHARTER OR THE MIAMI-DADE COUNTY CODE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The attached Ordinance was prepared at the request of Commissioner David Suarez for consideration at the February 21, 2024 City Commission meeting.

Section 50.0311 of the Florida Statutes authorizes the use of publicly accessible websites hosted by counties as an alternative means of publishing notices and advertisements otherwise required to be published in newspapers of general circulation.

Miami-Dade County has been working with a County vendor to allow for the different municipalities to advertise in one central location on the County website accessible via the internet for purpose of publication of legal notices and advertisements.

The cost of publishing legally required advertisements and public notices on the County's publicly accessible website is anticipated to be significantly less than the cost of publishing advertisements and public notices in a newspaper.

The Office of the City Clerk has spent the following sums advertising public notices in the Miami Herald: \$66,943 for FY 20/21, \$89,931 for FY 21/22, and FY \$105,338 for FY 22/23. In comparison, an estimated price per notice online is anticipated to be under \$50, which will result in significant savings for the City.

On February 7, 2024, the Miami Herald notified the City of an increase in advertisement costs, as follows:

SIZE	OLD PRICE	NEW PRICE	PERCENTAGE INCREASE
¼ Page	\$290 / Daily	\$320 / Daily	10.34%
½ Page	\$460 / Daily	\$515 / Daily	11.96%
Full Page	\$735 / Daily	\$825 / Daily	12.24%

Residents within the City have sufficient access to the internet, such that publication of City notices on the County's publicly accessible website will not unreasonably restrict public access.

The sponsor finds that allowing an alternative option of publishing City's legal notices and advertisements online is in the public's best interest.

RAP/FA/ag