


MIAMIBEACH

OFFICE OF THE CITY ATTORNEY
RAUL J. AGUILA, CITY ATTORNEY

COMMISSION MEMORANDUM

TO: Members of the City Commission
City Manager Jimmy Morales

FROM: Raul J. Aguila, City Attorney 

DATE: April 26, 2017

SUBJECT: DISCUSSION REGARDING THE CREATION OF A SIX-MUNICIPALITY
LOCAL COUNCIL TO RECOMMEND ACTIONS CONCERNING
TRANSIT, RESILIENCY, THE ENVIRONMENT, AND WATERWAYS.

Pursuant to the request of Vice-Mayor Kristen Rosen Gonzalez, a discussion item is requested for the April 26, 2017 City Commission meeting to consider initiating discussions with the Town of Surfside, Indian Creek Village, Bal Harbour Village, the Town of Bay Harbor Islands, and North Bay Village for the creation of a six-municipality council ("Council").

The purpose of the Council would be to create a collective and cohesive voice to study and recommend actions to the members' respective local governments, and to public agencies that perform local functions and services within the area, regarding such public health, safety, and welfare issues of mutual concern as transit, resiliency, the environment, and waterways.

The Council could be created pursuant to Section 163.02 of the Florida Statutes and, under such provision, would be required to be established as a not-for-profit corporation. Representatives on the Council would be the elected chief executive of the local government or, if such local government does not have an elected chief executive (i.e., a strong mayor), a member of the governing body chosen by such body.

The Council would have the power to study area governmental problems, promote cooperative arrangements, coordinate action among its members, and make recommendations for review and action to its members and to other public agencies that perform local functions and services in the area.

The Council would be required to adopt by-laws designating its officers and providing for the conduct of business. The Council may employ a staff, consult and retain experts, and purchase or lease or otherwise provide for supplies, materials, equipment, and facilities as it deems desirable and necessary. The governing bodies of the member governments may appropriate funds to meet the necessary expenses of the Council. The services of personnel, equipment, office space, and other necessary services may be accepted from members as part of their financial support. The Council may also accept funds, grants, gifts, and services from the state, from any other governmental unit (whether participating in the Council or not), from the government of the United States, and from private and civic sources. The Council would be required to make an annual public report of its activities to each of its members, and must have its accounts audited annually.