

ORDINANCE NO.

2023-4558

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 63rd 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.
- c. The five (5) year minimum residency requirement in subsections (1)(a) and (1)(b) may be waived upon a 5/7ths vote of the city commission, in the event a resident within the applicable geographic area is available to serve on the committee and is exceptionally qualified by training and/or experience.

- (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.

* * *

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 8 day of July, 2023.

PASSED AND ADOPTED this 28 day of June, 2023.

ATTEST:



JUL 12 2023



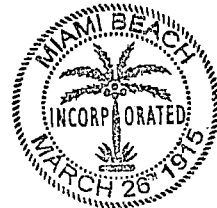
Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(sponsored by Commissioner Laura Dominguez)

(underlined text denotes new additions

Double-underlined text denotes new additions after 2nd reading)



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

7-10-23

Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Alina T. Hudak, City Manager
DATE: June 28, 2023

10:10 a.m. Second Reading Public Hearing

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 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.

RECOMMENDATION

Approve the Ordinance codifying the North Beach Community Redevelopment Agency Advisory Committee as a permanent Commission Committee in section 2-22 of the City Code.

BACKGROUND/HISTORY

On January 13, 2021, the Mayor and City Commission adopted Resolution No. 2021-31560, establishing the Ad Hoc North Beach CRA Advisory Committee (the "Committee") as an advisory body to the Mayor, City Commission, and City Manager, in connection with the North Beach CRA.

On February 10, 2021, Resolution No. 2021-31594 amended Resolution No. 2021-31560 and modified the requirements for composition of the Committee. The Committee convened ten (10) times between March and October 2021, primarily to provide input on preparation of the North Beach CRA Redevelopment Plan, which was approved by Miami-Dade County via Resolution R-696-21 on July 20, 2021. The Committee sunsetted on January 13, 2022, in accordance with City Code Section 2-22, which requires all ad hoc agency, board, and committee terms to expire after one (1) year.

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. Following regular monthly meetings, the Committee sunsetted on January 20, 2023.

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, unless terminated earlier by the City Commission.

ANALYSIS

Under the leadership of Chair Jose Smith and Vice Chair Betsy Perez, the Committee has provided the City Commission with advisory recommendations on diverse subject matter, including the North Beach CRA's FY 2023 Budget priorities, support for development projects of public interest, exploring economic development activities, and encouraging resident and business community involvement in North Beach CRA affairs.

The Committee's members are appointed at-large by the City Commission as a whole, as opposed to direct appointment by individual commissioners. Per City Code Section 2-22, the City Commission is obligated to adopt a resolution once every 12 months for the Committee to remain active. During its most recent complete term, the Committee met virtually on a monthly basis (i.e., 11 occurrences per year with an August recess) with in-person meetings held in North Beach on a quarterly basis.

Given the frequency of the Committee's meetings and its contribution to administering the CRA, the City Commission seeks to ensure the direct participation of residents, stakeholders, and community members in the North Beach CRA by establishing the Committee on a permanent basis.

As the Committee members are appointed at-large by the City Commission acting together, the Administration recommends the continuation of the existing term of the six (6) incumbent Committee members through January 20, 2024. The current Committee members include:

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

City Code Section 2-22 requires that the enabling legislation for all boards and committees contain qualifications for membership as to knowledge and experience. Exhibit "A" to the Ordinance outlines the purpose and powers of the Committee, its membership composition requirements, and administrative liaisons. None of these substantive requirements have been modified post Resolution No. 2021-31594 on February 10, 2021, nor when the Committee was extended for one year via Resolution No. 2022-32005 on January 20, 2022 and again via Resolution No. 2023-32455 on February 1, 2023.

The Economic Development Department and Office of Capital Improvement Projects will remain as the Committee's liaisons with assistance from the City Attorney's Office.

SUPPORTING SURVEY DATA

The North Beach CRA Redevelopment Plan's Redevelopment Goal No. 3, Strengthen Cultural Arts, Branding & Marketing, and Communication, encourages strategies to spur community engagement and resident participation, and to effectively communicate the vision of the Redevelopment Area to residents and stakeholders. According to the Miami Beach 2022 Community Satisfaction Survey, between 2019 and 2022, the percentage of respondents who perceive the City as open and interested in hearing the concerns or issues of residents fell from 56.4% to 49.0%. Appointment of North Beach residents and stakeholders onto the Committee boosts public participation in the CRA process.

FINANCIAL INFORMATION

There is no fiscal impact associated with this resolution.

CONCLUSION

The Ad Hoc North Beach Community Redevelopment Agency Advisory Committee members have made significant effort and progress in their roles including, but not limited to, reviewing the Redevelopment Plan and Interlocal Agreement, helping plan for implementation of the Redevelopment Plan via budgetary recommendations, and providing feedback regarding the North Beach CRA's initial programming initiatives. The Administration recommends approval of the ordinance authorizing permanent establishment of the North Beach Community Redevelopment Agency Advisory Committee, subject to any future amendment to Chapter 2 of the City Code.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Non-Applicable

Legislative Tracking

Economic Development

Sponsor

Commissioner Laura Dominguez

ATTACHMENTS:

Description

- Ordinance