

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RELATING TO GOVERNMENTAL ORGANIZATION, AMENDING THE MIAMI BEACH CITY CODE SO AS TO CREATE A NEW CHAPTER ENTITLED "AGENCIES, BOARDS, AND COMMITTEES"; CREATING SECTION 2.1 ESTABLISHING THE BARRIER-FREE ENVIRONMENT COMMITTEE; CREATING SECTION 2.2 ESTABLISHING THE BEAUTIFICATION COMMITTEE; CREATING SECTION 2.3 ESTABLISHING THE BUDGET ADVISORY COMMITTEE; CREATING SECTION 2.4 ESTABLISHING THE MIAMI BEACH COMMISSION ON THE STATUS OF WOMEN; CREATING SECTION 2.5 ESTABLISHING THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE; CREATING SECTION 2.6 ESTABLISHING THE COMMUNITY RELATIONS BOARD; CREATING SECTION 2.7 ESTABLISHING THE CONVENTION CENTER ADVISORY BOARD; CREATING SECTION 2.8 ESTABLISHING THE FASHION, FILM, TELEVISION AND RECORDING COMMITTEE; CREATING SECTION 2.9 ESTABLISHING THE GOLF ADVISORY COMMITTEE; CREATING SECTION 2.10 ESTABLISHING THE HEALTH ADVISORY COMMITTEE; CREATING SECTION 2.11 ESTABLISHING THE HEALTH FACILITIES AUTHORITY; CREATING SECTION 2.12 ESTABLISHING THE HISPANIC AFFAIRS COMMITTEE; CREATING SECTION 2.13 ESTABLISHING THE COMMITTEE ON THE HOMELESS; CREATING SECTION 2.14 ESTABLISHING THE LOAN REVIEW COMMITTEE; CREATING SECTION 2.15 ESTABLISHING THE MARINE AUTHORITY; CREATING SECTION 2.16 ESTABLISHING THE NUISANCE ABATEMENT BOARD; CREATING SECTION 2.17 ESTABLISHING THE PARKS AND RECREATIONAL FACILITIES BOARD; CREATING SECTION 2.18 ESTABLISHING THE PERSONNEL BOARD; CREATING SECTION 2.19 ESTABLISHING THE POLICE/CITIZEN RELATIONS COMMITTEE; CREATING SECTION 2.20 ESTABLISHING THE SAFETY COMMITTEE; CREATING SECTION 2.21 ESTABLISHING THE CITY OF MIAMI BEACH, FLORIDA SISTER CITIES PROGRAM; CREATING SECTION 2.22 ESTABLISHING THE TOURIST AND CONVENTION CENTER EXPANSION AUTHORITY; CREATING SECTION 2.23 ESTABLISHING THE TRANSPORTATION AND PARKING COMMITTEE; CREATING SECTION 2.24 ESTABLISHING THE YOUTH CENTER ADVISORY BOARD; ESTABLISHING SAID BODIES, SETTING FORTH GOVERNING REGULATIONS APPLICABLE TO AGENCIES, BOARDS, AND COMMITTEES, ESTABLISHING RELEVANT LEGISLATIVE AMENDMENTS, INCLUDING REPEALER (WHERE APPROPRIATE), PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

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

SECTION 1. That the Miami Beach City Code be amended to include a chapter entitled "Agencies, Board, and Committees", said chapter to read as follows:

CHAPTER: _____ AGENCIES, BOARDS AND COMMITTEES

Table of Contents

I. GENERAL PROVISIONS

Sec. 1.1 Applicability

Sec. 1.2 General Requirements

Sec. 1.3 Miscellaneous Regulations

Sec. 1.3.1 Serving on More Than One Agency, Board or Commission Prohibited

Sec. 1.3.2 Agency, Board and Commission members - Termination of Office

Sec. 1.3.3 Prohibiting service on city boards by certain persons or employees

Sec. 1.3.4 Representative appearance before agency, board or commission by former member prohibited for one year

II. AGENCIES, BOARDS AND COMMITTEES

Sec. No.

- 2.1 Barrier-Free Environment Committee
- 2.2 Beautification Committee
- 2.3 Budget Advisory Committee
- 2.4 Miami Beach Commission On The Status Of Women
- 2.5 Community Development Advisory Committee
- 2.6 Community Relations Board
- 2.7 Convention Center Advisory Board
- 2.8 Fashion, Film, Television and Recording Committee
- 2.9 Golf Advisory Committee
- 2.10 Health Advisory Committee
- 2.11 Health Facilities Authority
- 2.12 Hispanic Affairs Committee
- 2.13 Committee On The Homeless
- 2.14 Loan Review Committee
- 2.15 Marine Authority
- 2.16 Nuisance Abatement Board
- 2.17 Parks and Recreational Facilities Board
- 2.18 Personnel Board
- 2.19 Police/Citizen Relations Committee
- 2.20 Safety Committee
- 2.21 City of Miami Beach, Florida Sister Cities Program
- 2.22 Tourist and Convention Center Expansion Authority
- 2.23 Transportation and Parking Committee
- 2.24 Youth Center Advisory Board

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I. GENERAL PROVISIONS

§1.1 Applicability

Unless where otherwise stated within this Ordinance, this Chapter shall have applicability to all agencies, boards and committees of the City of Miami Beach (including those related to the Miami Beach Redevelopment Agency) ~~except for those agencies, boards or committees which are;~~ the provisions in Article I of this Ordinance shall apply to the following agencies, boards or committees only in those instances in which the applicable legislation or contract are silent concerning a matter set forth within said Article I:

- governed by federal, state or county law;
- created by contract;
- relate to land use issues;¹
- relate to pension funds;
- referred to as "Commission Committees" (on which City Commissioners serve as members); or
- exempt from certain provisions of this Chapter as set forth herein.

§1.2. General Requirements

Except as otherwise specifically provided:

- a) All agencies, boards and committees shall express a statement of their bodies' purpose.
- b) All agencies, boards and committees shall appoint a chairperson and a vice-chairperson (or chair shall be appointed by Mayor in cases dealing with a "Mayor's Board or Committee).
- c) The enabling legislation for all agencies, boards and committees shall contain qualifications for membership as to knowledge, and experience.
- d) Members of agencies, boards and committees shall be affiliated with the City of Miami Beach; this requirement shall be fulfilled in the following ways:
 - 1) an individual shall have been a resident of Miami Beach for a minimum of two (2) years; or
 - 2) an individual shall demonstrate ownership/interest for a minimum of two (2) years in a business established on Miami Beach for a minimum of two (2) years.

¹ See, City of Miami Beach Zoning Ordinance.

Exceptions to d(1) and d(2) shall only be permitted if it is determined by the Miami Beach City Commission that an agency, board or committee requires the membership of an individual with a specific position, knowledge, experience, or expertise not available in another individual who may otherwise comply with the terms of d(1) and/or d(2).

- e) All "Ad Hoc" agency, board and committee terms shall be one year; all other agency, board and committee terms shall be two (2) years, expiring on December 31 and commencing on January 1.
 - 1) Members appointed by individual City Commissioners (hereinafter "direct appointees") to a specific agency, board or committee shall serve for no more than eight (8) consecutive years on said agency, board or committee.
 - 2) Members appointed by the City Commission as a whole (hereinafter "at-large appointees") to a specific agency, board or committee shall serve for no more than six (6) consecutive years on said agency, board or committee.

Term limits set forth in subsections (1) and (2) hereinabove shall be measured retroactively from an individual's initial appointment to membership on a specific agency, board, or committee.

- f) An individual member can serve as a chairperson of a specific agency, board or committee for no more than four (4) consecutive years.
- g) All agency, board and committee terms shall be staggered upon initial appointment by the City Commission.
- h) All agencies, boards and committees shall be supported by a City department. The supporting department shall make every effort to provide appropriate assistance with the mailing of meeting summaries, agendas and notices.
- i) In the event that any member of an agency, board or committee fails to attend three (3) regularly scheduled meetings per year or 25% per year of the scheduled meetings, whichever is greater, said member shall be automatically removed.
- j) During meetings, a standard sign-in register must be completed by members of agencies, boards or committees. If there is not a quorum to conduct agency, board or committee business, attendance and absences must otherwise be recorded.
- k) Attendance shall be recorded when an individual arrives within thirty (30) minutes of the scheduled meeting time and remains for at least 70% of the meeting.
- l) All agencies, boards and committees shall meet at least once quarterly, unless otherwise indicated in this Chapter.

- m) The chairperson or his/her designee shall bi-annually submit a completed written report form (supplied by the City Administration) to the City Commission and City Manager. Additionally, the chairperson or his/her designee shall annually present an oral report to the Commission and City Manager. The contents of both the report form and the oral report shall be approved by the submitting agency, board or committee prior to the presentations.
- n) Upon appointment, individuals shall receive an explanation of the Government in the Sunshine Law, public records law, conflict of interest policy, mission statement, attendance requirements, and other pertinent information.
- o) ~~Administrative personnel~~ Individuals serving on an agency board or committee ~~shall serve as non-voting ex-officio members~~ shall be non-voting members.
- p) The issue of conflict of interest/abstention impairs an individual's ability to be an effective member of an agency, board or committee. Members of any City agency, board or committee shall abide by the applicable provisions of Florida Statutes, Chapter 112; Metropolitan Dade County Code Chapter 2, and Code of City of Miami Beach Chapter 2, Article III, thereof, and any other applicable provisions of law, regarding conflicts of interest.
- q) Members of the community shall be encouraged to attend agency, board and committee meetings.
- r) Members of agencies, boards and committees shall be encouraged to make recommendations for the filling of vacancies on their respective bodies.

§1.3 Miscellaneous Regulations.

§1.3.1 Serving on More Than One Agency, Board or Committee Prohibited.

No person shall be appointed or elected to, or serve on, more than one agency, board or committee of the City whether such agency, board or commission is now existing or hereafter created or constituted under the State Constitution, act of legislature, the Charter of the City, or any ordinance or resolution of the City Commission. Any person hereafter appointed or elected to and accepting appointment or election to more than one agency, board or committee, whether appointive or elective, shall be deemed to have forfeited forthwith all appointment or election to any and all prior agencies, boards or committees in which he shall have been a member.

This Section shall not apply to City employees who are appointed or elected to City agencies, boards or committees which pertain to City personnel or City pension funds, nor shall this section prohibit a City agency, board or committee member from serving on another City agency, board or committee when such service by persons holding a particular board membership is required by law or by contract, nor shall this section prohibit a person from serving on more than one agency, board

or committee when such other membership(s) is on an agency, board or committee designated as "Ad Hoc" which is defined as an agency, board or committee which is created to carry out a specified task to be accomplished within a stated time period (not to exceed one year) at which time it automatically ceases to exist, or when such other membership(s) is on an agency, board or committee created by the Mayor as a "Mayor's Board or Committee".

§1.3.2 Agency, Board and Committee members - Termination of Office.

(a) Expiration of terms.

All persons serving on city agencies, boards or committees shall cease to hold office when a successor is duly appointed, or sixty days after expiration of the term of their office (as said term is specified in the ordinance, resolution or other law creating said office) whether or not a successor has been appointed, whichever occurs first, and such persons shall at that time cease to exercise any rights, power or prerogatives of office.

(b) Exceptions.

1. This section shall not apply to persons appointed to serve for a specified term "and until a successor is appointed" (or words to that effect); such persons shall continue to serve until reappointed or a successor is appointed by the City Commission.

2. This section shall not apply to any agency, board, committee, commission or authority governed by federal, state or county law.

(c) Notification of Vacancies.

The city manager shall give advance notice to the Miami Beach City Commission, by notification in the agenda, of any and all future vacancies affected by this section.

§1.3.3 Prohibiting service on city boards by certain persons or employees.

(a) Legislative purpose.

The city commission of the City of Miami Beach finds that certain individuals are serving or have served on city agencies, boards and committees which concern themselves with municipal functions in which members of their immediate family are employed. The city commission believes that such situations can create needless controversies and conflicts among city employees, certain agency, board and committee recommendations, lead to potential abuses of the city's personnel system and inhibit open discussion of personnel and related issues. These dangers exist for agencies, boards and committees which exercise delegated powers of the city, and for advisory agencies, boards and committees which offer recommendations to the city manager or the city commission. This section is designed to prohibit such situations from arising in the future.

(b) Prohibition.

No person or city employee shall hereafter be appointed or elected to serve on any agency, board or committee of the city which supervises, monitors, advises, has responsibility over, or makes

recommendations with respect to, any city department, division, office or administrative function which employs, either within the classified system or as an independent contractor, that person, that person's spouse, parent, child, brother or sister. Any person appointed or elected in violation of this section shall be automatically disqualified from so serving.

§1.3.4 Representative appearance before agency, board or committee by former member prohibited for one year.

No person who has served upon any city advisory agency, board or committee, the zoning board of adjustment, the pension board or the personnel board, may appear, in a representative capacity, before such agency, board or committee of which he has been a member, for a period of one year following the cessation of his membership thereon.

II. AGENCIES, BOARDS AND COMMITTEES

The following portion of this Chapter sets forth the City of Miami Beach's agencies, boards and committees, including their respective purposes, powers and duties, composition, City affiliation requirements, attendance and terms.

Sec. 2.1

BARRIER-FREE ENVIRONMENT COMMITTEE

Sec. 2.1.1 There is hereby established the Barrier-Free Environment Committee whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.1.2 PURPOSE: The purpose of this committee is to review, formulate and coordinate information, suggestions, proposals and plans and to address complaints from the general public to provide more conveniently accessible facilities, public buildings, streets, sidewalks, and programs for the persons with disabilities in the City of Miami Beach. The Committee, in the context of this transition plan, is consulted with in terms of prioritization of accessibility-related improvements to City facilities. The priorities are in terms of both, the order of which facilities to modify, and also the particular improvements to each respective facility. The Committee may provide accessibility-related input to the following departments: Building, Recreation, Culture and Parks, Police, and Code Compliance.

Sec. 2.1.3 POWERS AND DUTIES: (See "Purpose".)

Sec. 2.1.4 COMPOSITION: The Barrier-Free Environment Committee shall be composed of nine (9) voting members appointed by the City Commission at-large and six (6) non-voting ex-officio members. Consideration shall be given, but not limited to, the following categories: persons having mobility impairment; deaf and/or hard-of-hearing persons in the community; blind and/or vision impaired persons in the community; mental, cognitive or developmental disabilities; children with developmental disabilities; children with physical disabilities; and the industries of tourism and convention, retail, hospitality (restaurant or hotel), and health care (or rehabilitation).

The non-voting ex-officio members shall be the Director of the Office of Children's Affairs, a designee of the Building Department Director, a designee of the Recreation, Culture and Parks Director, a designee of the Police Chief, a designee of the Parking Department Director, and the City's ADA Coordinator or his/her designee.

The City Attorney's office shall provide legal counsel.

Sec. 2.1.5 KNOWLEDGE AND EXPERIENCE: All appointments shall be made on the basis of civic pride, integrity, experience, and interest in the needs of persons with disabilities. Consideration shall be given but not limited to recommendations solicited by the City Commission from associations to be specified by the Barrier-Free Environment Committee at a later date.

SUPPORTING DEPARTMENT: Public Works.

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Sec. 2.2

BEAUTIFICATION COMMITTEE

Sec. 2.2.1 There is hereby established the Beautification Committee whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.2.2 PURPOSE: The Beautification Committee aids the Commission in its desire to maintain the beauty of the City of Miami Beach.

Sec. 2.2.3 POWERS AND DUTIES: The City of Miami Beach Beautification Committee is vested with the power and authority to review all landscape projects and make recommendations to the City Commission of Miami Beach upon the following matters:

- a) The investigation, development, and carrying out of plans for the beautification of the City of Miami Beach, including, but not limited to, public landscaping and signage.
- b) The encouragement of placing, planting and preservation of trees, flowers, plants, shrubbery, and other ornamental plants in said City.
- c) The encouragement of a desire in the citizenry of the City of Miami Beach to maintain and improve the beauty of the City.
- d) The recommendation of plans to the said City as well as to other governmental agencies for the beautification of the City.
- e) The recommendation of new ordinances and efforts duly made to discontinue violations of any existing ordinance or statute concerning the beautification of the City of Miami Beach.
- f) The identification of areas suitable for beautification in the City of Miami Beach.

Sec. 2.2.4 COMPOSITION: The committee shall consist of ~~seven (7)~~ eight (8) members, appointed at-large by the Commission consisting of:

- * One (1) Landscape Architect.
- * One (1) Landscape Professional.
- * ~~Two (2)~~ three (3) citizens having an interest in City beautification projects.
- * Two (2) individuals having prior experience or education in the areas of horticulture, graphic design, art, architecture, landscape design, architecture or general contracting.
- * Chairperson of the Mayor's Ad Hoc Garden Center and Conservatory Advisory Committee (or his/her designee) who shall serve as a non-voting ex-officio member.

~~The Beautification Committee shall be placed under the auspices of the Recreational Centers and Parks Facilities Board.~~ The Chairperson of the committee or his/her designee shall serve as a non-voting ex-officio member of the Recreational Centers and Parks Facilities Board (to be renamed the "Parks and Recreational Facilities Board").

Sec. 2.2.5 KNOWLEDGE AND EXPERIENCE: See "Composition."

SUPPORTING DEPARTMENT: Recreation, Culture and Parks.

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Sec. 2.3

BUDGET ADVISORY COMMITTEE

Sec. 2.3.1 There is hereby established the Budget Advisory Committee whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.3.2 PURPOSE: To consider and make recommendations on all issues affecting the fiscal policies and procedures of the units and departments within the City of Miami Beach.

Sec. 2.3.3 POWERS AND DUTIES: It shall be the duty of the Budget Advisory Committee to advise the City Commission to examine, study, review, and consider proposed budgets, and any amendments thereto. For that purpose, the Budget Advisory Committee shall examine any and all proposed expenditures therein; the amounts appropriated therefor; the probable amount of estimated revenue and receipts, and all other facts necessary or convenient to enable said Committee to make recommendations to the City Commission.

Sec. 2.3.4 COMPOSITION: Said Committee shall be composed of nine (9) members:

* Seven (7) direct appointments, with Mayor and each Commissioner making one (1) appointment.

* Two (2) at-large appointments, one (1) for a certified public accountant and one (1) for a financial advisor.

Sec. 2.3.5 KNOWLEDGE AND EXPERIENCE: See "Composition."

SUPPORTING DEPARTMENT: Office of Management and Budget.

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Sec. 2.4 **MIAMI BEACH COMMISSION ON THE STATUS OF WOMEN**

Sec. 2.4.1 There is hereby established the Miami Beach Commission on the Status of Women whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.4.2 PURPOSE: To support continuing efforts for economic, political and social equality of opportunity for all women, with special emphasis on the needs of women on Miami Beach and to serve in an advisory capacity to the City Commission and the City Administration of Miami Beach.

Sec. 2.4.3 POWERS AND DUTIES: The Commission shall have the following duties, functions, powers and responsibilities:

- a) To serve in an advisory capacity to the City Commission, the City Administration, the community, and all agencies and persons in Miami Beach, Florida, in respect to all matters pertaining to the status of women, including but not limited to discrimination against women, greater representation for women in all areas of City government (i.e. boards and committees), employment of women, education of women, and attitudes towards women in the community, and to make periodic reports and recommendations to these bodies in respect to such matters.
- b) To make a continuing study of all existing city institutions, facilities and services, and programs dealing with women or affecting women, and consider the future needs of this area in respect to such institutions, facilities, services and programs.
- c) To serve as liaison between the City Commission and the city administration, and consult with representatives of said bodies from time to time as requested and necessary in order to carry out the Commission's duties and functions.
- d) To make studies and have studies made of the problems of discrimination against women employees, increasing the availability of part-time employment for women, and attributable changes towards women in the community, and to formulate and recommend plans and programs for the coordination of the activities of all governmental entities and non-governmental agencies dealing with these problems.
- e) It is the express purpose of this Commission to serve as a medium for responsible persons to utilize and consult with in attempting to understand and solve the many complex problems involved with dealing with the status of women, and to make findings and recommendations to the City Commission and the City Administration regarding such matters as are presented to the Commission.
- f) To perform such other duties as may from time to time be assigned to it by resolution of the City Commission.

Sec. 2.4.4. COMPOSITION: ~~The Commission on the Status of Women shall consist of eleven (11) members.~~

~~* Seven (7) direct appointments, one (1) made by Mayor and each Commissioner.~~

~~* Four (4) appointments, which shall be made by the Commission at large.~~

The Commission on the Status of Women shall consist of twenty-one (21) members. Each of the seven (7) members of the City Commission shall appoint three (3) members to the body. The Chairperson of the Commission on the Status of Women or its designee shall serve as a non-voting ex-officio member of the Community Relations Board.

Sec. 2.4.5 KNOWLEDGE AND EXPERIENCE: Members shall show interest in supporting continuing efforts for economic, political, and social equality of opportunity for all women, with special emphasis on the needs of women on Miami Beach.

SUPPORTING DEPARTMENT: Design, Development and Historic Preservation.

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Sec. 2.5 **COMMUNITY DEVELOPMENT ADVISORY COMMITTEE**

Sec. 2.5.1 There is hereby established the Community Development Advisory Committee whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.5.2 PURPOSE: (per Citizen Participation Plan, adopted by Resolution #95-21538):
The Community Development Advisory Committee (CDAC) shall serve as an advisory body, representing all residents of Miami Beach especially those directly affected by the Consolidated Plan which will encompass CDBG, HOME, and ESGP funds, and the Section 108 Loan Guarantee Program, to provide input regarding all phases of the Community Development Program, and to effectuate and encourage citizen participation from all individuals, especially low and moderate income persons and residents of Community Development target areas. In order to ensure representation from individuals residing in affected CDBG target areas, the Administration in conjunction with the CDAC, may hold neighborhood meetings/hearings to obtain input directly from those affected; however, CDAC attendance is not mandatory at these special meetings.

Sec. 2.5.3 POWERS AND DUTIES: The Community Development Advisory Committee shall serve as an advisory body to the Economic and Community Development Division staff and City Commission to include but not be limited to the formation of the Consolidated Plan; however, the Committee or their officers will have no powers to make administrative decisions nor direct staff actions. The Committee shall facilitate community involvement regarding Community Development activities and shall serve as a forum to hear citizen concerns, priorities, views, and proposals.

Sec. 2.5.4 COMPOSITION: The Community Development Advisory Committee shall be composed of eleven (11) appointed members. Seven (7) members shall be "direct appointments"; the remaining four (4) members shall be appointed "at large".

Sec. 2.5.5 CITY AFFILIATION: The seven (7) direct appointees shall fulfill the City Affiliation requirement in either of the following ways:

- a) An individual has been a resident of a locally designated Community Development target area for a minimum of two (2) years.
- b) An individual can demonstrate ownership/interest for a minimum of two (2) years in a business established in a locally designated Community Development target area for a minimum of two (2) years.

The four (4) at-large appointees shall fulfill the City Affiliation requirement in either of the following ways:

- a) An individual has been a resident of Miami Beach for a minimum of two (2) years.
- b) An individual can demonstrate ownership/interest for a minimum of two (2) years in a business located on Miami Beach for a minimum of two (2) years.

Sec. 2.5.6. KNOWLEDGE AND EXPERIENCE: The at-large members shall be appointed to represent city-wide concerns, and should be selected on the basis of their ability to provide expertise in areas of relevance to the Community Development Program (e.g. planning, law, real estate, social work. etc.). However, no CDAC member may submit an application for any CDBG, HOME, ESGP, or Section 108 Loan Guarantee funded assistance on any property or business that they own or retain an interest in. In making their appointments, the Commission should also take into consideration the need for representation of low and moderate income persons, minority citizens, and residents of slum and blighted areas.

SUPPORTING DEPARTMENT: Design, Development and Historic Preservation.

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Sec. 2.6

COMMUNITY RELATIONS BOARD

Sec. 2.6.1 There is hereby established the Community Relations Board whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.6.2 PURPOSE: The Community Relations Board shall serve to empower the citizens of Miami Beach to foster harmony and community among the City's residents as well as address issues of discrimination against its citizens on the grounds of race, religion, economic status, ethnicity, sexual ~~preference~~ orientation, gender, age or handicap.

Sec. 2.6.3 POWERS AND DUTIES: The Community Relations Board shall ~~be dutifully required~~ provide a forum to hear complaints of discrimination ~~on the grounds by virtue~~ of race, religion, economic status, ethnicity, sexual orientation, gender, age or handicap as charged against the City, its employees, and representatives including departments, affiliated committees, boards or agencies. ~~Upon the appropriate hearing of such complaints, the Community Relations Board will and to forward its recommendation(s) for corrective legislation to the City Commission for its review. Provided further that the fact of such complaint, information provided and/or evidence adduced at any hearing or proceeding under this section shall be non-judicial and no such information or evidence shall ever be used or introduced in any manner in any judicial or administrative proceeding.~~

The Community Relations Board shall be empowered to ~~fulfill its role by holding~~ public forums and ~~invite~~ assuring the participation of affected parties in the hearing of matters brought before the Board.

The Community Relations Board shall ~~be dutifully required to seek to~~ foster harmony among the community by providing a forum for residents perceiving disaffected~~ion~~ from the democratic process because of race, religion, economic status, ethnicity, sexual ~~preference~~ orientation, gender, age or handicap and shall provide a unifying voice for all segments of the community on issues of universal effect.

Sec. 2.6.4. COMPOSITION: There shall be ~~eleven (11)~~ seventeen 17 members: eleven (11) of whom shall be voting members:

- * ~~Seven (7) individuals appointed by the Commission at-large.~~ direct appointments, with the Mayor and each City Commissioner appointing a member.
- * Four (4) members to be appointed at-large.
- * The remaining four (4) positions shall be appointed by the City Commission at-large and shall serve as non-voting ex-officio members:

Chairperson) Commission on the Status of Women
or) Committee on the Homeless
designees) Hispanic Affairs Committee
of) Police/Citizen Relations Committee

A representative from the Police Department shall serve as a non-voting ex-officio member of the board.

The Director of the Bureau of Children's Affairs shall serve as a non-voting ex-officio member.

The composition of the Board shall be reviewed every two (2) years.

~~Sec. 2.6.5 — KNOWLEDGE AND EXPERIENCE: On behalf of the Commission, the City Clerk shall solicit from the following organizations eligibility lists for appointment consideration: Equal Employment Opportunity Commission (E.E.O.C), Spanish American League Against Discrimination (S.A.L.A.D), Anti-Defamation League (A.D.L), Dade Action Pac, National Association for the Advancement of Colored People (N.A.A.C.P), the National Organization for Women (N.O.W), the South Beach Business Guild, the American Association of Retired Persons (A.A.R.P), religious institutions located on Miami Beach, or other community-based organizations that foster equality for people based on race, religion, economic status, ethnicity, sexual preference, gender, age or handicap.~~

SUPPORTING DEPARTMENT: Special Events.

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Sec. 2.7

CONVENTION CENTER ADVISORY BOARD

Sec. 2.7.1 There is hereby established the Convention Center Advisory Board whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.7.2 PURPOSE: The mission of the board is to act in an advisory capacity to the City Commission on matters regarding operation of the Convention Center, to insure that highest quality in management and operation by the management group of both the Miami Beach Convention Center and Jackie Gleason Theater of the Performing Arts; to monitor and consult on the relationship of the Greater Miami and the Beaches Convention and Visitors Bureau with the Miami Beach Convention Center; and to insure the highest quality of maintenance of the facilities.

Sec. 2.7.3 POWERS AND DUTIES:

- a) To review, consult and advise on rates at both facilities;
- b) To advise and give input on budget;
- c) To maintain an ongoing relationship between the board and the City;
- d) To review the marketing plan of the management group;
- e) To monitor the booking policies and approve any recommended changes by the management group;
- f) To advise and consult, review and recommend on multi-year contracts;
- g) To review and monitor management and user contracts and agreements;
- h) To review on a quarterly basis the maintenance of the buildings.
- i) To assume the powers and duties of the Community Benefit Committee for the Performing Arts, as follows:

Advise and recommend to the City Commission the most efficient allocation of the City of Miami Beach Endowment funds mentioned below for the purchase of two (2) tickets for the general performances and resale to senior citizens and students residing in Miami Beach at discounts of fifty percent (50%) or more and to consider the presentation and promotion of performances, programs, shows, and entertainment for the benefit and enjoyment of the residents of the City of Miami Beach to be held at the Theater of the Performing Arts at reduced admission prices, or for free admission to senior citizens and students residing on Miami Beach.

Sec. 2.7.4 COMPOSITION: There shall be ~~eleven (11)~~ fourteen (14) ~~voting members appointed by the City Commission at-large,~~ nine (9) of whom shall be appointed at-large as voting members:

- * Two (2) Promoters/Users of the Jackie Gleason Theater of the Performing Arts.
- * One (1) Promoter/User of the Miami Beach Convention Center.
- * One (1) Attorney.
- * One (1) Financial Advisor.
- * One (1) Hotelier.
- * One (1) individual representing the field of Advertising/Marketing- or Public Relations.
- * ~~One (1) individual representing the field of Public Relations.~~
- * ~~One (1)~~ Two (2) citizens at-large.
- * The Chairperson of the Board of Directors of the Miami Beach Chamber of Commerce or his/her designee shall serve as a non-voting ex-officio member.
- * The Chairperson of the Board of Directors of the Greater Miami ~~and the Beaches~~ Convention and Visitors Bureau or his/her designee shall serve as a non-voting ex-officio member.

Administrative representatives from the management group, Greater Miami ~~and the Beaches~~ Convention and Visitors Bureau, and the City Manager's Office shall serve as non-voting ex-officio members.

Sec. 2.7.5 KNOWLEDGE AND EXPERIENCE: See "Composition."

SUPPORTING DEPARTMENT: Office of the City Manager.

* * *

Sec. 2.8 FASHION, FILM, ENTERTAINMENT AND PRODUCTION COMMITTEE

Sec. 2.8.1 There is hereby established the Fashion, Film, Entertainment and Production Committee whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.8.2 PURPOSE: To address the needs and concerns of the Production Industry by making recommendations to the City Commission in order to encourage the expansion and well being of the Fashion, Film, Entertainment and Production industries.

Sec. 2.8.3 POWERS AND DUTIES: The Fashion, Film, Entertainment and Production Committee shall have the following duties, functions, powers, and responsibilities:

- a) To serve in an advisory capacity to the City Commission and the City Administration of the City of Miami Beach, Florida, with respect to matters pertaining to the fashion, film, television, and recording industries of the City of Miami Beach.
- b) To make recommendations as to both the economic and non-economic needs of these industries, including how those needs can best be met.
- c) To advise on methods of promoting the growth and stability of these industries in the Miami Beach community.
- d) To propose and participate with the City of Miami Beach and the members of these industries in projects approved by the City Commission, which may be established to better the community and improve the quality of life on Miami Beach.

Sec. 2.8.4 COMPOSITION: The committee shall be composed of twelve (12) members, including nine (9) voting members, appointed by the Commission at-large:

- * Seven (7) individuals representing the fashion, film, television and recording industries of Miami Beach.
- * Two (2) citizens at-large.

Include representatives from the Metro-Dade Office of Film, Television and Print, State of Florida Entertainment Commission, and the City of Miami Beach Film, Television and Print Office as non-voting ex-officio members.

Sec. 2.8.5 CITY AFFILIATION: The two (2) citizens at-large shall fulfill the City Affiliation requirement for membership in either of the following ways:

- a) An individual has been a resident of Miami Beach for a minimum of two (2) years.

- b) An individual can demonstrate ownership/interest for a minimum of two (2) years in a business established on Miami Beach for a minimum of two (2) years.

Sec. 2.8.6 KNOWLEDGE AND EXPERIENCE: All regular members shall have knowledge of the fashion, film, television or recording industries of the City of Miami Beach . Each of the four (4) industries shall be represented by at least one (1) member, but no more than three (3) members, who are directly involved with that industry.

SUPPORTING DEPARTMENT: Office of Film and Print.

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Sec. 2.9

GOLF ADVISORY COMMITTEE

Sec. 2.9.1 There is hereby established the Golf Advisory Committee whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.9.2 PURPOSE: The mission of the Golf Advisory Board shall be to oversee the functionality of the three City golf courses, review observations and make recommendations, as appropriate, to the administration.

Sec. 2.9.3 POWERS AND DUTIES: The powers and duties of the said Committee shall be:

- a) To make studies and reports to the City Commission and the City Manager on all matters pertaining and relating to the use and operation of the City's golf courses and recommendations for the improvement thereof.
- b) To make such recommendations on all matters concerning the use and operation of said municipal golf courses as it may seem desirable and appropriate, and to transmit the same to the City Manager and the City Commission for such action as the City Manager and the City Commission may deem appropriate.
- c) To consider and act upon any and all matters referred to it by the City Manager or the City Commission pertaining to the use and operation of the municipal golf courses, and to submit its findings and recommendations on such matters to the City Manager or to the City Commission as shall be appropriate.

Sec. 2.9.4 COMPOSITION: The Committee shall be composed of ~~nine (9) voting~~ ten (10) members; nine (9) of whom shall be voting members:

* Five (5) members appointed by the Commission at-large, ~~three (3) of whom shall be chosen from the categories:~~

~~One (1) Representative from the Hotel or Tourism Industry.~~

~~One (1) Landscape Professional.~~

~~One (1) Youth Representative (21 years of age or under).~~

* Four (4) voting ~~ex-officio~~ members, who shall be the presidents of the Bayshore and Normandy Shores Men's and Women's Golf Associations, respectively, and who shall serve on the Committee during their tenure of office as such presidents.

The City Manager or his designee shall serve as a non-voting ex-officio member.

The Chairperson of the Golf Advisory Committee or his designee shall serve as a non-voting ex-officio member of the Recreational Centers and Parks Facilities Board (to be renamed the "Parks and Recreational Facilities Board").

Sec. 2.9.5 KNOWLEDGE AND EXPERIENCE: See "Composition."

SUPPORTING DEPARTMENT: Recreation, Culture and Parks.

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Sec. 2.10

HEALTH ADVISORY COMMITTEE

Sec. 2.10.1 There is hereby established the Health Advisory Committee whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.10.2 PURPOSE: The Health Advisory Committee shall afford opportunities for private sector input and recommendation for the future development of health care in our community.

Sec. 2.10.3 POWERS AND DUTIES: The Health Advisory Committee shall hold regular meetings to review and advise the Administration and the Commission regarding all matters that relate to the efficient and balanced health care for the citizens and visitors of Miami Beach.

Sec. 2.10.4 COMPOSITION: The Committee shall consist of eleven (11) voting members, appointed by the City Commission at large, upon recommendations of the City Manager:

- * Three (3) members shall be the Chief Executive Officers (CEOs) or their designated administrators from each of the following local hospitals: Mount Sinai Medical Center, South Shore Hospital, and Miami Heart Institute.
- * One (1) member shall be the Chief Executive Officer (CEO) from Stanley C. Myers Community Health Center or his/her designated administrator.
- * One (1) member shall be an administrator from an Adult Congregate Living Facility (ACLF).
- * One (1) member shall be a representative from the nursing profession.
- * One (1) member shall be a health benefits provider.
- * Two (2) members shall be physicians.
- * Two (2) members shall be consumers consisting of one (1) individual from the corporate level and one (1) private individual.

There shall be one (1) non-voting ex-officio representative from each of the following: the State of Florida Department of Health and Rehabilitative Services, the Health Council of South Florida, and the Fire Rescue Department.

The Director of the Office of Children's Affairs shall be added as a non-voting ex-officio member of the board.

Sec. 2.10.5 KNOWLEDGE AND EXPERIENCE: See "Composition."

SUPPORTING DEPARTMENT: Office of Management and Budget.

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Sec. 2.11

HEALTH FACILITIES AUTHORITY

Sec. 2.11.1 There is hereby established the Health Facilities Authority (created by Miami Beach Ordinance No. 90-2701 pursuant to the Health Facilities Law, Chapter 154, Part III, Florida Statutes), whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.11.2 PURPOSE: The purpose of the authority shall be to improve the commerce, welfare, and prosperity of the citizens of Miami Beach and their health and living conditions. To accomplish this purpose, the Authority encourages the acquisition, construction, rehabilitation, expansion, renovation, improvement, financing and re-financing of projects.

Sec. 2.11.3 POWERS AND DUTIES:

- a) To adopt an official seal and alter the same at its pleasure.
- b) To maintain an office at such place or places in the City as it may designate.
- c) To sue and be sued in its own name and to plead and be impleaded.
- d) To acquire by purchase, lease, gift, or otherwise, or to obtain options for the acquisition of, any property, real or personal, improved or unimproved, for the acquisition, construction, operation, or maintenance of any project.
- e) To construct, acquire, own, lease, repair, maintain, extend, expand, improve, rehabilitate, renovate, furnish and equip projects and enter into construction contracts in connection therewith and to pay all or any part of the costs thereof from the proceeds of bonds of the Authority or from any contribution, gift, or donation or other funds made available to the Authority for such purpose.
- f) To make and execute agreements of lease, contracts, deeds, mortgages, notes and other instruments necessary or convenient in the exercise of the powers and functions conferred upon the Authority by this Ordinance.
- g) To sell, lease, exchange, mortgage, transfer or otherwise dispose of, or to grant options for any such purposes with respect to any project, or any real or personal property or interest therein.
- h) To pledge or assign any money, rents, charges, fees or other revenues and any proceeds derived from sales of property, insurance, or condemnation awards.
- i) To fix, charge, and collect rents, fees, and charges for the use of any project.
- j) To issue bonds and notes for the purpose of providing funds to pay all or any part of the cost of any project or any other lawful purpose and to reissue refunding bonds.

- k) To employ consulting engineers, architects, surveyors, attorneys, accountants, financial experts and such other employees and agents as may be necessary in its judgment , including employees of the City to the extent approved by the Commission, and to fix their compensation.
- l) To acquire existing projects and to reimburse any health facility for the cost of such project in accordance with an agreement between the authority and the health facility. However, no such reimbursement shall exceed the total cost of the project as determined by the health facility and approved by the Authority.
- m) To acquire existing projects and to refund outstanding obligations, mortgages, or advances issued, made, or given by a health facility for the cost of any project.
- n) To charge to, and equitably apportion among health facilities its administrative costs and expenses incurred in the exercise of the powers and duties conferred by this Ordinance.
- o) To mortgage any project and the site thereof for the benefit of the holders of the bonds issued to finance such project.
- p) To participate in and to issue bonds for the purpose of establishing and maintaining a self-insurance pool pursuant to Section 627.357, Florida Statutes, as the same may be amended from time to time, on behalf of a health facility or a group of health facilities in order to provide for the payment of judgments, settlements of claims, expenses or loss and damage that arises or is claimed to have arisen from an act or omission of the health facility, its employees, or agents in the performance of health care or health care related functions.
- q) To issue special obligation revenue bonds for the purpose of establishing and maintaining self insurance pools and to provide reserve funds in connection therewith, which bonds shall be payable from funds available in the pool from time to time or from assessments against participating health facilities for the purpose of providing required contributions to the fund or from such other sources as may be permitted by State law. Such bonds shall be issued in accordance with all other applicable provisions of State law.
- r) To keep a record of all its proceedings and be custodian of all books, documents, and papers filed with it and of its minute book or journal and official seal. The Authority shall cause copies to be made of all its minutes and other records and documents and shall give certificates under its official seal to the effect that such copies are true copies, and all persons dealing with said Authority may rely upon such certificates.
- s) To make a report to the Commission within the first 90 days of each fiscal year for the City or the Authority's activities for the preceding fiscal year. Each such report shall set forth a complete operating and financial statement covering its operation during the preceding fiscal year.

- t) To enter into interlocal agreements with other governmental bodies in connection with the exercise of its powers hereunder, including but not limited to the issuance of bonds, pursuant to the authorization conferred by Chapter 163, Part I, Florida Statutes, as the same may be amended from time to time.
- u) To do all things necessary, as otherwise provided by law, to carry out the purposes of this Ordinance.

Sec. 2.11.4 COMPOSITION: The voting members shall consist of two (2) health providers, one (1) individual in the field of general business who possesses good standing in the community, one (1) accountant and one (1) attorney. In addition, the Chairperson of the Health Advisory Board shall serve as a non-voting advisor to the Authority.

Sec. 2.11.5 CITY AFFILIATION: Members shall be residents of the City.

Sec. 2.11.6 KNOWLEDGE AND EXPERIENCE: See "Composition."

Sec. 2.11.7 TERM: All appointments by the Commission, except appointments to fill vacancies, shall be for a term of four years.

SUPPORTING DEPARTMENT: Finance.

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Sec. 2.12

HISPANIC AFFAIRS COMMITTEE

Sec. 2.12.1 There is hereby established the Hispanic Affairs Committee whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.12.2 PURPOSE: It is the express purpose of this board to serve as a vehicle for responsible persons to utilize and consult with, in attempting to understand and resolve the concerns of the Hispanic community of the City of Miami Beach and to make recommendations to the City Commission and City Administration regarding such matters.

Sec. 2.12.3 POWERS AND DUTIES: The Hispanic Affairs Committee shall have the following duties, functions, powers and responsibilities:

- a) To serve in an advisory capacity to the City Commission and the City Administration of the City of Miami Beach, Florida, in respect to matters pertaining to the Hispanic community of the City of Miami Beach.
- b) To formulate and recommend plans and programs for coordination of the activities of governmental and non-governmental entities pertaining to the Hispanic community of the City of Miami Beach.
- c) It is the express purpose of this Board to serve as a vehicle for responsible persons to utilize and consult with, in attempting to understand and resolve the concerns of the Hispanic community of the City of Miami Beach and to make recommendations to the City Commission and the City Administration regarding such matters.
- d) To perform such other duties as may from time to time be assigned to it by resolution of the City Commission.
- e) The powers and jurisdiction of the Committee shall be purely advisory, voluntary, and persuasive.

Sec. 2.12.4 COMPOSITION: The Committee shall consist of nine (9) members, with the Mayor and each Commissioner making one (1) appointment, and the remaining two (2) to be appointed at-large. The Chairperson of the Hispanic Affairs Committee or his/her designee shall serve as a non-voting ex-officio member of the Community Relations Board.

Sec. 2.12.5 KNOWLEDGE AND EXPERIENCE: The members of the Committee shall have knowledge of and interest in the Hispanic community of the City of Miami Beach.

Sec. 2.12.6 REVIEW:

The Hispanic Affairs Committee shall be reviewed by the City Commission two (2) years from the adoption of this Ordinance.

SUPPORTING DEPARTMENT:

Public Information.

* * *

Sec.2.13

COMMITTEE ON THE HOMELESS

Sec. 2.13.1 There is hereby established the Committee on the Homeless whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.13.2 PURPOSE: ...Whereas, the Mayor and City Commission of the City of Miami Beach wish to create a committee to facilitate, implement, and empower the curative philosophy known as "Continuum of Care."

Sec. 2.13.3 POWERS AND DUTIES: The Committee shall have the power and duty to examine the issues of the homeless in Miami Beach and to recommend to the City Commission a Comprehensive Strategy on the Homeless.

Sec. 2.13.4 COMPOSITION: The Committee shall consist of nine (9) members, three (3) to be appointed by the Mayor, and each Commissioner to appoint one (1).

The Chairperson of the Committee on the Homeless or his/her designee shall serve as a non-voting ex-officio member of the Community Relations Board.

Sec. 2.13.5 KNOWLEDGE AND EXPERIENCE: Each member of the committee shall be selected from membership in an organization such as, but not limited to, the following:

- Member of the general public involved with homeless issues
- Jewish Vocational Services
- Miami Beach Housing Authority
- RAIN mothers and/or Miami Beach Development Corp.
- Dade County Trust
- Douglas Gardens Community Mental Health
- Community Agencies Involved with Homeless Issues
- City of Miami Beach Staff

SUPPORTING DEPARTMENT: Office of the City Manager.

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Sec. 2.14

LOAN REVIEW COMMITTEE

Sec. 2.14.1 There is hereby established the Loan Review Committee whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.14.2 PURPOSE: The Loan Review Committee of the City of Miami Beach shall review applications for funding the rehabilitation of residential properties, under the provisions of the Multi-family Housing Rehabilitation Guidelines, such review shall include property qualifications and eligibility of applicants. The Committee shall recommend approval of qualified applications to the Mayor and City Commission.

Sec. 2.14.3 POWERS AND DUTIES (per Guidelines for City of Miami Beach Rehabilitation Programs approved by Resolution #95-21728):

The LRC (Loan Review Committee) shall:

- a) Study and review proposals, applications, property qualifications and the eligibility of the applicants for funding under the Community Development Block Grant Program-funded Housing Rehabilitation Programs.
- b) If necessary, interview the applicant to obtain additional information about the proposal.
- c) Evaluate applications and determine which shall be recommended for approval to the City Commission. Specify time frames and any other conditions for commitment of funds upon approval.
- d) Estimate the amount of public funding needed to assist selected proposals and provide for the reservation of funds for those projects.
- e) Review final proposals which have received commitments, and recommend their reduction if required by limitations in the availability of funds.
- f) Review and make recommendations regarding any request made to the City for an assignment or material change in any of the terms of the award agreements, after loan closing or final funding commitment.
- g) Establish site and neighborhood standards.
- h) Periodically review these Guidelines, and make recommendations to the City Commission for action.
- i) Provide expertise and assistance to the City's Economic and Community Development Division in preparing Requests for Proposals (RFP) or Notices of Funding Availability (NOFA) or portions thereof, for the City's housing programs, including: the CDBG-funded Multi-Family Housing Rehabilitation Programs, the HOME Investment Partnerships

Program (HOME), and the State Housing Initiatives Partnership (SHIP)Program.

- j) Review all eligible HOME and SHIP Program applications in accordance with criteria outlined in the applicable RFP or NOFA. These criteria may include items such as: total cost, extent of leveraging, cost per unit, development schedule, previous accomplishments, periods of affordability, utilization of non-public funds, non-displacement, total number of units, site and neighborhood compatibility, conformity with City zoning requirements, consistency with the City's Consolidated Plan, etc.

Sec. 2.14.4 COMPOSITION: The LRC shall consist of ~~seven (7)~~ ten (10) members, seven (7) of whom shall be voting members appointed by the City Commission at-large:

- * Three (3) residents of Miami Beach, one each from North Beach, Middle Beach, and South Beach. (These zones shall be defined as follows: North Beach-the zone North of 67th Street to 87th Terrace, Middle Beach-the area from 67th Street to the Dade Canal and 23rd Street to the Ocean, South Beach-the zone from Dade Canal and 23rd Street south to Government Cut.)
- * One (1) General Contractor.
- * Three (3) members from different private lenders with offices located in the City.

The Finance Director or his/her designee and the City Manager or his/her designee shall serve as non-voting ex-officio members.

A member of the Community Development Advisory Committee (CDAC) shall be designated to serve as a non-voting ex-officio member of the LRC, in order to facilitate communications between the LRC and CDAC.

Sec. 2.14.5 KNOWLEDGE AND EXPERIENCE: See "Composition."

SUPPORTING DEPARTMENT: Design, Development and Historic Preservation.

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Sec. 2.15

MARINE AUTHORITY

Sec. 2.15.1 There is hereby established the Marine Authority whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.15.2 PURPOSE: The Marine Authority is dedicated to providing high quality advisory assistance to the City administrative department in marine-related matters. The Marine Authority is committed to promoting and maintaining a safe, clean and healthy marine environment to be enjoyed by its citizens, as well as visitors to Miami Beach. To accomplish this goal, the Authority receives and reviews applications for charter boats, beach concessions, marine-related special events, and sensitive marine environmental issues.

Sec. 2.15.3 POWERS AND DUTIES:

a) To recommend to the City Commission the adoption, revision and amendment from time to time of appropriate rules and regulations reasonably necessary for the implementation, effective enforcement, administration, and interpretation of the provisions of this chapter and the minimum standards prescribed herein, and to provide for the effective and continuing establishment and enforcement of reasonable minimum standards within the framework of the chapter. When approved by the city commission, such rules and regulations shall have the force and effect of law.

b) To make continuing studies and periodic reports and recommendations for the improvement of minimum standards for the city and to work in cooperation with all federal, state and local agencies interested in marine standards and clean and clear waterways. To publicize the importance of adequate minimum standards, to hold and conduct public hearings, discussions, forums and institutes, to arrange programs for the presentation of information by experts in related fields and to visit and study marine programs conducted in other metropolitan areas.

c) To foster and maintain a clean, litter-free marine environment by exploring the availability of enforcement techniques, new ordinances and the active promotion of voluntary clean-ups.

d) To make recommendations regarding any ongoing and future waterside activities including the permitting and policing of water-related concessions and water-oriented special events.

e) To make recommendations to the Planning Board or any other City board when acting on matters related to the provisions of the chapter. NO. 75-2050, §1.)

Sec. 2.15.4 COMPOSITION: The Authority shall consist of six (6) members, five (5) voting members appointed by the City Commission at-large, and one (1) non-voting ex-officio member of the Authority who shall be a representative of the Miami Beach Marine Patrol.

Sec. 2.15.5 KNOWLEDGE AND EXPERIENCE: Appointments shall consist of individuals who have had previous experience in the operation of or inspection of either marine vessels or marine facilities including experience in various types of boat activities, including fishing in the waterways of the city. The members of the marine authority shall have the right and duty to consult with any member of the city administration for technical or other information pertaining to the matters before them.

SUPPORTING DEPARTMENT: Code Enforcement.

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Sec. 2.16

NUISANCE ABATEMENT BOARD

Sec. 2.16.1 There is hereby established the Nuisance Abatement Board whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.16.2 PURPOSE: There is hereby created and established a Nuisance Abatement Board to hear evidence relating to the existence of drug-related Public Nuisances on premises located in the City of Miami Beach.

Section 17D-1 of Ordinance #94-2937 defines "Public Nuisance" as "any place or premises within the City of Miami Beach which may be declared a nuisance according to Section 823.05 or Section 823.10, Florida Statutes as they may be renumbered or amended from time to time or which has been used on more than two occasions within a six month period:

- a) As the site of the unlawful sale or delivery or storage of controlled substances as defined in Chapter 893 of the Florida Statutes, or
- b) By a youth and street gang for the purpose of conducting a pattern of youth and street gang activity, or
- c) For prostitution or solicitation of prostitution, or
- d) For illegal gambling, or
- e) For illegal sale or consumption of alcoholic beverages

Sec. 2.16.3 POWERS AND DUTIES: See Miami Beach Code Chapter 17D

Sec. 2.16.4 COMPOSITION: Said Board shall consist of five (5) members appointed by a majority vote of the City Commission.

Sec. 2.16.5 CITY AFFILIATION: Members of the Nuisance Abatement Board shall be persons who reside or maintain a business establishment in the City of Miami Beach. Membership on the board shall include one representative from each of the following areas of Miami Beach: 1) south of twenty-second street, 2) twenty-second street to fifty-fifth street, and 3) fifty-fifth street to eighty-seventh terrace.

Sec. 2.16.6 KNOWLEDGE AND EXPERIENCE: The Chairman of the Board shall be an attorney duly licensed by the State of Florida with trial experience.

Sec. 2.16.7 ATTENDANCE: Any member who fails to attend two of three successive meetings without cause and without prior approval of the chairman shall automatically forfeit his appointment, and the City Commission shall promptly fill such vacancy for the remainder of the term.

Sec. 2.16.8 EXPIRATION: January 6.

Sec. 2.16.9 TERM: The initial appointments to the Nuisance Abatement Board shall be as follows:

- (1) Two members appointed for a term of two (2) years; and,
- (2) Two members and the Chairman appointed for a term of one (1) year.

Upon expiration of initial terms, subsequent Appointments for two (2) years shall be made. Any member may be reappointed by the City Commission for not more than three (3) consecutive terms.

SUPPORTING DEPARTMENTS: City Attorney, City Clerk.

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Sec. 2.17

PARKS AND RECREATIONAL FACILITIES BOARD

Sec. 2.17.1 There is hereby established the Parks and Recreational Facilities Board whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.17.2 PURPOSE: The Board shall serve in an advisory capacity to the City Commission, City Manager, and the Director of Recreation, Culture and Parks on matters related to the successful implementation of a comprehensive community-based parks and recreation service delivery system. Such issues may include, but are not limited to creative program development, a community involvement process, overall parks and recreation facility development, and service as an oversight committee to evaluate goals of the Recreation, Culture and Parks Department. The Board shall interact with other boards, governmental agencies, and civic groups on an as-needed basis to foster the success of the department's objectives.

Sec. 2.17.3 POWERS AND DUTIES: See "Purpose".

Sec. 2.17.4 COMPOSITION: Said Parks and Recreational Facilities Board shall be comprised of thirteen (13) members:

- * Seven (7) direct appointments, one (1) made by the Mayor and each Commissioner.
- * Three (3) appointments made by the Commission at-large. These appointments must be geographical (representing South Beach, Middle Beach, and North Beach).
- * The Chairpersons of the following boards/committees or their designees shall serve as non-voting ex-officio members of the Parks and Recreational Facilities Board:
 - Beautification Committee
 - Golf Advisory Committee
 - Youth Center Advisory Board

Sec. 2.17.5 KNOWLEDGE AND EXPERIENCE : Members of the board shall demonstrate interest in the City's parks and recreational facilities and programs through their own participation or the participation of a member of their immediate family. Consideration should also be given to individuals who have special knowledge or background related to the field of parks and recreation.

SUPPORTING DEPARTMENT: Recreation, Culture and Parks.

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Sec. 2.18

PERSONNEL BOARD

Sec. 2.18.1 There is hereby established the Personnel Board (created by Section 83 of the City of Miami Beach's Related Laws), whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.18.2 PURPOSE: The Personnel Board shall ensure proper administration of Personnel activities for Classified employees.

Sec. 2.18.3 POWERS AND DUTIES: The personnel board shall:

- a) Have the authority to require performance of all personnel procedure and operations specified or contemplated by this Act or the personnel rules. The board shall approve the budget request for the personnel department.
- b) Approve or disapprove or amend the personnel rules and amendments thereto.
- c) Approve or disapprove or amend the classification plan, class specification and requirements to be met by applicants for competitive examinations as provided in section 2D of this Act.
- d) Hear appeals in case any officer or employee in the classified service is suspended, reduced or removed in accordance with the procedure in Section 9 of this Act and the rules made thereunder.
- e) Hear appeals, make investigations and review administrative interpretations of the personnel rules, and direct administrative action consistent with its findings.

Sec. 2.18.4 COMPOSITION: The board shall consist of ten (10) members, six (6) of which shall be citizens of Miami Beach not in the employ of the city, each having a different vocation. The term "vocation" as used herein means the principal means of livelihood of the member. At least one citizen must be a Certified Public Accountant, and another must work in the field of Human Resources. Each of the six shall be appointed by and may be removed without cause by the votes of five-sevenths of the city commission, and shall be voting members.

The other four (4) members of the personnel board shall be the personnel director, who shall not be a voting member of the board, and three (3) regular employees of the City of Miami Beach, to be elected by the probationary and regular employees of the city and who shall be elected from the employees of regular status in the respective groups. Group 1 shall consist of the employees of the police department, fire department and beach patrol department. Group 2 shall consist of employees who are in clerical and executive positions; Group 3 shall consist of all other employees. The three (3) employee members shall be entitled to a total of one vote, voting as an employee member unit, in the determination of all matters before the personnel board.

The Personnel Board shall select its Chairman and Vice-Chairman from its nonemployee voting members.

Sec. 2.18.5 KNOWLEDGE AND EXPERIENCE: See "Composition."

Sec. 2.18.6 TERM: Six (6) non-employee members - two year terms.
Three (3) employee members - three year terms.

SUPPORTING DEPARTMENT: Human Resources.

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Sec. 2.19

POLICE/CITIZEN RELATIONS COMMITTEE

Sec. 2.19.1 There is hereby established the Police/Citizen Relations Committee whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.19.2 PURPOSE: The mission of the Police/Citizen Relations Committee is to recommend and endorse programs and projects that will enhance the well-being of the residents and visitors of Miami Beach and to provide advice to the City Commission pertaining to community/police relations with the aim of improving the public's confidence in government and in particular, the police department of the City of Miami Beach.

Sec. 2.19.3 POWERS AND DUTIES: The Police/Citizen Relations Committee shall have the following duties, functions, powers and responsibilities:

- a) To serve in an advisory capacity to the City Commission and the City Administration of the City of Miami Beach, Florida with respect to matters pertaining to police community relations and their impact on the community of the City of Miami Beach.
- b) To formulate and recommend plans and programs relating to community relations, and to review and make recommendations regarding the Police Department budget.
- c) Members shall be encouraged to participate in the "Ride Along" program of the Department.
- d) It is the express purpose of this Committee to serve as a vehicle for responsible persons to understand and resolve the concerns of the residents of the City of Miami Beach with regard to police community relations and to make recommendations to the City Commission and City Administration regarding such matters.
- e) To perform such other duties as may from time to time be assigned to it by the City Commission.

Sec. 2.19.4 COMPOSITION: The Committee shall consist of fourteen (14) members, eleven (11) of whom shall be voting members. The voting members shall be direct appointments with the Mayor and City Commissioners; shall each making one (1) individual appointment; and Four (4) additional appointments shall to be made by a majority vote of the entire Commission.

One (1) non-voting member shall be the non-administrative personnel of the Police Department selected by a majority vote of the non-administrative personnel. Two (2) additional non-voting members shall be the Police Chief (or a designee) and the City Attorney (or a designee).

* ~~The Police/Citizen Relations Committee shall fall under the auspices of the Community Relations Board.~~ The Chairperson of the committee or his/her designee shall serve as a non-voting ex-officio member of the Community Relations Board.

The Police/Citizen Relations Committee shall be assigned to the Police Department.

Sec. 2.19.5 KNOWLEDGE AND EXPERIENCE: The voting members of the Committee shall have knowledge of and interest in police community relations and their impact on the City of Miami Beach. Recommendations for appointment to all voting and non-voting memberships selected by the Mayor and Commission shall be encouraged to be obtained from the Spanish American League Against Discrimination (S.A.L.A.D.); the League of United Latin American Citizens (L.U.L.A.C.); the Anti-Defamation League (A.D.L.); the Dade Action Pac; the National Association for the Advancement of Colored People (N.A.A.C.P.); the League of Women's Voters, and any other organizations deemed appropriate.

SUPPORTING DEPARTMENT: Labor Relations.

* * *

Sec. 2.20

SAFETY COMMITTEE

Sec. 2.20.1 There is hereby established the Safety Committee whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.20.2 PURPOSE: The goal of the Safety Committee is to protect the safety and well-being of the citizens and visitors of Miami Beach. As members of the community, the committee serves as a vehicle for communications between those who have the ability to correct them. Through the efforts of the committee, the City of Miami Beach will be saved from lawsuits resulting from perilous conditions while simultaneously promoting the overall image of the city.

Sec. 2.20.3 POWERS AND DUTIES: The Miami Beach Safety Committee shall have the following duties, functions, powers, and responsibilities:

- a) To serve in an advisory capacity to the City Commission and the City Administration of the City of Miami Beach, Florida, with respect to matters pertaining to safety in the City of Miami Beach.
- b) To formulate and recommend plans and programs for coordination of the activities of governmental and non-governmental entities pertaining to safety in the City of Miami Beach.
- c) It is the express purpose of this Board to serve as a vehicle for responsible persons to utilize and consult with, in attempting to understand and resolve concerns regarding safety issues in the City of Miami Beach, and to make recommendations to the City Commission and City Administration regarding such matters.
- d) To perform such other duties as may from time to time be assigned to it by resolution of the City Commission.

Sec. 2.20.4 COMPOSITION: The committee shall be composed of eleven (11) members:

- * Seven (7) direct appointments, one (1) made by each Commissioner.
- * Four (4) at-large appointments by the Commission. These appointees must represent North Beach, South Beach, and Middle Beach.

Sec. 2.20.5 KNOWLEDGE AND EXPERIENCE: The members of the Committee shall have knowledge of and interest in the safety of the citizens of the City of Miami Beach.

Sec. 2.20.6 REVIEW: The Safety Committee shall be reviewed by the City Commission two years from the adoption of this Ordinance.

SUPPORTING DEPARTMENT: Risk Management.

* * *

Sec. 2.21 CITY OF MIAMI BEACH, FLORIDA SISTER CITIES PROGRAM

Sec. 2.21.1 There is hereby established the City of Miami Beach, Florida Sister Cities Program whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.21.2 PURPOSE: (See "Powers and Duties".)

Sec. 2.21.3 POWERS AND DUTIES:

- a) To cause the people of the City of Miami Beach, Florida and the people of foreign cities to acquire a consciousness of each other, to understand each other as individuals, as members of their community, as citizens of their country and as part of the family of nations.
- b) To promote, as a consequence of such knowledge and consciousness, a continuing relationship of mutual concern between the people of the City of Miami Beach and the people of its sister cities.
- c) To promote art, cultural, educational and business exchanges between the City of Miami Beach and its sister cities.

Sec. 2.21.4 COMPOSITION: The Coordinating Council is the governing body of the overall Sister Cities Program. The Council shall consist of two (2) representatives per Sister City affiliation and four (4) members appointed from Dade County at-large. All of these members are appointed by the Mayor of the City of Miami Beach.

Sec. 2.21.5 KNOWLEDGE AND EXPERIENCE: The members of the Coordinating Council shall be residents of Dade County who are interested in furthering the purpose of the program. Any person interested in furthering the purpose of the program may become a member of an individual Sister City committee upon approval by the Coordinating Council. To qualify, the person shall present a resume and a letter of interest to the Committee chairperson.

SUPPORTING DEPARTMENT: Office of the Mayor and Commission.

* * *

Sec. 2.22 TOURIST AND CONVENTION CENTER EXPANSION AUTHORITY²

Sec. 2.22.1 There is hereby established the Tourist and Convention Center Expansion Authority whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.22.2 PURPOSE:

The authority shall have the sole power to approve the concept, location, program and design of the Convention Center expansion and improvements therein and to administer and disburse the proceeds of the County Convention Development Tax and any other related source of revenue.

Sec. 2.22.3 POWERS AND DUTIES:

- a) Powers. The authority shall have the sole power to approve the concept, location, program and design of the expansion, extension, enlargement and improvement of the Miami Beach Convention Center and the sole power to administer and disburse proceeds of the Convention Center Development Tax, as prescribed by ss 212.057, Fla. Stat., and any other related source of revenue to extend, expand, enlarge and improve the Miami Beach Convention Center. The authority does not have the power to contract with any person or corporation, nor pledge the revenue generated from the Convention Development Tax as collateral.
- b) Processing Proposals. The city manager shall appoint a technical review committee which will short list all proposals received and submit the same to the authority.
- c) Ranking Proposals. The authority shall rank order any and all bids in the furtherance of expansion, extension, enlargement and improvement of the convention center and submit such ranking to the city commission.
- d) Negotiating Process. The authority shall appoint a member (s) to participate with the city manager's appointed representatives in the negotiating process in the awarding of any bid concerning the expansion, extension, enlargement and improvement of the Miami Beach Convention Center and the subsequent contract negotiations.
- e) Contract Approval. The authority shall review all proposed negotiated contracts for the expansion, extension, enlargement and improvements to the Miami Beach Convention Center and make recommendations to the city commission. Upon reviewing the recommendation of the authority, the Miami Beach City Commission shall approve or disapprove the proposed negotiated contract. In the event that the authority does not make a recommendation within thirty days of the date any negotiated contract is completed in

² Established and regulated by State law.

written form, the city commission may approve or disapprove the negotiated contract without the authority's recommendation. In the event that the city commission does not approve a proposed negotiated contract, such contract may be negotiated further by the city manager's technical team and an authority representatives(s). In the event that the city commission does not agree to the final negotiated contract, the negotiation team shall begin negotiations with the next ranked bidder.

- f) Budget. The authority shall submit its budget for the expansion, extension, and improvement to the Miami Beach Convention Center to the office of management and budget each fiscal year for the period between October 1 and September 30. The office of management and budget shall provide the authority with remarks concerning its budget. The authority's budget must be approved by the city commission through its normal budget process.

Sec. 2.22.4 COMPOSITION: The authority shall consist of eleven (11) voting members:

- * Seven (7) members, one (1) appointed by the Mayor and each Commissioner
- * Four (4) members to be appointed by the Commission at-large:
 - One (1) civil engineer
 - One (1) general contractor
 - One (1) accountant
 - One (1) attorney

The City Manager of the City of Miami Beach, Mayors of Dade County, Surfside, and Bal Harbour or their designees shall be non-voting ex-officio members. The authority may appoint, by a majority vote, non-voting ex-officio member(s) to assist them in fulfilling their defined purposes.

The executive director for the authority shall be the budget director for the City of Miami Beach or some other designee of the city manager from his or her office. The executive director shall have general charge of the work of the authority and shall direct the enforcement of all policies and directives of the authority. The director shall maintain and keep the records of the authority and shall be responsible for causing minutes of all authority meetings to be recorded, transcribed and maintained.

Sec. 2.22.5 KNOWLEDGE AND EXPERIENCE: Each member of the authority shall be of outstanding reputation for integrity, responsibility, and commitment to serving the community. No two (2) members shall be connected or have any financial ties with the same business entity.

SUPPORTING DEPARTMENT: Office of the City Manager.

* * *

Sec. 2.23

TRANSPORTATION AND PARKING COMMITTEE

Sec. 2.23.1 There is hereby established the Transportation and Parking Committee whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.23.2 PURPOSE: The Transportation and Parking Committee of the City of Miami Beach's mission is to serve in an advisory capacity to the City Commission and City Administration in matters of Transportation and Parking as they relate to the unique community of Miami Beach. It shall be the goal of this committee to assist in the development of programs, the implementation of solutions, and the forwarding of recommendations to the City which are fiscally responsible. This Committee shall strive to help resolve the critical transportation and parking challenges facing our growing, dynamic community.

Sec. 2.23.3 POWERS AND DUTIES: The Transportation and Parking Committee shall have the following duties, functions, powers and responsibilities:

- a) To serve in an advisory capacity to the City Commission and the City Administration of the City of Miami Beach, Florida with respect to matters pertaining to transportation and parking and their impact on the communities of the City of Miami Beach. As such, the City Commission and the City Administration of the City of Miami Beach, Florida shall refer matters of public import pertaining to transportation and parking to the Transportation and Parking Committee prior to their adoption or implementation for consideration and recommendation. The matter shall be considered and sent back to the Commission with a recommendation.
- b) To formulate and recommend plans and programs for coordination of the activities of governmental entities pertaining to transportation and parking and their impact on the City of Miami Beach.
- c) It is the express purpose of this Board to serve as a vehicle for responsible persons to utilize and consult with in attempting to understand and resolve the concerns of the City of Miami Beach with regard to transportation and parking issues, and to make recommendations to the City Commission and City Administration regarding such matters.
- d) To perform such other duties as may from time to time be assigned to it by the Commission.

Sec. 2.23.4 COMPOSITION: The Committee shall consist of nineteen (19) voting members. The Mayor and City Commissioners shall each make one (1) appointment, with the other members of the Committee to be composed of members from the following community organizations each

of which must designate a permanent coordinating representative: 1) Miami Beach Chamber of Commerce's Transportation and Parking Committee; 2) Miami Beach Development Corporation; 3) Ocean Drive Improvement Association, Inc.; 4) Washington Avenue Association; 5) Miami Design Preservation League; 6) North Beach Development Corporation; 7) Mid-Beach Community Association; 8) South Pointe Advisory Board to the Redevelopment Agency 9) Lincoln Road Marketing, Inc.; 10) Miami Beach Transportation Management Association; 11) Miami Beach Convention Center/TOPA (SMG); and 12) Middle Beach Partnership, Inc. d/b/a 41st Street-Middle Beach Partnership.

A member of the City Administration, the City of Miami Beach Parking Director, and Transportation Coordinator shall serve as non-voting ex-officio members.

On an annual basis, the members of the Committee shall elect a Chairman and such other officers as may be deemed necessary or desirable, who shall serve at the will of the Committee. Ten (10) members shall consist of a quorum of the Committee and shall be necessary in order to take any action.

Members shall serve without compensation. Committee meetings or subcommittee meetings of the Committee may be called by the Chairman or by written notice signed by ten (10) members of the Committee. Additionally, the Committee may call a meeting to be conducted at a future date. All meetings are public and shall be conducted in accordance with the "Sunshine Law" of the State of Florida.

Sec. 2.23.5 KNOWLEDGE AND EXPERIENCE: The members of the voting Committee shall have knowledge of and interest in transportation and parking and their impact on the City of Miami Beach. The members of the Board shall be officially designated by their respective organization, and letters certifying that designation shall be forwarded to the Miami Beach City Clerk.

SUPPORTING DEPARTMENT: Parking.

* * *

Sec. 2.24

YOUTH CENTER ADVISORY BOARD

Sec. 2.24.1 There is hereby established the Youth Center Advisory Board whose purposes, power and duties, composition, membership qualification and general governing regulations are as follows.

Sec. 2.24.2 PURPOSE: The Board shall be charged with the duty and responsibility to act in an ADVISORY capacity to the Commission, City Manager and Director of Parks and Recreation in matters pertaining to recreational and operational functions of the City of Miami Beach Scott Rakow Youth Center.

Sec. 2.24.3 POWERS AND DUTIES: Said Board shall cooperate with other governmental agencies and civic groups in the advancement of sound recreation planning, operation, and programming. The Board shall be purely advisory and recommendatory regarding the programs and services of said youth center.

Sec. 2.24.4 COMPOSITION: Said Board shall consist of twelve members, nine (9) of whom shall be voting members: as follows:

* Seven (7) individual appointments who must have an affiliation with the Scott Rakow Youth Center, either through past service on the committee or present participation in youth center activities by their children.

* Two (2) at-large appointments.

Two (2) student resident users of the facility shall serve as non-voting ex-officio members: ~~One~~ (1) of these student users must attend a middle school, and the other must attend a high school. The Director of the Office of Children's Affairs shall serve as a non-voting ex-officio member.

The Chairperson of the Youth Center Advisory Board or his/her designee shall serve as a non-voting ex-officio member of the Recreational Centers and Parks Facilities Board (to be renamed the "Parks and Recreational Facilities Board").

Sec. 2.24.5 KNOWLEDGE AND EXPERIENCE: See "Composition."

SUPPORTING DEPARTMENT: Recreation, Culture and Parks.

* * *

SECTION 2.

HEALTH FACILITIES AUTHORITY: LEGISLATIVE AMENDMENTS

That City of Miami Beach Ordinance No. 90-2701, Sections 3(b), (c) and (d), and 4 thereof, as well as City of Miami Beach Ordinance No. 91-2738 and 92-2776 be repealed. Section 3(a) of City of Miami Beach Ordinance No. 90-2701 shall be amended to read as follows:

Section 3. Creation of City of Miami Beach Health Facilities Authority and Membership.

(a) Creation. The City of Miami Beach Health Facilities Authority is hereby created and established and in accordance with Section 154.207, Florida Statutes, is constituted a public instrumentality. the exercise by the Authority of the powers conferred by State law shall be deemed and held to be the performance of an essential public function. Powers, duties, composition and attendance requirements of the Health Facilities Authority are set out specifically in the City of Miami Beach Ordinance entitled "Agencies, Boards and Committees".

SECTION 3.

MARINE AUTHORITY: LEGISLATIVE AMENDMENTS

That Miami Beach City Code Sections 7-18 through and including 7-23 are hereby repealed, and that City Code Section 7-17 is hereby amended to read as follows:

Sec. 7-17. Marine authority - Created; composition.

The city's Marine Authority is hereby created and established. The marine authority shall consist of ~~five~~ six members, five voting members appointed by ~~the city manager with the approval of~~ the city commission at large, and one non-voting ex-officio member who shall be a representative of the Miami Beach Marine Patrol. Powers, and duties, composition and attendance requirements of the Marine Authority are set out specifically in the City of Miami Beach Ordinance entitled "Agencies, Boards and Committees".

SECTION 4. PERSONNEL BOARD: LEGISLATIVE AMENDMENTS

That Section 83 of the Related Laws of the City of Miami Beach is hereby amended in relevant part to read as follows:

Section 83. Personnel Board

* * *

From and after August 1, 1955 the Personnel Board shall consist of ten (10) members, of whom six (6) shall be citizens of Miami Beach not in the employ of the City, each having a different vocation, the term "vocation" as used herein meaning the principal means of livelihood of the member. At least one citizen must be a certified public accountant and another must work in the field of human resources. They shall be appointed by the votes of 5/7ths of the City ~~Council~~ Commission and shall be voting members. The five (5) voting members who are in office on August 1, 1955 shall continue in office as voting members until August 1, of the last calendar year in the term for which such member was appointed, and until a successor is appointed. The vacancy caused by the increase in membership on August 1, 1955 should be filled by an appointment for a term of five (5) years commencing August 1, 1955. Thereafter, at the expiration of the terms of such members, the vacancy so caused shall be filled by appointment for a term of ~~five~~ two (2) years commencing August 1 of the year in which the vacancy as a result of such expiration of term occurs. . . .

* * *

SECTION 5. TOURIST AND CONVENTION CENTER EXPANSION AUTHORITY: LEGISLATIVE AMENDMENTS

That Miami Beach City Code Chapter 41 entitled "Taxation", Article VII thereof entitled "Tourist and Convention Center Expansion Authority" is hereby amended in relevant part to read as follows:

Sec. 41-72. Authority created.

There is hereby created and established pursuant to §212.057, Fla. Stat., an authority and instrumentality of the City of Miami Beach to be known as the Miami Beach Tourist and Convention Center Expansion Authority (hereinafter "Authority"). Powers, duties, composition and attendance requirements of the Tourist and Convention Center Expansion Authority are set out specifically in the to City of Miami Beach Ordinance entitled "Agencies, Boards and Committees".

* * *

Sec. 41-74. Governing Body.

(a) Composition. The authority shall consist of eleven (11) voting members; each commissioner and the mayor shall appoint one (1) member and four (4) members to be appointed at-large, said four (4) members to be composed as follows: one (1) civil engineer, one (1) contractor, one (1) accountant, and one (1) attorney. The city manager of the City of Miami Beach, Mayors of Dade County, Surfside, and Bal Harbour, shall be non-voting ex officio members. The authority may appoint, by a majority vote, non-voting ex officio member(s) to assist them in fulfilling their defined purposes.

(b) Qualifications. ~~Each member of the authority shall be a duly qualified elector of Dade County and~~ The City affiliation requirement for membership shall be fulfilled in either of the following ways: (a) an individual has been a resident of Miami Beach for a minimum of two (2) years. (b) an individual can demonstrate ownership/interest for a minimum of two (2) years in a business established on Miami Beach for a minimum of two (2) years. Exception to: (a) and (b) shall be permitted if the Authority requires the membership of an individual with a specific position, knowledge, experience, or expertise not available in another individual who may comply with the terms of (a) and/or (b). Each member shall be of outstanding reputation for integrity, responsibility, and commitment to serving the community. ~~Members shall be selected from the tourist and hospitality industries doing business within the City of Miami Beach.~~ Before entering upon the duties of office, each voting member on the authority shall take the prescribed oath of office. Members of the authority shall serve without compensation but shall be entitled to reimbursement, to the extent permitted by law, for necessary expenses incurred in the discharge of their duties.

(c) Appointment and Term of Members; Filling Vacancies. The members of the authority shall be appointed by the city commission. The Mayor and each city commissioner shall appoint one (1) member to the authority and the city commission shall appoint four (4) members at-large. The initial appointment of members at-large shall be for a term beginning on the date of their appointment and ending at the conclusion of the existing members' terms. All members shall be subsequently appointed for a term of two (2) years and such terms shall run ~~concurrently~~ on a staggered basis. No two (2) members shall be connected or have any financial ties with the same business entity. Vacancies shall be filled by the city commission, mayor or commissioner for the unexpired period in the same manner as the original appointment for which the vacancy exists. Members shall serve until the expiration

of their terms or until successors are appointed. Non-voting ex officio members, other than those expressly enumerated in subsection (a) above, shall be appointed by a majority vote of the authority. Non-voting ex officio members may be appointed for a term not to exceed the term of the authority members.

(d) 1. Removal of Members. The voting members shall serve at the pleasure of the city commission. Any member of the authority may be removed from office by four-sevenths vote of the city commission. ~~A voting member shall be removed if he or she fails to attend three consecutive meetings.~~ With the exception of ex officio member(s) set forth in subsection (a) above, non-voting ex officio member(s) shall serve at the pleasure of the authority. Any non-voting ex officio member of the authority, with the exception of the enumerated ex officio members set forth in subsection (a) above, may be removed from office by a majority vote of the members which shall in any event be no less than four members.

2. Attendance. In the event that any member of the authority fails to attend three regularly scheduled meetings or 25% per year for scheduled meetings, whichever is greater, said member shall be automatically removed.

During meetings, a standard sign-in register must be completed by members of the authority. If there is not a quorum to conduct authority business, attendance and absences must be recorded.

Attendance will be recorded when an individual arrives within 30 minutes of the scheduled meeting time and remains for at least 70% of the meeting.

* * *

(f) Organization. The chairperson and vice-chairperson shall be elected by the authority from its members. The chairperson and vice-chairperson shall serve for a period of two years and must be members of the authority. ~~The authority shall designate a secretary who shall be a voting member of the authority.~~ The executive director for the authority shall be the budget director for the city of Miami Beach or some other designee of the city manager from his her office. The executive director shall have general charge of the work of the authority and shall direct the enforcement of all policies and directives of the authority. The director shall maintain and keep the records of the authority and shall be responsible for causing minutes of all authority meetings to be recorded, transcribed and maintained.

* * *

SECTION 6. 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 a part of the Code of the City of Miami Beach, Florida. 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 7. SEVERABILITY

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 8. REPEALER.

All resolutions, ordinances, or other City legislation including but not limited to the following, in conflict herewith be and the same are hereby repealed:
Miami Beach City Code Section 2-1.3, Section 2-1.3.1, Section 2-1.4, Section 2-46, Section 7-18 through and including 7-23, Section 17B-16 and Section 17B-17; City of Miami Beach Resolution Nos. SNID No. 2-88-1, SNID No. 2-88-2, 1103, 9234, 10145, 10579, 11603, 74-14475, 74-14487, 75-14889, 76-15213, 77-15512, 78-15642, 80-16303, 84-17627, 84-17744, 85-18016, 85-18071, 90-19897, 91-20221, 91-20354, 92-20440, 92-20464, 92-20512, 92-20518, 92-20545, 92-20638, 93-20698, 93-20871, 93-20874, 93-20875, 93-20908, 93-20957, 94-21387, 95-21590, 95-21643, 96-21904; and City of Miami Beach Ordinance Nos. 88-2606, 88-2607, Sections 3(b), (c) and (d) and 4 of Ordinance No. 90-2701, 91-2738, 92-2776, 93-2887, 94-2900, 94-2916 and 96-3060.

SECTION 9. EFFECTIVE DATE

This Ordinance shall take effect the 1st day of January, 1998.

PASSED and ADOPTED this 2nd day of July, 1997.

ATTEST:

Robert Parker
CITY CLERK

(Motion made by Mayor Seymour Gelber)

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(As Amended May 7, 1997, June 12, 1997, and July 2, 1997.)

[Signature]
MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

[Signature] 7/8/97
City Attorney Date

ORIGINAL

ORDINANCE NO. 97-3086

An Ordinance Relating to Governmental Organization, Amending the Miami Beach City Code so as to Create a New Chapter Entitled "Agencies, Boards, and Committees", Creating Section 2.1;