Condensed Title:

An Ordinance amending Chapter 2, Article III, of the Miami Beach City Code creating Division 31, entitled "Sustainability Committee".

Key Intended Outcome Supported:

Enhance the Environmental Sustainability of the Community.

Supporting Data (Surveys, Environmental Scan, etc.): N/A

Issue:

Shall the Mayor and City Commission approve the Ordinance?

Item Summary/Recommendation:

SECOND READING PUBLIC HEARING.

In 2007, the Ad Hoc Green Committee was formed by then Mayor David Dermer to provide a City focus on green issues. The Committee was specifically charged with several items regarding green initiatives and a specific charge to recommend an approach to deal with green issues long term in the community.

In 2007, Mayor Matti Herrera Bower extended the Ad Hoc Green Committee so that they could continue and complete their work pursuant to the original charge.

The Ad Hoc Green Committee has forwarded several recommendations and initiatives to the members of the City Commission and have also specifically recommended that the City Commission consider creating a Sustainability Committee as a standing Committee of the City of Miami Beach to deal with long term sustainability and green issues.

The attached Ordinance creating a standing Sustainability Committee provides a very brief definition of sustainable as a pattern of resource use that aims to meet community needs while preserving the environment so that these needs can be met not only in the present but in the indefinite future. The Committee opted to use the sustainability title rather than green as the word green may prove to be trendy.

The attached Ordinance recommends a seven voting member composition appointed directly by the Mayor and City Commissioners and that the Mayor also appoint a City Commissioner to serve as a non-voting member and Chair of the Committee. This is the same structure utilized by the Committee as this time.

Adopt the Ordinance.

Advisory Board Recommendation:

At the meeting of July 2, 2008 the Neighborhoods/Community Affairs Committee recommended the creation of a standing committee.

Financial Information:

Source of Funds:		Amount	Account
	1		
	2		
	3		
OBPI	Total		

Financial Impact Summary:

City Clerk's Office Legislative Tracking:

Robert C. Middaugh, Assistant City Manager

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	RCM	JMG

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MIAMIBEACH

AGENDA ITEM R5B

DATE 10-7-08

MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: October 7, 2008

SECOND READING PUBLIC HEARING

SUBJECT: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2, ARTICLE III, OF THE MIAMI BEACH CITY CODE, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY CREATING DIVISION 31, ENTITLED "SUSTAINABILITY COMMITTEE," AND SECTIONS 2-190.140 THROUGH 2-190.143 THERETO; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

ADMINISTRATION RECOMMENDATION

Adopt the Ordinance.

ANALYSIS

In 2007, the Ad Hoc Green Committee was formed by then Mayor David Dermer to provide a City focus on green issues. The Committee was specifically charged with several items regarding green initiatives and a specific charge to recommend an approach to deal with green issues long term in the community.

In 2007, Mayor Matti Herrera Bower extended the Ad Hoc Green Committee so that they could continue and complete their work pursuant to the original charge.

The Ad Hoc Green Committee has forwarded several recommendations and initiatives to the members of the City Commission and have also specifically recommended that the City Commission consider creating a Sustainability Committee as a standing Committee of the City of Miami Beach to deal with long term sustainability and green issues.

The Committee spent a good deal of time actually considering the appropriate name for the Committee. A variety of different names were reviewed and ultimately the Committee felt that the use of the word sustainability conveyed a long term and broader purpose for the Committee that was more appropriate for its activities.

The attached Ordinance creating a standing Sustainability Committee provides a very brief definition of sustainable as a pattern of resource use that aims to meet community needs while preserving the environment so that these needs can be met not only in the present but in the indefinite future. The Committee opted to use the sustainability title rather than green as the word green may prove to be trendy.

The attached Ordinance recommends a seven voting member composition appointed directly by the Mayor and City Commissioners and that the Mayor also appoint a City Commissioner to serve as a non-voting member and Chair of the Committee. This is the same structure utilized by the Committee as this time.

Conclusion

Creating a standing Committee to deal with sustainability and green issues will serve to provide a consistent and long term focus on those issues. An option of a standing Committee is also consistent with the City Commission's addition of a new Key Intended Outcome in the City's Strategic Plan which focuses the City on undertaking sustainable initiatives for the betterment of the community. Approval of the Ordinance on Second Reading/Public Hearing is recommended.

JMG\RCM\sam
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Attachments

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2, ARTICLE III, OF THE MIAMI BEACH CITY CODE, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY CREATING DIVISION 31, ENTITLED "SUSTAINABILITY COMMITTEE," AND SECTIONS 2-190.140 THROUGH 2-190.143 THERETO; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, in 2007, the Ad Hoc Green Committee was created to focus attention on general environmental improvement trends, or "Green Initiatives," within the City of Miami Beach; and

WHEREAS, following the 2007 election, Mayor Matti Herrera Bower extended the life of the Ad Hoc Green Committee in order to continue its work on Green Initiatives in the community; and

WHEREAS, the Ad Hoc Green Committee has recommended to the Mayor and City Commission that the Committee be made a standing City committee, and the City Administration concurs with this recommendation; and

WHEREAS, accordingly, it is hereby recommended that the Ad Hoc Green Committee be sunsetted, and that a new standing City committee, to be known as the "Sustainability Committee," be created for the purpose of continuing to focus attention in the City on Green Initiatives, and ensuring a pattern of resource use that aims to meet community needs, while preserving the environment, so that these needs can be met not only in the present, but in the indefinite future.

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

Section 1.

That Chapter 2, Article III, of the Miami Beach City Code is hereby amended to create Division 31 thereof, and Sections 2-190.140 through 2-190.143 thereto, as follows:

DIVISION 31. SUSTAINABILITY COMMITTEE

Section 2-190.140. Committee Purpose.

The purpose of the Sustainability Committee is to provide guidance and advice with regard to the City's efforts to provide and promote general environmental improvement trends, or "Green Initiatives," and "Sustainable Development," which is herein defined as a pattern of resource use that aims to meet community needs while preserving the environment so that these needs can be met, not only in the present, but in the indefinite future.

Section 2-190-141. Powers and Duties.

The Committee shall make advisory recommendations to the City Commission and the City Manager to promote and provide Citywide Green Initiatives and to promote and provide plans for Sustainable Development in the City of Miami Beach.

Section 2-190-142. Composition.

The Committee shall consist of seven (7) voting members, one each to be directly appointed by the Mayor and each City Commissioner. A City Commissioner, appointed by the Mayor, shall serve as a non-voting member and shall also serve as the chairperson of the Committee.

Section 2-190-143. Supporting Departments.

The Office of the City Manager and Department of Public Works will provide staff support for the Committee.

SECTION 3. REPEALER

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. SEVERABILITY

If any section, subsection, clause or provision of this Ordinance is held invalid; the remainder shall not be affected by such invalidity.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect on the ____ day of _____, 2008; provided, however, that the Ad Hoc Green Committee shall continue to exist and operate until such time as the initial members of the Sustainability Committee have been appointed, as provided herein.

PASSED and ADOPTED this _____ day of _____, 2008.

ATTEST:

_____
MAYOR

_____
CITY CLERK

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APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 9-29-08 Date

CITY OF MIAMI BEACH
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY given that a second reading and public hearing will be held by the City Commission of the City of Miami Beach, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Tuesday, October 7, 2008 at 10:30 A.M.,** to consider approval, on second and final reading, of an Ordinance Amending Chapter 2, Article III, Of The Miami Beach City Code, Entitled "Agencies, Boards And Committees," By Creating Division 31, Entitled "Sustainability Committee," And Sections 2-190.140 Through 2-190.143 Thereto.

Inquiries may be directed to the City Manager's Office at (305) 673-7010.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. Copies of these ordinances are available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, and Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305)673-7218(TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Ad #509