



# MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jorge M. Gonzalez, City Manager

FROM: Saul Gross, City Commissioner 

DATE: January 6, 2009

SUBJECT: Agenda Item

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Please place on the January 28, 2009 Commission agenda a referral to the Land Use Committee to discuss the adoption of an ordinance which provides that whenever a property owner/tenant is required under the City code or by a City Land Use Board to hire a consultant to analyze the traffic or noise impacts of a project, that such consultant is hired by the City off the City's rotating list and such consultant is paid by the City using the property owner/tenant's money.

This proposal is analogous to the way appraisers are hired. Property owners cannot hire their own appraiser. Appraisers are on an approved lender list and are hired by the lender at the property owner's cost.

This proposed ordinance would have two benefits. First, because the consultant would be working for the City and not for the property owner/tenant, the consultant's report would take the residents' interests into account and not seek to minimize, for the property owner's/tenant's benefit, the traffic or noise impacts of the proposed project. Second, the proposal would save the City money. At present, the City and the residents often question many assumptions in the consultant's report and the City is forced to hire a second consultant, at City expense, to review the property owner's/tenant's consultant's report. Under the new proposal, there would be no need for the City to hire a separate consultant at City expense.

If you have any questions, please contact Wanda Ortiz at extension 7104.

(Requested by Commissioner Saul Gross)

SG:wo

Agenda Item C4B

Date 1-28-09

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