

Special City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
September 21, 2009

Mayor Matti Herrera Bower
Vice-Mayor Victor M. Diaz, Jr.
Commissioner Saul Gross
Commissioner Jerry Libbin
Commissioner Edward L. Tobin
Commissioner Deede Weithorn
Commissioner Jonah Wolfson

City Manager Jorge M. Gonzalez
City Attorney Jose Smith
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's Office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

Special note: In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to the alternate meeting date which will only be held if needed. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.

Meeting called to order at 4:34:51 p.m.

REGULAR AGENDA

The following items were carried over from September 9, 2009 Commission Meeting:

4:39:30 p.m.

R5D An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Section 2-458 Thereof Entitled "Supplemental Abstention And Disclosure Requirements" By Requiring Public Officers To Disclose Compensation Received By Public Officer And/Or Public Officer's Employer Or Firm Related To Subject Conflicting Relationship, Said Disclosures To Be Made From Three Years Preceding The Subject Vote; Providing For Repealer; Severability; Codification; And An Effective Date. **Second Reading Public Hearing.**

(Requested by Commissioner Jonah Wolfson/City Attorney's Office)
(Continued from September 9, 2009)

ACTION: Item opened and continued to October 14, 2009 at 10:30 a.m. Motion made by Vice-Mayor Diaz, seconded by Commissioner Libbin; Ballot vote: 5-0; Absent: Commissioners Tobin and Wolfson. Lilia Cardillo to place on the Commission Agenda.

Handout or Reference Materials:

1. Ad in The Miami Herald – Ad # 553

R5E Expansion Of Ethics Reform/Transparency In Government Ordinances

4:42:14 p.m.

R5E-1

An Ordinance Amending Miami Beach City Code Chapter 2, Article IV, Division 1, Section 2-194 Thereof Entitled "Removal From Office", By Limiting Grounds For Suspension/Removal To Those "Specified Offenses" Set Forth Within Florida Statute Section 112.3173 (As Amended), And Establishing Procedure Prior To Suspension/Removal; Providing For Repealer, Severability, Codification, And An Effective Date. **Second Reading Public Hearing.**

ACTION: Item opened and continued to October 14, 2009 at 10:30 a.m. Motion made by Vice-Mayor Diaz, seconded by Commissioner Libbin; Ballot vote: 5-0; Absent: Commissioners Tobin and Wolfson. Lilia Cardillo to place on the Commission Agenda.

Handout or Reference Materials:

1. Ad in The Miami Herald – Ad # 553

4:42:52 p.m.

R5E-2A/B

An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Division 2, Section 2-458 Thereof Entitled "Supplemental Abstention And Disclosure Requirements", Establishing Additional Disclosure Requirements For Pubic Officials Of Any Family Or Business Relationship With Party Who Is Directly Benefitted By Agency Vote; Providing For Repealer, Severability, Codification, And An Effective Date. **Second Reading Public Hearing.**

ACTION: Item opened and continued to October 14, 2009 at 10:30 a.m. Motion made by Vice-Mayor Diaz, seconded by Commissioner Weithorn; Ballot vote: 5-0; Absent: Commissioners Tobin and Wolfson. Lilia Cardillo to place on the Commission Agenda.

Handout or Reference Materials:

1. Ad in The Miami Herald – Ad # 553

4:43:37 p.m.

R5E-2C

An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Division 2, Section 2-450 Thereof Entitled "Disclosure Of Interest In/Relationship With Business Entity," By Requiring Elected Official's Disclosure Of Certain Business Relationships Established Within 24 Months After Contracting Party's Appearance Before City Commission; Providing For Repealer, Severability, Codification, And An Effective Date. **Second Reading Public Hearing.**

ACTION: Item opened and continued to October 14, 2009 at 10:30 a.m. Motion made by Vice-Mayor Diaz, seconded by Commissioner Weithorn; Ballot vote: 5-0; Absent: Commissioners Tobin and Wolfson. Lilia Cardillo to place on the Commission Agenda.

Handout or Reference Materials:

1. Ad in The Miami Herald – Ad # 553

4:44:13 p.m.

R5E-3B

An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Division 2 Thereof By Creating Section 2-462 Entitled "Prohibiting Members Of City Commission From Having Certain Post-Service Contracts With City", Prohibiting Former Members Of The City Commission From City Employment Or Contracts On Matters In Which City Commission Approval Is Required; Providing For Repealer, Severability, Codification, And Effective Date. **Second Reading Public Hearing.**

ACTION: Item opened and continued to October 14, 2009 at 10:30 a.m. Motion made by Vice-Mayor Diaz, seconded by Commissioner Weithorn; Ballot vote: 5-0; Absent: Commissioners Tobin and Wolfson. Lilia Cardillo to place on the Commission Agenda.

Handout or Reference Materials:

1. Ad in The Miami Herald – Ad # 553

4:44:54 p.m.

R5E-3C

An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Division 2 Thereof By Creating Section 2-463 Entitled "Prohibition Of Certain Post-Service/ Employment Relationships", Prohibiting Certain Post-Service/Employment Activity Of City Elected Officials And City Employees For A Period Of Two Years After Leaving City Service/Employment; Providing For Repealer, Severability, Codification, And Effective Date. **Second Reading Public Hearing.**

ACTION: Item opened and continued to October 14, 2009 at 10:30 a.m. Motion made by Vice-Mayor Diaz, seconded by Commissioner Weithorn; Ballot vote: 5-0; Absent: Commissioners Tobin and Wolfson. Lilia Cardillo to place on the Commission Agenda.

Handout or Reference Materials:

1. Ad in The Miami Herald – Ad # 553

4:45:35 p.m.

R5E-4

An Ordinance Amending In Part Miami Beach City Code Chapter 2, Article VII, Division 5 Thereof Entitled "Campaign Finance Reform," Sections 2-487 "Prohibited Campaign Contributions By Vendors," 2-488 "Prohibited Campaign Contributions By Lobbyists On Procurement Issues," 2-489 "Prohibited Campaign Contributions By Real Estate Developers," And 2-490 "Prohibited Campaign Contributions By Lobbyists On Real Estate Development Issues," By Prohibiting Campaign Contributions From Vendors, Real Estate Developers And Their Respective Lobbyists To Candidate/Incumbent Members Of The City Commission Seeking Any Non-Federal Elected Office; Providing For Repealer, Severability, Codification, And An Effective Date. **Second Reading Public Hearing.**

(Requested by Commissioner Victor M. Diaz, Jr./City Attorney's Office)

(Continued from September 9, 2009)

ACTION: Item opened and continued to October 14, 2009 at 10:30 a.m. Motion made by Vice-Mayor Diaz, seconded by Commissioner Weithorn; Ballot vote: 5-0; Absent: Commissioners Tobin and Wolfson. Lilia Cardillo to place on the Commission Agenda.

Handout or Reference Materials:

1. Ad in The Miami Herald – Ad # 553

4:46:31 p.m.

R5F

An Ordinance Amending In Part Miami Beach City Code Chapter 2, Article VII, Division 5 Entitled "Campaign Finance Reform," Sections 2-487 Through And Including 2-490, By Prohibiting "Vendors" And "Real Estate Developers" From Soliciting Campaign Contributions For Candidates For The Office Of Mayor Or Commissioner, Expanding Upon The Definitions Of "Vendor" And "Real Estate Developer" And Conforming As Housekeeping Matter Certain Language To Existing Text; Providing For Repealer, Severability, Codification, And An Effective Date. **Second Reading Public Hearing**

(Requested by Commissioner Saul Gross/City Attorney's Office)

(Continued from September 9, 2009)

ACTION: Item opened and continued to October 14, 2009 at 10:30 a.m. Motion made by Vice-Mayor Diaz, seconded by Commissioner Weithorn; Ballot vote: 5-0; Absent: Commissioners Tobin and Wolfson. Lilia Cardillo to place on the Commission Agenda.

Handout or Reference Materials:

1. Ad in The Miami Herald – Ad # 553

4:47:17 p.m.

- R5G An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Division 5 Entitled "Campaign Finance Reform," By Adding Thereto Section 2-491 Entitled "Prohibited Lobbying By Campaign Consultants," Prohibiting Campaign Consultants And Certain Affiliated Persons Or Entities From Lobbying City Commission For 12 Months Subsequent To Swearing In Of Subject Elected Official(s), Establishing Definitions, Limited Exemption And Disclosure/Abstention Requirements; Providing For Repealer, Severability, Codification, And An Effective Date. **Second Reading Public Hearing**
(Requested by Commissioner Deede Weithorn/City Attorney's Office)
(Continued from September 9, 2009)

ACTION: Item opened and continued to October 14, 2009 at 10:30 a.m. Motion made by Vice-Mayor Diaz, seconded by Commissioner Weithorn; Ballot vote: 5-0; Absent: Commissioners Tobin and Wolfson. Lilia Cardillo to place on the Commission Agenda.

Handout or Reference Materials:

1. Ad in The Miami Herald – Ad # 553
2. Letter to Commissioner Jonah Wolfson from Jose Smith, City Attorney, dated September 18, 2009 Re: September 21, 2009 City Commission Agenda Item No. R5G –“Prohibiting Lobbying by Campaign Consultants.”
3. E-mail from David R. Custin to Mayor Matti H. Bower with copies to Commissioners Diaz, Gross, Libbin and Wolfson, Robert Parcher, Jorge Gonzalez and Jose Smith - Ref: Request to Speak.
4. Memo for City Attorney Jose Smith from Frank Del Vecchio dated Sept. 20, 2009 SUBJ: Sept. 21, 2009 Special Committee Meeting Ethics Ordinances Technical Recommendations

Meeting Adjourned at 4:48:07p.m.

End of Agenda