

ORDINANCE NO. 26-24-2511

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, AMENDING SECTION 2-26.8, "BUDGET AND FINANCE COMMITTEE" OF THE CITY CODE OF ORDINANCES TO REVISE THE PURPOSES OF THE COMMITTEE TO ADD ADVICE AND RECOMMENDATIONS ON BOND FINANCING AND PROJECTS AND TO REVISE THE TERM OF MEMBERS; PROVIDING FOR CORRECTIONS; SEVERABILITY; CONFLICTS; IMPLEMENTATION; AND AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution, and Chapter 166, Florida Statutes, provides municipalities with the authority to exercise any power for municipal purposes, except where prohibited by law, and to adopt ordinances in furtherance of such authority; and

WHEREAS, the City Commission of the City of South Miami ("City") finds it periodically necessary to amend its Code of Ordinances ("Code") to update regulations and procedures to maintain consistency with state law, implement municipal goals and objectives, clarify regulations, and address specific issues and needs that may arise; and

WHEREAS, the City has established the Budget and Finance Committee (the "Committee") pursuant to Section 2-26.8. of the Code; and

WHEREAS, Section 2-26.8.(b) currently provides the Committee's purposes and tasks in providing advice and recommendations to the City Commission; and \

WHEREAS, the City Commission wishes to amend Section 2-26.8.(b) to provide that the Committee shall also provide advice and recommendations to the City Commission on financing utilizing general obligation and other revenue bonds, and projects to be funded by such bonds; and

WHEREAS, the City Commission also wishes to revise the term of members of the Committee to provide for longer terms of three (3) fiscal years, or until a successor is appointed, to ensure continuity; and

WHEREAS, the City Commission considered the ordinance on October 15, 2024, and approved the ordinance on first reading; and

WHEREAS, on December 10, 2024, the City Commission conducted a duly noticed public hearing as required by law and approved the ordinance on second reading; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, AS FOLLOWS:¹

Section 1. **Recitals.** The above-stated recitals are true and correct and are incorporated herein by this reference.

Section 2. **Section 2-26.8. of Chapter 2, "Administration and City Government", of the City Code.** Section 2-26.8. of Chapter 2, "Administration and City Government", of the City Code of Ordinances, is hereby amended to read as follows:

CHAPTER 2. – ADMINISTRATION AND CITY GOVERNMENT

* * *

ARTICLE III. – BOARDS AND COMMITTEES

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Sec. 2-26.8. – Budget and Finance Committee

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(b) *Purpose.* The purpose of the committee is to provide advice and recommendations to the city commission regarding the adoption and implementation of financially sound annual budgets and investment policies. To accomplish this purpose, the committee is charged with reviewing and evaluating the draft proposed budget, the city's investments, employee pension and other retirement accounts examining ways to preserve existing revenue sources and exploring additional funding sources; giving advice to the city commission on projected earnings of investments and desirable or necessary further investments, revenue, expenditures and strategic planning (which includes analyzing existing service levels and determining sufficiency and appropriateness), and . The committee shall also review the annual comprehensive audit report. The committee shall review all projects to be funded or partially funded with general obligation bonds issued by the city and make recommendations to the city commission with regard to such projects, including the reasonableness of scope, design, construction cost, and projected operation and maintenance costs of such improvements.

(c) *Membership, terms.* Members of the committee shall be appointed as set forth in the City Charter. The city commission shall attempt to include representatives of the local business community, residents, and accounting and finance experts, in the membership of the committee. The initial appointments to the committee shall begin on the date of the first city commission meeting of the new fiscal year and shall sunset at the end after a period of three (3) of the fiscal year(s), or until a successor is appointed, whichever occurs first.

¹ Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with ~~double strikethrough~~ and double underline and are highlighted in grey. Modifications made at second reading are shaded in dark grey.

Appointments to fill any vacancy on the committee will be for ~~one (1) year~~ the remainder of the term or until replaced. Appointees to the committee shall be exempt from term limits as set forth in section 2-22. The city manager or designee may serve as an ex officio member of the committee and the clerk shall send notices to the city commissioners in September of each year requesting their nominations for the committee.

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Section 3. **Corrections.** Conforming language or technical scrivener-type corrections may be made by the City Attorney for any conforming amendments to be incorporated into the final Ordinance for signature.

Section 4. **Severability.** If any section, clause, sentence, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. **Conflicts.** That all ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 6. **Implementation.** That the City Manager and City Attorney are authorized to take any and all actions necessary to implement this Ordinance.

Section 7. **Effective Date.** This Ordinance shall become effective immediately upon adoption.

PASSED on first reading on the 15th day of October, 2024.


PASSED AND ADOPTED on second reading on the 10th day of December, 2024.

ATTEST:



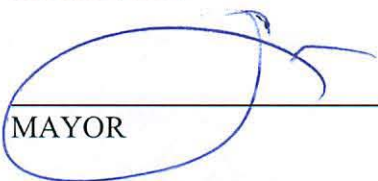
CITY CLERK

READ AND APPROVED AS TO FORM,
LANGUAGE, LEGALITY AND
EXECUTION THEREOF



WEISS SEROTA HELFMAN COLE
& BIERMAN, P.L.
CITY ATTORNEY

APPROVED:



MAYOR

COMMISSION VOTE:	5-0
Mayor Fernández:	Yea
Vice Mayor Corey:	Yea
Commissioner Calle:	Yea
Commissioner Bonich:	Yea
Commissioner Rodriguez:	Yea