

RESOLUTION NO. 2020-31429

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT ADOPTING THE FINAL AD VALOREM MILLAGE RATE OF 0.0773 MILLS FOR FISCAL YEAR 2021 FOR THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT, WHICH IS EIGHTY-NINE AND NINE TENTHS PERCENT (89.9%) LESS THAN THE "ROLLED-BACK" RATE OF 0.7666 MILLS.

WHEREAS, for the purpose of providing security services within the Normandy Shores neighborhood area, the Mayor and City Commission adopted Ordinance No. 93-2881 on October 20, 1993, which authorized the creation of the Normandy Shores Local Government Neighborhood Improvement District ("District"); and

WHEREAS, Section 200.065, Florida Statutes, specifies the method by which municipalities may fix the operating millage rate and adopt an annual budget for dependent taxing districts; and

WHEREAS, the maximum millage that can be approved by a majority (4/7th) vote is 0.8659 mills, and anything beyond this rate, up to 0.9525 mills, requires a two-thirds (5/7th) vote for Fiscal Year (FY) 2021; and

WHEREAS, on July 29, 2020, the City Commission, acting as the Board of Directors of the District, adopted Resolution 2020-31358 which set the proposed operating millage rate of the District at 0.7497 mills for the purpose of providing security services within the District for FY 2021; and

WHEREAS, at the first public hearing on September 16, 2020, in accordance with Section 200.065, Florida Statutes, the Mayor and City Commission, acting as the Board of Directors of the District, tentatively adopted the operating millage for the District of 0.7497 mills for FY 2021; and

WHEREAS, due to several questions being raised regarding the City's annual subsidy of 35% of the annual cost of the operation of the community guard gate at the first public hearing on September 16, 2020, the Mayor and Commission referred the Normandy Shores millage and budget items to the Finance and Economic Resiliency Committee (FERC) meeting on September 23, 2020 for further discussion; and

WHEREAS, at the September 23, 2020 FERC meeting an important legal issue was discovered and discussed that impacts the millage rate tentatively adopted for the District for FY 2021 as a result of Ordinance 2015-3928, which was adopted in 2015, that repealed three neighborhood districts that were no longer active and re-adopted the legislation for the Normandy Shores District because the original Ordinance was never codified in the City Code; and

WHEREAS, Ordinance 2015-3928 mistakenly codified the 1993 version that included a \$500 cap to be levied on the highest valued home in the District and not the intended 2002 version that eliminated the cap; and


WHEREAS, as a result, the City Commission will not be able to adopt the millage rate of 0.7497 that was tentatively adopted at the first public hearing on September 16, 2020; instead, the millage rate will need to be significantly decreased to 0.0773 mills in order to comply with the \$500 cap which will result in a \$155,000 loss of revenue from property tax revenue to the District and require changes to be made to the District's FY 2021 proposed budget to offset the loss of revenue from property tax revenue; and

WHEREAS, Section 200.065, Florida Statutes, requires that at the conclusion of the second public hearing on the District's proposed tax rate and budget, the City Commission adopt a final ad valorem millage rate for FY 2021; this is accomplished by adopting a Resolution which includes the percentage increase or decrease over the "rolled-back" rate.


NOW, THEREFORE, BE IT DULY RESOLVED BY THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT that, following a duly noticed public hearing on September 29, 2020, the Board hereby adopts, as amended at the September 29, 2020 public hearing, the Final Operating Millage rate of 0.0773 mills for the District for FY 2021, which is eighty-nine and nine tenths percent (89.9%) less than the "Rolled-back" rate of 0.7666 mills.

PASSED AND ADOPTED this 29th day of September, 2020.

ATTEST:



Secretary to the District




Chairperson of the District

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I, **RAFAEL E. GRANADO**, City Clerk of the City of Miami Beach, Florida, do hereby **certify** that the above and foregoing is a true and correct copy of the original thereof on file in this office.


WITNESS my hand and seal of said City this
1 day of Oct, 20 20.



Rafael E. Granado
City Clerk of the City of Miami Beach, Florida



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

9/30 2020
Date

ATTACHMENT A

FY 2021 Normandy Shores District Budget

	FY 2017 Actuals	FY 2018 Actuals	FY 2019 Actuals	FY 2020 Adopted Budget	FY 2020 Amendments	FY 2020 Amended Budget	FY 2021 Proposed Budget	\$ Variance FY 2021 Proposed vs FY 2020 Adopted	% Variance FY 2021 Proposed vs FY 2020 Adopted
REVENUES									
Residents 65%	167,050	180,050	164,450	174,000		174,000	17,900	(156,100)	-89.7%
City 35%	89,950	96,950	88,550	93,000		93,000	93,100	100	0.1%
Restitutions	1,876	6,207	595	0		0	0	0	0.0%
Miscellaneous	0	176	1,408	0		0	3,000	3,000	100.0%
Fund Balance/Retained Earnings	0	0	0	30,000	44,000	74,000	135,000	105,000	350.0%
Total	\$ 258,876	\$ 283,383	\$ 255,003	\$ 297,000	\$ 44,000	\$ 341,000	\$ 249,000	\$ (48,000)	-16.2%
EXPENDITURES									
Security Guard Services ⁽¹⁾	176,000	210,000	210,000	204,000		204,000	212,000	8,000	3.9%
Janitorial Services	0	0	1,067	4,000		4,000	4,000	0	0.0%
Gate Repairs (AAA Repairs)	20,878	22,428	19,170	25,000		25,000	20,000	(5,000)	-20.0%
Internal Service - Other Repairs	2,663	0	0	5,000		5,000	5,000	0	0.0%
Internal Service - OIG Set-Aside ⁽²⁾	0	0	0	0	0	0	1,000	1,000	100.0%
Utilities (Electricity & telephone) ⁽³⁾	1,386	1,260	1,723	2,000		2,000	7,000	5,000	250.0%
Video Camera System Upgrade	0	0	0	30,000		30,000	0	(30,000)	-100.0%
AED Guardhouse Defibrillator	0	1,404	0	0		0	0	0	0.0%
Other Expenditures ⁽⁴⁾	225	16,400	5,957	27,000	44,000	71,000	0	(27,000)	-100.0%
Total	\$ 201,152	\$ 251,493	\$ 237,917	\$ 297,000	\$ 44,000	\$ 341,000	\$ 249,000	\$ (48,000)	-16.2%
Surplus / (Gap)	\$ 57,724	\$ 31,890	\$ 17,086	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	
REQUIRED MILLAGE	1.0093	0.9564	0.8161	0.8161			0.0773	(0.7388)	-90.5%
Existing Values	173,001,492	196,441,992	209,647,105	219,807,591			233,297,993	13,490,402	6.1%
New Construction	3,058,319	1,719,766	2,458,268	3,896,854			9,459,518	5,562,664	142.7%
Total	176,059,811	198,161,758	212,105,373	223,704,445			242,757,511	19,053,066	8.5%
Value of 1 Mill	176,060	198,162	212,105	223,704			242,758	19,053	8.5%
95% of 1 Mill	167,257	188,254	201,500	212,519			230,620	18,100	8.5%

Footnotes:

⁽¹⁾ FY 2021 security guard services based on current hourly rate of \$20.71 for services provided 24 hours/day, 7 days/week, for guardhouse, plus 24.5 hours a week for a security rover and \$2,400 fee for rental of a golf cart (the hourly rate is subject to change for living wage if adopted by the City Commission for FY 2021). The cost of the roving guard and rental of golf cart is split funded between Normandy Shores (50%) via Prop Mgmt. chargeback and the Normandy Shores Golf Course (50%). The increase in security guard services is due to a \$0.63 increase in the contracted hourly rate.

⁽²⁾ Set-aside for OIG Funding based on 0.5% of budgeted contracts in accordance with Ordinance 2020-4325 adopted by the City Commission on January 15, 2020

⁽³⁾ Increase to utilities projections based on new telephone line and internet in the guardhouse (\$365 a month for internet and \$25 a month for the land line)

⁽⁴⁾ FY 2021 Other Expenditures originally included \$20,000 based on the Normandy Shores Homeowners' Association request for project to modify and widen the two entry lanes at the Biarritz guard house entrance, which was removed from the FY 2021 budget as discussed at the Finance and Economic Resiliency Committee (FERC) meeting on September 23, 2020.