RESOLUTION NO. 2022-32334

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE FINAL BUDGETS FOR THE GENERAL, G.O. DEBT SERVICE, RDA AD VALOREM TAXES, NORTH BEACH CRA AD VALOREM TAXES, ENTERPRISE, INTERNAL SERVICE, AND SPECIAL REVENUE FUNDS FOR FISCAL YEAR 2023.

WHEREAS, the City Manager's total proposed Fiscal Year (FY) 2023 operating budget, net of transfers and Internal Service Funds, is $733,114,000 including the General, General Obligation (G.O.) Debt Service, RDA Ad Valorem Taxes, North Beach CRA Ad Valorem Taxes, Enterprise, and Special Revenue Funds, as reflected in the attached Composite Exhibit "A"; and

WHEREAS, the proposed General Fund operating budget totals $382,618,000; and

WHEREAS, the proposed budgets for the G.O. Debt Service, RDA Ad Valorem Taxes, and North Beach CRA Ad Valorem Taxes are $10,437,000, $30,173,000, and $577,000, respectively; and

WHEREAS, the proposed budgets for the Enterprise Funds total $245,953,000; and

WHEREAS, the proposed budgets for the Special Revenue Funds total $140,008,000; and

WHEREAS, the proposed budgets for the Internal Service Funds, which are wholly supported by transfers from the General Fund, Enterprise Funds, the Redevelopment Districts, and Special Revenue Funds, total $122,429,000; and

WHEREAS, in order to utilize prior year fund balance/reserves to fund recurring costs for the Building and Sanitation Funds in accordance with the budgets proposed for FY 2023, the Mayor and City Commission would need to waive the City's established policy of not utilizing one-time, non-recurring revenue to fund recurring personnel, operating, and maintenance costs; and

WHEREAS, Section 932.7055 of the Florida Statutes sets forth the purpose and procedures to be utilized for the appropriation and expenditures of the Police Confiscated Trust Fund; and

WHEREAS, the proceeds and interest earned from the Police Confiscated Trust Fund are authorized to be used for crime prevention, safe neighborhoods, drug abuse education and prevention programs, or for other law enforcement purposes; and

WHEREAS, the Chief of Police is authorized to expend these funds following a request to the City of Miami Beach Commission, and only upon appropriation to the Miami Beach Police Department by the City of Miami Beach Commission; and

WHEREAS, the Chief of Police of the City of Miami Beach has submitted a written certification (attached as Exhibit "B") which states that this request complies with the provisions of Section 932.7055 of the Florida Statutes and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies; and

WHEREAS, the Police Confiscation Trust Fund budgets for FY 2023 in the amount of $156,000 shall be funded from State Confiscation Funds in the amount of $66,000 and Federal Treasury and Justice Confiscation Funds in the amount of $90,000, as reflected in the attached Exhibit "B"; and

WHEREAS, funds in the amount of $156,000 are available in the Police Confiscated Trust Funds; and

WHEREAS, the City of Miami Beach is authorized to assess $2.00 from court costs for criminal proceedings for expenditures for Criminal Justice Education degree programs and training courses for officers and support personnel of the Miami Beach Police Department pursuant to Section 938.15 of the Florida Statutes; and

WHEREAS, the Police Training and School Resources Fund is currently funded with the assessed criminal justice education expenditures for the City of Miami Beach pursuant to Section 938.15 of the Florida Statutes, in the amount of $67,000, as reflected in the attached Exhibit "C"; and

WHEREAS, the Chief of Police of the City of Miami Beach has submitted a written certification (attached as Exhibit "C") which states that this request complies with the provisions of Sections 938.15 and 943.25 of the Florida Statutes and the guidelines established by the Division of Criminal Justice Standards and Training; and

WHEREAS, the City of Miami Beach Police Department intends to utilize the $67,000 for those purposes as authorized pursuant to Section 938.15 of the Florida for education degree programs and training courses for officers and support personnel of the Miami Beach Police Department; and

WHEREAS, Section 705.105 of the Florida Statutes sets forth the procedure for unclaimed evidence which is in the custody of the Miami Beach Police Department and permanently vests in the Miami Beach Police Department sixty (60) days after the conclusion of the criminal proceeding; and

WHEREAS, $15,000 has been in the custody of the Miami Beach Police Department Property and Evidence Unit in excess of the statutory period set forth in Section 705.105 of the Florida Statutes; and

WHEREAS, said funds have vested permanently in the Miami Beach Police Department, and have now been placed in the Police Unclaimed Property Account, as provided by Resolution No. 90-19931, adopted on March 7, 1990; and

WHEREAS, the Miami Beach Police Department seeks to procure those items identified in the attached Exhibit "D" with funds in the Unclaimed Property Account Fund; and

WHEREAS, the Miami Beach Cultural Arts Council (CAC) was established by the Mayor and City Commission on March 5, 1997; and

WHEREAS, the mission of the CAC is to develop, coordinate, and promote the visual and performing arts in the City of Miami Beach for the enjoyment, education, cultural enrichment, and benefit of the residents of, and visitors to, the City of Miami Beach; and

WHEREAS, the Mayor and City Commission adopted the Cultural Arts Master Plan on June 3, 1998, identifying the following program areas for the CAC: cultural arts grants, marketing, facilities, advocacy and planning, and revenue development; and

WHEREAS, pursuant to its enabling legislation, the CAC's budget for each fiscal year shall be adopted by the Mayor and City Commission; and

WHEREAS, accordingly, the CAC recommends a $1,750,000 budget allocation for FY 2023 to continue implementation of its programs; and

WHEREAS, from January 17, 2022 through June 2, 2022, the Cultural Affairs staff and the CAC conducted its application and review process for its FY 2023 Cultural Arts Grant Programs; and

WHEREAS, grants panelists, comprised of the CAC members, yielded 51 viable applications; and

WHEREAS, the CAC, at its regular meeting on July 7, 2022, reviewed the grant panelists' recommendations and unanimously supported the recommended Cultural Arts awards totaling $821,642 for FY 2023, as more specifically identified in the "Recommended FY 2023 Funding" column in Exhibit "E," attached hereto; and

WHEREAS, the City Manager has reviewed the recommended Cultural Arts awards and concurs with same; and

WHEREAS, the Miami Beach Visitor and Convention Authority (MBVCA) was created pursuant to Chapter 67-930 of the Laws of Florida, and Sections 102-246 through 102-254 of the Code of the City of Miami Beach; and

WHEREAS, pursuant to its enabling legislation, the MBVCA's budget for each fiscal year shall be presented to the Mayor and Commission; and

WHEREAS, the MBVCA has recommended approval of the proposed work plan and budget for FY 2023, in the amount of $3,833,000, to continue implementation of its programs as shown in Exhibit "F."

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission of the City of Miami Beach, Florida hereby adopt the final budgets for the General, G.O. Debt Service, RDA Ad Valorem Taxes, North Beach CRA Ad Valorem Taxes, Enterprise, Internal Service, and Special Revenue Funds for Fiscal Year 2023 as shown in Composite Exhibit "A" (Total Revenues and Expenditures by Fund and Department), Exhibit "B" (Confiscated Trust Funds), Exhibit "C" (Police Training & School Resources Fund), Exhibit "D" (Police Unclaimed Property Account), Exhibit "E" (Cultural Arts Council Grants), and Exhibit "F" (MBVCA), and waive the City's policy of not utilizing one-time, non-recurring revenue to fund recurring personnel, operating, and maintenance costs in the Building and Sanitation Funds budgets for FY 2023.

PASSED AND ADOPTED this 28th day of September, 2022.

ATTEST:

Rafael E. Granado, City Clerk

Dan Gelber, Mayor

MIAMI BEACH INCORPORATED MARCH 26 1915

SEP 29 2022

APPROVED AS TO FORM AND LANGUAGE AND FOR EXECUTION

for City Attorney NK

9/20/2022
Date

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 29 day of SEPT, 2022.

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

MIAMI BEACH INCORPORATED MARCH 26 1915

SEP 29 2022