

RESOLUTION NO. 2023-32761

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE NINTH AMENDMENT TO THE CAPITAL BUDGET FOR FISCAL YEAR 2023 AS SET FORTH IN ATTACHMENTS A, "PROJECTS"; B, "SOURCE OF FUNDS"; AND C "PROGRAMS."

WHEREAS, on September 28, 2022, the final Capital Improvement Plan (CIP) for Fiscal Years 2023 – 2027 and the final Capital Budget for FY 2023 was adopted via Resolution No. 2022-32337; and

WHEREAS, on October 26, 2022, the First Amendment to the Capital Budget for FY 2023 was adopted via Resolution No. 2022-32381; and

WHEREAS, on November 30, 2022, the Second Amendment to the Capital Budget for FY 2023 was adopted via Resolution No. 2022-32420; and

WHEREAS, on December 14, 2022, the Third Amendment to the Capital Budget for FY 2023 was adopted via Resolution No. 2022-32446; and

WHEREAS, on February 1, 2023, the Fourth Amendment to the Capital Budget for FY 2023 was adopted via Resolution No. 2022-32482; and

WHEREAS, on February 22, 2023, the Fifth Amendment to the Capital Budget for FY 2023 was adopted via Resolution No. 2023-32512; and

WHEREAS, on March 27, 2023, the Sixth Amendment to the Capital Budget for FY 2023 was adopted via Resolution No. 2023-32547; and

WHEREAS, on June 28, 2023, the Seventh Amendment to the Capital Budget for FY 2023 was adopted via Resolution No. 2023-32668; and

WHEREAS, on July 26, 2023, the Eighth Amendment to the Capital Budget for FY 2023 was adopted via Resolution No. 2023-32713; and

WHEREAS, it is recommended by the Administration that the FY 2023 Capital Budget be amended to increase appropriations by \$5,048,546 as highlighted in Attachments A, "Projects"; B, "Source of Funds"; and C, "Programs."

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that following a duly noticed public hearing on September 13, 2023, the Mayor and City Commission hereby adopt the Ninth Amendment to the Capital Budget for Fiscal Year 2023 as set forth in Attachments A, "Projects"; B, "Source of Funds"; and C, "Programs."


PASSED AND ADOPTED this 13th day of September 2023.

ATTEST:



Rafael E. Granado, City Clerk


SEP 20 2023



Dan Gelber, Mayor



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney PAZ

9-5-23

Date

**ATTACHMENT A
FY 2023 CAPITAL BUDGET
PROJECTS
AMENDED 9/13/2023**

| Capital Project Name | Amended FY 2023 Capital Budget | Amended 9/13/2023 | Revised Capital Budget |
|---|--------------------------------------|------------------------|---------------------------|
| Bayshore Park (Project # 26270) | 27,090,190.00 | (4,466,105.00) | 22,624,085.00 |
| GO #15: Par 3/Bayshore Park (Project # 26319-21519) | 15,700,000.00 | 4,466,105.00 | 20,166,105.00 |
| GO #45: Fire Station #1 (Project # 28319-22119) | 4,000,000.00 | 1,746,058.00 | 5,746,058.00 |
| Fire Station #1: New Facility (Project # 22822) | 4,300,000.00 | 3,302,488.00 | 7,602,488.00 |
| | | | |
| Total | \$ 51,090,190.00 | \$ 5,048,546.00 | \$ 56,138,736.00 |

NOTE:

This amendment addresses the funding gap for the Fire Station #1 project by releasing \$4,466,105 of Capital Reserve funds from the Bayshore Park project #26270. The GO #15 Bayshore Park project #26319-21519 would receive \$4,466,105 from the available GOB Parks Fund, therefore keeping this project fully funded. \$3,302,488 of the Capital Reserve funds, that would be released, are recommended to be appropriated to the Fire Station # 1 project # 22822.

**ATTACHMENT B
FY 2023 CAPITAL BUDGET
SOURCE OF FUNDS
AMENDED 9/13/2023**

| Funding Source | Amended FY 2023 Capital Budget | Amended 9/13/2023 | Revised Capital Budget |
|---|--------------------------------------|------------------------|---------------------------|
| Transportation Fund | \$ 2,637,000.00 | - | \$ 2,637,000.00 |
| Resiliency Fund | (5,564,869.00) | - | (5,564,869.00) |
| Capital Renewal & Replacement | 1,913,000.00 | - | 1,913,000.00 |
| 7th Street Garage | 4,754,000.00 | - | 4,754,000.00 |
| Concurrency Mitigation Fund | 2,402,000.00 | - | 2,402,000.00 |
| South Point Operations | 82,481.00 | - | 82,481.00 |
| Local Option Gas Tax | 845,000.00 | - | 845,000.00 |
| Half Cent Transit Surtax-County | 453,000.00 | - | 453,000.00 |
| Capital Projects Financed By Other Funds | 1,000,000.00 | - | 1,000,000.00 |
| Pay As You Go - Capital Fund | 31,912,603.00 | - | 31,912,603.00 |
| Capital Reserve | 6,382,000.00 | (1,163,617.00) | 5,218,383.00 |
| Resort Tax - South Beach | 2,861,551.00 | - | 2,861,551.00 |
| Resort Tax - Mid Beach | 2,554,013.00 | - | 2,554,013.00 |
| Resort Tax - North Beach | 219,000.00 | - | 219,000.00 |
| RDA Series 2015A | 1,998,000.00 | - | 1,998,000.00 |
| MDC ILA Construction of Library | 961,262.00 | - | 961,262.00 |
| 1999 GO Bonds Fire Safety | 43,000.00 | - | 43,000.00 |
| South Pointe RDA | 979,112.00 | - | 979,112.00 |
| 2001 Gulf Breeze - Normandy Golf | 27,000.00 | - | 27,000.00 |
| 2003 GO Bonds Fire Safety | 34,033.00 | - | 34,033.00 |
| 2003 GO Bonds Parks & Rec | 54,039.00 | - | 54,039.00 |
| South Pointe Capital | 31,150.00 | - | 31,150.00 |
| 2019 GO Bonds – Parks | - | 4,466,105.00 | 4,466,105.00 |
| 2019 GO Bonds – Public Safety | - | 1,746,058.00 | 1,746,058.00 |
| 2023A GO Bonds – Arts & Culture (Tax-exempt) | 47,665,000.00 | - | 47,665,000.00 |
| 2023B GO Bonds – Arts & Culture (Taxable) | 54,035,000.00 | - | 54,035,000.00 |
| Water & Sewer Projects funded from Operations | 10,334,000.00 | - | 10,334,000.00 |
| 2017 Water & Sewer Bonds | 88,559.00 | - | 88,559.00 |
| Water & Sewer Bond Series 2010 | 4,497.00 | - | 4,497.00 |
| Water & Sewer Impact Fees | 126,316.00 | - | 126,316.00 |
| Gulf Breeze 2006 | 111,736.00 | - | 111,736.00 |
| 2000 Water & Sewer Bonds | 244,230.00 | - | 244,230.00 |
| 2000 Storm Water Bonds | 23,053.00 | - | 23,053.00 |
| 2017 Storm Water Bonds | 2,107,610.00 | - | 2,107,610.00 |
| 2011 Storm Water Bonds | 107,809.00 | - | 107,809.00 |
| 2015 Storm Water Bonds | 1,410,597.00 | - | 1,410,597.00 |
| Storm Water Capital not Bonds | 5,145,800.00 | - | 5,145,800.00 |
| Sanitation Enterprise Fund | 696,000.00 | - | 696,000.00 |
| Convention Center Operating Fund | 545,503.00 | - | 545,503.00 |
| Convention Center Renewal & Replacement | 3,196,000.00 | - | 3,196,000.00 |
| RDA Garages | 243,000.00 | - | 243,000.00 |
| Penn Garage Fund | 435,000.00 | - | 435,000.00 |
| 1997 Parking Revenue Bonds | 54,405.00 | - | 54,405.00 |
| 2010 Parking Bonds | 172,234.00 | - | 172,234.00 |
| Parking Capital not Bonds | 4,544,766.00 | - | 4,544,766.00 |
| Fleet Management | 7,836,000.00 | - | 7,836,000.00 |
| Property Management | 287,000.00 | - | 287,000.00 |
| Total Appropriation as of 9/13/2023 | \$ 195,992,490.00 | \$ 5,048,546.00 | \$ 201,041,036.00 |

NOTE:

This amendment addresses the funding gap for the Fire Station #1 project by releasing \$4,466,105 of Capital Reserve funds from the Bayshore Park project #26270. The GO #15 Bayshore Park project #26319-21519 would receive \$4,466,105 from the available GOB Parks Fund, therefore keeping this project fully funded. \$3,302,488 of the Capital Reserve funds, that would be released, are recommended to be appropriated to the Fire Station # 1 project # 22822.

**ATTACHMENT C
FY 2023 CAPITAL BUDGET
PROGRAMS**

| Program Area | Amended FY 2023 Capital Budget | Amended 9/13/2023 | Revised Capital Budget |
|---|--------------------------------------|------------------------|---------------------------|
| Bridges | 3,000,000.00 | - | 3,000,000.00 |
| Convention Center | 1,998,000.00 | - | 1,998,000.00 |
| Cultural Services | 70,575,000.00 | - | 70,575,000.00 |
| Environmental | 327,000.00 | - | 327,000.00 |
| Equipment | 7,454,893.00 | - | 7,454,893.00 |
| General Public Buildings | 14,506,000.00 | 5,048,546.00 | 19,554,546.00 |
| Golf Courses | 13,461,000.00 | (4,466,105.00) | 8,994,895.00 |
| Housing & Urban Development | 4,000,000.00 | - | 4,000,000.00 |
| Parking | 2,507,405.00 | - | 2,507,405.00 |
| Parking Garages | 4,709,000.00 | - | 4,709,000.00 |
| Parking Lots | 150,000.00 | - | 150,000.00 |
| Parks | 43,850,301.00 | 4,466,105.00 | 48,316,406.00 |
| Renewal & Replacement | 10,537,224.00 | - | 10,537,224.00 |
| Other Cultural / Recreation | 2,920,000.00 | - | 2,920,000.00 |
| Streets/Sidewalks/Streetscapes Improvements | (376,842.00) | - | (376,842.00) |
| Transit/ Transportation | 5,421,743.00 | - | 5,421,743.00 |
| Utilities | 10,951,766.00 | - | 10,951,766.00 |
| Total Appropriation as of 9/13/2023 | \$ 195,992,490.00 | \$ 5,048,546.00 | \$ 201,041,036.00 |

NOTE:

This amendment addresses the funding gap for the Fire Station #1 project by releasing \$4,466,105 of Capital Reserve funds from the Bayshore Park project #26270. The GO #15 Bayshore Park project #26319-21519 would receive \$4,466,105 from the available GOB Parks Fund, therefore keeping this project fully funded. \$3,302,488 of the Capital Reserve funds, that would be released, are recommended to be appropriated to the Fire Station # 1 project # 22822.

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Alina T. Hudak, City Manager
DATE: September 13, 2023

2:10 p.m. Public Hearing

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE NINTH AMENDMENT TO THE CAPITAL BUDGET FOR FISCAL YEAR 2023 AS SET FORTH IN ATTACHMENTS A, "PROJECTS"; B, "SOURCE OF FUNDS"; AND C "PROGRAMS."

RECOMMENDATION

See attached memorandum

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

See attached memorandum

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

Yes

Strategic Connection

Organizational Innovation - Ensure strong fiscal stewardship.

Legislative Tracking

Office of Management and Budget

ATTACHMENTS:

Description

- Memo - 9th Capital Budget Amendment for FY 2023

▫ Resolution

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Honorable Mayor Dan Gelber and Members of the City Commission

FROM: Alina T. Hudak, City Manager

DATE: September 13, 2023

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE NINTH AMENDMENT TO THE CAPITAL BUDGET FOR FISCAL YEAR 2023 AS SET FORTH IN ATTACHMENTS A, "PROJECTS"; B, "SOURCE OF FUNDS"; AND C "PROGRAMS."**

STRATEGIC PLAN SUPPORTED

Organizational Innovation – Ensure strong fiscal stewardship

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

BACKGROUND

Planning for capital improvements is an ongoing process; as needs change within the City of Miami Beach (the "City"), capital programs and priorities must be adjusted accordingly. The Capital Improvement Plan (CIP) serves as the primary planning tool for systematically identifying, prioritizing, and assigning funds to critical City capital development, improvements, and associated needs.

The City's CIP process begins in the spring when all departments are asked to prepare capital improvement updates and requests on the department's ongoing and proposed capital projects. Individual departments prepare submittals identifying potential funding sources and requesting commitment of funds for their respective projects.

The CIP is updated annually and submitted to the City Commission for adoption. The Fiscal Year (FY) 2023 – 2027 Capital Improvement Plan and FY 2023 Capital Budget was adopted on September 28, 2022 by Resolution No. 2022-32337.

The First Amendment to the FY 2023 Capital Budget was adopted on October 26, 2022 by Resolution No. 2022-32381.

The Second Amendment to the FY 2023 Capital Budget was adopted on November 30, 2022 by Resolution No. 2022-32420.

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NINTH AMENDMENT TO THE FY 2023 CAPITAL BUDGET

FIRE STATION 1

The scope of this project involves the replacement of the deteriorated Fire Station #1 facility with a new and larger building in a location that expands emergency coverage in South Beach.

On January 15, 2020, pursuant to Request for Qualifications (RFQ) No. 2019-370-ND, the Mayor and City Commission adopted Resolution No. 2020-31112 approving and authorizing the Mayor and City Clerk to execute an agreement with Kaufman Lynn Construction, Inc. (Kaufman Lynn) as Construction Manager at Risk, for the construction of the new Fire Station #1 Facility to be located at the South Shore Community Center, 833 6th Street, in the Flamingo Park Neighborhood (Fire Station). Construction at this location requires the demolition of the existing South Shore Community Center which currently houses the Rainbow Intergenerational Learning Center (Rainbow Learning Center or Daycare).

On March 15, 2023, the Mayor and City Commission adopted Resolution No. 2023-32519, authorizing the Mayor and City Clerk to execute Amendment 1 to the agreement with Kaufman Lynn for preconstruction services to include the relocation of the Daycare currently located at the Fire Station site, to the temporary location in Flamingo Park Amendment No. 1 also included additional preconstruction services to incorporate the structural and electrical infrastructure to support the Apollo Mural's installation on the facade of the Fire Station.

In April 2023, the Mayor and City Commission adopted Resolution No. 2023-32520, to amend the agreement with the Architectural and Engineering consultant Wannemacher Jensen Architects, Inc. (WJA) to include additional Architectural and Engineering services for the structural and electrical infrastructure required to accommodate the future installation of the 92' wide by 17' high Apollo Mural by artist Jack Stewart. The Apollo Mural was donated to the City by a developer as a condition to Historic Preservation Board (HPB) approval of their request for modifications to their private development project and the inclusion of the mural in the Fire Station project was championed by Commissioner Fernandez. The design depicting the apollo Mural on the façade of the Fire Station was approved by the HPB during the July 2023 meeting.

On August 7, 2023, Kaufman Lynn submitted the first draft of the Guaranteed Maximum Price (GMP) proposal for the construction of the Fire Station, the Daycare facility and the Mural infrastructure. Following several negotiation sessions, discussions, and evaluation of value-engineering options, Kaufman Lynn submitted the final negotiated GMP. The proposal for the Fire Station exceeds the independent estimate of probable construction cost submitted by WJA, which does not include the Daycare Facility or the Apollo Mural infrastructure.

The GMP proposal submitted by Kaufman Lynn is the result of competitive bids from sub-contractors and vendors. Kaufman Lynn cites local trends in inflation, projected cost escalation, changes in the design required for HPB approval, and structural and site design requirements specific to the locality, as triggers for observed increase in construction cost. Changes in the scope of work include historical elements from the SSCC retained and incorporated or duplicated as a part of the new facility, additional work in the right of way to include improvements on Meridian Avenue, 6th Street and Jefferson Avenue to harmonize with existing conditions, and improvements along property lines to the north of the site to harmonize with neighboring properties.

Considering the volatility of the construction industry, the Administration finds that the final GMP is competitive, fair and reasonable for the construction of the Fire Station Project, the Daycare Facility and the structural and electrical infrastructure for the future installation of the Mural. As a result of these cost escalations and scope changes, additional funding, in the amount of \$5,048,546, is needed to fully fund this project. Of this total:

- i. \$3,783,616 is due to increased costs for materials and labor for the fire station, including electrical and concrete materials.
- ii. \$753,633 reflects increased costs related to the daycare component of this project for the inclusion of utility (sanitary and electrical) improvements, as well as increases in the modular structures due to design and architectural improvements required by the HPB and the metal canopy extensions requested by the HPB.
- iii. \$511,297 will be used for the infrastructure for the future installation of the Apollo Mural. Although negotiations are still ongoing, it is expected that the cost of Apollo Mural will be reimbursed by the developer.

In order to close this budget gap, the Administration recommends the following funding strategy:

- Release Capital Reserve funds from an existing project in order to make these funds available to close the budget gap in the Fire Station project (*Capital Reserve funds are restricted to fund budget gaps in existing projects*)
- Replace funding in the project noted above with another available funding source in order to leave this project fully funded
- Use Capital Reserve funds released above to fund budget gap in Fire Station #1 project

The Administration recommends executing this strategy, as further detailed below.

1. GO #45: Fire Station #1 aka Fire Station #1: New Facility

Funding, in the amount of \$1,746,058, for this proposed amendment would come from interest income that has accrued in the 2019 G.O. Bond Public Safety fund (Fund 392) for the G.O. Bond-funded portion of this project (28319).

The remaining \$3,302,488 of funding would come from the Capital Reserve fund (Fund 304) based on the funding that would become available as a result of item #2 recommended below.

| | |
|--|--------------------|
| Prior Years' Appropriations (28319) | \$4,000,000 |
| 2019 G.O. Bond Public Safety fund (Fund 392) | 1,746,058 |
| Proposed Total Appropriation | \$5,746,058 |

| | |
|-------------------------------------|--------------------|
| Prior Years' Appropriations (22822) | \$4,300,000 |
| Capital Reserve fund (Fund 304) | 3,302,488 |
| Proposed Total Appropriation | \$7,602,488 |

2. GO #15: Par 3/Bayshore Park

Funding for this proposed amendment, in the amount of \$4,466,105, would be returned to the Capital Reserve (Fund 304) previously appropriated to this project (26270).

Simultaneously, funding in the amount of \$4,466,105, would be appropriated to this project from interest income that has accrued in the G.O. Bond Parks (Fund 391) for the G.O. Bond-funded portion of this project (26319). This will leave the Bayshore Park project fully funded.

| | |
|--|---------------------|
| Prior Years' Appropriations (26270 & 26319) | \$42,790,190 |
| Capital Reserve fund (Fund 304) (26270) | (4,466,105) |
| 2019 G.O. Bond Parks fund (Fund 391) (26319) | 4,466,105 |
| Proposed Total Appropriation | \$42,790,190 |

ATH/JDG/TOS