

RESOLUTION NO. 2023-32773

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACTING IN ITS CAPACITY AS THE GOVERNING BODY OF THE BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT, ADOPTING THE OPERATING BUDGET FOR THE BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT FOR FISCAL YEAR 2024.

WHEREAS, the Mayor and Commission of the City of Miami Beach (“City”) and Miami-Dade County (“County”) approved the creation of the Biscayne Point Security Guard Special Taxing District (“District”) pursuant to City Resolution No. 90-19919 and County Ordinance No. 90-52, as amended by City Resolution No. 2006-26201 and County Ordinance No. 07-62, to provide 24-hour security guard service to Biscayne Point; and

WHEREAS, the District is located entirely within the City, and Section 18-3.1 of the Code of Miami-Dade County provides that for a special taxing district located entirely within municipal boundaries, the County may designate the governing body of the municipality as the governing body of the special taxing district, subject to a majority vote of the qualified electors residing in the district; and

WHEREAS, a special election was conducted within the District on January 23, 2018, which resulted in the approval of the transfer of control of the District from the County to the City by a majority vote of the qualified electors residing in the District; and

WHEREAS, on February 14, 2018, the Mayor and City Commission adopted Resolution No. 2018-30185, expressing the City’s intent to use the uniform method for collecting non-ad valorem assessments to be levied within the District, for the purpose of continued operation and maintenance of the District, including but not limited to, the making of infrastructure and security improvements, as authorized by Section 197.3632, Florida Statutes; and

WHEREAS, for the purpose of providing security services requested by the District, the attached budget has been developed to fund projected Fiscal Year (FY) 2024 operating expenditures.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, that the Mayor and City Commission, acting in its capacity as the governing body of the Biscayne Point Security Guard Special Taxing District, hereby adopt the FY 2024 operating budget for the Biscayne Point Security Guard Special Taxing District, as summarized below:

<u>Revenues</u>	
Non-Ad Valorem Assessments	\$ 341,000
Total	\$ 341,000
<u>Expenditures</u>	
Contracted Security Services for District	280,200
CMB Internal Service Charges and Fees	20,000
Guardhouse Repairs and Preventive Maintenance	16,400

Guardhouse Utilities (Water, Sewer, Storm Water, Electricity, etc.)	8,800
Contingencies (based on budgeted collection allowance)	7,000
Set-aside for Reserve	7,000
Advertising and Mailing Services for Required Notice of Public Hearing	1,600
Total	<u>\$ 341,000</u>

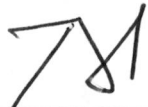
PASSED AND ADOPTED this 13th day of September 2023.

ATTEST:



Dan Gelber, Mayor

SEP 20 2023



Rafael E. Granado, City Clerk



APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION


for City Attorney NK

8/25/23
Date

MIAMI BEACH

COMMISSION MEMORANDUM

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

5:06 p.m.

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACTING IN ITS CAPACITY AS THE GOVERNING BODY OF THE BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT, ADOPTING THE OPERATING BUDGET FOR THE BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT FOR FISCAL YEAR 2024.

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?

No

Strategic Connection

Organizational Innovation - Ensure strong fiscal stewardship.

Legislative Tracking

Office of Management and Budget

ATTACHMENTS:

Description

- Memo - FY2024 Biscayne Point Budget
- 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, ACTING IN ITS CAPACITY AS THE GOVERNING BODY OF THE BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT, ADOPTING THE OPERATING BUDGET FOR THE BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT FOR FISCAL YEAR 2024.**

STRATEGIC PLAN SUPPORTED

Organizational Innovation – Ensure strong fiscal stewardship

ADMINISTRATION RECOMMENDATION

Adopt the Resolution which establishes the operating budget for the Biscayne Point Security Guard Special Taxing District ("District") for Fiscal Year (FY) 2024 in the amount of \$341,000, subject to adoption of the non-ad valorem assessment roll of \$1,042.81, per Residential Unit, for the cost of continued operation and maintenance of the District, including but not limited to the making of infrastructure and security improvements.

BACKGROUND

In 1990, the Mayor and City Commission of the City of Miami Beach and the Miami-Dade County Board of County Commissioners approved the creation of a Special Taxing District pursuant to City Resolution No. 90-19919 and County Ordinance No. 90-52 to provide 24-hour security guard service to Biscayne Point. Thereafter, in 2006 and 2007, respectively, the City's Mayor and City Commission and the Miami-Dade County Board of County Commissioners approved an amendment to the Special Taxing District in City Resolution No. 2006-26201 and County Ordinance No. 07-62 to provide for increased services, including the installation of cameras and a recording device in the guardhouse.

Pursuant to a Miami-Dade County Charter Amendment approved by the electorate on November 8, 2016, County Ordinance No. 16-14 was given effect which created a new Section 18-3.1 in the Miami-Dade County Code. This new County Code section provided, in part, that by joint resolutions of the Board of County Commissioners and the governing body of a municipality, the governing body of a municipality may be designated as the governing body of an existing Special Taxing District located entirely within the boundaries of such municipality, subject to a majority vote of the qualified electors residing in the Special Taxing District at an election called by and conducted as

provided by the Board of County Commissioners and with the County Tax Collector and Property Appraiser would be needed to effectuate a transfer of control.

On January 23, 2018, the voters of the District approved the transfer of control of the Security Guard Special Taxing District to the City. As a result of this vote, and pursuant to the terms of the Transfer Agreement executed between Miami-Dade County and the City of Miami Beach, the City became the governing body of the Special Taxing District, as no contest of the election was filed pursuant to Section 102.168 of the Florida Statutes.

The City of Miami Beach intends to use the uniform method for collecting Non-Ad Valorem assessments for the provision of continued operation and maintenance of the Special Taxing District, including but not limited to, the making of infrastructure and security improvements as authorized by Section 197.3632, Florida Statutes, because this method will allow such special assessments to be collected annually.

PROCEDURE

The non-ad valorem assessment roll and operating budget for this District must be adopted in accordance with Florida Statutes. This procedure requires that this Resolution be considered immediately after the non-ad valorem assessment roll for the District has been adopted (see accompanying Non-Ad Valorem Assessment Roll agenda item for details).

PROPOSED BUDGET

The proposed budget for the Biscayne Point Security Guard Special Taxing District, which includes additional funding of \$96,400 for security guard services and one-time funding of \$10,000 for the purchase and installation of new slider doors in the guardhouse requested by the District, is \$341,000, as summarized below and further detailed in Attachment A. This represents a 53.6%, or \$119,000, increase from the adopted FY 2023 budget of \$222,000.

Expenditures in FY 2024 Budget		\$
Contracted Security Services for District		280,200
CMB Internal Service Charges and Fees		20,000
Guardhouse Repairs and Preventive Maintenance		18,400
Guardhouse Utilities (Water, Sewer, Storm Water, Electricity, etc.)		8,800
Contingencies (based on budgeted collection allowance)		7,000
Set-aside for Reserve		7,000
Advertising and Mailing Services for Required Notice of Public Hearing		1,600
Total		\$ 341,000

In order to provide the level of service requested by the District, an assessment of \$1,042.41, per Residential Unit, is proposed for real property located within the boundaries of the District commencing FY 2024, which will fund the proposed budget. The proposed non-ad valorem assessment is \$360.78, or 52.9%, more than the non-ad valorem assessment of \$682.03, per Residential Unit, that was adopted for FY 2023 and would generate approximately \$341,000.

CONCLUSION

The City Commission, acting in its capacity as the governing body of the Biscayne Point Security Guard Special Taxing District, should adopt the Resolution which adopts the operating budget of \$341,000 for the Biscayne Point Security Guard Special Taxing District for FY 2024.

Attachment A – Biscayne Point Budget

ATH/JG/TOS

ATTACHMENT A

FY 2024 Biscayne Point Special Taxing District Budget							
	FY 2020 Actuals (CITY OF MIAMI BEACH)	FY 2021 Actuals (CITY OF MIAMI BEACH)	FY 2022 Actuals (CITY OF MIAMI BEACH)	FY 2023 Adopted Budget (CITY OF MIAMI BEACH)	FY 2023 Proposed Budget (CITY OF MIAMI BEACH)	\$ Variance FY 2024 Proposed vs FY 2023 Adopted	% Variance FY 2024 Proposed vs FY 2023 Adopted
REVENUES							
Special Assessments	229,394	213,699	218,468	220,000	221,000	114,300	52.0%
Special Assessment Collection Allowance	0	0	0	2,000	0	(2,300)	-100.0%
Special Assessments Miami-Dade County Collection Allowance	0	0	0	0	7,000	7,000	100.0%
Fund Balance/Retained Earnings	0	0	0	0	0	0	0.0%
Interest/Other	166	38	182	0	0	0	0.0%
Total	\$ 229,560	\$ 213,737	\$ 218,650	\$ 222,000	\$ 228,000	\$ 119,000	53.6%
EXPENDITURES							
Utilities (Water, Sewer, Storm Water, Electricity) ⁽¹⁾	4,596	4,831	10,345	9,000	9,000	1,100	20.8%
Utilities (Telephone)	0	1,600	1,765	2,000	2,000	600	33.3%
Janitorial Services ⁽²⁾	3,852	1,126	1,175	2,000	6,000	200	16.7%
Repairs & Maintenance ⁽³⁾	11,645	2,081	21,976	9,000	20,000	10,000	200.0%
Security Camera System Upgrade	17,194	0	0	0	0	0	0.0%
Security Guard Services ⁽⁴⁾	175,419	181,449	184,223	170,000	200,000	96,400	52.4%
Advertising ⁽⁵⁾	0	0	1,120	1,000	1,000	0	0.0%
Contingencies	0	0	0	2,000	2,000	4,700	204.3%
Property Management Internal Service Charges ⁽⁶⁾	30,000	27,100	20,700	20,000	20,000	(1,000)	-5.0%
OIG Internal Service Charges ⁽⁷⁾	0	0	1,000	1,000	1,000	0	0.0%
Transfer to Reserve ⁽⁸⁾	0	0	0	0	7,000	7,000	0.0%
Total	\$ 242,506	\$ 218,186	\$ 241,804	\$ 225,000	\$ 249,000	\$ 119,000	53.8%
Surplus / (Shortfall)	\$ (12,946)	\$ (4,450)	\$ (23,154)	\$ 0	\$ 0	\$ 0	0
Number of Units (per Miami-Dade County Property Appraiser) ⁽⁹⁾	325 00	326 50	326 00	325 00	327 00	1 50	0 5%
\$ Assessment Rate/Unit	\$ 686.15	\$ 676.88	\$ 684.05	\$ 692.00	\$ 761.80	\$ 360.78	52.9%

Footnotes:

- ⁽¹⁾ Utility costs based on the following: Electricity - Based on current year projection; Telephone - Based on department's anticipated needs due to increased monthly charges; Storm Water - Based on current year projection plus a 9.9% CPI increase; Water and Sewer - based on current year projections plus 5.48% and 2.35% rate increases, respectively, that were approved by Ordinance.
- ⁽²⁾ FY 2024 janitorial services based on department request (current contract expires May 2024, which may result in an increase in the rates for services provided).
- ⁽³⁾ FY 2024 repairs and maintenance budget based on Facilities and Fleet Management's projection for preventive and corrective maintenance - FY 2022 actuals was \$21,976
- ⁽⁴⁾ FY 2024 security guard cost based on current year projection for security guard services, plus \$80,000 requested by the Biscayne Point Special Taxing District for additional security guard services (includes applicable citywide increase in living wage of 3% proposed for FY 2024)
- ⁽⁵⁾ Advertising budget based on current year projection for required advertising of public hearing to adopt annual assessment roll.
- ⁽⁶⁾ Includes approximately 16.7% of the split-funded Administrative Officer position and indirect costs associated with the operations of the Special Taxing District based on an updated Full Cost Allocation Study completed by a third-party consultant (1.36% of adjusted budget). This includes a 2.0% merit, 3% COLA, and a 10% increase over the FY 2023 projection for Health and Life Insurance, as well as proportionate share of pension costs for portion of full-time Administrative Officer position funded by Special Taxing District.
- ⁽⁷⁾ Based on the Office of the Inspector General's FY 2024 budget and internal services allocations for FY 2024
- ⁽⁸⁾ FY 2024 Transfer to Reserve of \$7,000 budgeted to offset negative fund balance of \$7,035 projected as of September 30, 2023
- ⁽⁹⁾ FY 2024 units based on Non-Ad Valorem Assessment roll provided by the Miami Dade Property Appraiser on June 1, 2023.