

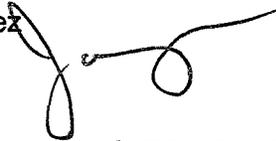


MIAMI BEACH

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

COMMITTEE MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: City Manager Jorge M. Gonzalez 

DATE: October 14, 2009

SUBJECT: **REPORT OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE MEETING OF September 24, 2009.**

OLD BUSINESS

NEW BUSINESS

1. Discussion of an opportunity to achieve a tax-exempt financing for new capital projects for the water and wastewater system and to refund outstanding debt related to the City's water & wastewater system, stormwater utility and parking system by borrowing funds from the Gulf Breeze, Florida Local Government Loan Program.

ACTION

The Committee recommended borrowing funds from the Gulf Breeze, Florida Local Government Loan Program, granting a waiver to allow Richard Montalbano to serve as remarketing agent, and that the City engage Sonya C. Little as our the City's Financial Advisor.

Chief Financial Officer Patricia Walker presented the item and gave a detailed synopsis of the memo.

The City has the opportunity to achieve a tax-exempt financing for new capital projects for the Water and Wastewater System and to refund outstanding debt related to the City's Water & Wastewater System, Stormwater Utility and Parking System by borrowing funds from the Gulf Breeze, Florida Local Government Loan Program (Loan Program). The Administration recommends granting a waiver to allow Richard Montalbano, Managing Director for RBC Capital Markets who currently represents the City as Financial Advisor; to serve as remarketing agent to the City of Gulf Breeze Florida Local Government Loan Pool for fixed rate bonds since 1999. Additionally, Mr. Montalbano will provide the City with full disclosure regarding the proposed change in his role from financial advisor to underwriter for this transaction. Chairman Saul Gross asked if Mr. Montalbano's role was bid via a Request for Qualification (RFQ). Ms. Walker stated that a Request for Proposal (RFP) was issued for the role of financial advisor and Mr. Montalbano was chosen approximately two (2) years ago. The Administration also

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recommends that the City engage Sonya C. Little, Managing Director, Public Resources Advisory Group as our financial advisor for this transaction. Conversation ensued. The Committee agreed with the Administrations recommendations.

2. Follow up on July Budget Briefings – Fire Rescue collections analysis

ACTION

Staff is to provide the percentage of residents who are over 65, who are not insured and do not pay.

Fire Chief Eric Yuhr presented and gave a brief history of the item.

Fire Chief Yuhr stated that billing could be separated between residents and non-residents. In 2008, 55% of transports were for residents and 45% were non-residents. Fire Chief Yuhr also stated that two billing notices are sent but the City does not send anyone to collections for non-payment. If collections are pursued for non-residents, the expected increase in return is approximately 7 to 9 %. Conversation ensued. Commissioner Jerry Libbin asked staff for the percentage of residents who are over 65, who are not insured and do not pay.

3. Discussion regarding possible funding sources and strategies that the City may employ to assist condominiums in Miami Beach

ACTION

No Action Required

The Administration has not yet identified any specific strategies being employed by other governmental entities to specifically assist condominiums, rather than individual condominium owners with issues related to foreclosure.

4. Discussion regarding unarmed security guard services contract with Security Alliance.

ACTION

The Committee asked staff to analyze City contracts subject to the Living Wage Ordinance, gather information from other entities who have adopted or amended their living wage ordinance, prepare a sensitivity analysis on various alternatives of adjusting the pay scale, and asked that this information be brought back to the December 15th meeting to see if the Committee feels the contract should be put out to bid.

Procurement Director Gus Lopez presented the item and gave a brief history of the item.

Chairman Saul Gross asked City Manager Jorge Gonzalez what his recommendation would be when the contract with Security Alliance expires April 30, 2010. City Manager Jorge Gonzalez stated that as of now, Security Alliance is performing well; the reason to put this out to bid would be if the City could get a lower rate.

Commissioner Jerry Libbin asked why the pay increase was not administered timely. Bill

Murphy, Vice President of Security Alliance, stated that this was an oversight. Discussion ensued on analyzing and adjusting the living wage, and security guards voiced their concerns. Chairman Gross asked if Security Alliance has a training program. Mr. Murphy stated that there is a training program in place, including company training and on-site training. The Committee asked staff to analyze City contracts subject to the Living Wage Ordinance, gather information from other entities who have adopted or amended their living wage ordinance, and prepare a sensitivity analysis on various alternatives of adjusting the pay scale.

5. Discussion regarding an ordinance amending Chapter 70 of the Miami Beach City Code entitled "Miscellaneous Offenses"

ACTION

The Committee recommended amending Chapter 70 of the Miami Beach City Code entitled "Miscellaneous Offenses".

City Attorney Jose Smith presented the item and gave a brief history of the item.

The City Attorney's Office has identified three (3) distinct areas of the False Claims Ordinance, which should be amended to allow the City of Miami Beach or other third parties, to bring civil causes of action for the presentation of these false claims to the City of Miami Beach. The Committee recommended amending the ordinance.

6. Discussion regarding the economic impact of waiving the \$50 Party Reservation Fee at Normandy and Flamingo Pool for income eligible Miami Beach Residents.

ACTION

The Committee recommended using the verification process in place for scholarships/fee waivers, including the sliding scale level of waiver depending on the proof of eligibility provided and in cases where waivers are requested, the \$50.00 fee will be a refundable deposit, all or portions of which would be returned to the resident following their party (depending on the percentage of waiver provided).

Parks & Recreation Director Kevin Smith presented the item.

The Committee recommends using the verification process in place for scholarships/fee waivers, including the sliding scale level of waiver depending on the proof of eligibility provided and in cases where waivers are requested, the \$50.00 fee will be a refundable deposit, all or portions of which would be returned to the resident following their party (depending on the percentage of waiver provided).

7. Miami Beach Botanical Garden

ACTION

The Committee supports the direction of the Draft Basis of Design Report (BODR), subject to being finalized by internal City review, and analysis of costing.

CIP Director Charles Carreno presented the item and gave a brief history of the Botanical Garden project. Mr. Carreno then went on to introduce Andres Arcila of

Raymond Jungles Inc., who is the consultant for the project.

Mr. Arcila presented the revised master plan. Chairman Saul Gross suggested that Raymond Jungles Inc. get in contact with Ameresco to discuss possible energy conservation methods/techniques. Chairman Gross asked how much of the existing landscaping will be retained. Mr. Arcila stated that almost all of the large vegetation will be kept while minimizing moving plants with the majority of the costs resulting from the hardscape and creation of the water features. Conversation ensued. Mr. Arcila then presented the proposed implementation phases. The Committee supports the direction of the Draft Basis of Design Report (BODR), subject to being finalized by internal City review, and analysis of costing.