



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: June 9, 2010

SUBJECT: **REPORT OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE MEETING OF April 29, 2010.**

OLD BUSINESS

NEW BUSINESS

1. Discussion regarding the process for City of Miami Beach License Renewals, including notices provided to license holders

ACTION

The Committee recommended sending postcards in lieu of the 8.5" by 11" renewal notices prior to October 1st and sending a second postcard on colored stock after November 1st.

The Committee asked that a report be given to the Finance Committee in November 2010 as to the number of BTRs outstanding.

Chief Financial Officer Patricia Walker presented the item.

Business Tax Receipts (BTRs) are issued annually in accordance with Florida Statutes Chapter 205. Chapter 205 states that BTRs are due and payable on or before September 30 of each year, and expire on September 30 of the succeeding year. While Florida Statutes do not require renewal notices be sent out, the City, as a courtesy, has provided businesses with an individualized renewal notice on an annual basis. Currently the City sends out 8.5" by 11" BTR courtesy renewal notices generally in July or August prior to the expiration date of September 30th for BTRs. The notice is sent out with a self-addressed return envelope to assist the customer with mailing back their payment. Renewal notices may be paid on-line at the City's website, mailed to our lock-box in the self-addressed enclosed envelope included with each renewal notice mailing, mailed to the City's Finance Department, or paid at the cashier's window located in the first floor of City Hall. The City has traditionally give customers the month of October as a grace period to pay their renewal without penalty. In November, the Finance Department sends a list of un-renewed BTRs to the Code Compliance Division for enforcement action. The Administration is contemplating various methods of streamlining and cutting

costs associated with the renewal process and still providing a reminder to the public. Some of the options include:

- Mailing out postcard type renewal notices to save with the costs of paper, postage and envelopes; and be able to send an additional reminder notice;
- Emailing renewal notices;
- Posting an announcement in the newspaper

Commissioner Jerry Libbin suggested putting BTR renewal reminder ads on Channel 77 and MB Line magazine. Ms. Walker then presented the cost associated with mailing the 8,500 reminders. She stated that a letter mailing would cost \$7,225 while a postcard mailing would cost \$4,080. Chairperson Weithorn stated that it would be more cost effective if two postcards are sent at a cost of \$8,160 to bring businesses into compliance and asked if email addresses for businesses were being obtained. Ms. Walker stated that businesses were being asked for their email addresses and that they are being kept on file. Commissioner Exposito suggested that a line be added to the postcard that requests an email address for the business to receive notifications. The Committee recommended sending postcards in lieu of the 8.5" by 11" renewal notices prior to October 1st and sending a second postcard on colored stock after November 1st.

The Committee asked that a report be given to the Finance Committee in November as to the number of BTRs outstanding.

2. Discussion regarding Property Management Division cost savings recommendation

ACTION

Public Works Director Fred Beckmann presented the item and gave a brief synopsis of the memo.

The Property Management Division (PMD) of the City's Public Works Department (PWD) includes employees in a number of classifications including some of the following: Electricians and Supervisor; Air Conditioning Mechanics and Supervisor; Plumbers and Plumbing Supervisor; Painters and Paint Supervisor; Carpenters; Masons; Municipal Service Workers; Building Services Technicians; Storekeeper II and a Service Supervisor. The PMD has five field supervisors in charge of the following sections: (1) Electrical, (2) Maintenance (Carpenters), (3) Air Conditioning, (4) Plumbing and (5) Painting. A sixth service supervisor oversees Lincoln Road Mall Maintenance (from Washington Avenue to Lenox Avenue), as well as the Building Services Technicians assigned to City Hall, Police Headquarters, Scott Rakow Youth Center and North Shore Park and Youth Center. In addition, there is a Property Management Contract Coordinator which is an administrative sub-professional and technical position. The person working as the Property Management Contract Coordinator was terminated by the former PMD Director, effective April 4, 2008. In the interim, maintenance contract oversight duties were assigned to a PMD Planning Technician, who worked out-of-class as the Contract Coordinator from April 2008 through September 2008. From October 2008 through January 2009, this employee was on Family Medical Leave. During that time, the PMD Director temporarily assigned a portion of the duties of the Contract Coordinator position to administrative staff and the maintenance supervisors, leaving the Contract Coordinator position vacant for re-evaluation of duties and cost savings.

With the reassignment of the Contract Coordinator duties, the former PMD Director made the independent determination that the extended vacancy of the Contract Coordinator position justified the assignment of out-of-class pay to eight individuals in

the PMD, including two Administrative Aide IIs (accounts payable and HR-payroll) and the six field supervisors. Out-of-class pay is required by the American Federation of State County and Municipal Employees (AFSCME), the Communication Workers of America (CWA), and the Government Supervisors Association of Florida (GSAF) union contracts for employees who are clearly and definitely performing the principle duties in a higher pay classification. Similarly, the former PMD Director determined that the six field supervisors were entitled to stand-by compensation and issued internal memoranda, dated October 15, 2008, to each of the supervisors informing them that they were being placed on stand-by status.

Following the recent conclusion of negotiations for the GSAF Agreement, the PWD proceed to exercise its discretion in limiting the implementation of out-of-class and stand-by pay to a strictly as-needed basis. The PWD worked with the Human Resources Department (HR) to establish the following citywide supplemental pay authorizations which will be required for all employees:

- Out-of-Class Pay (\$1 per hour of work performed)
 - Up to 20 days (160 hours) per Fiscal Year (FY) – Division Director
 - Between 21 and 40 days (161 to 320 hours) per FY – Department Director
 - Between 41 and 72 days (321 to 580 hours) per FY – Assistant City Manager
 - Anything beyond 72 days (580 hours) per FY – Human Resources Director

- Stand-by Pay / Time (Minimum of 2 hours of straight time)
 - Up to 10 days (up to 80 hours) per FY – Division Director
 - Between 11 and 30 days (81 to 240 hours) per FY – Department Director
 - Between 31 and 72 days (241 to 580 hours) per FY – Assistant City Manager
 - Anything beyond 72 days (580 hours) per FY – Human Resources Director

Payroll coordinators in each department/division will be tasked to monitor the number of hours that an employee is receiving out-of-class and/or stand-by pay in order to ensure that the appropriate authorizations are in place. The Department Director who signs off on payroll will also monitor. In addition Human Resources will perform audits to ensure compliance.

Commissioner Jerry Libbin asked that a Letter to Commission be prepared on stand-by pay. The Committee asked staff to prepare a Letter to Commission (LTC) quarterly on stand-by pay payments made.

3. Update on Ameresco financing

ACTION

The Committee recommended that City Manager Jorge Gonzalez sign a nonbinding letter of intent with Chase, with the discretion to substitute should Chase no longer be the best choice for the City.

Chief Financial Officer Patricia Walker presented the item and gave a brief history of the item.

To date Ameresco has completed their Energy Audit and from that Audit a list of six (6) Energy Conservation Measures (ECMs) have been identified and found to be feasible by

Ameresco. The City Commission accepted the six (6) energy conservation projects at the September 9, 2009 City Commission meeting and directed that an Energy Performance contract be negotiated to proceed with the implementation of the ECMs. The total cost of the ECMs is estimated to be approximately 14 million dollars and the payback term without interest associated with the financing is estimated to be 10.9 years.

The project is proposed to be financed with two (2) principal sources of funding. A federal grant in the amount of \$839,000 as part of an Energy Conservation Stimulus Program made available to municipalities and a bank equipment financing loan.

Proposals were requested from five members of the underwriting pool that are banks: SunTrust, Bank of America, Citicorp, Wells Fargo, and Chase. Of the three proposals received, SunTrust, at 4.63 Bank of America at 4.49, and Chase at 4.30. Ms. Walker recommends moving forward with Chase which will achieve approximately \$2 million of savings over terms when compared to the 4.49 rate proposed by Bank of America. The Administration also requested that the Committee authorize City Manager Jorge Gonzalez to sign a nonbinding letter of intent so that Chase could begin to prepare the documents required. Ms. Walker also stated that all three banks have agreed to a fifteen (15) business day rate-lock. The Committee recommended that City Manager Jorge Gonzalez sign a nonbinding letter of intent with Chase, with the discretion to substitute should Chase no longer be the best choice for the City.

4. City Ordinances – Beach Clean up

ACTION

The Committee requested staff to give an update on the number of citations issued for underage drinking at the May 12th Commission meeting.

The Committee asked that a Letter to Commission (LTC) on noise be discussed at the Neighborhoods Committee.

The Committee directed Administration to:

- **Track litter citations**
- **Create a publicity campaign for public awareness, community and teen involvement**
- **Ask bars/cafes not to give “to go” cups as open container laws will be enforced**
- **Create a smoke free zone on the beach, as allowed by law**
- **Banning Styrofoam coolers on the beach**
- **To prepare a final report to show what has been done to address the clean up issues.**

Assistant City Manager Hilda Fernandez presented the item and gave a brief synopsis of the memo.

An Interdepartmental Task Force has been created and includes Code Compliance, Police, Public Works/Sanitation, Parking, Tourism and Cultural Development, and Parks. Staff has been working with concerned citizens regarding, among other things, litter in

the dunes, overgrown invasives in the dunes (that resulted in litter) and the issue of homeless in the dune areas. The County Parks Department has been cooperating with these efforts, as their role is essential in assisting on several initiatives identified by the task force for action. The discussions have focused on identifying the issues, the causes for the issues and potential proactive measures to respond and – preferably – prevent some of these concerns from occurring and reoccurring.

The issues are reflected below.

Dunes

The maintenance of the dunes was identified as a concern in late March/early April. Particularly, two issues were identified: the frequency and responsibility for cleaning the dunes of litter; and the ability to scale back invasive scaevola to permit easier cleanup, as well as eliminate voids that permitted people (often homeless) to go into the dunes. The City Parks Greenspace Division, working with the County and the City's Environmental Services Division, began removal of the overgrown scaevola west of the dune and abutting the crossovers; removal of the scaevola up to 5th Street is expected to be completed by May 1st. Additionally, "No Trespassing" signs for the Dunes were designed and are under production to be installed throughout the western edge of the dune initially, beginning with South Beach, working north throughout the dune system.

Litter on the beach

This year a longer spring break period, coupled with the overlap of the beginning of public school spring break with Winter Music Conference, created larger than normal beach crowds, and resulted in a greater level of litter left behind in the late afternoon. While the County has a cleaning schedule that will provide for litter pick up during their morning shift work, the concern has been with the amount of litter remaining on the beach in the afternoons, as well as with the type of litter that has been observed, such as glass bottles and cans of alcoholic beverages. In terms of enforcement of codes on the beach, since last year a code compliance officer has been assigned every afternoon of the week (staffing permitted), to patrol beaches on an ATV to look for dogs on the beach, littering and illegal vendors. The focus has been primarily on the public beach areas, and this officer will cover the entire beach from South Pointe through North Shore Open Space Park.

There are currently 77 County-maintained trash receptacles between Government Cut to Fifth (5th) Street. In late March, the City asked the Miami-Dade County Parks Department to look at adjustments that would permit them to pick up trash in the late afternoons as the crowds thin out, rather than wait until the morning cleanup. In response, they increased the size of the crew Monday through Friday from three to four people, and that crew works until 7pm. The weekend crew, which consists of four crew members, now works until 8pm, allowing for additional cleanup in the late afternoon. As the days get longer they will be adjusting the hours on how late these crews will work. The County also authorized the use of overtime for situations where they encounter unusual heavy litter deposits. The enhancement is in addition to special crews scheduled for holiday weekends, such as Memorial Day, July 4th and Labor Day weekends.

The City's Public Works/Sanitation Division maintains the beach path west of the dunes, including all of the trash and recycling cans, and is responsible for ensuring the maintenance of trash receptacles at street ends. Litter cans are serviced seven days a week by our contractors, with the exception of the park. There is a dedicated day shift litter/sanitation crew for South Pointe Park that works seven days a week. They are responsible for litter control, pressure cleaning and the bathrooms in the park. In addition, an alley crew provides service twice a week (for litter control and illegal

dumping), and the Mechanical Street Sweeper 7 days a week on all streets. In order to address the servicing of the trash can recycle cans west of the dunes as early as possible in the morning, this responsibility has now been assigned to the South Pointe Park crew. A dedicated night shift crew for South Pointe Park performs the same functions as the daytime crews. Additional trash receptacles have been placed next to the shower at South Pointe Drive (Sunset Plaza), with enhanced service, as it was identified that insufficient trash cans were available at this popular entrance/exit point to the southern beaches. Pressure cleaning frequency for the shower area has also been increased (from 1x a week to 3x a week).

Police Department's staffing levels for the area of South of 5th includes two officers on ATVs (with overlapping schedules) on the beach on Friday, Saturday, and Sunday. In addition, one patrol officer is assigned by car to the South of 5th area. This officer presence is augmented during the shift overlaps, and does not include the special traffic enforcement detail in the South of 5th area that is assigned a minimum of five days a week (and more typically seven). Beginning in early April, the ATV officers, augmented by patrol officers, began addressing the issue of glass bottles and alcohol on the beach both by staffing the most heavily used entrances/exits to the beach during certain hours, and then moving onto the beach to address beachgoers with prohibited items.

Parking

Another issue that was identified as a concern by residents related to parking in the south of 5th neighborhood and, in particular, enforcement of residential parking areas. The South Pointe Parking Lot has experienced challenges with traffic congestion, noise (horns), and parking availability which is indirectly related to the parking spaces that are contractually obligated to the restaurant. The following actions have been taken or are underway:

- An electronic message board has been placed at the entrance of the parking lot advising users that noise (horns) violations are enforced. This coupled with more frequent patrols has proven to alleviate the noise issues.
 - An initiative to establish some "cut through" sections in the middle of the parking lot should alleviate queuing and congestion. Although it is estimated that this would cause a loss of four to six parking spaces, it seems to be a reasonable alternative considering the circumstances.
 - An initiative to relocate the valet parking storage spaces into one centralized location with only one access point.
 - The Administration is researching the possibility of parking rate differential for residents and non-residents.
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- Commissioner Jerry Libbin asked for an update on the number of citations issued for underage drinking at the May 12th Commission meeting.

Chairperson Deede Weithorn asked if the County planned on putting recycling cans on the beach. Public Works Director Fred Beckmann stated that the County is trying to replace existing cans, add additional cans, and add recycling cans.

Chairperson Weithorn opened the floor for public comment which included: suggesting that the City begin a marketing campaign to educate the public on littering and city ordinances; add additional parking machines; increase towing for cars parked illegally; increase fines for cars parked illegally; concern that no violations were issued for littering last year; and educate the public on the potential violations before they arrive at the beach. Frank Del Vecchio asked what outcome would be; and was curious as to what the list of ordinances that were going to be enforced were, and which ordinances would be too costly to enforce. Conversation ensued. Chairperson Weithorn asked staff to

prepare a final report to answer Mr. Del Vecchio's question and that the complaint web application be made easier to find. The Committee asked that LTC on noise be discussed at the Neighborhoods Committee. Commissioner Jorge Exposito felt that there needs to be consistent enforcement on these issues. Commissioner Libbin suggested using funding from the trash haulers agreement to hire a sustainability officer to address issues such as recycling, litter laws, alcohol, smoking, and unruly behavior.

The Committee discussed the following issues:

- Track litter citations
- Create a publicity campaign for public awareness, community and teen involvement
- Ask bars/cafes not to give "to go" cups as open container laws will be enforced
- Create a smoke free zone on the beach, as allowed by law
- Banning Styrofoam coolers on the beach
- To prepare a final report to show what has been done to address the clean up issues.

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