MIAMIBEACH

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

COMMITTEE MEMORANDUM

TO: Mayor Matti H. Bower and Members of the City Commission

FROM: Interim City Manager Kathie G. Brooks

DATE: August 22, 2012

This shall serve as written notice that a meeting of the Finance and Citywide Projects Committee has been scheduled for August 22, 2012, at 3:00 P.M. at 1755 Meridian Avenue, in the 3rd Floor Training Room.

The agenda is as follows:

OLD BUSINESS

1. **Discussion: Status Update on FY 2012/13 General Fund Operating Budget**

   Kathie G. Brooks – Interim City Manager

2. **Status Report from the engineering company assigned to do the City's Citywide Stormwater Master Plan** ***(December 8, 2010 Commission Item CAF) (14)***

   Fred Beckmann – Public Works Director

NEW BUSINESS

3. **Discussion regarding utility rates**

   Fred Beckman – Director Public Works

4. **Discussion regarding Building Fees 10% impact**

   Stephen Scott – Building Director

Finance and Citywide Projects Committee Meetings for 2012:

August 22, 2012
September 20, 2012
November 29, 2012
December 20, 2012
Committee Members
Deede Weithorn
Jorge Exposito
Michael Gongora
Jerry Libbin (Alternate)

KGB/PDW/rs/th

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Cc. Mayor and Members of the City Commission
Management Team

ITEM ONE

MIAMIBEACH

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COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee

FROM: Kathie G. Brooks, Interim City Manager

DATE: August 22, 2012

SUBJECT: FY 2012/13 General Fund Operating Budget Status Update

At the July 25, 2012 Finance and Citywide Projects Committee (FCWPC) Budget Briefing, the Committee directed that additional discussions be held at the August 22, 2012 FCWPC meeting.

The attached summary chart reflects the latest status of the General Fund Operating Budget, incorporating changes since the July 25, 2012 FCWPC meeting. Also attached are the supporting documents with the changes noted as follows:

- Potential Efficiencies and Minimal Impact Reductions – No changes from the July 25, 2012 FCWPC meeting.

- Potential Service Reductions – Discussions at the July 12, 2012 FCWPC meeting raised concerns that the service reductions that were identified, impacted programs for youth in the community. As a result, the Police Department has withdrawn these recommendations and is also revising their potential service enhancements as a result.

- Potential Service Enhancements – The potential service enhancements relating to the Police Department have been adjusted to reflect a correction to the Internal Affairs Enhancement and the exclusion of new vehicles, fuel and maintenance and depreciation costs for the additional Police Department union positions being proposed (these costs will not impact the FY 2012/2013 budget since the additional Police Department union positions will not be eligible to be issued a vehicle until the successful completion of his/her probationary period). Please note that the vehicle costs will impact subsequent years. These longer-term cost impacts associated with the issuance of vehicles are now reflected in the attached spreadsheet. In addition, as noted above, the Police Department is withdrawing the second part of their recommendation for Internal Affairs at this time, pending evaluation for FY 2013/2014 after hiring of the existing Command position and the addition of the proposed new Investigative Supervisor.

- Potential Revenue Enhancements – No changes, as the estimated impacts of increasing the Rescue Transport Fees to Miami-Dade County levels is still pending evaluation.

As a result of these changes, the estimated surplus for FY 2012/2013, should these potential efficiencies and enhancements be incorporated, is approximately $900,000. This surplus could be used to further reduce the millage; however, given that the one-time pension credit of $2.2 million in the General Fund will expire for FY 2013/2014, an alternative for discussion is to set the surplus aside for FY 2013/2014.

KGB/CG

CITY OF MIAMI BEACH
FY 2012/13 GENERAL FUND OPERATING BUDGET

Status as of August 22, 2012	
Preliminary Current Service Level (CSL)Budget	
Revenues	**$ 250,502,000**
Expenditures	**$253,755,000**
Net CSL Gap	**$ (3,253,000)**
Employee Givebacks to Offset incresaes in health and pension costs	
($7.6 million in pension increases across all funds prior to a one time credit and $6.1 million in the General Fund. $1.9 million helath increase Citywide and $1.6 million in the General Fund, including the $0.86 million impact of the expiration of the five percent of salaries giveback towards health for Police and Fire)	
General Fund Employee Givebacks in General Fund	(3,000,000)
Potential Additional Changes in Expenditures	
Living Wage FY 2012/13 Increase	62,000
Landscape Maintenance Impact of New Capital Projects	81,000
Minimal Impact Reductions/Efficiencies	(932,000)
Service Reductions	-
Other Additions and Enhancements	
Additional Building Positions in Response to Increased Demand	702,000
Enhancements for Internal Affairs and Outside Audits	200,000
Transfer to Pay As You Go	1,400,000
Other Service Enhancements	1,253,000
General Fund Impacts of Internal Service Reductions	(21,000)
General Fund Impact of Internal Service Fund Enhancements	92,000
Impact of Efficiencies/Enhancements	$ 2,837,000
Revised Net Gap	**$ (3,090,000)**
Other Changes in Revenues	
Resort Tax - transfer to GF	4,000,000
Additional CIP Chargeback Revenues	-
Revenue Enhancements	82,000
	4,082,000
Total Excess /(Shortfall)	**$ 992,000**

POSITIVE IMPACT OR MINIMAL SERVICE IMPACT, EFFICIENCIES, ETC.

			Position Impacts					
GENERAL FUND	**Impact**	**Cumulative Dept. Impact**	**Full Time**	**Part Time**	**Proj. Vacant**	**Filled**	**Mgt. & Admin**	**Non Mgt.**
Police								
Community Policing Reconfiguration- Eliminate 1 Police Commander in Technical Svcs plus 1 Administrative Aide I position in CID and replace with 3 Crime Analyst positions	(67,000)	(67,000)	1.0		1.0		(2.0)	3.0
Information Technology Enhancement- Add 1 Senior Systems Analyst, offset by $80,000 reduction in overtime	(8,000)	(75,000)	1.0					1.0
Convert Emergency Manager from full-time to part-time effective 1/1/13 (filled Major position to be vacated 1/1/13)	(61,000)	(136,000)	(1.0)	1.0	(1.0)			
Parks & Recreation								
Eliminate (5) vacant positions (1 MSW I and 4 MSW II) for FY12 and utilize a portion of the funds, to obtain contractual professional irrigation services utilizing a contracted irrigation service provider for $80,000. Assumes implementation October, 2013. Add list of positions	(43,000)	(43,000)	(2.0)	(3.0)	(5.0)			(5.0)
Eliminate (1) MSW III part-time	(21,000)	(64,000)		(1.0)				(1.0)
Public Works								
Eliminate 1 Street Operations Supervisor position	(71,000)	(71,000)	(1.0)		(1.0)			(1.0)
City Manager's Office								
Freeze one (1) Assistant City Manager (ACM) position and one (1) assistant for 6 months during interim transitional period - Assistant incumbent to be placed in existing vacancy	(132,000)	(132,000)						
City Clerk								
Transfer passport service function to the Customer Service Center eliminate 1 Office Associate II position	(57,000)	(57,000)	(1.0)			(1.0)		(1.0)
Citywide								
Replace CAC supplemental funding from General Fund with an increase in Quality of Life Funding (estimated increase of $200,000 from FY12 to FY13)	(152,000)	(152,000)						
Total General Fund Without Transfers	**$ (612,000)**	**$ (612,000)**	**(3.0)**	**(3.0)**	**(6.0)**	**(1.0)**	**(2.0)**	**(4.0)**
Transfers								
Reduced funding for IT Technology projects based on department requests	(320,000)	$ (320,000)						
Total General Fund	**$ (932,000)**	**$ (932,000)**	**(3.0)**	**(3.0)**	**(6.0)**	**(1.0)**	**(2.0)**	**(4.0)**
INTERNAL SERVICE FUNDS	**Impact**	**Cumulative Dept. Impact**						
Risk Management -Insurance								
Implement a 90 day waiting period for newly hired unclassified employees enrolling in medical insurance plans this is the same as what currently exists for newly hired classified employees.	$ (30,000)	$ (30,000)						
Property Management								
Reclassify Data Entry Clerk position to Office Associate IV to increase efficiency by combining data entry duties and administrative support needed	$ (6,000)	$ (6,000)						
Total Internal Services Funds	**$ (36,000)**	**$ (36,000)**						

GENERAL FUND	Impact	Cumulative Dept. Impact	Position Impacts: Full Time	Part Time	Proj. Vacant	Filled	Mgt. & Admin	Non Mgt.
ENTERPRISE FUNDS	**Impact**	**Cumulative Dept. Impact**	**Position Impacts: Full Time**	**Part Time**	**Proj. Vacant**	**Filled**	**Mgt. & Admin**	**Non Mgt.**
Sewer								
Eliminate 1 Assistant Pumping Mechanic	(47,000)	(47,000)	(1.0)					(1.0)
Sanitation								
Eliminate 1 Vacant Waste Driver Supervisor	(49,000)	(49,000)	(1.0)		(1.0)			(1.0)
Reclassify 1 Administrative Aide I and replace with an 1 Office Associate V to provide an enhanced level of Administrative support required by Division	(14,000)	(63,000)						
Outsource Maintenance of Beachfront restrooms - 2 MSW II and 2 MSW III (Sanitation)	$ (62,000)	$ (125,000)	(4.0)		(4.0)			(4.0)
Parking								
SIGN SHOP & METER SHOP UNITS - Convert 1 Parking Operations Supervisor from full time to part time. No decrease in Level of Service	$ (18,000)	$ (18,000)	(1.0)	1.0				
SIGN SHOP & METER SHOP UNITS - Convert 1full-time Meter Tech II and 1 full-time Meter Tech I TO 3 PT Meter Tech Is No decrease in Level of Service	$ (4,000)	$ (22,000)	(2.0)	3.0				
ENFORCEMENT - Convert 3 full-time Pkg Enforcement Specialist Is to 4 part-time Pkg Enforcement Specialist Is. No decrease in Level of Service	$ (16,000)	$ (38,000)	(3.0)	4.0				
Total Enterprise Funds	**$ (210,000)**	**$ (210,000)**	**(12.0)**	**8.0**	**(5.0)**	**0.0**	**0.0**	**(6.0)**
Grand Total	**$ (1,178,000)**	**$ (1,178,000)**	**(15.0)**	**5.0**	**(11.0)**	**(1.0)**	**(2.0)**	**(10.0)**

POTENTIALSERVICE ADJUSTMENTS

			Position Impacts					
GENERAL FUND	Impact	Cumulative Department Impact	Full Time	Part Time	Proj. Vacant	Filled	Mgt & Admin	Non Mgt.
Police								
~~Eliminate 4 School Liaison Officers & 1 School Liaison Supervisor. These positions serve as liasons to the public elementary and middle schools in Miami Beach. Elimination will result in no officers being assigned to the public schools in Miami Beach, which leads to a greater dissatisfaction from within the community. ($228,000)~~		$ -						
~~Eliminate one 1 Public Safety Specialist assigned to Criminal Investigation Divison (CID)/Administration. The ability to review and enhance video from crime scenes will be impacted and may result in longer processing time. This will delay the solvability factors of certain types of crimes. ($50,000)~~		$ -						
~~Re-assign Officer assigned to the Police Athletic League and eliminate 1 vacant Officer position. The impact will be a loss in relationship with youth programs within the City (66,000).~~		$ -						
Fire								
Reduce the Overtime Budgets (1210,1220) by amending the minimum staffing ordinance to set staffing levels to a minimum of 42 personnel when there are more than 3 unscheduled absences at the start of the shift. Note: There are no reductions to the number of firefighters assigned to shifts. Projection based on 07/08, 08/09 and 09/10 OT costs for 43rd and 44th person and shift strength of 184 (the same as the last three Fiscal Year). Annual estimated impact is $800,000 but requires collective barganning with the union. Implementation 7/1/12 is assumed.	PENDING STUDY AND CONTRACT NEGOTIATIONS							
Fire (Ocean Rescue)								
~~Reducing the Ocean Rescue Division schedule to better reflect usage~~	~~PENDING FURTHER EVALUTATION~~							
Total	$ -	$ -	-	-	-	-	-	-

PROPOSED ADDITIONS AND SERVICE ENHANCEMENTS	Fiscal Impact	Cumulative Impact	Positions FT	Positions PT
GENERAL FUND				
Potential Additions				
Living Wage - existing contracts with living wage	62,000	62,000		
Living wage - potential impact for expiration of current golf course management agreement ($150,000 - pending contract negotiation/re-bid)	TBD	62,000		
Additions Since FY 2011/12 Budget				
Locations added to the Parks & Recreation's Greenspace Management Division's areas of responsibility after the completion of the budget process with additional costs identified at the following locations: CITYWIDE MOWING: • Dickens & Tatum Waterway 21 Bumpouts & Medians (CIP) - $22,140 • Bonita Drive South - $768 • North Shore Park & Youth Center (Sports Field) increase for Bermuda - $34,001 • Miami Beach High School Swale, Dade Blvd N. to Par 3 - $7,350 • Hibiscus Island Hurricane Evacuation Site - $2,250 GROUNDS MAINTENANCE: • Flamingo Neighborhood Streetscape Swales & Bumpouts - $3,500 • Washington Avenue Dog Park Increase - $1,250 • Normandy Business District (FDOT/CIP) - $3,000 • 71st Street Sidewalk Planters (FDOT/CIP) - $6,000 In addition the following will be added to the RDA budget • Bass Museum (Renovated Site) CITY CENTER /RDA $8,100 • Soundscape Park Special Events (additional service required to facilitate the 38 plus events held at this Park: Movies, Wallcasts, Opera Nights, etc) - $19,200	81,000	81,000		
Total Additions	**143,000**	**143,000**		
Potential Enhancements				
Police				
Internal Affairs Reorganization - Add 1 Investigator Supervisor and eliminate a Major position after 5 months in FY 2012/13 through attrition- currently the Police Department has one Lieutenant position underfilling a vacant Major position due to Reorganization – when a Lieutenant position is vacated in February 2013, the Major position can be eliminated.	50,000	50,000		
~~Internal Affairs Reorganization – Adding 5 sworn investigators and 1 OAV. 1 Sergeant has already been assigned to the FBI. 1 Sergeant will be assigned to the Crime Suppression Team for the Entertainment District. 2 will be dedicated to Crime Investigations. These enhancements would be offset by the elimination of 1 Public Safety Specialist, as well as a $79,000 reduction in overtime and 1 Sergeant would be eliminated through attrition before FY 2012/13 for a total of $313,000~~		50,000		
Add 2 ATV Police Officers in the North area working 2200 to 0800 hours (10pm to 8am) to implement and enforce the beach closure. ***This number has been refined to exclude new vehicles, fuel, maintenance and depreciation costs for the additional Police Department union positions being proposed, as they will not impact the FY 2012/13 budget. These vehicle costs of $76,200 will impact subsequent years.***	165,000	215,000	2.0	
Add 4 Police Officers in the South and Citywide to form an additional Crime Suppression Team (Sergeant for the squad would be assigned from the IA reorg). This enhancement will be offset by the elimination of $100,000 in overtime. ***This number has been refined to exclude new vehicles, fuel, maintenance and depreciation costs for the additional Police Department union positions being proposed, as they will not impact the FY 2012/13 budget. These vehicle costs of $152,400 will impact subsequent years.***	230,000	445,000	4.0	
Add 6 Police Officers in the South area for a walking beat along Washington Avenue.	461,000	906,000	6.0	
Add 1 Detention Officer to augment current staffing levels in all three shifts including weekends. ***This number has been refined to exclude new vehicles, fuel, maintenance and depreciation costs for the additional Police Department union positions being proposed, as they will not impact the FY 2012/13 budget. These vehicle costs of $38,100 will impact subsequent years.***	66,000	972,000	1.0	
Records Unit Enhancement - additional Records Technician and Data Entry Clerk will reduce the need for overtime in the unit by $80,000.	5,000	977,000	2.0	
Additional Overtime for the Neighborhood Resource Officer for additional Homeless Outreach	20,000	997,000		
Fire/Ocean Rescue				
~~Conduct study to better determine beach usage by time of day, day of week and time of year in order to more efficiently allocate resources – $25,000~~				

Building	Fiscal Impact	Cumulative Impact	Total FT	Total PT
Increase temporary labor to provide support in the violations section of department to become more proactive in addressing construction without permits and unsafe structures.	106,000	106,000		
Improve inspection and plan review services by adding an inspector due to increased demand	149,000	255,000		
Add plan review position to continue to evaluate where permit fees appear to be in excess of 10 percent of the job value - this position will be done on contract rather than hiring a full-time employee	149,000	404,000		
Add a contracted Sr. Mechanical inspector and a contracted Sr. Building inspector to respond to increasing demand - contracting these positions rather than hiring full time employees provides for improved flexibility in response to market demands	298,000	702,000		
REHCD				
Add a full-time Leasing Specialist	66,000	66,000	1.0	
Convert part-time position shared with TCD for field monitoring to a full time position in each department. Also impacts TCD - see below	12,000	78,000	1.0	(0.5)
TCD				
Convert part-time position shared with REHCD for field monitoring to a full time position in each department. Also impacts REHCD - see above	32,000	32,000	1.0	(0.5)
Installation of exterior lighting at the Colony Theater	15,000	47,000		
Purchase of cleaning equipment, carpet cleaner/extractor, wet-vac and burnisher for the Colony Theater which currently does not have its own equipment	4,000	51,000		
OBPI				
Utilize outside audit contractor to review/audit one area of the city's operations per year , CIP and Planning anticipated for FY 2013.	150,000	150,000		
Procure Grants research software (6 city departments; including 2 licenses for OBPI, and 1 for Community Services who also requested similar software) – (based on 3yr contract)	8,000	158,000		
City Manager's Office				
Community Outreach - Condominium Ombudsman - reassign duties to utilize existing resources to provide service and carry out functions - ~~$71,000~~		-		
Citywide				
Increased Transfer to Pay-As-You-Go Fund	1,400,000	1,400,000		
Reinstate Festival of the Arts	55,000	1,455,000		
Additional Information Technology Funding For Automated Vehicle Locator (AVL) technology in Parks and Recreation vehicles, additional Fire vehicles and Public Works General Fund vehicles	114,000	$1,569,000		
Total General Fund Enhancements	**$ 3,555,000**	**$3,555,000**	**18.0**	**(1.0)**

Total General Fund	**$ 3,698,000**	**$3,698,000**	**18.0**	**(1.0)**

INTERNAL SERVICE FUNDS	Fiscal Impact	Cumulative Impact	Total FT	Total PT
Potential Additions				
Living Wage - existing contracts with living wage in Property Management	9,000	9,000		
Potential Enhancements				
Property Management				
Hand Sanitizers at City Facilities	$ 29,000	29,000		
AVL Funding for Public Works Property Management Vehicles	30,000	59,000		
Information Technology				
Special Project Coordinator/Business Analyst to facilitate the review of business process requirement and data gathering for departments in order to identify technoly improvements, focusing on customer solutions.	85,000	85,000	1.0	
Total Internal Service Funds	**$ 153,000**	**$ 153,000**	**1.0**	**0.0**

ENTERPRISE FUNDS	Fiscal Impact	Cumulative Impact	Total FT	Total PT
Potential Additions				
Living Wage - existing contracts with living wage in Public Works Stormwater, Sewer, Sanitation, Parking and Convention Center	253,000	253,000		
Potential Enhancements				
Sanitation				
Washington Avenue Tourism Enhancement Initiative - Sanitation	$ 115,000	$ 115,000		
Sewer				
AVL Funding for Public Works Sewer Vehicles	$ 18,000	$ 18,000		
Water				
AVL Funding for Public Works Water Vehicles	$ 25,000	$ 25,000		
Stormwater				
AVL Funding for Public Works Stormwater Vehicles	$ 6,000	$ 6,000		
Total Enterprise Funds	**$ 417,000**	**$ 417,000**	**0.0**	**0.0**
Grand Total All City Funds	**$ 4,268,000**	**$4,268,000**	**19.0**	**(1.0)**

RDA	Fiscal Impact	Cumulative Impact	Total FT	Total PT
Potential Additions				
Living Wage - existing contracts with living wage	20,000	20,000		
Increase Security coverage on Lincoln Road between the hours of 1am-6am, allowing for 24 hour coverage between security and Police Officers.	35,000	55,000		
~~Addition of a~~ Lincoln Road Mall Manager /"Point Person"- reassign duties to utilize existing resources to provide service and carry out functions ~~- $61,000~~		$ 55,000		
Total RDA	**$55,000**	**$ 55,000**	**0.0**	**0.0**

Resort Tax	Fiscal Impact	Cumulative Impact	Total FT	Total PT
Potential Additions				
Increased funding for Overtime for Spring Break and Memorial Day Weekend consistent with levels deployed in FY 2011/12	680,000	680,000		
Washington Avenue Tourism Enhancement Initiative - Marketing ($73,000) and FIU-Wolfsonian ($75,000 funded over 2 years)	148,000	$ 828,000		
Enhance Holiday Decorations	40,000	$ 868,000		
Sponsorship fee to help offset marketing and advertising expenses associated with the Ms. USA event	100,000	$ 968,000		
Locations added to the Parks & Recreation's Greenspace Management Division's areas of responsibility: In the RDA • Bass Museum (Renovated Site) CITY CENTER /RDA $8,100 • Soundscape Park Special Events (additional service required to facilitate the 38 plus events held at this Park: Movies, Wallcasts, Opera Nights, etc) - $19,200	28,000	$ 996,000		
Total Resort Tax	**$996,000**	**$ 996,000**	**0.0**	**0.0**

Special Revenue	Fiscal Impact	Cumulative Impact	Total FT	Total PT
Potential Enhancements				
Sustainability Fund				
Enhance the environmental sustainability of the community through comprehensive citywide Recycling Program- Add 1Sustainability Officer	104,000	104,000	1.0	
Total Sustainability	**$104,000**	**$104,000**	**1.0**	**0.0**

POTENTIAL REVENUE ENHANCEMENTS

			Fiscal Impact	Cumulative Department Impact	Cumulative Fund Impact
GENERAL FUND					
Police					
Charge for commercial false alarms consistent with Miami-Dade County which is to not start charging the $100 penalty until the forth violation, and having it raise with additional violations and capped $500.			$ 7,000	$ 7,000	$ 7,000
Fire					
Increase Fire Transport Fees to Proposed Miami Dade County Levels for FY 12012/13 and add charges similar to Hialeah and Coral Gables			PENDING FURTHER EVALUATION		
SERVICES AND TRANSPORT	Miami Beach	Miami-Dade			
ADVANCED LIFE SUPPORT (ALS)	N/A	N/A			
ALS 1 TRANSPORT 1	$600.00	$800.00			
ALS 2 TRANSPORT 2	$800.00	$800.00			
SPECIALTY CARE TRANSPORT (ALS SCT)	$0.00	$900.00			
BASIC LIFE SUPPORT (BLS) TRANSPORT	$500.00	$800.00			
PROCEDURES AND EQUIPMENT					
BACKBOARD	$25.00	$25.00			
CARDIAC MONITORING	$25.00	$25.00			
CERVICAL COLLAR	$25.00	$25.00			
IV SOLUTIONS	$25.00	$25.00			
MILEAGE PER MILE OR FRACTION	$10.00	$15.00			
OXYGEN PER TANK OR FRACTION	$30.00	$30.00			
SPECIAL HANDLING (EXTRICATION, ETC.)		$25.00			
CARDIAC ARREST RATES		Coral Gables/ Hialeah			
AUTO PULSE LIFEBANDS		$175.00			
RESCUE POD		$100.00			
DEFIBRILLATION PADS		$100.00			
EZ-IO		$100.00		$ -	$ 7,000
Parks and Recreation					
Increase Resident Staff Rental Rates. (See attached rental increase schedule.) Example below show est. rental revenues collected in FY11 & compare them to est. proposed rates for the total est. increases in revenues. Staffing: $63,000 est. collected in FY 11; Proposed 40% Increase (from $25 to $35 p/hr) in FY 13 is $88,000. Difference (Est. Revenue Increase) = $25,000			$25,000	$ 25,000	
Increase Resident Pavilion Rental Rates for 4 hour Rental, including Normandy Isle, Muss Park, Palm Island. Rental revenues collected in FY11 and compare them to est. proposed rates for the total estimated increases in revenues. Proposed increase from $100 to $125 in FY 13			$1,000	$ 26,000	
Proposed Increase in Resident North Shore Open Space Pavilion Rental Rates. (See attached rental increase schedule.) Examples below show est. rental revenues collected in FY11 & compare them to est. proposed rates for the total estimated increases in revenues. Pavilions: $21,000 est. collected in FY 11; Proposed 100% Increase (from $75 to $150) in FY 13 is $42,000. Difference (Est. Revenue Increase) = $21,000			$21,000	$ 47,000	$ 54,000
TCD					
Add a $1 facility processing fee for all tickets at the Colony Theatre			$ 5,000	$ 5,000	TOTAL POTENTIAL GENERAL FUND
Establish a $0.25 "comp" ticket order processing fee			$ 3,000	$ 8,000	
Co-produce events charging 30% of ticket sales rather than theatre and equipment rental			$ 20,000	$ 28,000	$ 82,000

ITEM TWO

MIAMIBEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee

FROM: Kathie G. Brooks, Interim City Manager

DATE: August 22, 2012

SUBJECT: **DISCUSSION ON THE CITYWIDE STORMWATER MANAGEMENT MASTER PLAN**

The City has completed a draft of a new Stormwater Management Master Plan (SWMMP) that evaluates the existing system and recommends sustainable infrastructure improvements.

BACKGROUND

The City prepared its first SWMMP in 1997, to satisfy the requirements of its National Pollution Discharge Elimination System Permit. The previous master plan determined stormwater infrastructure needs based on water quality, flooding potential, City staff rankings, and complaints. The basins ranked the highest were made priority basins and received funding for stormwater improvements. Non-priority basins received no funding.

The new SWMMP project has created a comprehensive, citywide model, using more powerful software than was available in 1997 that evaluates the existing system using survey data and Light Detection and Ranging (LIDAR) technology, simulates inter-basin flows, and identifies those basins that are experiencing a reduced level of service. Improvements are identified in a schematic fashion that provides one cohesive design for the City.

The SWMMP also accounts for climate change and sea level rise. The consultant made use of a variety of published resources and analyzed historic sea level data. In particular, the consultant used data from the National Oceanic and Atmospheric Administration to determine the existing mean high water (MHW) and projections from the Army Corps of Engineers (ACOE) to estimate an historical, intermediate, and high rate of sea level rise.

The consultant is basing its design recommendations on the ACOE intermediate projection for sea level rise over the next 20 years. The ACOE modified the equations for its curves in 2011. As a result, for all new projects, a sea level elevation of 0.67 feet NAVD88 (up from the previous recommendation of 0.50 feet) is being used for stormwater design purposes and an elevation of 3.2 feet NAVD88 (a vertical control datum established in 1991 used to define elevations) is being used as a minimum for seawall elevations. The previous design criterion required by the City was 0.04 feet NAVD88 for sea level elevation. There was no minimum seawall elevation.

At the June 28, 2012 Finance and Citywide Projects Committee, there was a technical discussion on the existing MHW and the rate of sea level rise. As a result, the Committee directed staff to have a public discussion on sea level rise and to return with the results.

This SWMMP Sea Level Rise Discussion was held on Friday, August 17, 2012. It was attended by Mayor Bower; Commissioner Libbin; Barbie Paredes, Assistant to Vice-Mayor Exposito; the Miami Herald; and approximately forty members of the public including Dwight Kraai, Captain

Dan Kipnis, Frank Del Vecchio, and Kent Robbins.

ANALYSIS

The presentation (Attachment) began with a discussion contrasting the City's previous SWMMP to the new SWMMP. The presentation then focused on sea level rise and the reports and data available to estimate MHW and the rate of sea level rise. Following this, the consultant discussed how sea level rise was incorporated into the draft SWMMP and into the recommended capital improvements.

It was stressed that there is a large degree of uncertainty with the rate of sea level rise. As a result, the City has developed a flexible capital improvement plan that can accommodate various rates of sea level rise. The capital improvements will rely on backflow preventers at the outfalls, more pump stations, raised seawalls, and stormwater storage. The City will need to monitor the rate of sea level rise and adjust the plan accordingly. As sea level rises, the stormwater system will rely more upon pumps, and as the existing pumps age, they will be replaced with larger pumps.

The presentation was generally positive with acknowledgement that the City is in the forefront of developing a capital program to address sea level rise projections. There were also some concerns expressed about the SWMMP. It was questioned why the consultant developed a master plan with a 20-year horizon instead of a 30-year or 50-year horizon. It was explained that the life cycle of a pump is approximately 20 years. After 20 years, a pump that has reached the end of its life cycle could be replaced with a larger pump depending on the rate of sea level rise. The consultant is calculating the additional cost of the capital improvements for a 30-year life cycle. However, it requires larger pumps in certain locations but does not change the requirements for catch basins, piping, and seawalls. There were also questions about the ability of the City to deal with sea level rise beyond the 20-year or 50-year horizons. It was stressed that the SWMMP provides flexibility beyond the time horizons discussed. There was also a request to have the ACOE present the methodology it used in estimating its curves for the historical, intermediate, and high rate of anticipated sea level rise. Staff indicated that it would request the ACOE to attend another meeting at which the methodology would be explained.

CONCLUSION

The above information is provided for discussion by members of the Finance and Citywide Projects Committee.

Attachment:

SWMMP Sea Level Rise Workshop Presentation

KGB/MS/FHB/JF/RWS
F:\WORK\$ALL\(1) EMPLOYEE FOLDERS\Rick Saltrick\Committee memos\Stormwater Master Plan FCWP August 2012.docx

CITY OF MIAMI BEACH
STORMWATER MANAGEMENT MASTER PLAN

In 1997, The City Developed Its First Stormwater Management Master Plan.

Old Plan determined needs by:

- Water quality
- Flooding potential
- Citizen complaints
- City staff ranking

New Plan determines needs by:

- Data collection
- Flooding model analysis
- Flood control
- Water quality

MIAMIBEACH

CITY OF MIAMI BEACH
STORMWATER MANAGEMENT MASTER PLAN

New Draft Stormwater Management Master Plan

- Accounts for sea level rise
- Makes recommendations for 20-year capital improvements
- Provides flexibility for various rates of sea level rise
- Provides drainage analysis using modeling

MIAMIBEACH

BEFORE - AFTER

CITY OF MIAMI BEACH
STORMWATER MANAGEMENT MASTER PLAN

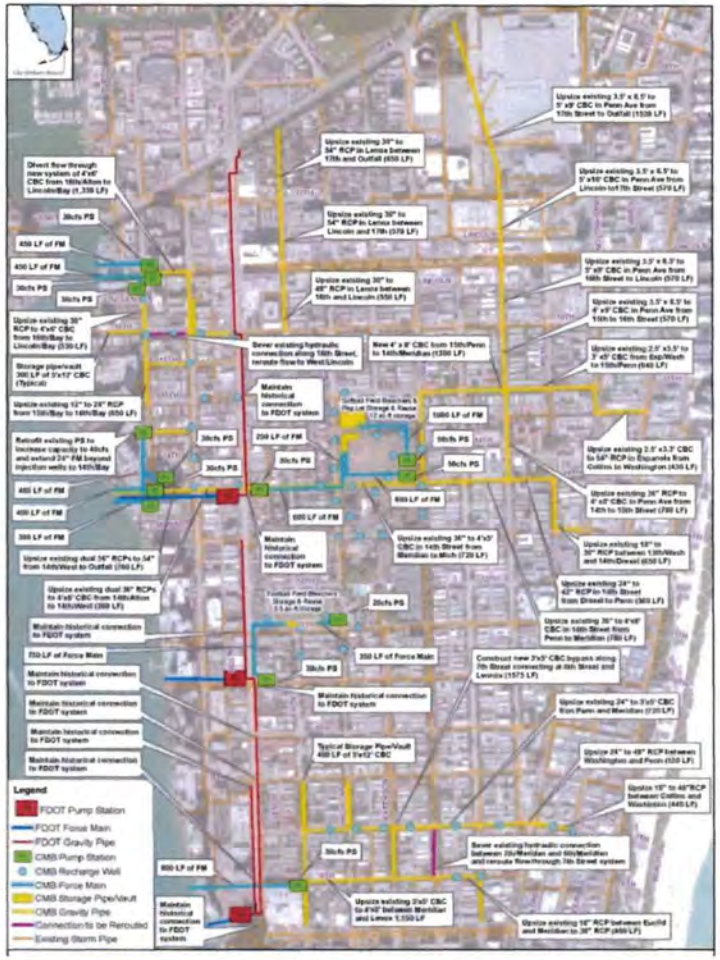
GOING FORWARD

Implement Stormwater System Improvements

- Install backflow preventers at outfalls
- Construct new stormwater pump stations
- Add pumps to gravity systems
- Create storage for stormwater
- Raise seawalls to mandated heights

Monitor change in sea level rise;

Modify programmed stormwater improvements



MIAMIBEACH

COASTAL SYSTEMS INTERNATIONAL, INC.

Coastal Engineering

Waterfront & Marinas

Civil Engineering

Regulatory Permitting

Site Investigations

Marine Environmental

Construction

Destination Development

Tidal Boundary Conditions – Coastal Systems International

- Introduction
- Role of Coastal Systems on CDM Smith Team
- Review of Key Terms and Definitions
- Drainage Outfall Design Criteria
- Reference Tidal Datums
- Historical Tidal Data Analysis
- Sea Level Rise Trends
- Recommendations to CDM Smith Team

Tim Blankenship, P.E. – Coastal Systems International

Coastal Systems International – www.coastalsystemsint.com

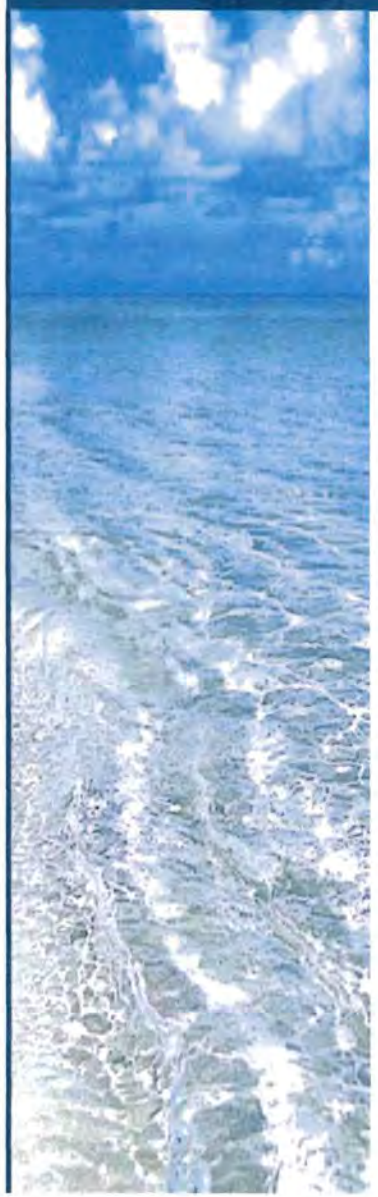
- Established consulting firm specializing in Coastal and Waterfront Projects
- Over 20 Years as consulting firm in South Florida
- Projects in Florida, Caribbean, and Central America

Tim is Director of Engineering for Coastal Systems

- With firm for over 12 years
- 20 Years of Experience – coastal, civil, marine structural engineering
- Beach Management Projects – Miami-Dade County
- Tidal Hydraulic Studies – Biscayne Bay and S. Florida
- Stormwater Management Design – Miami Beach
- ASCE Florida Infrastructure Report Card Committee – Coastal Areas – 2008

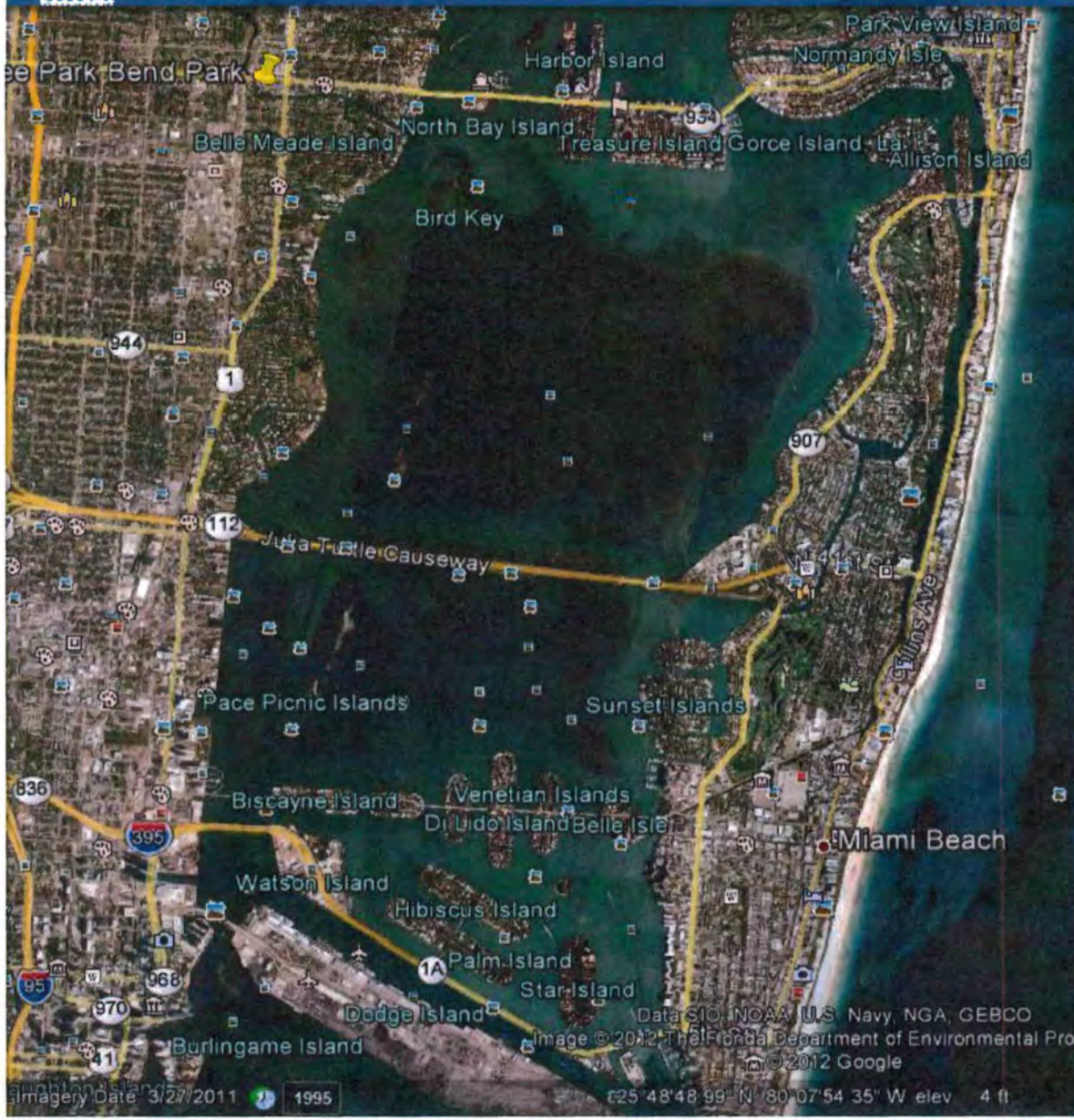
Role of Coastal Systems on CDM Smith Team

- Subconsultant to CDM Smith – Coastal Engineering
- Tidal Boundary Conditions – Design tidal elevation at Biscayne Bay for drainage outfall hydraulic analysis
- Biscayne Bay and Effect on Drainage
- Tidal Data Analysis



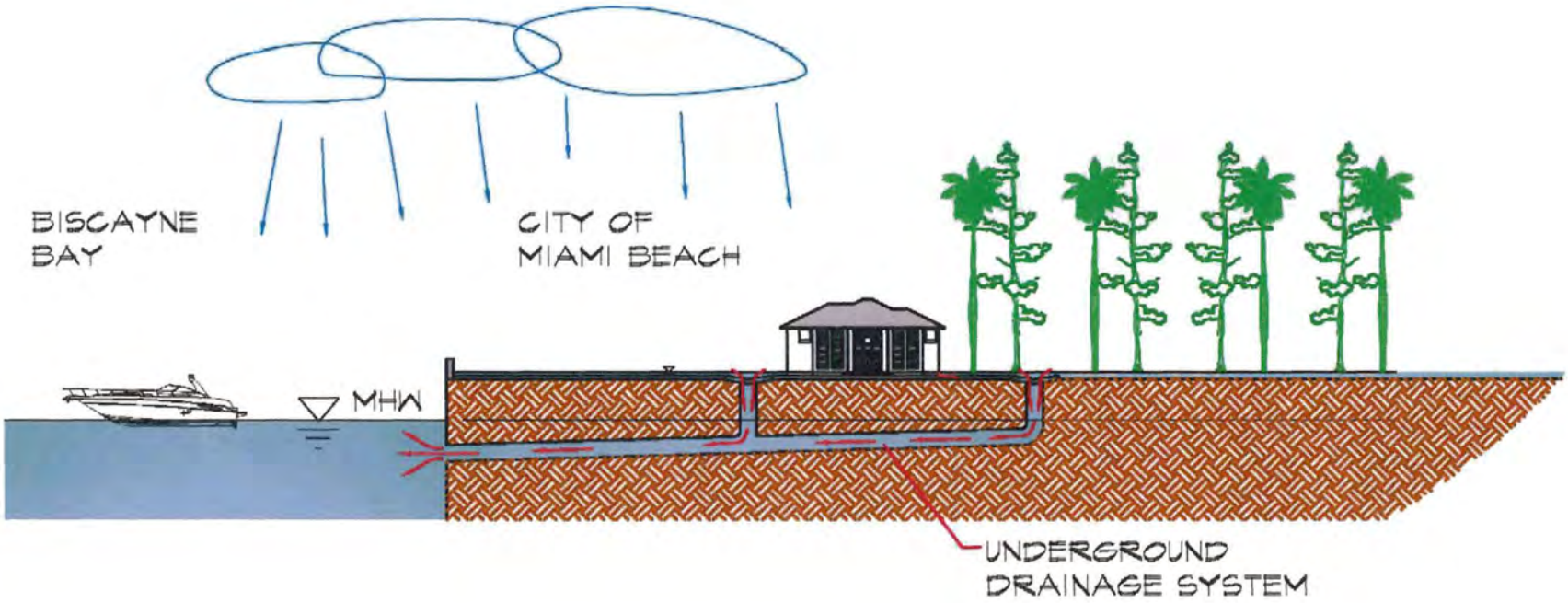
- Definitions included in workshop handouts
- Visit NOAA web site www.tidesandcurrents.noaa.gov
- Tidal Boundary Conditions – Design tidal elevation at Biscayne Bay for drainage outfall hydraulic analysis
- NOAA – National Oceanic and Atmospheric Administration
- NAVD – North American Vertical Datum of 1988 – geodetic vertical datum
- MHW – Mean High Water – The average of all the high water heights observed over the National Tidal Datum Epoch
- Current Tidal Epoch – based on data from 1983-2001

Review of Key Terms and Definitions

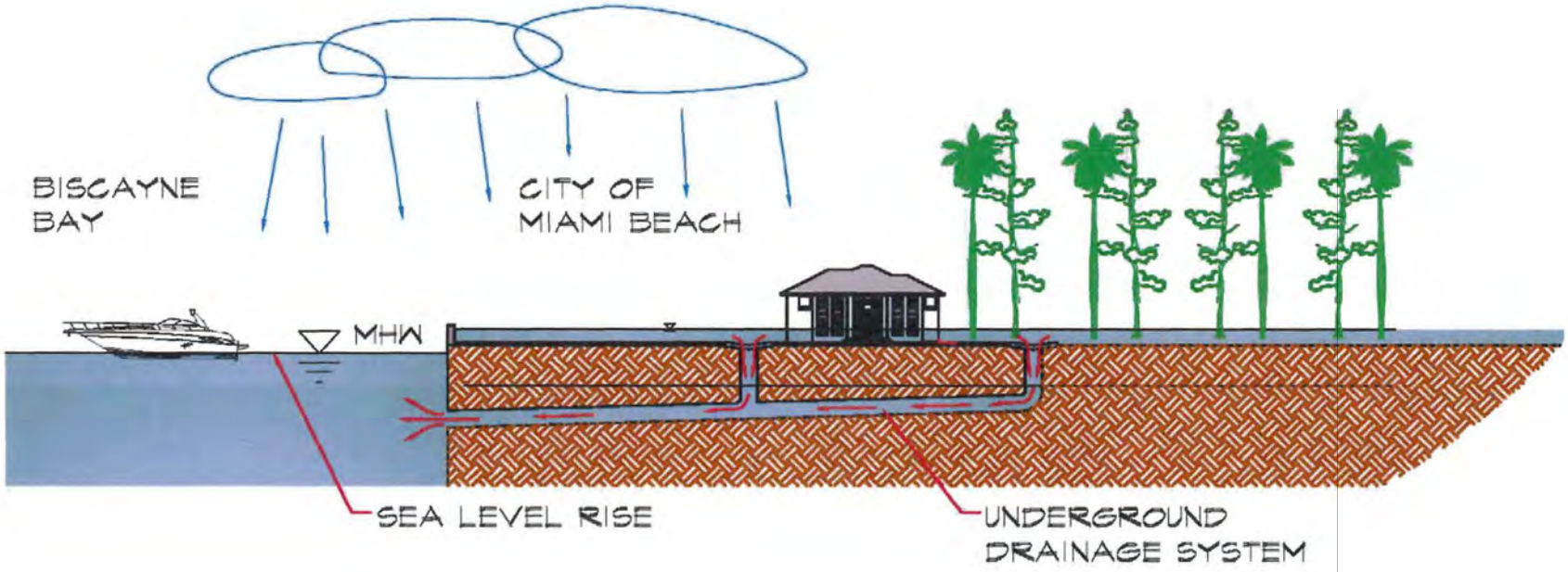


- Drainage in Miami Beach Relies on Biscayne Bay and Interior Canals
- Waterways are Tidal
- Tidal Boundary Conditions – Design tidal elevation at Biscayne Bay for drainage outfall hydraulic analysis

Tidal Boundary Conditions:



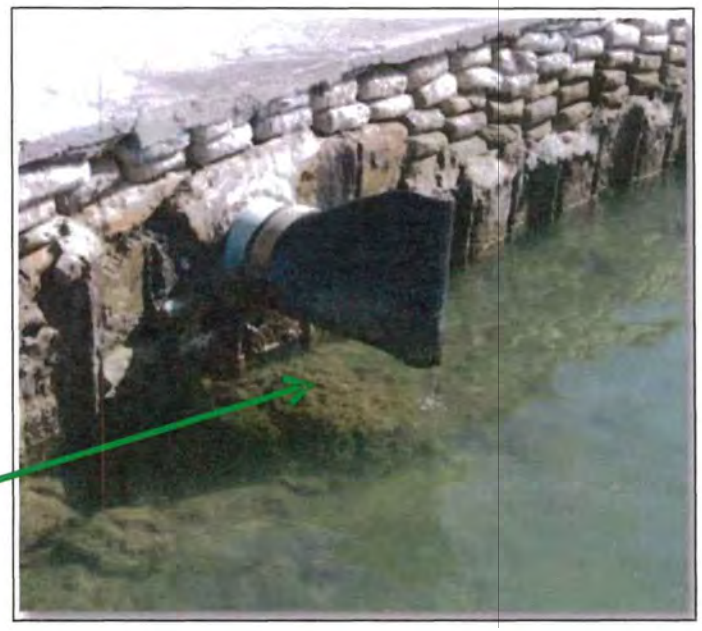
Tidal Boundary Conditions:



Tide Just Below Outfall

- The Florida Department of Transportation (FDOT, 2012) requires the use of MHW for culvert drainage design
- Sea Level rise trend

Tide Below Outfall



Tide Submerged Outfall

Trident Pier

Virginia Key

Vaca Key

NOAA Tide Stations on the East Coast of Florida with water level data

TABLE 2.1
Tidal Elevations Published by NOAA

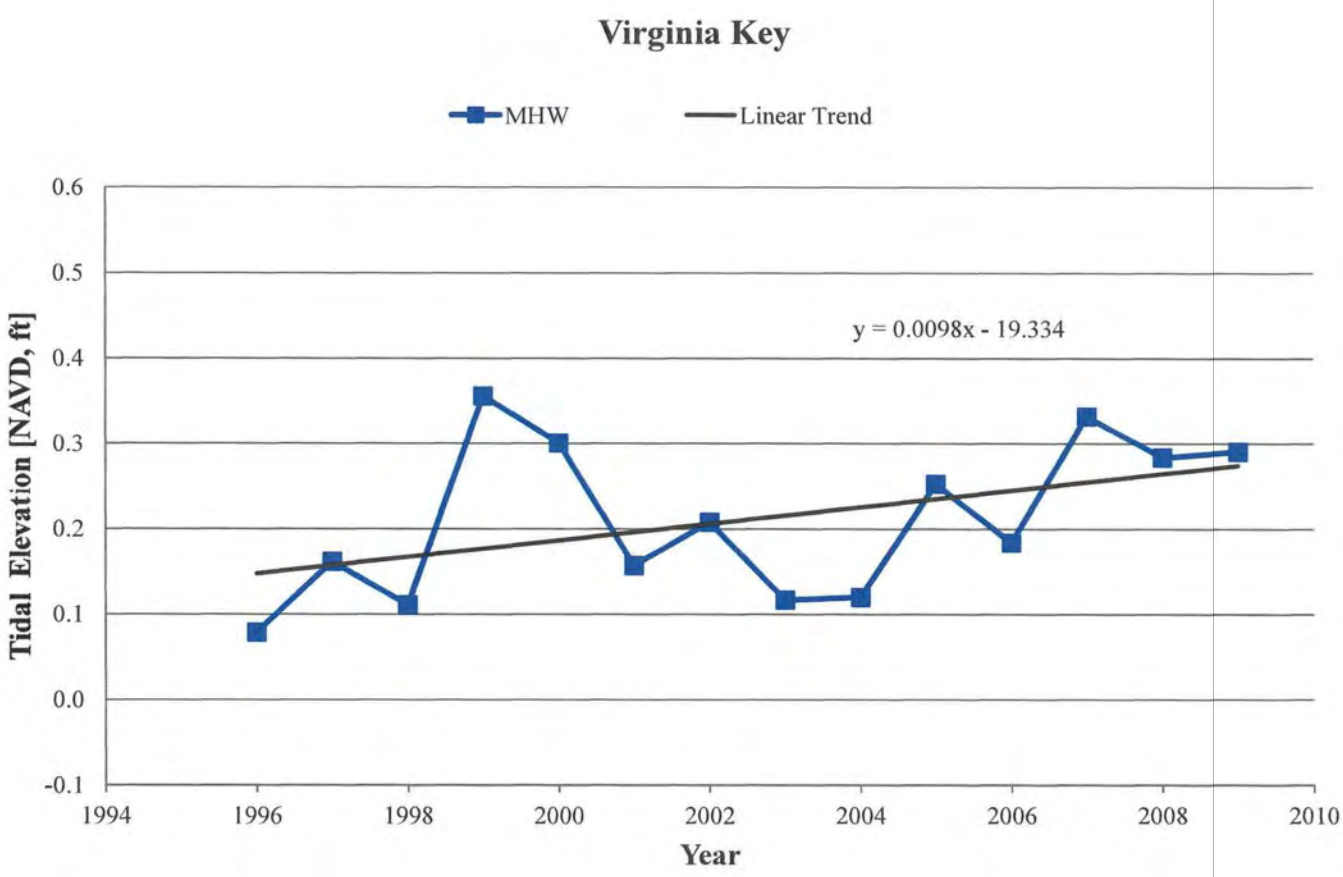
Location	Station ID	Mean High Water, [NAVD, ft]	Mean Sea Level, [NAVD, ft]	Mean Low Water [NAVD, ft]
Virginia Key	8723214	**0.16**	-0.88	-1.86
Vaca Key	8723970	-0.47	-0.82	-1.18
Trident Pier	8721604	0.59	-1.14	-2.88

- Current Tidal Epoch – based on data from 1983-2001

TABLE 3.1
Analyzed Tidal Elevations

Year	Annual Mean High Water, [NAVD, ft]			Annual Mean Tide Elevation, [NAVD, ft]		
	Virginia Key	Trident Pier	Vaca Key	Virginia Key	Trident Pier	Vaca Key
1996	0.08	0.62	-0.61	-0.97	-1.14	-0.93
1997	0.16	0.77	-0.49	-0.89	-1.00	-0.79
1998	0.11	0.62	-0.53	-0.94	-1.15	-0.82
1999	0.36	0.92	-0.26	-0.69	-0.83	-0.62
2000	0.30	0.84	-0.27	-0.75	-0.90	-0.65
2001	0.16	0.72	-0.39	-0.87	-0.99	-0.77
2002	0.21	0.76	-0.30	-0.81	-0.94	-0.69
2003	0.12	0.66	-0.33	-0.89	-1.02	-0.74
2004	0.12	0.60	-0.32	-0.88	-1.07	-0.75
2005	0.25	0.84	-0.24	-0.75	-0.80	-0.67
2006	0.18	0.65	-0.31	-0.82	-0.99	-0.73
2007	0.33	0.81	-0.19	-0.68	-0.82	-0.60
2008	0.28	0.73	-0.21	-0.72	-0.92	-0.62
2009	0.29	0.83	-0.22	-0.73	-0.85	-0.63
2010	0.29	0.75	-0.26	-0.76	-0.97	-0.61
2011	0.27	0.79	-0.31	-0.78	-0.94	-0.66

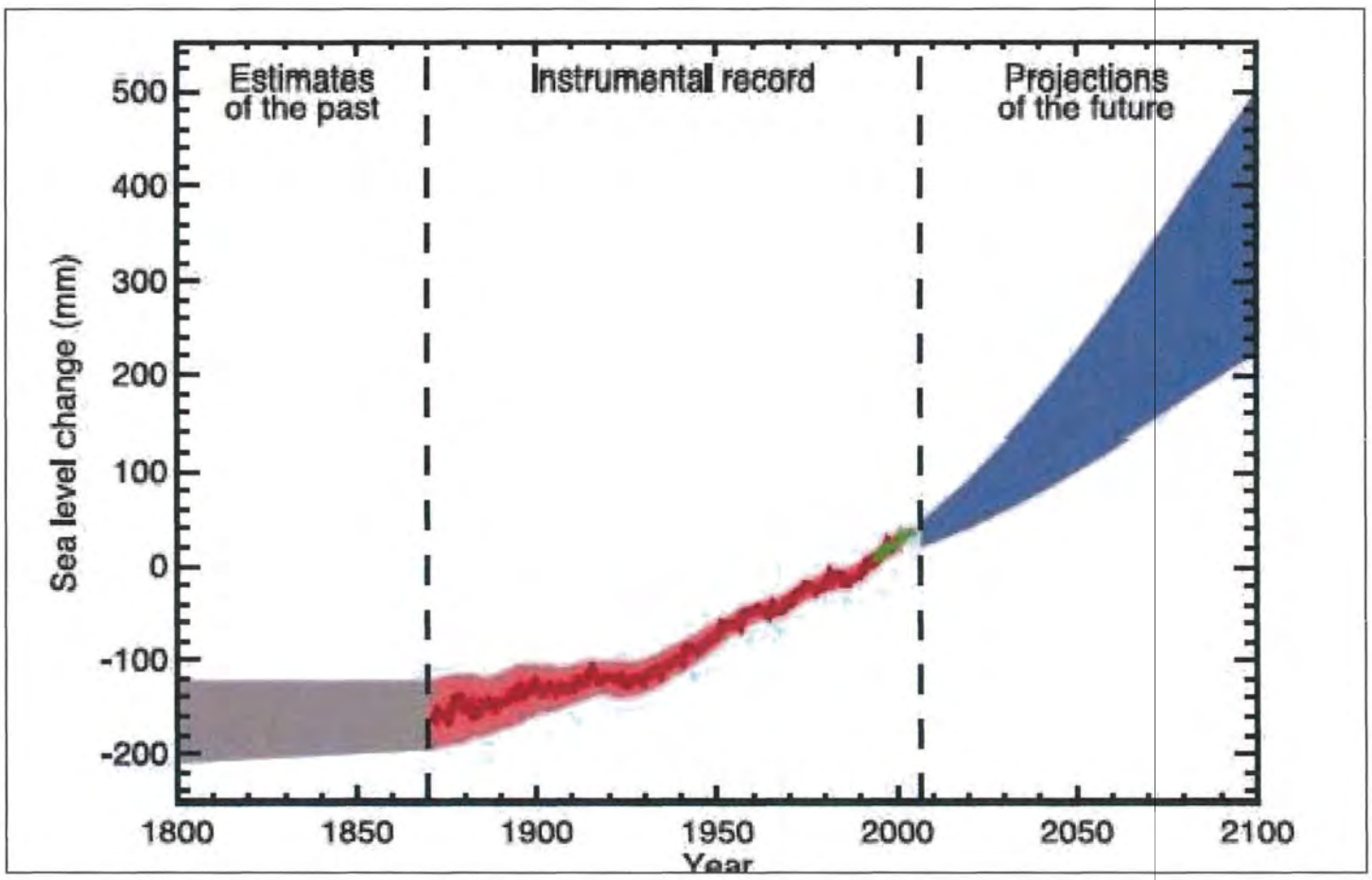
- How do the observed averages compare with the MHW datum?



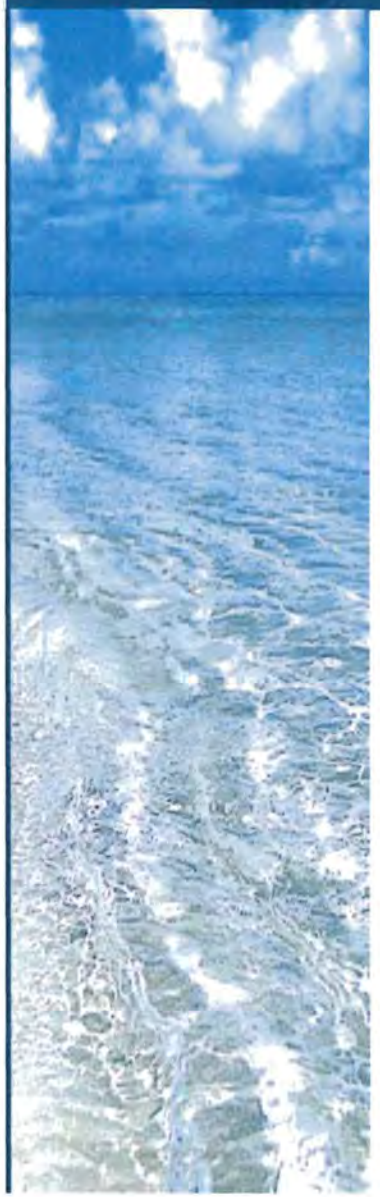
Trend from observed data is 0.118 inches/year

TABLE 6.1
Potential Water Future Levels at Virginia Key [NAVD, ft]

Mean Sea Level			Mean High Water			Mean Spring Tidal Water		
25-year	50-year	100-year	25-year	50-year	100-year	25-year	50-year	100-year
-0.68	-0.49	-0.10	0.41	0.65	1.14	0.60	0.85	1.34



Source: IPC, 2007



- Minimum Design Criteria 0.36' NAVD for Boundary Condition based on highest annual water levels observed at Virginia Key. This statistic was from 1999 data.
- 25-Year Projection is 0.41' NAVD
- Iterative Analysis to evaluate practicality and cost-effectiveness of stormwater management system planning and design that accounts for these minimum and projected MHW levels
- Sea Level Trends: 0.65' to 1.66' MHW Elevation in 50 Years (CSI Projection, 2011 and CCATF Recommendation, 2008)
- Shoreline Elevations should be Reviewed

City of Miami Beach Citywide Comprehensive Stormwater Management Master Plan

Sea Level Rise Public Workshop

Jason A. Johnson, P.E.-
Senior Project
Manager/Principal Engineer

Michael F. Schmidt, P.E., BCEE-
Senior Vice President

August 2012

CDM Smith

CDM Smith Presenters

Michael F. Schmidt, P.E., BCEE

- Senior Vice President for CDM Smith
- Water Resources Technical Market Leader with 27 years experience on +80 stormwater programs across Florida
- Managed /directed +160 water resource management programs

Jason A. Johnson, P.E.

- Senior Project Manager
- Principal Water Resources Engineer
- 15 years of international and domestic water resources/ stormwater management experience

Stormwater Master Plan Goals

- Flood Control
- Water Quality Protection
- Aquifer Recharge and Water Supply
- Conservation and Reuse
- Operation and Maintenance
- Long Term Financing
- Community Acceptance

Adaptability

Levels of Service

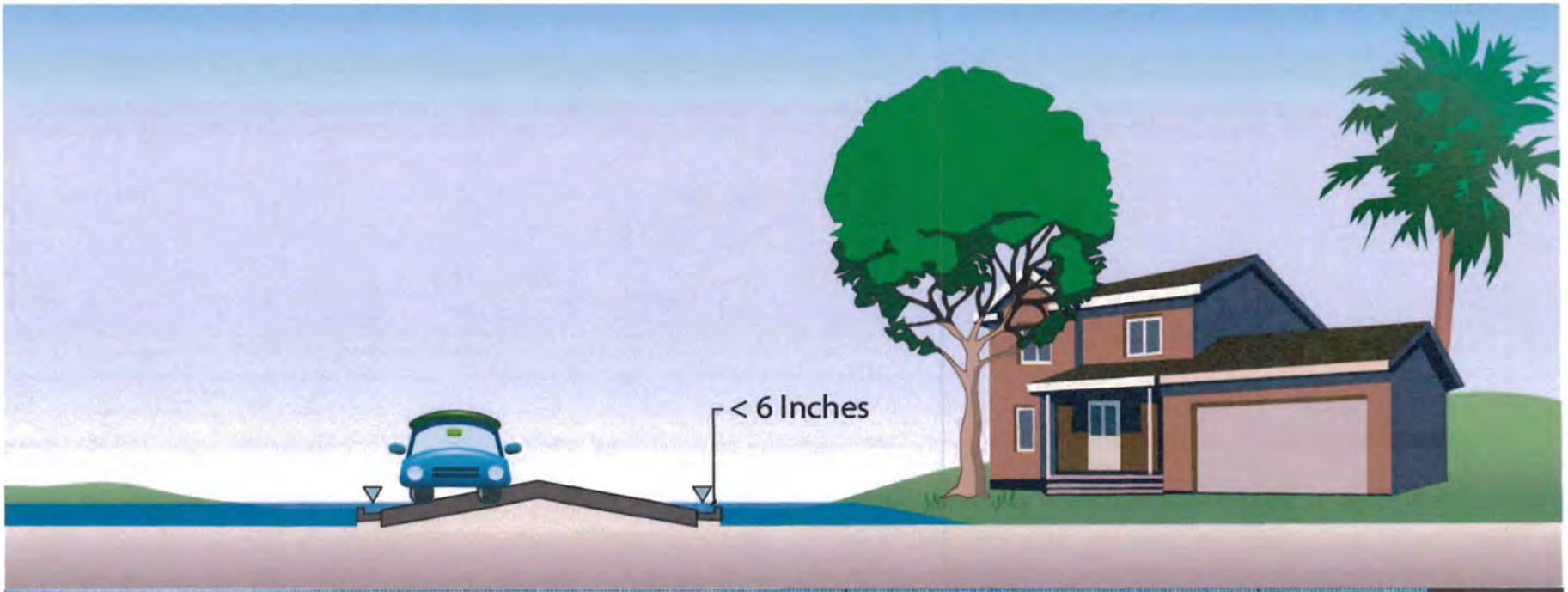
Sustainability

Terms and Definitions

- Design Storm
- Boundary Condition
- Level of Service (LOS)
- Pervious/Impervious
- Best Management Practice (BMP)
- Backflow Preventer
- Outfall
- Recharge Well
- Reuse
- IPCC
- USACE

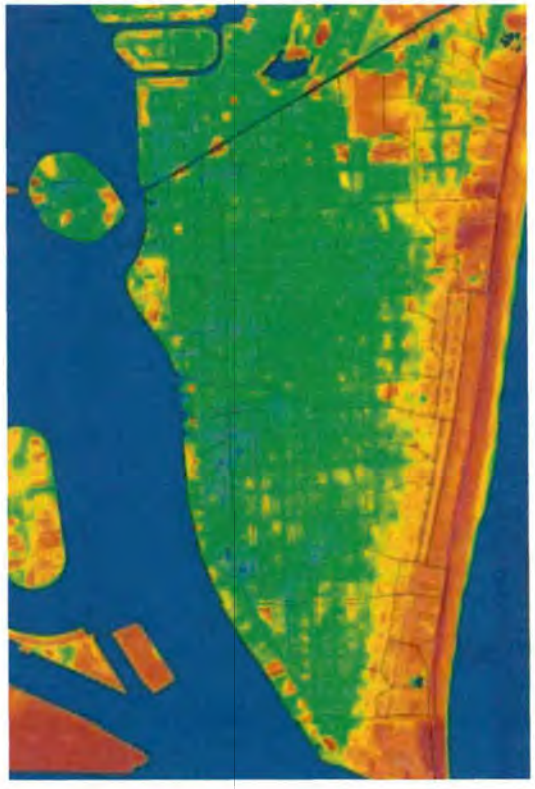
Level of Service

- Keep flooding below homes and buildings
- Keep roads passable for emergency traffic as practicable



City of Miami Beach Stormwater Issues

- Low and relatively flat terrain
- Limited pervious area
  - Existing development
  - New construction
- Tidal constraints and backflow
- High groundwater table
- Aging infrastructure in corrosive conditions



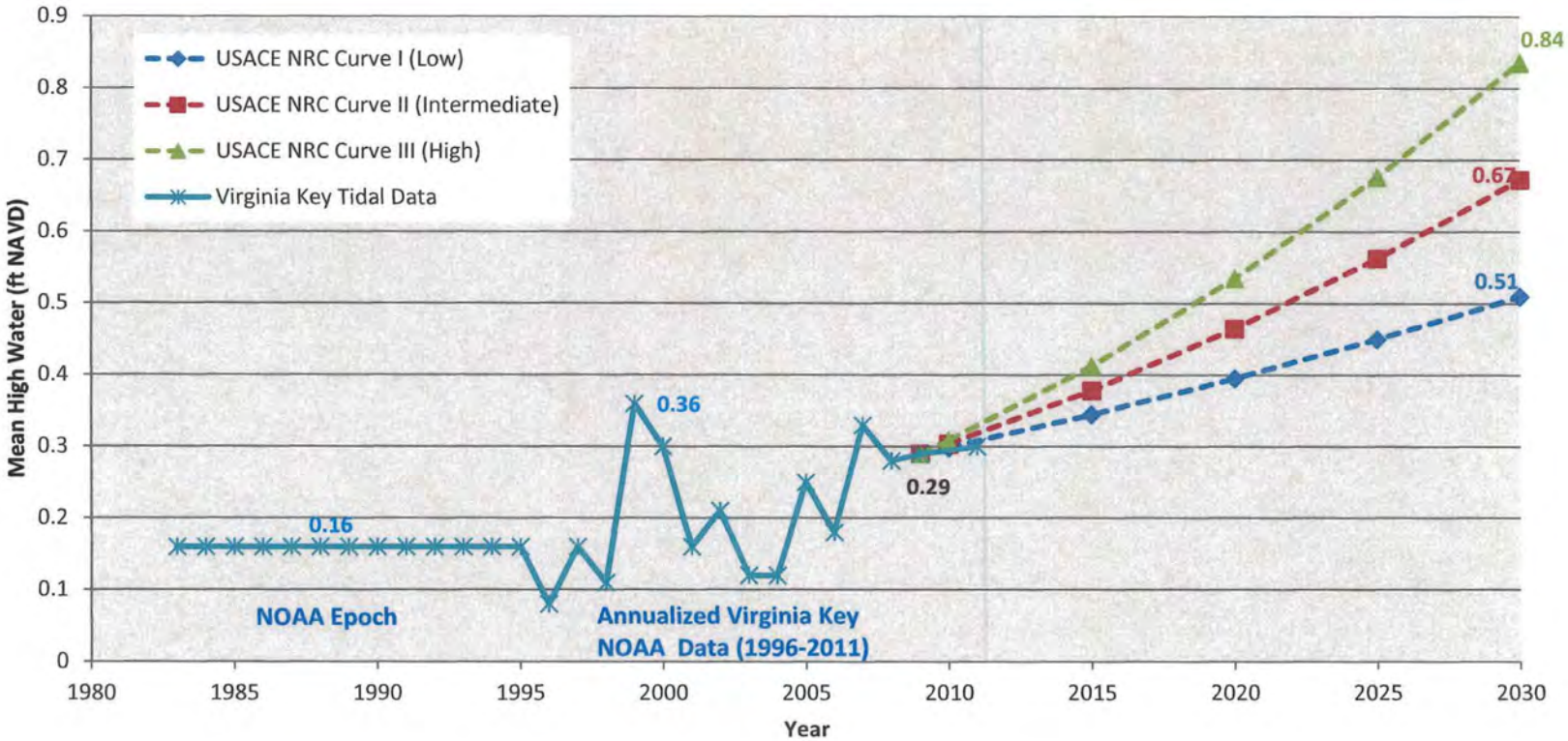
Incorporating Sea-Level Rise into Stormwater Planning

- Evaluate current tidal guidelines and requirements by other Government agencies:

Federal	State of Florida
• USACE • NOAA • USGS • FEMA	• SFWMD • FDEP • FDOT • Miami-Dade County

- Evaluate 20 year projections for sea level rise
  - Use local data, when possible (i.e. Virginia Key)
  - Sensitivity analysis to tidal and rainfall conditions
  - Adaptability to varied sea-level rise projections (i.e. USACE guidance document)

Historic and Projected Mean High Water Levels at Virginia Key



USACE curves are based on the Engineering Circular EC 1165-2-212, published on October 1, 2011 and expires September 30, 2013.

Stormwater Management Master Plan Capital Improvement Program (in Million $)

Location	Estimated Capital Cost ($M)
Biscayne Point	$11
North Shore	$7
North Shore (72nd Street)	$10
Normandy Isle	$20
Upper LaGorce	$12
Lower LaGorce	$14
LaGorce/Allison Island	$9
Oceanfront	$0.3
Nautilus	$4
Sunset Islands 3 & 4	$3
Flamingo+	$106M
SUBTOTAL	$196M
Adjustment for highest sea level rise projection	$10M
TOTAL	$206M

jaj2

Tiered Best Management Practice (BMP) Treatment Train Approach Provides Adaptability

Step 1 — Runoff and Load Generation

Step 2 — Collection and Treatment

Step 3 — Additional Treatment, Attenuation, & Recharge

Step 4 — Final Treatment, Attenuation, & Reuse

Step 5 — Outfall

Discharge to Receiving Waters

NPDES Program
- Public Information
- Source/Spill Controls
- Erosion Control
- Minimize DCIA
- Illicit Connections/ Illegal Dumping
- Street Sweeping
- Inspections/Audits/ Maintenance

Tier 1
- First Flush and Filter Inlets (Treat Offline)
- Backflow Preventers
- In-Pipe/Junction Box
  - Baffle Boxes
  - Oil-Water Separators
  - Vortex Separators
- Landscape Swales
  - Retention
  - Detention
- Exfiltration
- "Green" Alleys

Tier 2
- Recharge Wells
  - Aquifer Recharge
  - Saltwater Intrusion Barrier
  - Pipe Upgrades
  - Conveyance
  - Storage

Tier 3
- Pump to Storage
- Storage
  - Tanks, Cisterns, Pipes
  - Golf Courses
  - Restored Wetlands
  - Near Shore Facilities
- Harvesting and Reuse
- Recharge Wells in Storage Tanks

Tier 4
- Outfall Upgrades
- Pump Outfalls
- Modify Seawalls

Lower Cost — $ — Higher Cost

Tiered Best Management Practice (BMP) Treatment Train Approach Provides Adaptability (cont.)

Step 1

Runoff and Load Generation

NPDES Program

- Public Information
- Source/Spill Controls
- Erosion Control
- Minimize DCIA
- Illicit Connections/ Illegal Dumping
- Street Sweeping
- Inspections/Audits/ Maintenance

Tiered Best Management Practice (BMP) Treatment Train Approach Provides Adaptability (cont.)

Step 2

Collection and Treatment

Tier 1

- First Flush and Filter Inlets (Treat Offline)
- Backflow Preventers
- In-Pipe/Junction Box
  - Baffle Boxes
  - Oil-Water Separators
  - Vortex Separators
- Landscape Swales
  - Retention
  - Detention
- Exfiltration
- "Green" Alleys

Tiered Best Management Practice (BMP) Treatment Train Approach Provides Adaptability (cont.)

Step 3

Additional Treatment, Attenuation, & Recharge

Tier 2

- Recharge Wells
  - Aquifer Recharge
  - Saltwater Intrusion Barrier
  - Pipe Upgrades
  - Conveyance
  - Storage

Tiered Best Management Practice (BMP) Treatment Train Approach Provides Adaptability (cont.)

Step 4

Final Treatment, Attenuation, & Reuse

Tier 3

- Pump to Storage
- Storage
  - Tanks, Cisterns, Pipes
  - Golf Courses
  - Restored Wetlands
  - Near Shore Facilities
- Harvesting and Reuse
- Recharge Wells in Storage Tanks

Tiered Best Management Practice (BMP) Treatment Train Approach Provides Adaptability (cont.)

Step 5 **Outfall**

Tier 4

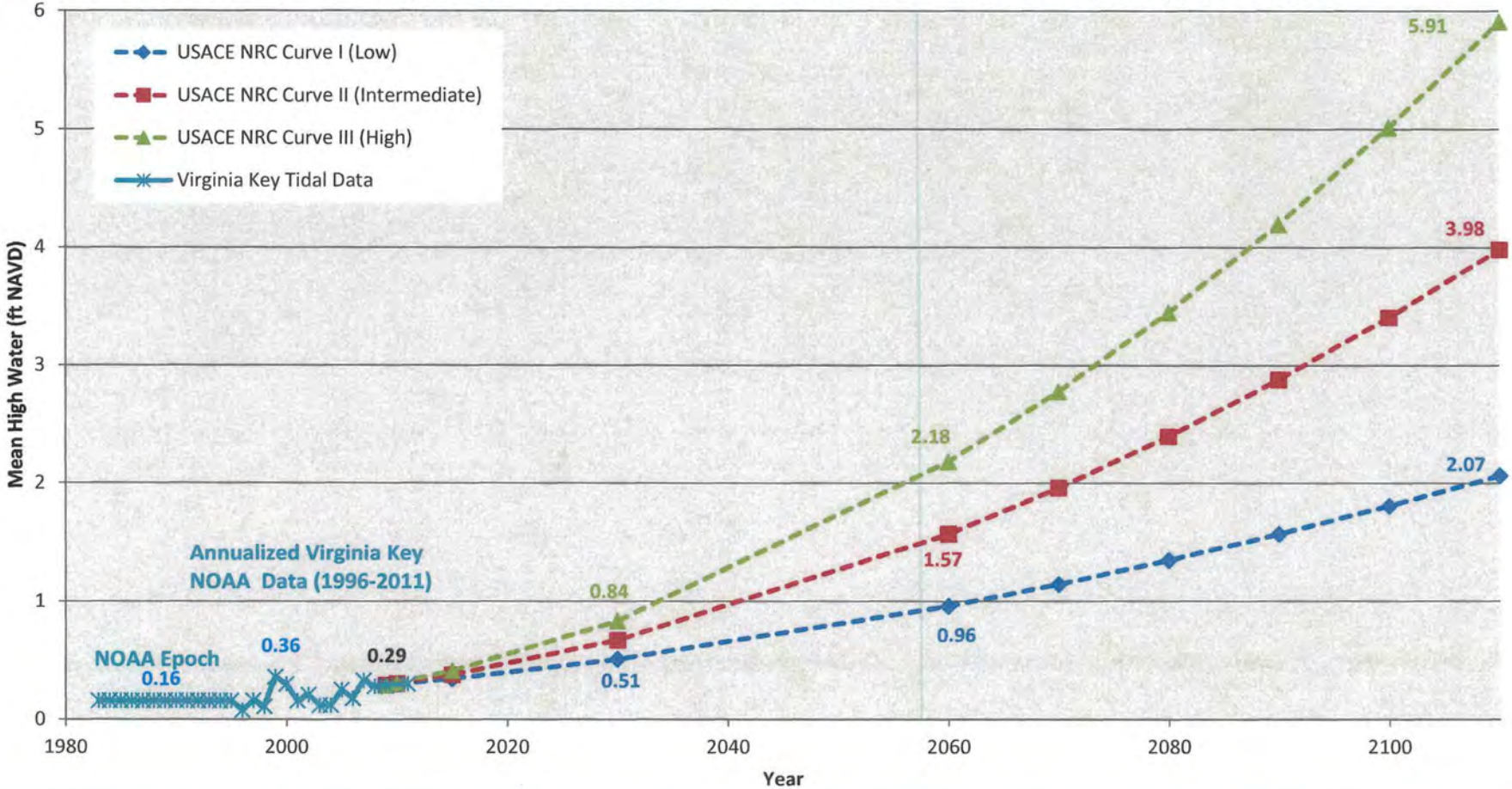
- **Outfall Upgrades**
- **Pump Outfalls**
- **Modify Seawalls**

Recommendations from SWMP Related to Sea-Level Rise

- Monitor and participate in future regional recommendations related to sea level rise
- Follow USACE Civil Works and FEMA guidance in planning and design
- Monitor pending IPCC recommendations regarding sea-level rise that are scheduled to be released to the public within the next three years
- Review tidal data every five years and adapt the SWMP as appropriate

Historic and Projected Mean High Water Levels at Virginia Key

USACE curves are based on the Engineering Circular EC 1165-2-212, published on October 1, 2011 and expires September 30, 2013.



ITEM THREE

Discussion Item

ITEM FOUR

MIAMIBEACH

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

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee

FROM: Kathie G. Brooks, Interim City Manager

DATE: August 22, 2012

SUBJECT: ORDINANCES RELATED TO MODIFICATIONS TO THE BUILDING, FIRE, PLANNING AND PUBLIC WORKS DEPARTMENT FEES RELATED TO THE BUILDING DEVELOPMENT PROCESS APPROVED ON FEBRUARY 1, 2010

ADMINISTRATION RECOMMENDATION

The Administration recommends that the Committee recommend that the City Commission reduce fees related to the Building Development Process as outlined herein.

INTRODUCTION

On January 13, 2010, the City Commission approved four ordinances for the Building, Fire, Planning and Public Works departments related to the fees for the Building Development Process.

These ordinances went into effect on February 1, 2010 and provided a complete overhaul of the fee structure for the above mentioned departments. Additional changes were adopted by the City Commission in September 2011 that went into effect on October 1, 2011, including reductions to the fees for certain permit types, a continuation of discounts for permit fees related to certain permit types, a waiver of the Consumer Price Index (CPI) adjustments for 2011 and 2012, and the introduction of a cap on permit fees at 10% of the calculated cost of construction. The Administration had stated that it would return to the Finance and Citywide Projects Committee (Committee) with a review of the 10% cap.

Additionally, at the July 10, 2012 Committee meeting, the Committee asked the Administration to report on the incentives offered to customers for environmentally-friendly projects.

BACKGROUND

The Building Development Process ("Process") in the City of Miami Beach includes the Building Department, the Fire Department's Fire Prevention Division, the Planning Department and the Public Works Department's Engineering Division.

In mid-2009, the City initiated a study of costs and fees related to the Process with the consulting firm, Maximus Consulting Services Inc. ("Maximus"). The primary focus of the study was to develop a simplified fee structure and associated fee levels for services performed by the Building Department in enforcing the Florida Building Code, as well as services performed by other Departments in enforcing other Federal, State and City Codes related to building permits. In addition, the study reviewed other development related costs and fees in the Fire, Planning, and Public Works Departments.

On January 13, 2010, the City Commission approved four ordinances for the Building, Fire, Planning and Public Works departments related to the fees for the Building Development Process, as outlined in the Maximus study. These ordinances went into effect on February 1, 2010 and provided a complete overhaul of the fee structure for the above mentioned departments.

At the time of implementation, there were increases in the fees related to the building development process for the Fire, Planning, and Public Works Departments. These were offset by discounts in the Building Department fees so that, in the aggregate, the total combined fees charged to the development community were to remain at current levels. Decreases in Building Department revenues were partially replaced by previously set aside Building Department reserves in FY 2009/10 and are budgeted to be offset in FY 2011/12. Subsidies from other general fund revenue sources were $725,000 in FY 2009/10, and $1 million in FY 2010/11. It is important to note that discounts were applied to fees to achieve three (3) objectives: 1) ensure that permits are pulled for small projects. If permit fees represent a large or excessive percent of the project costs, it will discourage customers from pulling permits; 2) provide lower fees for residential projects; and 3) incentivize environmental projects.

In 2011, the Administration presented additional permit fee changes to the Committee for consideration. These included additional reductions to the fees for certain permit types, a continuation of discounts for permit fees related to certain permit types, a waiver of the Consumer Price Index (CPI) increases for 2011 and 2012, and the introduction of a cap on permit fees at 10% of the calculated cost of construction. The Committee recommended these additional changes, and they were adopted by the City Commission and made effective on October 1, 2011.

Environmental Incentives

On April 22, 2009, the Commission passed Ordinance No. 2009-3633, which provided for certain incentives for the construction of Leadership in Energy and Environmental Design (LEED) Green Rating System approved environmentally sustainable construction. Among the incentives offered for these projects were expedited plan reviews by all regulatory departments of the City, expedited inspections, and monetary refunds of permit fees up to 1% of the value of the construction, subject to the annual appropriation of funds for this purpose by the City Commission. The City Commission has not to this point allocated funds for this purpose. Attached as Exhibit 1 is a copy of the applicable sections of the City's Code of Ordinances known as the Green Building Ordinance, outlining the requirements of participating in the environmental incentive program.

In addition, with the adoption of the Maximus fee structure effective February 1, 2010, the City Commission implemented permit fee reductions as follows to incentivize

environmentally-friendly construction:

Permit Type	Occupancy Type	Original Fee	Discounted Fee
Solar Water Heater	Residential	$ 627.00	$ 100.00
Solar Water Heater	Commercial	$ 2,455.00	$ 100.00
Solar (Photovoltaic)/ Alternate Power Systems	Single Family Residential	$ 1,162.00	$ 500.00
Solar (Photovoltaic)/ Alternate Power Systems	Multi-Family Residential/Commercial	$ 2,477.00	$ 1,920.00

It should be noted that the Administration is recommending reducing the discounted fee for the Solar (Photovoltaic) / Alternate Power Systems for Single Family Residential and Multi-Family Residential/Commercial Permit Types even lower, to $251.00 and $961.00, respectively, as part of the 10% Permit Fee Cap revisions, discussed below.

10% Permit Fee Cap

Section 14-61(p) of the City's Code of Ordinances requires the Administration to reevaluate the permit fees of any permit application where the permit fees, not including any outside agency fees or surcharges, are greater than 10% of the value of construction as declared on the permit application. Excluded from this process are permit applications where the value of construction is less than $1,000 or the permit fee is the minimum permit fee.

The reevaluation process consists of a plan reviewer using industry standard cost estimating resources to confirm whether the value of construction as stated on the permit application is in line with the construction industry. The Administration has determined that the level of effort to reevaluate the construction values for all applications triggered by the 10% cap would detract from the plan review level of service if conducted by existing City staff. So, at the current time, this reevaluation process is being conducted by supplemental staff hired through an agreement between the City and a staffing provider, at a cost of approximately $140,000 per year. It should be noted that this supplemental staffer is also a licensed inspector, and can be called on to provide other functions as needed by the Department, so the $140,000 is not entirely attributable to the 10% rule. However a very conservative estimate is that approximately 55% of this inspector's time is utilized in conducting the reevaluations.

Based on the plans submitted with the permit application, the evaluator uses RS Means data, a widely accepted provider of construction costing, to determine the industry standard value for the work described (determined value). The permit fees are evaluated against the determined value to see if the fees are still greater than 10% of the determined cost.

- If the permit fees are less than 10% of the determined cost, no refund is processed.
- If the fees are still more than 10% of the determined cost, a refund is processed after the project construction is complete and passes all required inspections, assuming that the refund meets the requirements of Section 14-62(b) of the City's Code of Ordinances (refunds must exceed $100 in order to be refunded).

- If a construction value cannot be determined by the above-indicated resources, typically either because plans are not required as part of the application submittal or RS Means doesn't have an appropriate category, the actual level of effort for plan review and inspection shall be calculated and charged, but shall not exceed the originally calculated fee at time of permit application. When this occurs, the level of effort costs cannot be calculated until the construction is complete, so a determination as to what the permit fee will be and if any refund is due to the customer cannot be made until after all inspections are complete and the project has received final approval.

The 10% permit fee cap has been in place since October 1, 2011. Between October 1, 2011 and July 31, 2012, there have been 11,172 permit applications approved. Of those, only 1,481 (13.26%) have triggered a 10% cap evaluation. The permit fees associated with the over 11,000 approved permit applications exceed $8.6 million. If the permit fees associated with the permits that triggered the 10% cap were all lowered to no more than 10% of the stated value of construction, the potential reduction in permit fees would be approximately $511,000, which represents approximately 6% of permit fees collected.

To date, 1,434, or approximately 97%, of the permits that triggered a 10% cap reevaluation have been evaluated. Of those, 291 have been approved for a refund. This represents less than 20% of all permits triggered for reevaluation, and less than 3% of all permit applications approved to date. Approximately $142,000 has been approved for refunds back to the customers based on the 291 permits. This represents 1.65% of the permit fees collected for the 11,172 permit applications approved as of July 31, 2012. Of those remaining to be reviewed, the maximum amount of any potential refunds is approximately $53,000. This number will be revised as reevaluation takes place.

There are still approximately 180 permits that have been evaluated, but for which an industry standard construction cost cannot be determined, either because the permit application does not require a plan submittal, or because RS Means does not include a category or methodology for costing that kind of work out. The permit fees for this work will be determined based on actual level of effort, but shall not exceed the permit fee costs calculated at time of permit application. The total cumulative amount of any potential refunds is approximately $125,000.

There are approximately 960 permits that have been reevaluated for which no refund is due to the customer because the permit fees calculated at time of application are less than 10% of the value of work as determined using industry standard cost estimating methodologies, as opposed to the value submitted at the time of application by the applicant.

The sum of the refunds approved to date, the maximum exposure of those permit fees yet to be reevaluated, and those that will be determined by level of effort is $320,000. This equates to 3.7% of the approximately $8.6 million collected in permits fees for those permits approved during the stated timeframe. It should be stated that the costs of evaluating these plans, determining the industry standard construction cost, and approving and processing any potential refunds is a labor intensive process. The cost of having a person reevaluate all triggered plans is $77,000. Staff time related to

reviewing the determinations and processing the refunds has not been captured, but has been time consuming.

Recommendations for Permit Fee Changes

With the analysis of the 10% permit fee cap impact on revenue, staff has also reviewed the types of permits most frequently resulting in a refund after reevaluation of the permit fees. It is important to focus on those permit types approved for a refund, as those are the ones where the reevaluation is reflecting that current permit fees are indeed greater than 10% of the industry standard value of construction.

The five (5) permit types that resulted in the most refund approvals are provided here in order from highest number of approvals to lowest. These five (5) permit types alone represent approximately 70% of the permits where the reevaluation resulted in a refund being issued to the customer.

- Alteration/Remodeling Permits – 54 of 291 (18.56%)
- Alteration/Remodeling Condo Permits – 46 of 291 (15.81%)
- Low Voltage Electrical Permits – 44 of 291 (15.12%)
- Plumbing Alteration/Remodeling Permits – 33 of 291 (11.34%)
- Partial Demolition Permits – 25 of 291 (8.59%)

As was discussed at the July 10, 2012 Committee meeting, the Administration has already proposed changes to the Alteration/Remodeling and Alteration/Remodeling Condo permit types, by refining the fees for the Planning and Public Works Departments on interior alteration/remodeling work. It is anticipated that these changes will reduce the Alteration/Remodeling and Alteration/Remodeling Condo permits fees significantly enough to no longer trigger a reevaluation on the majority of these types of permits.

With regard to the Low Voltage Electrical Permits, Plumbing Alteration/Remodeling Permits and Partial Demolition permits, the Administration is proposing permit fee refinement as identified in the attached excerpts of Appendix A of the City's Code of Ordinances (Exhibit 2), which outlines the permit fees for the Building, Fire, Planning and Public Works Departments. Again, it is anticipated that these reductions will reduce permit fees on these permit types significantly enough to have permit fees remain under 10% of the determined value of construction for the majority of these permit types. In the case of Low Voltage Electrical Permits, a fee will no longer apply to these applications when they are submitted as part of a Master Permit, which will result in further savings to customers.

In addition to the top five (5) permit types approved for refund, the Administration is proposing refinements to the following permit types. These permit types represent another approximately 7% of the permit types approved for a refund, which if approved, will address approximately 77% of the permits approved for a refund.

- Awning/Canopy/Patio Cover Permit
- Signage Permit (both electric and non-electric)
- Repair Existing Elevator Permit
- Generators/Solar Systems
- Solar/Alternative Power

- Painting
- Installation of Plumbing Fixtures

The estimated financial impact of these fee reductions on an annual basis would be approximately $206,000, not including the Interior Alteration/Remodel changes already approved by the Committee at its July 10, 2012 meeting.

CONCLUSION

It should be noted that the Administration will continue to further evaluate permit fees for those where refinements are recommended, as well as the remaining permit fee types, on a regular basis and bring further recommendations to the Committee for review and discussion.

The Administration recommends that the Committee recommend that the City Commission reduce fees related to the Building Development Process as outlined herein.

KGB/JGG/SS/KT

Category	Building Current Fee	Building Proposed Fee	Difference	Fire Current Fee	Fire Proposed Fee	Difference	Planning Current Fee	Planning Proposed Fee	Difference	Public Works Current Fee	Public Works Proposed Fee	Difference	Total Current Fee	Total Proposed Fee	Total Difference
Generator-Single Family	$ 377.00	$ 151.00	$ (226.00)	$ -	$ -	$ -	$ 123.00	$ 49.00	$ (74.00)	$ -	$ -	$ -	$ 500.00	$ 200.00	$ (300.00)
Generator-Commercial															
Under 10,000 sq ft or non-life safety related generator	$ 2,392.00	$ 1,196.00	$ (1,196.00)	$ 262.00	$ 131.00	$ (131.00)	$ 346.00	$ 173.00	$ (173.00)	$ -	$ -	$ -	$ 3,000.00	$ 1,500.00	$ (1,500.00)
10,000 to 50,000 sq ft	$ 2,983.00	$ 1,492.00	$ (1,491.00)	$ 501.00	$ 251.00	$ (250.00)	$ 346.00	$ 173.00	$ (173.00)	$ -	$ -	$ -	$ 3,830.00	$ 1,916.00	$ (1,914.00)
Above 50,000 sq ft	$ 3,190.00	$ 1,784.00	$ (1,406.00)	$ 810.00	$ 453.00	$ (357.00)	$ 346.00	$ 194.00	$ (152.00)	$ -	$ -	$ -	$ 4,346.00	$ 2,431.00	$ (1,915.00)
Solar(Photovoltaic)/Alternate Power															
Systems-Single family	$ 489.00	$ 245.00	$ (244.00)	$ -	$ -	$ -	$ 11.00	$ 6.00	$ (5.00)	$ -	$ -	$ -	$ 500.00	$ 251.00	$ (249.00)
Systems-Commercial/Multi-family	$ 1,899.00	$ 950.00	$ (949.00)	$ -	$ -	$ -	$ 21.00	$ 11.00	$ (10.00)	$ -	$ -	$ -	$ 1,920.00	$ 961.00	$ (959.00)
Transfer Switch for Future Generator(per unit)	$ 291.00	$ 146.00	$ (145.00)	$ -	$ -	$ -	$ 9.00	$ 5.00	$ (4.00)	$ -	$ -	$ -	$ 300.00	$ 151.00	$ (149.00)
Painting Permit															
Residential	$ 35.00	$ 27.00	$ (8.00)	$ -	$ -	$ -	$ 65.00	$ 65.00	$ -	$ -	$ -	$ -	$ 100.00	$ 92.00	$ (8.00)
Commercial	$ 115.00	$ 27.00	$ (88.00)	$ -	$ -	$ -	$ 109.00	$ 109.00	$ -	$ 26.00	$ 26.00	$ -	$ 250.00	$ 162.00	$ (88.00)
Plumbing Fixtures															
Fixture Rough,under 5 units	$ 200.00	$ 100.00	$ (100.00)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 200.00	$ 100.00	$ (100.00)
Fixture Sets replacement, Up to 5 units	$ 143.00	$ 100.00	$ (43.00)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 143.00	$ 100.00	$ (43.00)
Installation of fraction elevators and escalators, per unit. Each additional story over 10	$ 154.00	$ 84.00	$ (70.00)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 154.00	$ 84.00	$ (70.00)
Elevator Repairs (Jack/Oil lines)	$ 519.00	$ 250.00	$ (269.00)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 519.00	$ 250.00	$ (269.00)
Elevator Repairs (Can Interior/ Others)	$ 291.00	$ 250.00	$ (41.00)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 291.00	$ 250.00	$ (41.00)
Partial Demolition															
Under 300 sq ft	$ 711.00	$ 228.00	$ (483.00)	$ 73.00	$ 23.00	$ (50.00)	$ 50.00	$ 16.00	$ (34.00)	$ -	$ -	$ -	$ 834.00	$ 267.00	$ (567.00)
300-1000 sq ft	$ 711.00	$ 711.00	$ -	$ 73.00	$ 73.00	$ -	$ 50.00	$ 50.00	$ -	$ 24.00	$ 24.00	$ -	$ 858.00	$ 858.00	$ -
The following are other permit types recommended for fee reductions. The Total Difference in fees reflects the *minimum* amount of savings a customer may experience if these proposed fees are adopted, as the basis for calculation is changing from square footage to per unit or vice versa.															
Building Sign															
Each	$ 142.00	$ 116.00	$ (26.00)	$ -	$ -	$ -	$ 108.00	$ 108.00	$ -	$ -	$ -	$ -	$ 250.00	$ 224.00	$ (26.00)
Awnings,canopies and patio covers - New															
Single Family Home (Per Unit)	$ 91.00	$ 150.00	$ 59.00	$ -	$ -	$ -	$ 81.00	$ -	$ (81.00)	$ 10.00	$ -	$ (10.00)	$ 182.00	$ 150.00	$ (32.00)
All Other Occupancies															
1-30 Units	$ 198.00	$ 146.00	$ (52.00)	$ 98.00	$ 95.00	$ (3.00)	$ 118.00	$ 108.00	$ (10.00)	$ 25.00	$ -	$ (25.00)	$ 439.00	$ 349.00	$ (90.00)
Each additional 10 units over 30	$ 493.00	$ 185.00	$ (308.00)	$ 203.00	$ -	$ (203.00)	$ 168.00	$ -	$ (168.00)	$ 25.00	$ -	$ (25.00)	$ 889.00	$ 185.00	$ (704.00)
The following permit type is recommended for fee revision. Savings will be realized for any quantity of signs under four (4) signs. However, in Fiscal Year 2011/2012, no permit applications have included more than three (3) signs.															
Electric Sign															
One Electric Sign	$ 247.00	$ 71.00	$ (176.00)	$ -	$ -	$ -	$ -	$ 29.00	$ 29.00	$ -	$ -	$ -	$ 247.00	$ 100.00	$ (147.00)
2-5 Electric Signs	$ 366.00	$ -	$ (366.00)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 366.00	$ -	$ (366.00)
Each Additional Sign over 5	$ 47.00	$ -	$ (47.00)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 47.00	$ -	$ (47.00)
Each Additional Sign over 1	$ -	$ 71.00	$ 71.00	$ -	$ -	$ -	$ -	$ 29.00	$ 29.00	$ -	$ -	$ -	$ -	$ 100.00	$ 100.00

# of signs	New Fees	Old Fees	Difference
1	$ 100.00	$ 247.00	$ (147.00)
2	$ 200.00	$ 366.00	$ (166.00)
3	$ 300.00	$ 366.00	$ (66.00)
4	$ 400.00	$ 366.00	$ 34.00
5	$ 500.00	$ 366.00	$ 134.00
6	$ 600.00	$ 413.00	$ 187.00
7	$ 700.00	$ 460.00	$ 240.00
8	$ 800.00	$ 507.00	$ 293.00
9	$ 900.00	$ 554.00	$ 346.00
10	$ 1,000.00	$ 601.00	$ 399.00
11	$ 1,100.00	$ 648.00	$ 452.00
12	$ 1,200.00	$ 695.00	$ 505.00
13	$ 1,300.00	$ 742.00	$ 558.00
14	$ 1,400.00	$ 789.00	$ 611.00
15	$ 1,500.00	$ 836.00	$ 664.00
16	$ 1,600.00	$ 883.00	$ 717.00
17	$ 1,700.00	$ 930.00	$ 770.00
18	$ 1,800.00	$ 977.00	$ 823.00
19	$ 1,900.00	$ 1,024.00	$ 876.00
20	$ 2,000.00	$ 1,071.00	$ 929.00
21	$ 2,100.00	$ 1,118.00	$ 982.00
22	$ 2,200.00	$ 1,165.00	$ 1,035.00
23	$ 2,300.00	$ 1,212.00	$ 1,088.00
24	$ 2,400.00	$ 1,259.00	$ 1,141.00
25	$ 2,500.00	$ 1,306.00	$ 1,194.00
26	$ 2,600.00	$ 1,353.00	$ 1,247.00
27	$ 2,700.00	$ 1,400.00	$ 1,300.00
28	$ 2,800.00	$ 1,447.00	$ 1,353.00
29	$ 2,900.00	$ 1,494.00	$ 1,406.00
30	$ 3,000.00	$ 1,541.00	$ 1,459.00
31	$ 3,100.00	$ 1,588.00	$ 1,512.00

ARTICLE I. - GREEN BUILDING ORDINANCE

Sec. 100-1. - Definitions.
Sec. 100-2. - Purpose and intent.
Sec. 100-3. - Government leadership.
Sec. 100-4. - Designation of responsibility for administration and implementation.
Sec. 100-5. - Green building program applicability.
Sec. 100-6. - Green building standards.
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Sec. 100-8. - Certification.
Sec. 100-9. - Education and training.
Sec. 100-10. - Index and report.
Sec. 100-11. - Program review.
Secs. 100-12—100-20. - Reserved.

Sec. 100-1. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning, or as may be amended from time to time.

Building means any structure having a roof supported by columns or walls for the shelter or enclosure of persons or property and includes the word structure and includes any part thereof.

City means City of Miami Beach.

Construction means any project associated with the creation, development, or erection of any building eligible for the program.

Current means the standard in place at the time a program participant submits a project application form with the city.

Green building means a building whose design, construction and operation promote the preservation of resources and environmentally sensitive construction practices, systems and materials. In making the determination of whether a structure is a green building, the city shall rely on the review, evaluation and registration, certificate and/or verification of the design by U.S. Green Building Council, or other recognized green building rating system approved by resolution of the city commission, subject to the requirements of this chapter.

Green building program means the program outlined in this chapter for obtaining incentives for green buildings and developments.

Green development means the use of sustainable building and development planning methods utilized in a way that result in minimum impact on natural resources, energy consumption, use of water, use of raw materials and waste generation, thereby affording inhabitants a potentially

higher quality of life.

LEED means Leadership in Energy and Environmental Design (LEED) Green Building Rating System, developed by the U.S. Green Building Council, or other recognized green building rating system approved by resolution of the city commission.

Participant means private property owners.

Private means property not owned by the city or any of its related agencies.

Program means the city's green building program.

Program certification means the final designation awarded to a person participant for satisfying all requirements associated with the program for a particular project.

Program participant means any person or entity seeking program certification for a particular project.

Project means any construction associated with the creation, development, or erection of any building eligible for the program.

Project application form means the form submitted to the city indicating that a program participant is interested in participating in the program for a particular project.

Structure means anything constructed or erected, the use of which requires permanent location on the ground. Among other things, structures include buildings or any parts thereof, walls, fences, parking garages, parking lots, signs and screen enclosures.

Sub-program means any area of construction covered by the program.

Substantial renovation means a renovation at a cost exceeding 50 percent of the value of the building as determined by the building official.

Sustainable construction means the process of environmentally sensitive, resource efficient site selection, preparation, design, construction, and operation of buildings.

Any word not defined herein shall be construed as provided in section 114-1 of this Code, or in the Florida Building Code, if provided therein, and if in conflict, the most restrictive shall apply.
(Ord. No. 2009-3633, § 1, 4-22-09)

Sec. 100-2. - Purpose and intent.

The purpose of this chapter is to establish and promote programs and procedures that will help the city become a more sustainable community. This program shall define and establish new environmental goals and standards for a LEED certification-based green building program with incentives. This program will promote economic and environmental health in the city, through sustainable and environmentally friendly design and construction.

(Ord. No. 2009-3633, § 1, 4-22-09)

Sec. 100-3. - Government leadership.

To demonstrate the city's commitment to a green building program, the city shall comply with the green building program established in this article for all government buildings when new

construction as provided for in this chapter occurs.

(Ord. No. 2009-3633, § 1, 4-22-09)

Sec. 100-4. - Designation of responsibility for administration and implementation.

The program shall be administered by the city manager or designee, who shall be responsible for:

(a) Funding administration of the city's green building program through annual funds budgeted and appropriated by the city commission;

(b) Marketing the program to the community by any reasonably effective means, including but not limited to, press releases, television advertising, or advertising in electronic or print mailers;

(c) Developing any appropriate or necessary application procedures, including but not limited to, the program application form;

(d) Writing policies and procedures for staff implementation of the green building program;

(e) Providing and implementing an incentive award as herein provided to any program participant who has committed to and/or successfully satisfied the requirements associated with that program; and

(f) Resolving disputes that may arise from implementing the program.

(Ord. No. 2009-3633, § 1, 4-22-09)

Sec. 100-5. - Green building program applicability.

This program shall be voluntary for all private buildings involving new construction or substantial renovation. This program shall be mandatory for city-owned buildings involving new construction and the architectural plans for which were commenced after July 1, 2008.

(Ord. No. 2009-3633, § 1, 4-22-09)

Sec. 100-6. - Green building standards.

In addition to the Florida Building Code's minimum standards, the program shall be administered using the then current standards developed by the U.S. Green Building Council ("USGBC"). These standards shall apply to each sub-program as follows:

(a) *New buildings:* The program participant shall satisfy all of the requirements associated with the then current USGBC LEED SILVER certification for new construction or derived USGBC LEED rating system (e.g., LEED for schools, LEED for health care) program; and

(b) *Renovation of existing buildings:* The program participant shall satisfy all of the requirements associated with the then current USGBC LEED SILVER certification for existing buildings, maintenance and operations, or derived USGBC LEED rating system (e.g., LEED for schools, LEED for health care) program.

If there is a conflict between the USGBC standards and the Florida Building Code ("FBC") or Florida Fire Prevention Code ("FFPC"), the FBC and FFPC take precedence.

(Ord. No. 2009-3633, § 1, 4-22-09)

Sec. 100-7. - Incentives and bond requirements.

(a) The program shall consist of the following incentives designed to reward owners for green building.

(1) Building permit applications for a green building project submitted or resubmitted for review shall be given priority review over projects that are not green building projects by the city's departments reviewing such applications;

(2) All building inspections requested for green building projects shall be given priority over projects that are not green building projects; and

(3) Subject to, and within the limits of, funds appropriated annually by resolution of the city commission for the purposes set forth herein, owners or developers of green buildings shall receive a refund of the actual application and review fees for green building program certification and an amount not greater than one percent of the value of the construction, or alternatively 20 percent of the annual allocation, whichever is less, within 180 days of proof of certification by USGBC being submitted in writing to the city. The actual amount of financial incentives to which the applicant might qualify for shall be estimated at the time of issuance of the building permit for the quality project, and held in reserve. The final financial incentives shall be calculated at the time of LEED certification.

(b) In addition to the foregoing, the city shall provide the following marketing incentives:

(1) Allowing a plaque not to exceed two square feet to be attached to the building designating a project under the program, subject to the review and approval of the city manager or designee and the planning department; such plaque shall be treated as a governmental information sign exempt from permitting but subject to other regulations, as provided in subsection 138-4(1), city Code;

(2) The inclusion of program participants on a city webpage dedicated to the program;

(3) Press releases; and

(4) An award called the "Green Building Award" to be awarded annually to one program participant in each sub-program (e.g., new construction and renovation).

(c) Prior to filing an application for a building permit, or any award of incentives, the participant shall register their intent with the USGBC for LEED certification and obtain in writing a proposed checklist of certification points that may be attainable for the project. The participant shall then be required to attend a pre-application meeting with the city manager or designee for the purposed credits for certification and incentives. The checklist and certification details shall be confirmed in writing by the applicant to the city manager or designee, on form established by the city, and through a covenant, recorded in the public records, form approved by the city attorney, between the property owner and the city that the proposed manner of compliance with LEED certification as provided by the program guidelines, policies and procedures will be incorporated into the development and maintained unless released by the city as provided for in the covenant. The participant will provide a performance bond or other security, in a form approved by the city attorney, as follows:

(1) The bond or security shall be in an amount equal to one percent of the value of the proposed construction as determined by the building official;

(2) The bond or security shall be submitted at the time of filing of any application for review of the project by a city board or department, if the applicant seeks any of the incentives provided in subparagraph (a) above;

(3) This bond or security shall be subject to call by the city 180 days from issuance of the certificate of occupancy or certificate of completion, whichever occurs first, if LEED certification has not been achieved by that time. Reasonable extensions of time may be granted by the city manager or designee;

(4) The applicant may request that up to 75 percent of the bond or security be released to the applicant for the purpose of completing improvements necessary for LEED certification, if a good faith effort toward completion is shown, and reasonable assurance provided on the success of plans to complete the LEED certification process, and a failure to complete the improvements is proven to the city manager or designee was no fault of the property owner, or for other good cause shown;

(5) If the applicant takes advantage of any of the incentives provided for herein, and fails to complete LEED certification as committed to, then the city manager or designee, in his or her sole discretion, shall deem such bond or security forfeited to the city as a contribution to the funding of the city's green building program, designated to fund the LEED program objectives as provided for herein, or any other lawful governmental purpose identified by the city commission; and

(6) If the project receives LEED certification prior to the expiration of the 180-day period for above, or extensions of time granted by the manager or designee, and the bond has not been forfeited as provided above, then the bond may be released following submittal to the city of written proof of LEED certification by the USGBC.

(Ord. No. 2009-3633, § 1, 4-22-09)

Sec. 100-8. - Certification.

The project shall be subject to certification by a qualified independent third party who has been trained and certified as a LEED green building certifier. For the purpose of this section of the program, "third party" means any person or entity authorized according to the requirements of the standards in this article for a particular project.

(Ord. No. 2009-3633, § 1, 4-22-09)

Sec. 100-9. - Education and training.

(a) The city shall conduct or participate in at least one free training workshop per year in Miami Beach for the purpose of educating potential or current program participants about the program.

(b) The city shall encourage not less than two members each of the building, planning department and public works staff to attend at least eight hours of green building training a year.

(Ord. No. 2009-3633, § 1, 4-22-09)

Sec. 100-10. - Index and report.

The city manager shall semi-annually analyze and report to the city commission on the satisfaction of the green building program's goals and objectives as outlined in this article.

(Ord. No. 2009-3633, § 1, 4-22-09)

Sec. 100-11. - Program review.

(a) *Staff review.* The city shall provide for a review of the program to determine the need for changes in the program to increase its effectiveness.

(b) *Frequency.* The program shall be subject to review one year after the effective date of this chapter and thereafter at a frequency of not less than once per year.

(c) *Purpose.* The purpose of reviewing the program includes, but is not limited to, updating program standards and incentives, recommending program or marketing changes, reviewing suggestions made by program participants, and annually awarding the green building awards of the program.

(Ord. No. 2009-3633, § 1, 4-22-09)

Secs. 100-12—100-20. - Reserved.