

MIAMI BEACH

City Commission Meeting SUPPLEMENTAL MATERIAL 3

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
September 11, 2013

Mayor Matti Herrera Bower
Vice-Mayor Edward L. Tobin
Commissioner Jorge R. Exposito
Commissioner Michael Góngora
Commissioner Jerry Libbin
Commissioner Deede Weithorn
Commissioner Jonah Wolfson

City Manager Jimmy L. Morales
City Attorney Jose Smith
City Clerk Rafael E. Granado

Visit us at www.miamibeachfl.gov for agendas and video "streaming" of City Commission Meetings.

ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

SUPPLEMENTAL AGENDA

C2 - Competitive Bid Reports

- C2D Request For Approval To Award A Contract, Pursuant To Invitation To Bid (ITB) No. 269-2013ME, For Janitorial Services, Citywide.
(Property Management/Procurement)
(Memorandum from Commissioner Deede Weithorn with Comments)

C7 - Resolutions

- C7B A Resolution Accepting The Recommendation Of Finance And Citywide Projects Committee (FCWPC), To Withdraw The Approval To Issue A Request For Proposals For Maintenance And Security Services At The Lincoln Road Mall.
(Procurement)
(Resolution & Additional Information)

C7 - Resolutions

- C7I A Resolution Authorizing The Donation Of Surplus Computer Equipment In "As Is" Condition To The Miami-Dade Broadband Coalition.
(Information Technology)
(Resolution)
- C7S A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee At Its June 26, 2013 Meeting To Amend The City's Special Event Requirements And Guidelines To Include Recycling Requirements For All Special Events That Require A Sanitation Plan And Approving The Recommended Amendments To The Special Events Requirements And Guidelines..
(Requested by Commissioner Jerry Libbin)
(Legislative Tracking: Tourism, Culture & Economic Development)
(Resolution)

R7 - Resolutions

- R7A1 Adopt Tentative Ad Valorem Millage For General Operating Purposes
A Resolution Adopting: 1) The Tentative Ad Valorem Millage Of 5.8909 Mills For General Operating Purposes, Which Is Six And Eight-Tenth Percent (6.8%) More Than The "Rolled-Back" Rate Of 5.5158 Mills; And 2) The Debt Service Millage Rate Of 0.2529 Mills; Further Setting The Second Public Hearing To Consider The Millage Rate For Fiscal Year (FY) 2013/14, On Monday, September 30, 2013 At 5:01 p.m. **5:01 p.m. First Reading Public Hearing**
(Budget & Performance Improvement)
(Resolution)
- R7A2 Adopt Tentative Budgets For General, G.O., RDA, Enterprise, And Internal Service Funds
A Resolution Adopting Tentative Budgets For The General, G.O. Debt Service, RDA Ad Valorem Taxes, Enterprise, And Internal Service Funds For Fiscal Year 2013/14 Subject To A Second Public Hearing Scheduled On Monday, September 30, 2013 At 5:01 p.m. **5:01 p.m. First Reading Public Hearing**
(Budget & Performance Improvement)
(Resolution)
- R7B1 Adopt Tentative Ad Valorem Millage for Normandy Shores Local Government
A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Tentative Ad Valorem Millage Of 1.2687 Mills For Fiscal Year (FY) 2013/14 For The Normandy Shores Local Government District, Which Is Nineteen Percent (19.0%) More Than The "Rolled-Back" Rate Of 1.0664 Mills Subject To A Second Public Hearing Scheduled On Monday, September 30, 2013 At 5:02 p.m. **5:02 p.m. First Reading Public Hearing**
(Budget & Performance Improvement)
(Resolution)

R7 - Resolutions (Continued)

- R7B2 Adopt Tentative Operating Budget For Normandy Shores Local Government
A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Tentative Operating Budget For Fiscal Year (FY) 2013/14 Subject To A Second Public Hearing Scheduled On Monday, September 30, 2013 At 5:02 p.m. **5:02 p.m. First Reading Public Hearing**
(Budget & Performance Improvement)
(Resolution)
- R7C Adopt Tentative FY 2013/14-2017/18 Capital Improvement Plan & Capital Budget
A Resolution Adopting The Tentative Capital Improvement Plan For Fiscal Years (FY) 2013/14-2017/18 And Adopting The City Of Miami Beach Tentative Capital Budget For FY 2013/14 Subject To A Second Public Hearing Scheduled On Monday, September 30, 2013 At 5:03 p.m. **5:03 p.m. First Reading Public Hearing**
(Budget & Performance Improvement)
(Resolution)
- R7D Adopt FY 2013/14 Tentative Budgets For Special Revenue Funds
A Resolution Adopting Fiscal Year (FY) 2013/14 Tentative Budgets For Special Revenue Funds For Resort Tax; The 7th Street Parking Garage Operations; The 5th And Alton Parking Garage Operations; Art In Public Places (AIPP), Tourism And Hospitality Scholarship Program, Green/Sustainability Funds, Waste Hauler Additional Services And Public Benefit Funds, Education Compact Funds, Red Light Camera Funds, And Emergency 911 Funds, Subject To A Second Public Hearing Scheduled On Monday, September 30, 2013 At 5:03 p.m. **5:03 p.m. First Reading Public Hearing**
(Budget & Performance Improvement)
(Resolution)
- R7F Adopt Miami Beach Cultural Arts Council's FY 2013/14 Tentative Budget
A Resolution Authorizing The Adoption Of The Miami Beach Cultural Arts Council's Fiscal Year 2013/14 Tentative Budget In The Amount Of \$1,470,000, As Set Forth In The Attached Exhibit A, Subject To A Second Public Hearing Scheduled On Monday, September 30, 2013 At 5:03 p.m. **5:03 p.m. First Reading Public Hearing**
(Tourism, Culture & Economic Development)
(Resolution)
- R7N A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee Pertaining To The Early Termination Of An Existing Retail Lease Agreement Between The City And Damian J. Gallo & Associates, Inc. D/B/A Permit Doctor; Approving And Authorizing The Mayor And City Clerk To Execute: 1) A New Lease Agreement Between The City And Damian J. Gallo & Associates, Inc. D/B/A Permit Doctor, For An Initial Term Of Three (3) Years, With Two (2) Renewal Options For Two (2) Years Each, Involving The Use Of Approximately 1,269 Square Feet Of City-Owned Property Located At 1701 Meridian Avenue, Unit 4 (A/K/A 775 17th Street), Miami Beach, Florida (The "Leased Premises"); And 2) A Revocable Concession Agreement Between The City And Damian J. Gallo & Associates, Inc. D/B/A Permit Doctor, Allowing For An Outdoor Seating Area, Adjacent To The Leased Premises; And Further Waiving, By 5/7ths Vote, The Competitive Bidding Requirement For The Aforementioned Lease And Concession Agreement, Finding Such Waiver To Be In The Best Interest Of The Public. **12:15 p.m. Public Hearing**
(Real Estate, Housing & Community Development)
(Resolution)

THIS PAGE INTENTIONALLY LEFT BLANK



MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Mr. Jimmy Morales, City Manager
Mr. Ralf Granado, City Clerk

FROM: Commissioner Deede Weithorn

DATE: September 10, 2013

SUBJECT: **C2D- Request For Approval To Award A Contract, Pursuant To Invitation To Bid No. 269-2013me, For Janitorial Services, Citywide.**

On July 13th, 2011 the City Commission voted to award contracts to ISS Facility Services, Inc., Omarcio Cleaning Services, Inc., Performance Cleaning Group, and Professional Building Services for citywide janitorial services. At the time of awarding the contracts, the contractors being selected by the City agreed to offer employment to the employees of the preceding City vendor providing the same service.

If it is the will of the City Commission to accept the City Manager's recommendation to award the citywide janitorial services contract to United Services, Inc, Commissioner Weithorn would like to request that the new vendor adhere to terms offering the employees of the preceding vendor the right of first refusal for employment. The terms agreed to in 2011 should be considered for inclusion in the contract of the new vendor. Those terms include:

All employees of ISS Facility Services, Inc. Omarcio Cleaning Services, Inc, Performance Cleaning Group, and Professional Building Services shall be offered employment by the Contractor. Contractor shall offer employees employed pursuant to the preceding City vendors' (ISS, Omarcio, Performance Cleaning, and Professional Building Services) contracts with the City, whose employment may be terminated as a result of award of this Contract, a right of first refusal of employment under this Contract; assuming such employees meet the qualifications to perform the required work and/or services pursuant to the Contract Documents and, additionally, successfully pass the required background checks (which shall include, without limitation, drug testing and criminal background checks).

Any employee hired by the Contractor who was employed under the preceding City vendors' contract shall be retained for the duration of the Contract, unless the Contractor can reasonably demonstrate to the City that such employee was dismissed for cause, in accordance with Contractor's employment policies and procedures. Within ten (10) days of the termination of any employee who was hired from the preceding City vendors' contract, Contractor must furnish the Procurement Director, with a written explanation stating the basis for said termination. Notwithstanding the preceding, any and all employees including, without limitation, employees of ISS, Omarcio, Performance Cleaning, and Professional Building Services must comply with Contractor's hiring policies and procedures as a condition of employment.

Within ten (10) days of the Effective Date of this Contract, Contractor shall furnish the Procurement Director a certified list of the names and contact information of all employees

We are committed to providing excellent public service and safety to all who live, work, and play in our vibrant, tropical, historic community.

Agenda Item C2D
Date 9-11-13

transition from the preceding City vendors' contracts. Said list shall contain the date of commencement of employment of each such employee.

Contractors shall provide certified payroll records to the Procurement Director on a quarterly basis.

Please direct any questions to Commissioner Weithorn's office.

Thank you,



Alex J. Fernández,
Commissioner Weithorn's Office

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE (FCWPC) TO WITHDRAW THE APPROVAL TO ISSUE A REQUEST FOR PROPOSALS FOR MAINTENANCE AND SECURITY SERVICES AT THE LINCOLN ROAD MALL.

WHEREAS, on September 12, 2012, the Mayor and City Commission approved the issuance of Request for Proposal (RFP) 006-2013TC for the Maintenance and Security Services (Optional) at the Lincoln Road Mall; and

WHEREAS, RFP 006-2013TC was issued on December 24, 2012, with an opening date of April 15, 2013; and

WHEREAS, on May 8, 2013, the Mayor and City Commission approved the City Manager's recommendation to reject all proposals received, pursuant to RFP 006-2013TC, and to release a new RFP subsequent to conducting an industry review meeting; and

WHEREAS, the City contacted thirty-five mall management companies throughout the state of Florida to participate in two (2) industry review meetings that were conducted on June 6, 2013 and June 14, 2013, to which only one (1) company participated; and

WHEREAS, the Finance and Citywide Projects Committee (FCWPC), at its August 21, 2013, meeting, recommended to withdraw the approval to issue a new RFP and that the City install an in-house Mall Manager to direct and coordinate City departments maintaining the Lincoln Road Mall; and

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the Finance and Citywide Projects Committee (FCWPC) to withdraw the approval to issue a Request for Proposals for the maintenance and security services at the Lincoln Road Mall.

PASSED AND ADOPTED this _____ day of _____ 2013.

ATTEST:

Rafael Granado, City Clerk

Mattie Herrera Bower, Mayor

T:\AGENDA\2013\September 11\Procurement\Withdraw Issuance RFP 006-2013TC - Lincoln Road Mall Maintenance - RESO.doc

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

9/9/13

Date

Agenda Item C7B
Date 9-11-13

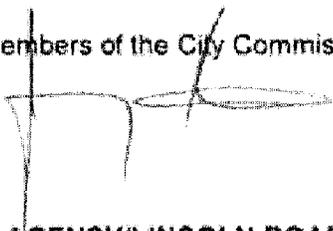


MIAMI BEACH

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: Jimmy L. Morales, City Manager 

DATE: August 21, 2013

SUBJECT: **PROPOSED REDEVELOPMENT AGENCY/LINCOLN ROAD ENHANCEMENTS**

BACKGROUND

The Lincoln Road Mall is a major South Florida destination serving tourists, residents and the general public. Maintaining this key thoroughfare clean and well-maintained is essential to helping preserve the City's status as a world-class destination, as well as securing the viability of this important economic engine for the City. For a number of years, the management of maintenance services within the Lincoln Road Mall service area has been provided by the Property Management, Sanitation, and GreenSpace Management Divisions, with the Police Department managing the contracted security services.

REQUEST FOR PROPOSALS

On September 12, 2012, the City Commission approved the issuance of Request for Proposals (RFP) 006-2013TC to consider options for maintaining and securing the Lincoln Road Mall. The RFP was issued on December 24, 2012. The Public Group issued bid notices to 39 prospective bidders of which 23 accessed the advertised solicitation. In addition, 30 vendors were notified via email. The pre-bid conference was held on January 15, 2013. During the pre-bid conference, prospective bidders were instructed on the procurement process and the information their respective proposals should contain. On April 15, 2013, three (3) bids were received from Keystone Property Management, Inc., Standard Parking, SP Plus Maintenance d/b/a Parking Facility Systems, and Superior Landscaping & Lawn Service, Inc.

Through the Procurement Division's review of each bid for responsiveness, it was determined that the proposals received were nonresponsive based on the following reasons:

- Keystone Property Management, Inc. was deemed nonresponsive for failing to demonstrate a proven track record of maintenance management in pedestrian-oriented venues and facilities open to the public similar to the Lincoln Road Mall.
- Standard Parking, SP Plus Maintenance d/b/a Parking Facility Systems was deemed nonresponsive for failing to submit its pricing on the pricing form provided in Addendum 7 - a mandatory requirement of the RFP.
- Superior Landscaping & Lawn Service, Inc., was deemed nonresponsive for failing to demonstrate a proven track record of maintenance management in pedestrian-oriented venues and facilities open to the public similar to the Lincoln Road Mall.

After considering the review and recommendation of City staff, the City Manager exercised his due diligence and carefully considered the specifics of this RFP process. As a result, the City Manager recommended to the Mayor and City Commission to reject all proposals received. Prior to releasing a subsequent RFP, the City Manager instructed City staff to conduct an industry review meeting to include the companies that currently manage outdoor pedestrian-oriented facilities, such as Bal Harbour Shops, Bayside Marketplace, The Falls, and the Village of Merrick Park.

STATUS UPDATE

The Administration conducted two industry reviews, but with disappointing participation. Property managers for outdoor-type malls within the local area and for several venues around the state were invited to participate. Only one company participated in the industry review. At the same time, the City was approached by several members of the Lincoln Road Property Owner's Association who expressed an interest in submitting a proposal but also expressed concerns with the overall conditions of Lincoln Road beyond routine maintenance issues.

As a result, staff and several members of the Lincoln Road Property Owner's Association conducted a comprehensive walk through of the facility, which yielded the following conclusions:

- The overall condition of many of Lincoln Road's structures, surfaces and systems are in poor condition and in general need of a refresh or replacement. Although \$20 million is programmed over two years in the City's adopted Capital Improvement Program – Fiscal Year (FY) 2014/15 and FY 2015/16 -- for upgrading the Lincoln Road venue, including its infrastructure, there is no master plan in place to provide an overall comprehensive plan or specifications for the use of the funds. In addition, this effort needs to be coordinated with the Basis of Design Report (BODR) for the City Center 9B project which will impact the side-streets leading to Lincoln Road. There is a significant lack of information in the City regarding the infrastructure that the RFP requires that proposers maintain; including specifications for the pumps for the various water features and fountains, for the light fixtures, etc.
- There are areas for improvement both on the side of the City and on the side of property owners. Unfortunately, given the competing priorities for code enforcement in the City, I do believe that Lincoln Road does not have the level of dedicated Code Enforcement officers that it needs. Further, the limited code enforcement resources are typically focused on sidewalk café operations, rather than on litter, safety concerns and general maintenance issues generated by property owners.

I believe that the current condition of some of the Lincoln Road structures, surfaces and systems, coupled with the general lack of information about maintaining many of these items, are significant drawbacks in getting qualified proposers to respond to the RFP. In addition, as many of you know, there are several departments involved in the maintenance of Lincoln Road, but no one entity responsible for the facility as a whole which impedes coordination efforts among maintenance service providers, property owners and code enforcement.

RECOMMENDATIONS

As a result of these observations, I now believe that releasing an RFP at this time is premature. Rather, I believe that we need to put in place, as soon as possible, the following enhancements which I have recommended as proposed enhancements for the FY 2013/14 budget:

- Add an in-house mall manager that can better direct and coordinate the individual departments involved in Lincoln Road maintenance, including code enforcement, and act as the City's central liaison with tenants and property owners to improve communication and facilitate facility improvements.
- Undertake a master planning process for Lincoln Road improvements so that it is complete by FY 2014/15 when funding becomes available. The scope of this master plan would cover the area from 17th Street to Lincoln Lane South and from West Avenue to Collins Avenue and would include a facilities and infrastructure assessment, a historical overlay assessment, and a conceptual master plan, all of which would interface to the City's Geographic Information System (GIS). The facilities and infrastructure assessment components will help the City determine the condition and required replacement cycles of both above and below ground facilities and infrastructure components of the Lincoln Road mall. The inclusion of these components in the master planning process will assure that identified deficiencies are included in future improvements, resulting in greater accuracy of capital resource requirements and predictability of future maintenance expenses.

In addition, the scope would include coordination and integration of improvements with the Citer Center 9B BODR and the approved program for the Miami Beach Convention Center Renovation and Expansion project, as well as an evaluation of any impacts to the surrounding residential areas.

The estimated cost of this study is approximately \$500,000.

- Add two code compliance officers for Lincoln Road which will provide for dedicated coverage on Lincoln Road. These officers would be able to address a number of issues related to Sidewalk Cafes (i.e. site plan modification and expansion, stacking of chairs, solicitation) which take place from early morning until late evening, as well as many other code issues related to property maintenance, illegal vendors/peddlers, Business Tax Receipt violations, excessive/illegal signage on private property, unauthorized sampling, and a more effective way to address our licensed artists/vendors and performers. There are also other code violations that would be deterred as a result of the presence along this district. When necessary, the officers could also address sanitation-related concerns regarding overflowing dumpsters along North or South Lincoln Lane.

The two CCOs would be deployed in two separate shifts in an effort to maximize visibility and coverage. To maximize the number of hours of coverage for Lincoln Road, one Code Compliance Officer will cover day shift and the other will be on night shift with staggered days off to provide for weekend coverage. A typical deployment might be configured as follows:

SUN	MON	TUES	WED	THURS	FRI	SAT
8:30a—4:30p			12p—8p	12p—8p	8:30a—4:30p	8:30a—4:30p
4:30p—12:30a	12p—8p	12p—8p			4:30p—12:30a	4:30p—12:30a

This enhancement will also free up some code enforcement resources which can be directed to Ocean Drive while providing enhanced services on Lincoln Road.

Other initiatives already underway include enhanced maintenance of water features through a new City contract, and development of short-term landscaping improvements with property owners (funded by \$150,000 already included in the Redevelopment District FY 2013/14 budget).

I believe that it is, therefore, appropriate to discontinue the process for the issuance of Request for Proposals for the Maintenance of Lincoln Road and consider in its stead, through a mall manager position, centralize coordination of maintenance efforts by City departments with some service outsourcing as appropriate (e.g., maintenance of water features and fountains). The mall manager will also help to coordinate master planning efforts and future construction and infrastructure improvements with all stakeholders, including City staff, contractors, property owners and tenants. Once we have completed the scheduled upgrades, and have improved the condition of the facility and its systems through the mall manager and enhanced code enforcement, I believe that significantly greater interest will be expressed by potential service providers in responding to a future Request for Proposals.

If these initiative are as successful as I expect them to be, we will evaluate similar initiatives for other business areas of the City in the following fiscal year.

LINCOLN ROAD PROPERTY OWNERS

I have reviewed this approach with Lincoln Road property owners and they are supportive of this approach. In fact, their board has already passed a motion unanimously supporting a Lincoln Road Mall Manager.

CONCLUSION

The City should discontinue the process for the issuance of Request for Proposals for the Maintenance of Lincoln Road and pursue the addition of a mall manager, enhanced code enforcement, and completion of a master plan for the upgrade of Lincoln Road through the FY 2013/14 budget process.

JLM/KGB/MAS/EC/AD

THIS PAGE INTENTIONALLY LEFT BLANK

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE DONATION OF SURPLUS COMPUTER EQUIPMENT IN "AS IS" CONDITION TO THE MIAMI-DADE BROADBAND COALITION.

WHEREAS, the City wishes to donate surplus computer equipment pursuant to Section 2-315(e) of the Miami Beach City Code, in "as is" condition, to the Miami-Dade Broadband Coalition, a not-for-profit organization; and

WHEREAS, the surplus computer equipment has been reported to the City Manager as surplus stock and is no longer used, or has become obsolete, worn out, or scrapped. In addition, the surplus computer equipment has very little value since the physical harddrive has been removed and it is inoperable, but Miami-Dade Broadband Coalition utilizes college interns to restore the equipment so that it may be distributed throughout the Miami-Dade community and in Title 1 public schools, parks, and senior/adult centers; and

WHEREAS, the donation of the surplus computer equipment serves a public purpose, is in the best interest of the City, and the value does not exceed a replacement value of \$25,000 and; and

WHEREAS, this donation is made in "as is" condition and the City makes no representation as to the condition of the computer equipment, no warranties, expressed or implied, and assumes no responsibility for said computer equipment.

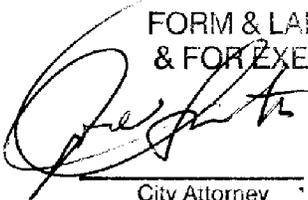
NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby authorize the donation of surplus computer equipment to the Miami-Dade Broadband Coalition as set forth herein; said donation in "as is" condition, with no warranties, expressed or implied, and with the City assuming no further responsibility for same.

PASSED and ADOPTED this _____ day of _____, 2013.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney
9/9/13
Agenda Item CTI
Date 9-11-13

THIS PAGE INTENTIONALLY LEFT BLANK

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE AT ITS JUNE 26, 2013 MEETING TO AMEND THE CITY'S SPECIAL EVENT REQUIREMENTS AND GUIDELINES TO INCLUDE RECYCLING REQUIREMENTS FOR ALL SPECIAL EVENTS THAT REQUIRE A SANITATION PLAN AND APPROVING THE RECOMMENDED AMENDMENTS TO THE SPECIAL EVENTS REQUIREMENTS AND GUIDELINES.

WHEREAS, the recycling of recyclable materials is in the best interest of the environment, City residents, and in maintaining the City's prominence as a world class resort destination; and

WHEREAS, the Sustainability Committee, at its May 21, 2013 meeting, recommended that the City's Special Event Requirements and Guidelines be amended to include recycling requirements for all special events that require a sanitation plan; and

WHEREAS, the proposal was considered by the special event industry at two separate meetings, first on November 8, 2012 and later, as refined with staff, on May 9, 2013, at which time the recommendation was supported by the special event industry; and

WHEREAS, the Neighborhood/Community Affairs Committee (NCAC) unanimously recommended approval of the attached amendments at its June 26, 2013 committee meeting; and

WHEREAS, the Mayor and City Commission deem it in the best interest of the City to adopt the amendments to the City's Special Event Requirements and Guidelines as recommended by the NCAC and as attached hereto as Exhibit A.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, hereby accept the recommendation of the NCAC at its June 26, 2013 meeting to amend the City's Special Event Requirements and Guidelines to include recycling requirements for all special events that require a sanitation plan and approve the recommended amendments attached hereto as Exhibit A.

PASSED AND ADOPTED this the _____ day of _____, 2013.

ATTEST:

Rafael E. Granado,
City Clerk

Matti Herrera Bower,
Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

T:\AGENDA\2013\September 11\Special Event Recycling 9-11-13 Commission RESO.doc

Agenda Item C75
15 Date 9-11-13 *[Signature]* City Attorney *DA* 9/10/13 Date

EXHIBIT A

K. **Sanitation Department**

Applicants shall be solely responsible for cleaning the area during and after the event. Should the applicant choose, the City will provide personnel for this function. The cost of the clean-up will be calculated by the City, and will include dumping fees and equipment rental. Should an alternate cleaning service be contracted, the applicant shall be responsible for obtaining all necessary dumpsters, including separate dumpsters for single-stream recyclables. All arrangements and removal of garbage, trash, recyclables, and other debris are the sole responsibility of the applicant. A City permit authorizing placement of dumpsters must be obtained through the City's Sanitation Department, and submitted to the Special Events Office no less than two (2) weeks prior to the event. Applicants are required to meet sanitation standards to assure an adequate number of litter and recycling containers are on-site, and must encourage guests to comply with the City of Miami Beach's anti-litter efforts. At minimum, one recycling container is required per designated trash collection area. Glass containers and plastic straws are prohibited. ~~Recycling efforts are encouraged.~~ Applicants shall ensure that the event site is returned to its original condition within twenty-four hours. Failure to clean up after the event will result in a fine (as per Section III herein) issued to the event producer, as well as additional charges for City services.

Applicants seeking use of public restroom facilities outside of standard operating hours may also be required to hire attendants to facilitate public restroom maintenance and supplies during the event. These services may be contracted through the Public Works Department. Proof of payment must be submitted to the Special Events Office at least two (2) weeks prior to the event.

V. **OTHER AGENCIES**

A. **The Miami Beach Visitors and Convention Authority (VCA) and Cultural Arts Council (CAC)**

The City of Miami Beach does not directly fund special and cultural events. The VCA and CAC utilize City funds for the purpose of special and cultural event funding. Approval of an application for funding by either the VCA and/or the CAC shall not constitute either expressed or implied approval of a special event permit by the City of Miami Beach. Should the VCA or CAC fund an event, the appropriate logo shall be incorporated in all event print advertising or promotional materials, as per the funding terms and conditions of the VCA and / or the CAC.

B. **Miami-Dade County**

- **Permit for Temporary Food Sales** - The Miami-Dade County Department of Business and Professional Regulations, Division of Hotels & Restaurants, sets forth rules and regulations for safe operation of temporary food service establishments. To obtain the necessary permits, sponsors or applicants must notify the Department of Business and Professional Regulations no later than three (3) business days prior to the event. A license fee for a 1-3 day event is \$40.00 per vendor.
- **Beach Cleaning** - Applicants desiring use of the public beach must arrange for the cleaning of the beach, prior to, as well as after, the event, as necessary. Beach cleaning may be arranged with the Miami-Dade County Parks Department or a private sanitation company approved by the Miami-Dade County Parks Department. Proof that clean-up arrangements have been made must be submitted in writing to the Special Events Office at least two (2) weeks prior to the event.

C. **State of Florida**

- **Department of Environmental Protection, Division of Beaches and Shores** -- If an event is to be held on the beach, a State Field Permit is also necessary for all temporary non-portable structures on the beach, east of the Coastal Construction Control Line. This would include, but not be limited to, the following types of temporary structures: stages, fences, tents, lighting and sound systems. A detailed site plan and written narrative description of all installations must be submitted

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING: 1) THE TENTATIVE AD VALOREM MILLAGE OF 5.8909 MILLS FOR GENERAL OPERATING PURPOSES, WHICH IS SIX AND EIGHT-TENTHS PERCENT (6.8%) MORE THAN THE "ROLLED-BACK" RATE OF 5.5158 MILLS; AND 2) THE DEBT SERVICE MILLAGE RATE OF 0.2529 MILLS; FURTHER SETTING THE SECOND PUBLIC HEARING TO CONSIDER THE MILLAGE RATE FOR FISCAL YEAR (FY) 2013/14, ON MONDAY, SEPTEMBER 30, 2013 AT 5:01 P.M.

WHEREAS, the City of Miami Beach significantly reduced tax rates as property values increased. Between FY 1999/00 and FY 2011/12, total combined City of Miami Beach property tax rates declined approximately 2.2 mills despite an increase of 0.56 mills in FY 2010/11; and

WHEREAS, In FY 2007/08 alone, the millage rate declined by approximately 1.8 mills, with annual savings to the average homesteaded property of over \$400; and

WHEREAS, City of Miami Beach combined millage rates remain more than 2.55 mills lower, or 29 percent, than in FY 1999/00 and approximately 1.5 mills lower than in FY 2006/07 when property values were similar to today's values, resulting in a net tax levy reduction of approximately \$24 million; and

WHEREAS, the administration is continuing to evaluate opportunities to further reduce the millage, and

WHEREAS, on July 17, 2013, the City Commission following a duly noticed public hearing, adopted Resolution No. 2013-28294, which set the proposed general operating millage rates at 5.8909 mills (excluding debt service), a reduction of 0.20 mills from the FY 2012/13 rate for general operating purposes, and 0.2529 mills for debt service; and

WHEREAS, Section 200.065, Florida Statutes, requires that at the conclusion of the first public hearing on the City's proposed tax rate and budget, the City Commission: 1) adopt a tentative ad valorem millage rate for FY 2013/14 operating purposes; and 2) the required Debt Service millage rate; this is accomplished by adopting a Resolution that includes the percentage increase or decrease over the "rolled-back" rate; and

WHEREAS, at this time the Administration recommends that the City Commission set the second and final public hearing to consider the aforesated millage rates for FY 2013/14.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, as follows:

(1) Pursuant to Section 200.065, Florida Statutes, there is hereby levied a tax for FY 2013/14, on all taxable and non-exempt real and personal property located within the corporate limits of the City of Miami Beach, Florida, as follows:

- (a) For the purpose of operating the government of the City, the rate assigned amounts to 5.8909 mills. Also included are appropriate reserves and contingencies, which are not limited to reserves for tax discounts and abatements of uncollected taxes.

The millage rate reflected is six and eight-tenths percent (6.8%) more than the "Rolled-back" rate of 5.5158 mills.

- (b) For the purpose of providing payment on the principal and interest portions of the General Obligation Bond Debt outstanding, the rate assigned amounts to 0.2529 mills.

(2) The tentative adopted millage rates for the City of Miami Beach, Florida for FY 2013/14 are subject to a second and final public hearing, herein set for and to be held at 5:01 p.m., Monday, September 30, 2013, in the City Commission Chambers, City Hall, 1700 Convention Center Drive, Miami Beach, Florida.

PASSED and ADOPTED this 11th day of September, 2013.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

9/9/13
Date

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING TENTATIVE BUDGETS FOR THE GENERAL, G.O. DEBT SERVICE, RDA AD VALOREM TAXES, ENTERPRISE, AND INTERNAL SERVICE FUNDS FOR FISCAL YEAR 2013/14 SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON MONDAY, SEPTEMBER 30, 2013 AT 5:01 P.M.

WHEREAS, the Manager's proposed General Fund operating budget released September 6th, 2012 was \$264,643,000 and the total proposed operating budget for FY 2013/14 was \$450,128,000 including the General Fund, General Obligation Debt Service, Enterprise Funds and Transfers to the Redevelopment District; and

WHEREAS, the tentatively adopted General Fund budget includes \$4.6 million in employee givebacks; \$617,000 in efficiencies; brings in an additional \$2 million in Resort Tax revenues to the General Fund to offset tourism-eligible expenditures, and includes modest increases in revenues; and

WHEREAS, these decreases in expenditures in the General Fund tentatively proposed budget are offset by \$1.7 million in various service enhancements – the majority of which was related to Police and Fire service enhancements, Building service enhancements (due to increased demand), supplemental elder meal program funding, a new ethics hotline, restoring key administrative positions to strengthen internal controls; and

WHEREAS, the FY 2013/14 proposed General Fund budget is about \$27 million (11 percent) more than the FY 2006/07 budget despite pension contribution increases of 127 percent during the same period, in spite of the fact that inflation from October, 2006 through June, 2013, a similar period, was approximately 16 percent; and

WHEREAS, the proposed General Fund budget included total revenue of \$264,643,000 with enhancements of \$370,000 for: false alarm fees in Police and Fire, nightclub permit fees, grease trap permit fees, and parks fitness rental permit; and

WHEREAS, the budget for Internal Service funds, which are wholly supported by transfers from the General Fund, Enterprise Funds and the Redevelopment district, is \$75,481,000, which included potential additions and enhancements totaling \$14,000 offset by including efficiencies of \$50,000; and

WHEREAS, the proposed Enterprise Fund budgets totaling \$159,619,000 included potential additions and enhancements totaling \$343,000 offset by efficiencies of \$83,000; and

WHEREAS, the proposed budget includes a revenue increase of \$8.4 million over FY 2012/13, primarily due to increases in property tax revenue, transfers from resort taxes, transfers from Parking surplus; and

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the City of Miami Beach hereby adopts tentative budgets for the General, G.O. Debt Service, RDA Ad Valorem Taxes, Enterprise, and Internal Service Funds for Fiscal Year 2013/14 as summarized and listed below, subject to a second public hearing scheduled at 5:01 P.M., Monday, September 30, 2013.

PASSED and ADOPTED this 11th day of September, 2013.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

9/9/13
Date

**Revenue Summary
by Fund and Major Category**

REVENUES	GENERAL	G.O. DEBT SERVICE	RDA	ENTERPRISE	TOTALS	INTERNAL SERVICE
GENERAL OPERATING REVENUES						
Ad Valorem Taxes	\$ 105,731,000				\$ 105,731,000	
Af Valorem - South Pointe Costs	10,249,000				10,249,000	
Ad Valorem - Capital Renewal & Repl.	1,981,000				1,981,000	
Ad Valorem Taxes - Normandy Shores	147,000				147,000	
Other Taxes	22,765,000				22,765,000	
Licenses and Permits	23,383,000				23,383,000	
Intergovernmental	10,214,000				10,214,000	
Charges for Services	10,315,000				10,315,000	
Fines and Forfeits	2,639,000				2,639,000	
Interest	2,921,000				2,921,000	
Rents and Leases	6,945,000				6,945,000	
Miscellaneous	12,441,000				12,441,000	
Resort Tax Contribution	32,965,000				32,965,000	
Other	8,516,000				8,516,000	
Reserves- Building Dept Operations	1,500,000				1,500,000	
Prior Year Set Aside	2,700,000				2,700,000	
Prior Year Set Aside for Pension Credit	831,000				831,000	
Prior Year Surplus From Parking Op Fund	8,400,000				8,400,000	
Sub-total	\$ 264,643,000				\$ 264,643,000	
G.O. DEBT SERVICE FUND						
Ad Valorem Taxes		\$ 5,924,000			\$ 5,924,000	
Other		\$ 8,000			\$ 8,000	
Sub-total		\$ 5,932,000			\$ 5,932,000	
FUND TOTAL	\$ 264,643,000	\$ 5,932,000			\$ 270,575,000	
RDA FUND-City TIF only						
AD VALOREM TAXES						
Property Taxes-RDA City Center (net)			\$ 19,934,000		\$ 19,934,000	
FUND TOTAL			\$ 19,934,000		\$ 19,934,000	
ENTERPRISE FUNDS						
Convention Center				\$ 12,726,000	\$ 12,726,000	
Parking				47,227,000	\$ 47,227,000	
Sanitation				17,915,000	\$ 17,915,000	
Sewer Operations				38,132,000	\$ 38,132,000	
Storm Water				12,097,000	\$ 12,097,000	
Water Operations				31,522,000	\$ 31,522,000	
FUND TOTAL				\$ 159,619,000	\$ 159,619,000	
INTERNAL SERVICE FUNDS						
Central Services						\$ 948,000
Fleet Management						10,369,000
Information Technology						15,527,000
Property Management						9,325,000
Risk Management						13,935,000
Medical & Dental Insurance						25,377,000
FUND TOTAL						\$ 75,481,000
TOTAL ALL FUNDS	\$ 264,643,000	\$ 5,932,000	\$ 19,934,000	\$ 159,619,000	\$ 450,128,000	\$ 75,481,000

TOTAL EXPENDITURES BY FUND AND DEPARTMENT
Fiscal Year 2013/14

FUNCTION/DEPARTMENT	GENERAL	G.O. DEBT SERVICE	RDA	ENTERPRISE	TOTALS	INTERNAL SERVICE
MAYOR & COMMISSION	\$1,738,000				\$1,738,000	
ADMINISTRATIVE SUPPORT SERVICES					\$15,280,000	
CITY MANAGER	2,992,000					
COMMUNICATIONS	836,000					
BUDGET & PERFORMANCE IMPROV	2,050,000					
ORG DEV & PERFORMANCE INITIATIVE	392,000					
FINANCE	4,644,000					
PROCUREMENT	1,200,000					
INFORMATION TECHNOLOGY						15,527,000
HUMAN RESOURCES/LABOR RELATIONS	1,822,000					
Risk Management						13,935,000
Medical & Dental Insurance						25,377,000
CITY CLERK	1,344,000					
Central Services						948,000
CITY ATTORNEY	4,842,000				\$4,842,000	
ECONOMIC DEV. & CULTURAL ARTS					\$33,136,000	
Economic Development						
REAL ESTATE, HOUSING & COMM. DEV.	776,000					
Homeless Services	1,067,000					
BUILDING	12,195,000					
PLANNING	3,467,000					
Cultural Arts						
TOURISM & CULTURAL DEV	2,905,000					
CONVENTION CENTER				12,726,000		
OPERATIONS					\$194,107,000	
CODE COMPLIANCE	4,876,000					
COMMUNITY SERVICES	577,000					
PARKS & RECREATION	30,059,000					
PUBLIC WORKS	6,735,000					
Property Management						9,325,000
Sanitation				17,915,000		
Sewer				38,132,000		
Stormwater				12,097,000		
Water				31,522,000		
CAPITAL IMPROVEMENT PROJECTS	4,967,000					
PARKING				47,227,000		
FLEET MANAGEMENT						10,369,000
PUBLIC SAFETY					\$160,550,000	
POLICE	98,612,000					
FIRE	61,938,000					
CITYWIDE ACCOUNTS					\$10,067,000	
CITYWIDE ACCTS-Normandy Shores	225,000					
CITYWIDE ACCTS-Operating Contingency	1,000,000					
CITYWIDE ACCTS-Other	8,842,000					
Carryforward from Prior Year Set Asides						
Transfers						\$2,561,000
Capital Investment Upkeep Fund	216,000					
Info & Comm Technology Fund	395,000					
Reserve	550,000					
Pay-as-you-go Capital	1,400,000					
CAPITAL RENEWAL & REPLACEMENT	1,981,000					\$1,981,000
G.O. DEBT SERVICE		5,932,000			\$5,932,000	
RDA-City TIF Transfer only						
City Center			19,934,000		19,934,000	
TOTAL - ALL FUNDS	\$264,643,000	\$5,932,000	\$19,934,000	\$159,619,000	\$450,128,000	\$75,481,000

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT ADOPTING THE TENTATIVE AD VALOREM MILLAGE OF 1.2687 MILLS FOR FISCAL YEAR (FY) 2013/14 FOR THE NORMANDY SHORES LOCAL GOVERNMENT DISTRICT, WHICH IS NINETEEN PERCENT (19.0%) MORE THAN THE "ROLLED-BACK" RATE OF 1.0664 MILLS, SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON MONDAY, SEPTEMBER 30, 2013 AT 5:02 P.M.

WHEREAS, for the purpose of providing security services within the Normandy Shores neighborhood area, the Mayor and City Commission adopted Ordinance No. 93-2881 on October 20, 1993, which authorized the creation of the Normandy Shores Local Government Neighborhood Improvement District (District); and

WHEREAS, Section 200.065, Florida Statutes, specifies the method by which municipalities may fix the operating millage rate and adopt an annual budget for dependent taxing districts; and

WHEREAS, the maximum millage that can be approved by a simple majority (4/7) vote is 1.0513; anything beyond that requires a 5/7^{ths} vote; and

WHEREAS, on July 17, 2013, the City Commission adopted Resolution 2013-28295 which set the proposed operating millage rate for the District at 1.2687 mills for the purpose of providing security services within the District; and

WHEREAS, accordingly, on September 11, 2013, pursuant to Section 200.065 of the Florida Statutes, the City Commission, acting as the Board of Directors of the District, held its first duly noticed public hearing to consider the Tentative Ad Valorem Millage and Tentative Operating Budget (FY 2013/14) for the District.

NOW THEREFORE, BE IT DULY RESOLVED BY THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT, that, following a duly noticed public hearing on September 11, 2013, the Board hereby adopts the Tentative Operating Millage rate of 1.2687 mills for the District for FY 2013/14, which is nineteen percent (19.0%) more than the "Rolled-back" rate of 1.0664 mills, subject to a second public hearing scheduled on Monday, September 30, 2013, at 5:02 P.M.

PASSED and ADOPTED this 11th day of September 2013.

Chairperson of the District

ATTEST:

Secretary to the District

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

9/9/13
Date

Agenda Item R7B1
Date 9-11-13

THIS PAGE INTENTIONALLY LEFT BLANK

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT ADOPTING THE TENTATIVE OPERATING BUDGET FOR FISCAL YEAR (FY) 2013/14 SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON MONDAY, SEPTEMBER 30, 2013 AT 5:02 P.M.

WHEREAS, for the purpose of providing security services within the Normandy Shores neighborhood area, the Mayor and City Commission adopted Ordinance No. 93-2881 on October 20, 1993, which authorized the creation of the Normandy Shores Local Government Neighborhood Improvement District (District); and

WHEREAS for the purpose of providing security services within the District, a tentative budget has been developed to fund projected FY 2013/14 operating expenses; and

WHEREAS, accordingly, on September 11, 2013, pursuant to Section 200.065 of the Florida Statutes, the City Commission, acting as the Board of Directors of the District, held its first duly noticed public hearing to consider the Tentative Ad Valorem Millage and Tentative Operating Budget (FY 2013/14) for the District.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT, that, following a duly noticed public hearing on September 11, 2013, the Board hereby adopts the tentative operating budget for the District for FY 2013/14 as summarized and listed below, subject to a second public hearing scheduled on Monday, September 30, 2013 at 5:02 P.M.:

<u>Revenues</u>	
Ad Valorem Tax	\$ 146,250
City's General Fund	<u>78,750</u>
Total	\$ 225,000

<u>Expenses</u>	
Security Service	\$ 164,500
Maintenance	20,500
New Gate & Security Cameras	<u>40,000</u>
Total	\$ 225,000

PASSED and ADOPTED this 11th day of September, 2013.

Chairperson of the District

ATTEST:

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Secretary to the District


City Attorney

11
Agenda Item R7B2
Date 9-11-13

THIS PAGE INTENTIONALLY LEFT BLANK

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE TENTATIVE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS (FY) 2013/14 - 2017/18 AND ADOPTING THE CITY OF MIAMI BEACH TENTATIVE CAPITAL BUDGET FOR FY 2013/14 SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON MONDAY, SEPTEMBER 30, 2013 AT 5:03 P.M.

WHEREAS, the FY 2013/14 – 2017/18 Capital Improvement Plan (CIP) for the City of Miami Beach is a five year plan for public improvements and capital expenditures by the City, this document is an official statement of public policy regarding long - range physical development in the City of Miami Beach; and

WHEREAS, the first year of the FY 2013/14 – 2017/18 CIP represents the Capital Budget appropriation for FY 2013/14; and

WHEREAS, since that time the City has issued additional General Obligation Bonds pursuant to referendum; Water and Sewer Revenue Bonds; Stormwater Revenue Bonds; 2001, 2006 and 2010 Gulf Breeze Loans; 2010 Parking Bonds; 2011 Stormwater Bonds; a \$15 Million Equipment Loan; and

WHEREAS, beginning in FY 2005/06, the City committed to funding a Pay-As-You-Go component of the capital budget funded from General Fund Revenues, as well as committing to using Resort Tax Quality of Life funds in North, Middle, and South Beach for capital projects; and

WHEREAS, the tentative CIP has been updated to include projects that will be active during FY 2013/14 through 2017/18; and

WHEREAS, the tentative capital budget itemizes project funds to be committed during the upcoming fiscal year detailing expenses for project components which include architect and engineer, construction, equipment, Art in Public Places, and other related project costs; and

WHEREAS, on July 10, 2013 the FY 2013/14 capital funding priorities were discussed at a meeting of the Finance and Citywide Projects Committee and adjustments were made to the funding recommendations presented; and

WHEREAS, subsequent to the Finance and Citywide Projects Committee meeting on July 10th, 2013, the following changes were made: all projects had their funding rounded to the nearest thousands from FY2013/14 going forward; Atlantic Greenways Network Master Plan Update (Bike Master Plan) - Phase 2 project had an additional \$25,000 in PTP funding due to cost increases in the project as a result of the selection of the most intense proposal for a master plan update by the City Commission on July 26th; Collins Park Parking Garage's FY2013/14 funding request was adjusted to \$12,242,000 to be funded completely in FY2013/14 by the RDA based on the FY 2013/14 available RDA funds for capital projects; in order to close the City Center Historic District Neighborhood Improvements.-Historic District BP9A project, a new project called City Center 9A Legal Fees project was created with a \$350,000 funding request from the original project; Bayshore Neighborhood - Bid Pack B project switched funding from PAYGO to 2003 G.O. Bonds – Neighborhood Improvements due to funds made available from closing completed projects, and had a reduction of \$190,680 in those funds due to new estimates of the work required; Shane

Agenda Item R7C
Date 9-11-13

Watersport Seawall had an additional \$354,000 in PAYGO funding due to additional pay-as-you-go (PAYGO) capital funding made available as more projects were funded from G.O. bonds as described above; the Convention Center's Air conditioning test and balance project was moved from FY2013/14 to FY2014/15 and the acquisition of 50 Lecterns to include 2 presidential lecterns project was moved up from FY2014/15 to FY2013/14 based on updated priorities; 5th Street & Alton Road Joint Venture Repayment was revised downwards by \$7,000 to reflect the actual amount that South Pointe Capital needs to repay to Parking Operations; Several projects had their FY 2013/14 funding shifted from PAYGO to 2003 G.O. Bonds – Parks and Beaches as a result of new capacity being found due to projects closing (Scott Rakow Youth Center - Ice Rink Mechanical Repairs in the amount of \$344,000, Resurfacing/Rebuilding Basketball Courts at Normandy Isle Park in the amount of \$55,000, North Shore Park Tennis Restoration in the amount of \$33,000, NSPYC-Fitness Center Refurbishment in the amount of \$73,000, and Flamingo Park Baseball Stadium Scoreboard in the amount of \$25,000); Several projects have had their FY 2013/14 funding shifted from PAYGO to 2003 G.O. Bonds – Neighborhood Improvements as a result of new capacity being found due to projects closing (Bayshore Neighborhood – Bid Pack B in the amount of \$101,000 and Lake Pancoast Neighborhood Irrigation in the amount of \$46,700); the Pump Station #28 Grinder replacement project was removed due to project completion; the Miami Beach Golf Club Cart Path/Curb Restoration Project was shifted from FY2014/15 to FY2013/14 to be funded by Middle Beach Quality of Life in the amount of \$31,000; the Miami Beach Golf Club Tee Restoration Project was shifted from FY2014/15 to FY2013/14 to be funded by Middle Beach Quality of Life in the amount of \$46,000; as a result of freed up capacity as a result of the above mentioned shifts from PAYGO to other sources, several projects have moved from FY2014/15 to FY2013/14 (Normandy Shores Golf Course Perimeter Hedge in the amount of \$78,000; North Beach Bump-outs – Shrubs, Ground Cover & Irrigation Installation in the amount of \$220,000; Normandy Isle Marseille Lighting Ph. II in the amount of \$139,000; Rue Vendome/ Biarritz Dr. Park & Garden in the amount of \$26,000; and Repainting and Repair of the Perimeter Fences of the North End Parks in the amount of \$115,000); several projects received additional allocations to account for the Arts in Public Places mandatory contribution (Band Shell Master Plan Improv. in the amount of \$10,000, Flamingo Park in the amount of \$37,000, and Scott Rakow Youth Center Ice Rink Mechanical Repairs in the amount of \$23,000); and

WHEREAS, the tentative Capital Budget for FY 2013/14 therefore totals \$49,858,000 with \$34,300,000 (\$49,858,000 Net of the City Center RDA and Anchor Garage appropriation of \$15,558,000) recommended for adoption at this time for projects and capital equipment acquisitions; and

WHEREAS, based on current project schedules, additional water and sewer, and stormwater financings are financed over a series of years; and

WHEREAS, under this approach, the City utilizes a line of credit to allow the necessary rate capacity to issue additional tax-exempt bonds through rate increases and also spend down the current committed but unspent bond proceeds; and

WHEREAS, the proposed sources of funding for the FY 2013/14 Capital Budget are included in "Attachment A"; and

WHEREAS, the proposed projects to be adopted in the tentative FY 2013/14 Capital Budget and the five-year CIP are included in Attachment "B"; and

WHEREAS, In FY 2013/14, \$4,440,000 in unappropriated funds will be transferred from 1% Quality of Life Resort Tax Fund to the following funds: South Beach Quality of Life Resort Tax Fund (\$1,200,000), North Beach Quality of Life Resort Tax Fund (\$1,660,000), and Middle Beach Quality of Life Resort Tax Fund (\$1,580,000).

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby adopts the Tentative Capital Improvement Plan for FY 2013/14 through 2017/18; and adopts the City of Miami Beach Tentative Capital Budget for FY 2013/14 and transfers \$4,440,000 in unappropriated funds from 1% Quality of Life Resort Tax Fund to the following funds: South Beach Quality of Life Resort Tax Fund (\$1,200,000), North Beach Quality of Life Resort Tax Fund (\$1,660,000), and Middle Beach Quality of Life Resort Tax Fund (\$1,580,000).

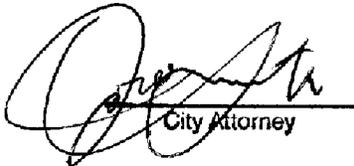
PASSED AND ADOPTED THIS 11th DAY OF SEPTEMBER 2013.

MAYOR

Attest:

CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

9/9/13

Date

**ATTACHMENT A
FY 2013/14 CAPITAL BUDGET
SUMMARY OF FUNDING SOURCES**

Funding Source	Funding
1997 Parking System Revenue Bonds	\$ 217,000
2003 G.O. Bonds - Neighborhood Improvement	148,000
2003 G.O. Bonds - Parks & Beaches	553,000
2010 Parking Bonds Reso. 2010-27491	160,000
7th Street Garage	1,900,000
Capital Projects Not Financed by Bonds	89,000
City Center RDA Capital Fund	15,073,000
Communications Fund	40,000
Convention Center	1,701,000
Equipment Loan/Lease	4,644,000
Fleet Management Fund	160,000
Gulf Breeze 2006	(83,759)
Half Cent Transit Surtax - County	1,569,000
Info & Communications Technology Fund	486,000
Local Option Gas Tax	544,000
MB Quality of Life Resort Tax Fund - 1%	378,000
MDC CDT Interlocal-CDT/Resort Tax Eligib	4,000,000
Miami-Dade County Bond	2,933,581
NB Quality of Life Resort Tax Fund - 1%	678,000
Parking Operations Fund	851,000
Pay-As-You-Go	1,726,000
RDA-Anchor Garage Fund	485,000
Renewal and Replacement Fund	2,561,000
SB Quality of Life Resort Tax Fund - 1%	730,000
South Pointe Capital	4,283,000
South Pointe RDA	1,636,000
Storm Water Bond Fund 431	529,000
Storm Water Bonds 2000S	(256,000)
Stormwater LOC	2,007,419
Water & Sewer GBL Series 2010	81,759
Water & Sewer Bonds 2000S	34,000
Total	\$ 49,858,000
Net of City Center RDA and Anchor Garage	(15,558,000)
Net of City Center RDA and Anchor Garage	\$ 34,300,000

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING FISCAL YEAR (FY) 2013/14 TENTATIVE BUDGETS FOR SPECIAL REVENUE FUNDS FOR RESORT TAX; THE 7th STREET PARKING GARAGE OPERATIONS; THE 5th AND ALTON PARKING GARAGE OPERATIONS; ART IN PUBLIC PLACES (AiPP), TOURISM AND HOSPITALITY SCHOLARSHIP PROGRAM, GREEN/ SUSTAINABILITY FUNDS, WASTE HAULER ADDITIONAL SERVICES AND PUBLIC BENEFIT FUNDS, EDUCATION COMPACT FUNDS, RED LIGHT CAMERA FUNDS, AND EMERGENCY 911 FUNDS SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON MONDAY, SEPTEMBER 30, 2013 AT 5:03 PM.

WHEREAS, expenses related to tourism, monitoring and auditing payments, and receipt of Resort Taxes to the City, will be paid by the Resort Tax Fund; and

WHEREAS, the budget for the public parking garage located at 7th Street and Collins Avenue (the 7th Street Parking Garage) provides funding for operating expenses, debt service, and a reserve for renewal and replacement; and

WHEREAS, the budget for the public parking garage operations located at 5TH and Alton provides funding for the City's share of the shortfall contribution requirements; and

WHEREAS, the Art in Public Places (AiPP) fund is used for the commission or acquisition of works of art, conservation and maintenance of works of art, research and evaluation of works of art, printing and distribution of related materials, and administration; and

WHEREAS, the Tourism and Hospitality Scholarship Program funded by contributions from Global Spectrum and Centerplate and awarded to Miami Beach students enrolled or planning to enroll in post-secondary education and have expressed interest in the food and hospitality industry; and

WHEREAS, the Green/Sustainability fund provides funding for the operating budget for a Citywide Multi-family Residence and Commercial Establishment Recycling Program, including an initiation of a media, education and outreach recycling campaign; and

WHEREAS, the Waste Hauler Additional Services and Public Benefit Contribution funds for sanitation-related services including monthly "Wasteful Weekends" bulk drop off site expenses and twice yearly hazardous waste drop-off site expenses; and

WHEREAS, the Education Compact fund provides funding for teacher development programs, City's contribution for school agenda books, fees to the International Baccalaureate Organization, and other expenses to fund community education compact events; and

WHEREAS, the Red Light Camera fund provides funding for red light camera-related operating expenses; and

WHEREAS, the Emergency 911 fund provides funding for E-911 related operating expenses; and

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby adopts and appropriates the FY 2013/14 tentative budgets for Special Revenue Funds as listed below:

Agenda Item R7D
Date 9-11-13

SPECIAL REVENUE APPROPRIATIONS

FY 2013/14

Resort Tax	\$59,507,000
7th Street Garage Operations	2,161,000
5th & Alton Garage-City's Share of Shortfall	602,000
Art in Public Places	729,000
Tourism and Hospitality Scholarship Program	142,000
Green/Sustainability Fund	225,000
Waste Hauler Additional Services & Public Benefit Fund	77,000
Education Compact Fund	111,000
Red Light Camera Fund	420,000
Emergency 911 Fund	<u>489,000</u>
TOTAL	\$64,463,000

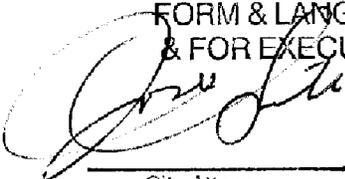
PASSED and ADOPTED this 11th day of September, 2013.

ATTEST BY:

MAYOR

CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

9/9/13

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE ADOPTION OF THE MIAMI BEACH CULTURAL ARTS COUNCIL'S FISCAL YEAR 2013/14 TENTATIVE BUDGET IN THE AMOUNT OF \$1,470,000, AS SET FORTH IN THE ATTACHED EXHIBIT A, SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON MONDAY, SEPTEMBER 30, 2013 AT 5:03 P.M.

WHEREAS, the Miami Beach Cultural Arts Council (CAC) was established by the Mayor and City Commission on March 5, 1997; and

WHEREAS, the mission of the CAC is to develop, coordinate, and promote the visual and performing arts in the City of Miami Beach for the enjoyment, education, cultural enrichment and benefit of the residents of, and visitors to, Miami Beach; and

WHEREAS, the Mayor and City Commission adopted the Cultural Arts Master Plan on June 3, 1998, identifying the following program areas for the CAC: cultural arts grants; marketing; facilities; advocacy and planning; and revenue development; and

WHEREAS, pursuant to its enabling legislation, the CAC's budget for each fiscal year shall be adopted by the Mayor and City Commission; and

WHEREAS, accordingly, the CAC recommends a \$1,470,000 budget allocation for Fiscal Year 2013/14 to continue implementation of its program as set forth in the attached Exhibit "A".

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby authorize the adoption of the Miami Beach Cultural Arts Council's Fiscal Year 2013/14 budget in the amount of \$1,470,000, as set forth in the attached Exhibit A, subject to a second public hearing scheduled on Monday, September 30, 2013 at 5:02 p.m.

PASSED and ADOPTED THIS _____ day of _____ 2013.

ATTEST:

CITY CLERK

MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

T:\AGENDA\2013\September 11\CAC Budget RESO 1314.doc



Agenda Item R7F
Date 9-11-13

CAC - FY 2013/14 Request

140-6080

Budgeted Positions 2

Cultural Affairs Program Manager

100%

Grants & Operations Administrator

100%

	FY 12/ 13 Budget	Actuals as of 3/31/13	FY 12/13 Proj. as of Q2	FY 13/14 CSL	Variance FY 13 vs. FY 14
REVENUES					
140-8000-361145 Interest Allocated - Pooled Cash	43,000	6,994	32,300	33,000	(10,000)
140-8000-366903 GMCVB	50,000	-	50,000	50,000	-
140-8000-381100 Quality of Life (25% of collected)	1,229,681	617,481	1,229,681	1,387,000	157,319
140-8000-381400 Resort Tax (Citywide)	-	-	-	-	-
Fund Balance	-	-	-	-	-
Total	1,322,681	624,475	1,311,981	1,470,000	147,319

	FY 12/ 13 Budget	Actuals as of 3/31/13	FY 12/13 Proj. as of Q2	FY 14 CSL	Variance FY 13 vs. FY 14
EXPENDITURES					
140-6080-000111 Salaries	154,881	77,722	155,443	157,000	2,119
140-6080-000160 Pension - 401A	4,836	2,333	4,665	5,000	164
140-6080-000161 Pension - City Contribution	37,887	-	37,887	50,000	12,113
140-6080-000162 Health & Life Insurance	14,101	6,609	13,287	15,000	899
140-6080-000165 Social Security Medicare	2,246	1,067	2,246	3,000	754
140-6080-000167 OPEB Contribution	17,788	-	17,788	20,000	2,212
140-6080-000168 OPEB Pay Go	-	-	-	10,000	10,000
140-6080-000312 Professional Services	80,000	18,750	80,000	80,000	-
140-6080-000316 Telephones	720	246	660	800	80
140-6080-000321 Postage & Shipping	250	-	50	100	(150)
140-6080-000323 Rent - Building Equip	373	31	373	400	27
140-6080-000341 Office Supplies	1,780	251	1,780	2,000	220
140-6080-000343 Operating Expenses	4,626	969	4,550	4,500	(126)
140-6080-000345 Marketing 345	112,285	5,206	112,000	52,000	(60,285)
140-6080-000349 Grants 349	650,000	299,060	649,947	710,000	60,000
140-6080-000361 Dues & Memberships	1,125	150	1,125	1,200	75
140-6080-000367 Training & Awards	5,950	-	2,500	6,000	50
140-6080-000501 Intrnl Svc - Central Svc	2,719	1,454	2,719	3,000	281
140-6080-000504 Intrnl Svc - Telecom	7,289	3,645	7,289	7,000	(289)
140-6080-000505 Intrnl Svc - Self Insurance	57,195	28,598	57,195	31,000	(26,195)
140-6080-000506 Intrnl Svc - Applications	7,949	3,975	7,949	8,000	51
140-6080-000999 Contingency				304,000	
Total	1,164,000	450,063	1,159,453	1,470,000	306,000

Surplus/(Deficit)	158,681	174,412	152,528	-	(158,681)
--------------------------	----------------	----------------	----------------	----------	------------------

Exhibit A

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE PERTAINING TO THE EARLY TERMINATION OF AN EXISTING RETAIL LEASE AGREEMENT BETWEEN THE CITY AND DAMIAN J. GALLO & ASSOCIATES, INC. D/B/A PERMIT DOCTOR; APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE: 1) A NEW LEASE AGREEMENT BETWEEN THE CITY AND DAMIAN J. GALLO & ASSOCIATES, INC. D/B/A PERMIT DOCTOR, FOR AN INITIAL TERM OF THREE (3) YEARS, WITH TWO (2) RENEWAL OPTIONS FOR TWO (2) YEARS EACH, INVOLVING THE USE OF APPROXIMATELY 1,269 SQUARE FEET OF CITY-OWNED PROPERTY LOCATED AT 1701 MERIDIAN AVENUE, UNIT 4 (A/K/A 775 17TH STREET), MIAMI BEACH, FLORIDA (THE "LEASED PREMISES"); AND 2) A REVOCABLE CONCESSION AGREEMENT BETWEEN THE CITY AND DAMIAN J. GALLO & ASSOCIATES, INC. D/B/A PERMIT DOCTOR, ALLOWING FOR AN OUTDOOR SEATING AREA, ADJACENT TO THE LEASED PREMISES; AND FURTHER WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING REQUIREMENT FOR THE AFOREMENTIONED LEASE AND CONCESSION AGREEMENT, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE PUBLIC.

WHEREAS, on May 13, 2009, the Mayor and City Commission passed Resolution No. 2009-27071, approving a Consent to Assignment and Assumption of Lease Agreement whereby the Dade County Federal Credit Union assigned its lease to Damian J. Gallo & Associates, Inc. d/b/a Permit Doctor ("Tenant") for the use of approximately 1,269 square feet of ground floor retail space in the City-owned building located at 1701 Meridian Avenue; and

WHEREAS, the Lease automatically renewed on February 1, 2011, and expires on January 30, 2016, with no additional renewal options; and

WHEREAS, as stated in Section 7.1 of the Lease Agreement, the Leased Premises shall be used by Tenant solely for the purpose(s) of providing building plan and permit processing services; and

WHEREAS, the Tenant has requested permission from the City to expand the use of the Leased Premises to include a cafe, to be separated by partition walls from the space within which Tenant will continue to operate its plan/permit processing services office (d/b/a Permit Doctor); and

WHEREAS, the Tenant further requested to use the outdoor walkway, immediately outside and to the east of the Leased Premises (perpendicular to the 17th Street sidewalk), consisting of 507 square feet, as an outdoor seating area, containing seven (7) tables, five (5) umbrellas, and twenty six (26) chairs; and

WHEREAS, the Tenant is currently paying a market rental rate of \$36.64 per square foot, on a triple net basis; and

WHEREAS, the additional use and outdoor seating area was discussed at the July 25, 2013 Finance and Citywide Projects Committee meeting, and the Committee recommended in favor of allowing the Tenant to use the Leased Premises for the dual purpose of the plan/permit processing

Agenda Item B7N
Date 9-1-13

services office (d/b/a Permit Doctor) as well as a café, subject to regulatory approvals at every level; and

WHEREAS, the Committee recommended terminating the existing Lease Agreement and executing a new Lease Agreement, containing separate rent structures, for the office portion (d/b/a Permit Doctor) of the Leased Premises and the café portion of the Leased Premises; and

WHEREAS, the Committee recommended Tenant shall continue to pay its existing market rate of \$36.64 PSF on a NNN basis (with three percent (3%) annual increases), plus \$12.33 PSF for operating expenses, for the office portion (Permit Doctor) of the Leased Premises; and

WHEREAS, the Committee recommended Tenant shall pay fifteen percent (15%) of gross sales with a minimum guarantee of \$39,225 annually (payable in monthly installments at the beginning of each month), with three percent (3% annual increases), for the café portion of the Leased Premises; and

WHEREAS, the Committee further recommended in favor of allowing the use of the outdoor seating area, at a rate of \$20.00 per square foot, under a separate Concession Agreement, subject to the City having the right to revoke said agreement.

NOW, THEREFORE, BE IT DULY RESOLVED THAT THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA hereby accept the recommendation of the Finance and Citywide Projects Committee pertaining to the early termination of an existing retail lease agreement between the City and Damian J. Gallo & Associates, Inc. d/b/a Permit Doctor, approving and authorizing the Mayor and City Clerk to execute: 1) a new lease agreement between the City and Damian J. Gallo & Associates, Inc. d/b/a Permit Doctor, for an initial term of three (3) years, with two (2) renewal options for two (2) years each, involving the use of City-owned property located at 1701 Meridian Avenue, Unit 4 (a/k/a 775 17th Street), Miami Beach, Florida (the "Leased Premises"); and 2) a revocable Concession Agreement between the City and Damian J. Gallo & Associates, Inc. d/b/a Permit Doctor, allowing for an outdoor seating area, adjacent to the leased Premises; and further waiving, by 5/7ths vote, the competitive bidding requirement for the aforementioned Lease and Concession Agreement, finding such waiver to be in the best interest of the public.

PASSED and ADOPTED this _____ day of _____ 2013.

ATTEST:

Rafael Granado, CITY CLERK

Matti Herrera Bower, MAYOR

T:\AGENDA\2013\September 11\Damian Gallo\Damian J. Gallo RES (9-6-13).docx

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

[Signature] 9-8-13

City Attorney Date