#### **RESOLUTION NO.** 2014-28564

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE SECOND AMENDMENT TO THE GENERAL FUND, ENTERPRISE FUND, INTERNAL SERVICE FUND, AND SPECIAL REVENUE FUND BUDGETS FOR FISCAL YEAR (FY) 2013/14.

- WHEREAS, the budgets for the General Fund, Enterprise Funds, Internal Service Funds, and Special Revenue Funds for Fiscal Year 2013/14 were approved on September 30, 2013, with the adoption of Resolution Nos. 2013-28351 and 2013-28355; and
- WHEREAS, the budget for the Police Confiscation Trust Fund for Fiscal Year 2013/14 was approved on September 30, 2013, with the adoption of Resolution No. 2013-28359; and
- WHEREAS, the First Amendment to the General Fund, Enterprise Fund, Internal Service Fund, and Special Revenue Fund budgets for Fiscal Year 2013/14 was approved on January 15, 2014, with the adoption of Resolution No. 2014-28469; and
- WHEREAS, the General Fund requires a budget amendment totaling \$450,000 in the Building and Planning departments as reflected in the attached Exhibit "A"; and
- **WHEREAS**, Section 932.7055 of the Florida Statutes sets forth the purpose and procedures to be utilized for the appropriation and expenditures of the Police Confiscation Trust Fund; and
- WHEREAS, the proceeds and interest earned from the Police Confiscation Trust Fund is authorized to be used for crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes; and
- WHEREAS, the Chief of Police is authorized to expend these funds upon request to the City of Miami Beach Commission, and only upon appropriation to the Miami Beach Police Department by the City of Miami Beach Commission; and
- WHEREAS, the Police Confiscation Trust Fund budget for fiscal year 2013/2014 requires a budget amendment in the amount of \$159,000, to be funded from State Confiscated Funds in the amount of \$69,400, and Federal Justice Confiscated Funds in the amount of \$89,600, as reflected in the attached Exhibit "A"; and
- WHEREAS, funds in the amount of \$159,000 are available in the Police Confiscation Trust Fund; and
- WHEREAS, the Chief of Police of the City of Miami Beach has submitted a written certification which states that this request complies with the provisions of Section 932.7055 of the Florida Statutes (written certification attached as Exhibit "B"), and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH that the Mayor and City Commission hereby adopt the Second Amendment to the General Fund, Enterprise Fund, Internal Service Fund, and Special Revenue Fund Budgets for Fiscal Year (FY) 2013/14 as shown in Exhibits "A" and "B".

PASSED and ADOPTED this 23rd day of April, 2014.

ATTEST:

B
PHILIP LEVINE MAYOR

RAPHAEL E. GRANADO, CITY-CLERK

INCORP ORATED

A-15-14

Date

# Exhibit "A"

GENERAL FUND	FY	2013/14 Amended Budget		Proposed Amendment		13/14 Proposed ended Budget
REVENUES						
Operating Revenues						
Ad Valorem Taxes		105,229,000				105,229,000
Ad Valorem Taxes- S Pte Costs		10,201,000				10,201,000
Ad Valorem Cap. Renewal & Replacement		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		23,543,000		450,000		23,993,000
Intergovernmental		10,214,000				10,214,000
Charges for Services		10,315,000				10,315,000
Fines & 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
Reserve- Building Department Ops.		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
Additional Surplus Fund Balance from FY 2012/13		4,710,000				4,710,000
Total General Fund	\$	268,963,000	\$	450,000	\$	269,413,000
APPROPRIATIONS						
Department						
Mayor and Commission		1,738,000				1,738,000
City Manager		3,211,000				3,211,000
Communications		836,000				836,000
Budget & Performance Improvement		2,200,000				2,200,000
Org Dev & Performance Initiative		395,000				395,000
Finance		4,681,000				4,681,000
Procurement		1,268,000				1,268,000
Human Resources/Labor Relations		1,940,000				1,940,000
City Clerk		1,344,000				1,344,000
City Attorney		4,842,000				4,842,000
Real Estate, Housing & Comm. Dev		1,848,000				1,848,000
Community Services		492,000				492,000
Building		12,230,000		425,000		12,655,000
Code Compliance		4,876,000				4,876,000
Planning		3,467,000		25,000		3,492,000
Tourism & Cultural Development		2,905,000				2,905,000
Parks & Recreation		30,196,000				30,196,000
Public Works		6,947,000				6,947,000
Capital Improvement Projects		4,967,000				4,967,000
Police		98,477,000				98,477,000
Fire		61,758,000				61,758,000
Citywide Accounts-Other		9,301,000				9,301,000
CityWide Accounts-Operating Contingency		1,000,000				1,000,000
Citywide Accounts-Normandy Shores	_	225,000	<del></del>	450.000	A	225,000
Subtotal General Fund	_\$	261,144,000	\$	450,000	\$	261,594,000
TRANSFERS						
Capital Investement Upkeep Account		216,000				216,000
Info & Comm Technology Fund		395,000				395,000
Set Aside Reserve		39,000				39,000
Pay-As-You-Go Capital Fund		1,400,000				1,400,000
Reserve-Set Aside for Future Bldg Needs		2,101,000				2,101,000
Reserve-Set Aside for FY 2014/15 CAPITAL RENEWAL & REPLACEMENT		1,687,000				1,687,000 1,981,000
Subtotal Transfers	\$	1,981,000	\$		\$	7,819,000
Suprorqi (tausters	2	7,819,000	ڊ		·	1,019,000
Total General Fund	\$	268,963,000	\$	450,000	\$	269,413,000
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SPECIAL REVENUE FUNDS	FY 2013/14 Amended Budget	Proposed Amendment	FY 2013/14 Proposed Amended Budget	
REVENUE/APPROPRIATIONS				
Resort Tax	59,558,000		59,558,000	
7th Street Garage	2,161,000		2,161,000	
5th & Alton Garage-City's Share of Shortfall	602,000		602,000	
Art In Public Places	768,000		768,000	
Tourism and Hospitality Scholarship Pgmms	142,000		142,000	
Information and Communitation Tech Func	50,000		50,000	
Education Compact	111,000		111,000	
Green/Sustainability Funds	225,000		225,000	
Red Light Camera Fund	420,000		420,000	
E-911 Fund	489,000		489,000	
Cultural Arts Council	1,611,000		1,611,000	
People's Transportation Plan Fund	1,608,000		1,608,000	
Police Confiscation Trust-Federal	519,000	89,600	608,600	
Police Confiscation Trust-State	842,000	69,400	911,400	
Waste Haulers Add Serv & Public Benefit	77,000		77,000	
Total Special Revenue Funds	\$ 69,183,000 \$	159,000	\$ 69,342,000	

### EXHIBIT "B"

## CERTIFICATION

I, Raymond Martinez, Chief of Police, City of Miami Beach, do hereby certify that the aforementioned proposed request for expenditures from the City of Miami Beach Police Confiscation Trust Fund, for the 2013/2014 fiscal year providing funds for expenditures, complies with the provisions of Section 932.7055(4)(a), Florida Statutes, and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies.

Raymond Martinez, Chief of Police Miami Beach Police Department

Date

### Condensed Title:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF MIAMI BEACH, FLORIDA, ADOPTING THE SECOND AMENDMENT TO THE GENERAL FUND, ENTERPRISE FUND, INTERNAL SERVICE FUND, AND SPECIAL REVENUE FUND BUDGETS FOR FISCAL YEAR (FY) 2013/14.

## **Key Intended Outcome Supported:**

Ensure expenditure trends are sustainable over the long term. Improve building/development-related processes from single family residences to the large development projects.

Supporting Data: N/A

## Item Summary/Recommendation:

The budgets for the General Fund, Enterprise Funds, Internal Service Funds, and Special Revenue Funds for Fiscal Year 2013/14 were approved on September 30, 2013 with the adoption of Resolutions No. 2013-28351 and No. 2013-28355. The budget for the Police Confiscation Trust Funds for Fiscal Year 2013/14 was approved on September 30, 2013 with the adoption of Resolution No. 2013-28359.

The First Amendment to the General Fund, Enterprise Funds, Internal Service Funds, and Special Revenue Funds budgets for FY 2013/14 was approved on January 15, 2014, by resolution 2014-28469. Section 166.241(4)(c.), Florida Statutes, requires that a municipality's budget amendment must be adopted in the same manner as the original budget.

The Second Amendment will increase funding in the General Fund and the State and Federal Confiscation Funds.

#### Financial Information:

Source of Funds		Amount	Account
(M)	1961 1841 1841	\$450,000	General Fund
		\$69,400	Confiscation Trust Fund-State
		. \$89,600	Confiscation Trust Fund-Federal

City Clerk's Office Legislative Tracking:

John Woodruff, OBPI Director

Sian-Offs:

Department Director Assistant City Manager	1	City Manager
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City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO:

Mayor Philip Levine and Members of the City Commission

FROM:

Jimmy L. Morales, City Manager

DATE:

April 23, 2014

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE SECOND AMENDMENT TO THE GENERAL FUND, ENTERPRISE FUND, INTERNAL SERVICE FUND AND SPECIAL REVENUE FUND BUDGETS FOR FISCAL YEAR (FY) 2013/14

## ADMINISTRATION RECOMMENDATION

Adopt the resolution amending the FY 2013/14 General Fund, Enterprise Funds, Internal Service Funds, and Special Revenue Funds budgets.

## **KEY INTENDED OUTCOME SUPPORTED**

Ensure expenditure trends are sustainable over the long term. Improve building/development-related processes from single family residences to the large development projects.

#### **ANALYSIS**

The budgets for the General Fund, Enterprise Funds, Internal Service Funds, and Special Revenue Funds for Fiscal Year 2013/14 were approved on September 30, 2013, with the adoption of Resolutions No. 2013-28351 and No. 2013-28355. The budget for the Police Confiscation Trust Funds for Fiscal Year 2013/14 was approved on September 30, 2013, with the adoption of Resolution No. 2013-28359.

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The Second Amendment will increase funding in the General Fund and the State and Federal Confiscation Funds.

## General Fund - Building Department

The Building Department is responsible for administering the various provisions of the Florida Building Code, including accepting permit applications, reviewing and approving construction plans, inspecting construction to ensure compliance with the approved plans, and issuing violations for projects where construction was done without or not in compliance with the approved permits. The proposed budget amendment funds a total increase of \$375,000, which includes an increase of \$313,000 for contracted staff (3 Permit Clerks and 2 Plans Reviewers) and \$62,000 for armed security services in City Hall. The contracted staff will maintain the current level of service of average plan reviews in 12.7 days as demand for services increases (i.e. increase in permit submittals). The increase of \$375,000 is anticipated to be fully offset by additional revenue due to higher demand.

To improve Building/Development related processes, the Building Department would like to provide e-recording services to customers for such permit documents as Notice of Commencements, affidavits and agreements. By offering this service to customers, it would alleviate the need for a separate trip to the Miami Dade County Recorder's office for permitting documents. In addition, the Building Department would have the ability to record additional property related documents as the need arises. The proposed budget amendment would appropriate recording fees of \$50,000, which would be offset by an equivalent revenue amount for the remainder of the fiscal year.

## General Fund - Planning Department

The City's Land Use Boards and Land Development Regulations require Development Orders to be recorded in the public records in order assure developer compliance with the design and limitations approved during the public hearing process. Once the project is approved by the board(s) the final development order is generated by the department and given to the applicant for recording. The current process prevents the maintenance of the chain of custody of the approved development order and allows for the possibility that an incorrect or altered document may be recorded as the official document.

The proposed new process is for electronic recording of the development orders to be performed by the Planning Department to prevent the recording of an altered or incorrect document, thus assuring compliance with the Board(s) direction. The new process will also provide an expedited service to customers since they will no longer have to make a separate trip to the Miami-Dade County Recorder's office and back to the City for submission of a certified copy of the recorded documents.

The Planning Department will collect the recording fee at time of application to offset subsequent expense. The proposed budget amendment would appropriate \$25,000 of both revenue and expenditure to cover the remainder of the fiscal year.

## Special Revenue Funds - State and Federal Confiscation Trust Funds

Florida Statute 932.7055 provides for expenditures of forfeiture funds for law enforcement purposes. As a matter of policy, confiscation funds are typically utilized for capital purchases or one-time, non-recurring expenses, including specialized equipment, grant matches and organizational training. The proposed budget amendment totals \$159,000 to be funded from the proceeds of State and Federal Confiscation Funds.

Second Amendment to the FY 2013/14 General Fund, Enterprise, Internal Service, and Special Revenue Funds Budgets Page 3

The State Funds will be increased by \$69,400, which includes \$55,000 for a new Command Vehicle and \$14,400 for software to facilitate investigations in Internal Affairs.

The Federal Funds will be increased by \$89,600, which includes: \$49,970 for technological upgrades for the new Command Vehicle; \$16,000 for a Smart Board for training; \$12,900 for an upgrade to the Criminal Investigations Unit File Room; \$5,800 for a Camera Monitoring System in the Criminal Investigations Unit; \$3,600 for entry tools for shift commanders; and \$1,330 for an upgrade to the Special Victims Section Child Interview Room.

The Miami Beach Chief of Police, Raymond Martinez, reviewed and identified the need for the appropriation of these funds and ensured that the expenditures of forfeiture funds are in compliance with Section 932.7055, Florida State Statutes, and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies.

#### CONCLUSION

The Administration recommends that the Mayor and City Commission adopt the Second Amendment to the General Fund, Enterprise Fund, Internal Service Fund, and Special Revenue Fund Budgets for Fiscal Year (FY) 2013/14.

JLM: JW





#### **CITY OF MIAMI BEACH** NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on April 23, 2014, to consider the following:

10:15 a.m

A Resolution Adopting The Second Amendment To The General Fund, Enterprise Fund, Internal Service Fund And Special Revenue Fund Budgets For Fiscal Year (FY) 2013/2014. Inquiries may be directed to the Budget Office 305-673-7510.

An Ordinance Amending Chapter 70 Of The Code Of The City Of Miami Beach, Eritided "Miscellansous Offerses," By Amending Article II, Entitled i Public Places" To Prohibit Motorized Means Of Transportation On The Beachwalk Between 15th To 23rd Streets And Between 64" To 79th Streets, And On The Lummus Park Promenade (Also Known As The Lummus Park Serpentine Walkway) Between 5th And 15th Street; Providing For Repealer, Severability, Codification, And An Effective Date. Inquiries may be directed to the City Attorney's Office 305-673-7470.

An Ordinance Amending Chapter 10 of The Milanti Beach City Code Entitled "Animals," By Amending Section 10-11, Entitled "Running At Large Prohibited," By Extending The Pilot Program Off-Leash Area For Dogs in South Pointe Park Through And Including December 31, 2014; Providing For Repealer; Severability; Codification; And An Effective Date. Inquiries may be directed to the Parks and Recreation Department 305-673-7730.

Minimum Unit Sizes For Historic Hotels In Commercial Districts

An Ordinance Amending The Land Development Regulations of The Code Of The City Of Milami Beach, By Amending Chapter 142, "Zoning Districts And Regulations", Article II, "District Regulations", Section 142-306, "Development Regulations" To Modify The Requirements For Minimum Hotel Room Size For Historic Hotels Within The CD-2 District; And By Amending Section 142-337, "Development Regulations And Area Requirements" To Modify The Requirements For Minimum Hotel Room Size For Historic Hotels Within The CD-2 District; And By Amending Section 142-337, "Development Regulations And Area Requirements" To Modify The Requirements For Minimum Hotel Room Size For Historic Hotels Within The CD-3 District; Providing For Codification; Repealer; Severability, And An Effective Date. Inquiries may be directed to the Planning Department 305-673-7550.

10:55 a.m.

Roat Docks And Marine Structures

An Ordinance Amending Chapter 66, "Marine Structures, Facilities And Vehicles," Article IV, "Vessels," Section 66-113, "Limitation On Projection Of Structures; Public Hearing," And Chapter 142, "Zoning Districts And Regulations," Section 142-1132, "Allowable Encroachments Within Required Yards," Modifying The Procedures For Approval Of Bocks That Extend Beyond The Permitted Distance Into A Waterbody, Providing For Repealer; Codification; Severability And An Effective Date. Impulies may be directed to the Plenning Department 305-673-7550.

RM-2 Oceanfront Height Regulations

Cocamination Registration Regis

RM-3 Oceanfront Setbacks for Detached Structures and ADA Waikways

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The Publish Advertisement of Short Term Rentals/Commercial Use in Residential Zoning Districts

An Ordinance Amending The Code Of The City of Miami Beach, Subpart 8, Entitled "Land Development Regulations," Of Chapter 142, Entitled "Zoning Districts And Regulations," By Amending Article II, Entitled "District Regulations," By Amending Division 2, Entitled "RS-1, RS-2, RS-3, RS-4

An Ordinance Amending The Code Of The City of Miami Beach, Subpart 8, Entitled "Land Development Regulations," Of Chapter 142, Entitled "Zoning Districts And Regulations," By Amending Article II, Entitled "District Regulations," By Amending Division 2, Entitled "RS-1, RS-2, RS-3, RS-4

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An Ordinance Amending The Code Of The City of Miami Beach, Subpart 8, Entitled "Land Development Regulations," Division 2, Entitled "RS-1, RS-4

An Ordinance Amending The City of Miami Beach, Subpart 8, Entitled "Land Beach, Subp An Ordinance American The Code or The City of Matam electric Supplementary is continued and Development As Entitled "Coning Districts and Regulations," by American The Code of The Supplementary District Regulations, "Ordinance Action (a) Facility Materials (a) Facility Supplementary Code of Single-Family Phones Prohibited," by American The Desiritions The Facility Revenues City (1) American Supplementary Child (a) Facility Materials (b) Facility Materials

11:35 a.m.

Wake Zone Ordinance

An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 66, Entitled "Marine Structures, Facilities And Vehicles," By Amending Article II, Entitled "Restricted Wake Zones," By Amending Section 66-43, Entitled "Restricted Areas," By Amending Subsection C Thereof Regarding The Slow Speed, Minimum Wake Zone By Amending The Boundaries Thereof And Amending Area C On The Appendix Thereto; Providing For Regealer, Severability, Codification, And An Effective Date, Inquiries may be directed to the City Attorney's Office 305-673-7470.

An Ordinance Amending Chapter 70 Of The Code Of The City Of Miami Beach, Florida, Entitled "Miscellaneous Offenses," By Amending Section 70-2, Entitled "Reserved" To Create Regulations That Define Nicotine Vaporizer And Liquid Nicotine And That Prohibit The Sale, Barter, Provicing Directly Or Indirectly, Giltling, Making Available For Use Or Possession, Or The Furnishing Of Nicotine Vaporizers and Liquid Nicotine To Persons Under The Age Of Eighteen (18); Moreover, Making The Possession Of Nicotine Vaporizers and Liquid Nicotine Illegal For Persons Under The Age Of Eighteen (18); And Providing Penalties For Violations; Providing For Repealer; Severability; Codification; And An Effective Date. Inquiries may be directed to the City Attorney's Office 305-873-7470.

5:05 p.m.:

An Ordinance Amending The Code of The Code Areas With Exceptions As Prescribed in The Ordinance; Providing For Codification, Repealer; Severability; And An Effective Date. Inquiries may be directed to the Planning Department 305-673-7550.

5:10 p.m.

Time 2 Accessory Office Uses For Bay Front Apartments

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142, "Zoning Districts And Regulations" Article II "District Regulations", Division 3 "Residential Multifarmity Districts", Subdivision IV "Residential Multifarmity, Medium Intensity," Section 142-213, "Conditional Uses," To Expand The Conditional Uses in The RM-2 District To Include Certain Types Of Non-Medical Office Uses For Bay Front Apartment Buildings; Providing For Repealer, Severability, Codification, And An Effective Date. Inquiries may be directed. to the Planning Department 305-673-7550. 30° °

573 p.m.
Religlous Uses Ordinance Amendment For The Equal Treatment Of Religious Uses As Required By The Federal Religious Land Use And Institutionalized Persons Act (RLUIPA).
An Ordinance Amending The Code Of The City of Miamil Beach, By Amending Chapter 142, "Zoning Districts And Regulations," And Article IV, "District Regulations," And Article IV, "Supplementary District Regulations," To Provide For The Equal Treatment Of Religious Institutions In Multifamily, Commercial And Industrial Districts, As Required by Federal Law, Allowing Religious Institutions As A Matter Of Right by To 199 Occupancy, As Either Main Permitted Or Accessory Uses As Set Forth In The Respective Zoning Districts, And Requiring Conditional Use Approval For Such Uses With Higher Occupancy, Providing For Repealer, Severability, Codification, And An Effective Date. Inquiries may be directed to the Planning Department 305-673-7550.

Dr. Stanley Sutnick Citizen's Forum - The times for the Dr Stanley Sutnick Citizen's Forum are 8:30 a.m. and 1:90 p.m., or as soon as possible thereafter Approximately thirty minutes will be allocated to each session, with individuals being limited to no more than three minutes or for a period established by the Mayor. No appointment or advance notification is needed in order to speak to the Commission during this Forum

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1ª Floor, City Hall, Mlami Beach, Florida 33139. Convention Center Drive, 1ª Floor, City Hall, Mlami Beach, Florida 33139. Convention Center Drive, 1ª Floor, City Hall, Mlami Beach, Florida 33139. Convention Center Drive, 1ª Floor, City Hall, Mlami Beach, Florida 33139. This meeting, or any item herein, may be continued, and under such circumstances, additional legal notice need not be provided.

Pursuant to Section 286 0105, Fia. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities and/or any accommodation to review any document or participate in any City-sponsored proceeding, please contact us five days in advance at 305-673-7411(voice) or TTY users may also call the Florida Relay Service at 711.

> Rafael F. Granado, City Clerk City of Miami Beach

Ad # 870