

R7 G A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACTING IN ITS CAPACITY AS THE GOVERNING BODY OF THE BISCAYNE BEACH SECURITY GUARD SPECIAL TAXING DISTRICT, ADOPTING THE OPERATING BUDGET FOR THE BISCAYNE BEACH SECURITY GUARD SPECIAL TAXING DISTRICT FOR FISCAL YEAR 2025.

Applicable Area:



COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: September 11, 2024

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACTING IN ITS CAPACITY AS THE GOVERNING BODY OF THE BISCAYNE BEACH SECURITY GUARD SPECIAL TAXING DISTRICT, ADOPTING THE OPERATING BUDGET FOR THE BISCAYNE BEACH SECURITY GUARD SPECIAL TAXING DISTRICT FOR FISCAL YEAR 2025.

**RECOMMENDATION**

Adopt the Resolution which establishes the operating budget for the Biscayne Beach Security Guard Special Taxing District ("District") for Fiscal Year (FY) 2025 in the amount of \$256,000, subject to adoption of the non-ad valorem assessment roll of \$2,485.15, per Residential Unit, to fund the continued operation and maintenance of the guardhouse gates, and security guard services in the District, including but not limited to the making of building, infrastructure, and security-related improvements, as authorized by Section 197.3632, Florida Statutes.

**BACKGROUND/HISTORY**

In 1989, the Mayor and City Commission of the City of Miami Beach and the Miami-Dade County Board of County Commissioners approved the creation of a Special Taxing District pursuant to City Resolution No. 88-19368 and County Ordinance No. 89-126 to provide twenty-four (24) hour security guard services to Biscayne Beach.

Pursuant to a Miami-Dade County Charter Amendment approved by the electorate on November 8, 2016, County Ordinance No. 16-14 was given effect which created a new Section 18-3.1 in the Miami-Dade County Code. This new County Code section provides, in part, that by joint resolutions of the Board of County Commissioners and the governing body of a municipality, the governing body of a municipality may be designated as the governing body of an existing Special Taxing District located entirely within the boundaries of such municipality, subject to a majority vote of the qualified electors residing in the Special Taxing District at an election called by and conducted as provided by the Board of County Commissioners and with the County Tax Collector and Property Appraiser would be needed to effectuate a transfer of control.

On December 17, 2019, the voters approved the transfer of control of the Special Taxing District to the City. As a result of this vote, and pursuant to the terms of the Transfer Agreement between the County and the City, the City became the governing body of the Special Taxing District pursuant to Section 102.168 of the Florida Statutes.

As such, the City of Miami Beach intends to use the uniform method for collecting non-ad valorem assessments to fund the continued operation and maintenance of the guardhouse gates, and security guard services in the District, including but not limited to the making of building, infrastructure, and security-related improvements, as authorized by Section 197.3632, Florida Statutes, because this method will allow such special assessments to be collected annually.

## **ANALYSIS**

The non-ad valorem assessment roll and operating budget for this District must be adopted in accordance with Florida Statutes. This procedure requires that this Resolution be considered immediately after the non-ad valorem assessment roll for the District has been adopted (see accompanying Biscayne Beach Non-Ad Valorem Assessment Roll agenda item for details).

## **PROPOSED BUDGET**

The proposed FY 2025 budget summarized below for the Biscayne Beach Security Guard Special Taxing District is \$256,000 and reflects the funding necessary to provide security services, as well as improvements to the security guardhouse for the upcoming fiscal year, as requested by the District. This represents a \$12,000 increase from the adopted FY 2024 budget of \$244,000 for the District, which includes \$5,000 in one-time funding from the District's prior year fund balance for the replacement of the gate arm at the guardhouse for FY 2025.

<b>Expenditures in FY 2025 Budget</b>	<b>\$</b>
Contracted Security Services for District	210,000
City of Miami Beach Internal Service Charges and Fees	16,000
Guardhouse Utilities (Water, Sewer, Storm Water, Electricity, etc.)	11,300
Guardhouse Gate Arm Replacement (One-Time)	5,000
Contingencies (based on budgeted collection allowance)	5,000
Guardhouse Repairs and Preventive Maintenance	3,900
Guardhouse Lighting	2,300
Guardhouse Janitorial Services	1,500
Advertising and Mailing Services for Required Notice of Public Hearing	1,000
<b>Total</b>	<b>\$ 256,000</b>

In order to provide the level of services and improvements requested by the District, an assessment of \$2,485.15, per Residential Unit, is proposed for real property located within the boundaries of the District commencing FY 2025, which will generate approximately \$251,000 in FY 2025. The proposed non-ad valorem assessment is \$81.21, or 3.4%, more than the non-ad valorem assessment of \$2,403.94, per Residential Unit, that was adopted for FY 2024. The proposed assessment, combined with the use of \$5,000 of the District's prior year fund balance for the replacement of the gate arm at the guardhouse that was requested by the District for FY 2025, would fund the proposed FY 2025 budget.

## **FISCAL IMPACT STATEMENT**

See information provided above.

## **Does this Ordinance require a Business Impact Estimate?**

(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on .

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

## **FINANCIAL INFORMATION**

See information provided above.

## **CONCLUSION**

The Mayor and City Commission, acting in its capacity as the governing body of the Biscayne Beach Security Guard Special Taxing District, should adopt the Resolution which establishes the operating budget of \$256,000 for the Biscayne Beach Security Guard Special Taxing District for FY 2025.

Attachment A – Biscayne Beach Budget

EC/JDG/TOS/RA

## **Applicable Area**

Citywide

**Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?**

Yes

**Is this item related to a G.O. Bond Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

## **Department**

Management and Budget

## **Sponsor(s)**

## **Co-sponsor(s)**

## **Condensed Title**

Adopt Oper Budget, Biscayne Beach Security Guard Spec Taxing Dist. OMB

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACTING IN ITS CAPACITY AS THE GOVERNING BODY OF THE BISCAYNE BEACH SECURITY GUARD SPECIAL TAXING DISTRICT, ADOPTING THE OPERATING BUDGET FOR THE BISCAYNE BEACH SECURITY GUARD SPECIAL TAXING DISTRICT FOR FISCAL YEAR 2025.**

**WHEREAS**, the Mayor and City Commission of the City of Miami Beach ("City") and the Miami-Dade County Board of County Commissioners ("County") approved the creation of the Biscayne Beach Security Guard Special Taxing District ("District") pursuant to City Resolution No. 88-19368 and County Ordinance No. 89-126, in order to provide 24-hour security guard service to Biscayne Beach; and

**WHEREAS**, the District is located entirely within the City, and Section 18-3.1 of the Code of Miami-Dade County provides that for a special taxing district located entirely within municipal boundaries, the County may designate the governing body of the municipality as the governing body of the special taxing district, subject to a majority vote of the qualified electors residing in the district; and

**WHEREAS**, a special election was conducted within the District on December 17, 2019, which resulted in the approval of the transfer of control of the District from the County to the City by a majority vote of the qualified electors residing in the District; and

**WHEREAS**, on February 12, 2020, the Mayor and City Commission adopted Resolution No. 2020-31177, expressing the City's intent to use the uniform method for collecting non-ad valorem assessments to be levied within the District to fund the continued operation and maintenance of the guardhouse gates, and security guard services in the District, including but not limited to the making of building, infrastructure, and security-related improvements, as authorized by Section 197.3632, Florida Statutes; and

**WHEREAS**, for the purpose of providing security services, as well as funding security improvements requested by the District, the attached budget has been developed to fund projected Fiscal Year (FY) 2025 operating expenditures.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH**, that the Mayor and City Commission, acting in its capacity as the governing body of the Biscayne Beach Security Guard Special Taxing District, hereby adopt the FY 2025 operating budget for the Biscayne Beach Security Guard Special Taxing District, as summarized below:

Revenues

Non-Ad Valorem Assessments	\$ 251,000
Use of Prior Year Fund Balance	5,000
<b>Total</b>	<b>\$ 256,000</b>

Expenditures

Contracted Security Services for District	\$ 210,000
City of Miami Beach Internal Service Charges and Fees	16,000
Guardhouse Utilities (Water, Sewer, Storm Water, Electricity, etc.)	11,300
Guardhouse Gate Arm Replacement (One-Time)	5,000
Contingencies (based on budgeted collection allowance)	5,000
Guardhouse Repairs and Preventive Maintenance	3,900
Guardhouse Lighting	2,300
Guardhouse Janitorial Services	1,500
Advertising and Mailing Services for Required Notice of Public Hearing	1,000
<b>Total</b>	<b>\$ 256,000</b>

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

**ATTEST:**

\_\_\_\_\_  
Steven Meiner, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

\_\_\_\_\_  
City Attorney

8/22/2024  
\_\_\_\_\_  
Date

# ATTACHMENT A

FY 2025 Biscayne Beach Special Taxing District Budget							
	FY 2021 Actuals (CITY OF MIAMI BEACH)	FY 2022 Actuals (CITY OF MIAMI BEACH)	FY 2023 Actuals (CITY OF MIAMI BEACH)	FY 2024 Adopted Budget (CITY OF MIAMI BEACH)	FY 2025 Proposed Budget (CITY OF MIAMI BEACH)	\$ Variance FY 2025 Proposed vs FY 2024 Adopted	% Variance FY 2025 Proposed vs FY 2024 Adopted
<b>REVENUES</b>							
Special Assessments	\$ 217,253	\$ 214,359	\$ 227,431	\$ 239,000	\$ 241,000	\$ 2,000	0.8%
Special Assessment Collection Allowance	-	-	-	-	5,000	5,000	100.0%
Special Assessments Miami-Dade County Collection Allowance	-	-	-	5,000	5,000	-	0.0%
Interest/Other	102,364	346	449	-	-	-	0.0%
Fund Balance/Retained Earnings	-	-	-	-	5,000	5,000	100.0%
<b>Total</b>	<b>\$ 319,617</b>	<b>\$ 214,706</b>	<b>\$ 227,879</b>	<b>\$ 244,000</b>	<b>\$ 256,000</b>	<b>\$ 12,000</b>	<b>4.9%</b>
<b>EXPENDITURES</b>							
Utilities (Water, Sewer, Storm Water, Electricity) <sup>(1)</sup>	\$ 5,676	\$ 6,599	\$ 6,085	\$ 6,400	\$ 7,300	\$ 900	14.1%
Utilities (Telephone)	1,560	2,587	3,164	3,500	4,000	500	14.3%
Janitorial Services <sup>(2)</sup>	496	1,194	1,357	1,400	1,500	100	7.1%
Repairs & Maintenance <sup>(3)</sup>	1,161	4,074	3,736	4,000	3,900	(100)	-2.5%
Gate Arm Replacement Project (One-time)	-	-	-	-	5,000	5,000	100.0%
Security Guard Services <sup>(4)</sup>	199,674	190,419	193,400	200,300	210,000	9,700	4.8%
Advertising <sup>(5)</sup>	-	2,069	450	1,200	1,000	(200)	-16.7%
Guardhouse Lighting <sup>(6)</sup>	-	1,480	2,000	2,200	2,300	100	4.5%
Contingencies (based on collections allowance)	-	-	-	5,000	5,000	-	0.0%
Facilities Management and Other City Services Charges <sup>(7)</sup>	27,100	20,200	20,000	19,000	15,000	(4,000)	-21.1%
OIG Internal Service Charges <sup>(8)</sup>	-	1,000	1,000	1,000	1,000	-	0.0%
<b>Total</b>	<b>\$ 235,668</b>	<b>\$ 229,622</b>	<b>\$ 231,192</b>	<b>\$ 244,000</b>	<b>\$ 256,000</b>	<b>\$ 12,000</b>	<b>4.9%</b>
<b>Surplus / (Shortfall)</b>	<b>\$ 83,949</b>	<b>\$ (14,916)</b>	<b>\$ (3,312)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>0.0%</b>
<b>Actual/Projected Fund Balance Available for Appropriation as of September 30th</b>	<b>\$ 83,949</b>	<b>\$ 69,033</b>	<b>\$ 65,720</b>	<b>\$ 56,720</b>			
<b>Number of Units (per Miami-Dade County Property Appraiser) <sup>(9)</sup></b>	<b>101.00</b>	<b>101.50</b>	<b>101.50</b>	<b>101.50</b>	<b>101.00</b>	<b>(0.50)</b>	<b>-0.5%</b>
<b>\$ Assessment Rate/Unit</b>	<b>\$ 2,188.12</b>	<b>\$ 2,226.60</b>	<b>\$ 2,240.70</b>	<b>\$ 2,403.94</b>	<b>\$ 2,485.15</b>	<b>\$ 81.21</b>	<b>3.4%</b>

## Footnotes:

<sup>(1)</sup> Utility costs based on the following: Electricity - Based on department's request, which is consistent with the current year trend; Telephone - Based on department's request, which is consistent with current year trend and expected increases in monthly invoices; Storm Water - Based on the average of the prior two years of actuals; Water - Based on the average of the prior year actuals; and Sewer - Based on FY 2023 actuals.

<sup>(2)</sup> FY 2025 janitorial services based on department's request, which is consistent with the prior and current year trends.

<sup>(3)</sup> FY 2025 repairs and maintenance budget based on FY 2023 actuals and current year trends.

<sup>(4)</sup> FY 2025 security guard cost based on anticipated annual hours provided by Facilities Management, as well as a 5% hourly rate increase that was effective April 2024.

<sup>(5)</sup> Advertising budget based on prior year actuals and required advertising for public hearing to adopt annual assessment roll.

<sup>(6)</sup> FY 2025 guardhouse lighting for annual holiday lighting requested by the District.

<sup>(7)</sup> Includes approximately 12.25% of the split-funded Administrative Officer position and indirect costs associated with the operations of the Special Taxing District based on an updated Full Cost Allocation Study completed by a third-party consultant. This includes a 2.0% merit, 0% COLA, and a 10% increase over the FY 2024 projection for Health and Life Insurance, as well as proportionate share of pension costs for portion of full-time Administrative Officer position funded by City's four Taxing Districts.

<sup>(8)</sup> Based on the Office of the Inspector General's FY 2025 budget and internal services allocations for FY 2025.

<sup>(9)</sup> FY 2025 units based on Non-Ad Valorem Assessment roll provided by the Miami Dade Property Appraiser as of June 1, 2024.