

R7 I 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 POINT SECURITY GUARD SPECIAL TAXING DISTRICT, ADOPTING THE OPERATING BUDGET FOR THE BISCAYNE POINT 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 POINT SECURITY GUARD SPECIAL TAXING DISTRICT, ADOPTING THE OPERATING BUDGET FOR THE BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT FOR FISCAL YEAR 2025.

**RECOMMENDATION**

Adopt the Resolution which establishes the operating budget for the Biscayne Point Security Guard Special Taxing District ("District") for Fiscal Year (FY) 2025 in the amount of \$354,000, subject to adoption of the non-ad valorem assessment roll of \$1,084.23, 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 1990, 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. 90-19919 and County Ordinance No. 90-52 to provide twenty-four (24) hour security guard service to Biscayne Point. Thereafter, in 2006 and 2007, respectively, the City's Mayor and City Commission and the Miami-Dade County Board of County Commissioners approved an amendment to the Special Taxing District in City Resolution No. 2006-26201 and County Ordinance No. 07-62 to provide for increased services, including the installation of cameras and a recording device in the guardhouse.

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 provided, 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 January 23, 2018, the voters of the District approved the transfer of control of the Security Guard Special Taxing District to the City. As a result of this vote, and pursuant to the terms of the Transfer Agreement executed between Miami-Dade County and the City of Miami Beach, the City became the governing body of the Special Taxing District, as no contest of the election was filed 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 Point Non-Ad Valorem Assessment Roll agenda item for details).

### **PROPOSED BUDGET**

The proposed FY 2025 budget summarized below for the Biscayne Point Security Guard Special Taxing District is \$354,000 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 \$13,000, or 3.8%, increase from the adopted FY 2024 budget of \$341,000 for the District, which includes \$10,000 for the installation of a Radio Frequency Identification Device (RFID) reader system to be installed in the guardhouse that was requested by the District.

| Expenditures in FY 2025 Budget   | \$                |
|--|-------------------|
| Contracted Security Services for District                              | 291,500           |
| City of Miami Beach Internal Service Charges and Fees                  | 16,000            |
| Guardhouse Repairs and Preventive Maintenance                          | 13,400            |
| RFID Reader System (One-Time)  | 10,000            |
| Guardhouse Utilities (Water, Sewer, Storm Water, Electricity, etc.)    | 9,400             |
| Contingencies (based on budgeted collection allowance)                 | 7,000             |
| Set-aside for Reserve  | 4,000             |
| Guardhouse Janitorial Services   | 1,500             |
| Advertising and Mailing Services for Required Notice of Public Hearing | 1,200             |
| <b>Total</b>   | <b>\$ 354,000</b> |

In order to provide the level of services, as well as one-time funding for the RFID reader system requested by the District, an assessment of \$1,084.23, per Residential Unit, is proposed for real property located within the boundaries of the District commencing FY 2025, which will generate approximately \$354,000 and fund the proposed budget for FY 2025. The proposed non-ad valorem assessment is \$41.42, or 4.0%, more than the non-ad valorem assessment of \$1,042.81, per Residential Unit, that was adopted for FY 2024.

### **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 Point Security Guard Special Taxing District, should adopt the Resolution which establishes the operating budget of \$354,000 for the Biscayne Point Security Guard Special Taxing District for FY 2025.

Attachment A – Biscayne Point 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 Point 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 POINT SECURITY GUARD SPECIAL TAXING DISTRICT, ADOPTING THE OPERATING BUDGET FOR THE BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT FOR FISCAL YEAR 2025.**

**WHEREAS**, the Mayor and Commission of the City of Miami Beach ("City") and Miami-Dade County ("County") approved the creation of the Biscayne Point Security Guard Special Taxing District ("District") pursuant to City Resolution No. 90-19919 and County Ordinance No. 90-52, as amended by City Resolution No. 2006-26201 and County Ordinance No. 07-62, to provide twenty-four (24) hour security guard services to Biscayne Point; 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 January 23, 2018, 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 14, 2018, the Mayor and City Commission adopted Resolution No. 2018-30185, 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, and

**WHEREAS**, for the purpose of providing security services, as well as funding the installation of a Radio Frequency Identification Device (RFID) reader system in the guardhouse that was 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 Point Security Guard Special Taxing District, hereby adopt the FY 2025 operating budget for the Biscayne Point Security Guard Special Taxing District, as summarized below:

Revenues

|                            |                   |
|----------------------------|-------------------|
| Non-Ad Valorem Assessments | \$ 354,000        |
| <b>Total</b>               | <b>\$ 354,000</b> |

Expenditures

|  |                   |
|--|-------------------|
| Contracted Security Services for District                              | \$291,500         |
| City of Miami Beach Internal Service Charges and Fees                  | 16,000            |
| Guardhouse Repairs and Preventive Maintenance                          | 13,400            |
| RFID Reader System (One-Time)  | 10,000            |
| Guardhouse Utilities (Water, Sewer, Storm Water, Electricity, etc.)    | 9,400             |
| Contingencies (based on budgeted collection allowance)                 | 7,000             |
| Set-aside for Reserve  | 4,000             |
| Guardhouse Janitorial Services   | 1,500             |
| Advertising and Mailing Services for Required Notice of Public Hearing | 1,200             |
| <b>Total</b>   | <b>\$ 354,000</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

8/12/2024  
\_\_\_\_\_  
Date

# ATTACHMENT A

| FY 2025 Biscayne Point Special Taxing District Budget                            |  |  |  |   |  |  |   |
|--|--|--|--|---|--|--|---|
|  | FY 2021<br>Actuals<br>(CITY OF MIAMI<br>BEACH) | FY 2022<br>Actuals<br>(CITY OF MIAMI<br>BEACH) | FY 2023<br>Actuals<br>(CITY OF MIAMI<br>BEACH) | FY 2024<br>Adopted Budget<br>(CITY OF MIAMI<br>BEACH) | FY 2025<br>Proposed<br>Budget (CITY OF<br>MIAMI BEACH) | \$ Variance<br>FY 2025 Proposed<br>vs<br>FY 2024 Adopted | % Variance<br>FY 2025 Proposed<br>vs<br>FY 2024 Adopted |
| <b>REVENUES</b>  |  |  |  |   |  |  |   |
| Special Assessments  | \$ 213,699                                     | \$ 218,468                                     | \$ 212,437                                     | \$ 324,000  | \$ 337,000   | \$ 13,000  | 4.0%  |
| Special Assessment Collection Allowance  | -  | -  | -  | 10,000  | 10,000   | -  | 0.0%  |
| Special Assessments Miami-Dade County Collection Allowance                       | -  | -  | -  | 7,000   | 7,000  | -  | 0.0%  |
| Fund Balance/Retained Earnings   | -  | -  | -  | -   | -  | -  | 0.0%  |
| Interest/Other   | 38   | 182  | 513  | -   | -  | -  | 0.0%  |
| <b>Total</b>   | <b>\$ 213,736</b>                              | <b>\$ 218,650</b>                              | <b>\$ 212,950</b>                              | <b>\$ 341,000</b>                                     | <b>\$ 354,000</b>                                      | <b>\$ 13,000</b>   | <b>3.8%</b>   |
| <b>EXPENDITURES</b>  |  |  |  |   |  |  |   |
| Utilities (Water, Sewer, Storm Water, Electricity) <sup>(1)</sup>                | \$ 4,831                                       | \$ 10,345                                      | \$ 7,019                                       | \$ 6,400  | \$ 6,400   | \$ -   | 0.0%  |
| Utilities (Telephone)  | 1,600  | 1,765  | 2,404  | 2,400   | 3,000  | 600  | 25.0%   |
| Janitorial Services <sup>(2)</sup>   | 1,126  | 1,175  | 1,194  | 1,400   | 1,500  | 100  | 7.1%  |
| Repairs & Maintenance <sup>(3)</sup>   | 2,081  | 21,976   | 5,487  | 15,000  | 13,400   | (1,600)  | -10.7%  |
| RFID Reader System (One-Time)  | -  | -  | -  | -   | 10,000   | 10,000   | 100.0%  |
| Security Guard Services <sup>(4)</sup>   | 181,449  | 184,223  | 192,226  | 280,200   | 291,500  | 11,300   | 4.0%  |
| Advertising <sup>(5)</sup>   | -  | 1,120  | 670  | 1,600   | 1,200  | (400)  | -25.0%  |
| Contingencies  | -  | -  | -  | 7,000   | 7,000  | -  | 0.0%  |
| Facilities Management and Other City Services Charges <sup>(6)</sup>             | 27,100   | 20,200   | 20,000   | 19,000  | 15,000   | (4,000)  | -21.1%  |
| OIG Internal Service Charges <sup>(7)</sup>                                      | -  | 1,000  | 1,000  | 1,000   | 1,000  | -  | 0.0%  |
| Transfer to Reserve <sup>(8)</sup>   | -  | -  | -  | 7,000   | 4,000  | (3,000)  | -42.9%  |
| <b>Total</b>   | <b>\$ 218,186</b>                              | <b>\$ 241,804</b>                              | <b>\$ 230,000</b>                              | <b>\$ 341,000</b>                                     | <b>\$ 354,000</b>                                      | <b>\$ 13,000</b>   | <b>3.8%</b>   |
| <b>Surplus / (Shortfall)</b>   | <b>\$ (4,450)</b>                              | <b>\$ (23,154)</b>                             | <b>\$ (17,050)</b>                             | <b>\$ -</b>   | <b>\$ -</b>  | <b>\$ -</b>  | <b>0.0%</b>   |
| <b>Number of Units (per Miami-Dade County Property Appraiser) <sup>(9)</sup></b> | <b>326.50</b>                                  | <b>326.00</b>                                  | <b>325.50</b>                                  | <b>327.00</b>   | <b>326.50</b>  | <b>(0.50)</b>  | <b>-0.2%</b>  |
| <b>\$ Assessment Rate/Unit</b>   | <b>\$ 676.88</b>                               | <b>\$ 684.05</b>                               | <b>\$ 652.65</b>                               | <b>\$ 1,042.81</b>                                    | <b>\$ 1,084.23</b>                                     | <b>\$ 41.42</b>  | <b>4.0%</b>   |

## Footnotes:

<sup>(1)</sup> Utility costs based on the following: Electricity - Based on 1st quarter projections; Telephone - Based on average monthly invoices; Storm Water - Based on average monthly invoices; Water and Sewer - Based on 1st quarter projections.

<sup>(2)</sup> FY 2025 janitorial services based on current year projections, which is consistent with department request.

<sup>(3)</sup> FY 2025 repairs and maintenance budget based on the current year projections plus additional adjustment for rounding purposes, as well as the inclusion of \$10,000 for the RFID reader project requested by the Special Taxing District for FY 2025.

<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 trends required for the advertising of the public hearing to adopt annual assessment roll.

<sup>(6)</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>(7)</sup> Based on the Office of the Inspector General's FY 2025 budget and internal services allocations for FY 2025.

<sup>(8)</sup> FY 2025 Transfer to Reserve of \$4,000 budgeted to offset negative fund balance of \$3,084 projected as of September 30, 2024.

<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.