

**CITY OF MIRAMAR
PROPOSED CITY COMMISSION AGENDA ITEM**

First Reading Date: January 24, 2024

Second Reading Date: February 21, 2024

Presenter's Name and Title: Carmen Dominguez, Assistant Director, Management & Budget Director

Temp. Ord. Number: #O1823

Item Description: (SECOND READING) Temp. Ord. #O1823 APPROVING THE SECOND AMENDMENT TO THE FISCAL YEAR 2024 OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE. (Passed 1st Reading on 1/24/2024) (Management & Budget Assistant Director Carmen Dominguez)

Consent Resolution Ordinance Quasi-Judicial Public Hearing

Instructions for the Office of the City Clerk: NONE

Public Notice – As required by the Sec. _____ of the City Code and/or Sec. _____, Florida Statutes, public notice for this item was provided as follows: on _____ in a _____ ad in the _____; by the posting the property on _____ and/or by sending mailed notice to property owners within _____ feet of the property on _____ (fill in all that apply)

Special Voting Requirement – As required by Sec. _____, of the City Code and/or Sec. _____, Florida Statutes, approval of this item requires a _____ (unanimous, 4/5ths etc.) vote by the City Commission.

Fiscal Impact: Yes No

REMARKS: General Fund 001, 2017 CIP Loan Fund 389, 2022 CIP Loan Fund 394, Capital Projects Fund 395, Contribution in Aid of Construction (CIAC) Fund 414, Economic Development Fund 006, and Stormwater Management Fund 415, adjusted as provided in the Memo.

Content:

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- **Ordinance TO 1823**
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 - **Exhibit B: 2017 CIP LOAN FUND (389)**
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 - **Attachment 1: Capital Improvement Program Project Request Forms**



**CITY OF MIRAMAR
INTEROFFICE MEMORANDUM**

TO: Mayor, Vice Mayor, & City Commissioners

FROM: Dr. Roy L. Virgin, City Manager

BY: Carmen Dominguez, Assistant Director, Management & Budget

DATE: February 15, 2024

RE: SECOND READING of Temp. Ord. No. 1823 budget amendment for FY24

RECOMMENDATION: The City Manager recommends approval of Temp. Ord. No. 1823, providing for the second budget amendment of the Fiscal Year 2024 Operating and Capital Improvement Program Budgets.

ISSUE: Pursuant to Section 2-203(a), City Commission approval is required to amend the budget by passage of an ordinance.

BACKGROUND: Per F.S. 166.241(5), the governing body can amend the Fiscal Year 2024 Operating and Capital Improvement Program Budgets only via ordinance.

DISCUSSION:

General Fund (001): Funding in the amount of \$1,466,500 is requested for required additional expenses in the Building Division in the areas of personnel for a Planner and Building Code Compliance Coordinator, technology services needed for printers, laptops, EnerGov software and consulting, professional and contractual services for a zoning study, Broward inspectors, flood plain program, digital scanning and training, and capital equipment for office improvements. Funding for these items comes from the restricted fund balance designated to the Building Division as outlined in the 2021 Annual Comprehensive Financial Report (ACFR) as per Florida Statute 553.80.

2017 CIP Loan Fund (389) and 2022 CIP Loan Fund (394): We are requesting to close-out the Closed-Circuit Television Security-Cameras Infrastructure Improvements (CIP Project #54024). The remaining funds in the amount of \$188,300 are available to be reprogrammed as follows:

- 2017 CIP Loan (Fund 389): Audio Visual Upgrades for City Facilities (CIP Project #54023) increase \$20,000 in professional fees and \$10,000 in contingency. Additional funding is needed for the audio-visual upgrade at the Sunset Lakes Community Center.
- 2022 CIP Loan (Fund 394): Audio visual Upgrades for City Facilities (CIP Project #54023) increase \$70,000 in tech software/hardware needed for the audio visual upgrade at the Sunset Lakes Community Center; and increase SmartCity Surveillance System/Real Time Crime Center (RTCC) (CIP Project #54017) \$10,000 in implementation fees, \$7,100 in contingency, and \$71,200 in tech software/hardware. Additional funding needed for the upgrade of security cameras at City facilities.

Capital Projects Fund (395):

- Shirley Branca Park Canopy Addition (CIP Project #51032) is being placed on hold. We are requesting that the available funds in the amount of \$220,000 be reprogrammed to the following two projects: new Multi-Service Complex Security Fencing (CIP Project #52114) \$130,000, and Park Improvements-Variou (CIP Project #51003) \$90,000 for the conversion of Lakeshore Park Tennis Courts to Pickleball courts.
- Vizcaya Park–Running Track (CIP Project #51036) has been withdrawn from the CIP, and we are requesting that the available funds in the amount of \$100,000 be reprogrammed to the new Town Center Colonnade (CIP Project #52115) to design a covered pedestrian walkway connecting the parking garage to the 2200 Building breezeway at Town Center.
- Historic Miramar Aquatic Pool Renovation (CIP Project #51030) has been completed and closed. We are requesting that the remaining funds in the amount of \$2,373 be reprogrammed to Park Improvements-Variou (CIP Project #51003) to replace the pump equipment at the Historic Miramar Aquatic Complex.
- Playground Resurfacing (CIP Project #51021) all sand surface playgrounds have been converted. Upgrade to other surface materials can wait for future install. We are requesting that the remaining funds in the amount of \$40,332.49 be reprogrammed to the Ansin Track Resurfacing (CIP Project #51042). These funds will cover the cost of athletic equipment built into the track that is being replaced now as part of the resurfacing project.

Contribution in Aid of Construction (CIAC) Fund (414): We are requesting additional funding in the amount of \$70,241 for the Sustainable Renewable Energy & Conservation Initiatives (CIP Project #52085). A moisture content test revealed elevated levels of moisture in buildings 12 and 13. The additional funding serves to cover the cost of removal of roofing material needed to apply new roof covering. Available fund balance will be used to offset the cost of this capital improvement project.

Economic Development Fund (006): On October 7, 2019 the City made a construction and permanent loan (“Loan”) to Pinnacle at La Cabana, LLP, in the amount of \$656,000. The purpose of that Loan was to serve as a Local Government Area of Opportunity Funding (“LGAOF”) match for a 9% Tax Credit application through the Florida Housing Finance Corporation’s Program to finance the development of up to 120 senior affordable housing units on the former 2.3-acre public safety building site. The Loan is to be made available to Pinnacle at closing and upon securing other sources of financing for the Project, including but not limited to the tax credit equity to be contributed to the Borrower by its investor partner, to make the project financially feasible. Pinnacle has since been awarded the tax credits and closed on the mortgage for the development, as well as paid the Capital Lease payment to the City. This budget amendment will allocate the funding for the Loan since Pinnacle has satisfied the requisite conditions.

Stormwater Management Fund (415):

- The Historic Miramar Drainage Improvements-Phase V (CIP Project #52112) is programmed in six (6) phases. Phases I through III are complete, and Phase IV is being completed. The City's Procurement Department has advertised Request for Proposal No. 24-12-13 for provision of Professional Engineering Design Services. The due date for proposal is February 22, 2024. Grant funding of \$500,000 is currently available in the FY 2024, however, this funding is insufficient to fund the design portion of the project. The City is requesting additional funding in the amount of \$500,000 from the Stormwater Management Fund use of fund balance to proceed with the award of a design services contract for the project, following the procurement process.
- Monarch Lakes Park (CIP Project #51007) existing drainage and Stormwater connections made prior to the project commencement needs to be remedied to bring the Park into compliance with South Florida Water Management District requirements and reopen the Park. The City is requesting additional funding in the amount of \$44,000 from the Stormwater Management Fund use of fund balance to proceed with the needed repairs.

ANALYSIS: The following items are included in the second Fiscal Year 2024 budget amendment:

General Fund (001) – Exhibit A

Revenues (\$1,466,500 adjustment)

- Appropriation of Fund Balance: Increase \$1,466,500 from the restricted fund balance designated to the Building Division.

Expenses (\$1,466,500 adjustment)

- Personnel Services: Increase \$145,000 to hire a Planner and Building Code Compliance Coordinator.
- Operating Expense: Increase \$1,046,500 for technology, professional and contractual services.
- Capital Outlay: Increase \$275,000 for office improvements.

2017 CIP Loan Fund (389) – Exhibit B

Expenses (\$0 adjustment)

- Closed-Circuit Television Security-Cameras Infrastructure Improvements (CIP Project #54024): Decrease \$30,000 from tech software/hardware as this project is being closed-out and remaining funds are available for reprogramming to the Audio Visual Upgrades for City Facilities (CIP Project #54023) \$30,000.
- Audio Visual Upgrades for City Facilities (CIP Project #54023): Increase \$20,000 in professional fees and \$10,000 in contingency. Additional funding is needed for the audio-visual upgrade at the Sunset Lakes Community Center.

2022 CIP Loan Fund (394) – Exhibit C

Expenses (\$0 adjustment)

- Closed-Circuit Television Security-Cameras Infrastructure Improvements (CIP Project #54024): Decrease \$158,300 from contingency (\$17,100) and from tech software/hardware (\$141,200), as this project is being closed-out, and remaining funds are available to be reprogrammed to the Audio Visual Upgrades for City Facilities (CIP Project #54023) \$70,000, and to the SmartCity Surveillance System/Real Time Crime Center (RTCC) (CIP Project #54017) \$88,300.
- Audio Visual Upgrades for City Facilities (CIP Project #54023): Increase \$70,000 in tech software/hardware. Additional funding is needed for the audio-visual upgrade at the Sunset Lakes Community Center.
- SmartCity Surveillance System/Real Time Crime Center (RTCC) (CIP Project #54017): Increase \$10,000 in implementation fees, \$7,100 in contingency and \$71,200 in tech software/hardware. Additional funding is needed for the upgrade of security cameras at City facilities.

Capital Projects Fund (395) – Exhibit D

Expenses (\$0 adjustment)

- Shirley Branca Park Canopy Addition (CIP Project #51032): Decrease \$220,000 from plan/design/engineering (\$10,000), permits (\$15,000), construction (\$175,000), landscaping (\$10,000), and contingency (\$10,000) as the project is being placed on hold, and reprogram funding to the new Multi-Service Complex Security Fencing (CIP Project #52114) \$130,000 and Park Improvements-Various (CIP Project #51003) \$90,000.

- Multi-Service Complex Security Fencing (CIP Project #52114): Increase \$30,000 in plan/design/engineering and \$100,000 in construction for this new project.
- Park Improvements–Various (CIP Project #51003): Increase \$90,000 in construction for the conversion of Lakeshore Park Tennis Courts to Pickleball courts.
- Vizcaya Park – Running Track (CIP Project #51036): Decrease \$100,000 from pre-construction (\$5,000), plan/design/engineering (\$80,000), permits (\$5,000), and contingency (\$10,000) as this project has been withdrawn from the CIP, and reprogram funding to the new Town Center Colonnade (CIP Project #52115).
- Town Center Colonnade (CIP Project #52115): Increase \$100,000 in construction to design a covered pedestrian walkway connecting the parking garage to the 2200 building breezeway at Town Center.
- Historic Miramar Aquatic Pool Renovation (CIP Project #51030): Decrease \$2,373 from furniture/fixtures/equipment (\$373) and contingency (\$2,000) as this project has been completed and closed, and reprogram funding to Park Improvements-Variou (CIP Project #51003).
- Park Improvements-Variou (CIP Project #51003): Increase \$2,373 in construction to replace the pump equipment at the Historic Miramar Aquatic Complex.
- Playground Resurfacing (CIP Project #51021): Decrease \$40,332.49 from Permits (\$2,500) and Construction \$37,832.49) as all sand surface playgrounds have been converted and upgrade to other surface materials can wait for future install. Reprogram remaining funding to Ansin Track Resurfacing (CIP Project #51042).
- Ansin Track Resurfacing (CIP Project #51042): Increase \$40,332.49 in construction to cover the cost of athletic equipment built into the track that is being replaced now as part of the resurfacing project.

Contribution in Aid of Construction (CIAC) Fund (414) – Exhibit E

Revenues (\$70,241 adjustment)

- Appropriation of Fund Balance: Increase of \$70,241 use of fund balance to fund the cost of the Sustainable Renewable Energy & Conservation Initiatives (CIP Project #52085) as shown below.

Expenses (\$70,241 adjustment)

- Sustainable Renewable Energy & Conservation Initiatives (CIP Project #52085): Increase \$70,241 in plan/design/engineering to cover the cost of removal of roofing material needed to apply new roof covering.

Economic Development Fund (006) - Exhibit F

Revenues (\$656,000 adjustment)

- Appropriation of Fund Balance: Increase of \$656,000 use of fund balance to fund the loan to Pinnacle as shown below.

Expenses (\$656,000 adjustment)

- Grants & Aids: Increase \$656,000 economic incentive to allocate funding for the construction and permanent loan to Pinnacle at La Cabana, LLP. Pinnacle has satisfied the requisite conditions.

Stormwater Management Fund (415) - Exhibit G

Expenses (\$0 adjustment)

- Appropriated Fund Balance: Decrease \$544,000 use of fund balance to fund Historic Miramar Drainage Improvements-Phase V (CIP Project #52112) and Monarch Lakes Park (CIP Project #51007) as shown below.
- Historic Miramar Drainage Improvements-Phase V (CIP Project #52112): Increase \$500,000 in plan/design/engineering to cover the cost to proceed with the award of a design services contract for this project, following the procurement process (RFP 24-12-13) for provision of Professional Engineering Design Services.
- Monarch Lakes Park (CIP Project #51007): Increase \$44,000 in construction to repair the drainage and Stormwater connections at Monarch Lakes Park to bring the Park into compliance with South Florida Water Management District requirements and reopen the Park.

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12/7/23
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**CITY OF MIRAMAR
MIRAMAR, FLORIDA**

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF
MIRAMAR, FLORIDA, APPROVING THE SECOND AMENDMENT
OF THE FISCAL YEAR 2024 OPERATING AND CAPITAL
IMPROVEMENT PROGRAM BUDGET; AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, based upon the periodic review and analysis of current budgetary commitments and obligations, the projected needs and requirements of the City and the recommendations of the City Manager, and with the concurrence of the Finance Director as to Accounting Principles, it is deemed necessary to adjust, amend, and implement the Fiscal Year 2024 Operating and Capital Improvement Program Budget; and

WHEREAS, the proposed amendment to the Fiscal Year 2024 Operating and Capital Improvement Program Budget is set forth in Exhibits "A-G", attached hereto and made a part hereof; and

WHEREAS, Section 2-203(a) of the City Code provides that "if during the fiscal year, revenues in excess of those estimated in the budget are available for appropriation, the City Commission may make supplemental appropriations for the year up to the amount of such excess"; and

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WHEREAS, this Ordinance will provide funds for additional new projects and unanticipated expenses, as well as for projects that have been previously approved; and

WHEREAS, the City Manager and the Management & Budget Director recommend approval of this Ordinance, providing funds for additional new projects and unanticipated expenses, as well as for projects that have been previously approved; and

WHEREAS, the City Commission deems it to be in the best interest of the citizens and residents of the City of Miramar to amend to approve the second amendment of the Fiscal Year 2024 operating and capital improvement budget.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, AS FOLLOWS:

Section 1: That the foregoing “**WHEREAS**” clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

Section 2: That it approves the amendment of the Fiscal Year 2024 Operating and Capital Improvement Program Budget as set forth in Exhibits “**A-G**”, attached hereto and made a part hereof.

Section 3: If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid,

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such unconstitutional or invalid part or application shall be considered as eliminated and shall not affect the validity of the remaining portions or applications, which shall remain in full force and effect.

Section 4: That the appropriate City officials are authorized to do all things necessary and expedient to carry out the intent and purpose of this Ordinance.

Section 5: That this Ordinance shall take effect immediately upon its adoption on second reading.

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PASSED FIRST READING: _____

PASSED AND ADOPTED ON SECOND READING: _____

Mayor, Wayne M. Messam

Vice Mayor, Alexandra P. Davis

ATTEST:

City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved
this ORDINANCE as to form:

City Attorney,
Austin Pamies Norris Weeks Powell, PLLC

<u>Requested by Administration</u>	<u>Voted</u>
Commissioner Winston F. Barnes	_____
Commissioner Maxwell B. Chambers	_____
Commissioner Yvette Colbourne	_____
Vice Mayor Alexandra P. Davis	_____
Mayor Wayne M. Messam	_____

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