

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

First Reading Date: May 15, 2024

Second Reading Date: June 11, 2024

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

Prepared By: Carmen Dominguez, Assistant Director of Management & Budget

Temp. Ord. Number: #O1828

Item Description: (SECOND READING) Temp. Ord. #O1828 APPROVING THE THIRD AMENDMENT TO THE FISCAL YEAR 2024 OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE. (Passed 1st Reading on 5/15/2024) (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, Park Development Fund 387, 2022 CIP Loan Fund 394, Capital Projects Fund 395, Federal Grants Fund 162, 2017 CIP Loan Fund 389, and Utility Fund 410 adjusted as provided in the Memo.

Content:

- **Agenda Item Memo from the City Manager to City Commission**
- **Ordinance TO 1828**
 - **Exhibit A: GENERAL FUND (001)**
 - **Exhibit B: 2022 CIP LOAN FUND (394)**
 - **Exhibit C: CAPITAL PROJECTS FUND (395)**
 - **Exhibit D: PARK DEVELOPMENT FUND (387)**
 - **Exhibit E: FEDERAL GRANTS FUND (162)**
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 - **Exhibit G: UTILITY FUND (410)**



**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: June 5, 2024

RE: SECOND READING of Temp. Ord. No. 1828 Budget Amendment for FY24

RECOMMENDATION: The City Manager recommends approval of Temp. Ord. No. 1828, providing for the third 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): Reduce use of fund balance by \$1,152,279 to partially fund the following CIP projects:

- West Water Treatment Plant Capacity Improvements and Upgrades (CIP Project #52092): This is a recurring project. Additional funding is needed for a raw pipeline from Huntington South Park to the West Water Treatment Plant covering a distance over 9,100 linear feet. The purpose of this pipeline is to convey raw water from two Floridan deep wells located at Huntington South Park and Country Club Ranches Park to the water plant. Partial funding in the amount of \$1,000,000 will come from remaining ARPA (American Rescue Plan Act) funds that had been transferred in from the Federal Grants Fund (162).
- Audio-Visual Upgrades for Cultural Arts Theater (CIP Project #54019): Additional funding in the amount of \$972,873 is needed to complete the audio-visual repairs and improvements at the Cultural Arts Theater. The original budget of \$2,158,602 was

earmarked to replace and upgrade the outdated, out-of-warranty Audio Visual and Lighting equipment in the Cultural Arts Theater with updated state-of-the-art audio visual and lighting technologies. On January 17, 2024, Invitation for Bids #24-009 was advertised and closed on February 20, 2024. The one bid received came in higher than anticipated. The additional funding in the amount of \$972,873 will allow the City to move forward with the needed repairs/improvements. (Commission approved Resolution 24-86 on 3/20/2024.) Funding will come from several sources: \$152,279 will come from the General Fund, \$89,856 will be funded in the 2022 CIP Loan Fund 394, and \$730,738 will come from the Capital Projects Fund 395.

2022 CIP Loan Fund (394): Reduce Audio Visual Upgrades for Commission Conference Room (CIP Project #54022) by \$23,456 as the upgrades have been completed, and remaining funds are available for reprogramming. Reduce fund balance by \$66,400. Increase Audio Visual Upgrades for Cultural Arts Theater (CIP Project #54019) by \$89,856 to allow the City to move forward with the needed repairs/improvements.

Capital Projects Fund (395):

- Barrier Wall at County Line Road (CIP Project #52099): Decrease by \$98,138 as this project has been cancelled. The City has no jurisdiction over this wall and FDOT has agreed to make some improvements at the City's request. Remaining funds are available for reprogramming.
- Buffer Wall along University Drive adjacent to University Park Plat (CIP Project #52110): Reduce by \$433,000 as the project scope has been estimated to not exceed \$100,000. Remaining funds in the amount of \$433,000 are available for reprogramming.
- Decrease Appropriated Fund Balance by \$199,600 and increase the Transfer in from the General Fund by \$152,279 to support the additional funding needed for the Audio Visual Upgrades for Cultural Arts Theater (CIP Project #54019).
- Audio Visual Upgrades for Cultural Arts Theater (CIP Project #54019): Increase \$883,017 to allow the City to move forward with the needed repairs/improvements.
- Additional Southbound Left Turn Lane along SW 145th Avenue at Miramar Parkway (CIP Project #52067): Decrease \$73,366 from Plan/Design/Engineering, Contingency and Construction line items as this project was completed under budget and remaining funds are available for reprogramming.
- Fire Station 107 (CIP Project #53012): Increase \$36,000 in Construction to cover the costs for unforeseen conditions encountered such as the relocation of underground electrical conduits and boxes, unplanned landscaping, additional concrete, and asphalt installation.

- Art in the Parks (CIP Project #51035): Increase \$29,429 in Construction due to changes in the project that were experienced from the tight timeframe, such as the placement of plaques, upgrades to the concrete, electrical panel work, and additional consultant costs.
- Silver Shores Early Childhood Playground (CIP Project #52094): Decrease \$2,991 from Contingency as this project has been completed and remaining funds are available for reprogramming.
- Park Improvements-Variou (CIP Project #51003): Increase \$10,927 in Construction to cover unexpected costs resulting from the installation of the Mini-City Playground at City Hall, such as fence cost, signage, bench, and receptacle, and to supplement additional funds needed to convert four (4) clay tennis courts to six (6) pickle ball courts at Lakeshore Park.

Park Development Fund (387): Decrease Monarch Lakes Park Playground (CIP Project #51031) \$6,329 as this project has been completed; remaining funds are available for reprogramming to Park Improvements-Variou (CIP Project #51003) to replace the pump equipment at the East Historic Miramar Aquatic Complex.

2017 CIP Loan Fund (389): Decrease Air Conditioning Systems Replacement Program (CIP Project #52060) by \$100,000. The majority of the Air Conditioning Systems under the Energy Performance Program have been replaced resulting in savings that can be reprogrammed to City of Miramar 911 Remembrance Monument (CIP Project #51024). The 911 Memorial project has a shortfall that resulted from the contractor experiencing cost escalations during the final phases of the project.

Utility Fund (410):

- West Water Treatment Plant Capacity Improvements & Upgrades (CIP Project #52092): Increase \$7,516,562 as additional funding is needed for a raw pipeline from Huntington South Park to the West Water Treatment Plant covering a distance over 9,100 linear feet. The purpose of this pipeline is to convey raw water from two Floridan deep wells located at Huntington South Park and Country Club Ranches Park to the water plant. Funding in the amount of \$1,032,157 will come from appropriated ARPA (American Rescue Plan Act) funds, and \$6,484,405 will come from available Utility Fund Balance.
- Water Distribution System Improvements (CIP Project #52104): Increase \$1,500,000 as additional funding is needed to continue the Water Pipeline Condition Assessment and Non-Revenue Water Management Program. The purpose is to proactively identify and replace aging waterpipes and pipe replacements in areas with high instances of historical failure or demonstrating excessive water leaks in the system. Funding will come from fund balance to support this project. Funding will come from available Utility Fund Balance.

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

General Fund (001) – Exhibit A

Revenues (-\$1,000,000 adjustment)

- Transfers: Decrease \$1,000,000 transfer in from Federal Grants Fund (162) as funds from the American Rescue Plan Act (ARPA) will be appropriated to the Utility Fund to support the West Water Treatment Plant Capacity Improvements and Upgrades (CIP Project #52092).

Expenses (-\$1,000,000 adjustment)

- Appropriated Fund Balance: Decrease \$1,152,279 use of fund balance.
- Transfer to Capital Projects Fund (395): Increase \$152,279 to partially fund the Audio Visual Upgrades for Cultural Arts Theater (CIP Project #54019).

2022 CIP Loan Fund (394) – Exhibit B

Expenses (\$0 adjustment)

- Audio Visual Upgrades for Commission Conference Room (CIP Project #54022): Decrease \$23,456 as the upgrades have been completed; remaining funds are available for reprogramming.
- Appropriated Fund Balance: Decrease \$66,400 use of fund balance.
- Audio Visual Upgrades for Cultural Arts Theater (CIP Project #54019): Increase \$89,856 in technology software/hardware to allow the City to move forward with the needed repairs/improvements.

Capital Projects Fund (395) – Exhibit C

Revenues (\$152,279 adjustment)

- Transfers: Increase \$152,279 transfer in from General Fund.

Expenses (\$152,279 adjustment)

- Barrier Wall at County Line Road (CIP Project #52099): Decrease \$98,138 as this project has been cancelled; remaining funds are available for reprogramming.
- Buffer Wall along University Drive adjacent to University Park Plat (CIP Project #52110): Reduce \$433,000 as this project scope has been estimated to not exceed \$100,000; remaining funds in the amount of \$433,000 are available for reprogramming.
- Appropriated Fund Balance: Decrease use of fund balance \$199,600.

- Audio Visual Upgrades for Cultural Arts Theater (CIP Project #54019): Increase \$883,017 in technology software/hardware and contingency to allow the City to move forward with the needed repairs/improvements.
- Additional Southbound Left Turn Lane along SW 145th Avenue at Miramar Parkway (CIP Project #52067): Decrease \$73,366 in Plan/Design/Eng, Contingency and Construction as this project has been completed and remaining funds are available for reprogramming.
- Fire Station 107 (CIP Project #53012): Increase \$36,000 in Construction to assist with unforeseen conditions encountered for the relocation of underground electrical conduits and boxes, landscaping, additional concrete, and asphalt installation.
- Art in the Parks (CIP Project #51035): Increase \$29,429 in Construction due to costs associated with changes in the project, such as the placement of plaques, upgrades to the concrete, electrical panel work, and additional consultant costs.
- Silver Shores Early Childhood Playground (CIP Project #52094): Decrease \$2,991 Contingency as this project has been completed and remaining funds are available for reprogramming.
- Park Improvements-Variou (CIP Project #51003): Increase \$10,927 in Construction to cover unexpected costs resulting from the installation of the Mini-City Playground at City Hall, such as fence cost, signage, bench, and receptacle, and to supplement additional funds needed to convert 4 clay tennis courts to 6 pickle ball courts at Lakeshore Park.

Park Development Fund (387) – Exhibit D

Expenses (\$0 adjustment)

- Monarch Lakes Park Playground (CIP Project #51031): Decrease \$6,329 from Contingency as this project has been completed, and remaining funds are available for reprogramming.
- Park Improvements-Variou (CIP Project #51003): Increase \$6,329 in Construction to replace the pump equipment at the East Historic Miramar Aquatic Complex.

Federal Grants Fund (162) – Exhibit E

Revenues (-\$1,000,000 adjustment)

- Intergovernmental: Decrease \$1,000,000 American Rescue Plan Act (ARPA) as monies will be appropriated to the Utility Fund to partially fund the West Water Treatment Plant Capacity Improvements and Upgrades (CIP Project #52092).

Expenses (-\$1,000,000 adjustment)

- Transfers: Decrease \$1,000,000 transfer out to the General Fund.

2017 CIP Loan Fund (389) – Exhibit F

Expenses (\$0 adjustment)

- Air Conditioning Systems Replacement Program (CIP Project #52060): Decrease \$100,000 from Furniture & Fixtures as the majority of air conditioning system have been replaced resulting in savings.
- City of Miramar 911 Remembrance Monument (CIP Project #51024): Increase \$100,000 in Construction as the 911 Memorial project has a shortfall that resulted from the contractor experiencing cost escalations during the final phases of the project.

Utility Fund (410) – Exhibit G

Revenues (\$9,016,562 adjustment)

- Intergovernmental: Increase \$1,032,157 from the American Rescue Plan Act (ARPA) to appropriate funding needed for the West Water Treatment Plant Capacity Improvements and Upgrades (CIP Project #52092).
- Appropriation of Fund Balance: Increase \$7,984,405 from available fund balance to fund the two CIP projects below.

Expenses (\$9,016,562 adjustment)

- West Water Treatment Plant Capacity Improvements and Upgrades (CIP Project #52092): Increase \$7,516,562 in Plan/Design/Eng and Construction for a raw pipeline from Huntington South Park to the West Water Treatment Plant to convey raw water from two Floridan deep wells located at Huntington South Park and Country Club Ranches Park, respectively, to the water plant.
- Water Distribution System Improvements (CIP Project #52104): Increase \$1,500,000 in Construction to continue the Water Pipeline Condition Assessment and Non-Revenue Water Management Program.

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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 THIRD 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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