



CITY OF NORTH MIAMI BEACH

Public Budget Hearing
Council Chambers, 2nd Floor
City Hall, 17011 NE 19th Avenue
North Miami Beach, FL 33162
Tuesday, September 20, 2011
7:00 PM

Mayor George Vallejo
Vice Mayor Philippe Derose
Councilwoman Barbara Kramer
Councilwoman Marlen Martell
Councilman Frantz Pierre
Councilwoman Phyllis S. Smith
Councilwoman Beth E. Spiegel

City Manager Lyndon L. Bonner
City Attorney Darcee S. Siegel
City Clerk Pamela L. Latimore, CMC

Notice to All Lobbyists

Any person who receives compensation, remuneration or expenses for conducting lobbying activities is required to register as a Lobbyist with the City Clerk prior to engaging in lobbying activities before City Boards, Committees, or the City Council.

AGENDA

1. ROLL CALL OF CITY OFFICIALS

2. LEGISLATION

2.1 Ordinance No. 2011-15 (Second Reading & Final Hearing)

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, FREEZING AND/OR POSTPONING UNTIL FISCAL YEAR 2013 THE IMPLEMENTATION OF ORDINANCE NO. 2007-8, WHICH INCREASED WATER AND SEWER RATE FEES AND CHARGES; WHICH AUTHORIZED AN AUTOMATIC RATE INCREASE FOR FIVE FISCAL YEARS BEGINNING IN 2007 AND ENDING IN 2012; WHICH IMPLEMENTED A PSC ANNUAL INFLATION ADJUSTMENT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE.

2.2 Ordinance No. 2011-13 (Second Reading & Final Hearing)

AN ORDINANCE FIXING THE MILLAGE RATE FOR AD VALOREM TAXES ON REAL AND PERSONAL PROPERTY IN THE CITY OF NORTH MIAMI BEACH, FLORIDA FOR THE PURPOSE OF MEETING THE REQUIREMENTS OF THE ANNUAL BUDGET OF THE CITY OF NORTH MIAMI BEACH FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2011 AND FIXING THE MILLAGE RATES FOR DEBT SERVICE ON THE GENERAL OBLIGATION SERIES 2002A AND THE SERIES 2011 JP MORGAN CHASE LOAN.

2.3 Ordinance No. 2011-14 (Second Reading & Final Hearing)

AN ORDINANCE ADOPTING THE ANNUAL BUDGET OF THE CITY OF NORTH MIAMI BEACH, FLORIDA FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2011.

3. ADJOURNMENT



City of North Miami Beach
17011 NE 19 Avenue
North Miami Beach, FL 33162
305-947-7581
www.citynmb.com

MEMORANDUM

 Print

TO: Mayor and City Council
FROM: Lyndon L. Bonner, City Manager
DATE: Tuesday, September 20, 2011

RE: Ordinance No. 2011-15 (Second Reading & Final Hearing)

BACKGROUND: Due to the declining economy and as an accommodation to the utility's customers, a freeze and/or postponement of the automatic annual 10% rate increase has been recommended. This Ordinance was presented at the August 24, 2011 Public Utilities Commission's Special Budget Meeting and no opposition was voiced as to this Ordinance. A freeze and/or postponement of the automatic 10% annual increase for fiscal year 2012 will not jeopardize or burden the City's commitment and guarantee for continued efficient and high quality service to all its utility customers.

RECOMMENDATION: That the Mayor and City Council of the City of North Miami Beach, Florida authorize the freezing and/or postponement of the automatic 10% annual increase of rates for fiscal year 2012 and that the fees and charges for water and sewer remain as they were in fiscal year 2011.

FISCAL IMPACT: The rates will not be increased.

CONTACT PERSON(S): Roslyn Weisblum, Assistant City Manager
Shari Kamali, Public Services Director

ATTACHMENTS:

▣ [Ordinance No. 2011-15](#)

ORDINANCE NO. 2011-15

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, FREEZING AND/OR POSTPONING UNTIL FISCAL YEAR 2013 THE IMPLEMENTATION OF ORDINANCE NO. 2007-8, WHICH INCREASED WATER AND SEWER RATE FEES AND CHARGES; WHICH AUTHORIZED AN AUTOMATIC RATE INCREASE FOR FIVE FISCAL YEARS BEGINNING IN 2007 AND ENDING IN 2012; WHICH IMPLEMENTED A PSC ANNUAL INFLATION ADJUSTMENT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE.

WHEREAS, the City of North Miami Beach has a water and sewer utility which provides water and sewer service to customers both within and outside of the city limits; and

WHEREAS, the continuation of efficient and high quality water and sewer service is crucial to the health, safety and welfare of the utility's customers; and

WHEREAS, in order to provide for the operation, maintenance, security and improvement of the City's Norwood Oeffler Water Treatment Plant; wellfields; water and sewer treatment, transmission, distribution, billing and collection; water metering and reading equipment; related facilities and resources; and to ensure continued efficient and high quality water and sewer service to the customers of the City's utility, the City Council previously authorized an automatic annual public inflation rate adjustment and an annual 10% rate increase through fiscal year 2012; and

WHEREAS, due to the declining economy and as an accommodation to the utility's customers, a freeze and/or postponement of the automatic annual 10% rate increase should occur; and

ORDINANCE NO. 2011-15

WHEREAS, this Ordinance was presented at the August 24, 2011 Public Utilities Commission's Special Budget Meeting and no opposition was voiced as to this Ordinance; and

WHEREAS, the Mayor and City Council of the City of North Miami Beach desire to revisit the automatic 10% annual increase, the increase of rates, fees, and charges imposed by Ordinance No. 2007-8 for the North Miami Beach public utility at a date prior to fiscal year 2013; and

WHEREAS, the Mayor and City Council recognize that a freeze and/or postponement of the automatic 10% annual increase for fiscal year 2012 will not jeopardize or burden the City's commitment and guarantee for continued efficient and high quality service to all its utility customers.

NOW, THEREFORE,

BE IT ORDAINED by the City Council of the City of North Miami Beach, Florida.

Section 1. The foregoing recitals are true and correct.

Section 2. The Mayor and City Council of the City of North Miami Beach, Florida, hereby authorize the freezing and/or postponement of the automatic 10% annual increase of rates for fiscal year 2012; however, fees and charges for water and sewer shall be the same as they were in fiscal year 2011.

Section 3. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 4. If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

ORDINANCE NO. 2011-15

Section 5. It is the intention of the City Council of the City of North Miami Beach and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami Beach, Florida. The Sections of this Ordinance may be renumbered or relettered to accomplish this intention and the word “Ordinance” may be changed to “Section”, “Article”, or other appropriate word as the Codifier may deem fit.

APPROVED BY TITLE ONLY on first reading this **6th day of September, 2011.**

APPROVED AND ADOPTED on second reading this ___ **day of September, 2011.**

ATTEST:

PAMELA L. LATIMORE
CITY CLERK
(CITY SEAL)

GEORGE VALLEJO
MAYOR

APPROVED AS TO FORM:

DARCEE S. SIEGEL
CITY ATTORNEY

Sponsored by: Mayor and City Council



City of North Miami Beach
17011 NE 19 Avenue
North Miami Beach, FL 33162
305-947-7581
www.citynmb.com

MEMORANDUM

 Print

TO: Mayor and City Council
FROM: Lyndon L. Bonner, City Manager
DATE: Tuesday, September 20, 2011

RE: Ordinance No. 2011-13 (Second Reading & Final Hearing)

BACKGROUND: Second and Final Reading of the Ordinance to establish a Millage Rate for Fiscal Year 2012.

RECOMMENDATION: Respectfully requesting that the City Council approve and adopt the Millage Rate for fiscal year commencing October 1, 2011 and ending September 30, 2012.

FISCAL IMPACT: N/A

CONTACT PERSON(S): Marcia Fennell, Interim Finance Director

ATTACHMENTS:

❑ [Ordinance No. 2011-13](#)

ORDINANCE NO. 2011-13

AN ORDINANCE FIXING THE MILLAGE RATE FOR AD VALOREM TAXES ON REAL AND PERSONAL PROPERTY IN THE CITY OF NORTH MIAMI BEACH, FLORIDA FOR THE PURPOSE OF MEETING THE REQUIREMENTS OF THE ANNUAL BUDGET OF THE CITY OF NORTH MIAMI BEACH FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2011 AND FIXING THE MILLAGE RATES FOR DEBT SERVICE ON THE GENERAL OBLIGATION SERIES 2002A AND THE 2011 JP MORGAN CHASE LOAN.

WHEREAS, the City Council of the City of North Miami Beach is contemplating the adoption of the annual budget of the City of North Miami Beach for the 2012 fiscal year commencing October 1, 2011 and ending September 30, 2012; and

WHEREAS, said action shall constitute an appropriation of the expenditures authorized therein; and

WHEREAS, pursuant to the Home Rule Charter of Miami-Dade County, the City of North Miami Beach is required to use the assessment rolls as prepared by the Miami-Dade County Property Appraiser and certified to the City Council.

NOW, THEREFORE,

BE IT ORDAINED by the City Council of the City of North Miami Beach, Florida.

Section 1. The foregoing recitals are true and correct.

Section 2. There is hereby levied and assessed on all property subject to taxation in the City of North Miami Beach, both real and personal, the sum of 6.6036 mills per thousand dollars of assessed valuation, which is above the current year rolled-back rate, as set forth in the tax rolls of the City of North Miami Beach and as equalized by the Miami-Dade County Commission and certified by it for the year 2011 and setting the millage rate for the debt service for the series 2002A General Obligation Bonds

ORDINANCE NO. 2011-13

(refinanced 1994 GO Bonds) at 0.5599 mills per thousand dollars of assessed value and for the 2011 JP Morgan Chase Loan (refinanced 2000B GO Bond) at 0.6981 per thousand dollars of assessed value for a total debt service millage rate of 1.2580 per thousand dollars of assessed value.

Section 3. The administration of the City of North Miami Beach is authorized to perform all acts necessary to carry out the intents and purposes of this Ordinance.

APPROVED BY TITLE ONLY on first reading this **6th day of September, 2011.**

APPROVED AND ADOPTED on second reading this _____ **day of September, 2011.**

ATTEST:

PAMELA L. LATIMORE
CITY CLERK

GEORGE VALLEJO
MAYOR

(CITY SEAL)

APPROVED AS TO FORM:

DARCEE S. SIEGEL
CITY ATTORNEY

SPONSORED BY: Mayor and City Council



City of North Miami Beach
17011 NE 19 Avenue
North Miami Beach, FL 33162
305-947-7581
www.citynmb.com

MEMORANDUM

 [Print](#)

TO: Mayor and City Council

FROM: Lyndon L. Bonner, City Manager

DATE: Tuesday, September 20, 2011

RE: Ordinance No. 2011-14 (Second Reading & Final Hearing)

BACKGROUND:

Budgeting is one of the most important activities undertaken by governments. The budget is a plan of financial operation embodying an estimate of proposed expenditures for a given period and the proposed means of financing them. The budget serves as the primary tool in allocating financial resources to programs and services. This process should involve all stakeholders - elected officials, governmental administrators, employees, citizen groups, and business leaders - and reflect their overall needs and priorities. A budget process that is well-integrated with the other activities of the government and involves those stakeholders will lead to a more efficient and accepted government. Specifically, the budget can serve as a policy making tool, a management tool, a financial tool, and a communication tool. The end result should be a balanced budget that has been well planned and communicated among all stakeholders. Section 166.241, Florida Statutes (Municipalities) and Sections 129.03 - 129.06, Florida Statutes (Counties) provide specific requirements for local governments to follow when adopting annual budgets. Some of those requirements are as follows:

- The local government's budget must be adopted by resolution or ordinance, unless otherwise specified in the local government's charter.
- The amount available from taxation and other sources, including amounts carried over from prior fiscal years, must equal the total appropriations for expenditures and reserves.
- The adopted budget may be amended at any time during

the fiscal year or within sixty (60) days following the end of the fiscal year. If the amendment increases the total amount of expenditures by fund or department, the budget amendment must be adopted in the same manner as the original budget, unless otherwise specified in the local government's charter.

Counties are required to follow specific advertising requirements (Section 129.06, Florida Statutes) with respect to the adoption of budget amendments. Chapter 200, Florida Statutes and the Truth in Millage (TRIM) guidelines promulgated by the Florida Department of Revenue outline specific requirements that local governments must follow with respect to adopting property tax rates and budgets. Some of the key requirements are as follows:

- Specific timetables with respect to the noticing of the local Property Appraiser's office for the adoption of the ad valorem millage rate and budget; the scheduling of the Tentative and Final Millage Rate/Budget public hearings and the respective advertising of the public hearings.
- The preparation of specific forms which must be sent to the local Property Appraiser's and Tax Collector's offices and the Florida Department of Revenue.
- The placement of specific advertisements which are uniform throughout the state based on the local government's situation.

Due to the size of the budget, it will be provided under separate cover.

RECOMMENDATION: Respectfully request that the City Council approve and adopt the budget for Fiscal year commencing October 1, 2011 and ending September 30, 2012.

FISCAL IMPACT:
General Fund: \$39,375,087
Special Revenue Fund: \$7,558,867
Debt Service Fund: \$3,998,240
Capital Improvement Fund: 189,100
Enterprise Fund: \$60,979,471

CONTACT PERSON(S): Marcia Fennell, Interim Finance Director

ATTACHMENTS:

- ▣ [Ordinance No. 2011-14](#)

ORDINANCE NO. 2011-14

**AN ORDINANCE ADOPTING THE ANNUAL BUDGET OF
THE CITY OF NORTH MIAMI BEACH, FLORIDA FOR
THE FISCAL YEAR COMMENCING OCTOBER 1, 2011.**

WHEREAS, the City Council of the City of North Miami Beach approved and adopted the annual budget of the City of North Miami Beach for the fiscal year 2011-2012; and

WHEREAS, copies of said Budget have been made available for public inspection in the office of the City Clerk as required by the City Charter; and

WHEREAS, the citizens of the City of North Miami Beach were given reasonable opportunity to express their views at several advertised public hearings, after which the City Council did increase, decrease, accept and strike certain proposed items and the Council is now prepared to accept the Budget as finalized and as reflected by a copy of the Budget on file in the City Clerk's office; and

WHEREAS, from time to time during the normal conduct of the City's operations, situations arise which require the amendment or modification of the City's annual adopted budget; and

WHEREAS, the City Council is desirous of allowing the City Manager the flexibility to make adjustments to the City's annual adopted budget when the necessity arises without further action by the City Council, subject to the limitations contained herein.

NOW, THEREFORE,

BE IT ORDAINED by the City Council of the City of North Miami Beach, Florida.

Section 1. The foregoing recitals are true and correct.

Section 2. The City Council of the City of North Miami Beach hereby adopts as the operating Budget, which includes the Public Utilities Budget of the City of North Miami Beach, for the

ORDINANCE NO. 2011-14

fiscal year commencing October 1, 2011 and ending September 30, 2012, that Budget as approved by the City Council, a copy of which is on file in the City Clerk's office of the City of North Miami Beach.

Section 3. The amount set forth in the approved Budget for expenditures are hereby appropriated to the specified purposes subject to such transfers as may be authorized by law.

Section 4. The provisions of this Ordinance shall not be deemed to be a limitation on the powers granted to the City Council by the City Charter and which relate to the fiscal management of the City's funds.

Section 5. From time to time, the City Council may transfer funds from one fund, account or department to another as the necessity for the same may occur without being required to further amend the terms and provisions of this Ordinance.

Section 6. The City Manager is hereby granted the authority to amend, modify, or otherwise adjust the City's annual budget to a maximum limit of \$50,000 per individual occurrence.

APPROVED BY TITLE ONLY on first reading this **6th day of September, 2011.**

APPROVED AND ADOPTED on second reading this _____ **day of September, 2011.**

ATTEST:

PAMELA L. LATIMORE
CITY CLERK

(CITY SEAL)

GEORGE VALLEJO
MAYOR

APPROVED AS TO FORM:

DARCEE S. SIEGEL
CITY ATTORNEY

SPONSORED BY: Mayor and City Council

ORDINANCE NO. 2011-14