



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: January 15, 2020

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RATIFYING AND ACCEPTING THE RESOLUTION PASSED BY MIAMI-DADE COUNTY APPROVING THE EXECUTION OF AN INTERLOCAL AGREEMENT FOR THE TRANSFER OF CONTROL FROM MIAMI-DADE COUNTY TO THE CITY OF MIAMI BEACH OF THE BISCAYNE BEACH SECURITY GUARD SPECIAL TAXING DISTRICT LOCATED ENTIRELY WITHIN THE CITY, AND AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION.**

ADMINISTRATION RECOMMENDATION

The Administration is requesting that the Mayor and City Commission hereby ratify and accept Miami Dade County ("County") Resolution No. R-588-19 approving the transfer of control of the Biscayne Beach Security Guard Special Taxing District ("Special Taxing District") to the City of Miami Beach ("City") designating the City as the governing body of the Special Taxing District pursuant to Section 18-3.1 of the Code of Miami-Dade County.

STRATEGIC PLAN SUPPORTED

Organizational Innovation – Ensure strong fiscal stewardship

ANALYSIS

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

Pursuant to a 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 County Board 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 County Board. In addition, the County has advised that interlocal agreements with the County Board and with the County Tax Collector and Property Appraiser would be needed to effectuate a transfer of control.

The transfer of control of the Biscayne Beach Security Guard Special Taxing District from the County Board to the Mayor and City Commission of the City of Miami Beach is supported by the Biscayne Beach Homeowners Association. At the October 17, 2018 City Commission meeting, the Mayor and City Commission adopted Resolution No. 2018-30576 requesting the County to transfer control of the Biscayne Beach Security Guard Special Taxing District from the County Board to the Mayor and City Commission of the City of Miami Beach, and to designate the Mayor and City Commission as the governing body of the Special Taxing District, subject to County approval and a majority vote of the qualified electors residing in the Special Taxing District.

On June 4, 2019, the County passed and adopted Resolution No. R-588-19, which approved the execution of an interlocal agreement for the transfer of control of the Special Taxing District, subject to the City passing a resolution ratifying and accepting the County's approval of the execution of an interlocal agreement.

In addition, on June 4, 2019, the County passed and adopted Resolution No. R-589-19 which called a special election for the Special Taxing District, and provided that the special election shall be held within the boundaries of the Special Taxing District, and set forth the ballot question to be presented for approval or disapproval by a mailed ballot and the noticing requirements and registration deadline, and provided that the special election shall be held on December 17, 2019 and that all marked ballots must be received by 7:00 pm on that day.

On December 17, 2019, the voters of the Biscayne Beach Security Guard Special Taxing District approved the transfer of control of the Special Taxing District from the County to the City by approximately 85% as further detailed in Letter to Commission (LTC) 644-2019 dated December 23, 2019.

All other timelines are tentatively scheduled as follows:

- The City became the new governing body of the Special Taxing District twelve days after the election and will determine how to proceed with contracts including but not limited to electrical, security, and equipment services.
- By March 1, 2020, the City is required to hold a public hearing for the levy, collection, and enforcement of Non-Ad Valorem assessments utilizing the uniform method as required by Section 197.3632(3)(a), Florida Statutes.
- In July 2020, the City is required to submit the final folio and non-ad valorem rates to the County.
- The deadline for the City to adopt a non-valorem assessment roll is September 15, 2020.
- Official transfer of the Special Taxing District to the City will occur on October 1, 2020.

FINANCIAL INFORMATION

Currently, the Biscayne Beach Security Guard Special Taxing District has an annual budget of approximately \$282,610 for Fiscal Year 2020. The County collects an administrative fee to offset costs related to administering service contracts and providing fiscal support for the District. Administrative support provided by the City would be similar to that currently provided by the City to the Biscayne Point Security Guard Special Taxing District.

JLM/JW/TOS