

ORDINANCE NO. 2007-19 (R)

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA RELATING TO AD VALOREM TAXATION; PROVIDING FOR AN ADDITIONAL HOMESTEAD EXEMPTION FOR CERTAIN QUALIFYING SENIOR CITIZENS WHO HAVE ATTAINED THE AGE OF 65 AND WHOSE HOUSEHOLD INCOME DOES NOT EXCEED THE ANNUAL ADJUSTED INCOME LIMITATION WHICH CURRENTLY IS \$24,214 TO BE APPLIED TO MILLAGE RATES LEVIED BY THE VILLAGE; PROVIDING REQUIREMENT OF ANNUAL APPLICATION AND SUBMISSION OF SUPPORTING DOCUMENTATION TO THE MIAMI-DADE COUNTY PROPERTY APPRAISER; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Village Commission finds it in the best interests of the residents of the Village of Biscayne Park to grant a limited income senior citizens exemption in the amount of \$25,000;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirm as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. The Village Commission hereby grants a limited income senior citizens exemption to certain qualifying senior citizens who have attained the age of 65 and whose household income does not exceed the annual Adjusted Income Limitation which is currently \$24,214.

Section 3. The Village Clerk is hereby authorized to transmit this Ordinance to the Miami-Dade County Property Appraisal Department prior to December 1, 2007 for this exemption to be effective for the 2008 tax year.

Section 4. Consistent with the legal requirements, an application for Limited Income Senior Citizens Exemption should be made by March 1st of the applicable tax year through the submission of a County application to the Miami-Dade County Property Appraiser.

Section 5. Repeal of Conflicting Provisions. That all ordinances or parts of ordinances or resolutions of the City and/or County Code made inconsistent or in conflict herewith shall be and they are hereby repealed in their entirety insofar as there is conflict or inconsistency.

Section 6. Effective Date. This Ordinance shall become effective upon the approval of the City Commission.

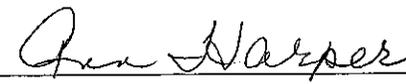
The foregoing Ordinance was offered by Commissioner Bernard, who moved its adoption. The motion was seconded by V-M Anderson and upon being put to a vote, the vote was as follows:

The foregoing ordinance upon being put to a vote, the vote was as follows:



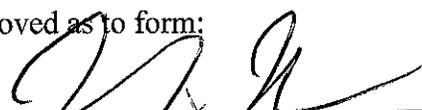
John Hornbuckle, Mayor

Attest:



Ann Harper, Village Clerk

Approved as to form:



John J. Hearn, Village Attorney

Mayor Hornbuckle: yes
Vice Mayor Anderson: yes
Commissioner Bernard: yes
Commissioner Morris: yes
Commissioner Mallette: yes

1st reading – October 2, 2007

2nd reading – November 6, 2007

ORDINANCE NO. 2007-18

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA AUTHORIZING THE DECREASE IN COMPENSATION FOR THE MAYOR AND COMMISSIONERS CONSISTENT WITH THE VILLAGE CHARTER; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Village Commission of the Village of Biscayne Park understands that the property value of its residents' homes have consistently increased and, therefore, taxes have consistently increased; and

WHEREAS, the Commission is sensitive to those increases and to the sacrifices made by Village employees in their salaries and, therefore, desires to decrease its compensation for all its members; and

WHEREAS, the Village Commission finds that it is in the best interests of its residents to adopt an ordinance decreasing its annual compensation consistent with Section 2.06 of the Village Charter;

NOW THEREFORE IT IS HEREBY ORDAINED BY THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AS FOLLOWS:

Section 1. The foregoing Whereas clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. The Village Commission of the Village of Biscayne Park hereby decreases its annual compensation as follows:

	<u>06/07</u>	<u>06/08</u>
Mayor	\$6000	\$4000
Commissioners	\$3000	\$2000

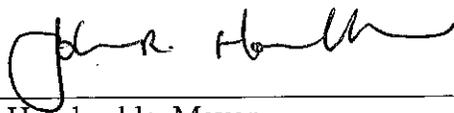
Section 3. Conflicts. That all Ordinances or parts of Ordinances, Resolutions or parts thereof in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 4. Inclusion in Code. It is the intention of the Village Commission of the Village of Biscayne Park, Florida, that the provisions of this Ordinance shall become and be made a part of the Village of Biscayne Park Code of Ordinances; and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

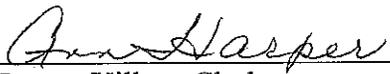
Section 6. Effective Date. This Ordinance shall be deemed effective retroactive to December ____, 2006.

The foregoing Ordinance was offered by Commissioner Bernard, who moved its adoption. The motion was seconded by V-M Anderson and upon being put to a vote, the vote was as follows:



John Hornbuckle, Mayor

Attest:



Ann Harper, Village Clerk

Approved as to form:



John J. Hearn, Village Attorney

The foregoing ordinance upon being put to a vote, the vote was as follows:

Mayor Hornbuckle: yes
Vice Mayor Anderson: yes
Commissioner Mallette: yes
Commissioner Morris: yes
Commissioner Bernard: yes

1st Reading – October 2, 2007
2nd Reading - November 6, 2007

ORDINANCE NO. 2007-17

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA AUTHORIZING THE BORROWING OF ONE HUNDRED EIGHTY SEVEN THOUSAND TWELVE DOLLARS (\$187,012.00) FOR THE LEASE/PURCHASE OF ONE POLICE CAR, ONE GARBAGE TRUCK AND ONE MULTI-PURPOSE BUS IN CONNECTION WITH THE MASTER LEASE/PURCHASE AGREEMENT CONSISTENT WITH RESOLUTION NO. 2006-19; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Village Commission of the Village of Biscayne Park has found it to be in the best interests of the Village and its residents to authorize the execution and delivery of a Master Lease/Purchase Agreement with Bank of America Public Capital Corp. for the lease of one police car, one garbage truck and one multi-purpose bus consistent with Resolution No. 2006-19; and

WHEREAS, by participating in the Florida League of Cities program utilizing a tax exempt bond pool, the Village is able to acquire the equipment at the lowest cost possible through a negotiated five year term at a rate of 4.28%, borrowing an amount of \$187,012.00; and

WHEREAS, the Village Commission finds that this lease purchase and borrowing is in the best interests of its citizens and desires to formally ratify the previous action it took by approving Resolution No. 2006-19;

NOW THEREFORE IT IS HEREBY ORDAINED BY THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AS FOLLOWS:

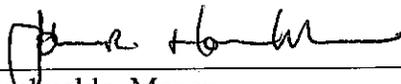
Section 1. The foregoing Whereas clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. The Village Commission of the Village of Biscayne Park hereby authorizes the Village to borrow \$187,012.00 in order to enter into a Master Lease/Purchase Agreement for the lease of one police car, one garbage truck and one multi-purpose bus and formally ratifies previous actions of the Commission.

Section 3. Effective Date. This Ordinance shall be deemed effective retroactive to December 5, 2006.

The foregoing Ordinance was offered by Commissioner MORRIS, who moved its adoption. The motion was seconded by V-M ANDERSON and upon being put to a vote, the vote was as follows:

The foregoing ordinance upon being put to a vote, the vote was as follows:



John Hornbuckle, Mayor

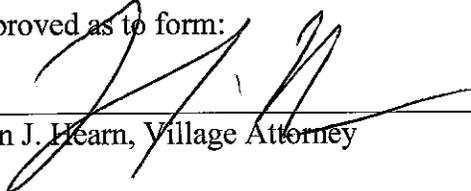
Mayor Hornbuckle: yes
Vice Mayor Anderson: yes
Commissioner Mallette: yes
Commissioner Morris: yes
Commissioner Bernard: yes

Attest:



Ann Harper, Village Clerk

1st Reading – October 2, 2007
2nd Reading – November 6, 2007

Approved as to form:


John J. Hearn, Village Attorney



ORDINANCE No. 2007-16

AN ORDINANCE OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **ADOPTING THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) SURTAX FUND BUDGET FOR FY 2007-2008** IN THE AMOUNT OF \$119,657 AUTHORIZING EXPENDITURES AS SET FORTH THEREIN; AND SETTING AN EFFECTIVE DATE

WHEREAS, The Village of Biscayne Park Commission, acting as budget making authority pursuant to the laws of the State of Florida, held two budget workshops and prepared a budget for fiscal year 2007-2008 as a result; and

WHEREAS, the Commission did hold two properly published public hearings the first on the 4th day of September and the second on the 18th day of September; and

WHEREAS, at duly published public hearings, the Budget was presented and all interested parties had the opportunity to voice their comments;

NOW, THEREFORE, be it resolved by the Commission of the Village of Biscayne Park, Florida, that:

- Section 1.** The Village of Biscayne Park **FY 2007-2008** Citizens' Independent Transportation Trust (CITT) Surtax Budget for the period of October 1, 2007 through September 30, 2008 in the amount of \$119,657.00 a copy of which is attached hereto and made a part hereof, is hereby adopted, and the amounts therein are hereby authorized to be expended and funds are to be withdrawn from the CITT Surtax Fund Account of the Village as they are needed.
- Section 2.** The Village Clerk is hereby directed to forward a copy of this Ordinance to the Miami-Dade County Tax Collector; the State of Florida Department of Revenue and any other parties as required by law.
- Section 3.** This Ordinance shall take effect immediately upon its adoption.

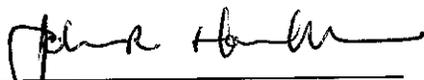
PASSED AND ADOPTED this 18th day of **September** 2007.

First Reading:
Second Reading:

September 4, 2007
September 18, 2007

Attest:

**The foregoing Ordinance upon being
put to a vote, the vote was as follows:**



John R. Hornbuckle, Mayor



Ann Harper, Village Clerk

Mayor Hornbuckle	<u>yes</u>
Vice Mayor Anderson	<u>yes</u>
Commissioner Bernard	<u>yes</u>
Commissioner Mallette	<u>yes</u>
Commissioner Morris	<u>yes</u>

Approved as to form:



John J. Hearn, Village Attorney

VILLAGE OF BISCAYNE PARK
 ADOPTED BUDGET
 FISCAL YEAR 2007-2008

CITT SURTAX

	BUDGET 2006-2007	ADOPTED 2007-2008	% OF TOTAL	INCREASE (DECREASE)
Citt Surtax Fund	109,838	119,657		
TOTALS:	109,838	119,657	100%	9,819

(Percent increase/decrease)

8.94%

VILLAGE OF BISCAYNE PARK
 ADOPTED BUDGET
 FISCAL YEAR 2007-2008

DEPARTMENT SUMMARY

DEPARTMENT: CITT-Surtax
 FUND: CITT-Surtax
 ACCOUNT: 301-1900-519

DEPARTMENT MESSAGE:		
Funding is provided by the Citizen's Independent Transportation Trust (CITT). Funds can be spent only on transportation projects and transit mandated within the CITT provisions. The CITT requires that 20% of the funds be used directly for transit.		
DESCRIPTION OF SERVICES:		
Funds are utilized for the NOMI which is provided through an interlocal agreement with North Miami which meets the 20% transit requirement. The remaining funds are utilized to match grants for stormwater projects and for improvements provided through the road fund.		
PERFORMANCE MEASURES:		
RESOURCE REQUIREMENTS:		
No. of Personnel	BUDGET 2006-2007	ADOPTED BUDGET 2007-2008
Total Operating Budget	35,000	30,000
% of Operating Budget 2006-2007		-14.29%
Capital	54,838	21,657
Other Non-Operating Funds	20,000	68,000
TOTAL BUDGET:	109,838	119,657

VILLAGE OF BISCAYNE PARK
 ADOPTED BUDGET
 FISCAL YEAR 2007-2008

REVENUE SCHEDULE

DEPARTMENT: CITT-Surtax
 FUND CITT-Surtax
 ACCOUNT: 301-1900-519

OBJECT:	FY05-06 AUDITED	FY06-07 ADOPTED BUDGET	FY06-07 YEAR TO DATE ACTUAL	FY06-07 ESTIMATED TOTAL	FY07-08 MANAGER RECOMMEND	FY07-08 ADOPTED BUDGET
388.35.00 Other Transportation Revenues	134,276	109,838	69,052	103,578	117,257	117,257
361.00.00 Interest	3,433	0	1,697	2,263	2,400	2,400
369300 Fund Balance / Carryover	11,083	0	0	36,807		
Total CITT-Surtax Fund Revenue:	148,792	109,838	70,749	142,648	119,657	119,657

VILLAGE OF BISCAYNE PARK
 ADOPTED BUDGET
 FISCAL YEAR 2007-2008

SCHEDULE 1

DEPARTMENT: CITT-Surtax
 FUND CITT-Surtax
 ACCOUNT: 301-1900-519

EXPENDITURES

OBJECT/ACCOUNT NAME:	FY05-06 AUDITED	FY06-07 ADOPTED BUDGET	FY06-07 YEAR TO DATE ACTUAL	FY06-07 ESTIMATED TOTAL	FY07-08 MANAGER RECOMMEND	FY07-08 ADOPTED BUDGET
TOTAL PERSONAL SERVICES:	-	-	-	-	-	-
519.30.01 Administrative Cost	825	5,000				
519.34.01 Contract Services-Transit	17,000	30,000	10,000	30,000	30,000	30,000
519.34.02 Contract Services	7,375		680	1,087		
519.49.02 Miscellaneous/Advertising	-	-	-	-		
519.51.01 Office Supplies	-	-	5,572	7,759		
519.54.01 Signage						
TOTAL MATERIALS, SUPPLIES, SERVICES:	25,200	35,000	16,252	38,846	30,000	30,000
TOTAL OPERATING BUDGET:	25,200	35,000	16,252	38,846	30,000	30,000
519.60.01 Capital Expenditures	8,592	54,838			21,657	21,657
TOTAL CAPITAL OUTLAY	8,592	54,838	-	-	21,657	21,657
519.60.02 Transfer to Road Fund	30,000	20,000		20,000	68,000	68,000
519.60.03 Transfer to Stormwater	85,000		83,802	83,802		
272.0000 Allowance for Reserves	-	-	-	-		
TOTAL NON-OPERATING BUDGET:	115,000	20,000	83,802	103,802	68,000	68,000
TOTAL DEPARTMENT BUDGET:	148,792	109,838	100,054	142,648	119,657	119,657

VILLAGE OF BISCAYNE PARK
 ADOPTED BUDGET
 FISCAL YEAR 2007-2008

WORKSHEET
 Page 1

DEPARTMENT: CITT-Surtax
 FUND CITT-Surtax
 ACCOUNT: 301-1900-519

EXPENDITURES

OBJECT CODE/ACCOUNT NAME:	DESCRIPTION/JUSTIFICATION	AMOUNT	TOTAL
519.30.01 Administrative Cost	To cover administrative expenses as allowed per the CITT-Surtax guidelines up to 5% of total Revenues	-	-
519.34.01 Contract Services	Interlocal agreement with North Miami NOMI	30,000	30,000
519.49.02 Miscellaneous/Advertising		-	-
519.51.01 Office Supplies		-	-
549.60.01 Capital Expenditures	To find projects as presented for the CITT 5-year Project Plan	21,657	21,657
549.60.02 Transfer to Road Fund	For Road improvements and maintenance as allowed.	68,000	68,000
272.0000 Allowance for Reserves	Carry over of funds from one year to the next	-	-
	Departmental Totals	119,657	119,657

VILLAGE OF BISCAYNE PARK
 FIVE YEAR MUNICIPAL
 TRANSPORTATION IMPROVEMENT
 PROGRAM

FISCAL YEARS 2008-2012

	FY07-08	FY08-09	FY09-10	FY10-11	FY11-12
344.90.00 Other Transportation Revenues	117,257	120,775	124,398	128,130	131,974
361.10.01 Interest	2,400	2,000	2,000	2,000	2,000
369.30.00 Fund Balance / Carryover	-	-	-	-	-
Total CITT-Surtax Fund Revenue:	119,657	122,775	126,398	130,130	133,974
	FY07-08	FY08-09	FY09-10	FY10-11	FY10-11
519.30.01 Administrative Cost					30,000
519.34.01 Contract Services	30,000	30,000	30,000	30,000	-
519.49.02 Miscellaneous/Advertising	-	-	-	-	-
TOTAL OPERATING BUDGET:	30,000	30,000	30,000	30,000	30,000
519.60.01 Capital Expenditures	21,657	22,775	21,398	25,130	28,974
519.60.02 Transfer to Road Fund	68,000	70,000	75,000	75,000	75,000
TOTAL CAPITAL OUTLAY	89,657	92,775	96,398	100,130	103,974
272.00.00 Allowance for Reserves	-	-	-	-	-
TOTAL NON-OPERATING BUDGET:	-	-	-	-	-
TOTAL DEPARTMENT BUDGET:	119,657	122,775	126,398	130,130	133,974



Village of Biscayne Park

640 Northeast 114th Street
Biscayne Park, Florida 33161

Phone: (305) 899-8000
Fax: (305) 891-7241

January 16, 2008

Mayor

John R. Hornbuckle

Commissioners

Bob Anderson
Kelly C. Mallette
Chester H. Morris, M.D.
Ted A. Walker

Village Manager

Frank R. Spence

Village Clerk

Ann Harper

Village Attorney

John J. Hearn

Office of the Property Appraiser
Attn: Mike Postell
Miami-Dade County
111 NW 1st Street, Suite 710
Miami, Florida 33128

Re: Village of Biscayne Park
Ordinance 2007-19

Dear Mr. Postell:

It was a pleasure speaking with you this morning.

Enclosed is a certified copy of Ordinance 2007-19 which provides an additional homestead exemption for qualifying senior citizens. This Ordinance was approved unanimously by the Village Commission on November 7, 2007.

Thank you for your assistance in adding Biscayne Park to the list of municipalities which provide this exemption for qualifying residents. Please advise if there is anything further I should do to implement this program.

Sincerely,

Ann Harper, CMC
Village Clerk

1-29-08 Spoke w/ Mike Postell
to confirm additional exemption
is \$25,000 only (not \$50,000) and
income limitation changes
as needed (increases) AH

MEMORANDUM

TO: MAYOR HORNBUCKLE and
COMMISSION MEMBERS

FROM: FRANK R. SPENCE
Village Manager

DATE: September 27, 2007

SUBJECT: LIMITED INCOME SENIOR CITIZEN EXEMPTION

As part of the discussion and consideration of adopting the LIMITED INCOME SENIOR CITIZEN EXEMPTION, I am attaching all relevant information directly from the website of the Miami-Dade Property Appraiser that sets out all of the facts and procedures necessary to provide and receive this exemption. The following are major points:

- The enacting ordinance must be adopted by December 1 for the following year.
- Cities can select an additional exemption of \$25,000 or \$50,000.
- To qualify, applicant: must be 65 years old or older; already have homestead exemption on the home; total household income cannot exceed Adjusted Income Limitation, which currently is \$24,214.00; must file each year; and the application has to provide a sworn statement of income on an official Department of Revenue form.
- The list of every city that has adopted this exemption is attached. There are 25. The tax savings for both the city and county are shown. The best comparable comparison is with El Portal whose senior citizens saved \$374 in county taxes (the same as Biscayne Park), and who also saved \$351 with their \$50,000 Senior Exemption, for a total savings of \$725 for this tax year. There are 35 seniors in Biscayne Park who have taken advantage of the county's senior exemption.