



VILLAGE OF BISCAYNE PARK
640 NE 114TH STREET
BISCAYNE PARK, FL 33161
TEL: 305 899 8000 FAX: 305 891 7241
www.biscayneparkfl.gov

Mayor and Commission

Noah Jacobs
Mayor

Robert "Bob" Anderson
Vice Mayor

Bryan Cooper
Commissioner

Roxanna Ross
Commissioner

Commissioner Watts
Commissioner

Maria C. Camara
Interim Village Manager

John J. Hearn
Village Attorney

MINUTES

Annexation Workshop

**Ed Burke Recreation Center - 11400 NE 9th Court
Biscayne Park, FL 33161
Saturday, September 21, 2013 at 10:00am**

Call to Order

Mayor Noah Jacobs called the workshop to order at 10:09am.

Roll Call

Mayor Noah Jacobs - present
Vice Mayor Bob Anderson - present
Commissioner Bryan Cooper - present
Commissioner Roxanna Ross - present
Commissioner Barbara Watts - present

Present from staff were:

Interim Village Manager Maria C. Camara
Chief Ray Atesiano

Also present was Alex David, Bell David Planners

Presentations

Interim Village Manager Camara provided a presentation on the proposed annexation area referred to as "Biscayne East".

Public Comment

Jorge Marinoni: Area looks good. But can the county come back and tell us we need to take a larger area?

Mr. David: Yes

Richard Krassley: Seven or eight years ago annexation was brought up but for an area all the way east to Biscayne Bay. No one wanted it as it would decrease property values for Biscayne Park.

Harvey Bilt: Don't know if we need to do this.

Michael Stevenska: There is additional police and code required, but what about additions to the Administration? If we look to increase our borders, there is a strip club that is part of the area. Do we want that?

Interim Manager Camara: Based on the current area proposed and number, do not see the need to add anyone in other administrative positions.

Barbara Kuhl: Originally was against annexation. Reading Fred Jonas' blog, and when I think of other areas to live like Miami Shores and Coral Gables, they all have businesses. This proposed area is well maintained. Businesses are known and well maintained. Not a code enforcement nightmare.

Mr. David: Explains that one of the next steps is a petition of the property owners of that area.

Commissioner Ross: The county commissioner who oversees the district that the proposed annexation area is in must approve it

Mr. David: This provision was not passed by the board of county commissioners. There is a lot of negotiation that will take place. There are 13 commissioners that will decide. They can decide to require us to take a portion further south.

John Holland: A lot of cool places have businesses. Million dollar question - logical if North Miami and Biscayne Park both go for the same area. How will that be determined.

Vickie Smith-Bilt: Have we done a cost analysis for the area further south.

Interim Village Manager Camara: Yes, when it was originally looked it, it extended south to 116th St, but not the Peachtree area. At that time the requirement was for five police officers and one full time code officer.

Kerry Winson-Reid: Pleased to see all the positive. What are they getting from us?

Commissioner Ross: County district splits at 118th St and there is another county commissioner representing that area.

Mr. David: Every ten years, the districts change. The area we are looking at is totally under Commissioner Heyman.

Resident (Name inaudible): Concerned what other costs there are other than what has been stated. Chief would have policing issues with access to this area. I am new to the community. Heard a comment from Commissioner Anderson that rang true to me. New owners are buying what they can afford. Taxes, insurance are going up. This could lower millage in long run, but don't see when that will happen soon. Should look at our budget more carefully instead. I am a former condo board member. Easy to say we need more money in budget, and then go to residents already struggling to make ends meet.

Chief Atesiano: Area that we are looking at is comparable to ours. Just the business area is do-able with increase of one officer. Don't want to even consider the other area below as it would need much more.

Steve Bernard: Crime stats provided is only for the proposed area. The area is not contiguous to us. You have to go up to 125th and then go south, or down to 107th, and then go north to enter the proposed area. This area has nothing to do with us. The brand of Biscayne Park would change. We may have budget problems, have spent four years trying to get data - just don't know. People that are in the proposed area have not even been talked to, or to the business owners. From the January meeting to the July meeting, you are changing the area to not require a vote. We are at 9.5 and the county area is at 1.98. If it comes to a vote, they will consider that they have everything they need. There is nothing we can give them that they don't have except our name. If it comes to a vote, and they have a choice to stay with county, or go to N Miami at 8.1 or to Biscayne Park at 9.5, what do you think they are going to do. We have spent a lot of money already, and by the time we are done, much more. And have yet to talk to the people in the area to know what they want. County may require us to take other areas. When you look at the July write up, it talks about different scenarios and where we break even. Back in January it did not have that. It absolutely seems that with the full area you break even much faster than with the smaller area. The point is that the County wants to get rid of unincorporated areas. They won't let us take the best and they keep the dog in the area. Questions the additional costs in the January report, such as mitigation fees. Also states that the County retains utility and electric franchise fees. It requires payment of 100% of the net excess of revenue minus expenses.

Talks about responsible for the indebtedness of area. We are paying to find out all of this data. We have proceeded without the transparency of talking with the people of the affected area is mind boggling. If County give us the go ahead, it will be a hostile takeover. The large office complexes would probably sue to not want to be in Biscayne Park. They don't vote, but they have a lot of money to threaten us. All of this is coming about because of scare tactics. Concentrate on fixing that and look at the budget and go back more than one year. We are looking at taking over an area and expanding thinking there are no additional costs and fees other than police and code. It took us months to get a fence ordinance. What are we going to do with this. There are so many unknowns here and so many questions. You can't tell if these numbers are going to work out. What are we doing this for? Concentrate on fixing our problems and not reaching into our neighbors pocket books. If they have 250 voters right now, which will increase when apartments are rented. It could be 1,000. They will be able to vote in Biscayne Park and if they can vote here and put together a voting block to change things better for them and not for us, then what.

Steve Bernard (continued): This is walking blindfolded in a dark room and not seeing the razor blades on the floor. We are looking at a report without the analysis that was done in January. The report from July does not come close to that. If anyone is telling you we are making money, I question that. County may say that you cannot raise the millage on the scenarios provided, then what. Being shown all the good things, but you can't just say that. You are proceeding as if everything will be ok. No one knew here that we could be forced to go outside the proposed area, or there will be more than 250 voters. Stick with transparency if you are going to use that line. Consider the fact that we don't know what the mitigation costs will be. Even if all was great, and we start at highest millage, and we get an extra \$383,000, and all comes to pass and works out perfectly, every time our property values go down, that revenue goes down, too. I hope you do all the due diligence that will show that this is not all sunshine. We have already spent so much, so let's keep spending. This Village could not get a public computer at the Rec Center, or we can't keep rats out of our Village Hall, could not keep N Miami from taking our capital improvement fees, but you are about to jump into something where those big boys are going to pull all their favors to fight this.

Chuck Ross: It is interesting that the Alta Mira property uses Biscayne Park as their address. We can come up with a lot of reasons not to do this. The prior speaker did not suggest any alternate or new revenues. Put in best police force in that area. Put in an administrative building in that area. More convenient for the businesses in that area to deal with Village Hall instead of the county. Let's take a positive approach.

Fred Jonas: A very complex issue. On the first graph, it is how we manage our bills. We have a marginal ability. If we can keep finances that way, we would keep the Village as is with no improvements like for Village Hall and our roads. We are just paying the bills at the end of the month. That is not good enough. Steve Bernard frames this as money alone. And I agree. Money is a central issue for us. Result of this is not that we should reduce the millage. When we decrease our millage, then the revenues decrease. A lot of issues involving crime and lifestyles. In time we can improve that area. Don't think we should be concerned with what that area thinks. We are giving them a better service. This is what brings up the area. Steve Bernard and Bryan Cooper threw up ideas to get \$40,000 during franchise agreement negotiations. Not sure how to seriously take Steve Bernard. Over time I have come to admit that we need to take a look at this. Potentially a risky move, but will get us to a better place. Give it serious consideration.

Dan Keys: Thanks all for this meeting and having an open mind. Speaking to those residents and businesses in that area, this is not the time in the process. When it comes to it, they will vote. County has not said we would have to take other areas. Have only heard that one or two would champion our selection. Looks to be revenue neutral. If a vote is required, it is concerning to me. They will decide if they want our superior services. It is an unknown. Look at what could mitigate that. Look at district elections so as not to have control in our area. You represent the Village. Do not care what they think now. They will have their say when they are part of us. There is vacant property and under developed areas that could increase net revenues. This could lower our tax bills significantly. Not many grants are available for a community our size and no so many for larger ones either. It behooves us to go to the next step. Crime that is there is there. We have opportunity to have an increased presence that could affect entire area to the south. There may be money in the budget to cut, but no one has identified it. By all means, come forward. I enjoy level of services today and want to see more. Consider going the next step. If we don't, North Miami or Miami Shores will. Thank 20 years out what entire area will look like. This is a unique time in our history. I ask you to put aside one side or the other. Just consider Biscayne Park. A tough decision. Commend you to be brave enough to look at it. Represent us well.

Martha Kortiak: There are a number of unknowns and risks. My biggest concern is the irreparable damage to our brand. It bothers me when property is listed as sold not in Biscayne Park and it is shown as Biscayne Park area. It hurts us. Would like to see examples of what improvements can be made in that area. Have doubts on the revenues it would generate. The area that could cause us problems is the area below 116th Street. Hope we would never consider that. But it is the source of the problem in that area and what needs to be most improved.

Gary Kuhl: We are naïve if we think we will be able to cherry pick.

Rosemary Weiss: Only two access roads to that area, 125th and 107th. Will the Police need a sub-station?

Chief Atesiano: Would be desirable if the opportunity would arise.

Commissioner Cooper: Concerned that we would have to pull officers from the Village for that area.

On legal cost question, I believe there have been such cases in regards to code enforcement. What the additional cost might be.

Get an understanding of the service call rate for police in the annexed area. Again how many of our officers will be pulled out of our residential streets. How much will the impact be for this.

Find out about the county's planning advisory board and the politics involved there and who those members are. Would like to assess for us at an early stage, what are our chances really. We are wasting a lot of money here, and all the administrative salaries of the staff and commission time.

Commissioner Cooper (continued): Concerned about the budget. I think we are hitting a wall. Biscayne Park sometime in next 10 years will cease to exist. Will likely have to consider going with Miami Shores. Even if we net best case scenario \$324,000, clearly we are not going to. That might only last 10 years if you look at consumer cost increases. Government cost is way beyond consumer cost index. We cannot sustain the Village. We have to look at alternates. Don't think this is the solution.

Would like to know what are the historical additional mitigation costs that are negotiated with the county for annexation. What is the history of other annexation areas.

Think that in the past we have tried to cut budget. Former Comm. Bernard has provided alternate solution and to look at our budget and make cuts where we need to make them. Have not done so in all the years I have been involved. We are at 9.7 at this point. County is not going to allow us to go beyond. We will face a time when the Village will cease to exist. I can guarantee it. Likely to happen in next 10 years.

They will not allow in Miami Dade County a municipality incorporate at our size because they know our budgets and tax base are just not sustainable.

We were incorporated back in 1933. Facing significant challenges today and we would not be allowed to exist today.

If you look at real estate information, there are some areas called Biscayne Park Estates. When originally developed by Mr. Griffing, a much larger area. This is what gives some properties the right to use the Biscayne Park name in their address.

Would it be worthwhile to trademark the Biscayne Park name.

Commissioner Anderson: Thanks all who came out today. Flyer was sent to everyone in Biscayne Park. A small group came out today. What is the concern of the community? Is this something we should take a look at? Should we take the next steps? We have changed the original proposed area, and may do so again, so to talk to the people in that area is not the right time as we are not sure what area we are going to target. Financially, we have been digging in to our reserves. We put over \$100,000 into contingency, but we ate through it. In this budget putting very little in contingency. One or two employees can retire and it would eat that up. What happens we have zero in reserves? Biggest expense we have here is people. Half our budget is police. Should we decrease it? Should we close recreation services? What we pay our staff is the lowest. We have yet to hear any alternatives. We are up against a wall. This will affect our city. If we don't like it, what do we do? If we do like this, how can we best do it?

Commissioner Ross: Read an article that spoke about civic engagement and politics. Engage, not enrage. We see all over the polarity that occurs. Hope we don't follow nationwide examples. We should start the conversation with our budget. Budgets here and state-wide have shrunk drastically in last 5-7 years. State tax rolls have shrunk by \$6.8 billion. In Biscayne Park, expenditures went from \$4.3 million in 2007 to \$2.5 million in 2012. Quite a reduction. We have eliminated many redundancies, and retirements have helped us fit within our wallet. Our budget allows for \$24,000 contingency fund, the rainy day fund for unexpected expenses. With the county property taxes, property owners are challenging valuations. At the end of the process, they come back with a new value which are reduced. Last year, our tax revenues were reduced by \$24,000. If that is repeated, that eats up our contingency.

We are doing bare minimum to get by, but no improvements are being made to increase your property value like fixing our roads, alleys, etc. We have to become more sustainable. That is how we got to annexation. We have support of our County Commissioner. Hard to believe they would want any city to fail. It will be a negotiated process. We have yet to take the first step. If we don't venture, we don't gain. We have to decide to spend a little more money to complete the process, and find out what area they are amenable to allow us to annex. Have to have faith they will be cheerleaders for us. If not, we became a burden on them. A negotiation that we enter into to service our residents and those in the annex area.

Biscayne Park is totally residential and there is a 3% cap on assessed value. We can only recover at a rate of 3% per year. Most other municipalities have a mixture of light industrial, retail and commercial. That cap limits our recovery. Hope we have an open mind and look at this as an alternative. And look to the commission to bring other plans to keep us sustainable.

Commissioner Watts: Thanks to everyone for coming out. Share the concerns over lack of income and sustainability. Not sure this is the way to go. Behooves us to have commercial properties. Concerned that owners of the apartment complexes will pass increases to those that rent. Going down a road to spend money to no avail. Perhaps we could look at the area south of us on sixth avenue.

Mayor Jacobs: it is clear that there is concern in the community that we are dipping into reserves and our tax rate keeps going up, and millage is too high. Curious and concerning that this commission has argued over a \$200 item or an \$80 item or a \$2,500 item. And now we are going to put at least \$15,000 on the table to possibly annex and not an absolute winner. Seems a bit illogical. Asks to consider at least another option. To take the shell lot next to Biscayne Park and if we are considering commercial, consider a two to three story building where the Administration would share the space with businesses.

Interim Village Manager Camara: Asks that this item be put on the October 1st agenda and implores the commission to make a clear decision to either go forward or not.

Mayor: Confirms there is consensus to put the item on the agenda for October 1st.

Adjournment

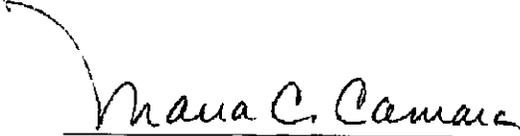
The workshop was adjourned at 12:10pm.

Commission approved on November 6, 2013.

Attest:



Noah Jacobs, Mayor



Maria Camara, Village Clerk