

Date: September 30, 2020



To: Chairman Wayne Rinehart and Members
Planning Advisory Board

From: Jorge M. Fernandez, Jr. 
Program Coordinator, Office of Management and Budget

Subject: Biscayne Gardens Municipal Advisory Committee Incorporation

Background

The Biscayne Gardens Municipal Advisory Committee (BGMAC) is a group of area residents appointed by the Board of County Commissioners (Board), originally created by Resolution No. R-974-03 (adopted September 9, 2003), then created by Ordinance No. 04-142 (adopted on July 27, 2004) and extended under Ordinance No. 15-33 (adopted on May 5, 2015), to evaluate the possibility of forming a new municipality in the area. The area is generally bound by the City of North Miami Beach on the North and East, by the City of North Miami on the East and South, by the City of Opa Locka on the West and by the City of Miami Gardens on the Northwest (**see Exhibit 1**). The proposed municipal boundaries only include unincorporated areas within County Commission District 2. With the support of County staff, the group initially met for three years prior to the Board-adopted moratorium on annexations and incorporations through Resolution No. R-1051-05. On March 12, 2012, the Board lifted the moratorium on incorporations when it adopted Ordinance No. 12-24. Subsequently, the MAC reconvened to complete its charge of assessing the fiscal feasibility and desirability to incorporate the area into a municipality.

On September 23, 2014, the BGMAC adopted a Revenue and Expenditure Analysis Final Report (**see Exhibit 2**), which includes the pro-forma budget for the proposed municipality. As required by Board Resolution No. R-130-05, an independent consultant reviewed the BGMAC pro-forma budget and concluded that the area is financially viable as a municipality if the ad valorem rate of the new municipality is set at 4.0 mills as established in the BGMAC adopted budget (**see Exhibit 3**). Public hearings were held on December 7, 2004, October 15, 2014, and March 29, 2016, where the BGMAC considered input from the community. On April 13, 2016, the BGMAC adopted a resolution (**see Exhibit 4**) requesting the Board allow the incorporation effort to move forward and allow the area residents to vote on the creation of a new municipality.

Should the area incorporate into a new municipality, the Miami-Dade County Code (Code) requires that the new municipality remain in the Miami-Dade Fire-Rescue (MDFR) District, the Miami-Dade Public Library System, the County's Solid Waste (DSWM) collection system and continue to receive and pay for specialized law enforcement services from the Miami-Dade Police Department (MDPD) in perpetuity and contract with the County for local patrol police services for a minimum of three years. The County will retain jurisdiction over the modification or deletion of declarations of restrictive covenants accepted by either the Board or a Community Zoning Appeals Board in connection with Comprehensive Development Master Plan (CDMP) applications or zoning applications within this area, as required by section 20-26(h) of the Code. The Conceptual Agreement between the County and the BGMAC (**see Exhibit 5**) addresses these issues and establishes the terms under which the area could proceed with incorporation.

On September 4, 2019, the Board adopted Resolution No. R-966-19 referring the BGMAC incorporation proposal and related Report to the Planning Advisory Board (PAB) to conduct a public hearing in the community and provide the Board with a recommendation.

At the conclusion of the PAB public hearing, the PAB will provide the Board a recommendation on the BGMAC incorporation effort. After receiving a recommendation from the PAB, the County Mayor will provide a recommendation to the Board. The Board will consider the BGMAC incorporation effort at a

public hearing and will determine if the incorporation effort will move forward to a vote of the electorate in the BGMAC area.

Pursuant to section 20-6 of the Code, the Office of Management & Budget (OMB) submits this report for your review and recommendation. The information provided in this staff report includes the latest information available at the time of the report.

Summary of Issues for Consideration Identified by Departments:

1. The new municipality will be required to contract with the County for drainage system maintenance activities within the incorporation area.
2. The County will retain jurisdiction over all water and sewer pump stations in the incorporation area.
3. The County will maintain regulatory control over land use for facilities of Countywide Significance, as well as development and service delivery for such facilities.
4. In order to maintain consistency with the County's adopted future CDMP land uses, the proposed municipality needs to adopt a Comprehensive Plan with land use districts that are equivalent to Miami-Dade County's CDMP land use designations, and zoning districts that do not conflict with existing zoning regulations.
5. The County will not retain jurisdiction of any of the three parks within the incorporation area. Oak Grove Park, Biscayne Gardens Park, and Jeb Estates Park will be transferred to the new municipality. The operating cost at the Oak Grove Park increased substantially after the Father Gerard Jean Juste Community Center was developed, subsequent to the BGMAC September 23, 2014 Revenue and Expenditure Analysis Final Report.
6. The City of North Miami filed a boundary change application consisting of a portion of the proposed incorporation area, 0.008 square miles (5.2 acres) (**see Exhibit 6**).

Incorporation Guidelines

The following analysis addresses the factors required for consideration by the Board and PAB, pursuant to chapter 20 of the Code:

Summary of Petition

The petitioners have stated that they wish to form a new municipality for the following reasons:

- *To increase and improve the level of public safety;*
- *to improve local parks and recreation services;*
- *to improve public area maintenance;*
- *to improve other basic public services;*
- *to improve the process and participation in development regulation; and*
- *to provide for enhanced public participation in local government.*

Demographic Profile of the Area

The total population within the proposed incorporation area is estimated at 34,836. As seen on the table below, approximately 20 percent of the area residents are Hispanic, 69 percent are Black-Not Hispanic, and 7.2 percent are White-Not Hispanic. The median household income in the area is \$44,094, and the per capita income is \$17,012. There are approximately 10,071 housing units in the incorporation area.

2014-2018 Socioeconomic Profile for Biscayne Gardens MAC					
Population:			Income:		
Female	34,836	100%	Median Household Income	\$44,094	
Male	17,189	49.3%	Per Capita Income	\$17,012	
In Households	17,647	50.7%	Median Home Value	\$197,100	
In Group Quarters	34,282	98.4%			
	554	1.6%			
Age:			Households:		
Under 5 Years	9,175	100%	with Children under 18 years	3,730 40.7%	
5 to 17	3,730	40.7%	no Children under 18 years	5,445 59.3%	
18 to 24 Years	5,445	59.3%	1-person household	2,110 23.0%	
25 to 44 Years	2,110	23.0%	2-person household	2,056 22.4%	
45 to 64 Years	10,600	30.4%	3-person household	1,895 20.7%	
65 of more years	7,779	22.3%	4-or-more-person household	3,114 33.9%	
Median Age	4,693	13.5%			
	34.0				
Race:			Housing:		
Hispanic	10,071	19.5%	Housing Units	10,071	
White - Not Hispanic	2,509	7.2%	Housing Vacancy Rate	8.9%	
Black - Not Hispanic	24,046	69.0%			
Labor Force:			Poverty:		
Civ. Labor Force (% of Pop.)	6,919	63.9%	Number Living in Poverty	6,919	
Empl. (% of Pop.)	15,721	56.9%	Poverty Rate	20.1%	
Unemployment Rate	1,926	7.0%			
Data Source: US Census Bureau 2018 ACS 5-year Estimates, Dept. of Regulatory and Economic Resources Planning Research and Economic Analysis Section.					
Prepared by Miami-Dade County, Department of Regulatory and Economic Resources, Planning Research and Economic Analysis Section, March 2020.					

1. Does the BGMAC incorporation divide a U.S. Census Designated Place (CDP) or a historically recognized community, to the extent feasible?

The proposed incorporation area is comprised of only one Census Designated Places: the Biscayne Gardens Census Designated Place.

2. Does the incorporation enhance contiguity and not create any unincorporated enclave area(s)? Pursuant to Chapter 20 of the Code, an unincorporated enclave area is defined as an area that would be surrounded on more than (80) percent of its boundary by one or more municipalities, and of a size that could not be serviced efficiently or effectively by the County.

The proposed incorporation area will not create an enclave. The Area is surrounded 100 percent by the City of North Miami Beach on the North and East, by the City of North Miami on the South and East, by the City of Opa Locka on the Southwest and by the City of Miami Gardens on the Northwest. (see attached Figure 1 on page 19).

3. Does the area have natural or built barrier as boundaries?

The boundaries of the proposed incorporation area generally follow built barriers, rights-of-way, and waterways. These serve as built and natural barriers that establish the proposed boundaries of the new municipality.

4. Does the area contain a mixture of residential and non-residential land uses?

The proposed incorporation area contains a mixture of land uses, including residential, commercial, institutional, office and transient residential, parks and recreation, and others.

The proposed incorporation area is approximately 5.03 square miles (3,216.14 acres) in size. The table below, lists the detailed major land use categories by number of acres and percentage of total. The two prominent land use categories in the incorporation area are Residential, and Transportation, Communication, and Utilities. Approximately 56 percent of the incorporation area consists of residential land uses and approximately 25 percent of the incorporation area consists of transportation, communication, and utilities land use. A map of the existing land uses within the proposed incorporation area is depicted on **Figure 2**, on **page 20** and a detailed list on **Figure 3**, on **page 21**.

Existing Land Uses - Details

Land Use	Description	Sum Acres	Percent of Total
Residential		1,796.27	55.85%
Commercial & Service		118.95	3.70%
Transient-Residential (Hotel-Motel)		1.95	0.06%
Industrial		8.53	0.27%
Institutional		143.24	4.45%
Parks and Recreational Open Space (Including Preserves and Conservation Areas)		113.68	3.53%
Transportation, Communication, and Utilities		811.55	25.23%
Undeveloped		95.76	2.98%
Inland Water		126.21	3.92%
TOTAL		3,216.14	100%

Source: Miami-Dade County, Department of Regulatory and Economic Resources, Planning Research & Economic Analysis Section, March 2020.

5. Does the BGMAC area include any adjacent areas of ethnic minority and lower income residents in which a majority of those residents have so petitioned?

No adjacent unincorporated areas with a majority of ethnic minority or lower income residents have petitioned to be in the incorporation area.

6. Is the BGMAC area compatible, to the degree possible, with existing planned land uses and zoning of the areas surrounding the proposed municipality?

The BGMAC area is compatible with existing land uses and zoning of the areas surrounding the proposed municipality.

The proposed incorporation area is predominantly made up of well-established single-family residential neighborhoods with multi-family pockets and commercial zoning mostly along the major corridors. Most of these neighborhoods are comprised of low-density single-family homes zoned RU-1 and RU-TH, as well as duplex properties zoned RU-2. There are also some estate communities zoned EU-S and EU-M. Higher density residential uses are also found throughout the proposed incorporation area. These include areas zoned RU-3, RU-3M, RU4L, RU-4M, RU-4 and RU-4A, and RU-5A. (see **Figure 4: Zoning Map** on **page 23**.)

In addition to the residential uses, there are pockets of industrial uses throughout the proposed incorporation area, which primarily include land zoned IU-1 and IU-2 (Industrial District).

The commercial uses in the proposed incorporation area represent small shopping centers, strip malls, retail, and office establishments zoned BU-1, BU-1A, BU-2, and some BU-3 zoning districts.

In order to determine compatibility with the County's land use and existing zoning regulations, as described above, the municipality must provide information regarding the proposed zoning district regulations that demonstrates how compatibility with the existing and planned uses will be maintained.

It is important to note that, in order to avoid the potential abrogation of property rights, the proposed municipality must ensure that upon incorporation, the zoning designations applied to the incorporation area properties do not conflict with their existing residential, industrial and commercial uses or zoning.

7. Will the area, if currently qualified, continue to be eligible for any benefits derived from inclusion in federal or state enterprise zones, or targeted area assistance provided by federal, state and local government agencies?

The proposed incorporation area is currently qualified to receive benefits as part of the County's overall program. The State is no longer providing any incentives for enterprise zones.

8. Will the incorporation impact public safety response times?

Fire and Rescue:

The proposed incorporation will not impact the MDRF Department service delivery and/or response time. Currently, the area is served as part of UMSA. If the incorporation is approved, fire protection and emergency medical services will continue to be provided by the County and will continue to be served by the same stations and resources within the Fire District in an efficient and effective manner.

Police:

The proposed incorporation will not impact police response times. In the event the incorporation application is successful, the service area for MDPD within UMSA will be reduced. The new municipality is required to contract with MDPD for local police services for three years, the minimum staffing the municipality will contract will not impact police response times in the Area.

9. Are there any barriers to municipal traffic circulation due to existing security taxing districts, walled communities and/or private roads?

There are no guard districts, private roads, or walled communities in the BGMAC area.

10. Has the area been identified by the federal government as a flood zone or by emergency planners as an evacuation zone?

As shown in **Figure 5**, on **page 24**, a portion of the proposed incorporation area is located within the federally designated 100-year floodplain. This area will flood under sustained rains and property owners within it are required to obtain flood insurance.

As shown in **Figure 6**, on **page 25**, the central area of the proposed incorporation is within Storm Surge Planning Zone D, except for small areas on the east and western boundaries of the proposed incorporation that are within Zone E. These zones represent areas that could be affected by a storm surge of 1 ½ feet or higher during a hurricane, depending on the category of the storm, and are utilized to make evacuation decisions. As can be seen below, Zones A and B are at greatest risk for Category 1 and 2 storms and higher. Residents of the zones may be obligated to evacuate when hurricane warnings are issued.

- Zone A is at greatest risk for storm surge for Category 1 and higher storms.
- Zone B is at greatest risk for storm surge for Category 2 and higher storms.
- Zone C is at greatest risk for storm surge for Category 3 and higher storms.
- Zone D is at greatest risk for storm surge for Category 4 and higher storms.
- Zone E is at greatest risk for storm surge from Category 5 storms.

11. To the degree possible, would the proposed incorporation area be contained in one or more school district boundaries governing admission to elementary, middle, and high school as the adjoining municipality?

The proposed incorporation area is contained within the same school district boundaries as the adjoining municipalities, North Miami and North Miami Beach, and the unincorporated area of the County. Within the proposed municipality, there are seven elementary schools, four middle schools, and two high schools. The schools serving the proposed incorporation area include:

Elementary Schools

1. Linda Lentin K-8 Center
2. Arch Creek Elementary School
3. Benjamin Franklin K-8 Center
4. Biscayne Gardens Elementary School
5. Oak Grove Elementary School
6. Natural Bridge Elementary School
7. Fulford Elementary School

Middle Schools

1. Linda Lentin K-8 Center
2. Benjamin Franklin K-8 Center
3. Thomas Jefferson Middle School
4. John F. Kennedy Middle School

High Schools

1. North Miami Senior High School
2. North Miami Beach Senior High School

12. Is the evidence of area residents' and property owners' support, sufficient to warrant the costs of balloting electors?

As required by the Ordinance establishing the BGMAC, a total of three public hearings were held on December 7, 2004, October 15, 2014, and March 29, 2016 to discuss the proposed incorporation of the area. The BGMAC Board took into consideration the citizen comments at the public hearings and regularly scheduled BGMAC meetings when making their recommendation.

13. What is the existing and projected property tax costs for municipal-level services to the average homeowner in the area, as currently unincorporated and as incorporated, as a comparable Miami-Dade County city with a similar per capita property tax base?

The per capita taxable value within the incorporation area is \$31,125.15, which is lower than UMSA (\$68,324). The millage rate for UMSA is 1.9283, substantially lower than the millage rates for comparable municipalities. Municipalities in Miami-Dade County with similar per capita taxable values, area and population to the proposed incorporation area are found below with their corresponding millage rates for fiscal year 2019-20:

Comparable Per Capita and Millage Rates

Area	Per Capita Taxable Value	Millage Rate
UMSA	\$68,324	1.9283
Hialeah Gardens	\$58,513	5.1613
Miami Gardens	\$43,363	6.9363
North Miami	\$52,010	7.5000
North Miami Beach	\$71,272	6.2000

14. Are there any suitable alternatives to incorporation, including annexation to an existing municipality?

Four municipalities border the boundaries of the BGMAC's proposed incorporation area: Miami Gardens, North Miami, North Miami Beach, and Opa Locka. The northern and eastern boundaries of the proposed incorporation area border the municipal boundary of North Miami Beach. The eastern and southern boundaries border the City of North Miami, while the southwestern and northwestern boundaries border the cities of Opa Locka and Miami Gardens, respectively.

Of these four municipalities, only the City of North Miami (City) has expressed interest in annexing, however, the area of interest to the City is only 0.008 square miles (5.2 acres), as identified in the boundary change application referred by the Board to the PAB for review on December 17, 2013. **Exhibit 6** depicts the area the City requested to annex, which is bounded on the north by NE 149th Street, on the east by NE 11th Avenue (including those unincorporated portions of NE 11th Court), on the south by NE 147th Street and on the west by NE 10th Court.

The PAB held a public hearing on December 15, 2014 and recommended the Board approve the annexation. However, the PAB did not take into consideration that the BGMAC was also studying the area as part of its incorporation effort.

15. Is the BGMAC area totally contained within the Urban Development Boundary (UDB) depicted on the future Land Use Plan map of the Miami-Dade County's CDMP?

The proposed incorporation area is located inside the 2020 UDB as depicted on the County's CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map.

Consistency with the CDMP

The properties within the proposed incorporation area represent a variety of land use designations. Specifically, the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map designates the land within the proposed incorporation area as follows:

- Estate Density Residential
- Low Density Residential
- Low-Medium Density Residential
- Medium-High Density Residential
- Office Residential
- Business and Office
- Industrial and Office
- Parks and Recreation
- Institutions, Utilities, and Communications
- Transportation

The following is a brief description of the CDMP land use categories.

The “Estate Density” is a residential category that allows detached estates with densities ranging from 1.0 to 2.5 dwelling units per gross acre.

The “Low Density” residential category allows densities ranging from 2.5 to 6.0 dwelling units per gross acre. This density category is generally characterized by single family housing. It could include low-rise apartments, provided that the maximum gross density is not exceeded.

The “Low-Medium Density” category allows a density ranging from 6.0 to 13 dwelling units per gross acre. The types of housing typically found in this category include single-family homes, townhouses and low-rise apartments.

The “Medium-High Density” category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings depends on the dimensions of the site, location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas.

The “Office Residential” category allows both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunication facilities that are ancillary uses to the businesses in a development are also allowed.

The “Business and Office” CDMP land use category allows retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Light industrial uses are also permitted in the “Business and Office” category within an approved Employment Center. Also allowed are telecommunication facilities such as cell towers and satellite telecommunication facilities.

The “Industrial and Office” CDMP land use designation allows manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunication facilities are allowed, including switching and transmission facilities, satellite telecommunications facilities, microwave towers, radar stations and cell towers.

The “Parks and Recreation” land use category includes parks and recreation areas of metropolitan significance, including State parks and the Biscayne and Everglades National Parks. Also included are golf courses and other parks of approximately 40 acres and larger which are significant community features, as well as neighborhood local parks smaller than 40 acres. Both governmentally and privately-owned lands may be designated for Parks and Recreation uses. Compatible parks are encouraged in all of the residential categories and may be allowed in all other categories of the LUP map. The siting and use of future parks and recreation areas shall be guided by the Recreation and Open Space, and Capital Improvements Elements, and by the goals, objectives and policies of the CDMP, and by the Miami-Dade County Parks and Open Space System Master Plan.

The “Institutions, Utilities and Communications” land use category allows the full range of institutions, communications and utilities. Offices are also allowed in this map category. Internally

integrated business areas smaller than 5 acres in size or up to 10 percent of the total floor area of an institutional, public facility or office use may also be approved in this map category. If the owner of land designated as Institutions, Utilities and Communications chooses to develop the land for a different use and no public agency intends to use the site for a public facility, the land may be developed for a use or a density comparable to and compatible with surrounding development providing that such development is consistent with the goals, objectives and policies of the CDMP especially Policies LU-4A and LU-4B.

The “Transportation” CDMP land use category includes roadways, rapid transit corridors, railways and major switching yards, and such major terminals as the County airports and the Miami-Dade Seaport.

The BGMAC Conceptual Agreement dated June 14, 2014 recognizes the CDMP land use designations of the proposed incorporation area properties and states that “the local government comprehensive plan adopted by the proposed municipality, pursuant to Chapter 163, Part II, Florida Statutes, shall be consistent with the adopted Miami-Dade CDMP, as it may be amended from time to time.”

16. What is the impact of the proposal on the revenue base of the unincorporated area, and on the ability of the County to efficiently and effectively provide services to adjacent remaining unincorporated areas?

County staff conducted a financial analysis to determine the impact the incorporation of this area will have on the UMSA budget. The Impact to UMSA analysis below estimates revenues and expenses for a particular area. The revenue and expense ratios are based on the FY 2019-20 budget. The assumptions in preparing the Impact to UMSA do not include: local option gas tax revenue and expenditures; canal maintenance revenues and expenses; proprietary activities such as building, zoning, and solid waste; and fire and library districts. The revenues and expenditures are based on budgetary estimates, not actuals.

As noted below, the proposed incorporation area generates approximately \$9.6 million in UMSA revenue, and the County spends approximately \$13.02 million providing services to the area. The incorporation of the BGMAC area will have a positive impact on the remaining unincorporated area of approximately \$3.4 million.

Impact to Unincorporated Municipal Service Area – BGMAC

Based on FY 2019-20 Budget	Assumptions	
<i>Property Tax Revenue</i>	<i>Allocation based on tax roll & millage</i>	\$2,007,177
<i>Sales Tax</i>	<i>Allocation based on \$94.86 per person</i>	\$3,304,516
<i>Utility Taxes</i>	<i>Allocated based on tax roll/population</i>	\$2,059,557
<i>Communications Tax</i>	<i>Allocated based on tax roll/population</i>	\$592,174
<i>Alcoholic Beverage License</i>	<i>Allocation based on \$0.23 per person</i>	\$8,004
<i>Business Tax</i>	<i>Allocation based on \$1.08 per person</i>	\$37,720
<i>Interest</i>	<i>Allocation based on .795% of total revenue</i>	\$47,451
<i>Sheriff and Police Fees</i>	<i>Allocation based on population</i>	\$98,956
<i>Administrative Reimbursement</i>	<i>Allocation based on tax roll/ population</i>	\$364,363
<i>Cash Carryover</i>	<i>Allocation based on tax roll/ population</i>	\$1,065,359
<i>Miscellaneous Revenues</i>	<i>Allocation based on \$0.55 per person</i>	\$19,151
Revenue to UMSA		\$9,604,427
Cost of Providing UMSA Services		
Police Department UMSA Police Budget (without specialized)		\$9,708,520.73
Parks, Recreation and Open Spaces Dept.	Based on cost of parks	\$1,094,100
Right-of-Way Maintenance Centerline Miles	Centerline miles times cost per lane mile	\$324,011
Policy Formulation Commission, Mayor, County Attorney	Direct Cost multiplied by 2.67%	\$297,081
Internal Support Information Technology, Internal Services, Human Resources Communications, Audit and Management, Management and Budget	Direct Cost multiplied by 4.65%	\$517,388
Planning and Non-Departmental Regulatory and Economic Resources, Rec. and Culture, Economic Development, Neighborhood Infrastructure	Direct Cost multiplied by 7.8%	\$867,877
QNIP Debt Service Payment	Utility Taxes as a % of debt service 10.7%	\$220,373
Cost of Providing UMSA Services		\$13,029,352
Net to UMSA		(\$3,424,924)
1. Does not include gas tax funded projects 2. Does not include canal maintenance revenues or expenses 3. Does not include proprietary activities: Building, Zoning, Solid Waste 4. Does not include Fire and Library Districts 5. Revenues are based on allocations not actuals Disclaimer: These calculations do not represent a projected or suggested municipal budget. They indicate only the fiscal impact of this area's incorporation on the remaining UMSA.		
2019 Taxable Property Rolls		\$1,084,275,851
2019 Area Population		34,836
2019 UMSA Population		1,196,921
2019-20 UMSA Millage		1.9283
Patrollable Sq. Miles - UMSA		207.90
Total Calls For Service - UMSA CY 2018		625,021
Part 1 Crimes - UMSA 2018		36,864
Part 2 Crimes - UMSA 2018		16,639
Patrollable Sq. Miles - Study Area		5.00
Total Calls for Service - Study Area		18,600
Part 1 Crimes - Study Area		1556
Part 2 Crimes - Study Area		550
Cost per Centerline Mile		\$3,839
Number of Centerline Miles		84.4
Per Capita Taxable Value		\$31,125.15

17. Does the per capita taxable value in the BGMAC area fall between \$20,000 and \$48,000?

Yes, the per capita taxable value in proposed incorporation's area is \$31,125, however the unincorporated area per capita taxable value is \$68,324.

18. What potential revenue sources and facilities will be made available to the proposed municipality upon incorporation?

All the eligible municipal revenues will be available to the proposed municipality. The local parks in the area will be conveyed to the proposed municipality. All local roads will be conveyed to the proposed municipality.

19. Will the BGMAC area continue to participate in the County's Fire-Rescue and Library Districts?

As a condition of incorporation, the new municipality will be required to stay within the County's Fire-Rescue and Library Districts. Additionally, the area will remain within the County's Solid Waste District.

20. Will the BGMAC area contract with the County for other municipal services?

As a condition of incorporation, the BGMAC area will be required to contract with the Miami-Dade Police Department for a minimum of three years for local patrol services. The future municipality could contract with the County for other services.

21. Does the BGMAC area contain any community redevelopment agencies?

There are no community redevelopment agencies with the BGMAC boundaries.

SERVICE IMPACT / DEMAND

Community Action and Human Services Department (CAHSD):

CAHSD retains no sites or tenancies within the proposed incorporation area. As a result, the creation of a new municipality within the BGMAC poses no significant disruption or concerns to CAHSD.

Miami-Dade Fire Rescue:

Section 20-26 of the Code requires new municipalities to remain in the MDFR District, resulting in no operational or fiscal impact to the District. The proposed incorporation is not expected to negatively impact response times to the area.

Service Calls for the Last Three Calendar Years

	2016	2017	2018
Life Threatening Emergencies			
Number of Alarms	3,278	2,904	2,772
Average Response Time	7:16	7:18	7:20
Structure Fires			
Number of Alarms	64	72	65
Average Response Time	4:58	4:44	4:38

Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90 percent of all incidents. Travel time to the vicinity of the incorporation area complies with this performance objective.

Existing Service

Fire Station	Address	Equipment	Staff
32	358 NE 168 th Street	Rescue, Engine	7
31	17050 NE 19 th Avenue	Rescue, Aerial	7
22	15655 Biscayne Boulevard	Recue, Aerial	7
20	13000 NE 16 th Avenue	Recue, Engine & Battalion	8
18	13810 NE 5 th Avenue (Temp.)	Rescue	3
19	650 NW 131 st Street	Rescue, Aerial	7
54	15250 NW 27 th Avenue	Rescue, Engine	7

MDFR has no new planned station in the vicinity of the incorporation area. If the incorporation is approved, fire protection and emergency medical services will continue to be provided by MDFR served by the same stations and resources.

Miami-Dade Police:

The MDPD currently patrols approximately 207.90 square miles in UMSA, including 5.1 square miles within the proposed incorporation area. The proposed incorporation area is located within the Miami-Dade Police Department Intracoastal District. Statistical information was extracted from the Crime Data Warehouse database. The Calls-For-Service in the incorporation area for 2016, 2017, and 2018, include emergency, priority and routine police calls. In the event the incorporation is successful, the UMSA service area will be reduced.

Calls For Service – BGMAC Area

Year	Criteria	Routine Calls	Code 3 Emergency Calls	Code 2 Emergency/Priority Calls	All Calls
2018	Total Calls	15,919	1,523	1,158	18,600
2017	Total Calls	18,118	1,605	1,276	20,999
2016	Total Calls	17,611	1,511	1,375	20,497

Part I and Part II Crimes – BGMAC Area

Year	Part I Crimes	Part II Crimes	Total
2018	1,556	550	2,106
2017	1,696	652	2,348
2016	1,585	548	2,133

Definition of Code 2 Emergency: A situation which poses a potential threat of serious injury or loss of human life which may require swift police action; e.g., assault, robbery, or burglary of an occupied structure in progress; hazardous chemical spill; toxic gas leak; serious motor vehicle crash in which the extent of injuries is unknown; etc.

Definition of Code 3 Emergency: A situation or sudden occurrence which poses an actual threat of serious injury or loss of human life and which demands swift police action; e.g., seriously ill or injured person, shooting, sexual battery, etc.

Definition of Part I Crimes: Uniform Crime Report (UCR) Part I Offenses are those crimes reported to MDPD in the following classifications; murder and non-negligent manslaughter, robbery, aggravated assault, forcible rape, motor vehicle theft, larceny, burglary. The UCR is a standard method of reporting crime, administered by the Federal Bureau of Investigation through the UCR Program. The classification for the offense is based on a police investigation, as opposed to determinations made by a court, medical examiner, jury, or other judicial body.

Definition of Part II Crimes: All crimes not covered under Part I Crimes.

Department of Regulatory and Economic Resources (RER):

A description of the services provided by RER, information relating to chapter 24 of the Code, and assessment of environmental issues within the proposed BGMAC incorporation area are included below. Services provided by RER in the proposed area include but are not limited to:

1. Building Permits
2. Zoning Actions
3. Platting Actions (Land Subdivision)
4. Building Occupancies (Residential and Nonresidential)
5. Occupational Licenses

RER reviews applications for consistency with the requirements of the Code. The review includes but is not limited to the following:

- Protection of public potable water supply wellfields
- Potable water supply/wastewater disposal
- Liquid waste disposal
- Stormwater management and disposal
- Tree resources preservation and protection
- Wetland preservation and protection
- Coastal resources preservation and protection
- Air quality requirements
- Flood protection

The following is a description of the services that the new municipality will be required to assume.

National Flood Insurance Program (NFIP) Community Rating System

The NFIP is a program wherein the Federal Emergency Management Agency (FEMA) agrees to subsidize flood insurance policies for residents of a community, if the community agrees to enforce minimum flood protection standards. The Community Rating System (CRS) is a voluntary program for NFIP participating communities. The County participates in the CRS and currently maintains a Class 5 rating, which provides properties located within unincorporated Miami-Dade County a 25 percent premium discount within a Special Flood Hazard Area and a 10 percent premium discount within a non-Special Flood Hazard Area.

If incorporated, the Area would need to apply to FEMA to participate in the Community Rating System and be responsible for establishing and enforcing flood protection standards within the incorporated area.

Flood Protection

The Area is within Flood Zone X and Special Flood Hazard Area AE 7 as determined by FEMA Flood Insurance Rate Maps. If approved, the Area will assume flood plain management within the incorporated area.

Stormwater Management Master Plan

The County is divided into drainage basins, which are then modeled to determine what drainage is needed for each area, now and in the future. By planning for future drainage needs, the County can ensure that the level of flood protection provided to residents is maintained. Upon incorporation and exemption from the County Utility, stormwater master planning will become the responsibility of the Area.

Stormwater Utility (SWU) Program and Fees

Developed properties in the proposed incorporation area are currently paying stormwater utility fee to Miami-Dade County (County). In 1995, the Board adopted Ordinance 95-195, thereby granting municipalities the option to obtain an exemption from the County Utility, and in turn create a local stormwater utility. If the proposed municipality is created, the municipality will have the option to create its own stormwater utility, and seek an exemption from the County Utility. Until an exemption is granted, all stormwater utility fees collected in the Area will remain part of the County Utility, all revenue collected will remain County stormwater utility funds.

The Miami-Dade Water and Sewer Department and the Miami-Dade Stormwater Utility Section, currently bill and collect stormwater utility fees from properties in the Area. Upon incorporation and exemption from the County Utility, it will be the responsibility of the newly created municipality to collect these fees, either independently or through interlocal agreements with these County departments.

Interlocal Agreement for Stormwater Utility Bonds Debt Service Payments

The new municipality will remain part of the Miami-Dade Stormwater Utility until exemption. Should the new municipality create its own stormwater utility and be exempted from the Miami-Dade Stormwater Utility, it shall pay its pro-rata share of the debt service on the County's Stormwater Utility Revenue Refunding Bonds for the Area. Currently, the Area's Equivalent Residential Units (ERU) is approximately 15,255. The Area's debt service payment to the County attributable to the proposed incorporation area would be approximately \$161,000 annually, until 2029.

For such exemption, the new municipality shall enter into an Interlocal Agreement with the County for the costs of the bond debt service. Bond debt service payments to the County will initiate immediately upon exemption from the County Utility.

The following conditions are required as a part of the incorporation approval, upon exemption from the County Utility:

1. Interlocal Agreement for cost sharing the maintenance of County Secondary Canals
2. Interlocal Agreement for Stormwater Utility Bond Debt Service Payments

Interlocal Agreement for Maintenance of Secondary Canals

The County operates and maintains stormwater infrastructure including a network of County secondary canals. The County will retain ownership and jurisdiction of all secondary canals within the incorporated area. The Area, upon exemption from the County Utility, will be required to enter into an Interlocal Agreement to cost-share, in perpetuity, the maintenance of the secondary canal systems, which may include portions of open channels, slab-covered trenches, control structures, pump stations, and/or culverts that provide stormwater conveyance benefits to the area.

Portions of the following County secondary canals provide drainage services and flood protection benefit to the proposed incorporation area, and may be included in the stormwater management interlocal agreement:

- Spur #1 Canal
- Spur #4 Canal
- Biscayne Gardens Ditch

- NE 5 Avenue Ditch
- NW 5 Ave Ditch
- NE 6 Ave / 151 St Ditch
- NW 150 St Spur Biscayne Pump and Ditch
- Seaboard Acres NE 2 Ave Ditch
- Biscayne River Ditch

Actual costs and canals included will be determined at the time of exemption from the County Utility, and the new municipality will be billed annually for its cost-share of the canal maintenance.

Tree and Forest Program

The Area may establish and enforce its own tree and forest resources ordinance provided such ordinance is equivalent to or more stringent than the provisions set forth in the County's Tree and Forest Protection Standards, pursuant to section 24-2 of the Code. If the Area does not adopt its own tree and forest resources ordinance as permitted by chapter 24, DERM shall continue to enforce the provisions of chapter 24 related to tree preservation and protection, currently codified as Division 2 of Chapter 24, in the same way as in the unincorporated area.

Interlocal Agreement for National Pollutant Discharge Elimination System (NPDES)

NPDES is a nationwide permit program that has an objective of controlling pollution that is inherent in stormwater runoff. NPDES started as a federal program and has now been delegated to the State of Florida. Municipalities must apply to, and receive from, the State a permit that outlines best management programs designed to reduce the pollution in stormwater runoff. These stormwater management programs can consist of sampling programs, educational programs, street sweeping, drainage inspection and maintenance, and various other best management practices.

The County's NPDES Permit No. FLS000003 is a joint permit with 32 co-permittees, with the County as the lead agency. Because sampling of stormwater runoff is required, the County performs the sampling and all the parties to the permit cost-share the monitoring costs through an interlocal agreement. Co-permittees also cost-share NPDES required modeling and results. Upon exemption from the County Utility, the municipality will be required to contribute to the annual cost-share as a co-permittee. Additionally, the Area will be required to pay the NPDES Permit Surveillance fee.

Department of Solid Waste Management (DSWM):

DSWM currently provides waste collection services to 6,791 residential and commercial waste units located in the proposed incorporation area. In accordance with sections 20-25 and 15-013 of the Code, the County shall retain authority for residential garbage and refuse collection and disposal in all areas that incorporate after February 6, 1996, pursuant to Ordinance No. 96-30. In the event that nonresidential land or property located within the proposed incorporation area is developed or rezoned for residential units, DSWM will also provide collection and disposal services to those units.

Parks Recreation and Open Spaces (PROS):

The proposed incorporation will result in the conveyance of the following local community parks to the new municipality:

- Biscayne Gardens Park a passively developed park located at 15951 NW 2nd Avenue
- Jeb Estates Park a passively developed park located at 14520 NW 16th Court
- Oak Grove Park located at 690 NE 159th Street

In the Oak Grove Park, PROS operates afterschool and summer programming with no charge. These services will have to be assumed by the new municipality, if it wishes to continue to offer such afterschool and

summer programming. Funding for these programs is currently available through a grant from The Children's Fund.

Additionally, it is important to note that subsequent to the BGMAC September 23, 2014 Report, PROS developed the Father Gerard Jean Juste Community Center at the Oak Grove Park. The one-story 20,000 square foot Center includes an aquatic pool, a splash pad, restrooms, locker rooms, and showers. Building this Center significantly increased the park operating cost over \$1 million annually. This community center would be conveyed to the new municipality along with the park, upon incorporation.

Transportation and Public Works (DTPW):

There are approximately 84.4 centerline miles in the proposed incorporation area. Approximately 71.2 centerline miles will be transferred to the proposed municipality (the "Road Segments.") Notwithstanding any such transfer, the right and responsibility of all traffic engineering matters to regulate traffic and determine appropriate measures and install, maintain, modify or remove traffic control devices such as traffic signals, signs, and pavement markings, roundabouts or other traffic-calming devices within the municipality will remain with the County. In addition, the County shall retain control over all road closures. The County has jurisdiction over all traffic engineering matters within the County, including within municipalities, except for State road rights-of-way. The County has the authority to set the hours and days that construction by any County department or agency shall take place in, or on, any public street, with prior written notice to the City. The City shall not levy any fee or require a permit from any County department, agency or instrumentality for work within, beneath, or upon the Road Segments. The City will agree to accept all legal rights, responsibilities and obligations with respect to the Road Segments, including, but not limited to, the operation, maintenance, planning, design, and construction of the Road Segments except for the traffic engineering. The County will retain the following roads (approximately 13.2 centerline miles):

Roads to Remain Under County Purview

Street Name	From	To
NW 6 th Avenue	NW 151 st Street	NW 2 nd Avenue
NW 2 nd Avenue	NW 128 th Street	NW 151 st Street
NW 2 nd Avenue	NW 154 th Street	NW 167 th Street
N Miami Avenue	NW/NE 128 th Street	NW/NE 167 th Street
NE 2 nd Avenue	NE 159 th Street	NE 167 th Street
NE 10 th Avenue	NE 147 th Street	NE 151 st Street
NE 12 th Avenue	NE 143 rd Street	NE 151 st Street
NE 16 th Avenue	NE 143 rd Street	NE 151 st Street
S Biscayne River Drive	N Miami Avenue	NW 151 st Street
Memorial Highway	NE 135 th Street	NW 154 th Street
NW 143 rd Street	NW 7 th Avenue	N Miami Avenue
NW 151 st Street	NW 7 th Avenue	S Biscayne River Drive
NE 151 st Street	NE 10 th Avenue	NE 18 th Avenue
NW/NE 159 th Street	NW 6 th Avenue	NE 8 th Avenue

Water and Sewer Department (WASD):

The proposed incorporation area is within the North Miami Beach and the North Miami water service areas, approximately 90 percent and 10 percent respectively and the sewer service area is within WASD and North Miami sewer service area, 80 percent and 20 percent respectively. The wastewater flows for the incorporation area collected by WASD and North Miami will be transmitted to the North District Wastewater Treatment Plant for treatment and disposal. Request for future sewer service within the incorporation area shall be determined by the respective Utility providing the sewer service based on the adequacy and capacity of the sewer systems at the time of the proposed development.

The County will retain jurisdiction over the two pump stations within the proposed incorporation area: Pump Station No. 496 and No. 497.

Currently, there are no GOB projects under construction within the proposed incorporation area. The proposed incorporation will have no impact on WASD's ability to provide services to the remaining areas in the vicinity.

Facilities of Countywide Significance:

The County's policy regarding Facilities of Countywide Significance is to maintain regulatory control over land use and development for such facilities. Specifically, section 20-8.6 (c) of the Code, requires that the County retain jurisdiction of such facilities as a condition of incorporation. As stated in section 20-28.1 of the Code, the County shall not transfer operation, maintenance, or regulatory jurisdiction of such facilities to a municipality. Furthermore, adherence to this requirement is a condition of incorporation and shall be included in the municipal charter of such area.

The following County departments have notified the Office of Management and Budget (OMB) of the proposed facilities of countywide significance within the incorporation boundaries.

1. DSWM, has identified one facility of countywide significance located in the proposed incorporation area:

Golden Glades Trash & Recycling Center, located at 140 NW 160th Street

DSWM does not have any additional facilities or services planned for the proposed incorporation area or the immediate surrounding vicinity.

2. WASD has identified the following facilities:

WASD pump stations No. 496 (15 NE 166th Street), 497 (405 NE 166th Street).

Land Use Covenants - Declaration of Restrictions within the Incorporation Area.

The Board shall require, as a condition of incorporation, that the Board retain jurisdiction over the modification or deletion of declarations of restrictive covenants accepted by either the Board or a Community Zoning Appeals Board in connection with CDMP applications or zoning applications, regardless of whether such declaration provides for modification or deletion by a successor governmental body. It is provided, however, that the Board may not exercise such jurisdiction unless the applicable municipality has first approved the modification or deletion. If any such declaration of restrictive covenant is not brought to the Board, any action relating to the covenant by the municipality shall not be deemed final until the requirement of County approval is complied with. The identification of any declarations of restrictive covenants shall be the responsibility of each zoning applicant in the municipality.

c: Jennifer Moon, Deputy Mayor/ Director, Office of Management and Budget

Exhibit 1 - Map of BGMAC area

Exhibit 2 - BGMAC's Pro Forma Budget

Exhibit 3 - Consultant's Review of BGMAC Budget

Exhibit 4 - BGMAC's Resolution

Exhibit 5 - BGMAC's Conceptual Agreement

FIGURE 1

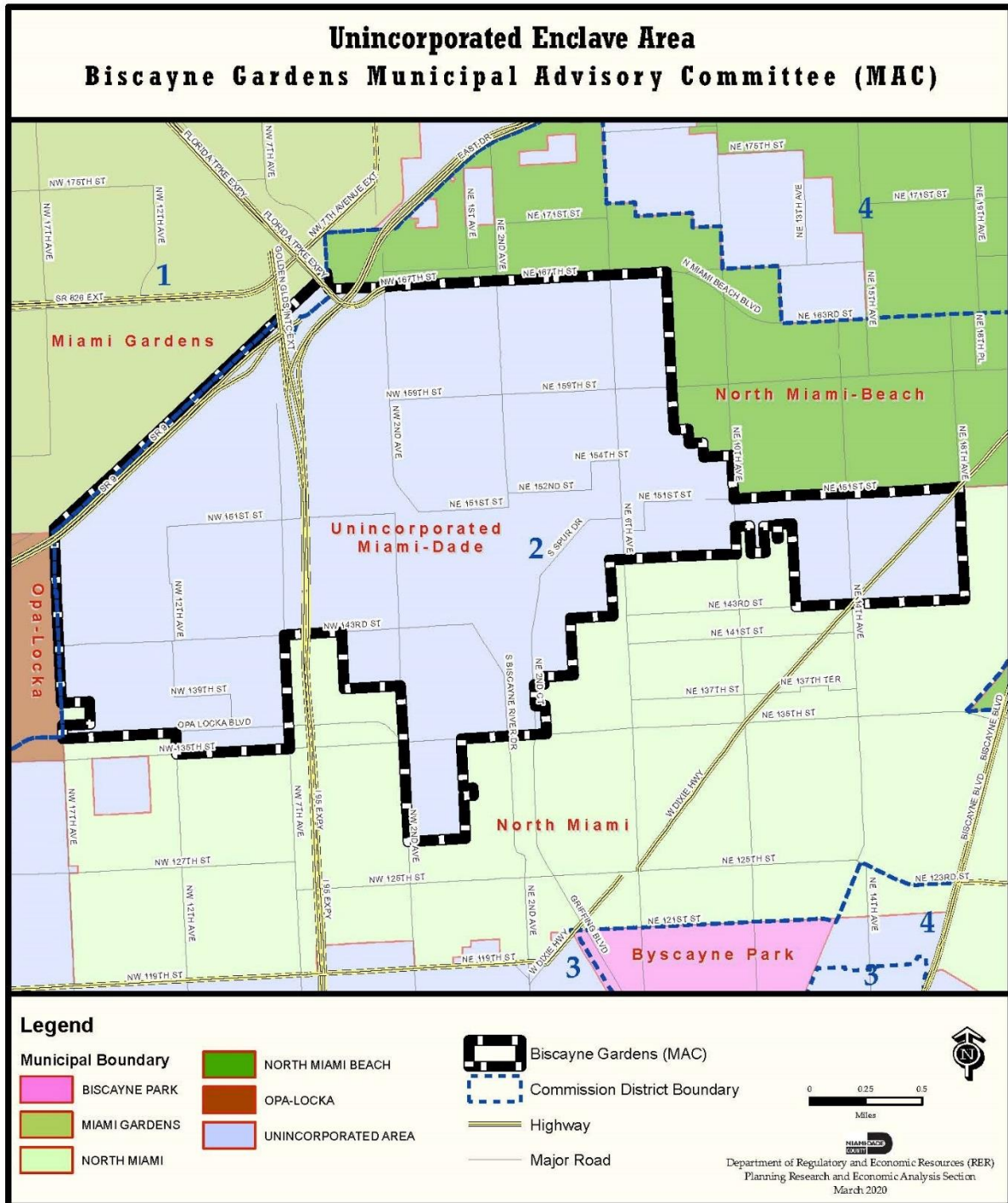


FIGURE 2

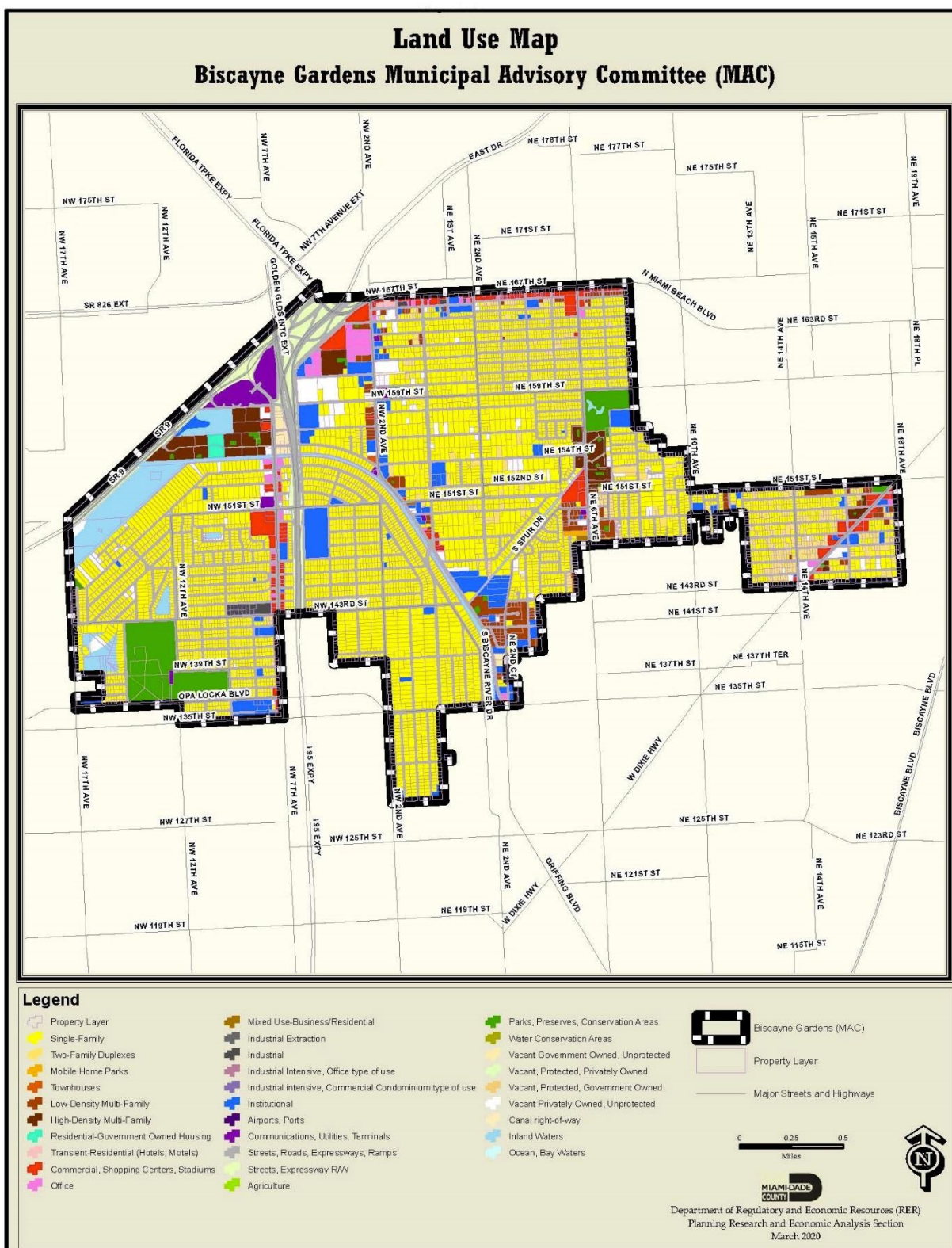


FIGURE 3

Land Use	Description	Sum Acres	Percent of Total
Residential		1,796.27	55.85%
10	Single-Family, Med.-Density (2-5 DU/Gross Acre).	1,090.79	60.73%
11	Single-Family, High Density (Over 5 DU/Gross Acre, other than Townhouses, Duplexes and Mobile Homes).	7.47	0.42%
12	Townhouses.	2.18	0.12%
13	Single-Family, Low-Density (Under 2 DU/Gross Acre).	438.97	24.44%
20	Two-Family (Duplexes).	98.59	5.49%
30	Multi-Family, Low-Density (Under 25 DU/Gross Acre).	76.99	4.29%
35	Multi-Family, High Density (Over 25 DU/Gross Acre).	72.24	4.02%
61	Mobile Home Parks and Permanent Mobile Homes.	3.77	0.21%
69	Residential MF-- government-owned or government subsidized multi-family residential or elderly housing	5.27	0.29%
Commercial & Service		118.95	3.70%
110	Sales and Services (Wholesale facilities, Spot commercial, strip commercial, neighborhood shopping centers/plazas). Excludes office facilities.	91.49	76.92%
113	Office Building.	26.12	21.96%
170	Office and/or Business and other services (ground level) / Residential (upper levels). Low-density < 15 dwellings per acre or 4 floors.	1.21	1.02%
180	Residential predominantly (condominium/ rental apartments with lower floors Office and/or Retail. High density > 15 dwelling units per ac, multi-story buildings (Generally more than 5 stories).	0.12	0.10%
Transient-Residential (Hotel-Motel)		1.95	0.06%
200	Transient-Residential (Hotel-Motel)	1.95	100.00%
Industrial		8.53	0.27%
320	Industrial Intensive, heavy-light manufacturing, and warehousing-storage type of use	8.23	96.40%
339	Industrial Extensive	0.31	3.60%
Land Use	Description	Sum Acres	Percent of Total
Institutional		143.24	4.45%
411	Public Schools, Including Playgrounds (K-12, Vocational Ed., Day Care and Child Nurseries).	34.34	23.97%
412	Private Schools, Including Playgrounds (K-12, Vocational Ed., Day Care and Child Nurseries).	16.72	11.67%
420	Cultural (auditoriums, convention centers, exhibition centers, museums, art galleries, libraries).	2.30	1.60%
430	Hospitals, clinics, medical offices and/or dental facilities	11.40	7.96%
435	Nursing homes, Assisted living facilities, and Adult congregate living quarters	15.92	11.11%
440	Houses of Worship and Religious, and associated uses (parking, retreat houses, residencies, childcare, etc.).	57.33	40.02%
450	Governmental/Public Administration (Other than Military or Penal).	0.42	0.29%
460	Penal and Correctional.	3.25	2.27%

Land Use	Description	Sum Acres	Percent of Total
470	Social Services, and Charitable institutions (Shrines, Elks, Moose, Lions Club).	1.57	1.10%
Parks and Recreational Open Space (Including Preserves and Conservation Areas)		113.68	3.53%
510	Municipal Operated Parks	0.00	0.00%
517	Private Recreational Facilities Associated with private Residential Developments, except marinas/yacht basins, includes landscape and open spaces associated to residential, commercial and office developments.	5.30	4.66%
518	Private Recreational Camps/Areas not associated with private Residential Developments (Boy Scout/Girl Scout Camps, Private Recreational Camps). Includes private tennis courts and pools that are part of the recreational complex.	0.00	0.00%
540	Cemeteries.	83.11	73.10%
550	County Operated Parks.	25.28	22.24%
Transportation, Communication, and Utilities		811.55	25.23%
620	Railroads - Terminals, Trackage, and Yards.	19.95	2.46%
630	Electric Power (Generator and Substation, and Service Yards).	2.39	0.29%
640	Streets and Roads, except Expressways and Private Drives.	618.28	76.19%
641	Paved Highways, Expressways and Ramps.	65.21	8.03%
642	Private Drives.	8.86	1.09%
645	Highways and Expressways right-of-way and associated open and landscaped areas excluding paved expressways and ramps.	47.12	5.81%
646	Street right-of-way and entrance features both public and private, and utility easements.	17.48	2.15%
650	Parking - Public and Private Garages and Lots.	17.53	2.16%
660	Solid Waste Disposal and Transfer (Includes Dumps, Solid Waste Land Fills, Resource Recovery Plants and Facilities, Trash Transfer Stations).	2.76	0.34%
670	Road Maintenance and Storage Yards, and Motor Pools.	11.97	1.47%
Undeveloped		95.76	2.98%
801	Vacant Government owned or controlled.	11.55	12.06%
804	Vacant, Non-Protected, Privately-Owned.	84.22	87.94%
Land Use	Description	Sum Acres	Percent of Total
Inland Water		126.21	3.92%
910	Rivers and Canals (Water)	37.48	29.70%
918	Inland water bodies (Lakes, Watercourses) associated with residential developments.	86.90	68.86%
920	Other inland water bodies (Lakes, Ponds, Watercourses other than rivers and canals), including road borrow pits.	1.82	1.44%
TOTAL		3,216.14	100%

Source: Miami-Dade County, Department of Regulatory and Economic Resources, Planning Research & Economic Analysis Section, March 2020.

FIGURE 4

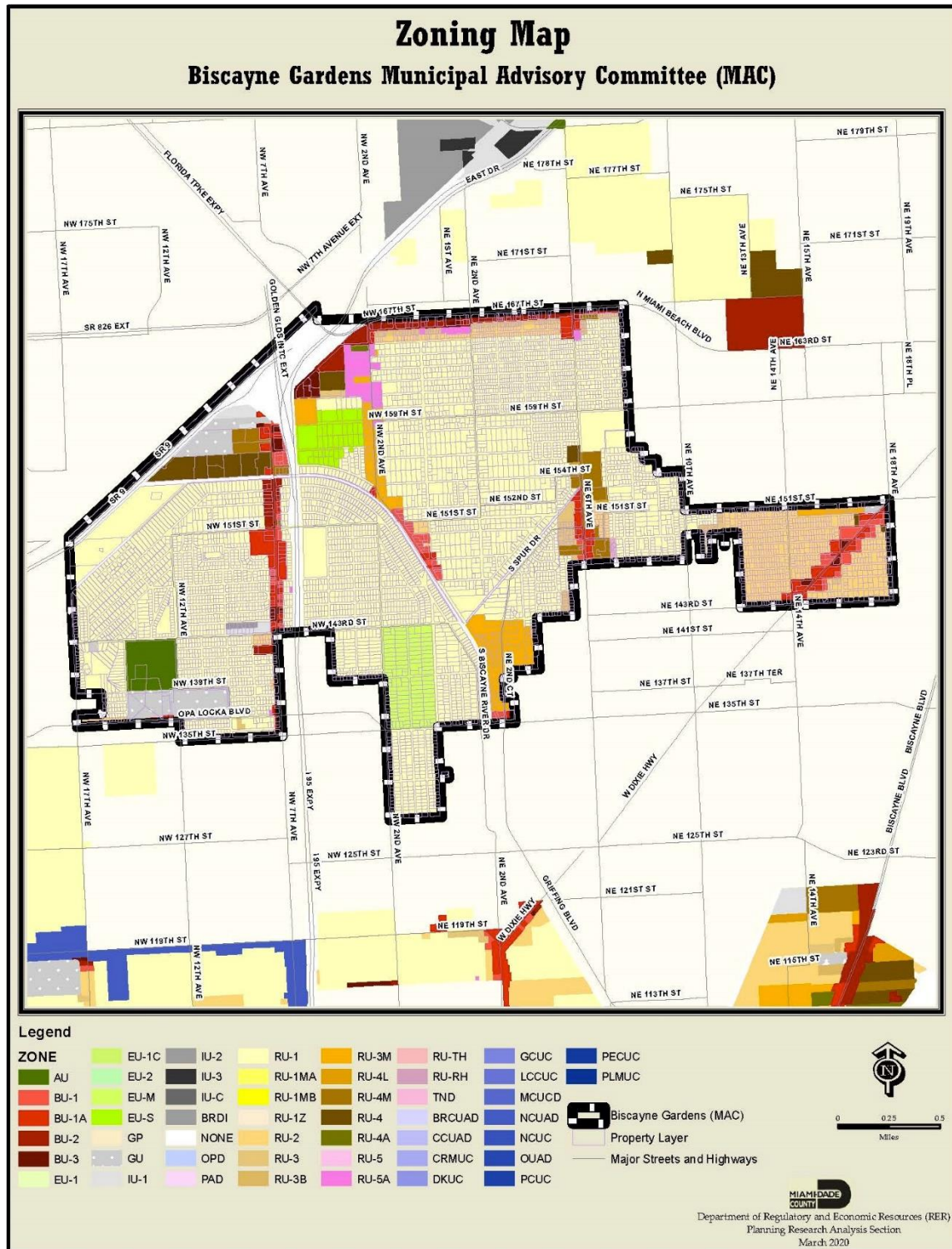


FIGURE 5

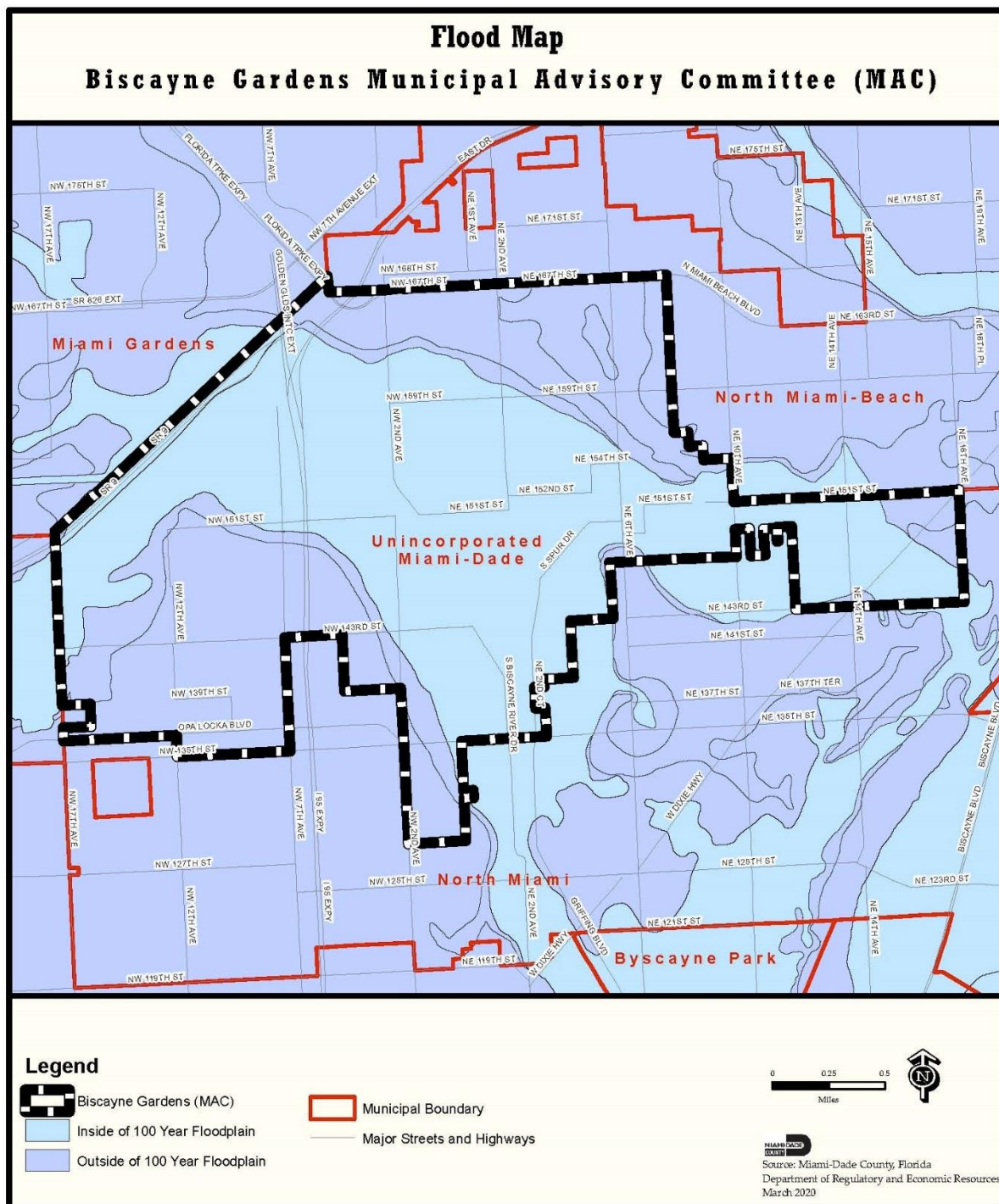


FIGURE 6

