

North Central Dade Municipal Advisory Committee



Arcola Lakes Library - 8240 NW 7th Avenue
June 28, 2023 - 6:00 p.m.

County Commission Rules - Rule 6.05 DECORUM

Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the commission, shall be barred from further audience before the commission by the presiding officer, unless permission to continue or again address the commission be granted by the majority vote of the commission members present. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted. No signs or placards shall be allowed in the commission chambers. Persons exiting the commission chamber shall do so quietly.

1. Call to Order & Roll Call
2. Reasonable Opportunity for Public Comments
3. Approval of Agenda
4. Approval of Minutes
 - February 16, 2022, Meeting
5. Discussion on Continuation of Feasibility Study
 - Reference – BCC Ordinance No. 22-128
6. Review Activities Since Board Reconvened in 2021
7. Discussion on Task Pending Feasibility Study Completion
 - Develop a Pro-Forma Budget
 - Third Party Analysis of Proposed Pro-Forma Budget
 - Conduct Public Hearings to Ascertain Desirability to Incorporate
 - Discuss Public Hearings Findings
 - Adopt a Conceptual Agreement, if seeking to incorporate
 - Adopt a Resolution forwarding to BCC Feasibility Study Findings and Board decision to recommend whether to incorporate
 - If recommending incorporation, prepare for Planning Advisory Board Public Hearing
8. Next Meeting Date and Location
 - Wednesdays, July 26, or August 2, 2023, 6:00 P.M. – Arcola Lakes Library
9. Adjournment

North Central Dade Municipal Advisory Committee



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February 16, 2022 - Meeting Minutes

Held at Arcola Lakes Library - 8240 NW 7th Avenue, Miami, FL

Call to Order and Roll Call

Board Chair Valencia Gunder called the meeting to order at 6:12 P.M.

Mr. Jason Emilio Rodriguez, Senior Business Analyst, Miami-Dade County Office of Management and Budget (OMB) announced that staff received non-attendance notices from Ms. Vanessa Woodard Byers and Ms. Danielle Pierre. He announced that Vice Chair Keith Carswell and Mr. Aaron McKinney were expected to arrive shortly.

Board members in attendance: Chair Valencia Gunder, Dr. Joy Davis, and Mr. Joseph Beauvil

Absent: Ms. Vanessa Woodard Byers, and Ms. Daniella Pierre.

Board members who joined the meeting while in progress: Vice Chair Keith Carswell and Mr. Aaron McKinney.

County Liaison Staff in attendance: Ms. Rasha Cameau, Assistant Director, OMB, Ms. Chimene Graham and Mr. Jason Emilio Rodriguez, OMB Senior Business Analysts.

Reasonable Opportunity for Public Comments

No members of the public in attendance requested to participate. - Chair Gunder closed the public participation.

Miami Dade County Departments Presentations

Parks, Open Spaces and Recreation (PROS)

Chair Gunder announced that the approval of meeting Agenda and Minutes would be consider when additional Board members arrive to established Board quorum. Chair Gunder stated that in the meantime, Miami Dade County Parks, Open Spaces and Recreation staff could proceed with their presentation.

Mr. Angus Laney, Budget Chief, PROS Department introduced his colleagues Mr. Eric Hansen, Chief of Recreation Programming and Mr. Daniel Barcia, Superintendent, Community, Neighborhood Parks & Aquatics. Mr. Laney stated that some of the programs in the parks that will be deeded to the new municipality are funded through grants from the Children's Trust Fund.

Mr. Laney provided the MAC Board with a map depicting all the parks within the boundaries of the proposed municipality. There are a total of 17 local parks that will be deeded to the municipality should the area incorporate.

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PARK NAME	ADDRESS	ACRES	CLASS
27th Avenue Teen Center	6940 NW 27TH AVE	1.39	SINGLE PURPOSE PARK
Arcola Lakes Park	1301 NW 83RD ST	18.24	COMMUNITY PARK
Arcola Lakes Park - Pool	1301 NW 83RD ST		COMMUNITY PARK
Area 222	769 NW 73RD ST	0.58	MINI-PARK
Area 225	3023 NW 58TH ST	0.38	MINI-PARK
Arthur Woodard Park	1220 NW 99TH ST	2.53	NEIGHBORHOOD PARK
Broadmoor Park	8731 NW 35TH CT	1.78	NEIGHBORHOOD PARK
Broadway Park	6920 NW 18TH AVE	0.50	MINI-PARK
Fernville Park	8517 NW 14TH CT	0.47	MINI-PARK
Gladeview Park	6815 NW 31ST AVE	0.91	MINI-PARK
Gratigny Plateau Park	885 NW 117TH ST	0.97	MINI-PARK
Little River Park	10525 NW 24TH AVE	10.28	COMMUNITY PARK
Little River Pool	10525 NW 24TH AVE		COMMUNITY PARK
Martin Luther King Memorial Park	6160 NW 32ND CT	9.73	COMMUNITY PARK
Miami Shores Optimist Club	10915 NW 14TH AVE	10.11	SINGLE PURPOSE PARK
Northwest Highlands Park	2361 NW 67TH ST	0.73	MINI-PARK
Oak Park	620 NW 117TH ST	0.29	MINI-PARK
Sidney Wynn Park at Arcola	1680 NW 87TH ST	4.09	COMMUNITY PARK
Sidney Wynn Park at Arcola - Pool	1680 NW 87TH ST		COMMUNITY PARK
West Little River Park	2326 NW 84TH ST	4.46	COMMUNITY PARK

Mr. Laney informed the MAC Board that subsequent to dialogue with the prior North Central MAC Board the Gwen Cherry Park has changed designation from local park to County-wide park; therefore, the County will retain jurisdiction of the Gwen Cherry Park should the area incorporate. Mr. Laney stated the Gwen Cherry Park, located in the southern part of the study area, is the largest park within the MAC boundaries. Mr. Laney stated that since the County will continue to fund programming in the park, that will be a benefit to area residents as well to the proposed municipality since its operations will be funded through the County's general fund. Mr. Laney stated that the NE quadrate of the property, which is currently owned by the County's Public Housing and Community Development Department, has been cleared and the PROS Department is in negotiations to take over the property to develop it as an expansion to Gwen Cherry Park, which will result in an increase level of service to the area.

Chair Gunder acknowledged the arrival of Vice Chair Carswell.

Mr. Laney informed that many of the local parks that will be transferred to the municipality are small and passively developed. He stated that a number of those local parks have pool facilities: Sydney Wynn at Arcola, Little River Park and Arcola Lakes Senior Center. Mr. Laney also emphasized that some of the local parks have buildings and programming activities such

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as at the Martin Luther King Memorial Park, 27th Avenue Teen Boxing Center and West Little River. Mr. Laney stated that the local parks annual estimate local cost is approximately \$2.8 million, which includes centralized administrative staff and the facilities operations at the current level of services. He stated that the Arcola Lakes Park is the one park with the highest operating cost primarily due to its senior center component.

Mr. Laney stated that the reason the revenues generated by the local parks are minimal and do not offset the cost of operating the parks is because the County operates those parks free of charge to the community. He indicated that the minimal revenues generated by local parks are typically associated with private events, such as fees collected from room rentals. The net cost of operating the parks is after reimbursement of programming expenses by the Children's Trust.

Mr. Laney explained that the Children's Trust is funded through an assessed millage rate in the County's property owner's taxes. He also explained that Community Based Organizations (CBOs) can apply for funding from the Children's Trust to support programming. As a result of obtaining those funds, the County can provide programming to the community free of charge. He also indicated that the County's cost to operate parks are significantly lower than the gross cost as a result of the funding the County receives from the Children's Trust.

Mr. Laney explained that State mandates governing bodies to provide a certain amount of park acres per thousand population. Mr. Hansen stated that the State requirement is 2.75 acres of green space per thousand residents. Mr. Laney informed that school properties' green spaces are part of that acreage calculation.

Mr. Laney stated that PROS also collects impacts fees, which are used to developed parks and buy green spaces to build new parks. He informed that should the area incorporates and there are unallocated impact fees generated from the boundaries of the area, such revenue would be transferred to the municipality, which can then pursue park related initiatives consisted with the municipality adopted guidelines for providing park services.

Mr. Laney indicated that there is a vacant property on the old golf course redevelopment that has been designated as a green space recreational element as part of the area development (NW 116th Street). He explained that the property will not be maintained by the County or by the proposed municipality since developers typically maintain those green spaces through a Community Development District (CDD) or another method which defers the operational cost from the PROS Department while meeting the mandate for required levels of green space recreational area.

In response to a question from Mr. Beauvil, Mr. Laney stated that the current Children's Trust funding covers the cost of staffing, and that the new municipality could submit a grant application to the Children's Trust for greater programming than those currently provided by the County in the area. Mr. Hansen explained that the grant with the Children's Trust includes programming in seven parks throughout the County and that it is difficult to break down the grant funding by individual park. Mr. Laney stated that at each of the seven parks locations the funding runs from approximate \$50,000 to \$100,000. He further explained that as it relates to the Children's Trust the County was limited to apply for funding for only enhanced level of

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recreational services and required to continue funding the regular programs that it was already funding through the County's and the Unincorporated Municipal Service Area's general funds.

Approval of Agenda

Vice Chair Carswell moved to approve the meeting Agenda. The motion was seconded by Mr. Beauvil. Motion passed unanimously.

Approval of Minutes

Dr. Davis moved to approve the January 26, 2022, minutes. The motion was seconded by Vice Chair Carswell. Motion passed unanimously.

Miami Dade County Departments Presentations

Regulatory and Economic Resources (RER)

Mr. Edward Rojas, Miami-Dade County Building Official, presented the various RER divisions represented by staff: Building, Code Enforcement, and Planning & Zoning. Mr. Rojas explained that there are 34 municipalities in the County, including all the unincorporated municipal service areas, which is one of RER's serving jurisdiction.

Mr. Rojas stated that RER oversees all administrative and regulatory aspects of building development as it relates to how Florida Building Code applies to development and construction projects. As building officials, they attend to four main functions: reviewing plans, issuing permits, performing on-site inspections and issuing Certificates of Occupancy (CO) when projects are completed. RER also handles lots of layers of regulations, working with other regulatory departments that are involved in the process to successfully issue a CO. Mr. Rojas stated that RER issues approximately 60,000 permits, reviews approximately 250,000 plans and completes approximately 220,000 inspections a year. Mr. Rojas stated that the department services approximately 44% percent of the County's population, which counts for approximately 50% of the County's building construction inventory.

Mr. Rojas noted that as an area considering incorporation, the new municipality will need to establish a building department and appoint a building official to run the department. Chapter 8 of the County Code requires building departments to have certain minimum positions, representing various industry trades. He noted that, based on the areas approximately 13 square miles, the new municipality will be looking at having on board 15–20 technical staff to serve its constituents and an additional 30% for administrative support.

Mr. Rojas explained that since the building department revenues comes from permitting it is essential to establish a good-solid permitting process to encourage people to pull permits and to be able to generate the revenues to support the department. He noted that serving the industry can be very demanding as people expect to interact with a responsive building department team who can assist diligently through the permitting process. He stressed the importance of good customer service as critical to the success of the department since it will encourage constituents

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to use the building permitting process rather than circumvent it and build without obtaining permits.

Mr. Rojas noted that prior to his current position with the County, he served in a municipality similar in size to the North Central area. Based on his experience, Mr. Rojas stated that should the area incorporate, it may be looking at a 4 million annual expense to run its building department. He also stated that the area may generate between 4 to 6 million a year from permitting revenue.

In response to a question from Mr. Beauvil, Mr. Rojas clarified that building department revenues are regulated by Florida Statutes and can only be spent and be used on building department related functions. Mr. Rojas stated that while the Statute allows a department to carry a surplus, funds cannot be spent on other areas supported by the municipal general fund. Mr. Rojas explained that the new municipality will be able to adopt ordinances establishing its permit fees. He stated that those fees need to suffice to cover the department cost. He indicated that once the municipality has an idea of the cost of providing its technical support and how many permits can generate in a year, it should be able to establish fees that will cover the department cost and generate a surplus. Mr. Rojas stated that Statute also establishes that if there is too much money in surplus the municipality will need to revisit and reduce its servicing fees. Mr. Rojas noted that the industry is very competitive and sometimes can be difficult to hire building officials and plan reviewers. He stated that as a result, many municipalities hire private firms to process its building permits, such as North Bay Village, El Portal and Aventura, who outsource its building departments functions.

Mr. Carswell emphasized that the revenues generated by the building department cannot be spent on police or other municipal type services.

In response to a question from Mr. McKinney, Mr. Rojas explained that the building department does not contract with municipalities to provide building related services. Mr. Rojas explained that the department was the building official for West Miami, performing inspections and plans review from the 1970s until 2014. Mr. Rojas emphasized that investing in a manageable software is essential for a successful implementation.

Building Information and Permit Support

Ms. Angelique Bestard, Information and Permit Support Division Director, distributed a presentation explaining the County's permitting process.

Ms. Bestard explained that the County's permitting process is housed at the One-Stop Permitting and Inspection Center established in the early 2000s by the Board of County Commissioners, located at 11895 SW 26th Street. Ms. Bestard noted that depending on the scope of work many municipal customers will also need to obtain permitting approval from County Agencies who have regional jurisdiction approval, such as DERM, Water & Sewer, Impact Fees for the collection of impact fees, and the Fire Department for fire engineering on new construction.

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Ms. Bestard stated that in response to the challenges and demands from the Covid-19 pandemic, the permitting process has moved to a virtual service model through a submission portal, where new applications, corrections and revisions can be initiated. Customers can also submit electronic forty-year recertifications. Ms. Bestard stated that the permitting process is very transparent and technological driven, allowing customers to be able to track the status of their application throughout the permitting process. She noted that the review process is reduced because once a permit request is submitted, the plans are routed concurrently to all areas requiring review. Customers can also schedule next day inspections, if the request is submitted prior to 4:00 pm on the day prior to the inspection request date. Additional services include expedite plan review and online appointments via a Meet Q virtual system.

In response to a question from Mr. McKinney, Mr. Rojas explained that one of the biggest hinder for a new municipality is the transition services period from the County to the city as projects are underway and begin to wind down. Mr. Rojas noted that the transition period is the time to start building the department which may include a blend of outsourcing some of the services. Private firms will do those services for a percentage of the revenue generated. Mr. Rojas explained that building a department is a business decision since the new municipality will want to promote building growth and an environment where customers can interact with consistent and knowledgeable staff. Mr. Rojas explained that some of the technical staff needed to be on board include core disciplines, like structure, building, mechanical, electrical, plumbing and flood control management. The team can be built gradually, unless the municipality comes in with a ready to go team.

Code Compliance Division

Mr. Ricardo Roig, Assistant Director, noted that staff distributed in the meeting agenda package a one page describing the code enforcement services provided by the division. Mr. Roig explained that funding the code enforcement arm of government can be through general fund millage, through the building department - but only for code compliance functions or by issuing citations and liens.

He stated that his division is self-funded through the collection of citations and liens related fees recovery. Mr. Roig stated that once the area incorporates, the municipality will receive hundreds of code enforcement cases to handle since the County will lose jurisdiction over their enforcement. He stated that liens issued prior to the area incorporating, those liens will need to be settled with the County. Future liens can be filed by the municipality. Mr. Roig explained that enforcement services to issue citations and in some cases condemn buildings cannot be outsourced, and therefore the municipality will need a deputized staff on board. Mr. Roig stated that based on the size of the proposed incorporation area at least five enforcement officers will be needed to address zoning violations. He stated that the top zoning violations his team currently receives from the area are commercial vehicles, abandoned vehicles, recreational vehicles (RVs) parked on front of people's residential yards, multifamily dwellings, additions built without permits, boats in residential areas, junk and illegal littering.

Mr. Roig explained that the municipality will need to establish a complaint intake system or join the County's 311 system to handle those complaints for the municipality. Mr. Roig noted that a good enforcement arm leads the way to permitting which drives in revenues. He also pointed

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out that starting with a good size staff will keep constituents receiving approximate the same level of services currently provided by the County. Mr. Roig stated that based on the size of the municipality, it will need approximate 15 staffers to address code enforcement related issues, which can be a cost of approximate 1.2 million a year. Mr. Roig noted that a critical component of a professional municipal government is having separate building and enforcement functions since it provides the necessary check and balances needed.

Planning Division

Mr. Jerry Bell, Assistant Director for Planning referred to the presentation distributed in the meeting agenda package to discuss planning related functions. Mr. Bell explained that the planning staff perform three functions: metropolitan planning (Comprehensive Development Master Plan), planning research (demographic analysis, economic studies, population growth) and historic preservation. Mr. Bell indicated that all municipalities are required to develop their own comprehensive development master plan. He stated that should the area incorporate; it will need to adopt its comprehensive master plan within three years from the date of incorporating.

Mr. Bell stated that the plan is like a constitution of how land can be used and preserve within the County and that each land category requires its own zoning districts. He noted that future capital projects and developments must be consistent with the land use and zoning designations. The plan is also a big picture planning document that can also be used to seek out state and federal funding grants. Additionally, a municipal comprehensive plan must include maps, goals, objectives, and policies that reflect its vision for current and future development and conservation. Mr. Bell explained that future needs include meeting the demand to accommodate population growth and residential dwelling. He noted that the proposed incorporation area does not have a lot of empty land and that therefore future development needs will need to be addressed through redevelopment of underutilized parcels.

Mr. Bell stated that Chapter 163, Florida Statutes outline the elements that need to be included in a comprehensive plan, including land use; transportation; housing; conservation, aquifer recharge and drainage; water, sewer and solid waste; recreation and open spaces; coastal management; intergovernmental coordination; capital improvements; public school facilities; and property rights. Mr. Bell explained that until the time the municipality adopts its own comprehensive plan, the County's plan will serve as the municipal plan. He noted that the three-year period to develop and adopt the plan incorporates time for holding public hearings and working with various State and County agencies to review the plan.

Mr. Bell explained that the County, through its adopted historic preservation ordinance, coordinates countywide historic preservation activities for the County's unincorporated areas and 24 municipalities. Should the area incorporate, it can either join the County's historic preservation program or set its own program, which requires adopting minimum historic preservation guidelines established by the County, such as having a historic preservation board and process for designations. Mr. Bell noted that there are no current historic designated sites in the proposed incorporation area.

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In response to a question from Mr. Beauvil, Mr. Bell indicated that the planning department is funded through revenue generated from processing fees for reviewing proposed changes to comprehensive plans. He noted that the fees are high due to the lengthy time – almost a year - required for reviewing and processing those requests.

Zoning Division

Nathan Kogon, Assistant Director explained zoning is the implementation of all the goals, objectives, and policies established by the Planning Division. He stated that Chapter 33 of the County Code provides regulation for permitting uses of private properties, such as densities and intensities, landscaping regulations, setbacks, and parking regulations. Anyone applying for a building permit must meet certain specific set of criteria. Additionally, the Zoning Division reviews applications for changing zoning districts or list of permitted uses. He noted that for the North Central area such applications are considered by the area's Community Council during a public hearing.

Mr. Kogon explained that all the zoning items that may go to the future municipality city council are considered quasi-judicial. He explained that municipal zoning hearings are like court cases, in which the applications considered are reviewed to ensure compliance with the municipality comprehensive plan.

Mr. Kogon stated that the division also oversees rezoning applications, administrative site plan approvals, platting, variances, and certificates of use. He stated that there are a lot of unique zoning patterns within the North Central area. Additionally, the Zoning Division does legislation to improve the current zoning codes and meet the goals and policies of the Board of County Commissioners. As an example, he noted the urban centers along the high-density corridors, specifically the prior North Central Model City Charrette study that took place in the area to implement future development along the transit corridor.

Mr. Kogon explained that in most cities the same professionals that do the planning functions also address zoning. He noted that the County is unique in the way that both disciplines are separated in their own divisions. He recommended that the MAC Board reach out to various municipalities to learn how their planning and zoning organizations are set up.

Mr. Kogon stated that the Zoning Division does not receive funding from the County's general fund. He stated that his division funding is generated from application fees, noting that they run on a deficit, bringing some revenues from the platting functions. Mr. Kogon stated that the area's has significant development opportunities, which may impact the area's taxable value tremendously. He stated that there are some land uses with density up to 125 residential unit per acre and those urban centers could double the area's taxable value, should all those opportunities be realized.

Lastly, Mr. Kogon stated that should the area incorporate, it probably does not need a lot of tweaks to the zoning code. He informed that when existing zoning codes are changed it has the adverse effect of making existing properties and developments none conforming, and it creates a difficult situation.

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In response to a question from Mr. McKinney, Chair Gunder stated that staff provided her tonight with a binder of information containing pro-forma budgets from other County areas that have sought incorporation. She stated that the binder also includes the adopted budgets for the cities of Miami Gardens, North Miami, and Homestead, which based on revenue, size and population are like the North Central MAC. Mr. Carswell requested a digital copy of the information staff provided to Chair Gunder to conduct the financial analysis.

Mr. Rodriguez explained that the information staff provided for the South "A" Area and the Biscayne Gardens Area were selected because they are the most recent initiatives that sought to incorporate and prepared pro forma budgets. He noted that the South "A" Area was dissolved due to lack of community support to pursue incorporation and that the Biscayne Gardens initiative was defeated by the area voters when the election was held in November. He pointed out that all the municipal budgets are available on the respective municipalities' websites.

Mr. Rodriguez stated that staff is still working with the Impact to UMSA statement expenditure. He noted that tonight's agenda package includes the comparison analysis per capita population. He stated that tonight's presentations conclude the County Departments presentations and that the next phase of the feasibility study is the MAC Board preparation of a pro forma budget. Additionally, staff will prepare a Conceptual Agreement that the MAC Board will be required to adopt as a condition to incorporate.

Mr. Carswell expressed concerns with the revenues generated within the two Community Redevelopment Areas that are within the study boundaries of the North Central MAC, observing that the business corridors are within the CRAs boundaries. In response to a question from Mr. Carswell, Ms. Cameau stated that appointments to the CRA Boards will continue to be the responsibility of the Board of County Commissioners should the area incorporate, however should the area incorporate, the municipal council can make recommendations to the County Commissioner of the area as it relates to future appointments

Next Meeting Date and Location

Wednesday, March 23, 2022, at the Arcola Lakes Library.

Adjournment

The meeting was adjourned at 7:50 P.M.