Memorandum

MIAMI-DADE COUNTY

Date: November 6, 2007

Agenda Item No. 12(B)3

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: City of North Miami Beach Annexation

Pursuant to Chapter 20-7 (B) of the Miami-Dade County Code and following the required public hearing before the Board of County Commissioners (BCC), the BCC shall take one (1) of the following actions:

- Deny the requested boundary change as presented by the City of North Miami Beach.
- Direct the County Attorney to prepare an appropriate ordinance accomplishing the proposed boundary change; and set an election in the area.
- Defer such requested boundary change for further consideration at a subsequent meeting.

Recommendation

It is recommended that the Board of County Commissioners (BCC), pursuant to the Miami-Dade County Code Chapter 20, approve the boundary change as proposed by the City of North Miami Beach. This recommendation is based upon a review of a staff report and consideration of the Planning Advisory Board (PAB) recommendations.

Scope

The proposed annexation by North Miami Beach is for a .65 square mile enclave surrounded entirely by the City. The proposed annexation area is bounded on the north by Miami Gardens Drive, on the south by NE 163rd Street, on the west by NE 6th Avenue and on the east by NE 15th Avenue.

Fiscal Impact/Funding Source

Annexation of the area does not result in a net revenue loss to the Unincorporated Municipal Service Area (UMSA) budget. Based upon the impact to UMSA estimates, the revenues generated and services provided to the area provide a net annual budget savings of approximately $770,000. However, it is necessary to state that the net gain to the UMSA budget will not necessarily be $770,000. First, many expense items will not be eliminated from the overall budget but will continue to serve UMSA. Second, the revenue and expense numbers are based on budgetary allocation formulas and not actual revenues and expenditures. In addition, the County will retain approximately $173,000 in franchise fees and $292,000 in utility taxes.

Track Record/Monitor

Upon approval of the proposed annexation by the BCC, the BCC will direct the Supervisor of Elections to place this issue to a vote of the resident electors within the proposed annexation area. If the vote is affirmative, the County Attorney shall prepare an appropriate ordinance accomplishing the proposed boundary change and the Office of Strategic Business Management will negotiate any interlocal agreements, as required.

Background

On March 15, 2005, the City of North Miami Beach Council, pursuant to section 5.04 of the Miami-Dade Home Rule Charter and section 20-3 of the Miami-Dade County Code, approved a resolution initiating a proposed boundary change. On May 9, 2005, the City of North Miami Beach submitted an application for annexation, to the Clerk of the BCC. The City's annexation application was accepted by the BCC at the June 7, 2005 meeting and forwarded it to the Office of Strategic Business Management (OSBM) for review, as required by Code.

On November 1, 2005, the BCC adopted Ordinance 05-192, suspending consideration of proposed incorporations and annexations until receipt of a report from the County Manager on the effects of Incorporations and Annexations in Miami-Dade County. The suspension halted the progress of the application prior to consideration by the BCC. The County Manager's Report on the Effects of Incorporation and Annexation was presented to the BCC on May 8, 2007, allowing the application to proceed.

On August 20, 2007, the Planning Advisory Board (PAB) Incorporation and Annexation Committee conducted a public hearing where they reviewed the application and a report prepared by Miami-Dade County staff and recommended approval of the proposed annexation (Attachment A).

The full PAB also conducted a public hearing for this proposed annexation on August 20, 2007. The PAB concluded the hearing by adopting a resolution recommending approval of the annexation (Attachment B).

It is important to note that because there are over 250 resident electors in the proposed annexation area, this annexation if approved by the BCC will require a vote of the resident electors in the proposed annexation area. The cost of this election will be borne by the City of North Miami Beach.

The annexation staff report supporting my recommendation, as reviewed by the PAB, is attached for your convenience (Attachment C).

Attachments

Jennifer Glazer-Moon
Director, Office of Strategic Business Management

CMO 22107

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD INCORPORATION AND ANNEXATION COMMITTEE RECOMMENDING THAT THE PLANNING ADVISORY BOARD APPROVE THE PROPOSED ANNEXATION TO THE CITY OF NORTH MIAMI BEACH.

WHEREAS, the City of North Miami Beach has petitioned for the annexation of the area generally described below:

Area:	On the North:	Miami Gardens Drive;
	On the South:	NE 163 Street;
	On the West:	NE 6 Avenue;
	On the East:	NE 15 Avenue; and

WHEREAS, the Board of County Commissioners (BCC) referred the application to the Planning Advisory Board (PAB); and

WHEREAS, the PAB referred the application to the Incorporation and Annexation Committee which reviewed staff's report dated August 20, 2007; and

WHEREAS, on August 20, 2007 the Incorporation and Annexation Committee held an advertised public meeting, concerning this application for annexation by the City of North Miami Beach; and

NOW THEREFORE BE IT RESOLVED BY THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD INCORPORATION AND ANNEXATION COMMITTEE, that it recommends the Planning Advisory Board forward a recommendation to the BCC to approve the proposed annexation.

The forgoing resolution was offered by Board Member Sosna, who moved its adoption and was seconded by Board Member Riley, and upon being put to a vote the vote was as follows:

Antonio Fraga	Absent	William Riley	Yes
Daniel Kaplan	Absent	Jay Sosna	Yes

Gerogina Santiago, Chair Yes

The Chair thereupon declared the resolution duly passed and adopted this 20th day of August 2007.

I hereby certify that the above information reflects the action of the Board.

Subrata Basu
Executive Secretary

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS APPROVE THE PROPOSED ANNEXATION TO THE CITY OF NORTH MIAMI BEACH.

WHEREAS, the City of North Miami Beach has petitioned for the annexation of the area generally described below:

Area:	On the North:	Miami Gardens Drive;
	On the South:	NE 163 Street;
	On the West:	NE 6 Avenue;
	On the East:	NE 15 Avenue; and

WHEREAS, the Board of County Commissioners referred the application to the Planning Advisory Board (PAB); and

WHEREAS, the Planning Advisory Board Incorporation and Annexation Committee reviewed staff's report dated August 20, 2007; and

WHEREAS, on August 20, 2007, the Planning Advisory Board Incorporation and Annexation Committee held an advertised public meeting, concerning this application for annexation by the City of North Miami Beach; and

WHEREAS, the Planning Advisory Board Incorporation and Annexation Committee recommended approval of the proposed annexation; and

WHEREAS, on August 20, 2007, the Planning Advisory Board held an advertised public hearing, concerning this annexation application by the City of North Miami Beach; and

NOW THEREFORE BE IT RESOLVED BY THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD, that it recommends the Board of County Commissioners approve the proposed annexation.

The forgoing resolution was offered by Board Member Leal, who moved its adoption and was seconded by Board Member Santiago, and upon being put to a vote the vote was as follows:

Reginald J. Clyne	Absent	Serafin Leal	Yes
Antonio Fraga	Absent	Al Maloof	Absent
Pamela Gray	No	William Riley	Yes
Horacio Carlos Huembes	Absent	Georgina Santiago	Yes
Rolando Iglesias	Yes	Christi Sherouse	Yes
Daniel Kaplan	Absent	Jay Sosna	No
Douglas Krueger	Yes		

Wayne Rinehart, Chair Yes

The Chair thereupon declared the resolution duly passed and adopted this 20th day of August 2007.

I hereby certify that the above information reflects the action of the Board.

Subrata Basu
Executive Secretary

ATTACHMENT C

Memorandum

MIAMI-DADE COUNTY

Date: August 20, 2007

To: Chairperson and Members
Planning Advisory Board

From: Jorge M. Fernandez, Jr.
Program Coordinator, Office of Strategic Business Management

Subject: City of North Miami Beach Annexation Application

Background

On May 9, 2005, the City of North Miami Beach (City) submitted an annexation application to the Miami-Dade County Clerk of the Board. The City's annexation application was placed on the June 7, 2005 BCC agenda where it was accepted and forwarded to the Miami-Dade Office of Strategic Business Management (OSBM) for review and further processing as required by the Miami-Dade County Code (Code). Upon initial staff review, the application was deemed incomplete and after a meeting with City officials in July of 2007, all relevant information was provided.

On November 1, 2005, the BCC adopted Ordinance 05-192, suspending consideration of certain proposed incorporations and annexations until receipt of a report from the County Manager on the effects of Incorporations and Annexations in Miami-Dade County. The County Manager's report was presented to the BCC on May 8, 2007, allowing the application to proceed.

Pursuant to Section 20-6 of the Code, the Office of Strategic Business Management submits this report for your review and recommendation.

Analysis

The proposed annexation area is bound on the north by Miami Gardens Drive, on the south by NE 163rd Street, on the west by NE 6th Avenue and on the east by NE 15th Avenue. The proposed annexation area is an enclave surrounded by the City of North Miami Beach.

Police

The City of North Miami Beach is projecting to provide an additional 23 positions for law enforcement activities in the proposed annexation area of which 15 are police officers. The City's current one officer per 1,000 residents will be maintained once these proposed positions are filled.

In the event that the proposed annexation is approved, the total service area within the Unincorporated Municipal Service Area (UMSA) will be reduced by only a small amount resulting in little difference in the amount of services currently provided by the Miami-Dade Police Department (MDPD). However, due to continual incorporation and annexation endeavors, the full impact on UMSA is yet to be determined. The following table portrays all calls for uniform and non-uniform Miami-Dade County police calls within the 4 police grids comprising the area for the past three years.

Year	Criteria	All Calls	Part I Crimes	Part II Crimes	Calls Not Reported
2004	Total Calls	5,052	413	85	3,031
2005	Total Calls	4,893	473	77	3,140
2006	Total Calls	4,716	553	121	2,498

Fire and Rescue

The proposed annexation area is currently served by the Uleta Fire Rescue Station 32, located at 358 NE 168 Street. The station is equipped with a Rescue and ALS Engine and permanently staffed by seven firefighters/paramedics.

The area is also served by North Miami Beach, Station 31, located at 17050 NE 19 Avenue. The station is equipped with a Rescue and ALS 50' Squrt and permanently staffed by seven firefighters/paramedics.

There are no planned stations in the immediate vicinity of the proposed annexation area.

In Fiscal Year 2006, there were a total of 657 annual alarms in the area. Of these, the average response time for life threatening calls was 6:31 minutes.

This annexation will not impact Miami-Dade Fire Rescue service delivery and/or response time. Currently, the area is served as part of UMSA. If annexed, the area would be served as part of the City of North Miami Beach by the same stations and the same resources. The annexation area will remain part of the Miami-Dade Fire Rescue District.

The following table lists the travel time and alarm counts by type of alarm:

Annexation Request – North Miami Beach			
MDFR Service Provided - Average Travel Times – Calendar Years 2004 through 2006			
	2004	2005	2006
Number of Calls CY 2004-2006	569	617	657
Life Threatening Emergencies	246	272	277
Non Life Threatening Emergencies	169	181	182
Other	0	7	111
Other Fire	4	22	70
Other Miscellaneous	147	129	N/A
Structure Fire	3	6	17
Arrival Times CY 2004-2006			
Life Threatening Emergencies	6:03	6:00	6:31
Non Life Threatening Emergencies	6:47	6:57	6:45
Other	N/A	5:13	6:49
Other Fire	4:37	5:45	6:10
Other Miscellaneous	6:03	6:10	N/A
Structure Fire	3:28	4:39	4:42

Water and Sewer

The water service area is provided entirely by the City. Portions of the sewer service area are provided by Miami-Dade Water and Sewer Department (WASD) and portions are provided by the City. Future water service customers within the annexation would receive service from the City and future sewer service customers would receive service from either WASD or the City depending on the location of proposed development and upon the adequacy and capacity of the County's and City's sewer systems. The annexation would have no impact on WASD's ability to provide water and/or sewer services to the remaining unincorporated area in the vicinity.

Solid Waste

According to the supplemental application information, the City will provide residential and commercial waste collections services within the proposed annexation area. The service will consist of twice weekly garbage collection along with bulky waste and yard trash pickup twice a month. The City uses state of the art automated collection equipment and will provide residents with containers.

The City did not provide information regarding County waste service levels. The County does provide twice weekly garbage collection and weekly trash and recycling services, along with two annual scheduled bulky waste pick-ups. The proposed annexation area is within the Department of Solid Waste Management's (DSWM) waste collection service area and accordingly the Department does provide these services to residential units located in the proposed annexation area. In accord with Ordinance No. 96-30, since the City has entered into the standard twenty-year interlocal agreement with the County for waste disposal, the County may consider delegation of residential waste collection service to the City.

The area proposed for annexation is within the County's waste collection service area and the County does provide waste collection service to residential units located there. While the subject area remains a part of the waste collection service area, under the provisions of Ordinance No. 96-30, since the City does currently have an interlocal agreement with the County for waste disposal, the City is eligible to assume residential waste collection responsibilities, provided it enters into the requisite interlocal and also that the cumulative impact of annexations that have taken place since February 16, 1996 do not significantly impact the DSWM's ability to meet debt coverage requirements or to hold down the cost of collection.

The City's annexation request alludes to, but does not specifically state its intent to assume provision of residential waste collection service. Accordingly, there are two possible scenarios. The first is that the County continues to provide residential waste collection service and the second is that the City requests the delegation of the authority to provide residential waste collection service in the annexation area and enters into the requisite interlocal agreement. In either case, the City would be in compliance with the Ordinance and, as a result, there would be no impact on the County's disposal system.

In either scenario, the waste collected from the annexation area will be delivered to a County waste system facility for disposal.

Based on the requirements contained in Ordinance 96-30, the annexation is not expected to have any impacts on the ability of DSWM to provide services to the remaining unincorporated area.

Public Works

The City of North Miami Beach is projecting to provide an additional 6 positions in the Public Services Department for the maintenance of the proposed annexation area. Additionally, the City is recommending sidewalk repairs, repairs of the swales and installation of street trees throughout the proposed annexation area resulting in approximately 1,800 square feet of new sidewalk, 300 new streetlights and 922 new trees.

The following list represents the roadways that will remain under the jurisdiction of the County if the proposed annexation area is approved:

- NE 10 Avenue from NE 167 Street to NE 170 Street
- NE 10 Avenue from NE 170 Street to NE 175 Street
- NE 10 Avenue from NE 175 Street to NE 176 Terrace
- NE 175 Street from .06 miles west of NE 7 Avenue to NE 10 Avenue
- NE 175 Street from NE 10 Avenue to NE 13 Avenue
- NE 167 Street from NE 10 Avenue to NE 12 Avenue
- NE 167 Street from NE 12 Avenue to NE 15 Avenue
- NE 12 Avenue from NE 163 Street to NE 167 Street

All other roadways not listed will be transferred to and maintained by the City.

Park and Recreation

There are no Miami-Dade County parks within the proposed annexation area. This annexation will not have an impact on the Miami-Dade County Park and Recreation Department.

Department of Environmental Resources Management (DERM)

1. Services provided by DERM on the subject areas include, but are not limited to:

   I. Review and approval or disapproval of development orders.
   This includes the following:
   - Building Permits
   - Zoning Actions
   - Platting Actions (Land Subdivision)
   - Building Occupancies (Residential and Nonresidential)
   - Municipal Occupational Licenses

   DERM 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
   - 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

II. Operating Permits
Section 24-18 of the Code authorizes DERM to require permits for any facility that could be a source of pollution. This includes a wide variety of nonresidential activities or facilities and some ancillary operations to residential land uses.

III. Pollution Prevention and Educational Programs
The DERM Office of Sustainable Environment and Education (OSEE) is responsible for promoting and coordinating pollution prevention programs, waste minimization programs, urban CO^2 reduction, and environmental education in general.

IV. Enforcement Activities
These include regular inspections of permitted facilities as well as any potential source of pollution, responses to complaints and general enforcement operations.

2. In as much as DERM's regulatory activities are enforceable under the Code in both the incorporated and unincorporated area, DERM currently provides the above services to the subject area. Accordingly, annexation of the parcels in question will not affect DERM's ability to provide adequate levels of service.

3. The ability of DERM to provide adequate services to the areas being annexed will not be impaired in any manner by this action, nor to the areas adjacent to the parcels being annexed.

Potable Water
The area proposed to be annexed is presently within the City of North Miami Beach water service franchised area. Existing water mains serve the area. Currently the area is served by the City's W.E. Oeffler Water Treatment Plant, and the Miami-Dade Water and Sewer Department (WASD) Hialeah-Preston Water Treatment Plant. These plants have no restrictions on capacity at the present time.

Sanitary Sewer
The area proposed to be annexed is presently within the City's sanitary sewer service franchised area. However, most of the area is served by septic tanks. The only sanitary sewers in this general area are served by Pump Station 30-310, which is owned and operated by WASD. Currently, the area is served by WASD's interconnected wastewater treatment facilities system, which presently has no restrictions on capacity.

Stormwater Utility (SWU) Program and Fees
At the time of annexation, any improved real estate in the proposed annexation area will be paying a stormwater utility fee to Miami-Dade County. This fee is used to administer stormwater management programs throughout the County. It is expected that these accounts would revert to the City of North Miami Beach once the annexation occurs.

There will need to be a "transition" mechanism where the County can manage Stormwater Utility accounts in the annexed area until City of North Miami Beach can assume the extra accounts. This can be accomplished through an Interlocal Agreement. Please also note that until the Miami-Dade County Board of County Commissioners approves the annexation, all SWU fees collected in the area of the annexation to that point are still available for general County use.

If stormwater utility accounts in the annexed area are billed through MDWASD or directly by DERM, it will be up to City of North Miami Beach to negotiate with WASD, DERM, or another service provider to provide stormwater billing services.

City of North Miami Beach must also pay its pro rata share of the debt service on the 1999 and 2004 Stormwater Utility Revenue Bonds for the proposed annexed area. Payment to the County for the City's debt service on these bonds will initiate immediately upon annexation.

If the proposed area were approved for annexation, the SWU would be reduced by $174,302.40 per year in revenue. However, this would be offset by the savings realized by the SWU no longer providing drainage maintenance and improvement responsibilities for that area.

Canal Maintenance Agreement

A check of the County's Water Control Plan reveals no secondary canals within the proposed annexation area. A cost-share for Federal Emergency Management Agency (FEMA)-funded projects may also be necessary, if such projects are under construction, have been constructed, or planned for the proposed annexation area.

Drainage Permitting

All new development requires that drainage systems be provided as part of the project. The objectives of these systems are to reduce pollution in stormwater runoff, and reduce flooding impacts to residents.

DERM has received delegated authority to issue permits for the South Florida Water Management District, through issuance of the Environmental Resources Permit (ERP). Jurisdiction to require an ERP is countywide, and is dependent upon the size of the development. In addition, DERM has authority, under Section 24.48.1 of the Code of Miami-Dade County, Florida (the Code), for the issuance of a number of drainage permits, which include: Class II (for drainage overflows), Class III (works within County canals), Class V (dewatering permits), and Class VI (drainage systems within industrial land use). These requirements and permit conditions are countywide in scope of authority.

National Flood Insurance Program (NFIP)

The NFIP is a program where FEMA agrees to subsidize flood insurance policies for residents of a community, if the community agrees to enforce minimum flood protection standards. In 1993, FEMA mandated that all incorporated areas in Miami-Dade County regulate their floodplain management ordinance and conduct separate programs.

A voluntary program associated with the NFIP is called the Community Rating System (CRS). This program rewards communities that improve their flood protection activities with flood insurance discounts for its residents. Residents of the unincorporated area of the County currently enjoy a 25% discount on their flood insurance policies if they live in a flood zone, and a 10% discount if they are outside the flood zone.

Once the City of North Miami Beach annexes the area in question, any future residents would lose the current County CRS discount. If the City participates in the CRS, the residents will enjoy the City's current CRS rating and attendant discount.

Stormwater Management Master Plan

Miami-Dade County is undertaking a comprehensive effort to map the entire unincorporated area of the County to assess its drainage needs. 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 service provided to residents is maintained, and the pollution inherent in stormwater runoff is treated before being discharged. Although the County cannot model incorporated areas, in certain areas, County roads lie

within incorporated boundaries. In these areas, the County will model the basins where these roads lie, using the best available data that can be found. Because of the lack of data in these areas, the modeling for these County roads will be limited. County engineers will ask the City of North Miami Beach staff if they have any data that would help in modeling these areas. Cooperation between the City and the County to share this data is critical. The data and models created have other uses besides the County's master plan, such as new Flood Insurance Rate Maps that benefit the City as well as County residents.

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. Cities 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 and drainage maintenance, and various other best management programs.

In Miami-Dade County's NPDES Permit, a joint permit was created with 28 municipalities and Miami-Dade 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 costs.

County records reveal the City of North Miami Beach is a co-permittee under this Permit. If any outfalls are added as a result of the annexation, the cost-share contribution by the City could increase. There is also a permit fee the City pays yearly to the State for the NPDES Permit. This fee is based on the population of the City, so it is reasonable to assume that if the proposed area were developed, this fee could also increase.

Transfer of Roads

Any local roads maintained by the County within the proposed annexation area, these roads will be transferred to the City of North Miami Beach. This is done through an Interlocal Agreement between the City and the County's Public Works Department. This Agreement usually outlines the subject roads, various road-related services, and the costs and responsibilities of the City and County for these services. Because the City already has in place, its own stormwater utility, maintenance of the drainage systems within residential local roadways will be the City's responsibility upon execution of such an Agreement.

Tree Preservation

The area proposed for annexation contains tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is advised to contact DERM staff for additional information regarding permitting procedures and requirements prior to site development.

Wetland Resources

The subject area does not contain jurisdictional wetlands, as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District

(1-800-432-2045), may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Annexation Guidelines:

The following analysis addresses the factors required for consideration pursuant to Chapter 20 of the County Code.

1. The suitability of the proposed annexation boundaries, in conjunction with the existing municipality, to provide for a municipal community that is both cohesive and inclusive.

   a) The area does not divide a Census Designated Place, (an officially recognized traditional community).

   The proposed annexation area is entirely located outside a 2000 Census Designated Place (CDP) but it is completely surrounded by the City of North Miami Beach.

   b) In no adjacent unincorporated area have a majority of ethnic minority or lower income residents petitioned to be in the annexation area.

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

   c) The area is not, nor does it create, an unincorporated enclave area (surrounded on 80 percent or more of its boundary by municipalities) that cannot be efficiently or effectively served by the County.

   The proposed annexation area is an enclave completely surrounded by the City of North Miami Beach.

   d) The boundaries are logical, consisting of natural, built, or existing features or city limits.

   The proposed annexation area, which totals approximately 413.8 acres, is bounded by rights-of-way including local streets, minor roadways (NE 10 Avenue) and major roadways (NE 6 Avenue, NE 15 Avenue and NE 163 Street). All boundaries are logical.

2. The existing and projected property tax cost for the municipal-level service to the average homeowners in the area currently as unincorporated and as included as part of the annexing municipality.

   The property tax value for the annexation area is $265,378,047. At the current City of North Miami Beach millage rate (7.50 mills) and debt service millage rate (0.9085) for a total millage rate of (8.4085) the ad valorem taxes collected in the annexation area would be $2,231,431. At the current Unincorporated millage rate (2.447 mills), the tax rate amount is $649,000. The average homeowner in the proposed annexation area would pay an additional $641 in ad valorem taxes if the area is annexed to the City.

Existing and Projected Property Tax Cost North Miami Beach Annexation Area FY 2006-07		
	Millage Rate	Millage x Taxable Value
City of North Miami Beach		
Municipal Millage	8.4085	$2,231,000
Unincorporated Area		
UMSA Millage	2.447	$649,000
Increase	5.053	$1,582,000

3. Relationship of the proposed annexation area to the Urban Development Boundary (UDB) of the County's Comprehensive Development Master Plan (CDMP).

   The entire annexation area is located inside the 2015 Urban Development Boundary (UDB) of the County's Comprehensive Development Master Plan (CDMP). The County's Land Use Policy 2B states that "priority in the provision of services and facilities and the allocation of financial resources for services and facilities in Miami-Dade County shall be given first to serve the area within the Urban Development Boundary (UDB) of the 2015-2025 Land Use Plan Map (LUP).

4. 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 the adjacent remaining unincorporated area.

   The total taxable value of the annexation area is $265,378,047. The area generates approximately $1,174,000 in UMSA revenues. The County spends approximately $1,945,000 per year providing services to the area. Therefore, the net revenue gain to UMSA if this annexation is approved should be approximately $770,000. The UMSA revenues and expenses are derived using various factors such as taxable values, population, number of police calls for service, cost per lane miles, and number of lane miles in the proposed area. These factors are used in conjunction with formulas to calculate estimated revenue and expense figures for the area.

   Section 20-8 of the County Code allows the County to retain all franchise fees for the term of the current franchise agreement, and utility tax revenues in perpetuity, for the area if annexed. It is estimated that the County will retain approximately $173,000 in Franchise Fees and $292,000 in Utility Taxes.

5. Fiscal impacts of the proposed annexation on the remaining unincorporated area. Specifically, does the per capita taxable value of the area fall within the range of $20,000 to $48,000?

   The annexation area's per capita taxable value is $55,149.

6. Consistency with the Land Use Plan of the County's Comprehensive Development Master Plan (CDMP).

   The future land use designations within the proposed annexation area are "Low Density Residential," "Medium Density Residential," and "Business and Office." A brief description of these CDMP land uses follows:

   The "Low Density Residential" land use designation allows residential uses at a density range of 2.5 to 6.0 dwelling units per gross acre. The "Medium Density Residential" land use designation allows residential uses at a density range of 13 to 25 dwelling units per gross acre.

   The County's "Business and Office" land use designation accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, amusement and commercial recreation establishments. Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and the intensity, including height and floor area ratio of residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning.

   In its application for annexation, the City of North Miami Beach states that it would adhere to County planned land uses. Adherence to current land use parameters would be consistent with the goals, objectives, policies and Land Use Plan Map of the County's CDMP.

The following guidelines were provided for consideration by the Planning Advisory Board:

1. Is the annexation compatible with existing planned land uses and zoning of the municipality to which the area is proposed to be annexed?

   The existing land uses in the proposed annexation area are single-family residential, two-family duplexes, low-density multi-family, institutional, commercial and vacant land. The existing underlying zoning is a combination of RU-1, Single-family Residential, RU-4, Apartments, and BU-2, Business – Special.

   The existing land uses are consistent with the current land uses and zoning within the City. However, the City does not have a zoning category that would allow the maximum density of 50 dwelling units per acre permitted in the County's RU-4 zoning district. In addition, the three public school sites within the proposed annexation area are currently zoned RU-1 and the single-family zoning district in the City does not allow schools.

   If this annexation were to be approved, it should be conditioned to the City's amendment of its zoning code/land development regulations to:

   - establish a new residential zoning district that would be the equivalent of the County's RU-4 with a maximum density of 50 dwelling units per net acre; and
   - designate the sites of the three public schools within the annexation area as Community Facility District (CF).

2. 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 area, if currently qualified, will 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

3. Will the annexation impact public safety response times?

   Neither the Miami-Dade Police Department nor the Miami-Dade Fire Rescue Department expects any negative impact on emergency response times as a result of this annexation.

4. Will the annexation introduce barriers to municipal traffic circulation due to existing security taxing districts, walled communities, and/or private roads?

   The annexation will not introduce barriers to municipal traffic circulation due to existing security taxing districts, walled communities, and/or private roads.

5. Will the annexation area be served by the same public service franchises, such as cable and communication services, as the existing municipality, or will it have full access to all available municipal programming through its franchises provider?

   The proposed annexation will continue to be served by the same cable television and telecommunication operators as before. Pursuant to new State law effective July 1, 2007, Miami-Dade County's will no longer have the ability license new cable television companies and enforcement activities will be limited to Rights-of-Way issues only. Therefore the proposed annexation will not have an impact on our ability to enforce Rights-of-Way issues as per the Miami-Dade County Code should they arise.

   Currently, the proposed annexation area is receiving cable services from Comcast Cable Communications, Inc. There will be no changes in cable services for the proposed annexed area. BellSouth Entertainment has a cable television license for all unincorporated areas, but our records indicate that they are not currently serving this area.

   Telecommunications Service Providers are required to register with the County only if they have facilities located within the unincorporated areas. The purpose of the registration process is to determine users of the County's Rights-of-Way. Therefore, companies that have facilities within the proposed annexation area will no longer be required to register with the County. Municipalities requesting annexations will be responsible for managing its public thoroughfares.

   Municipal programming is accomplished through separate agreements between municipalities and the cable operators providing services within their respective municipality. The cable operator's obligation to broadcast municipal meetings is outlined in these agreements. Technically, cable operators have the ability to add municipal programming to the proposed annexed areas if required.

6. If the area has been identified by the federal government as a flood zone or by emergency planners as an evacuation zone, has the existing municipality indicated its preparedness to address any extraordinary means that may arise?

Only a small portion of the proposed annexation area is located outside the federally designated, 100-year floodplain. The proposed annexation area is not located within any County designated hurricane evacuation zone and residents of the area are not obligated to evacuate when hurricane warnings are issued.

7. Will the annexation area be connected by public transportation to municipal government offices and commercial centers?

Miami-Dade Transit operates the following routes within the annexation area: 2, 3, 9, 10, 16, 22, 75, 83, 91, 95, 246, E, H, and V. Routes 3, 91, 95, V, and H serve the North Miami Beach City Hall. Routes 3 and 83 serve the North Dade Justice Center. Routes 3, 9, 10, 16, 95 serve the County government offices in downtown Miami. All routes in the annexation area serve the 163 Street Mall. Routes 3, 9, 95, and E serve the Aventura Mall.

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

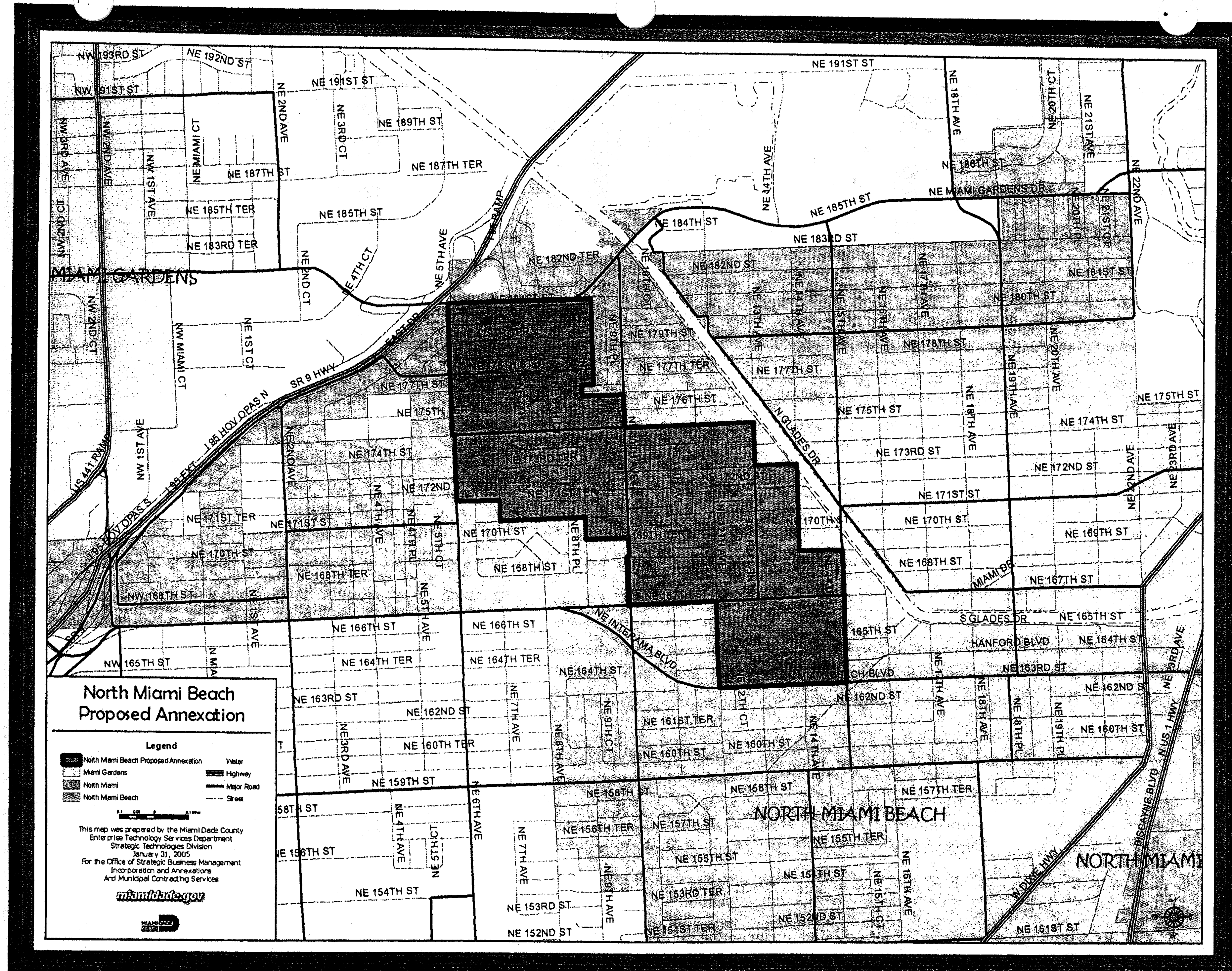
Yes, the area is contained within the same school district boundaries as the adjoining unincorporated area and municipalities. The schools are Fulford Elementary, Gertrude K. Edelman/Sabal Palm Elementary, Greynolds Park Elementary, John F. Kennedy Middle, and North Miami Beach Senior High.

SUMMARY OF ISSUES FOR CONSIDERATION/RECOMMENDATION

The Department recommends that the proposed annexation be approved subject to the City's amendment of its zoning code/land development regulations to be consistent with the County's zoning code and Comprehensive Development Master Plan.

Attachment A – Financial Impact to UMSA Worksheet
Attachment B – Map

c: Jennifer Glazer-Moon, Director, Office of Strategic Business Management


North Miami Beach
Proposed Annexation
Legend
North Miami Beach Proposed Annexation
Miami Gardens
North Miami
North Miami Beach
Water
Highway
Major Road
Street
This map was prepared by the Miami Dade County
Enterprise Technology Services Department
Strategic Technologies Division
January 31, 2005
For the Office of Strategic Business Management
Incorporation and Annexations
And Municipal Contracting Services
miamidade.gov
MIAMI GARDENS
NORTH MIAMI BEACH
NORTH MIAMI
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HANFORD BLVD
NE INTERAMA BLVD
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I 95 HOV OPAS S
I 95 EXT
US 441 RAMP
I 95 RAMP
W DIXIE HWY
BISCAYNE BLVD
N US 1 HWY
NW 3RD AVE
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NW 2ND CT
NW 1ST AVE
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NE 22ND AVE
NE 23RD AVE

19

North Miami Beach Annexation (Windward Enclave) Estimated Impact on the UMSA Budget

Based on FY 06-07 Budget	Incorporation Assumptions	
Property Tax Revenue	Allocation based on tax roll & millage	$643,000
Franchise Fees	County Retains Revenues	
Sales Tax	Allocation based on $65.30 per person	$314,243
Utility Taxes	County Retains Revenues	
Communications Tax	Allocated based on tax roll/population	$188,489
Alcoholic Beverage License	Allocation based on $0.26 per person	$1,258
Occupational License	Allocation based on $2.65 per person	$12,728
Interest	Allocation based on 1.08% of total revenue	$12,545
Miscellaneous Revenues	Allocation based on $0.39 per person	$1,886
Revenue to UMSA		$1,174,148
Cost of Providing UMSA Services		
Police Department		$1,600,457
UMSA Police Budget (without specialized)	$277,045,951	
Park and Recreation Dept	Based on cost of parks	$0
Public Works		
Centerline Miles	Centerline miles times cost per lane mile	$30,876
Planning, Team Metro and others	Direct cost times 9.0%	$146,820
QNIP (pay-as you-go)	Utility Taxes as a % of debt service 13.1%	$0
Policy Formulation/Internal Support	Direct cost times 10.2%	$166,396
Cost of Providing UMSA Services		$1,944,549
Net to UMSA		($770,401)

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.

2006 Taxable Property Rolls		$265,378,047
2000 Area Census Population		4,812
2006 UMSA Population		1,091,421
2006-07 UMSA Millage		2.447
Patrollable Sq. Miles - UMSA (post Cutler Bay)		443.53
Total Calls For Service - UMSA 2006		649,776
Part 1 Crimes - UMSA 2005		54,753
Part 2 Crimes - UMSA 2005		21,408
Patrollable Sq. Miles - Study Area		0.65
Total Calls for Service - Study Area		4,716
Part 1 Crimes - Study Area		553
Part 2 Crimes - Study Area		121
Cost per Centerline Mile		$2,034
Number of Centerline Miles		15.18
Per Capita Taxable Value		$55,149.22