Memorandum

MIAMI-DADE COUNTY

Agenda Item No. 12(B)6

Date: November 6, 2007

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

From: George M. Burgess
County Manager

Subject: City of Florida City 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 Florida City.
- Direct the County Attorney to prepare an appropriate ordinance accomplishing the proposed boundary change.
- 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 Florida City with the condition that the City modify the southern boundary of the proposed annexation to exclude the portion outside the Urban Development Boundary (UDB) and modify the eastern boundary to the City of Florida City boundary and that the City enter into an interlocal agreement with the County requiring the County to approve any zoning of rock mines and other lake excavations.

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 Florida City is for a 16.8 acre area located south of the City's boundaries. The proposed annexation area is bounded on the north by theoretical SW 352nd Street, on the on the west by Florida East Coast Railway right-of-way, on the east by Krome Avenue and US1 and on the south an area just south of SW 360th Street just south of the UDB.

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 revenues generated and services provided to the area as part of UMSA, a net annual budget savings of approximately $144,000 should be realized. However, it is necessary to state that the net gain to the UMSA budget will not necessarily be $144,000. 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 the franchise fees and utility taxes collected within the annexation area which are estimated at approximately $1,500 and $2,600 respectively.

Track Record/Monitor

Upon approval of the proposed annexation by the BCC, the BCC will direct the County Attorney to 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 December 14, 2004, the City of Florida City 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 submitted the annexation application to the Clerk of the BCC. The City's annexation application was accepted by the BCC at the June 7, 2005 meeting and forwarded to the Office of Strategic Business Management for review, as required by Code.

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 I) if the City amends the proposed annexation southern boundary to coincide within the UDB.

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 denial of the annexation (Attachment II) based on the zoning of rock mines and other lake excavations in sensitive wetland areas.

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. That 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.

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

Attachments

Jennifer Glazer Moon
Director, Office of Strategic Business Management

CMO 22407

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 FLORIDA CITY.

WHEREAS, the City of Florida City has petitioned for the annexation of the area generally described below:

Area:	On the North:	Theoretical SW 352 Street;
	On the South:	Florida Power and Light easement at approximately SW 360 Street;
	On the West:	Florida East Coast Railroad right-of-way;
	On the East:	Krome Avenue and US 1; and

WHEREAS, the Board of County Commissioners 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 Florida City; 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 approve the proposed annexation with modification to the southern boundary. The southern boundary should terminate at the Urban Development Boundary line.

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

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS DENY THE PROPOSED ANNEXATION TO THE CITY OF FLORIDA CITY.

WHEREAS, the City of Florida City has petitioned for the annexation of the area generally described below:

Area:	On the North:	Theoretical SW 352 Street;
	On the South:	Florida Power and Light easement at approximately SW 360 Street;
	On the West:	Florida East Coast Railroad right-of-way;
	On the East:	Krome Avenue and US 1; and

WHEREAS, the Board of County Commissioners referred the application to the Planning Advisory Board; 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 Florida City; and

WHEREAS, the Planning Advisory Board Incorporation and Annexation Committee recommended approval of the proposed annexation with modification to the southern boundary; and

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

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

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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: Staff Report for Proposed Boundary Change to Florida City – Area F

Background

On May 9, 2005 the City of Florida City submitted a boundary change application to the Miami-Dade County Clerk of the Board. The application was referred to and accepted by the Miami-Dade County Board of County Commissioners (BCC) at the June 7, 2005 BCC meeting and was forwarded to the Office of Strategic Business Management (OSBM) for review and further processing, as required by the Miami-Dade County Code (Code.)

On November 1, 2005, the BCC approved 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.

Analysis

The proposed annexation area is bounded on the north by theoretical SW 352nd Street, on the south by a Florida Power and Light easement at approximately SW 360th Street, on the east by Krome Avenue and US 1, and on the west by the Florida East Coast Railroad right-of-way. A piece of the annexation area extends south of SW 360th Street and the urban development boundary.

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

Police

According to the application, Florida City will provide police services to the annexation area at an improved level of service, both in terms of patrol frequency and response time. Florida City's police headquarters is reported to be located within one (1) mile of the proposed annexation area.

The following Miami-Dade Police Department (MDPD) tables represent all calls for uniform and non-uniform police calls within the proposed area for calendar year 2006.

Year	Criteria	All Calls	Emergency Calls (Code 3)	Priority Calls (Code 2)	Routine Calls
2006	Total Calls	48	3	4	41

Code 3: Emergency call with actual threat or actual danger, responding unit is authorized to drive 20 MPH over the posted speed limit.

Code 2: Priority call with potential threat or potential danger, responding unit is authorized to drive 10 MPH over the posted speed limit.

Year	Part I Crimes	Part II Crimes	Total
2006	4	0	4

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 and arson. The UCR is a standard method of reporting crime, administered by the Federal Bureau of Investigations (FBI) 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.

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

Fire and Rescue

Area F generated 80 annual fire rescue alarms in FY 2004-05 and 88 annual fire rescue alarms in FY 2005-06. In FY 2004-05, the first-in arrival average travel time to life threatening emergencies calls was 8:15 minutes. In FY 2005-06 the average travel time to this type of alarm was 8:52 minutes.

There will be no adverse fiscal impact to the fire rescue system. The proposed annexation area will remain a part of the Miami-Dade Fire Rescue District.

SERVICE DELIVERY TO THE PROPOSED STUDY AREA

Miami-Dade Fire Rescue Department

Service Delivery within the proposed annexation Area F – Florida City
Travel Time Averages (1st Dispatch to 1st Arrival)

Alarm Type	FY02	FY03	FY04	FY05	FY06
Total Alarms Count	57	58	75	80	88
Life Threatening Emergencies	32	32	45	54	54
Non Life Threatening Emergencies	16	11	16	14	18
Other Fire	2	7	6	4	5
Other Miscellaneous	7	8	8	8	11
Structure Fires	0	0	0	0	0
Time in Minutes and Seconds					
Life Threatening Emergencies	**7:50**	**8:12**	**8:28**	**8:15**	**8:52**
Non-Life Threatening Emergencies	8:26	9:50	10:04	9:37	9:59
Other Fire	8:56	10:06	8:19	8:26	8:16
Other Miscellaneous	8:43	8:14	8:58	8:52	10:01
Structure Fires	N/A	N/A	N/A	N/A	N/A

Water and Sewer

A portion of the proposed Florida City annexation area is within the water and sewer service areas of Miami Dade County. In accordance with ordinance 89-15, The Miami-Dade Water and Sewer Department (WASD) has released a portion of its water and sewer service areas to the City to provide services. Requests for future water and sewer service within the annexation area shall be evaluated at the time that new development occurs based upon the adequacy and capacity of existing water and sewer systems. The annexation would have no impact on WASD's ability to provide services to the remaining unincorporated area.

There are no WASD facilities of countywide significance in the area.

Solid Waste

The proposed annexation area is largely vacant. The County does not provide waste collection service at this time. Therefore no impact on either the Department of Solid Waste Management (DSWM) or the waste collection services provided to the Unincorporated Municipal Service Area (UMSA) is anticipated. As DSWM addresses the disposal needs of the County as a whole on a system wide basis and the City is proposing to use these services as development occurs, the annexation would have no immediate impact on DSWM or the disposal services provided. Longer-term impacts will be addressed development in the area occurs.

It is critical to note that Florida City does not have an interlocal agreement with the County for the use of County disposal services and does not currently use the County's disposal services (as is erroneously implied on page 13 of the annexation application). The follow-up comment on page 18 of the annexation application, states that the County will fund disposal costs from user fees and Waste Management, Inc. will fund collection costs for future waste generated in the annexation area. This comment appears inconsistent with existing county policy pertaining to annexations.

In accordance with County policy as articulated in Ordinance No.96-30, since the City does not have an interlocal agreement with the County regarding long-term waste disposal, the area proposed for annexation will remain a part of the County's waste collection service area and residential waste service will be provided by the County. In accord with the ordinance, were the City to elect to enter into a twenty - year waste disposal commitment with the County, DSWM could opt to delegate residential waste collection responsibilities to the City for a concurrent period of twenty years (provided that the cumulative impact of annexations that have taken place since February 16, 1996 do not significantly impact DSWM's ability to meet debt coverage requirements or to hold down the cost of collection).

Department of Environmental Resources Management (DERM)

Potable Water Supply and Wastewater Disposal. Florida City's current potable water supply is not adequate to support development within the proposed annexation area. A review of available water plant flow reports for the past 12 months indicates that the maximum-day water demand is 2.97 million gallons per day (MGD) as compared to a rated treatment capacity of 3.0 MGD. This information indicates that additional water treatment capacity needs to be provided for new development projects in the City service area, since there is only 1% of rated treatment capacity available; moreover, currently the City water distribution system has a water loss rate of about 56%. The maximum volume of potable water withdrawal allowable (on an annual average basis) has been exceeded monthly since September of last year. The South Florida Water Management District (SFWMD) has the City under review for continuously exceeding its

consumptive use permit. Furthermore, based on recent consumptive use trends, there is no reasonable assurance that ongoing improvements to reduce leakage from the City's water supply system will be sufficient to offset increasing demand. The closest City water main is a 16-Inch pipe located along Krome Avenue and at the intersection with the old FEC Railroad right-of-way.

DERM is also concerned that annexation may affect the County's direct role in regulating activities that could affect salt intrusion, a potential threat to potable water supply. Salt intrusion is an issue in this area since the salt front at the base of the aquifer currently extends more than six miles inland in south Miami-Dade. Excavation through the overlying freshwater layer can aggravate landward movement of salty groundwater, and increased risk to potable water supply. Applicants proposing rock mining within a nearby area recently annexed to Florida City claim that DERM does not have regulatory ability to control the depth of any excavations outside of wetlands, since conditions or limitations in the past have been included in zoning decisions, rather than a particular DERM permit.

Wastewater Treatment Plant Capacity. No sanitary sewer lines abut the area proposed for annexation. The closest sanitary sewer is Pump-Station 16-008, located at South Krome Avenue and S.W. 348th Street, which discharges into a 4-inch force main, located approximately 1,800 feet north of the site. Additionally, an 8-inch gravity sewer line is located along South Krome Avenue with a manhole located at S.W. 177th Avenue and S.W. 348th Street, approximately 1,800 feet from the subject site. This sewer system is owned and operated by Florida City and directs the flow to Pump Station 16-008, then to Pump Station 30-1073. The flow is then directed to Pump Station 30-0692 booster, and then to the South District Treatment Plant. Pump Stations 30-1073 and 30-0692 booster are owned and operated by the Miami-Dade Water and Sewer Department. Although the smallest pump station, PS 16-008, has the capacity to handle an additional 70,300 gallons per day (GPD); upgrades to the pump station would provide capacity for additional flow. This treatment plant has a permitted capacity of 112.5 million gallons per day (MGD) and is currently operating at an annual average of 90.74 MGD.

Stormwater Utility (SWU) Program and Fees. Up to the time of approval of the annexation, any improved properties in the proposed annexation area will be paying a stormwater utility fee to Miami-Dade County. This fee is used by the County to administer stormwater management programs throughout the County. County and State law mandate that a new City form its own SWU, join the County's SWU, or create a line item in its general budget for stormwater management programs. Florida City is not a part of the County's SWU, and has its own Stormwater Utility Program. Therefore, any fees collected in the proposed annexation area after approval of the annexation will become the City's fees. Currently, the County collects no fees in the proposed annexation area, because the parcels are not yet developed.

Drainage Repair and Maintenance. DERM has concerns on the level of flood protection that will be provided to development within the subject annexation area. These concerns stem from a number of factors that include the following:

- The subject area is identified as wetland areas of concern by Miami-Dade County, generally with low land elevation in relation to high groundwater level. In addition, the aforementioned area may be subject to other hydrological impacts from the implementation of the Comprehensive Everglades Restoration Program (CERP) by the State.

- The subject area is considered remotely located, respective to existing flood control canals capable of providing flood protection to support new developments at the site of the proposed annexation. There are no drainage canals in this area, which would allow lowering of the groundwater and move stormwater to the east. In fact, a drainage canal is not desirable, because saltwater has already intruded into this area, and further intrusion west could negatively impact nearby water supply wellfields. Recent groundwater monitoring data indicates increasing landward movement of the salt-intruded groundwater. Excavation of lakes or canals or consumptive use of groundwater for potable water supply or irrigation may represent a risk of increased salt intrusion, and would require intensive hydrological monitoring and modeling analysis. Because of the lack of infrastructure, portions of the parcels will be required to remain unfilled in order to retain runoff onsite.

- A review of the present design elevation criteria for this area shows that the October 2006 water table elevation ranges from 2' to 3' National Geodidical Vertical Datum (NGVD), and County Flood Criteria is 6.1' NGVD. A differential of 2' to 3' between the developed land elevation and the groundwater table is not sufficient to provide adequate flood protection for residential and commercial land uses. A modification of this design criterion, which will result in more restrictive development requirements, is strongly recommended prior to considering the design of any new development in the proposed 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), except for parcels containing wetlands. 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, 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.

The request for annexation, if approved, should be conditioned on implementation of rules and criteria developed by the State and the County, for wetland protection, as well as providing for on-site flood protection through Cut and Fill for any future developments.

National Flood Insurance Program (NFIP). Through participation in the Community Rating System (CRS) associated with the NFIP, 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 Florida City annexes the area in question, applicable CRS discounts, if any, would be those of the City.

Stormwater Management Master Plan. Miami-Dade County is undertaking a comprehensive effort to map the entire unincorporated area to prepare a stormwater infrastructure atlas and assess its drainage needs through modeling. 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. These drainage basins include both incorporated and unincorporated areas, since their limits are based on hydrology and hydraulics. Although the County will not prepare a detailed atlas

for the incorporated areas, with the exception of County roads within incorporated boundaries, the County must still model the basins in those areas, using the best available data that can be found. 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. County engineers will ask Florida City 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 uses other than 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. Permittees 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 co-permittees, including FDOT and MDX, and Miami-Dade County as the lead agency. Because sampling of stormwater runoff is required, the County performs the sampling on behalf of all co-permittees under a cost-sharing Interlocal Agreement. There is a permit fee the permittees pay 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, the current City fee may increase.

Transfer of Roads. If any County roads exist within the proposed annexation area, these roads may need to be transferred to Florida City. 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.

Hazardous and Solid Waste Comments. A database search was conducted to identify DERM permitted sites, solid waste sites, and sites with records of current contamination issues within the project area known as Area F. Based on a review of the graphically depicted area, the only record identified is one record of Solid Waste Tracking Number SW-1272 at the far northern boundary of the project area, located on Folio 30 7930 001 0420. This site has historical records of solid waste land-filling activities.

Forest Resources. 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. The 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 Regulation, Restoration and Environmentally Sensitive Lands. Portions of the proposed annexation area include jurisdictional wetlands that are near or hydrologically related

to nearby environmentally sensitive lands. Remaining wetlands in this general area are part of a slough system, which is included in regional ecosystem and hydrologic restoration plans for southern Miami-Dade County. Portions of the area have been filled or altered in the past, and the western side is bordered by the filled bed of the FEC railroad. The southernmost extent of the proposed annexation area includes less disturbed wetlands that still provide habitat value and support native plant communities. A Miami-Dade County Class IV Permit will be required for any impacts made to wetlands on these properties. Federal, State and local laws regulate impacts to wetlands. A full evaluation of the resource is performed during the permitting process. All impacts to wetlands should be avoided and minimized to the greatest extent possible. 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 work on these lands. It is the applicant's responsibility to contact these agencies.

The proposed annexation area lies near the South Dade Wetlands Acquisition Project, a 48,000-acre wetland preserve that is being jointly acquired by Miami-Dade County's Environmentally Endangered Lands (EEL) Program and the South Florida Water Management District. Any new development proposed for this area should be compatible with the close proximity of the sensitive wetlands in this EEL Project. None of the proposed annexation area lies within an Environmental Protection Sub-area, but the southern boundary is near one. Any new development proposed for this area should be compatible with the close proximity of the sensitive wetlands in the Environmental Protection Sub-area. The proposed annexation area is adjacent to, and may overlap with wetlands that are included within some restoration alternatives being considered in connection with CERP.

A small portion of the proposed annexation area is outside the Urban Development Boundary (UDB). This parcel is an irregular shape, and a portion extends south of SW 360 Street, the location of the UDB in this area. Given that Folio 30-7930-001-0452 contains good to high quality wetlands, is partly outside the UDB, and may be part of an area being considered by CERP for restoration, this portion of the area is particularly inappropriate for annexation.

Summary. DERM has reviewed the annexation application with respect to environmental protection issues, including regional water management considerations and requirements of the Code. The area proposed for annexation is small, but consists of parcels in a generally flood prone area, including sensitive wetlands. The area is without water supply, sanitary sewer, or drainage facilities, and the potential for extending such water management infrastructure to the area is limited. It is therefore recommended that the application be modified to provide additional documentation related to water management needs, including water supply, and to remove sensitive wetland areas from the application or future development area.

Accordingly, it would be appropriate for the City to more thoroughly evaluate the following factors:

- The maximum-day capacity of the existing water treatment plant
- Water withdrawal and consumptive use permits
- Existing and projected water demands, including those resulting from the proposed annexation

DERM is also concerned that annexation may affect the County's direct role in regulating activities that could affect salt intrusion, a potential threat to potable water supply. Salt intrusion

is an issue in this area since the salt front at the base of the aquifer currently extends more than six miles inland in south Miami-Dade. Excavation through the overlying freshwater layer can aggravate landward movement of salty groundwater, and increase risk of intrusion to potable water supply. Applicants proposing rock mining within a nearby area recently annexed to Florida City claim that DERM does not have regulatory ability to control the depth of any excavations outside of wetlands, since conditions or limitations in the past have been included in zoning decisions, rather than a particular DERM permit.

Public Works

The City of Florida City maintains all streets within its jurisdiction with the exception of State and County roadways. The County's Public Works Department will continue to maintain .02 centerline miles described as follows:

- SW 177th Court (SW 3rd Ave) from the FEC easterly right-of-way to the SW 177th Avenue westerly right-of-way for approximately 115 feet:

Park and Recreation

There are no Miami-Dade County parks within the proposed Florida City annexation area. The annexation has no impact on the Park and Recreation Department.

Annexation Guidelines:

The following analysis addresses the factors required for consideration by the Planning Advisory Board pursuant to Chapter 20 of the County Code. Will the annexation:

1. Divide a historically recognized community?

   The proposed annexation area is entirely located outside a 2000 Census Designated Place (CDP).

2. Result in an annexation that is 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 commercial and office, roadways-utilities and vacant land. The existing underlying zoning is a combination of GU, interim; BU-1A, limited business; and BU-2, special business. These existing land uses are compatible with the existing land uses and zoning of the City. However, and as previously stated, some of the uses allowed by the County's Open land designation on the small portion of the area outside the UDB are considered not compatible with urban development and should at a minimum be properly buffered.

3. Be consistent with the land Use Plan of the County's Comprehensive Development Master Plan (CDMP)?

   The future land use designations of the proposed annexation area are "Business and Office" and "Open Land."

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.

The "Open Land" land use designation is for lands not needed for urban uses between now and the year 2015 and has been set aside for uses other than urban development. It is not simply surplus undeveloped land, but rather it is land that is intended to serve one or more of the following functions: production such as agriculture, limestone extraction or other resource-based activity such as development of potable water supplies; rural residential development at a density no greater than one unit per five acres; recreation; and compatible utility and public facilities.

In its application for annexation, the City states that it would "apply future land use categories to proposed Annexation Area F that are consistent with the designation of Business and Office shown on Miami-Dade County's Adopted 2000 and 2010 Land Use Plan." However, the land use designation of the portion of the proposed annexation area outside the UDB is Open Land. Therefore, the City must attain enforceable assurances (such as an interlocal agreement) that the land uses that will occur outside the UDB will be consistent with adopted County policy, as provided in Sec. 2-116.1.2 of the County Code.

Development Profile of the Area

The table below reports the 2007 land use profile of the proposed Florida City Area "F" annexation area. Approximately 70 percent of the proposed annexation area consists of vacant land while a small fraction of it is in commercial use.

Florida City Annexation Area "F"

2007 Existing Land Use

Land Use	Annexation Area (Acres)	Annexation Area (Percent Of Total)	Florida City (Area Acres)	Florida City (Percent of Total)	Miami-Dade County (Acres)	Miami-Dade County (Percent of Total)
Residential	0.0	0.0	480.2	12.6	107,711.5	7.0
Commercial & Office	1.8	7.8	173.1	4.5	14,769.1	1.0
Industrial	0.0	0.0	96.3	2.5	16,717.2	1.1
Institutional	0.0	0.0	49.2	1.3	13,568.1	0.9
Parks/Recreation	0.0	0.0	140.6	3.7	789,628.2	51.0
Transportation, Communication, Utilities	5.5	24.0	458.5	12.0	86,666.7	5.6
Agriculture	0.0	0.0	724.7	19.0	68,463.0	4.4
Undeveloped	15.8	68.4	1,602.3	42.0	133,774.1	8.6
Inland Waters	0.0	0.0	93.5	2.4	317,413.4	20.5
Total:	**23.1**	**100.0**	**3,818.4**	**100.0**	**1,548,711.3**	**100.0**

Source: Miami-Dade County Department of Planning and Zoning, Research Section June, 2007

4. Preserve, if currently qualified, eligibility 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 Florida City annexation area would continue to be eligible for any benefits derived from inclusion and assistance from the federal government through the State's Small Cities Program.

5. Impact public safety response times?

   Fire and Rescue: Station 16, located at 325 NW 2nd Street in Homestead currently serves Area F. Station 16 is equipped with an ALS Engine, a Rescue vehicle and a 75' Aerial and staffed with eleven (11) firefighters/paramedics (FF/PM). Completion of Station 65, located at SW 344 Street and 167 Avenue and Station 66, located at SW 320 Street and 152 Avenue is programmed for fiscal year 2007.

   Currently all units responding from Station 16 to calls into the Study Area have enough capacity to serve the Proposed Annexation territory. Nonetheless, it is expected that the average travel times will continue to rise, due to the impact of traffic growth on SR US 1 (South Dixie Highway), SW 352 Avenue and Card Sound Road.

   Police: In the event the annexation application is successful, the total service area within the UMSA will be reduced by only a small amount resulting in little difference in the services provided by MDPD. However, due to continual incorporation and annexation endeavors, the full impact upon the UMSA is yet to be determined.

6. Introduce barriers to municipal traffic circulation due to existing security taxing districts, walled communities, and/or private roads?

   The Miami-Dade County Public Works Department has determined that the proposed Florida City annexation does not introduce any barriers to municipal traffic circulation.

7. Result, to the degree possible, in an annexation area served by the same public service franchises, such as cable and communications services, as the existing municipality, or with full access to all available municipal programming through its franchise provider(s)?

   The proposed annexation may 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 will no longer have the ability to license new cable television companies. Enforcement activities will be limited to right-of-way issues only. The proposed annexation will not have an impact on our ability to enforce right-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. Due to State preemption of local licensing, effective July 1, 2007, we are not able to confirm cable service areas.

   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, unless preempted by the State. Technically, cable operators have the ability to add municipal programming to the proposed annexed areas if required.

8. Result, if the area has been identified as a flood zone or by emergency planners as an evacuation zone, in an annexation area for which the annexing municipality has indicated its preparedness to address any extraordinary needs that may arise?

   The entire proposed annexation area is located inside the federally designated, 100-year floodplain. Most of the proposed annexation area is located inside hurricane evacuation zone 'B,' while a small area is located inside hurricane evacuation zone 'C.' Based on a hurricane's track and projected storm surge, independent of a hurricane's category, residents within each of these zones will be required to evacuate at a given point in time.

9. Result in an annexation area connected to municipal government offices and commercial centers by public transportation?

   The nearest bus stop to the annexation area is located at West Palm Drive and Krome Avenue approximately 0.5 miles north of the northern tip of the area. MDT routes serve the bus stops at West Palm Drive and Krome Avenue are Routes 34, 35, 38, 70, 344,

Dade-Monroe Express, and the Card Sound Express. These routes also serve the Florida City Hall.

10. Result, to the degree possible, in an annexation area contained in one or more school district boundaries governing admission to elementary, middle and high school as the adjoining municipality?

    The area is contained within the same school district boundaries as the adjoining unincorporated area and municipalities. The schools are Florida City Elementary, Campbell Drive Middle, and Homestead Senior High.

Demographic Profile of the Area

According to the Census 2000 population files, there are no residents within the proposed Florida City Area "F" annexation area.

The following analysis addresses the factors required for the Planning Advisory Board and the Board of County Commissioners consideration pursuant to Section 20-7 of the County Code:

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

   A. Not divide a U.S. Census Designated Place to thee extent feasible. The proposed annexation area is entirely located outside a 2000 Census Designated Place (CDP).

   B. Include Adjacent areas of ethnic minority and lower income residents in which a majority of those residents have so petitioned. No adjacent unincorporated areas have a majority of ethnic minority or lower income residents petitioned to be in the annexation area.

   C. Have contiguity and not create any unincorporated enclave area(s) (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 not an enclave but it would effectively result in the creation of a small enclave adjacent to the southeastern portion of the area if other proposed annexations are also approved.

   D. Have natural or built barriers as boundaries to the extent feasible. The boundaries are logical, consisting of natural, built or existing features or City limits. The proposed annexation area, which totals approximately 23.1 acres, is bounded on the north by theoretical SW 352nd Street/city limits, on the east by the centerlines of Krome Avenue and U.S. 1, on the south by an FPL easement, and on the west by a Florida East Coast Railway easement. The boundaries are logical and consist of roadways or utilities/transportation easements.

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 taxable value within the annexation area is $4,975,456. At the current Florida City millage rate (8.9 mills), the ad valorem revenues attributable to the annexation area would be $42,067. At the current UMSA millage rate (2.447 mills), the ad valorem revenues attributable to the annexation area would be $11,566. The expected tax increase to the area if the annexation is approved would be $30,501.

Existing and Projected Property Tax Cost City of Florida City FY 2006-07		
	Millage Rate	Millage x Taxable Value
Florida City		
Municipal Millage	8.9	$42,067
Total Millage	8.9	$42,067
Unincorporated Area		
UMSA Millage	2.447	$11,566
Total Millage	2.447	$11,566
Increase	6.453	$30,501

3. The proposed annexation area is totally contained within the Urban Development Boundary depicted on the Future land Use Plan map of the Miami-Dade County Comprehensive Development Master Plan

As shown in Figure 1 (Page 6) of the annexation application, a small portion of the proposed annexation area (approximately 0.6 acres) south of SW 360th Street is located outside 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)." The City's application states that the City is "in the best position to cost effectively extend a number of existing urban services, such as police protection, central water, and sanitary sewer, to Area F."

11. 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 the adjacent remaining unincorporated areas?

The total taxable value of the annexation area is $4,975,456. The area generates an estimated $14,000 in revenue. The County spends an estimated $159,000 per year

providing services to the area. Therefore, the net revenue gain to the UMSA budget is an estimated $145,000 (Attachment B).

Pursuant to Section 20-8.1 and 20-8.2 of the County Code, the County retains all franchise fees and utility tax revenues of the area upon annexation. For the proposed annexation, franchise fees of an estimated $1,500 and utility taxes of an estimated $2,600 will be retained by the County.

12. The 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?

    There are no residents in the annexation area. Therefore, the per capita taxable value cannot be calculated.

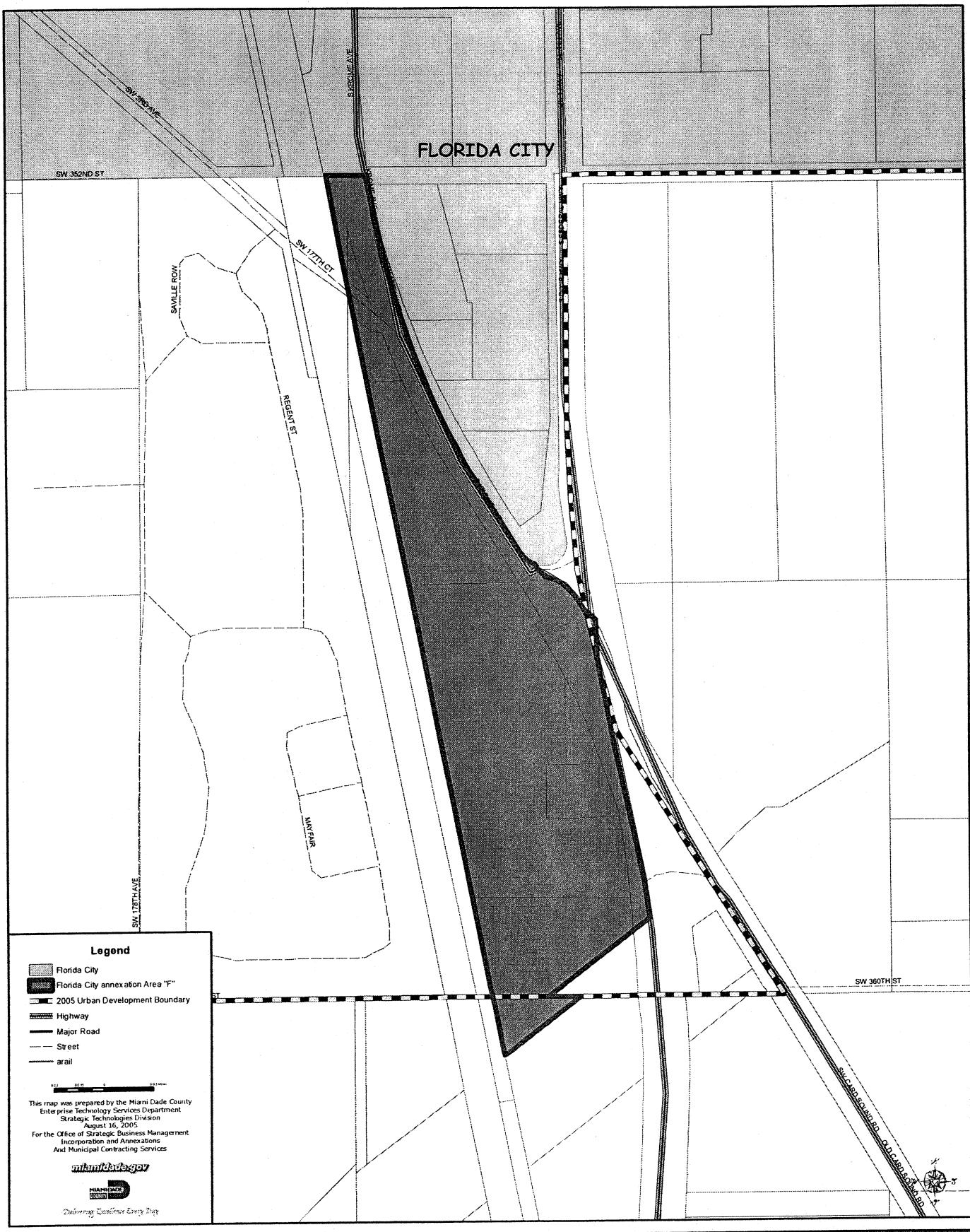
Attachments:

A. Map of proposed annexation
B. Estimated Impact on UMSA Budget Statement

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

Miami-Dade County

Florida City Annexation Area "F"



Estimated Impact on UMSA Budget
Florida City Area "F"

Based on FY 06-07 Budget	Incorporation Assumptions	
Property Tax Revenue	Allocation based on tax roll & millage	$12,000
Franchise Fees	County Retains Revenues	
Sales Tax	Allocation based on $65.30 per person	$0
Utility Taxes	County Retains Revenues	
Communications Tax	Allocated based on tax roll/population	$1,662
Alcoholic Beverage License	Allocation based on $0.26 per person	$0
Occupational License	Allocation based on $2.65 per person	$0
Interest	Allocation based on 1.08% of total revenue	$148
Miscellaneous Revenues	Allocation based on $0.39 per person	$0
Revenue to UMSA		$13,809
Cost of Providing UMSA Services		
Police Department		$133,069
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	$0
Planning, Team Metro and others	Direct cost times 9.0%	$11,976
QNIP (pay-as you-go)	Utility Taxes as a % of debt service 13.1%	
Policy Formulation/Internal Support	Direct cost times 10.2%	$13,573
Cost of Providing UMSA Services		$158,618
Net to UMSA		($144,809)

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		$4,975,456
2000 Area Census Population		0
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		1
Total Calls for Service - Study Area		48
Part 1 Crimes - Study Area		4
Part 2 Crimes - Study Area		0
Cost per Centerline Mile		$2,034
Number of Centerline Miles		0
Per Capita Taxable Value		N/A